To: This Week @ EPA[epanews@epa.gov]
From: This Week @ EPA
Sent: Mon 8/28/2017 5:34:34 PM
Subject: This Week @ EPA – August 28, 2017

Banner image taken by David Brick, Region 10, along the Oregon coast.

Senior Leadership Message | Hot Topics | Key Dates | Video Spotlight | Health & Wellness | IT Corner

*The agency is actively supporting **Hurricane Harvey** emergency response efforts.*

Be on the lookout for an update from Administrator Pruitt.

Senior Leader Message

Dear Colleagues,

As we approach the final month of Fiscal Year 2017, I want to spur your collective support to help the agency achieve its small business contracting goals. You may be aware that the U.S. Small Business Administration establishes small business goals with each federal agency in accordance with the Small Business Act. These goals recognize the critical role of small businesses in creating jobs, driving innovation, maintaining strong industrial assets, and growing the nation's economy.

AMERICAN OVERSIGHT

I am very proud of EPA's long and distinguished record of supporting small businesses. Your efforts to maximize small business contracting opportunities are the reason why this year's goals are within our reach. With just one month left in FY 2017, it's time to step-up those efforts even more.

The EPA's new Pilot Small Business Contracting Dashboard, which was recently launched to help offices track goal achievements, shows that the agency as a whole is currently achieving three out of the five established small business goals. Region 4 stands alone in the coveted position of achieving all five goals to date. Only the Office of Research and Development and Region 6 have met four of the five goals. Let's work together to follow the outstanding example of these offices and regions.

The Office of Small and Disadvantaged Business Utilization (OSDBU) provides small business expertise and can help you enhance your goal achievements. For assistance, call OSDBU's main line at 202-566-2075, or reach out to one of their Procurement Leads.

I am counting on your support for a strong FY 2017 finish. Boosting your efforts will help the agency achieve its goals, support our nation's small businesses, and strengthen the national economy.

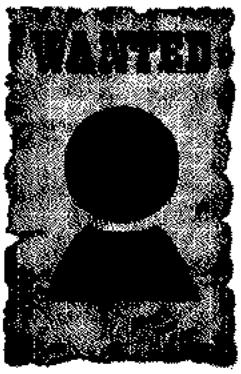
Ryan Jackson

Chief of Staff

Hot Topics

EPA's fugitives list grows

AMERICAN OVERSIGHT



Did you know that EPA has a fugitives list? The list identifies defendants charged with environmental crimes or violations of federal environmental laws who have fled the court's jurisdiction or the United States rather than face prosecution or serve a sentence.

The latest addition to the EPA fugitives list is James Kenneth Ward, who is wanted on federal fraud charges connected with illegal disposal of radioactive waste in several North Dakota locations. He was indicted April 5, 2017, in federal district court in Montana and escaped custody of local officials during a prison transport in Wyoming in March 2013.

- For more information about Ward, read the press release.
- To learn more about other fugitives, visit the EPA Fugitives site.

Tribal Lands and Environment Forum training

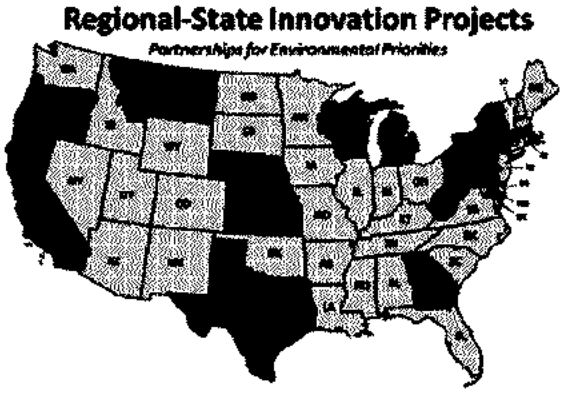
EPA co-sponsored the seventh annual Tribal Lands and Environment Forum (TLEF) training event in Tulsa, Oklahoma, on Aug. 14-17. The TLEF stems from a cooperative agreement between the Institute for Tribal Environmental Professionals (ITEP) located at Northern Arizona University (Exit) and EPA's Office of Land and Emergency Management and Office of Water.

AMERICAN OVERSIGHT

Approximately 450 tribal environmental professionals attended and participated in many of the 15 environmental training sessions. The event also included various breakout sessions, networking opportunities, and field trips. One of the field trip was a tour of the Quapaw Tribe's Tar Creek Superfund site.

EPA's TLEF participants included Ken Wagner (AO), Kell Kelly (AO), Jane Nishida (OITA), Sarah Grennwalt (AO), and Sam Coleman (R6).

Innovative research addresses environmental issues across country



EPA recently announced its selection of research projects addressing priority environmental and human health problems in 14 states across all 10 regions through partnerships between EPA's Office of Research and Development, regional offices, and states.

The research seeks to address pressing environmental issues facing the states. EPA is uniquely equipped to provide scientific expertise to help tackle these problems. The selected projects focus on a wide variety of issues from non-point source nitrogen pollution, volatile organic compound emission detection, harmful algal blooms, roadway air pollution near schools, and other environmental and human health issues across the country.

The projects will employ innovative approaches including citizen science, crowdsourcing, a challenge competition, and advanced monitoring technologies.

- Check out the list of selected projects.
- View the project map and details via the 2017 Regional/State Innovation Projects site.

AMERICAN OVERSIGHT

Position sensitivity designation

Position Sensitivity Designation

as mandated by

5 CFR 1400

A government-wide security requirement (5 CFR 1400) mandates that agencies evaluate every employee's position to determine its sensitivity in relationship to the potential impact it could have on national security. Some positions may now be considered "National Security Sensitive" where they previously were not because "the occupant could bring about, by virtue of the nature and duties and responsibilities of the position, a material adverse effect on national security."

Supervisors will be responsible for determining the sensitivity levels for each of their direct reports using OPM's Position Risk Designation Tool.

Visit the 5 CFR 1400 Guides intranet site for more details.

Key Dates

EPA Calendar

Click on each event below to get more details.

Click on the "Add to Calendar" button to add an event to your Outlook calendar.

If you see a log-in screen, please click on your EPA email, or if prompted, enter your email and network password.

Video Spotlight

Corbin, Kentucky farmers market spurs downtown redevelopment

As with many small Appalachian communities, Corbin's downtown struggled for many years. Community members recently participated in the federal Local Foods, Local Places program pilot, which helps people create walkable, healthy, economically vibrant neighborhoods through the development of local food

AMERICAN OVERSIGHT

Happening This Week:

Aug. 28: PeoplePlus early closeout: Corrected timecards due (employees)
ADD TO CALENDAR

Aug. 29: PeoplePlus early closeout: Corrected timecard approvals (supervisors) ADD TO CALENDAR

Aug. 30: Introduction to Accessible PowerPoint webinar REGISTER NOW!

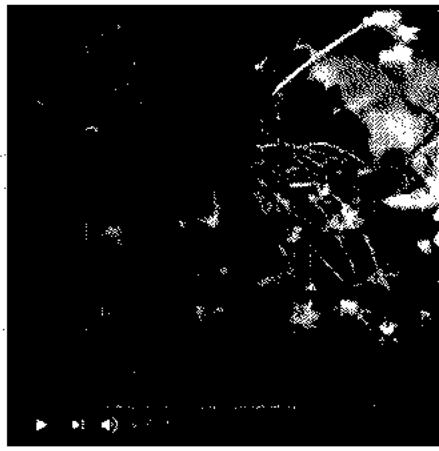
Aug. 30: PeoplePlus early entry: Timecard entries due (employees)
ADD TO CALENDAR

Aug. 31: PeoplePlus early entry: Timecard approvals due (supervisors)
ADD TO CALENDAR

Coming Soon:

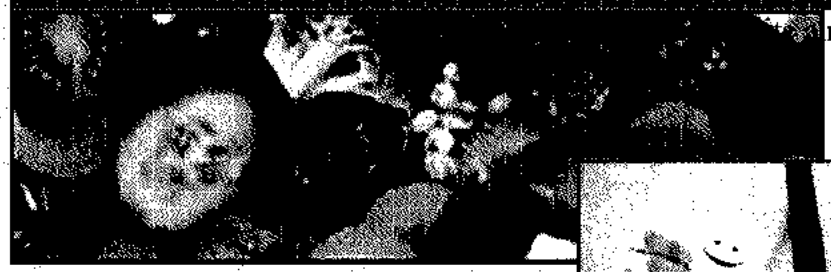
Sept. 7: Lean Overview webinar

systems. Corbin opened a new farmers market downtown, and it attracted people and new businesses. According to Corbin's main street manager, the market helped drive the vacancy rate from over 40 percent down to less than 5 percent.



(Video length: 4:07)

Health & Wellness



Choose healthy recipes!

As part of EPA's Health and Wellness program, there is an intranet site dedicated to healthy recipes! The site provides an

IT Corner

ms to enhance 'customer experience'

EPA introduces a new intranet website this week called Customer Experience (CX). The new website is an important milestone of the Office of Environmental Information (OEI) CX Program – a program that aims to enhance and improve customers' overall, ongoing interactions with OEI.

AMERICAN OVERSIGHT

overview of why it is import to choose healthy recipes as well as healthy recipes for breakfast, lunch, dinner, and snacks. In addition, the site has information on three online cookbooks that offer additional recipes.

If you have a healthy recipe that you would like to contribute to EPA's healthy recipe site, please email it to Josh McDonald.

Note: If you've tried one of these healthy recipes, please send us a picture and/or a note and let us know what you thought!

The CX Program and intranet site are a collaborative effort of OEI, the Office of Administration and Resources Management, and the Office of the Chief Financial Officer. OEI, in partnership with these offices, is conducting town halls to better understand the specific needs and frustrations of customers so it can take action to improve the overall customer experience.

The website will keep employees informed of the most recent CX updates and activities; so all employees, as OEI customers, should frequent the site and learn about the CX Program, tools, and team.

The CX Team welcomes your comments and suggestions. Feel free to send any feedback or questions you may have to the new CX mailbox at customer.experience@epa.gov.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Sparacino, Jessica
Sent: Thur 8/10/2017 2:48:30 PM
Subject: Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head, 8/10/17

Tulsa World

http://www.tulsaworld.com/homepagelatest/randy-krehbiel-some-believe-scott-pruitt-is-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By: Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases. "Everything he says is calculated toward securing the Republican nomination in Oklahoma and then winning the general election there."

AMERICAN OVERSIGHT

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

Jessica Sparacino

US Environmental Protection Agency

Office of Public Affairs Intern

AMERICAN OVERSIGHT

(202) 564-5327

WJCN 2502J

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Sorokin, Nicholas
Sent: Fri 7/14/2017 4:12:12 PM
Subject: Inside EPA: Communities Ready Task Force To Resist Pruitt Superfund Reform Effort, 7/14/17

Inside EPA

https://insideepa.com/daily-news/communities-ready-task-force-resist-pruitt-superfund-reform-effort

Communities Ready Task Force To Resist Pruitt Superfund Reform Effort

By Suzanne Yohannan, 7/13/17

Grassroots community groups are forming a task force to help them push back against EPA Administrator Scott Pruitt's efforts to reform the Superfund program, arguing that his endeavor raises significant concerns about curtailing cleanup oversight and planning to come up with alternative approaches to offer the administrator.

Pruitt's May 22 memo creating an internal agency task force to reexamine Superfund and recommend revisions "raises major concerns about decreasing cleanup oversight, privileging corporate interests over public health, and a lack of community involvement," says a July 12 email to community groups from Lois Gibbs, the long-time Superfund activist and founder of The Center for Health, Environment & Justice (CHEJ), the group leading the effort.

"The focus of Superfund cleanup must place public health as a priority, when weighed against private interests and money," the nascent task force says in a **draft memorandum**, signaling the task force plans to push for stricter cleanup requirements, limited flexibility for responsible parties and greater consultation with affected communities.

For example it is seeking to limit EPA's ability to avoid listing contaminated sites on the National Priorities List (NPL), limit the use of containment remedies, ensure public health remains a higher priority goal for cleanups than economic development, strengthen health studies at contaminated sites, and reinstate the expired Superfund taxes, among other measures.

AMERICAN OVERSIGHT

While details of Pruitt's plans are not available, many of the groups' calls are at odds with approaches that Pruitt is expected to adopt.

In the email, Gibbs says that the Trump administration and Pruitt "claim to desire to return Superfund cleanups 'to their rightful place at the center of the EPA's core mission,' however their actions speak differently: their proposed budget includes a 30% cut in funding to the Superfund."

"We aren't going to let him get away with this," she writes in the email.

She says organizers from communities around Superfund sites have coalesced to create the People's Task Force "to advocate our recommendations on the future of Superfund, based on our years of on-the-ground experience."

The People's Task Force recommendations include 20 initial signatory groups, including Center for Public Environmental Oversight, Edison Wetlands Association, Maryland Environmental Health Network, Tri-Valley Cares and others.

Several of the groups are located adjacent to Superfund sites, including LEAD Agency, Inc., which seeks to address the Tar Creek Superfund Site in Picher, OK; Citizens Against Toxic Exposure, which advocates on the Escambia Treating Company site in Pensacola, FL; Food & Water Watch, which works on the Gowanus Canal Superfund Site in Brooklyn, NY; and many others.

CHEJ is seeking additional signatures from environmental and political groups and local Superfund advocacy groups, the email says. The sign-on web page indicates CHEJ plans a media release soon, alluding to a possible news release on July 25.

CHEJ could not be reached at press time to respond to questions about the effort.

AMERICAN OVERSIGHT

Pruitt's Reforms

The new task force is seeking to influence Pruitt as he works to overhaul aspects of the Superfund program.

In his May 22 memo, Pruitt notes complaints of Superfund cleanups taking too long to commence and complete, and assigned an internal task force, led by banker Albert Kelly, to produce recommendations within 30 days on streamlining the Superfund program.

The memo called on the internal task force to make recommendations on "how the agency can restructure the cleanup process, realign incentives of all involved parties to promote expeditious remediation, reduce the burden on cooperating parties, incentivize parties to remediate sites, encourage private investment in cleanups and sites and promote the revitalization of properties across the country."

The EPA task force completed its work and Pruitt was expected to be briefed in late June **on the recommendations**, an informed source says.

Details have not emerged of those recommendations, but an EPA spokeswoman said July 13 that the agency "will have more information to share on the Superfund task force's report soon."

While details of EPA's plans are not available, Sen. Steve Daines (R-MT), who faces home state concerns over slow cleanups due to planned budget cuts, recently released an outline of recommendations for improving the program's implementation, including limiting the use of the NPL, prioritizing the program for funding and revising metrics for determining cleanup success, that could be viewed as a model for how EPA will proceed.

But the People's Task Force's recommendations criticize aspects of Pruitt's May 22 memo and recent industry calls for certain Superfund changes.

AMERICAN OVERSIGHT

For example, they take issue with the memo's proposal to lower administrative and overhead costs, with the groups noting that such spending mainly funds enforcement and community involvement. "We strongly caution that these are not corners to be cut -- without proper oversight and public accountability, the Superfund would lose much of its remaining efficacy," the groups say.

In their recommendations, the groups that comprise the People's Task Force also express concern over industry proponents' calls for developing "exit strategies," which usually include removing sites from the NPL. They say proponents of that approach concurrently push for containment-type cleanup strategies rather than full removal or complete remediation required by law.

With such "Band-Aid" methods, "exit strategies will not be possible, as the sites require continual maintenance and monitoring," the groups say.

Therefore, these two industry goals are not compatible, they say. "If Responsible Parties want their sites to be delisted from the NPL, they must either pursue complete cleanup or accept the necessary continual oversight to ensure that toxic hazards are under control," they say.

They also question any potential expansion of the Superfund Alternative Approach (SAA) -- the approach advocated by Daines that entails the same cleanup process and standards but avoids an NPL listing.

PRP Benefits

But the community groups say while the SAA offers benefits to potentially responsible parties (PRPs), it impedes citizen participation that the Superfund program ordinarily provides.

For instance, under the alternative approach, PRPs, rather than EPA -- a neutral party -- award technical assistance grants, when provided, to communities. The approach allows PRPs to avoid the stigma of NPL listings as well as declaring a Superfund liability on financial documents -- which the groups say can have a significant impact particularly if a company is sold. The alternative approach also raises concerns over decreased community input and EPA oversight,

AMERICAN OVERSIGHT

they say.

The groups also question the memo's failure to list communities among the stakeholders with which EPA wants to improve interactions. "These communities have the right to information and input on these decisions upon which their health and welfare hinges," the groups say. "Economic development, while important to community revitalization, can never supersede public health."

They also call for reinstating the "polluters pay" tax under Superfund -- a long-time issue that has failed to gain any traction in Congress in recent years -- if the agency, as Pruitt says, is committed to restoring Superfund cleanups "to their rightful place at the center of the agency's core mission."

Further, they take aim at Pruitt's advocacy for using private investment and "alternative funding mechanisms" for the program. These "can't come close to compensating for the Superfund budget cuts and the high volume of abandoned sites," the groups say.

The groups also argue EPA transparency is key to improving relations between EPA and stakeholders. "Cleanup goals must be set in an explicit and interactive manner, beginning with the disclosure of all site information as soon as it is available," the recommendations say.

In her email on the task force, Gibbs notes that EPA under Pruitt "has been markedly secretive." She alleges, "unlike previous administrators, he has never made his schedule publicly available, ignores Freedom of Information Act requests, and has imposed silence upon the Administrative Office's phone line." He has also not disclosed details about the Superfund task force, such as who staffed it and its recommendations.

Nicholas Sorokin

Office of Media Relations Intern

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency

Telephone: (202) 564-5334

sorokin.nicholas@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Mon 2/26/2018 3:06:48 PM
Subject: POLITICO's Morning Energy, presented by Chevron: In Pruitt era, if FOIAs fail, sue — What's next for carbon capture? — Trump to consider Pruitt, Perdue RFS proposal

By Kelsey Tamborrino | 02/26/2018 10:00 AM EDT

With help from Eric Wolff, Alex Guillén and Darius Dixon

IF ALL ELSE FAILS, SUE: EPA has experienced a surge in open records lawsuits following the inauguration of Donald Trump, a POLITICO review found. The lawsuits show a heightened sense of secrecy in the agency tasked with protecting the environment, as outside groups question the administrator's travels, meetings and policy decisions. Critics of the agency say the suits demonstrate just how far EPA is willing to go to flout FOIA under Scott Pruitt's tenure.

By the numbers: The lawsuits have come from a range of open government groups, environmentalists and even conservative organizations, Emily Holden reports, after they hit a wall trying to pry information out of Pruitt's agency. All told, plaintiffs have filed 55 public records lawsuits against EPA since Trump's inauguration, according to a review of a database of cases compiled by The FOIA Project, an initiative run by the Transactional Records Access Clearinghouse at Syracuse University. Forty-six of those lawsuits came in 2017 - making it the busiest calendar year by far, according to data stretching back to 1992. The second-busiest year was 2015, when plaintiffs filed 22 such suits against the agency, Emily reports. George W. Bush's EPA faced only 57 FOIA lawsuits during his entire presidency, according to the database's list of cases.

According to a separate data analysis that the Project on Government Oversight conducted for POLITICO, EPA has been especially slow to resolve information requests directed specifically at Pruitt's office. The data show that EPA has not started evaluating the vast majority of requests for information on Pruitt and has closed less than one-fifth of the requests directed at the administrator's office. From Jan. 20, 2017, to the end of last year, EPA received 11,431 FOIA requests, up about 17 percent compared with an equivalent period during Obama's last year in office, according to the analysis by POGO.

EPA spokeswoman Liz Bowman tells Emily the agency is focused on clearing a backlog of requests left over from previous administrations, while responding to "the large volume of incoming requests." EPA had more than 650 requests open from previous years as of early October and has since closed 60 percent of them, Bowman said. Read the full story here.

WELCOME TO MONDAY! I'm your host Kelsey Tamborrino, and Andeavor's Stephen Brown was first to identify Frances Perkins as the first woman appointed to a Cabinet position, which was Labor secretary. For today: What was the name of the first female House page? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

WHAT NOW? The surprise inclusion of a carbon capture and sequestration tax credit in the

AMERICAN OVERSIGHT

recent budget package has spurred optimism among its supporters, who ask how they can make a technological leap in the fight against climate change. But optimism aside, Pro's Anthony Adragna reports getting major new projects off the ground will likely remain a tough sell.

Sen. Heidi Heitkamp, who spearheaded the measure, is aiming to bring down the project costs of CCS technology, by allowing a broader group of facilities like factories and ethanol plants to claim the tax credit. Oil producers who use captured carbon for enhanced oil recovery will be eligible for a $35-per-ton tax credit, and anyone who permanently stores carbon underground can claim a $50 per ton. "Trust me, people are going to take advantage of this credit and, as a result, technology for carbon capture and sequestration and utilization is going to accelerate," she said. Heitkamp tapped a diverse array of allies ranging from climate hawks like Sheldon Whitehouse to pro-coal Republicans like John Barrasso and outside pro-business groups to overcome resistance from House Speaker Paul Ryan and House Ways and Means Chairman Kevin Brady.

Some critics see the credit as an unnecessary reward for fossil fuel companies whose climate benefits are counteracted by spurring additional oil production. The Natural Resources Defense Council, for example, has pulled out of the newly rebranded Carbon Capture Coalition, saying it does not support "subsidies for enhanced oil recovery." But Whitehouse said it was worth it to get Congress on the record about what a ton of carbon should cost. "Unfortunately, we had to build it into the tax code as a benefit rather than putting it in as a fee, which would be a much more economy-wide way to go, but I'll take that opening because now we're in the conversation about paying for carbon-free power," Whitehouse said. Read more.

TRUMP TO CONSIDER PRUITT, PERDUE RFS PROPOSAL: Pruitt and Agriculture Secretary Sonny Perdue will meet with Trump today to present a package of changes to the Renewable Fuel Standard to end tensions over the program between corn farmers and refiners. The two men will propose capping the price of biofuel credits (called Renewable Identification Numbers), a year-round waiver for the sale of 15 percent ethanol gasoline, the creation of credits for exported ethanol, and a transparency measure intended to cut Wall Street investors out of trading in the program. All of the proposals would be executed administratively, rather than legislatively. The pitch to Trump precedes a Tuesday meeting between the president and Sen. Chuck Grassley, Joni Ernst, Ted Cruz and Pat Toomey.

Basically the Cruz proposal: Cruz has been proposing the waiver-for-RIN-cap package for months now and getting nowhere with corn-staters. The addition of allowing credits for exports, which Pruitt floated and abandoned last year after an uproar from Gang Grain, seems unlikely to add to its appeal, though ethanol producers have expressed openness to the transparency measure. A refining source says the legal authority for some of these measures is "highly doubtful, but by the time the rule is final and then litigated, authors will be long gone from the scene. Think at least 2-2.5 years. God only knows what gyrations the market will endure in the interim."

Independent refiners are in: Another source says the proposals "would result in more predictability in the RINs market and in expanded biofuels sales and higher blends. That's the sort of win-win Cruz and Toomey seem to have been referring to. And this process seems not to

AMERICAN OVERSIGHT

require legislative action, therefore ensuring faster results."

Catching the president's eye: Ahead of the Tuesday meeting, Fuels America will launch a TV ad on "Fox & Friends" in the D.C. market starting today through Tuesday. The ad thanks Trump for his commitment to the RFS. Watch it here.

POWER TO THE STATES : Democratic governors across the U.S. are merging to fight back against administration policies they find hard to swallow, POLITICO's Edward-Isaac Dovere and Gabriel Debenedetti report. The 16 governors are looking to return power to the state-level on issues including climate and infrastructure, and they used this weekend's National Governors Association conference to boast of "pushback to damaging Trump policies." "We have a national administration that is not keeping with where the American people are, and when it becomes as evident as it is, then it's incumbent on people with half a brain to figure out a way around that," said Connecticut Gov. Dannel Malloy, a member of the Climate Alliance formed in the wake of Trump's pullout from the Paris climate agreement. Read more.

MEN AT WORK: House Natural Resources Chairman Rob Bishop took a bipartisan congressional delegation to Australia and New Zealand for energy and defense-related activities, a committee aide told Anthony on Friday. The lawmakers were there to look at energy activities in Australia and examine New Zealand's deregulation of its energy sector and learn about "the strategic importance of the two nations as a counterbalance to less-friendly powers in the Pacific," the aide said.

MURRAY-OLIVER CASE DISMISSED: A West Virginia judge dismissed the defamation lawsuit brought by coal magnate Bob Murray against HBO comedian John Oliver, following a June segment on Murray and his coal companies, where Oliver said Murray looked like a "geriatric Dr. Evil." The court said Murray's company failed to state a claim, according to a two-page ruling posted by The Hollywood Reporter. Murray's company told the Hill it plans to appeal the decision to West Virginia's Supreme Court "immediately."

SPEAKING OF COAL: Interior Secretary Ryan Zinke headed to Pennsylvania coal country this weekend to announce $300 million in grants to states and tribes to reclaim and repurpose abandoned mine lands. Picture here.

- Zinke also announced a $60 million cooperative agreement with the Recreational Boating and Fishing Foundation on Friday to retain and recruit recreational anglers and boaters of all ages. Zinke made the announcement prior to attending a "Saluting the Nation's Governors as Champions of the Great Outdoors" event, hosted by The Outdoor Recreation Roundtable and The Great Outdoors Month Council, according to Interior.

PRUITT PLAYS THE HITS AT CONSERVATIVE CONFAB: Pruitt largely stuck to his stump speech during a 20-minute Friday night headlining appearance at CPAC's Ronald Reagan dinner. He said the Obama administration "weaponized against certain sectors of our economy," especially coal; touted his deregulatory efforts; said America is "blessed" with natural resources to use; dinged the Obama administration for environmental disasters on its watch, like Gold King and Flint; blamed Obama for growing the Superfund list; and said Trump has "courage" and is

AMERICAN OVERSIGHT

about "getting results."

On WOTUS: Pruitt noted Trump assigned him to pull back on federal water jurisdiction, and alleged WOTUS was solely a power grab by the Obama administration unrelated to protecting water quality. He added: "Make no mistake about it. It's not about water quality, it's not about that. It truly is about power and jurisdiction and oversight that was being stretched so far." Pruitt got applause from the crowd when he mentioned the new version of WOTUS will be based on Justice Antonin Scalia's part of the Rapanos ruling.

He'll always have the Paris pullout: Asked what he was proudest of, Pruitt immediately mentioned getting the president to announce he will withdraw from the Paris climate accord. Trump "knocked it out of the park," Pruitt said.

Following the appearance at CPAC, Pruitt appeared on Fox News for a one-on-one interview with Jeanine Pirro discussing EPA's sue-and-settle policy, the end of the "war on coal" and the move to de-regulation. Watch here.

** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat-buckwheat. Watch the video: http://politi.co/2sNtZTu **

ZINKE 'OVER HIS SKIS': The White House was not pleased with a July 2017 GQ profile of Zinke, according to FOIA documents tweeted out by Huffington Post's Chris D'Angelo. According to an email from Andrew Hemming to a number of White House staffers - with the subject line, "Flagging - Zinke a bit out over his skis in a GQ interview" - the Cabinet communications staffer was concerned with a few "eyebrow-raising" answers given by Zinke. Among those were his statements that his Trump Tower meeting with the president-elect lasted "100 seconds" - and when Trump suggested he might tap him to head Veterans Affairs, Zinke quipped "I don't think you hate me that much." The White House contacted Interior about the interview, to which Interior drafted a statement that said the reporter of the profile had "selectively used quotes out of context to write a story that fit her pre-conceived narrative." See the thread here.

FERC ANOTHER DAY: The nation's electricity regulators were slated to appear in front of a House Energy and Commerce subcommittee this Thursday but the hearing was canceled late last week. The hearing was announced several weeks ago but was postponed due to "a change in the House schedule," a spokesman said. A new hearing date hasn't been setup yet. The House has canceled votes for Wednesday and Thursday when the late Rev. Billy Graham will lie in honor in the Capitol.

SPOTTED: Former Energy Secretary Ernest Moniz on a flight Sunday night from Boston to DCA.

ENERGY PAC ENDORSES 2 MORE: The ClearPath Action Fund announced today that it's endorsing Florida Rep. Carlos Curbelo and Nevada Sen. Dean Heller, Pro's Elena Schneider reports. "Rep. Curbelo and Sen. Heller have really put their shoulders to the wheel for clean

AMERICAN OVERSIGHT

energy, for the good of their constituents and for the country," said Jay Faison, the founder of the super PAC. Curbelo is co-founder and co-chair of the Climate Solutions Caucus.

PREPA LOANED MILLIONS FOR POWER: The Puerto Rico Power Authority accepted an emergency loan of $300 million from the island's treasury on Friday, allowing the utility to avert any power cuts to customers. "The $300 million loan and cost-savings from PREPA's Strategic Emergency Operations Plan will give PREPA needed liquidity to mid-April," said Ernesto Sgroi, president of the PREPA governing board.

MOVER, SHAKER: The National Wildlife Federation announced today Sarah Laskin will join the organization as vice president of its national advocacy center in D.C. Laskin previously worked at the National Geographic Society as senior vice president and COO for science and exploration programs.

- **Today is Robbie Myers first day** as digital director for the Energy Department. He previously was digital director at the Senate Republican Conference.

MAIL CALL! Sens. Michael Bennet and Tim Scott sent a letter last week to the president, urging him to lift his planned 30 percent tariff on imported solar panels and solar cells. Read the letter here.

QUICK HITS

- Left to Louisiana's tides, a village fights for time, The New York Times.

- Zinke held onto undisclosed shares in gun company, the Huffington Post.

- U.S. lands agency makeover would diminish Washington's power, Associated Press.

- The Energy Department took down anti-leaking posters after an investigation, BuzzFeed.

- PJM prepares response to FERC in grid resilience proceeding, S&P Global.

- Oklahoma judge says suit over Tar Creek audit can proceed, Associated Press.

THAT'S ALL FOR ME!

** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. Watch the video: http://politi.co/2Fkoq1m **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/02/26/in-pruitt-era-if-foias-fail-sue-114961

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Mon 2/26/2018 12:23:27 PM
Subject: February 26 -- Energywire is ready

Read today's Energywire on the web

ENERGYWIRE — Mon., February 26, 2018

READ FULL EDITION

1.NATURAL DISASTERS:
How shortages are worsening Puerto Rico's blackout
When Puerto Rico's moment of need arrived, critical supplies had already been grabbed by utilities recovering from their own disasters.

TOP STORIES

2.LAW:
In rare move, court halts ETP oil pipeline
3.TECHNOLOGY:
Midwest EV market gets utility jump-start

OIL AND GAS

4.CLIMATE:
Southeast pipeline's fate still up in the air
5.HURRICANE HARVEY:
Houston looks to adapt by elevating new buildings but faces resistance
6.EPA:
Judge sees little reason to suppress Tar Creek audit
7.PIPELINES:
W.Va. water waiver triggers federal permit snafu, enviros say
8.NEWSMAKER:
Give women a shot to advance, says Occidental CEO

ELECTRICITY

9.UTILITIES:
Renewable interest percolates at 'gas-heavy' Entergy
10.ELECTRICITY:
Retirements looming, New England still resists new sources
11.RENEWABLES:
First Solar sees lift this year from Trump tariffs
12.CLIMATE:
As wildfires hit balance sheets, Calif. utilities point to warming

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.
ABOUT ENERGYWIRE – The Transformation of the Energy Sector
Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

AMERICAN OVERSIGHT

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

Office of Attorney General
State of West Virginia

Patrick Morrisey
Attorney General

Office of Attorney General
State of Wisconsin

Brad D. Schimel
Attorney General

June 19, 2017

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Submitted via electronic mail

Re: Comments of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Nevada, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, and Utah, and the Commonwealth of Kentucky on the U.S. Environmental Protection Agency's request for comment on the definition of "waters of the United States."

Dear Administrator Pruitt:

As representatives of our States, we urge the Environmental Protection Agency ("EPA") to adopt a definition of "waters of the United States" under the Clean Water Act of 1972 ("CWA") that preserves the important role of the States in protecting the nation's water resources.

In 2015, the EPA and the U.S. Army Corps of Engineers (the "Corps") (collectively the "Agencies") adopted the WOTUS Rule, *see* "Clean Water Rule: Definition of 'Waters of the United States,'" 80 Fed. Reg. 37,054 (June 29, 2015), which came under immediate challenge. Thirty States, including the signatories of this letter, and other parties sought judicial review, resulting in orders from two federal courts staying implementation of the WOTUS Rule. The WOTUS Rule is unlawful because it conflicts with both the CWA's text and the U.S. Supreme Court precedent concerning the CWA and because it significantly impinges upon the States' traditional role as the primary regulators of land and water resources within their borders.

AMERICAN OVERSIGHT

Now the Agencies have an opportunity to pursue a lawful rule that adheres to the text of the CWA and U.S. Supreme Court precedent. We are encouraged by EPA's outreach to state and local governments at this early stage in the process of replacing the Rule, and we urge EPA to continue to engage with States throughout the rulemaking process. We write to suggest how the Agencies can write a rule that respects Congress's instruction in the CWA to "recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b). In particular, we urge EPA and the Corps to adopt an approach consistent with Justice Scalia's plurality opinion in *Rapanos v. United States*, 547 U.S. 715 (2006), as urged by the President's recent executive order. Indeed, many of the undersigned States believe that Justice Scalia's plurality opinion identifies the outermost bound of permissible federal jurisdiction authorized by the statute, and many of the undersigned States would consider bringing another legal challenge against any regulatory definition of "waters of the United States" that exceeds the scope defined by Justice Scalia's plurality opinion. In the alternative, if EPA and the Corps wish to adopt an approach tailored to Justice Kennedy's *Rapanos* concurrence—which the States do not believe is necessary, and many States believe would be unlawful and plainly in excess of EPA's statutory jurisdiction—the States urge that any such approach should be carefully tailored to addressing the concerns that Justice Kennedy raised regarding federalism and the traditional authority of the States as principal regulators of waters within their borders.

I. Background

A. The Clean Water Act

The CWA provides that the Agencies have regulatory authority over "navigable waters," defined as "waters of the United States," 33 U.S.C. §§ 1344, 1362(7), which triggers numerous regulatory requirements. Any person who causes pollutant discharges into "waters of the United States" must obtain a permit under the section 402 National Pollutant Discharge Elimination System ("NPDES") program, *id.* § 1342, or under section 404 of the CWA for dredged or fill material, *id.* § 1344, subject to certain exclusions. "'The discharge of a pollutant' is defined broadly to include 'any addition of any pollutant to navigable waters from any point source,' and 'pollutant" is defined broadly to include not only traditional contaminants but also solids such as "dredged spoil, . . . rock, sand, [and] cellar dirt.'" *Rapanos v. United States*, 547 U.S. 715, 723 (2006) (plurality opinion) (citing 33 U.S.C. §§ 1362(12), 1362(6)). Obtaining a permit is an expensive process that can take years and cost tens of thousands of dollars. *See* 33 U.S.C. §§ 1342, 1344. Discharging into "waters of the United States" without a permit can subject a farmer or private homeowner to criminal and civil penalties, including fines of up to $51,570 per violation, per day. 33 U.S.C. §§ 1311, 1319, 1365; 74 Fed. Reg. 626, 627 (2009).

Federal jurisdiction under the CWA also imposes costs specially on the States. Some of those costs relate to permitting under the CWA. In forty-six States, it is the States and not the federal government that have primary NPDES permitting responsibilities under 33 U.S.C. § 1342(b). NPDES Program Authorizations, https://www.epa.gov/npdes/npdes-program-authorizations (last visited May 24, 2017). In addition, all States must create water quality

AMERICAN OVERSIGHT

standards for those "waters of the [United] Sta te[s]" within their borders, 33 U.S.C. § 1313, and States must issue water quality certifications for every federal permit that is issued by EPA or the Corps within their borders. *Id.* § 1341. Every two years, States also must report to EPA on the condition of those waters, *id.* § 1315, and if waters do not meet their designated standards, the States must develop detailed pollution diets for those waters and submit those diets to EPA for approval, *id.* § 1313(d).

Importantly, the States have robust programs to protect their own waters, regardless of whether those wa ters are regulated under the CWA. *See, e.g.*, N.D. Cent. Code §§ 61 -28-01 *et seq.*; Mont. Code Ann. §§ 75-5-101 *et seq.*; N.M. Stat. Ann. §§ 74-6-4 *et seq.*; Mo. Rev. Stat. §§ 644.006 *et seq.*; Ark. Code Ann. §§ 8-4-101 *et seq.*; Tex. Water Code §§ 26.001 *et seq.*; Ky. Rev. Stat. §§ 224.70-100 *et seq.*

B. Supreme Court Decisions Rejecting The Agencies' Overbroad Interpretations Of "Waters Of The United States"

Twice in the last sixteen years, the Supreme Court has rejected attempts by EPA and the Corps to extend their jurisdiction beyond the CWA. In *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) ("*SWANCC*"), the Supreme Court rejected the Corps' asser tion of jurisdiction over waters "[w]hich are or would be used as habitat" by migratory birds. *Id.* at 164. The Court concluded that the CWA does not reach "nonnavigable, isolated, intrastate waters," such as seasonal ponds. *Id.* at 171. The Court explained that "federal jurisdiction over ponds and mudflats falling within the 'Migratory Bird Rule' would result in a significant impingement of the States' traditional and primary power over land and water use," *id.* at 174, and it required "a clear indication tha t Congress intended that result," *id.* at 172. But the Court found no clear statement authorizing the Corps' expansive view; to the contrary, "Congress chose to 'recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b).

Next, in *Rapanos*, the Supreme Court rejected the Corps' assertion of authority over intrastate wetlands that are not significantly connected to navigable -in-fact waters. The Court's majority consisted of a four -Justice plurality opinion written by Justice Scalia and Justice Kennedy's opinion concurring in the judgment.

Pointing to several sources for statutory construction, the plurality concluded that, "on its only plausible interpretation," CWA jurisdiction extends "only [to] those relatively permanent, standing or continuously flowing bodies of water 'forming geographic features' that are described in ordinary parlance as 'streams[,] . . . oceans, rivers, [and] l akes,'" *Rapanos*, 547 U.S. at 739 (Scalia, J., plurality) (quoting *Webster's New International Dictionary* 2882 (2d ed. 1954)), and "wetlands with a continuous surface connection to" those waters, *id.* at 742. Specifically, the plurality based this conclusion on "[t]he only natural definition of the term 'waters,' [the Court's] prior and subsequent judicial constructions of it, clear evidence from other provisions of the statute, and th[e] Court's canons of construction." *Id.* at 731.

AMERICAN OVERSIGHT

In his separate opinion, Justice Kennedy also rejected the Corps' broad assertion of authority but on a different ground, stating that the Agencies only have authority over waters that are navigable-in-fact and waters with a "significant nexus" to such navigable waters. 547 U.S. at 779 (Kennedy, J., concurring in the judgment) (citing *United States v. Appalachian Power Co.*, 311 U.S. 377, 407–08 (1940)). On Justice Kennedy's analysis, a water has a "significant nexus" if it "significantly affect[s] the chemical, physical, and biological integrity of" a navigable water. *Id.* at 779–80. Accordingly, Justice Kennedy rejected jurisdiction over all "wetlands (however remote)" or all "continuously flowing stream[s] (however small)." *Id.* at 776; *see also id.* at 769 ("merest trickle, [even] if continuous" is insufficient." *Id.* at 780. Justice Kennedy explained that the Corps' approach "would permit federal regulation whenever wetlands lie alongside a ditch or drain, however remote and insubstantial, that eventually may flow into traditional navigable waters." *Id.* at 778.

In the years since *Rapanos*, the courts of appeals have disagreed over the controlling effect of the two opinions composing the majority. Under *Marks v. United States*, 430 U.S. 188 (1977), "[w]hen a fragmented Court decides a case[,] . . . the holding of the Court may be viewed as that position taken by those Members who concurred in the judgment on the narrowest grounds." *Id.* at 193 (citation omitted). In conducting the *Marks* analysis of *Rapanos*, the courts of appeals have reached different results. *Compare United States v. Donovan*, 661 F.3d 174, 176 (3d Cir. 2011) (holding the Agencies may assert jurisdiction over waters that satisfy either test), *United States v. Bailey*, 571 F.3d 791, 799 (8th Cir. 2009) (same), and *United States v. Johnson*, 467 F.3d 56, 66 (1st Cir. 2006) (same), *with United States v. Robison*, 505 F.3d 1208, 1221 (11th Cir. 2007) (holding Justice Kennedy's test governs), *N. Cal. River Watch v. City of Healdsburg*, 496 F.3d 993, 999–1000 (9th Cir. 2007) (same), and *United States v. Gerke Excavating, Inc.*, 464 F.3d 723, 724 (7th Cir. 2006) (same).

C. Two Federal Courts Block The WOTUS Rule As Unlawful And Harmful To The States

In June 2015, EPA and the U.S. Army Corps of Engineers ("Corps") (collectively "the Agencies") issued the final Clean Water Rule: Definition of "Waters of the United States" ("WOTUS Rule"), 80 Fed. Reg. 37,053 (June 29, 2015). The WOTUS Rule asserted sweeping jurisdiction over usually dry channels occasionally carrying "[t]he merest trickle[s]" into navigable waters. *Rapanos*, 547 U.S. at 769 (Kennedy, J., concurring in the judgment). The WOTUS Rule also covered waters merely because they are somewhat near such a dry channel and land features that connect to navigable waters only, if ever, after a once-in-a-century rainstorm.

Our States, among others, filed suit in various federal courts because the WOTUS Rule violates the CWA, the Administrative Procedure Act, and the U.S. Constitution. [1] The WOTUS

[1] *See Murray Energy Corp. v. EPA*, No. 15-3887 (and consolidated cases) (6th Cir.); *North Dakota v. EPA*, No. 3:15-cv-59 (D. N.D. filed June 29, 2015); *Ohio v. U.S. Army Corps of*

AMERICAN OVERSIGHT

Rule violates the CWA under either the *Rapanos* plurality or Justice Kennedy's concurrence. And even if the WOTUS Rule were not prohibited by the Supreme Court's clear directives, it is unlawful because it is not clearly permitted by the language of the CWA. As the Supreme Court held in *SWANCC*, federal regulation of vast numbers of local land and water features within the core state function requires a clear statement from Congress. Moreover, the Agencies adopted the WOTUS Rule in violation of the Administrative Procedure Act by adopting five distance-based components and one unduly narrow exclusion never even arguably presented in the Agencies' proposed rule and lacking record support. Finally, the WOTUS Rule violates the Constitution by intruding on the States' reserved authority under the Tenth Amendment and exceeding Congress's authority under the Commerce Clause.

Reflecting the strength of these challenges, the WOTUS Rule has been stayed by two federal courts. The day before the WOTUS Rule's effective date, the U.S. District Court for the District of North Dakota stayed implementation of the Rule in thirteen plaintiff-States pending judicial review of the Rule. *North Dakota v. U.S. EPA*, 127 F. Supp. 3d 1047 (D. N. D. 2015). Then on October 9, 2015, the U.S. Court of Appeals for the Sixth Circuit stayed implementation of the WOTUS Rule nationwide, finding that the Rule was likely unlawful. *In re EPA*, 803 F.3d 804 (6th Cir. 2015).[2]

D. The Executive Order Instructing the Agencies to Rescind or Revise the Rule and EPA's Plan to Implement the Executive Order.

In February 2017, the President issued an Executive Order instructing EPA and the Corps to review the WOTUS Rule and issue for notice and comment a proposed rule revising or rescinding the rule as appropriate. Exec. Order No. 13778, 82 Fed. Reg. 12,497 (Mar. 3, 2017). The Order further instructs the Agencies to consider interpreting the term "navigable waters" as defined in 33 U.S.C. § 1362(7) in the Clean Water Act consistent with the plurality opinion of Justice Antonin Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).

The Agencies have adopted a two-step approach for implementing the Executive Order. First, the Agencies intend to propose withdrawing the WOTUS Rule and re-promulgating the 1986 rule. Second, the Agencies will propose a new definition of "waters of the United States"

Eng'rs, No. 2:15-cv-2467 (S.D. Ohio filed June 29, 2015); *Texas v. EPA*, No. 3:15-cv-162 (S.D. Tex. filed June 29, 2015); *Georgia v. McCarthy*, No. 2:15-cv-79 (S.D. Ga. filed June 30, 2015); *Oklahoma v. EPA*, No. 4:15-cv-381 (N.D. Okla. filed July 8, 2015).

[2] The Sixth Circuit also decided that it had jurisdiction to consider challenges to the WOTUS Rule in the first instance under 33 U.S.C. § 1369(b)(1). *In re U.S. Dep't of Defense, U.S. E.P.A. Final Rule: Clean Water Rule: Definition of Waters of the U.S.*, 817 F.3d 261 (6th Cir. 2016). In September, 2016 the National Association of Manufacturers filed a petition for a writ of certiorari with the United States Supreme Court appealing that decision. The U.S. Supreme Court granted the petition. *Nat'l Ass'n of Mfrs. v. Dep't of Defense*, 137 S. Ct. 811 (Jan. 13, 2017). The case has not yet been scheduled for oral argument.

AMERICAN OVERSIGHT

consistent with Justice Scalia's *Rapanos* opinion. EPA has sought comment from state and local government on the federalism aspects of a new definition.

II. Discussion

As officials from States, we write to explain how the Agencies should define "waters of the United States" consistent with the role that States currently play in the management of land and water use.

As a threshold matter, we think there are good arguments that federal jurisdiction under the CWA extends only to navigable waters. The text of the CWA defines "navigable waters" as "waters of the United States." 33 U.S.C. § 1362(7). And "[f]or a century prior to the CWA, [the Supreme Court] had interpreted the phrase 'navigable waters of the United States' in the Act's predecessor statutes to refer to interstate waters that are 'navigable in fact' or readily susceptible of being rendered so." *Rapanos*, 547 U.S. at 723 (plurality opinion) (quoting *The Daniel Ball*, 10 Wall. 557, 563 (1871)). That reading also links federal jurisdiction under the CWA with Congress's constitutional authority to regulate commerce "among the several States," U.S. Const. art. I, § 8, cl. 3, which is conducted through navigable waterways.

However, in light of the Supreme Court's decision in *Rapanos*, it may be appropriate for the Agencies to look to the views of the Justices who made up the controlling majority in that case. As between the views expressed by those Justices, we urge the Agencies to adopt a rule defining "waters of the United States" in the manner identified in Justice Scalia's plurality opinion because that approach is more consistent with the text and purpose of the CWA. Indeed, as noted above, many of the undersigned States believe that the Agencies' jurisdiction to regulate "waters" extends no farther than Justice Scalia's plurality opinion in *Rapanos*, and those States likely would challenge any regulatory definition drawn from Justice Kennedy's concurrence in *Rapanos*. Alternatively, should the Agencies decide to take the approach of Justice Kennedy's concurrence, over the undersigned States' objections, we respectfully urge the Agencies to take into account the extent to which the States already protect land and water resources within their borders.

A. The Agencies Should Adopt the Scalia Plurality Test as Their Approach to CWA Jurisdiction.

The Agencies should base their approach on the *Rapanos* plurality because it better comports with the text of the CWA. Such a rule would provide for federal jurisdiction over "only those relatively permanent, standing, or continuously flowing bodies of water 'forming geographic features' that are described in ordinary parlance as 'streams[,] . . . oceans, rivers, [and] lakes,'" *Rapanos*, 547 U.S. at 739 (Scalia, J., plurality) and "wetlands with a continuous surface connection to" those waters, *id.* at 742 (Scalia, J., plurality). As the plurality explained, this conclusion follows from several sources of statutory construction.

AMERICAN OVERSIGHT

For example, the plurality focused on Congress's use of the term "the waters" —in particular, "[t]he use of the definite article ('the') and the plural number ('waters')." *Id.* at 732. This term refers "plainly" not to "water in general" but "more narrowly to water '[a]s found in streams and bodies forming geographical features such as oceans, rivers, [and] lakes." *Id.* at 732 (quoting Webster's New International Dictionary 2882 (2d ed. 1954)). The se are all "continuously present, fixed bodies of water ," and not "ordinarily dry channels through wh ich water occasionally or intermittently flows," such as "transitory puddles or ephemeral flows of water." *Id.* at 733.

In addition, the plurality determined that the CWA's use of the term "navigable waters" further confirmed that jurisdiction is limited t o "relatively *permanent* bodies of water." *Id.* at 734 (emphasis in original). That is because the CWA "adopted that traditional term from its predecessor statutes," and the "traditional understanding" of the term "navigable waters" included only "discrete *bodies* of water." *Id.*

The plurality also found "[m]ost significant of all" that the CWA itself categorizes channels that carry intermittent flows of water, such as pipes, ditches, channels, tunnels, conduits, and wells, as "point sources" and not "navigab le waters" *Id.* at 735. The plurality highlighted the CWA's definition of "discharge of a pollutant," which uses the terms "point sources and "navigable waters" as distinct categories. Under the statute, a "discharge of a pollutant" consists of "any additio n of any pollutant *to* navigable waters *from* any point source." As the plurality explained, this definition "would make little sense if the two categories" —point source and navigable waters—"were significantly overlapping." *Id.*

Finally, the plurality explained that even if there were ambiguity as to the meaning of "waters of the United States," the *SWANCC* clear statement rule would prohibit the Corps' interpretation. *Id.* at 737 –38. The extensive federal jurisdiction would allow t he federal government to exercise the "quintessential state and local power" of regulating "immense stretches of intrastate land." *See id.* at 738. The plurality explained that as in *SWANCC*, it would expect a clear statement from Congress authorizing such a n "intrusion into traditional state authority." *Id.*

The test that Justice Scalia 's plurality opinion proposed also forwards the CWA's purpose of "recogniz[ing], preserv[ing], and protect[ing] the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b). This approach would preserve the role of the States as the primary regulators of land and water resources by allowing for federal jurisdiction over only relatively per manent bodies of water. The definition leaves within state control local non -navigable intrastate topographical features that most benefit from the "local policies 'more sensitive to the diverse needs of a heterogeneous society,'" *Bond v. United States* , 131 S. Ct. 2355, 2364 (2011) . Those features vary greatly across the country from dry arroyos in New Mexico to ephemeral drainages in Wyoming to swales in Ohio farmland to prairie potholes in North Dakota to thousands of square miles of Alaskan land that is frozen most of the year. The States take very seriously the task of

AMERICAN OVERSIGHT

preserving the land and water resources within their borders consistent with local needs and act accordingly to protect those resources.

B. If the Agencies Reach Waters Beyond the Plurality Test, They Should Carefully Consider the Extent to Which the States Already Protect Those Waters.

Though we believe the Agencies should adopt the plurality approach, we recognize that the Agencies may conclude that they want to rely upon Justice Kenn edy's concurrence. To be clear, we do not believe that the Agencies should do so , and many of the undersigned States likely would challenge such approach in Court . But should the Agencies nevertheless decide to follow such an approach, over the objections of the undersigned States, we urge them to carefully consider, at the very least, the extent to which States already fully protect these waters under state law and to build any approach around that understanding.

In particular, to the extent the Agencies extend jurisdiction under Justice Kennedy's approach, in order to remain true to that approach, they should do so only where the Agencies have determined that the State's permitting program has failed with respect to a particular body of water, such that *the water* would—unless subject to federal regulation —have a significant, detrimental effect on the "chemical, physic al, and biological integrity" of navigable waters. *Rapanos*, 547 U.S. at 780 (Kennedy, J., concurring). The reason for this approach is that regulation of non-navigable waters is *only* justified under Justice Kennedy's approach in order to *protect* navigable waters that are the subject of interest under the CWA. *Id.* If a state is *already* adequately protecting those non-navigable waters, such that there is no significant impact on the "chemical, physic al, and biological integrity" of navigable waters, no possible rationale for imposing federal regulatory control over that water exists.

In order to implement Justice Kennedy's approach rigorously and consist ent with the CWA's respect for s tate primacy over local water and land use planning, a three -step inquiry would be required to remain true to Justice Kennedy's appro ach. *First*, the Agencies should be required to make an initial determination that the State's permitting program has failed to regulate a water to such a degree that it would, unless subject to regulation under the CWA, "significantly affect the chemical, physical, and biological integrity of" navigable waters. That finding would consist of defining a water that the State has failed to protect. Then the Agencies would need to show that the State's failure to regulate that water significantly would affect the chemical, physical, and biological integrity of navigable waters, unless that water were made subject to CWA oversight. *Second*, the Agencies should be required to provide the State with the opportunity to challenge the determination through an administra tive process. Specifically, the State should have the right to file an administrative appeal and participate in a hearing on the matter. *Third*, the State should have the opportunity to file and complete an appeal of the decision by the Agency to a federal court before the designation would take effect.

Such an approach would at least begin to recognize important federalism principles. Again, the CWA was designed to "recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33

AMERICAN OVERSIGHT

U.S.C. § 1251(b). This approach would allow the States some flexibility to design state law in order to protect the water resources within their borders. It also would provide any State for which EPA attempts to designate certain waters an opportunity to explain to EPA why its regulatory program is sufficient to protect those waters and contest EPA's determination that those waters significantly affect navigable waters. And it would allow the State to challenge such a determination in a federal court before the Agencies assert jurisdiction based on the determination. These important safeguards would go some way to protecting state interests against broad assertions of federal authority, such as those claimed in the WOTUS rule, that violate the CWA and impinge on the States' traditional authority over land and water use. Again, however, we believe that the plurality opinion in *Rapanos* establishes the outermost bound of permissible federal jurisdiction under the law.

* * *

We appreciate this opportunity to provide our views on this important matter to the Agencies. We encourage the Agencies to continue to engage with States and state agencies throughout the rulemaking process. We look forward to working with the Agencies in the future on these important issues for the citizens of our States.

Sincerely,

Patrick Morrisey
West Virginia Attorney General

Jahna Lindemuth
Alaska Attorney General

Brad D. Schimel
Wisconsin Attorney General

Leslie Rutledge
Arkansas Attorney General

Steve Marshall
Alabama Attorney General

Christopher M. Carr
Georgia Attorney General

AMERICAN OVERSIGHT

Curtis T. Hill, Jr.
Indiana Attorney General

Derek Schmidt
Kansas Attorney General

Andy Beshear
Kentucky Attorney General

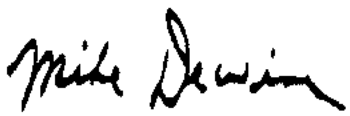
Jeff Landry
Louisiana Attorney General

Bill Schuette
Michigan Attorney General

Joshua D. Hawley
Missouri Attorney General

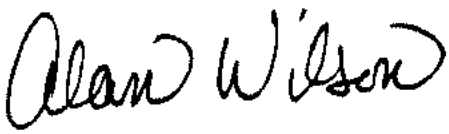
Adam Paul Laxalt
Nevada Attorney General

Wayne Stenehjem
North Dakota Attorney General

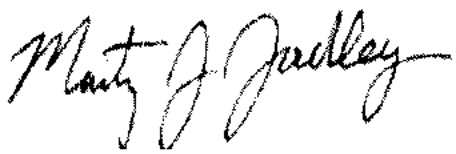


Mike DeWine
Ohio Attorney General

Mike Hunter
Oklahoma Attorney General



Alan Wilson
South Carolina Attorney General



Marty Jackley
South Dakota Attorney General

AMERICAN OVERSIGHT

Ken Paxton
Texas Attorney General

Sean D. Reyes
Utah Attorney General

AMERICAN OVERSIGHT

WOTUS Commenters as of July 11, 2017

At a glance: **19 Governors (16 individual, 4 co-signatories for WGA and NGA, Mead signing twice)**
2 Lieutenant Governors
20 Attorneys General (all signed one letter)
18 Intergovernmental Associations
61 cabinet-level state agencies

ALABAMA

Attorney General Steve Marshall
Alabama Department of Agriculture

ALASKA

Governor Bill Walker
Attorney General Jahna Lindemuth

ARIZONA

Governor Doug Ducey
Apache County, District 3
Eastern Arizona Counties Organization
Gila County Board of Supervisors (Cline)
Gila County Board of Supervisors (Humphrey)
Gila County Board of Supervisors (Martin)
**Gila County Board of Supervisors letter with 3 signatures
Graham County Board of Supervisors
Greenlee County Board of Supervisors
Navajo County Board of Supervisors (Thompson
Navajo County Board of Supervisors (Whiting)
Pima County

ARKANSAS

Governor Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Department of Agriculture
Benton County (judge)
Boone County (judge)
Carroll County (judge)

AMERICAN OVERSIGHT

Craighead County (judge)
Faulkner County (justice of the peace)
Greene County (judge)
Hot Spring County (Dist 10 justice)
Logan County, (Dist 2 & 3 justice)
Logan County (Dist 5 justice)
Marion County (judge)
Mississippi County (judge)
Newton County (judge)
Poinsett County (judge)
Polk County (judge)
Pope County (Dist 6 & 9 justice)
Pope County (judge)
Pulaski County (justice)
Saline County (judge)
Searcy County (clerk)
Sebastian County (judge)
Sebastian County (Dist 10 justice)
Stone County (Clerk)

CALIFORNIA

Association of California Water Agencies
California Association of Sanitation Agencies
California Department of Transportation
California Storm Water Quality Association
City of Azusa (city mgr)
City of Corona (city mgr)
City of Lake Forest (env. mgr)
City of Manteca (mayor)
City of San Juan Capistrano (city mgr)
City of Santa Ana (engineer)
Del Norte County Board of Supervisors
Elsinore Valley Municipal Water District
La Mesa (Helix) Water District
Los Angeles County Department of Public Works
Orange County Public Works
Riverside County Flood Control District
Rural County Representatives of California
San Diego County Water Authority
San Diego County Planning and Development Services
San Gabriel Valley Council of Governments
Sanitation Districts of Los Angeles County
Santa Fe Irrigation District
Santa Margarita Water District
Tuolumne County Board of Supervisors
Western Municipal Water District

AMERICAN OVERSIGHT

COLORADO

**Joint letter: Colorado Department of Agriculture
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
City of Aurora Water Administration
Huerfano County Water Conservation District
Northwest Colorado Council of Governments
Pitkin County (attorney)

CONNECTICUT

Connecticut Department of Energy and Environmental Protection

FLORIDA

Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection
Charlotte County Board of Commissioners

GEORGIA

Attorney General Christopher Carr
Georgia Department of Natural Resources

HAWAII

Governor David Ige

IDAHO

Governor Butch Otter **joint letter with
Idaho Department of Agriculture
Idaho Department of Environmental Quality
Idaho Department of Water Resources
Idaho Association of Counties

ILLINOIS
Illinois Environmental Protection Agency

AMERICAN OVERSIGHT

INDIANA

Attorney General Curtis Hill, Jr.
Indiana Department of Environmental Management
Association of Indiana Counties
County Supervisors Association of Indiana
Blackford County Surveyors
Hamilton County Surveyors
Hancock County Surveyors

IOWA

Governor Kim Reynolds **joint letter with
Lt. Governor Adam Gregg

Buchanan County

KANSAS

Governor Sam Brownback
Attorney General Derek Schmidt

KENTUCKY

Attorney General Andy Beshear
Energy and Environment Cabinet (Secretary)

LOUISIANA

Attorney General Jeff Landry
Louisiana Department of Environmental Quality (Secretary)
Jefferson Parish Department of Environmental Affairs

MAINE

Governor Paul LePage

MASSACHUSETTS

Massachusetts Department of Environmental Protection

AMERICAN OVERSIGHT

MICHIGAN

Attorney General Bill Schuette
**Joint letter: Michigan Department of Agriculture and Rural Development and
Michigan Department of Environmental Quality

MINNESOTA

**Joint letter: Minnesota Department of Natural Resources
Minnesota Pollution Control Agency

MISSISSIPPI

Governor Phil Bryant
Forrest County (supervisor)

MISSOURI

Governor Eric Greitens **joint letter with
Missouri Department of Natural Resources
Attorney General Josh Hawley

MONTANA

Montana Department of Environmental Quality, Department of Natural Resources and Conservation

NEBRASKA

Governor Pete Ricketts **joint letter with
Nebraska Department of Agriculture
Nebraska Department of Environmental Quality
Nebraska Department of Natural Resources

NEVADA

Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Nevada Division of Environmental Protection

AMERICAN OVERSIGHT

Nevada Association of Counties
Clark County Regional Flood Control District
Humboldt River Basin Authority

NEW HAMPSHIRE

Governor Chris Sununu

NEW MEXICO

New Mexico Department of Agriculture

NEW YORK

New York State Department of Environmental Conservation

NORTH CAROLINA

Lieutenant Governor Dan Forest
North Carolina Department of Environmental Quality (Secretary)

NORTH DAKOTA

Governor Doug Burgum
Attorney General Wayne Stenehjem

OHIO

Attorney General Mike DeWine
Ohio Environmental Protection Agency
Ohio Department of Transportation
Ohio Department of Agriculture
Ohio Department of Natural Resources, Division of Mineral Resources
Ohio Department of Natural Resources, Division of Oil and Gas Resources Management

OKLAHOMA

Attorney General Mike Hunter
**Joint letter: Commissioner of Agriculture
Secretary of Energy and Environment
Secretary of Transportation

AMERICAN OVERSIGHT

OREGON

**Joint letter Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Forestry
Oregon Department of State Lands
Jackson County Road Department
Yamhill County Commission

PENNSYLVANIA

**Joint letter: Pennsylvania Department of Agriculture
Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Department of Environmental Protection
Pennsylvania Fish and Boat Commission
Pennsylvania Department of Transportation (nat res. staff)

SOUTH CAROLINA

Governor Henry McMaster
Attorney General Alan Wilson
Dorchester County Administrator

SOUTH DAKOTA

Attorney General Marty Jackley
South Dakota Department of Environment and Natural Resources
Pennington County Board of Commissioners

TENNESSEE

**Joint letter: Tennessee Department of Agriculture and
Tennessee Department of Environment and Conservation

TEXAS

Attorney General Ken Paxton
Railroad Commission of Texas (All three commissioners)
Texas Commission on Environmental Quality
Texas Department of Agriculture
Texas Department of Transportation

AMERICAN OVERSIGHT

Texas General Land Office

UTAH

Attorney General Sean Reyes
Public Lands Policy Coordination Office (director)
Duchesne County Commission

VIRGINIA

Commonwealth of Virginia Department of Agriculture and Consumer Services
Spotsylvania County (engineer)

WASHINGTON

Washington Department of Ecology

WEST VIRGINIA

Attorney General Patrick Morrisey
West Virginia Department of Environmental Protection

WISCONSIN

Attorney General Brad Schimel
Wisconsin Department of Natural Resources

WYOMING

Governor Matt Mead **Signed own letter for WY and co-signed NGA leadership letter with Brown (CA)
Wyoming Association of Conservation Districts
Wyoming County Commissioners Association
Wyoming Department of Environmental Quality
Wyoming Coalition of Local Governments

INTERGOVERNMENTAL ASSOCIATIONS

****Joint Letter from the National Association of Counties, National League of Cities, U.S. Conference of Mayors**

AMERICAN OVERSIGHT

Association of Clean Water Administrators
Association of State Floodplain Managers
Association of State Wetland Managers
Environmental Council of the States
National Association of Conservation Districts
National Association of Clean Water Agencies
National Association of State Departments of Agriculture
National Association of Flood and Stormwater Management Agencies
National Conference of State Legislatures
National Governors' Association – Gov. Edmund Brown (CA) and Gov. Matt Mead (WY)
National Municipal Storm Water Alliance
National Water Resources Association
New England Interstate Water Pollution Control Commission
Western Governors' Association – Gov. Steve Bullock (MT) and Gov. Dennis Daugaard (SD)
Western States Water Council

**Joint Letter signed by Attorneys General from 20 states

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Nolan, Rich
Sent: Thur 12/7/2017 1:11:41 PM
Subject: Re: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

Sending 5

On Dec 7, 2017, at 7:43 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Usual suspects

On Dec 7, 2017, at 7:40 AM, Nolan, Rich <RNolan@nma.org> wrote:

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a

AMERICAN OVERSIGHT

rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would

AMERICAN OVERSIGHT

be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

AMERICAN OVERSIGHT

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former

AMERICAN OVERSIGHT

business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

AMERICAN OVERSIGHT

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

AMERICAN OVERSIGHT

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included

AMERICAN OVERSIGHT

everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and

AMERICAN OVERSIGHT

ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per

AMERICAN OVERSIGHT

acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate
Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor

AMERICAN OVERSIGHT

separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

AMERICAN OVERSIGHT

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

AMERICAN OVERSIGHT

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up,

AMERICAN OVERSIGHT

saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

AMERICAN OVERSIGHT

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

AMERICAN OVERSIGHT

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and

AMERICAN OVERSIGHT

curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

AMERICAN OVERSIGHT

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

AMERICAN OVERSIGHT

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

AMERICAN OVERSIGHT

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits. In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court

AMERICAN OVERSIGHT

system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a

AMERICAN OVERSIGHT

flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

AMERICAN OVERSIGHT

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

AMERICAN OVERSIGHT

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment.

AMERICAN OVERSIGHT

"We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest

AMERICAN OVERSIGHT

otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now

AMERICAN OVERSIGHT

nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

AMERICAN OVERSIGHT

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

AMERICAN OVERSIGHT

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

AMERICAN OVERSIGHT

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card,

AMERICAN OVERSIGHT

vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

AMERICAN OVERSIGHT

This email was sent to molan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 7/6/2018 9:44:32 AM
Subject: Morning Energy: Pruitt finally strikes out — EPA blocks formaldehyde warnings, sources say — Pruitt probe continues on

By Kelsey Tamborrino | 07/06/2018 05:42 AM EDT

With help from Emily Holden and Anthony Adragna

PRUITT FINALLY STRIKES OUT: Today marks Scott Pruitt's last day as EPA administrator after his resignation Thursday afternoon. Though he was only head of the EPA for 500 days, his tenure was marred by a seemingly endless stream of scandals into his ethics, finances and management. Pruitt's many issues have generated headlines for the past several months, and it was those "unrelenting attacks" on him and his family that he blamed in his resignation letter.

President Donald Trump announced Pruitt's exit in a tweet in which he commended the EPA chief for doing an "outstanding job" at EPA. Trump announced that Pruitt's deputy, Andrew Wheeler, will become acting administrator of the EPA until a permanent replacement can be found.

SO, WHAT HAPPENED? For weeks the White House has maintained it was concerned with the numerous allegations of wrongdoing by Pruitt, all the while affirming Trump still had faith in the administrator, particularly for his deregulatory zeal. But one Republican close to the White House said Thursday that Trump's support for Pruitt finally dropped when he realized Wheeler could easily carry out the same regulatory rollback — sans the scandals.

For Trump's part, he told reporters aboard Air Force One there was "no final straw," but said the decision had been in the works for "a couple of days." POLITICO's Anthony Adragna, Alex Guillén and Emily Holden report that among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of the few hold-outs left defending Pruitt.

The Washington Post reports Pruitt was also drawing scrutiny from the Office of Management and Budget. Officials told the Post OMB had determined that a $43,000 soundproof phone booth installed for Pruitt was a violation of federal law, though the report has not yet been published.

But the news still dismayed prominent GOP donor Doug Deason, who told POLITICO late Thursday that he was "so disappointed in the President's failure to support Scott against the angry attacks from the loony left." Deason added: "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

Inside the EPA, the general mood Thursday was one of joy, according to both career staffers and political appointees. "A lot of people are relieved it's going to stop," one EPA employee said. There were "a lot of jokes about, 'Like, what do we do with the tactical pants now?' A lot of sharing funny tweets we've seen out there. There was one that was like, 'For sale: Barely used secure phone booth. Very motivated seller.'"

AMERICAN OVERSIGHT

WHAT'S IT MEAN? The change-up at the EPA won't mark a large difference in the Trump administration's approach to environmental policy, and many of the investigations into Pruitt will continue on. But Wheeler, a longtime Washington lobbyist and former Hill staffer, is expected to steer the ship more smoothly. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment," said GOP Sen. Jim Inhofe , for whom Wheeler formerly worked. "What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source told Pro's Eric Wolff over email.

In contrast to Pruitt, Eric and Alex write: "Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued."

Career EPA staffers were enthused but wary of Wheeler, who is known around the agency as friendly and competent, a skilled lawyer who knows how to bulletproof regulatory rollbacks, while avoiding the kind of controversy that has propelled Pruitt into the limelight. Wheeler is also expected to engage more with career staffers, rather than relying solely on a tight circle of political appointees, as Pruitt did. "Will this be a turn for the better or more of the same? ... I'd say we're not optimistic for much better," one person said. "You can't fix stupid by replacing Pruitt."

"[T]he proverbial fox hasn't left the henhouse," said Denise M. Morrison, acting head of AFGE Council 238, which represents about 9,000 EPA workers across the country. "Pruitt's blatant disregard for regulations mustn't be the standard for his former coal lobbyist successor at EPA, Deputy Administrator Andrew Wheeler."

The president said Wheeler was "very much an early Trump supporter," although some were quick to point out that Wheeler called Trump a "bully" in a Facebook post during the presidential primaries. In a statement to ME, Wheeler said he made those comments during his time on the Marco Rubio campaign. But Wheeler said that when he attended a Trump speech in June 2016, Trump gave "the most comprehensive energy speech by a presidential candidate" he'd ever heard. "I then joined the Trump campaign and worked on environmental policy for him," Wheeler added.

WHAT COMES NEXT? If Trump were to soon nominate a permanent replacement for Pruitt, the nominee will certainly face an uphill battle in the Senate, where a contentious agenda is already heating up in the lead-up until midterm elections. Senators on both sides of the aisle have condemned Pruitt's actions, and issues like the Renewable Fuel Standard would be front-and-center in any eventual hearing.

And, even with Pruitt gone, EPA will continue to be forced to release public records detailing how he has managed his agency. One longtime EPA employee said Pruitt's resignation was overdue and hoped that a criminal investigation would take place — and that he would be indicted. "Congress has seriously abdicated any pretense of oversight," the source said. "How many Benghazi hearings?"

AMERICAN OVERSIGHT

Read up! POLITICO's profile on Wheeler here | The complete guide to Pruitt's scandals here | Pruitt's full resignation letter here | How Pruitt blew it here | Pruitt's EPA tenure, in photos | Wheeler's email to staff here

For fun: The Bird, a restaurant in Shaw, has been offering up drink specials whenever a member of the Trump administration is fired. So it should come as no surprise, the restaurant offered $4 happy hour drinks last night, including its "Pruitt Blew It" cocktail special, which features herbs and blueberries. See it here.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. Andeavor's Stephen Brown was first to correctly name the Marion Star, the newspaper for which Warren G. Harding was publisher before he was elected president. For today: Name the first sitting House speaker to lose reelection to his House seat. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.
Join POLITICO at 8:15 a.m. on July 11 at Washington Court Hotel for a dynamic conversation on the role of government and its implications for AI growth in national public safety, privacy and civil rights. RSVP here.

MORE FROM THE SUPPRESSED STUDY BEAT: A draft health assessment of one of the most commonly used chemicals in the country is being suppressed by the Trump administration's EPA, current and former agency officials told POLITICO. The assessment details that most Americans inhale enough formaldehyde vapor in the course of their daily lives to put them at risk of developing leukemia and other ailments, Pro's Annie Snider reports. EPA scientists completed the formaldehyde assessment just before Trump took office, the officials tell Annie, arguing that top Pruitt advisers are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals. "They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System.

Pruitt told a Senate hearing earlier this year that he believed the draft assessment was complete — but five months later, it has yet to see the light of day. Meanwhile, internal documents show , a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings. "As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, a representative of the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. Pruitt appointed White to EPA's influential Science Advisory Board last fall.

AMERICAN OVERSIGHT

And while Pruitt may be gone from the agency, his replacement also has a history with the chemical, Annie notes. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, Inhofe, sought to delay an earlier iteration of the formaldehyde assessment. Read the story here.

IN THE MEANTIME: Aides on the House Oversight Committee say they'll continue their investigation into Pruitt, despite his exit, with Committee Democrats releasing new transcripts from interviews with some of Pruitt's aides on Thursday. Three aides acknowledged removing many meetings from Pruitt's calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after his arrest on alleged sexual abuse charges. "I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," chief of staff Ryan Jackson told committee staff.

TRUMP HITS TESTER IN MONTANA: At a Montana rally for GOP Senate candidate Matt Rosendale, Trump took aim at Democratic Sen. Jon Tester, up for reelection in November in a state with particular interest in public lands and conservation policy. "It's time to retire liberal Democrat Jon Tester," Trump declared to the crowd. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters." POLITICO's Matt Nussbaum points out, however, Trump's attacks don't seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — an attempt to show the state's Trump-friendly voters that the senator can work with the president. Read more.

BUNDLED UP: It worked so well with the first so-called minibus, House Republicans are expected to bring another spending bundle to the floor this month, according to a notice posted Thursday by the Rules Committee. This time around the 2019 funding package will combine the Interior-Environment H.R. 6147 (115) and Financial Services H.R. 6258 (115) spending bills. Both bills "are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels," Pro Budget and Appropriations' Sarah Ferris reports. The package is slated for floor action the week of July 16.

STUDY LOOKS AT TRUMP COAL PLAN CONSEQUENCES: The Trump administration's plan to prop up economically struggling coal and nuclear power plants would result in 353 to 815 premature deaths in 2019-20 due to the additional emissions of sulfur dioxide and nitrogen oxides, according to a new study from Resources for the Future, an independent, nonprofit research institution in Washington. The paper also calculated that each year the policy is in effect would cause 1 death for the 2 to 4.5 coal-mine jobs that it supports. The administration's plan, which it says is being pursued in the interest of national security and is detailed in a draft DOE paper, would delay the retirement of plants that have announced they will close by the end of 2020. Such a policy would support 790 coal-mine jobs, the study found, "though it would be likely to reduce economy-wide employment." Read the report here.

EERE GETS ACTING ASSISTANT SECRETARY: While the president's permanent pick for DOE's energy efficiency and renewable energy office awaits confirmation, Pro's Darius Dixon

AMERICAN OVERSIGHT

reports Cathy Tripodi will take on the role of acting assistant secretary for EERE. Dan Simmons was nominated for the permanent role last month by the White House. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an adviser to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email.

Tripodi joined DOE in January 2017 and has been the director of the department's Lab Operations Board, which coordinates research and mission objectives between the agency headquarters and its far-flung national laboratories.

EU EXTENDS RUSSIA SANCTIONS: The EU extended sanctions against Russia for another six months on Thursday over Moscow's actions in Ukraine, POLITICO Europe's Magdaline Duncan reports. The sanctions target, in part, Russia's energy sector by limiting access to EU markets for three energy companies. EU leaders have said that the sanctions will be lifted once all sides in Ukraine commit to the cease-fire agreed in the Minsk accords.

PUERTO RICO GOVERNOR TAKES IT TO COURT: Puerto Rico Gov. Ricardo Rosselló announced Thursday his government would go to court to challenge the authority of the island territory's federal oversight board to impose policies on the commonwealth, Pro Financial Services' Colin Wilhelm reports. The oversight board in question was established by Congress to address Puerto Rico's debt and has mandated cuts to pensions and government spending in its most recent recovery plan.

— **Separately, the Puerto Rico Electric Power Authority** said this week that 99.9 percent of power has been restored in the aftermath of Hurricane Maria — 10 months after the hurricane destroyed Puerto Rico's grid.

QUICK HITS

— "Americans already living EPA rollbacks under Pruitt," The Associated Press.

— "Doubts grow Aramco IPO will ever happen," The Wall Street Journal.

— "PHMSA agrees to provide public notice of hearings," E&E News.

— "Iran to Trump: Oil will cost $100 per barrel, and it is your fault," Reuters.

HAPPENING TODAY

crickets

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/07/pruitt-finally-strikes-out-272028

AMERICAN OVERSIGHT

Stories from POLITICO Pro

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former

AMERICAN OVERSIGHT

treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his

AMERICAN OVERSIGHT

political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

AMERICAN OVERSIGHT

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic

AMERICAN OVERSIGHT

of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a

AMERICAN OVERSIGHT

dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

AMERICAN OVERSIGHT

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

AMERICAN OVERSIGHT

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican

AMERICAN OVERSIGHT

administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

AMERICAN OVERSIGHT

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Trump: Pruitt didn't want to be a 'distraction' Back

By Stephanie Murray | 07/05/2018 06:27 PM EDT

Environmental Protection Agency head Scott Pruitt abruptly left his Cabinet-level position in the administration because he didn't want to be a "distraction," President Donald Trump told reporters on Thursday afternoon.

"He'll go on to great things and he's going to have a wonderful life, I hope," Trump said on Air Force One, according to a pool report. "But he felt that he did not want to be a distraction for an administration that he has a lot of faith in."

Pruitt is the latest high-ranking official to exit the Trump administration. The former EPA chief had been embroiled in a laundry list of ethics scandals during his tenure. Among them: Pruitt allegedly asked staffers to carry out errands and find his wife a job, and he installed a $43,000 soundproof booth in his office and made other unusual security demands.

In his resignation letter, Pruitt praised the president and said "unrelenting attacks" have taken a toll on him and his family. Most recently, a woman confronted Pruitt in a restaurant and urged him to resign. The confrontation was caught on video and spread widely on the Internet.

AMERICAN OVERSIGHT

There was no final straw that triggered Pruitt's resignation, and the choice was "very much up to him," Trump said during the gaggle on Air Force One. According to the president, the resignation had been in the works for a couple of days.

"Scott Pruitt did an outstanding job inside of the EPA. We've gotten rid of record-breaking regulations, and it's been really good," Trump said. "His deputy has been with me actually a long time. He was very much an early Trump supporter. He was with us on the campaign. He is a very environmental person. He's a big believer, and he's going to do a fantastic job."

Pruitt initially supported former Florida Gov. Jeb Bush, a rival of Trump's during the 2016 campaign for the GOP presidential nomination. New acting EPA chief Andrew Wheeler, who has been serving as Pruitt's deputy and was previously a coal lobbyist, initially served as a volunteer consultant on the campaign of another rival, Sen. Marco Rubio (R-Fla.).

To view online click here.

Back

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such

AMERICAN OVERSIGHT

great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

AMERICAN OVERSIGHT

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that

AMERICAN OVERSIGHT

Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The

AMERICAN OVERSIGHT

National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

Ethanol producers hoping for better treatment from new EPA chief Back

By Eric Wolff | 07/05/2018 05:31 PM EDT

Ethanol producers hope Andrew Wheeler, who will be taking the reigns at EPA as of Friday night, will be more corn-friendly in his management of the the Renewable Fuel Standard than soon-to-depart Administrator Scott Pruitt.

"President Trump made the right decision," said Iowa Sen. Chuck Grassley, who had been

AMERICAN OVERSIGHT

infuriated by Pruitt's actions on the RFS, in a statement on Pruitt's resignation. "Fewer things are more important for government officials than maintaining public trust. Administrator Pruitt, through his own actions, lost that trust. I hope Acting Administrator Wheeler views this as an opportunity to restore this Administration's standing with farmers and the biofuels industry."

Pruitt antagonized ethanol producers and Midwestern farmers with repeated efforts to ease RFS requirements on refiners at what corn farmers perceived as their expense. Before joining EPA, Wheeler was a lobbyist whose clients included ethanol producer trade association Growth Energy.

"That sound you hear is a collective sigh of relief coming from the Midwest," said Bob Dinneen, CEO of the Renewable Fuels Association. "We look forward to working with Acting Administrator Andy Wheeler, whose long career focusing on policies that recognize economic growth and environmental protection are not mutually exclusive is not undermined by an unmistakable anti-ethanol, anti-farmer bias."

Wheeler has a reputation in D.C. as a smooth operator with deep relationships on the Hill.

"What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source said over email. "With Andy I think there will be less free-lancing and more a focus on working with career folks at EPA.... Quite frankly, less free lancing will serve the interests of all stakeholders."

To view online click here.

Back

Pruitt's replacement 'should scare anyone who breathes' Back

By Eric Wolff and Alex Guillén | 05/04/2018 05:49 PM EDT

The man taking the reins at the Environmental Protection Agency following the resignation of Scott Pruitt is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation. He is set to take the job Monday.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details

AMERICAN OVERSIGHT

and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued.

"I have no doubt that Andy will continue on with our great and lasting EPA agenda," Trump tweeted in announcing Pruitt's resignation. "We have made tremendous progress and the future of the EPA is very bright!"

Wheeler, who shares many of Pruitt's anti-regulatory views, is expected to "stay the course" with many of Pruitt's policies, according to one EPA source.

Republicans and other allies quickly praised Wheeler as a steady hand for an agency in turmoil.

Wheeler is the "perfect choice" for acting administrator, said Inhofe.

"Andrew worked for me for 14 years, has an impeccable reputation and has the experience to be a strong leader at the EPA," Inhofe added. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment."

"I have confidence that Andrew Wheeler will be a good partner at #EPA, and I look forward to working with him on the" Renewable Fuel Standard, tweeted Sen. Joni Ernst (R-Iowa), who in recent months had expressed public anger over moves by Pruitt that upset the ethanol industry.

"Wheeler knows how to make the trains run on time at the agency and will be more inclined to work with career folks," said one refining industry source. "Andy also has strong relationships on the Hill from his work there, and that will work to the agency's benefit as well."

Environmentalists were glad to see Pruitt go, but many quickly acknowledged that Wheeler will be a formidable adversary to their agenda.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," Jeremy Symons, vice president for political affairs at the Environmental Defense Fund, said in May before Pruitt's resignation. "That should scare anyone who breathes."

"Andrew Wheeler is equally unqualified to serve as the nation's chief environmental steward," said Ana Unruh Cohen of the Natural Resources Defense Council. "Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's."

It is not clear how long Wheeler may be left leading EPA on an acting basis, as Senate Republicans have questioned whether any nominee could win confirmation this year amid the upcoming midterm elections and the GOP's razor-thin majority in the chamber.

AMERICAN OVERSIGHT

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, has been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

Wheeler, in contrast, came to the agency steeped in its work.

He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and former liberal Democrat Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's efforts to make changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt in May of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter

AMERICAN OVERSIGHT

adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's s agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA.

Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden, Anthony Adragna and Ben Lefebvre contributed to this report.

To view online click here.

Back

Environmentalists: Pruitt's replacement 'should scare anyone who breathes' Back

AMERICAN OVERSIGHT

By Eric Wolff | 05/05/2018 06:43 AM EDT

The man taking the reins at the Environmental Protection Agency after Scott Pruitt's downfall is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump are pursuing.

That presents a paradox for environmental groups, who would welcome Pruitt's departure but fear his replacement would be a much more formidable opponent.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," said Jeremy Symons, vice president for political affairs at the Environmental Defense Fund. "That should scare anyone who breathes."

Symons noted that many of Pruitt's aggressive deregulatory efforts have run into trouble in federal courts.

"The problem with the Pruitt approach is it's like a sugar high," said Jeff Navin, a Democratic lobbyist and former Energy Department staffer who has shared lobbying clients with Wheeler. "It feels really, really good for a moment, but if you're not following rules and procedure, not laying down substance for the decision you're making, you're not going to last very long."

Another person who has worked with Wheeler said: "He's like Mike Pence is to Trump. ... He's behind the scenes. He'll get a lot done and doesn't need to be in the news."

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, have been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

AMERICAN OVERSIGHT

Wheeler, in contrast, came to the agency steeped in its work. He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and liberal former Democratic Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's work on making changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt this week of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get

AMERICAN OVERSIGHT

involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

That's the worry of environmental groups, which note the years Wheeler spent working with Inhofe, who calls human-caused global warming a "hoax," and Murray, a fierce opponent of EPA's climate regulations.

Wheeler's "entire professional career, most of it has been devoted to resisting attempts to improve the quality of our air and our water and the safety of our communities," said Sierra Club Executive Director Michael Brune. "He fought against safeguards to limit mercury poisoning. He fought against protections to limit the amount of ozone in our skies. He fought against air pollution from neighboring states. He's a climate denier. So, sadly, he fits in well with EPA leadership."

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA. Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden and Anthony Adragna contributed to this report.

To view online click here.

Back

Full text: Pruitt's resignation letter Back

AMERICAN OVERSIGHT

07/05/2018 04:17 PM EDT

The full text of Scott Pruitt's resignation letter:

Mr. President, it has been an honor to serve you in the Cabinet as Administrator of the EPA. Truly, your confidence in me has blessed me personally and enabled me to advance your agenda beyond what anyone anticipated at the beginning of your Administration. Your courage, steadfastness and resolute commitment to get results for the American people, both with regard to improved environmental outcomes as well as historical regulatory reform, is in fact occurring at an unprecedented pace and I thank you for the opportunity to serve you and the American people in helping achieve those ends.

That is why is hard for me to advise you I am stepping down as Administrator of the EPA effective as of July 6. It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring. However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us.

My desire in service to you has always been to bless you as you make important decisions for the American people. I believe you are serving as President today because of God's providence. I believe that same providence brought me into your service. I pray as I have served you that I have blessed you and enabled you to effectively lead the American people. Thank you again Mr. President for the honor of serving you and I wish you Godspeed in all that you put your hand to.

Your Faithful Friend,
Scott Pruitt

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

AMERICAN OVERSIGHT

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

AMERICAN OVERSIGHT

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

AMERICAN OVERSIGHT

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto

AMERICAN OVERSIGHT

emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

AMERICAN OVERSIGHT

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Sources: EPA blocks warnings on cancer-causing chemical Back

By Annie Snider | 07/06/2018 05:02 AM EDT

The Trump administration is suppressing an EPA report that warns that most Americans inhale enough formaldehyde vapor in the course of daily life to put them at risk of developing leukemia and other ailments, a current and a former agency official told POLITICO.

AMERICAN OVERSIGHT

The warnings are contained in a draft health assessment EPA scientists completed just before Donald Trump became president, according to the officials. They said top advisers to departing Administrator Scott Pruitt are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals.

Andrew Wheeler, the No. 2 official at EPA who takes over for Pruitt on Monday, also has a history with the chemical. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, then-Chairman Jim Inhofe (R-Okla.), sought to delay an earlier iteration of the formaldehyde assessment.

Formaldehyde is one of the most commonly used chemicals in the country. Americans are exposed to it through wood composites in cabinets and furniture, as well as air pollution from major refineries. The new assessment would give greater weight to warnings about the chemical's risks and could lead to stricter regulations from EPA or class-action lawsuits targeting its manufacturers, as frequently occurs after these types of studies are released.

"They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System. Industry has long faulted the IRIS program, the agency's only independent scientific division evaluating the health risks of toxic chemicals, whose assessments often form the basis for federal and state regulations.

The current official and former official requested anonymity out of fear for their jobs and the impact that speaking out could have on the IRIS program.

Interfering with the formaldehyde study is one of several steps Trump's EPA has taken to side with the businesses the agency is supposed to regulate and undermine the agency's approach to science, critics say. Public health advocates also expressed alarm after Pruitt replaced academic scientists with industry advocates on the agency's influential science advisory boards and sought to limit the types of human health research EPA can rely on in rulemakings.

The officials said Trump appointees have required that career officials receive their permission before beginning the required internal review of the formaldehyde study and have canceled key briefings that would have advanced it. That interference came after EPA career scientists revised the study once already last year to insulate it from political controversy, they said.

In a statement, EPA denied that the assessment was being held back.

"EPA continues to discuss this assessment with our Agency program partners and have no further updates to provide at this time," EPA spokeswoman Kelsi Daniell said. "Assessments of this type are often the result of needs for particular rulemakings and undergo an extensive intra-agency and interagency process."

But as far back as January, Pruitt told a Senate panel that he believed the draft assessment was complete.

AMERICAN OVERSIGHT

Five months later, it has yet to see the light of day. Meanwhile, internal documents show, a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings.

"As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, who leads the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. The panel represents companies including Exxon Mobil and Koch Industries subsidiary Georgia-Pacific Chemicals LLC that could face higher costs from stricter regulations or lawsuits.

Nearly a million jobs "depend on the use of formaldehyde," White's letter argued.

The holdup is attracting attention on Capitol Hill, where Democrats have already expressed alarm, arguing that the Trump administration has allowed politics to interfere in EPA's scientific assessments of threats such as toxic pollution and climate change.

The agency must "move past politics and focus on its job of protecting human health" by releasing the formaldehyde study, Sen. Ed Markey (D-Mass.) said in a statement to POLITICO.

"Because formaldehyde can be found in everything from wood products to women's hair straighteners, the public health risks are substantial," Markey said. "Delaying the EPA's latest assessment of the health risks of formaldehyde only further endangers the health of Americans."

Public health advocates have similarly expressed fears that the Trump administration has allowed EPA to be captured by the industries it regulates. The revelations about the formaldehyde study come after Pruitt removed academic scientists from the agency's influential science advisory boards and in many cases replaced them with industry advocates, and after he proposed a policy to limit the agency's use of human health data while offering a carve-out for confidential industry studies.

"At every corner, you see the agency trying to either minimize the role of science or manipulate the role of science or just ignore the work of scientists in doing the critical work to ensure that human health and the environment is protected," said Jennifer McPartland, a senior scientist with the Environmental Defense Fund's health program.

POLITICO also reported in May that Trump administration officials, including EPA chief of staff Ryan Jackson, sought to delay an HHS study finding that nonstick chemicals pose health dangers at a lower level than EPA has said is safe.

Insiders anticipate few major policy changes under Wheeler, who is widely expected to continue Pruitt's deregulatory agenda and is well-versed in chemicals issues. He began his career in EPA's chemical safety office, and after leaving Inhofe's staff lobbied for a refrigerants manufacturer that was recently acquired by one of the country's major chemical manufacturers, Chemours Co.,

AMERICAN OVERSIGHT

a DuPont spin-off.

Decades' worth of research has linked formaldehyde to nose and throat cancer and respiratory problems, and newer research has suggested the connection to leukemia — controversial conclusions that would gain significant credence if EPA formally adopts them. The new assessment affirms those links to leukemia, nose and throat cancer and other ailments, according to the current and former officials familiar with its findings.

The new assessment could lead EPA to impose stricter regulations of chemicals refineries or wood products and could spur class-action lawsuits from cancer patients attempting to hold companies responsible for their illnesses.

The agency officials said the political aides blocking the assessment include Jackson and Richard Yamada, a former staffer for House Science Chairman Lamar Smith (R-Texas) who is now a top official in EPA's Office of Research and Development. And they said Nancy Beck, who criticized the IRIS program in her previous job as a top chemical industry expert, is now helping to stymie the program's assessments in her new post as head of EPA's chemical safety office. Jackson, Yamada and Beck did not respond to requests for comment.

The EPA spokeswoman disputed the accusations and said Yamada and Jackson have in fact requested briefings on the assessment.

The current EPA official told POLITICO that political appointees have managed to avoid creating written evidence of their interference with the formaldehyde assessment by refusing to send emails or create other records that could eventually become public, instead using what the official described as "a children's game of telephone."

By blocking the report at the first step of the IRIS review process, political appointees are keeping it from being reviewed by the National Academies of Sciences, an independent panel of the country's top scientists that must weigh in on all such risk assessments. EPA has already paid the academies $500,000 for that review, the highest level of scrutiny a scientific study can receive, but the work cannot start until Pruitt's aides send the study.

"If the administration was really keen on protecting public health, why wouldn't they send this to the National Academy and give it a really good review?" the former EPA official asked. "If it survives that review, then there's a public health problem that needs to be dealt with, and if it doesn't survive the review, then they can point the finger at IRIS and say, 'You're dead.'"

The former official said there would be only one reason not to ask the country's top experts whether they agree with the analysis: "You don't want the answer."

Public health advocates say the administration's attacks on science have had especially significant implications for the IRIS program. The small office of about 35 experts pores through the huge body of existing research on chemicals, including industry-backed studies aimed at proving the substances safe, to independently assess their risks. While purely scientific, the program's reviews are looked to by regulators not just at EPA, but also in the states and around

AMERICAN OVERSIGHT

the world, often paving the way for new or more stringent regulations.

But industry has long targeted the program, arguing it uses an opaque process to decide which studies to rely on and which research to give credence to when findings conflict.

The American Chemistry Council, Beck's former employer, spent more than $7 million last year lobbying EPA and Congress on issues including IRIS, formaldehyde and the policy to limit EPA's use of human health research. Chemicals manufacturers, including Hexion Inc., one of the country's largest manufacturers of formaldehyde, have also spent tens of thousands of dollars on lobbying related to the program this year.

A National Academies panel agreed with some of industry's criticisms of the IRIS program in a blistering review of an earlier iteration of the formaldehyde assessment that recommended major changes to how IRIS decides how much weight to give conflicting studies, although it did not attack the substance of its findings about the health effects of formaldehyde. Critics of the IRIS program have pointed to that review frequently as they have sought to kill it, including in an appropriations battle this spring. The EPA spokeswoman also pointed to that assessment in her statement. "The National Academy of Science and Congress in legislative reports have for years been highly critical of EPA's previous assessments involving formaldehyde," she said.

But EPA has overhauled the program since then, hiring a new director for IRIS and a new head of the National Center for Environmental Assessment, in which it is housed. The changes have received high marks from the National Academies in two more recent reviews, one in 2014 and one this past April. The latest formaldehyde assessment is expected to demonstrate further progress implementing the academies' recommendations, potentially undermining industry critiques of the overall IRIS program if it were to be released.

Although efforts to kill EPA's independent scientific arbiter have so far failed, EPA officials and public health advocates say the program has been significantly hobbled under an administration with close ties to the chemicals industry.

White, the top staffer for the American Chemistry Council's Formaldehyde Panel, wrote EPA three times between September 2017 and January 2018, urging the agency to incorporate industry-funded research that found no link between formaldehyde and leukemia, and arguing that the studies shifted the scientific consensus away from the conclusion that it does. In November, Pruitt appointed her to the agency's influential Science Advisory Board.

Less than a week after the council's Jan. 24 meeting with EPA, Pruitt himself confirmed that the report had been complete for months. During a Senate hearing at the end of January, Markey asked Pruitt for an update on the formaldehyde assessment, saying it was his understanding "that the EPA has finalized its conclusion that formaldehyde causes leukemia and other cancers and that [the] completed new assessment is ready to be released for public review, but is being held up."

"You know, my understanding is similar to yours," Pruitt replied, promising to follow up.

AMERICAN OVERSIGHT

Markey reminded Pruitt of the exchange in a May 17 letter. In a response Thursday, the agency's principal deputy assistant administrator for science, Jennifer Orme-Zavaleta, said EPA "continues to discuss the formaldehyde assessment internally and has no further updates to provide at this time."

To view online click here.

Back

Trump unleashes in Montana Back

By Matthew Nussbaum | 07/05/2018 07:53 PM EDT

President Donald Trump went on offense on Thursday at a campaign-style rally in Montana, deriding the state's Democratic senator but also launching attacks against the Justice Department, the media, Hillary Clinton, Sen. Elizabeth Warren, the "Me Too" movement and more.

He previewed themes he will highlight as he works to unseat Democratic senators in the midterm elections, while returning to many of his favorite 2016 attacks.

"It's time to retire liberal Democrat Jon Tester," Trump declared to a raucous crowd during the hourlong address in Great Falls, Montana. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters."

Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions.

"You wouldn't think he'd play very well out here. How did he get elected?" Trump wondered aloud. "You can right your wrong in November."

He also returned to scathing attacks on the news media just one week after a gunman killed five journalists at a Maryland newspaper.

He derided the press as "fake news," "bad people" and "so damn dishonest."

"They're fake," he said, pointing at the press area in the arena. "These are really bad people."

In a winding speech, Trump also accused the Justice Department of corruption, bragged about his 2016 election win, spoke about his upcoming meeting with Russian President Vladimir Putin and declared that Rep. Maxine Waters, a frequent Trump critic, has an IQ in the "60s."

He repeated, falsely, that he was the first Republican candidate to win Wisconsin since 1952 and repeated his unfounded conspiracy theory that there was extensive voter fraud during the 2016 election. He also mocked Warren at length, deriding Massachusetts Democratic senator as "Pocahontas" and saying he would get her to take a DNA test if she runs against him in 2020 —

AMERICAN OVERSIGHT

though he added derisively he would do it carefully because of the "Me Too era."

Warren hit back in a tweet, saying the Trump administration is "conducting DNA tests" on children separated from their families at the border.

The nearly hourlong address was the type of unscripted speech in which Trump delights, riling his base beneath banners reading "Promises Made, Promises Kept."

Trump carried the state by 20 points in 2016, but Republicans face a tough fight to unseat Tester in the state in 2018. Tester is facing off against Republican nominee Matt Rosendale, the state auditor and a former member of the Montana Legislature.

Tester, the top Democrat on the Senate Veterans Affairs Committee, has been on the receiving end of personal barbs from Trump after he played a crucial role in sinking Trump's nominee for Veterans Affairs secretary, White House physician Ronny Jackson.

Trump spoke at length about the Jackson debacle, accusing Tester of "shameful, dishonest attacks on a great man."

The attacks were similar to those Trump made against Tester in the midst of the controversy.

"Allegations made by Senator Jon Tester against Admiral/Doctor Ron Jackson are proving false," Trump tweeted in April as damaging reports about Jackson were emerging. "The Secret Service is unable to confirm (in fact they deny) any of the phony Democrat charges which have absolutely devastated the wonderful Jackson family. Tester should resign."

"Tester should lose race in Montana. Very dishonest and sick!" Trump added on Twitter.

The invective does not seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read: "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — a clear attempt to show the state's Trump-friendly voters that the senator can work with the president.

Trump is scheduled to travel to his golf club in Bedminster, New Jersey, after the rally. He told reporters he will meet over the weekend with Vice President Mike Pence and staff ahead of Monday's planned announcement of his Supreme Court nominee to fill the seat vacated by Justice Anthony Kennedy.

To view online click here.

Back

House readies Financial Services, Interior-Environment spending bills for floor Back

By Sarah Ferris | 07/05/2018 02:41 PM EDT

AMERICAN OVERSIGHT

House GOP leaders are planning to bring another spending bundle to the floor this month, according to a notice posted today by the Rules Committee.

The House's next funding package will wrap together its fiscal 2019 Interior-Environment, H.R. 6147 (115), and Financial Services, H.R. 6258 (115), spending bills. It is slated for floor action the week of July 16, one week after Congress returns from its July Fourth recess.

It would be the House's second so-called minibus of the fiscal year, after approving a three-bill bundle, H.R. 5895 (115), last month, which included Energy-Water, Military Construction-VA and Legislative Branch. The House also passed a bipartisan Defense spending bill (H.R. 6157 (115)) just before leaving for recess.

Both the Interior-Environment and Financial Services bills are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels. The Environmental Protection Agency, for instance, would be cut by $100 million, while the Internal Revenue Service would see an increase of $186 million.

Unlike the Senate's version of those two bills, the House bills include partisan riders, such as a full repeal of the Obama-era Waters of the United States rule.

If the second minibus succeeds, the House will have passed six out of 12 spending bills. The end of the fiscal year is Sept. 30.

To view online click here.

Back

Perry's 'national security' push for grid draws skepticism on the Hill Back

By Darius Dixon | 06/19/2018 04:21 PM EDT

The Trump administration is having a hard time winning over skeptics to its claim that the retirement of coal-fired and nuclear power plants poses a national security threat.

For more than a year, Energy Secretary Rick Perry has argued that letting those struggling generators shut down would threaten the power grid's ability to bounce back from an attack or severe storm. Although he's failed to persuade federal power regulators to prop up the plants, Perry is pushing that argument with the National Security Council in an effort to head off new closures.

Some congressional Republicans said though they are sensitive to the national security concerns and woes of the coal industry, they doubted the grid faces the dire situation that Perry has predicted, and they are wary of intervening in the energy markets.

AMERICAN OVERSIGHT

"I'm a Navy guy. I want our country secure," said Rep. Pete Olson (R-Texas). "But their arguments haven't been about security. It's been about propping up coal and nuclear power."

Olson authored the legislative language that was added to the 2015 FAST Act and expanded Perry's ability to intervene in grid operations during an emergency. But he said the Energy Department's arguments, contained in paper that leaked earlier this month, failed to convince him that shutting down money-losing plants presented a threat to national security.

"A crisis to me means the power is going out. But to support some jobs in some parts of the country, eh, that's not what the bill is designed to do," he said. "Our bill was just to deal with crisis, not to deal with this."

His comments echoed the sentiments of Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), who told the committee last week she had "concerns" about DOE interfering in the power markets.

Coal-fired power plant closures slowed in 2017, but they are expected to accelerate next year with 12.5 gigawatts of capacity expected to shut down, according to Bloomberg New Energy Finance. That figure is near the record retirements of 15 GW set in 2015. Energy experts and even a Perry-directed DOE analysis last year put blame for the plants' demise on stagnant power demand and the rise of natural gas and renewables.

But the draft DOE paper that recently leaked showed that the agency has considered using its authority under the Federal Power Act's 202(c) provision to "temporarily delay retirement of fuel-secure electric generation resources" while threats to natural gas and electric infrastructure are assessed. And it also considered using the Defense Production Act to require power purchases from endangered plants in an effort to put off shutdowns for two years.

President Donald Trump has repeatedly told Perry to step in to help the plants, including earlier this month when he directed Perry to take "immediate steps" to staunch coal and nuclear plant retirements. He called on the former Texas governor to hold a news conference to announce a plan.

It's not the only issue where the Trump administration has invoked "national security" to defend a controversial action. Trump has threatened to use a trade law that leverages national security to impose tariffs on imported vehicles, the same law the administration used to to put tariffs on steel and aluminum.

"Let's face it, there's an awful lot of stuff being lumped into national security," former Obama Energy Secretary Ernest Moniz told POLITICO. "How this works out, I don't know. But I do know we need to ... do appropriate analyses when called for that do not have national security being used willy-nilly to accomplish all kinds of goals that are not necessarily the right ones."

Moniz acknowledged Perry had wide latitude under the law to declare a grid emergency, but he said that didn't absolve the administration from needing to prove there's a real crisis on the power grid.

AMERICAN OVERSIGHT

"Reliability and resilience are public goods. We just haven't seen any analysis that suggests that this is a pathway that's needed to address that," he said.

Jason Bordoff, who served as Obama's senior National Security Council aide for energy and climate, said he fears the current fight could drag the real threat of cybersecurity into the political fray.

"The bigger risk would be a very legitimate issue of the cyber vulnerability of the grid becomes politicized because it gets wrapped up in this policy objective to save the coal industry as well as nuclear," said Bordoff, who is now director for the Center on Global Energy Policy at Columbia University.

Even Rep. Joe Barton, a longtime stalwart Perry ally, said he was skeptical of DOE's insistence that the grid was facing a national security threat from the plant closures.

"They're scrounging around for a way to keep some of these nuclear plants and coal plants viable and they're using that particular argument," the Texas Republican said. "To me, it's not persuasive, but I understand what they're trying to do."

There are real national security threats against the electric grid from electromagnetic pulses, physical attacks and cyber intrusions, Barton said, adding that "in most cases, it's a mistake to use a national security argument to keep a plant in operation that normal market forces would probably close."

Other Perry allies weren't sure how effective the Trump administration's strategy would be. GOP lobbyist Mike McKenna, who helped run Trump's DOE transition team, said the agency laid out the "single best set of arguments for preserving coal and nuclear generation." Still, he said, the options laid out in the DOE document probably would not achieve the protection that coal and nuclear advocates are seeking. And the national security arguments didn't seem to be gaining much traction.

"The national security angle has its advantages and its limits — not the least of those is that not too many people can and do make the argument that national security is really impaired by the closure of coal power plants," he said in an email. "It would probably be better if advocates focused on the potential over-reliance on one source (natural gas) in both electricity generation, and, if utilities get their way, in transportation fuels."

FERC shot down a regulation from Perry aimed at protecting the coal and nuclear generators earlier this year, and FERC commissioners told a Senate hearing last week that the grid faced no imminent threat, drawing praise from industry groups.

Deputy Energy Secretary Dan Brouillette argued that national security has always been DOE's focus, and he said that the agency's critics aren't seeing the whole picture from their industry's silos. "That's what they get paid to do. But that's not what the secretary gets paid to do and we're going to approach this with a broader view," he told POLITICO.

AMERICAN OVERSIGHT

And he shrugged off comments from FERC commissioners that the electricity markets they oversee were operating efficiently and offered the best way to address security concerns.

"Is the market a factor here at the end of the day? Yes, it is. But we're not in this to have an economics classroom debate about theories of markets," he said. "The markets, in some respects, are not designed to produce a national security outcome."

Brouillette also said the White House had not given it a deadline, and there was no decision yet on whether to invoke any authorities.

"There has been no decision and we're [not] just working backwards," he said. "If we get to the point where there's a proposal or a proposed solution to a problem that we find, then perhaps Congress has a role. But at this point, we're nowhere near that stage."

For FERC and its supporters, countering the DOE claim that national security is at stake may take more than technical arguments. Sarah Ladislaw, who directs the Center for Strategic and International Studies' energy and national security program, said many of the rebuttals from FERC commissioners so far were akin to "bringing a spoon to a knife fight."

"The idea that market efficiency is supposed to trump national security is exactly the reason why national security provisions exist. They're there to protect things that may not make economic sense. ... I think it's an entirely different game from a legal perspective," Ladislaw said. "It's really hard to prove that a national security measure is bogus."

Oregon Sen. Ron Wyden said he would stick to the economic arguments and pointed out the high potential cost of DOE's proposal, even as the administration sought to change the conversation.

"Around here, if you can trod out national security for just about anything ... the leverage goes to you," he said. But, he added, "I'm pounding the ratepayer issue [because] that's the one issue that I think puts a stake right in the guts of their argument."

And other Democrats are fuming that the agency is even considering the use of its rarely tapped emergency authorities.

"It's about abuse of power. You can't just start claiming a national security justification that clearly has nothing to do with national security, and that's a very dangerous road to go down," said Sen. Martin Heinrich (D-N.M.).

To view online click here.

Back

DOE names Tripodi as acting EERE chief Back

AMERICAN OVERSIGHT

By Darius Dixon | 07/05/2018 03:24 PM EDT

Cathy Tripodi has been named the Energy Department's acting assistant secretary for energy efficiency and renewable energy while the Trump administration's permanent pick awaits confirmation, according to an email obtained by POLITICO.

Dan Simmons, who had been EERE's top political appointee for more than a year, was nominated last month by the White House to officially fill the job. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an advisor to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email to EERE staff today.

Tripodi joined DOE in January 2017 and has been the director of DOE's Lab Operations Board, which aims to coordinate research and mission objectives between the agency headquarters and its far-flung national laboratories. She has been named as principal deputy assistant secretary in EERE and will serve in the job temporarily, while also retaining her position as Lab Operations Board director.

After working as a policy adviser to then-FERC Chairman Pat Wood in the mid-2000s, she held a number of positions in state government, including business affairs director for North Carolina and energy director in Indiana.

Greenwire reported Tripodi's appointment earlier today.

WHAT'S NEXT: Simmons had a nomination hearing late last month before the Senate Energy and Natural Resources Committee, but no confirmation vote has been scheduled.

To view online click here.

Back

Puerto Rico governor to challenge federal board in court Back

By Colin Wilhelm | 07/05/2018 10:48 AM EDT

Puerto Rico Gov. Ricardo Rosselló said today his government will go to court to challenge the authority of the U.S. territory's federal oversight board to impose policies on the commonwealth.

The board, established by Congress to address Puerto Rico's debt, mandated cuts to pensions and government spending in its most recent recovery plan. Proposed changes to labor laws, in part to make it easier to hire and fire employees, have also become a hotly contested issue.

Rosselló said in a release that he would challenge the board's ability to do anything more than make recommendations.

AMERICAN OVERSIGHT

In a statement issued this morning, the board said it would "vigorously defend" its authority.

The lawsuit runs contrary to statements by the author of the debt-relief law that created the board. In an amicus brief submitted last Friday in a separate case, Rep. Rob Bishop (R-Utah) said Puerto Rico must comply with the plan laid out by the federal board.

In his release today, Rosselló said lawyers for his government would request an injunction to halt the board's actions, which he characterized as usurping the power of local elected officials, while the case plays out in court.

The governor has intermittently worked alongside and clashed with the board since he took office at the beginning of last year. His stance today is similar to one he took with the board in court over similar battle lines last year, only for the fight to be put on hold as hurricanes devastated the island.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Thur 1/18/2018 12:23:26 PM
Subject: January 18 -- Energywire is ready

Read today's Energywire on the web

SUBSCRIPTION

ENERGYWIRE — Thu., January 18, 2018

READ FULL EDITION

1.INTERIOR:
States call for the Fla. treatment in their case against drilling
The Interior Department's map of its five-year offshore drilling plan for the Lower 48 could soon look dramatically different.

TOP STORIES

2.PUBLIC LANDS:
Trump team pushes to keep methane regs on ice

ELECTRICITY

3.HURRICANE MARIA:
DOE looks to microgrid to jump-start a future for Puerto Rico's grid

4.SECURITY:
Cyber rules needed at grid's edge — report

5.SECURITY:
Grid cyber solutions earn financing windfall

6.COAL:
Appalachia banks on tourism, creative sector jobs

OIL AND GAS

7.SUPERFUND:
State auditor wants to release investigation Pruitt kept secret

8.OIL:
Texas researchers dig into quake data

9.PIPELINES:
New projects? Supersize instead, energy groups say

10.PIPELINES:
Adelphia files construction plans with FERC

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.
ABOUT ENERGYWIRE – The Transformation of the Energy Sector
Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001

AMERICAN OVERSIGHT

Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 4/10/2018 9:48:35 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Parsing Pruitt's 'war on lead' — Jackson takes responsibility on raises — Mission impossible? Replacing Pruitt

By Kelsey Tamborrino | 04/10/2018 05:45 AM EDT

With help from Eric Wolff, Annie Snider, Alex Guillén, Anthony Adragna and Ben Lefebvre

PARSING PRUITT'S 'WAR ON LEAD': Amid the wave of recent scandals, EPA Administrator Scott Pruitt and his supporters have touted regulatory rollbacks and a focus on drinking water policy as big victories for the Trump administration. "Record clean Air & Water while saving USA Billions of Dollars," President Donald Trump tweeted over the weekend, in support of the embattled administrator. But details on Pruitt's water plans remain sparse, Pro's Annie Snider reports, leaving critics to wonder how much he can achieve while also seeking to shrink the agency.

It is unclear exactly what air and water "record" Trump was referring to in his tweet, but it is likely too early to make such definitive claims, Annie reports. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. But before Pruitt was engulfed by negative headlines, the EPA chief touted his ambitious goals to update aging infrastructure and eradicate dangerous chemicals from drinking water. He's since leaned into such plans in interviews with conservative media outlets when defending himself against accusations of ethical missteps.

Pruitt brought together high-level officials from across the government earlier this year to launch his "war on lead," and in May is set to convene a nationwide summit of drinking water officials to address chemical contamination. Local drinking water agencies are glad to see Pruitt pay attention, Annie reports, but many still wonder how much he'll be able to get done, with a White House that has indicated Pruitt should be able to accomplish his goals without any new money. Read more.

IT'S TUESDAY! I'm your host Kelsey Tamborrino. QEP Resources' Shane Schulz was first to identify Gilbert Stuart's portrait of George Washington as the one saved by former first lady Dolley Madison during the War of 1812. For today: What are the five countries in Europe that don't have an airport? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

CAUGHT BETWEEN AN EMAIL AND AN INTERVIEW: EPA chief of staff Ryan Jackson says he takes responsibility for the controversial raises given to two of Pruitt's top aides, Pro's Emily Holden reports. The Atlantic reported Monday on the existence of an internal EPA email between Sarah Greenwalt, senior counsel to the administrator who previously worked with Pruitt in Oklahoma, and EPA HR. The email confirms Pruitt knew of and approved Greenwalt's raise, which the Atlantic reports is roiling agency staff and contradicts Pruitt's comment to a Fox News interviewer when he said "I didn't know they got the pay raises until yesterday."

AMERICAN OVERSIGHT

In a response to the report, Jackson distanced Pruitt from the salary decision. "Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday. Read more.

EPA ETHICS OFFICIAL REFERS TO IG: Kevin Minoli, EPA's top ethics official, has sent ethics concerns regarding Pruitt to the Office of Inspector General for further investigation, according to a letter sent Monday and obtained by Buzzfeed. Minoli, a longtime EPA attorney, was responding to the Office of Government Affairs' acting director, David Apol, who on Friday urged him to further review issues like Pruitt's housing, spending and the raises granted to aides. In his response, Minoli writes that he lacks independent investigative authority. "Consequently, in an instance in which the EPA ethics office lacks sufficient evidence to assess fully an ethics matter, we have a long-standing practice of referring it to the" IG, he wrote.

SWAMP THINGS: Senate Minority Leader Chuck Schumer joined his House counterpart Nancy Pelosi in calling for Pruitt's exit on Monday. "President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt." The Environmental Working Group calculated there are now 91 bipartisan members of Congress calling for Pruitt's removal. More here from your ME host.

LUKEWARMLY STAND BY YOUR MAN: A bunch of GOP senators told ME Monday that legitimate questions had been raised about Pruitt's conduct, but none of them would go so far as to call for his resignation. "I know there a lot of questions that are being asked that sound like they need to be responded to," Senate Energy Chairman Lisa Murkowski told ME. "The questions that have come up are legitimate questions to have, so we'll have to wait and see what his answers are to those," Sen. John Boozman said.

But members of Senate leadership largely dodged. Sen. John Cornyn, the chamber's Majority Whip, wouldn't directly weigh in on the scandals: "It's the president's decision not ours." And Sen. John Barrasso, chairman of the EPW Committee, said Pruitt would probably come before his panel again this year, but declined anything more specific. Others defended the embattled EPA chief completely, with Sen. Roger Wicker arguing Pruitt's "vilified because he's doing his job and the left is doing everything they can to make him not succeed."

Sen. Joe Manchin, one of the few Senate Democrats who backed Pruitt's confirmation, said he didn't regret his vote, but added that the administrator should answer questions about his conduct. "He has to be held accountable," Manchin told reporters. Asked if he was surprised Pruitt still had a job, Sen. Brian Schatz told ME: "I'll just say that other secretaries in the same administration have left for less."

MISSION IMPOSSIBLE: With a shrunken Republican majority in the Senate, lawmakers would struggle to confirm any new EPA administrator, POLITICO's Burgess Everett and Anthony Adragna report — let alone someone as aggressive about undoing former President Barack Obama's environmental rules and regulations. "Anything is going to be hard right now at

AMERICAN OVERSIGHT

50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader. Read the full story here.

MORE SUPPORT FOR WHEELER: Republican Sen. Susan Collins, who opposed Pruitt's selection to run EPA, said she intends to back his selection for deputy administrator, Andrew Wheeler. "Unless there is some new adverse information, based on my review of his record I do intend to support him," she told ME. That further clears the path for Wheeler, who has secured the support of at least two moderate Democrats as well.

MOST ENDANGERED: Rivers threatened by oil, gas, agriculture and mining development dominate this year's list of Most Endangered Rivers, the annual rundown by green group American Rivers. Mississippi's Big Sunflower River list is ranked in the top slot, thanks of efforts by the state's congressional delegation to revive a vetoed Army Corps of Engineers flood control project that would have drained tens of thousands of acres of wetlands in the watershed. A rider supporting the project failed to make it into the fiscal 2018 spending bill last month — the last one managed by Mississippi Sen. Thad Cochran before he retired. Read the report here.

** **A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

THE RFS MEETING THAT DIDN'T ROAR: The participants at a White House meeting Monday on the Renewable Fuel Standard know what happened, but hardly anyone else does. One ethanol source told ME that Trump had punted the issue to Congress, but a Growth Energy spokeswoman said, "Our understanding is that they will continue to explore options." Reuters Jarrett Renshaw tweeted that Trump had decided to allow another three months for discussions. Growth, an ethanol trade association, put out a statement saying, "We are encouraged that the White House continues to rebuff Senator [Ted] Cruz's efforts to place a cap on RINs, which would destabilize the RFS and devastate struggling farm communities."

So what now? If Trump has indeed decided not to decide — at least for a while — then all eyes turn to Sen. John Cornyn and Rep. John Shimkus who have been working on a draft legislation that would overhaul the RFS. The Senate has a world of work to do, from approving nominees to run the State Department and the CIA to funding the government in September, so it's not clear how anything could get to the floor before — at the earliest — a lame-duck session after the November election.

CONFIRMED: James Edward Campos was confirmed by voice vote Monday to be director of the Office of Minority Economic Impact at the Energy Department. The Senate also confirmed Theodore Garrish Monday by voice vote to be assistant secretary of Energy for international affairs, and James Reilly to be director of the United States Geological Survey. Read more.

TWEET FOR TAT: Interior press shop's relationship with New Mexico conservationists seems to be ... not great. Nonprofit Trust For Public Land took to the social platform Monday afternoon

AMERICAN OVERSIGHT

to thank BLM and New Mexico lawmakers — Rep. Ben Ray Luján and Sens. Tom Udall and Martin Heinrich — for helping to add 600 acres to the Rio Grande del Norte National Monument. DOI followed up hours later: "Too bad they pulled their quote from a joint press release at the last minute. Guess they aren't all that interested in collaborative conservation. SAD," the official DOI press secretary Twitter account posted. "We're extremely proud of our collaboration with both Democrats and Republicans to ensure everyone has access to public lands," TFPL spokesman Keith Maley said, declining to comment further "on a press release we didn't issue."

A GREENER APPLE: Apple Inc. on Monday said all of its global facilities, which include data centers, Apple stores, and offices, are running on 100 percent renewable electricity. "We're going to keep pushing the boundaries of what is possible with the materials in our products, the way we recycle them, our facilities and our work with suppliers to establish new creative and forward looking sources of renewable energy because we know the future depends on it," CEO Tim Cook said in a statement.

ICYMI: **'CALL YOUR SENATORS':** An ME reader flagged a 30-second ad touting Interior Secretary Ryan Zinke that aired in D.C. last month. The ad prompts viewers to "call your senator" to demand they back Zinke and funding to repair national park infrastructure. But ME is a little skeptical that the TV spot is really about a specific policy, given that a) sources told us the ad only aired in D.C., which doesn't have any local senators to call, b) the footage reserves its longest shot for a smiling Zinke, and c) it aired around the same time a polling firm recently asked people in Iowa what they thought about the former Montana congressman and Navy SEAL. ME's source said American Economic Freedom Alliance paid for the spot. Little is known about the group, but it may have relationships with Vice President Mike Pence, according to the Indianapolis Star.

GREENS NOT FANS OF SCOTT'S SENATE RUN: Florida Gov. Rick Scott announced Monday he's running for Sen. Bill Nelson 's seat — drawing the immediate condemnation of environmentalists who say the two-term governor has refused to acknowledge climate change, among other issues, Pro Florida's Bruce Ritchie reports. They instead accused Scott of "greenwashing" his record in the state. "I think he will try to put everything he can out there to say he is an environmental champion," Frank Jackalone, the Sierra Club's Florida chapter director, told Bruce. "But we look at the bigger record and he is not [an environmental champion]." Read the story.

GREENS: **REJECT POMPEO:** More than 200 environmental groups called on senators today to reject Mike Pompeo's nomination for secretary of State. The letter, organized by the Food & Water Watch, cites Pompeo's history of statements doubting the science behind climate change. Read the letter here.

HARD BLOCK CAFE: Democratic Sens. Jeff Merkley, Ed Markey, Ben Cardin and Michael Bennet will hold a press conference today alongside clean air advocates to discuss EPA's recent announcement that it intends to rollback Obama-era fuel economy standards. Janet McCabe, former acting assistant administrator of EPA's Office of Air and Radiation, will also join the event.

AMERICAN OVERSIGHT

TRUE CRIME: The Atlantic Council's Global Energy Center released a new report today on illicit maritime activity related to the use of hydrocarbons. The report focuses on crimes including the small-scale smuggling of subsidized fuel and the hijacking of oil tankers. Read it here.

QUICK HITS

— The SEC is blunting investor activism over climate, K-Cups and gay rights, The Washington Post.

— State attorney general releases Tar Creek audits, Tulsa World.

— "Kinder Morgan blinked": Cross-Canada pipeline on hold because of opposition, The Seattle Times.

— Biggest U.S. electric grid has plan to keep power plants afloat, Bloomberg.

— Ohio power company has few allies in bailout bid, The Wall Street Journal.

HAPPENING TODAY

8:30 a.m. — The Farm Foundation and the Agriculture Department's Economic Research Service workshop on "The Economic Returns to Rural Infrastructure Investment," 529 14th St. NW

9:00 a.m. — The Atlantic Council forum on "Oil on the Water: Illicit Hydrocarbons Activity in the Maritime Domain," 1030 15th St. NW

9:30 a.m. — The Woodrow Wilson Center discussion on "Sustainable Water, Resilient Communities: Solutions for Dirty Water," 1300 Pennsylvania Avenue NW

10:00 a.m. — Securing America's Future Energy forum on fuel economy review, autonomy and energy security, 1401 Pennsylvania Ave NW

10:00 a.m. — Murkowski speaks at the National Rural Electric Cooperative Association's legislative conference, 400 New Jersey Avenue NW

10:00 a.m. — Senate Environment and Public Works Committee hearing on "Cooperative Federalism Under the Clean Air Act: State Perspectives," 406 Dirksen

12:00 p.m. — The Sultan Qaboos Cultural Center discussion on "Shrinking Snow Caps and Rising Tides: Implications for Oman's Coastal Resources," 1100 16th Street NW

12:30 p.m. — eurelectric press briefing on the European power sector, 2800 Pennsylvania Ave NW

AMERICAN OVERSIGHT

12:30 p.m. — The Georgetown University energy and climate policy research seminar on "Measuring Resilience to Natural Disasters," 3600 N St. NW

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/parsing-pruitts-war-on-lead-163864

Stories from POLITICO Pro

Pruitt gets Trump's tweet of approval: 'Scott is doing a great job!' Back

By Brent D. Griffiths | 04/07/2018 08:37 PM EDT

President Donald Trump defended embattled Environmental Protection Agency Administrator Scott Pruitt on Saturday evening, tweeting that his Cabinet official is doing a "great job."

"While Security spending was somewhat more than his predecessor, Scott Pruitt has received death threats because of his bold actions at EPA," the president wrote on Twitter. "Record clean Air & Water while saving USA Billions of Dollars. Rent was about market rate, travel expenses OK. Scott is doing a great job!"

For months, Pruitt has been the subject of unflattering headlines about his lavish spending on travel and security, and in recent days, it was revealed that the EPA head was renting a condo from a lobbyist couple. He is facing multiple EPA inspector general investigations.

POLITICO reported Friday that morale at the agency has suffered as the various scandals and the leaks that feed them echo around the building.

Trump's tweet underlines the defense many of Pruitt's allies have made in recent days, which is that the former Oklahoma attorney general is making progress in implementing the president's agenda at the agency through proposed rollbacks of Obama-era rules and the exit from the Paris

AMERICAN OVERSIGHT

climate accord.

To view online click here.

Back

Amid turmoil, Pruitt takes aim at drinking water problems Back

By Annie Snider | 04/10/2018 05:01 AM EDT

As EPA Administrator Scott Pruitt has fought to keep his job amid a mounting ethics scandal, he has pointed not just to his regulatory rollbacks as proof of his success, but also to his focus on drinking water safety.

Details are sparse, and critics wonder how much Pruitt can achieve in light of his parallel goal of shrinking the agency. But well before he was engulfed by negative headlines last week, Pruitt had outlined ambitious goals to update aging infrastructure and get dangerous chemicals out of drinking water — the kinds of things he says received too little attention from the Obama administration.

Pruitt leaned heavily on those plans in interviews with conservative media outlets in the past few days, as he defended himself from accusations that he had misused taxpayer dollars on first class travel and pricey office decor, and got a cut-rate deal on an apartment from a lobbyist friend.

"Lead in our drinking water: It's a concern, a tremendous concern on the health risk to our children, the mental acuity levels of our children," he said in an interview with the Washington Times last week. "You would think that would be a major priority, right? It hasn't been."

Pruitt brought together high-level officials from across the government last month to launch his "war on lead," and in May he will convene a nationwide summit of drinking water officials to address growing concern over contamination by chemicals used in Teflon and flame retardants.

Local drinking water agencies say they are glad to see Pruitt paying attention to some of their biggest challenges, but critics wonder how much he will actually get done, especially as the White House tries to slash his agency's budget.

"I'm cautiously optimistic at this point," said Alan Roberson, executive director of the Association of State Drinking Water Administrators. "Two of our big issues have been targeted by the administrator as being important issues. What the outcome is and what the actions are is still to be determined."

So far, the White House has indicated that Pruitt should be able to accomplish his goals without any new money. In fact, EPA's 2019 budget proposal would eliminate funding for its lead risk reduction program and grants to the states for dealing with the neurotoxin, while slashing research on water safety by more than a third. While Congress has shown little interest in

AMERICAN OVERSIGHT

following through with such deep spending cuts, critics say the administration's budget requests undermine Pruitt's pitch.

"Although publicly there's a lot of talk about moving forward with improvements, basically the foundation upon which you would build stronger protections for drinking water — which are the research that's needed and the program staff that are needed — they're really being undermined," said Erik Olson, director of the Natural Resources Defense Council's health program.

President Donald Trump is standing by Pruitt, indicating that his future in the administration is likely safe for now. "Record clean Air & Water while saving USA Billions of Dollars.... Scott is doing a great job!" Trump wrote in a tweet over the weekend.

It is unclear exactly what air and water "record" Trump was referring to, but it is likely too early to make such definitive claims. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. The White House did not respond to a request for comment Monday.

While Pruitt might find positive headlines in summits to discuss drinking water problems, the steps that could actually solve them offer few political wins.

Pruitt's most ambitious effort to date will come when he brings together officials from 56 states and territories for a summit to address growing drinking water contamination around the country by toxic chemicals known as Per- and Polyfluoroalkyl Substances, or PFAS. In a statement on the summit, Pruitt said EPA would provide "critical national leadership, while ensuring that our state, tribal, and local partners have the opportunity to help shape our path forward." But EPA has provided few additional details about the event, scheduled for late May.

Local outcries over PFAS began five years ago in hotspots like Hoosick Falls, N.Y., whose water was contaminated by the plastics industry, and are now spreading as the scope of the contamination has come to light.

The two most well-known substances, PFOA and PFOS, were used for years in Teflon, Gore-Tex, flame retardants and other water resistant products. They are linked with cancer, liver problems and low birth weight. Scientists say virtually everyone has at least trace amounts of the chemicals in their blood, and monitoring results show they are in the drinking water supplies of at least 15 million Americans, but many drinking water managers say they feel ill prepared to explain the risks to residents or offer solutions.

EPA in 2016 issued voluntary drinking water health advisories that drastically lowered the level at which it said the chemicals could pose a threat, but the agency has not issued any mandatory limits on their presence in drinking water. In fact, EPA has not regulated any new drinking water contaminant in more than 20 years, a testament to how difficult it is to impose costly new requirements on drinking water utilities.

In the absence of federal action, a number of states are moving ahead with their own drinking water limits for PFOA and PFOS, although public health advocates say that is no substitution for

AMERICAN OVERSIGHT

EPA regulation. They argue the whole point of the Safe Drinking Water Act was to prevent a patchwork of regulations.

Moreover, some states are powerless to do anything unless EPA does, said Sambhav Sankar, executive director of the Environmental Council of States.

"In those states, where state legislatures have done things like say you can't pass any regulations tighter than EPA's, those states are kind of hamstrung until EPA does something," he said.

ECOS and the Association of State Drinking Water Administrators have both asked EPA for help with PFAS, although they haven't decided whether they want the agency to write regulations, or just offer more research and guidance. But the National Rural Water Association is decidedly opposed to a mandatory limit, arguing that utilities are already committed to doing their best to eliminate the contaminant and shouldn't face potential penalties if they fall short.

PFOA and PFOS are no longer manufactured in the U.S., but the chemical industry has resisted calls to regulate other PFAS that have been used to replace them, which are also cropping up in drinking water supplies and health experts warn might not be any safer. For instance, in North Carolina the DuPont spinoff Chemours Company dumped the PFAS GenX in the Cape Fear River near Fayetteville for years and has pushed back against efforts to curtail its disposal into the community's primary drinking water source.

The FluoroCouncil, which is composed of companies making PFAS, including Chemours, said in a statement that it is "fully supportive of EPA's efforts to evaluate these chemicals," but cautioned that "these newer chemistries have been thoroughly reviewed by regulators who have relied on a robust body of scientific data showing these chemistries can be used safely."

Pruitt has close ties to the chemicals industry, particularly the American Chemistry Council, which runs the FluoroCouncil. The acting head of Pruitt's chemical safety office, Nancy Beck, was previously a top scientist for ACC. President Donald Trump's nominee to head EPA's chemical safety office, Michael Dourson, a former chemical industry consultant, withdrew from consideration last year after North Carolina's two Republican senators refused their support, pointing to drinking water contamination in their state.

With his "war on lead," Pruitt is taking on an even higher profile crisis, after criticizing the Obama administration's response to the contamination of drinking water in Flint, Mich., in 2015 and 2016, when nearly 100,000 residents were exposed to dangerously high levels of lead.

Pruitt last month invited more than a dozen Cabinet secretaries and top-level officials to a meeting at EPA headquarters to develop a federal plan to reduce children's exposure to lead. Attendees included HUD Secretary Ben Carson, Labor Secretary Alexander Acosta and representatives from several other agencies.

Pruitt has said he wants to "eradicate" lead — which can inhibit children's brain development at any level of exposure — but there are no easy options available to him.

AMERICAN OVERSIGHT

EPA has left open the option of requiring all lead piping to be removed as part of its plan to update the Lead and Copper Rule. But work on that update has been underway for more than a decade already, and the schedule to complete the work keeps slipping. A new rule is not expected until at least 2020, and regulators will have to sort through a host of additional issues by then on top of the question of whether to replace lead pipes.

The American Water Works Association estimates it would cost $30 billion to remove and replace all lead piping across the country. That's on top of the roughly $1 trillion needed more broadly to replace aging and failing water infrastructure.

Not only is the federal government unlikely to come up with that kind of cash anytime soon — the Trump administration's infrastructure proposal looked to private and local financing, not federal grants for improving drinking water infrastructure — but even if it did, it could probably only fund replacement of the public pipes, not the lead service lines and plumbing that are owned by homeowners. Furthermore, this type of partial replacement can actually make lead contamination worse in the near term, public health experts say, since the act of replacing water mains can shake up the remaining lead pipes, depositing the contaminant in drinking water.

Michael Keegan of the National Rural Water Association, which has pushed back on a mandate for full replacement, said that lead isn't a widespread danger since most utilities are using corrosion control, and that scarce dollars for upgrades could be better invested in other projects.

"The reason not to mandate full lead pipe service line removal is because people don't want it," he said. "If there's not a problem with lead in their water and they don't feel that the expense of removing the lead service lines is going to have a commensurate public health improvement, they should be allowed to decide that."

Critics are skeptical that Pruitt will take on the thorny issues involved in persistent drinking water problems and argue that Pruitt's much-touted meetings are more about headlines than about action. They say that the chemicals industry has a long history of running out the clock on drinking water regulation.

"Communities across the country are suffering now because of drinking water contamination," New Jersey Rep. Frank Pallone, the top Democrat on the House Energy and Commerce Committee and a congressional leader on drinking water issues, said in a statement. If Pruitt is serious about protecting drinking water, Pallone said, he should update the Lead and Copper Rule and move forward with regulations for PFAS and other emerging contaminants.

"Instead of taking meaningful steps to address drinking water contamination all we have seen from him are delays and distractions," Pallone said.

To view online click here.

Back

AMERICAN OVERSIGHT

EPA chief of staff takes responsibility for controversial raises given to Pruitt aides Back

By Emily Holden | 04/09/2018 06:22 PM EDT

EPA chief of staff Ryan Jackson is taking responsibility for controversial raises given to two of Administrator Scott Pruitt's top aides.

Pruitt has been under fire over a report in The Atlantic last week that he used special hiring authority to give hefty pay increases to two political appointees who joined EPA after working for him in Oklahoma. On Monday, the Atlantic cited two administration officials who said one of the employees had sent an email indicating that Pruitt had signed off on her new salary level.

In a response to the latest report, Jackson distanced Pruitt from the salary decision.

"Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday.

He said the staffers were to be paid "similar to their peers given their responsibilities over the past year," and that their original salaries started lower than their colleagues' because they had moved to Washington, D.C., from Oklahoma, where salaries are lower.

He added that the raises had been reversed, as Pruitt instructed, and any future changes would go through the White House for evaluation.

Democratic senators are asking an internal watchdog to investigate. The Atlantic reported that Pruitt himself went around the White House to ask for pay increases for two staffers who followed him from his attorney general post in Oklahoma — senior counsel Sarah Greenwalt and scheduling director Millan Hupp. The raises, of $56,765 and $28,130, respectively, were made with authority allowed under the Safe Drinking Water Act, which lets the administrator appoint up to 30 staffers without White House approval.

In an interview with Fox News last week, Pruitt claimed he had no knowledge of the raises and "the officials that were involved in that process should not have done what they did."

The Atlantic also reported that one EPA official heard top political appointees — including Jackson, Greenwalt and Hupp — joking Friday that Pruitt was "bulletproof" and, like Trump, "could stand in the middle of Fifth Avenue and shoot someone" and "get away with it."

Jackson said he didn't recall speaking with those staffers on Friday and said he wouldn't stand by in a conversation where people made that kind of joke.

"It's just flat-out false," he said.

Alex Guillén contributed to this report.

AMERICAN OVERSIGHT

To view online click here.

Back

Federal ethics officer presses EPA on 'extremely concerning' allegations against Pruitt Back

By Alex Guillén | 04/09/2018 11:46 AM EDT

The federal Office of Government Ethics on Friday urged EPA's top ethics official to carefully scrutinize the actions of Administrator Scott Pruitt in the face of reports about retaliation against staff members and other ethics questions.

"The success of our Government depends on maintaining the trust of the people we serve," wrote David Apol, the acting head of OGE, in a letter to Kevin Minoli, a career attorney and EPA's top ethics official. OGE released the letter Monday.

Apol specifically flagged Pruitt's $50-a-night rental agreement, travel and security expenses, raises for close aides and the alleged use of an employee's time to look for housing. Apol also noted "extremely concerning reports" in the New York Times that Pruitt demoted staff who questioned him. "If true, it is hard to imagine any action that could more effectively undermine an agency's integrity than punishing or marginalizing employees who strive to ensure compliance with the laws and regulations that safeguard that integrity," Apol wrote.

Minoli last week said he did not have all facts when he initially reviewed Pruitt's rental agreement of ethics violations. In a follow-up memo, Minoli said he had not reviewed Pruitt's actual use of the space, or whether that use raised any ethics questions.

Emily Holden contributed to this report.

To view online click here.

Back

Pelosi calls on Pruitt to resign Back

By POLITICO Staff | 04/06/2018 01:20 PM EDT

House Minority Leader Nancy Pelosi today called on EPA chief Scott Pruitt to resign, saying he has "displayed a staggering ethical blindness."

"EPA Administrator Scott Pruitt's tenure has been a part of the Trump Administration's culture of corruption, cronyism and incompetence. Pruitt must resign," Pelosi said in a statement. "Pruitt has displayed a staggering ethical blindness, and his abuses of office are representative of an

AMERICAN OVERSIGHT

Administration that uses their powerful positions to enrich themselves and their friends."

Pruitt has been the subject of a series of damaging articles in recent days alleging that he rented a $50-a-night condo room from a pair of lobbyists, that he reportedly sidelined aides who questioned his expensive travel and security costs, and that he allegedly asked for sirens and lights to speed up his trips around Washington, including to a trendy French restaurant.

He is also being investigated by the EPA's inspector general for other purported ethical lapses involving his travel and security expenses.

Even though White House officials have been irritated by the scandals, President Donald Trump has continued to publicly voice support for the EPA chief.

To view online click here.

Back

Schumer calls on Trump to fire Pruitt Back

By Kelsey Tamborrino | 04/09/2018 04:15 PM EDT

Senate Minority Leader Chuck Schumer called on President Donald Trump today to fire EPA Administrator Scott Pruitt, citing the recent ethical inquiries and questions about the administrator's spending habits.

"President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt."

Pruitt has been the subject of a series of scandals surrounding his use of a $50-a-night lobbyist-connected condo, as well as his expensive travel and security costs.

Trump has stood by Pruitt "despite obvious abuses of taxpayer's money and trust," Schumer said. "Why? Well, he likes what he is doing to unwind critical environmental protections on behalf of powerful industries."

In his support of Pruitt, Schumer said Trump is "lowering the bar" on government ethics and accountability.

"What abuse of the American people's trust will President Trump not tolerate if Administrator Pruitt is allowed to continue in his position despite flagrant graft?" Schumer said.

Schumer was discussing the nomination of Andrew Wheeler to be deputy administrator at EPA, which he said he would oppose.

AMERICAN OVERSIGHT

WHAT'S NEXT: Wheeler is expected to get a cloture vote this week.

To view online click here.

Back

Mission impossible: Replacing Scott Pruitt Back

By Burgess Everett and Anthony Adragna | 04/09/2018 07:05 PM EDT

There's one big reason Senate Republicans are standing staunchly with Scott Pruitt: Confirming a replacement might be impossible.

Even as the embattled EPA administrator faced another day of difficult headlines on Monday, there is no push from the Senate GOP to shove Pruitt out. Instead, Republicans are gently rapping him for his ethical transgressions and praising his deregulatory regime.

There's no question that GOP senators are growing tired of defending Pruitt. But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations.

"I don't think that would be easy, let me put it that way," said Sen. Orrin Hatch (R-Utah).

"I assume it'd be very difficult," said Sen. Jerry Moran (R-Kan.).

Pruitt barely got through the confirmation process last time — opposed by Sen. Susan Collins (R-Maine) but lifted to a majority through the support of a pair of red state Democrats. Since then, Republicans have lost a Senate seat in Alabama and Sen. John McCain (R-Ariz.) is recovering from cancer treatment, giving the GOP effectively a 50-49 majority that makes any controversial confirmation a risky bet.

"Anything is going to be hard right now at 50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader.

And now the midterms are in sight. Republicans are particularly eager to avoid putting the vulnerable Sen. Dean Heller (R-Nev.) in the position of being the deciding vote on a new EPA chief in the mold of Pruitt. Heller has faced a backlash in increasingly-blue Nevada for confirming some of President Donald Trump's nominees, and a vote on a conservative EPA administrator would offer Democrats another opportunity for outrage.

Apart from the political concerns, there are also practical ones. Senate Republicans are already facing an unwelcome trio of Cabinet confirmations that are all dicey on their own: Mike Pompeo to be secretary of state, Gina Haspel to lead the CIA and Ronny Jackson to helm the Veterans Affairs department.

AMERICAN OVERSIGHT

There are also dozens of lower-level nominees that Senate Majority Leader Mitch McConnell (R-Ky.) is hoping to confirm over the course of the year. Adding a fourth Cabinet confirmation would sap time from the Senate calendar and Republicans of their political capital in a tough election year.

"Our most precious quantity is time. We're pretty well booked. We don't need any extra confirmations," said Sen. Roger Wicker (R-Miss.), a McConnell ally.

Trump has mounted a strong defense of Pruitt, saying over the weekend he's doing a "great job." The president's allies in Congress said that they believe Pruitt is safe, for now.

"There's no vacancy yet," said Senate Majority Whip John Cornyn (R-Texas). "The president has gone out of the way to say he has confidence in him. So I just have to assume he's sticking around."

Of course, ousted Cabinet secretaries from Tom Price to David Shulkin to Rex Tillerson know that the president's support can turn on a dime. And Pruitt's big problem is that the bad headlines keep coming. On Monday, the Atlantic reported on emails that showed Pruitt personally ordered a raise for an aide over the White House's objections.

Moreover, he's faced ethical and management criticisms from the early days of his tenure. Pruitt's been hit for his frequent first-class flights, use of an unprecedented 24/7 security detail, spending $43,000 on a private phone booth and a $50-per-night lease on a Washington condo owned by a lobbyist couple, among other issues.

Those events prompted a federal ethics watchdog Monday to demand the agency's top ethics official closely examine Pruitt's behavior — and a mild rebuke from some Republicans.

"I don't appreciate the way he seems to have abused taxpayer dollars," said Sen. Joni Ernst (R-Iowa).

But supporters say Pruitt had made honest mistakes and deserves a second chance.

"He's had a few troubles. It's hard for anybody who's a mover and shaker not to have some troubles," Hatch said.

Pruitt has used his time atop EPA to launch a sweeping deregulatory push, beginning the process of wiping away Obama-era regulations on everything from power plant emissions to fuel efficiency standards to chemical safety rules for industrial facilities. He's pushed to trim his agency's budget by a third and overseen the reduction in staff to Reagan-era levels.

And he's questioned the scientific consensus that human activity drives climate change, urging a scientific debate on the work underpinning that conclusion.

"I feel that my reservations about Scott Pruitt have proven to be validated over and over. And the

AMERICAN OVERSIGHT

policies that he has pursued are antithetical to the agency," said Collins, the lone GOP senator to oppose Pruitt. Still, she would not say he should go: "It's really up to the president."

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he would refrain from judging Pruitt until the White House completes its probe into his activities.

"In terms of what he's been doing, in terms of rolling back regulations and doing the key administration issues, I'm supportive of his activities," Barrasso said. "We have a lot of other people that need to be confirmed. This is not the time to add another opening on top of that."

To view online click here.

Back

Senate confirms USGS chief, two DOE nominations Back

By Anthony Adragna | 04/09/2018 07:39 PM EDT

The Senate today confirmed a new director of the United States Geological Survey and two Energy Department nominees by voice vote.

That means James Reilly, a former astronaut, will become the next director of USGS.

The chamber also confirmed Theodore Garrish to be an assistant Energy secretary for international affairs and James Edward Campos to be director of the Office of Minority Economic Impact.

To view online click here.

Back

'He has unlimited money': Scott upends battle for the Senate Back

By Kevin Robillard, Marc Caputo and Burgess Everett | 04/09/2018 05:56 PM EDT

Florida Gov. Rick Scott's long-awaited clash with Democratic Sen. Bill Nelson has the makings of the most expensive Senate race ever — and that spells trouble for Democrats everywhere else.

Strategists in both parties think this race could cost up to $200 million, dwarfing the record $180 million they spent fighting over Pennsylvania in 2016, according to the Center for Responsive Politics. Scott, a multimillionaire, hasn't ruled out spending tens of millions of his own money as he has in the past.

Not only does Nelson lack that luxury, but Democrats are defending nine other incumbents in

AMERICAN OVERSIGHT

states President Donald Trump carried as they challenge for control of the Senate, where Republicans hold a 51-49 edge. And a free-spending Scott campaign in the nation's largest swing state could strain Democratic resources across the red-tinted Senate map.

"He has unlimited money, we know that he'll spend it, and as the campaign progresses you'll see how much his personal wealth has increased while he's been governor," Nelson told POLITICO after meeting privately with Facebook CEO Mark Zuckerberg on Capitol Hill.

Nelson suggested that Scott could single-handedly spend upward of $100 million on the race — an unlikely prospect for a governor who reported a personal net worth of $149 million last year, but a possibility because the governor's wife has millions more socked away. And Democrats acknowledge that the threat of Scott's finances alone will force them to shovel more of their own money into Florida.

"Now there's national money that has to get diverted to Florida. So if you're in another marginal or competitive state — a state like a Tennessee or an Arizona, which are eminently winnable for Democrats — there's just fewer dollars available for you to tap into nationwide," said Mo Elleithee, a former Democratic National Committee spokesman and current executive director of Georgetown University's Institute of Politics and Public Service.

"It's impossible, impossible, for a Florida race to be inexpensive," said Elleithee, who was Janet Reno's campaign manager in her 2002 race for Florida governor against Jeb Bush. "It's not that it's a zero-sum game. But for Democrats it would have been nice to have one less expensive state to have to dump money into so that money could go into other states."

That pull on resources from Senate Majority PAC and the Democratic Senatorial Campaign Committee could allow Republicans to get a monetary edge in cheaper states on the map like North Dakota, West Virginia and Indiana, though Democrats insist their candidates have enough of a cash advantage to stave off the GOP and its big-money backers. It also would make the few states where Democrats are on offense like Nevada and Arizona that much more challenging.

"Florida is a game-changing state," said Josh Holmes, a former chief of staff to Senate Majority Leader Mitch McConnell, predicting the Sunshine State would be "prohibitively expensive to protect" for Democrats.

"It could well make the difference in the majority," said Senate Majority Whip John Cornyn, a two-time National Republican Senatorial Committee chairman.

The problem isn't without precedent: Last cycle's clash between Florida GOP Sen. Marco Rubio and his Democratic challenger, then-Rep. Patrick Murphy, saw a whopping $89 million in spending despite Democratic groups largely abandoning Murphy down the stretch. Democrats slowly pulled their spending from the state, believing it made more sense to fund challengers in North Carolina, Missouri and Indiana than to bet their entire fortunes on Florida.

"It's a definite advantage for Republicans in other states even if Scott doesn't beat Nelson," said Terry Sullivan, a partner at Firehouse Strategies who was the general manager of Rubio's 2016

AMERICAN OVERSIGHT

presidential campaign. "It's a victory for Republicans outside of Florida as much as it a victory for Republicans in Florida."

But Democrats have something that money can't buy: the unpopularity of Trump, who has been a factor in bellwether state and federal races recently lost by Republicans from Florida to Alabama to Pennsylvania. Voters traditionally punish the party of the White House occupant, which was a factor in Scott's narrow wins in 2010 and 2014. In contrast to those races, when Scott frequently mentioned President Barack Obama, he said nothing about Trump in his Monday campaign launch. And Florida has seen an influx of thousands of Puerto Ricans after last year's hurricane and the Trump administration's bungled response could sway those voters who could tip the balance of the state away from Republicans.

Senators in Nelson's position have a good historical record running in midterms after a president from the other party carried their state. "Since '94, incumbents in this position are 21-3 — and the only losses came when the president's approval was significantly higher than Trump's is now," MSNBC correspondent Steve Kornacki tweeted.

Yet Nelson's fellow Democratic senators spent Monday riding to the rescue, even as his party insists he remains a favorite thanks to a strong name-brand in Florida.

Some of the party's most potent small-dollar online fundraisers — including Sens. Kamala Harris of California, Chris Murphy of Connecticut and Tim Kaine of Virginia — sent fundraising emails on Nelson's behalf Monday.

"If Senator Nelson loses, which is a real possibility, a powerful voice on the issues we all care about would be gone; replaced with somebody who will essentially rubber-stamp the Trump agenda," Harris wrote in her missive, which went out under the subject line "Trump begged him to run for U.S. Senate." "Furthermore, there is absolutely no chance Democrats can take the U.S. Senate back without winning this race."

The DSCC, Senate Majority PAC and American Bridge have all been focused on the contest, with the party unleashing a barrage of digital ads aimed at Scott as he entered the race. The Senate Majority PAC ad, backed by a six-figure buy, attacks Scott for refusing to expand Medicaid while giving tax cuts to the rich and says the governor "won't look out for you."

In most states across the Senate map, Democratic candidates have outperformed Republican opponents. Texas Rep. Beto O'Rourke raised an eye-popping $6.7 million for his race against Sen. Ted Cruz in the first quarter of 2018 — the biggest haul so far of any candidate running in the midterm elections. Missouri Sen. Claire McCaskill raised more than $3.9 million in the first three months of the year, while two other challengers, Reps. Jacky Rosen in Nevada and Kyrsten Sinema in Arizona, brought in over $2 million for their bids.

That "hard money" advantage Democrats are building could help their candidates air more TV ads in the fall, since super PACs and other outside groups often get charged higher rates for advertising.

AMERICAN OVERSIGHT

But there's only so much a Senate candidate can raise $5,400 at a time, while super PACs can accept donations of unlimited size (and Scott can make them himself). Strategists say that it could cost a campaign at least $3 million weekly for saturation statewide TV advertising across Florida's major media markets.

Scott shied away from saying he'd personally kick in as much money as he did in 2010 during his first race — about $73 million — and instead referenced his reelection campaign, when he spent about $13 million of his own money.

"I'm planning on winning. I'm going to run to win," Scott said when asked how much of his own money he would contribute. "I'm committed to raising the resources required just like I did in 2014. I'm going to aggressively travel the state and tell people why they need to support me. But we'll see."

To view online click here.

Back

Climate change skeptics run the Trump administration Back

By Emily Holden | 03/07/2018 05:07 AM EDT

President Donald Trump is filling the upper ranks of his administration with appointees who share his disbelief in the scientific evidence for climate change — giving them an opportunity to impose their views on policies ranging from disaster planning to national security to housing standards.

At the Interior Department, decisions about Pacific island territories threatened by rising seas are in the hands of an assistant secretary who has criticized "climate alarmists" for "once again predicting the end of the world as we know it." Agriculture Secretary Sonny Perdue's top advisers include a former talk radio host who has dismissed much climate research as "junk science." Trump's nominee to head research and technology at the Department of Transportation claimed three years ago that global warming had "stopped" — a position at sharp odds with the findings of federal agencies like NASA.

Trump has chosen at least 20 like-minded people to serve as agency leaders and advisers, according to a POLITICO review of his appointees' past statements on climate science. And they are already having an impact in abandoning former President Barack Obama's attempt to help unite the world against the threat of rising sea levels, worsening storms and spreading droughts.

Most famously, the president and his team have scrubbed mentions of climate change from government websites, kicked scientists off advisory boards, repudiated the Obama administration's greenhouse gas regulations and made the U.S. the only nation on Earth to reject the 2015 Paris agreement on global warming.

AMERICAN OVERSIGHT

More quietly, Trump's White House excluded rising temperatures from the list of threats in its December national security strategy, contradicting the approach of both the Obama and George W. Bush administrations. Last year, just before Hurricane Harvey drowned Houston, the White House rescinded requirements that projects built with federal dollars take into account the way warming temperatures might intensify extreme weather.

People worried about the consequences of climate change say a government that denies the problem is courting danger.

"The analogy could be if somebody's got a heart problem or high cholesterol, you take medicine that helps manage that so you can avoid a heart attack," said Ana Unruh Cohen, the government affairs director at the Natural Resources Defense Council. "Trump taking that away, saying, 'Forget it, I don't believe I have high cholesterol,' is setting up the country for a heart attack."

Aparna Mathur, a resident scholar in economic policy at the conservative American Enterprise Institute, found the trend worrying as well.

Many administration officials "don't seem to believe climate change is real, or if they believe climate change is real, there's this sort of attitude that there's not much to do about it or it's not caused by human actions," said Mathur, whose AEI colleagues also include people who question the extent of man-made climate change. As a result, she said, the U.S. is falling behind countries that are taking action on the problem.

The doubts are coming from both prominent and little-known Trump appointees, in ways both obscure and subtle.

Some have expressed doubt that the Earth is warming at all, speculated that the trend might be good for humans, or said it's just impossible to know how much of a role humans and their pollution are playing. All these statements fly in the face of findings by the government's own research agencies and the vast majority of climate scientists.

"There are scientists that think lots of different things about climate change," then-Rep. Mike Pompeo (R-Kan.), now Trump's CIA director, said on C-SPAN in 2013. "There's some who think we're warming, there's some who think we're cooling, there's some who think that the last 16 years have shown a pretty stable climate environment." Pompeo dodged the issue in his confirmation hearing last year, saying he would "prefer today not to get into the details of the climate debate and science."

When he was running for president, HUD Secretary Ben Carson scoffed at the idea that strong evidence for human-caused climate change even exists. "I know there are a lot of people who say 'overwhelming science,' but then when you ask them to show the overwhelming science they never can show it," he told the San Francisco Chronicle in 2015.

Few have been as publicly outspoken on the issue as Trump, who more than once has dismissed human-caused climate change as a "hoax" and claimed in January that polar ice isn't melting.

AMERICAN OVERSIGHT

The White House sought to strike a somewhat more moderate tone in a statement to POLITICO on Monday, which said that "the climate has changed and is always changing. The Administration supports rigorous scientific analysis and debate." The statement from principal deputy press secretary Raj Shah added that "the development of modern and efficient infrastructure ... will reduce emissions and enable us to address future risks, including climate related risks."

Some of the administration's climate skeptics have already come and gone.

Former HHS Secretary Tom Price, who had criticized the "allegedly 'settled science' of global warming" as a member of Congress, resigned in September amid criticism of his expensive travels on government and private planes. Kathleen Hartnett White, Trump's pick to head the White House Council on Environmental Quality, withdrew her nomination earlier this year after she stirred criticism with a long list of controversial statements , including calling the human role in climate change "very uncertain."

Another unsuccessful nominee, former talk radio host and political science professor Sam Clovis, had to pull out of the running to be USDA's chief scientist after critics noted that he has no science credentials — but he remains a top adviser to Perdue. Clovis dismissed much climate research as "junk science" in a 2014 interview, adding that "a lot of this global warming ... is really about income redistribution from rich nations that are industrialized to nations that are not."

Brent Fewell, a conservative environmental lawyer who was an EPA water official under Bush, suggested that some of these officials may privately acknowledge that man-made climate change is real. But he added: "A lot of people on the political right are uninformed about the issue. For whatever reason, it's a lot easier to simply agree with the prominent voices in the political party."

The upshot is the same, however: a 180-degree reversal from Obama's efforts to make the U.S. a leader in addressing the causes and consequences of a warming planet.

The EPA is leading the charge by withdrawing or weakening a host of climate regulations, including a 2015 rule that would have sped the electric power industry's shift away from coal-fired energy. Trump has also approved tariffs for solar panel imports, which will make it harder for green energy to compete with fossil fuels. Agencies have sought to cancel rules meant to limit the oil and gas industry's methane pollution — another major greenhouse gas source — and are reconsidering tougher standards for vehicles, too.

The Energy Department has proposed regulatory changes to prop up coal plants that can't compete in the market, while the White House is seeking buyers for U.S. coal and gas exports.

When Trump's critics seek to challenge these actions in court, the government's defense will be run by the Justice Department — an agency whose leader, Attorney General Jeff Sessions, said during a 2015 Senate hearing that carbon dioxide is "really not a pollutant."

"It's a plant food, and it doesn't harm anybody except that it might include temperature

AMERICAN OVERSIGHT

increases," Sessions said.

Some agencies are still continuing to study climate change and factor their findings into their policy decisions. But even there, career staffers may not talk about their work as openly as they once did, and the agencies seldom showcase it the way they did during the Obama years.

Much of the alarm among Trump's critics focuses on EPA, which has replaced dozens of scientists on its key advisory boards with industry or state representatives, and has found other ways to keep researchers from contradicting the administration's message. Last fall, the agency canceled an appearance by three EPA scientists scheduled to speak about climate change at a Narragansett Bay conference. Both EPA and the Energy Department have given extra scrutiny to grant proposals with the words "climate change," and in the case of EPA, it has put a political appointee in charge of signing off on them, The Washington Post has reported.

All this is in line with the public statements of EPA Administrator Scott Pruitt, who has suggested that global warming might be a good thing and has spoken about holding a public debate on whether climate change is real.

"Right out of the gate ... the administration took any and all mention of climate change off of the White House website," said Jacob Carter, a research scientist who has been tracking the administration's treatment of science for the Union of Concerned Scientists. "It seems like the administration is really trying to undo a lot of the scientific process as a whole and get experts out of the way."

The Environmental Data and Governance Initiative, which has studied the purging and rewording of climate-related documents on government websites, reported at the end of 2017 that it had found a "significant loss of public access to information about climate change."

The State Department's website took down links related to the Paris climate agreement, EPA removed a student's guide to climate change, and the Energy Department got rid of the words "clean energy" on a page with information for investors and businesses looking for projects with national laboratories.

The Interior Department's Bureau of Land Management, which oversees energy development on federal land, cut text about the effects of climate change. Some of the resources are still technically available in archives or in new locations, but they are harder to find because the government sites don't directly link to them, the Environmental Data and Governance Initiative says.

"It's not alarming the public because it's very hard to see each incremental thing," said Andrew Bergman, a co-author of the report.

Some Trump appointees have downplayed the idea that agency leaders' personal views about climate change are critical to making policy, suggesting they can still respond to global warming's effects without addressing why it's happening.

AMERICAN OVERSIGHT

"We continue to take seriously climate change — not the cause of it, but the things that we observe," Tom Bossert, the president's homeland security adviser, told reporters after last year's spree of catastrophic hurricanes that ravaged Houston, Puerto Rico and the Virgin Islands.

Sarah Hunt, who works in energy policy at the conservative American Legislative Exchange Council, said that "policymaker views on climate science needn't have any bearing on their support for conservative clean energy policies that spur the innovation we need to reduce emissions and promote environmental stewardship while we grow our economy."

But Trump's actions have reflected his views on the science. For example, one of his early executive orders in March 2017 eliminated a number of ways agencies had been required to consider climate change, including in environmental reviews for infrastructure projects.

Because so many of his appointees have questioned the conclusions of climate scientists, they are jettisoning climate change from routine processes. Those include EPA's refusal to consider the global monetary benefits of curbing rising temperatures when it rolled back Obama-era rules for the power sector.

Still, some agencies have continued to issue major reports that warn that climate change is a real and growing problem — even as the president's staffers push the message that the science is uncertain.

In November, the government's 13-agency National Climate Assessment concluded that humans have pushed global temperatures to their highest level in modern times. In January, NASA published data showing that last year was the second-warmest on record, and noted that temperature rises are "driven largely by increased carbon dioxide and other human-made emissions into the atmosphere."

Trump's nominee to run the space agency, Rep. Jim Bridenstine (R-Okla.), criticized "climate change alarmists" on the House floor in 2013 and claimed that "global temperatures stopped rising 10 years ago." (In fact, they haven't.) At his confirmation hearing last year, he acknowledged that humans are a cause of climate change but wouldn't call them the main cause.

"That is a question that I do not have an answer to," he said.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to

AMERICAN OVERSIGHT

https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Nolan, Rich
Sent: Thur 12/7/2017 12:39:07 PM
Subject: Fwd: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

AMERICAN OVERSIGHT

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports. Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according

AMERICAN OVERSIGHT

to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey. "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

AMERICAN OVERSIGHT

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the

AMERICAN OVERSIGHT

group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this

AMERICAN OVERSIGHT

morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on

AMERICAN OVERSIGHT

various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the

AMERICAN OVERSIGHT

RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

AMERICAN OVERSIGHT

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

AMERICAN OVERSIGHT

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

AMERICAN OVERSIGHT

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

AMERICAN OVERSIGHT

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

AMERICAN OVERSIGHT

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

AMERICAN OVERSIGHT

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see

AMERICAN OVERSIGHT

the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked

AMERICAN OVERSIGHT

off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

AMERICAN OVERSIGHT

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to

AMERICAN OVERSIGHT

return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut

AMERICAN OVERSIGHT

as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits. In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

AMERICAN OVERSIGHT

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the

AMERICAN OVERSIGHT

contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

AMERICAN OVERSIGHT

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

AMERICAN OVERSIGHT

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with

AMERICAN OVERSIGHT

roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

AMERICAN OVERSIGHT

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

AMERICAN OVERSIGHT

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

AMERICAN OVERSIGHT

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

AMERICAN OVERSIGHT

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

AMERICAN OVERSIGHT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

AMERICAN OVERSIGHT

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

---

This email was sent to molan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 12/7/2017 11:25:40 AM
Subject: POLITICO Playbook, presented by PhRMA: STATE DEPT issues 'worldwide caution,' as HAMAS calls for UPRISING IN ISRAEL after Trump announcement -- FIRST IN PLAYBOOK: Tax air wars in NY -- TOM LOBIANCO writing Pence book -- THE WING holds D.C. welcome dinner

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by PhRMA

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to today's Audio Briefing | Subscribe on Apple Podcasts | Visit the online home of Playbook

Driving the Day

THE STATE DEPARTMENT has issued a "worldwide caution" for U.S. citizens traveling the world. **MATT LEE,** the AP's longtime diplomatic correspondent **(@APDiploWriter),** says: "The last time the @StateDept issued a 'Worldwide Caution' because of a US policy decision was March 2003 at the start of the Iraq war." ***The State Department memo*** http://bit.ly/2B0IFkY

AP/GAZA CITY, at 4:18 a.m.: "GAZA CITY, Gaza Strip (AP) - Hamas leader calls for new uprising against Israel in wake of US decision to recognize Jerusalem as Israel's capital."

-- ADELSON'S PAPER -- ISRAEL HAYOM FRONT PAGE: In English: "Thank you, Mr. President! Jerusalem" (the "usa" in Jerusalem is colored with the American flag). In Hebrew: "The capital of Israel" http://bit.ly/2jYPwAZ

WSJ EDITORIAL -- "The Reality of Jerusalem": "Arab leaders denounced the Embassy move, but we wonder how long the fury will last. The Sunni Arabs also confront the threats of Islamic terrorism and Iranian imperialism, and the Palestinians are a third order concern. If the movement of an American Embassy that was signaled more than 20 years ago is enough to scuttle peace talks, then maybe the basis for peace doesn't yet exist." http://on.wsj.com/2AZOrU3

Good Thursday morning. EXPECTED TODAY: House Republican leaders tell us they feel confident they will pass a bill to fund government for two weeks. Sen. Al Franken (D-Minn.) is widely expected to resign. And Congressional leaders head to the White House for fiscal talks.

AMERICAN OVERSIGHT

TRUTH BOMB: THE NEXT MONTH IS GOING TO BE A MESS -- It looks like Congress is going to avoid a government shutdown this week. But this is only the beginning of a very, very messy month for Republican leaders. Top GOP lawmakers, at the moment, are not completely certain how they'll fund the government when funding expires on Dec. 22. One idea bouncing around is for the House to send the Senate a bill it won't even be able to take up -- a yearlong bill that increases military spending but doesn't bump domestic spending. Conservatives are itching for House Republican leaders to stand firm when the Senate rejects its opening funding salvo later this month.

-- ALSO TOUGH: Republicans and Democrats are almost certain to cut a deal to boost spending, renew CHIP -- the massive children's health program and bolster Obamacare. Some of that could come at the end of the month, or next month, on the back of an omnibus spending package, which will lump together 12 spending bills. The mood isn't good at the moment, and it only seems to be getting worse. Optimists hope tax reform makes all Republicans happy. Color us a tad skeptical.

AROUND THE TAX REFORM HORN ...

-- HOUSE/SENATE DIFFERENCES: "Tax Bill Is Likely to Undo Health Insurance Mandate, Republicans Say," by NYT's Robert Pear and Tom Kaplan: "House and Senate negotiators thrashing out differences over a major tax bill are likely to eliminate the insurance coverage mandate at the heart of the Affordable Care Act, lawmakers say.

"But a deal struck by Senate Republican leaders and Senator Susan Collins of Maine to mitigate the effect of the repeal has been all but rejected by House Republicans, potentially jeopardizing Ms. Collins's final yes vote. 'I don't think the American people voted for bailing out big insurance,' said Representative Dave Brat, Republican of Virginia, who opposes a separate measure to lower insurance premiums that Ms. Collins thought she had secured." http://nyti.ms/2AZIhU0

-- THE FIGHT OVER 20 PERCENT: "Corporate rate cut in tax bill could change as GOP hunts for votes," by Seung Min Kim, Nancy Cook and Bernie Becker: "In a closed-door meeting Wednesday with CEOs from the Business Roundtable, Republican Sen. Pat Toomey and White House economic adviser Gary Cohn in separate sessions told the crowd their strong preference was to keep the corporate rate at 20 percent, where it is now in the legislation, even as lawmakers were under intense pressure to find new revenue, according to three people familiar with the meeting.

"Both men left the crowd with the impression that the corporate rate was a target in the hunt for that revenue and could rise as a result. ... Each percentage point the corporate rate increases is worth about $100 billion over a decade. The top corporate rate is now 35 percent. ...

"Boosting the corporate tax rate could open a floodgate of other demands from lawmakers seeking to get provisions in the tax bill. Sen. Marco Rubio (R-Fla.), for

AMERICAN OVERSIGHT

instance, told POLITICO on Wednesday that if the rate goes up to 22 percent 'and they don't use some portion of it to help' boost the child tax credit, 'I'm going to have a big problem.'" http://politi.co/2nARInh

-- K STREET INC.: "Lawmakers face pressure to save deductions for mortgage interest and state and local taxes," by Theo Meyer, Aaron Lorenzo and Colin Wilhelm: "Lobbyists have launched an all-out effort to save tax breaks and protect powerful industries as the Republicans' tax overhaul lurches toward President Donald Trump's desk. Builders and real estate interests are pushing to save the mortgage interest deduction. Businesses are fighting to strip out a last-minute provision inserted into the Senate bill that would preserve the corporate alternative minimum tax. And a coalition of trade groups and local government leaders is urging Republicans not to cut the state and local tax deduction.

"With Trump pressing Congress to send him a bill before Christmas, lobbyists must decide where they want to focus their efforts over the next week. Some are working the senators and representatives who will make up the conference committee charged with ironing out the differences between the House and Senate bill. Others are working to persuade Republican leaders or leaning on the members of Congress whose constituents may see their taxes go up if changes aren't made to the bill." http://politi.co/2nCatqu

FIRST IN PLAYBOOK -- TAX AIR WARS IN NEW YORK - 45Committee, a group backed by the Adelson and Ricketts families, is launching ads against House GOP members who opposed both the tax bill and Obamacare repeal. The first ad -- on which the group says it's spending six figures -- criticizes Rep. Dan Donovan (R-N.Y.) for saying he is opposed to Obamacare and supports a tax overhaul, but voting against them. It's part of 45Committee's $10 million effort on tax reform, a representative of the group said. The ad's narrator ends the spot by saying "If he won't keep his word and support tax reform, how can we ever trust him again?" ***The ad*** http://bit.ly/2Ah695L

-- SCOOP: AMERICAN ACTION NETWORK is putting $2 million on TV, explaining what they believe the tax bill would do for 24 districts across the country. ***The ad*** http://bit.ly/2joVCeo

WSJ'S KRISTINA PETERSON and **KATE DAVIDSON: "House Republicans Weigh Linking Debt Ceiling Increase to Spending Bill":** "Rep. Doug Collins of Georgia, a member of House GOP leadership and the head of a working group of House Republicans on the debt limit, said lawmakers were considering increasing the debt ceiling as part of the bill funding the government for the rest of the fiscal year, known as an omnibus.

"GOP leaders are likely to seek to raise the debt limit enough to last at least through next November's midterm elections, lawmakers and aides said. They will have to act, likely by March, to avoid a default.

AMERICAN OVERSIGHT

"'There's just going to be an omnibus at some point, probably after the first of the year,' Mr. Collins said in an interview this week. 'Probably there'll be some debt ceiling discussions with the White House [going] into that bigger omnibus bill,' he said, but noted that the group of 23 House Republicans hadn't reached a final decision." http://on.wsj.com/2nBwOoh

****** **A message from PhRMA** : A medicine's path from the biopharmaceutical company to the patient involves many entities across the supply chain. A new report examines how money flows through this system - which includes wholesalers, pharmacy benefit managers, pharmacies and insurers - and how that impacts what patients pay at the pharmacy. Read more. http://onphr.ma/2kgd6Nu ******

IF YOU READ ONE THING - POLITICO MAGAZINE INVESTIGATION: "The Environmental Scandal in Scott Pruitt's Backyard: It's one of the dirtiest places in America. Former residents of Tar Creek, Oklahoma, want to know why Trump's EPA chief didn't prosecute allegations of wrongdoing during a federal buyout program," by Malcolm Burnley in Picher, Oklahoma: "Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike 'chat,' a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming '1A Football State Champs, 1984.'

"Tar Creek is also part of the environmental legacy of one of the state's-and nation's-leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's [EPA]. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

"Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges." http://politi.co/2kuwKFw

ATTN. DETROIT -- "John Conyers III was arrested for domestic abuse but not prosecuted," by NBC News' Andrew Blankstein in LA: "John Conyers III, a Detroit hedge fund manager named as a possible successor to his scandal-rocked father, Rep. John Conyers, was arrested in Los Angeles this year on suspicion of domestic violence, but prosecutors declined to charge him, according to documents obtained by NBC

AMERICAN OVERSIGHT

News. ... Conyers III, 27, was arrested on Feb. 15 at a Los Angeles residence on suspicion of violence against his girlfriend after the alleged victim called police. ... The girlfriend said that Conyers III suspected her of cheating after he went through her computer. She told police that he 'body slammed her on the bed and then on the floor where he pinned her down and spit on her,' the report says." http://nbcnews.to/2zUliWp

FOR YOUR RADAR -- "N. Korea says war is inevitable as allies continue war games," by AP's Kim Tong-Hyung in Seoul, South Korea: "North Korea says a nuclear war on the Korean Peninsula has become a matter of when, not if, as it continued to lash out at a massive joint military exercise between the United States and South Korea involving hundreds of advanced warplanes. In comments attributed to an unnamed Foreign Ministry spokesman, North Korea also claimed high-ranked U.S. officials, including CIA Director Mike Pompeo, have further confirmed American intent for war with a series of 'bellicose remarks.'" http://bit.ly/2iznFXY

JARED WATCH -- "Kushner bets he can have it both ways on Jerusalem move," by Annie Karni: "Jared Kushner is betting the house on a risky strategy that Middle East experts worry will derail any future Israeli-Palestinian peace deal - as well as what remains of the powerful son-in-law's shrinking West Wing portfolio. He privately encouraged President Donald Trump's announcement Wednesday that 'Jerusalem is Israel's capital,' which was seen by some experts in the region as a setback for peace efforts led by Kushner and his small team.

"The group has made dozens of trips to the region and spent hours on listening tours, working to gain the trust of the Palestinians and the broader Arab world. 'It is very, very hard to imagine how that peace effort can be continued,' said Ghaith al-Omari, who served as an adviser to the Palestinian Authority's negotiating team from 1999 to 2002. 'All the Arab leaders who have been cultivating relations with the new administration will be forced to come out very strongly against this.' But a person close to Kushner said he was forceful in his backing of the move. 'Encouraging would be an understatement,' the person said. 'It was him.'" http://politi.co/2k3bEdr

THE BACK STORY -- "Inside the demise of Al Franken," by Elana Schor and Seung Min Kim: "Al Franken weathered six women's sexual misconduct allegations without hearing a single resignation call from his fellow Democratic senators. No. 7 broke the dam. The Democratic women of the Senate had been talking among themselves about the Franken allegations for weeks, one Democratic aide said. None, however, went further than to call for a Senate Ethics Committee probe of the Minnesota senator, who many of them had considered a close friend.

"That stance became increasingly untenable as the accusations against Franken piled up. In calls and texts, the female senators eventually came to an unstated agreement, according to another aide familiar with their discussions: The next credible story of misconduct in a credible news outlet would would prompt them to call for Franken's resignation. When POLITICO reported Wednesday that a former Democratic congressional aide said Franken tried to forcibly kiss her in 2006, the aide said, it 'was

AMERICAN OVERSIGHT

the tipping point.'

"The first public resignation nudge came from Sen. Kirsten Gillibrand (D-N.Y.), a champion for reform of Capitol Hill's sexual harassment policy who one day earlier publicly declined to push Franken. Six more Senate Democratic women followed, with head-snapping speed. 'I think many people have been talking about this for some time. And we all responded with what we had been feeling today,' Sen. Patty Murray (D-Wash.) said after she said Franken should step aside. 'It wasn't coordinated, it just happened.'" http://politi.co/2iXZ2bb

THE REPLACEMENT -- "Female lieutenant governor expected to replace Franken if he resigns," by Maggie Severns: "Minnesota Gov. Mark Dayton is expected to appoint his lieutenant governor and close ally, Tina Smith, to Al Franken's seat if the Democratic senator resigns on Thursday, three people familiar with the Democratic governor's thinking said. But that appointment would be just the start of a huge upheaval in Minnesota.

"Part of the reason Smith could be heading to the Senate, the sources said, is because she has indicated no interest in running for Congress in the past and would not run for the remainder of Franken's term, which expires in 2020, in a 2018 special election. That would clear the way for a wide-open Democratic primary next year if Franken steps down." http://politi.co/2BQf7UM

FIRST PERSON - TINA DUPUY in The Atlantic, "I Believe Franken's Accusers Because He Groped Me, Too: The Democratic Party needs to stand with women who have been harassed-and not defend the politicians who abused them." http://theatln.tc/2iZhZu9

RUSSIA WATCH -- "Trump Jr. cites attorney-client privilege in not answering panel's questions about discussions with his father," by Kyle Cheney: "Donald Trump Jr. on Wednesday cited attorney-client privilege to avoid telling lawmakers about a conversation he had with his father, President Donald Trump, after news broke this summer that the younger Trump - and top campaign brass - had met with Russia-connected individuals in Trump Tower during the 2016 campaign.

"Though neither Trump Jr. nor the president is an attorney, Trump Jr. told the House Intelligence Committee that there was a lawyer in the room during the discussion, according to the committee's top Democrat, Rep. Adam Schiff of California. Schiff said he didn't think it was a legitimate invocation of attorney-client privilege. 'I don't believe you can shield communications between individuals merely by having an attorney present,' he said, after the committee's lengthy interview with Trump Jr. 'That's not the purpose of attorney-client privilege.'" http://politi.co/2kusF43

TRUMP'S THURSDAY -- The president is meeting with Republican senators and RNC Chair Ronna Romney McDaniel. He is also signing a proclamation for National Pearl Harbor Remembrance Day. In the afternoon he will meet with congressional leaders

AMERICAN OVERSIGHT

and former Ambassador to the United Nations John Bolton. He and the First Lady will also host a Hanukkah reception.

THE JUICE...

-- FIRST IN PLAYBOOK - TOM LOBIANCO, an AP White House reporter, has signed a deal to write a book on Vice President Mike Pence. LoBianco has covered the former governor of Indiana for multiple news organizations, including the AP and the Indianapolis Star, since 2011. The book was sold by Bridget Matzie of Aevitas Creative Management to Julia Cheiffetz of Dey Street Books, an imprint of HarperCollins.

-- JUSTIN MYERS has been hired as the CEO of For Our Future and For Our Future Action Fund. For Our Future was founded in 2016, when it ran a $60 million ground operation to help progressive candidates. He most recently has been SVP at the Pivot Group and is an alum of DCCC, Kay Hagan and the New Jersey Democratic State Committee, where he was ED.

-- THE WING, a New York-based women's co-working and social club, held a "welcome" dinner at 1789 last night. It is opening its D.C. outpost in Georgetown early next year. **SPOTTED:** Sens. Amy Klobuchar (D-Minn.), Heidi Heitkamp (D-N.D.) and Kirsten Gillibrand (D-N.Y.), Audrey Gelman, Giovanna Lockhart, Dayna Grayson, Alyssa Mastromonaco, Edith Gregson, Juleanna Glover, Kasie Hunt, Kristen Welker, Annie Karni, Pia Carusone, Susan Tynan, Tammy Haddad and Katie Glueck.

FUN VIDEO -- @TheDailyShow: "Trump's Best Words of 2017" - ***1-min. video*** http://bit.ly/2kvGTSs (h/t Matt Negrin)

HAPPENING TONIGHT -- Our first live podcast taping is **TONIGHT** at 7 p.m. at Sixth and I. Our inaugural guests: **MICHAEL BARBARO,** host of the New York Times' hit podcast "The Daily," **DCCC EXECUTIVE DIRECTOR DAN SENA** and **NRCC EXECUTIVE DIRECTOR JOHN ROGERS.** And a panel of **POLITICO** stars: **RACHAEL BADE, SEUNG MIN KIM** and **ANNIE KARNI.** Get your tickets now! http://bit.ly/2hWK7tF

Playbook Reads

PHOTO DU JOUR: A motorist on Highway 101 watches flames from the Thomas fire leap above the roadway north of Ventura, Calif., on Dec. 6. | Noah Berger/AP Photo

THE LATEST ON THE BAN -- "Appeals court considers legality of latest Trump travel ban," by Josh Gerstein: "A federal appeals court gave a somewhat friendlier reception Wednesday to President Donald Trump's latest travel ban order, just two days after the Supreme Court allowed the policy to be implemented in full for the first time. A

AMERICAN OVERSIGHT

three-judge panel of the 9th Circuit Court of Appeals met in Seattle to hear arguments over an injunction against varied travel restrictions Trump issued in September on citizens of six majority Muslim countries, as well as North Korea and Venezuela." http://politi.co/2jm0bWL

JUST POSTED -- "The surgeon general and his brother: A family's painful reckoning with addiction," by Andrew Joseph in STAT News: http://bit.ly/2j0ZYvw

HMM - "VA cuts program for homeless vets after touting Trump's commitment," by Arthur Allen and Lorraine Woellert: "Four days after Veterans Affairs Secretary David Shulkin held a big Washington event to tout the Trump administration's promise to house all homeless vets, the agency did an about-face, telling advocates it was pulling resources from a major housing program. The VA said it was essentially ending a special $460 million program that has dramatically reduced homelessness among chronically sick and vulnerable veterans.

"Instead, the money would go to local VA hospitals that can use it as they like, as long as they show evidence of dealing with homelessness. Anger exploded on a Dec. 1 call that was arranged by Shulkin's Advisory Committee on Homeless Veterans to explain the move. Advocates for veterans, state officials and even officials from HUD, which co-sponsors the program, attacked the decision, according to five people who were on the call." http://politi.co/2nCuQ6L

VALLEY TALK -- "Silicon Valley Investor Shervin Pishevar Accused Of Spreading False Information To Cover Up Alleged Sexual Misconduct," by BuzzFeed's Ryan Mac: "Venture capitalist Shervin Pishevar, who has been accused by multiple unnamed women of sexual misconduct in a recent news report, is now being accused by a Republican-affiliated opposition research firm of spreading false information about it in an attempt to cover up his alleged wrongdoings. In a bizarre twist on Wednesday, Definers Public Affairs - which Pishevar is suing for allegedly helping to spread a false police report that accuses him of rape - filed a motion to dismiss the investor's suit in full.

"That motion, made in San Francisco Superior Court, argues that Pishevar's lawsuit should be thrown out under California's anti-Strategic Lawsuit Against Public Participation (anti-SLAPP) law, which was designed to prevent litigation that is simply meant to silence or intimidate critics by burying them under legal costs." http://bzfd.it/2BH5RI2

ZACK STANTON in POLITICO Magazine: **"John Conyers Was An Icon. Then He Lost His Way:** It's time to reckon with the legacy of a man who saw so much and stayed too long": http://politi.co/2B8OgX3

****** **A message from PhRMA** : A medicine's path from the biopharmaceutical company to the patient involves many entities across the supply chain. A new report examines how money flows through this system - which includes wholesalers,

AMERICAN OVERSIGHT

pharmacy benefit managers, pharmacies and insurers - and how that impacts what patients pay at the pharmacy. Read more. http://onphr.ma/2kgd6Nu ******

DESSERT -- "A history of the final dying days of the power suit," by WaPo's Robin Givhan: "Douglas Heye wears suits. Like a lot of men, he gives a fair amount of consideration to the way those suits are styled. Unlike a lot of men, he is willing and able to break down those considerations into specifics. 'I like a pocket square, but I generally don't wear one with a tie,' says Heye, a former Republican strategist, now a CNN contributor. 'If I'm wearing a tie, three out of four times it's blue. I like blue and I've been told it works for me. ... If I'm wearing a jacket and no tie, I always like a pocket square. I think it's a little bit more dressy. It shows a little bit of effort.'

"Effort is important. The whole reason for wearing the suit, he says, is to set a tone. He recently attended a meeting where he knew everyone else would be casual. But he couldn't bring himself to show up in khakis and a golf shirt. A suit, he reasoned, signaled a certain seriousness. 'But I don't know,' he says. 'Maybe it means something to me and not the viewer.'" http://wapo.st/2Akck9h

MEDIAWATCH -- "ABC reprimands producer for giving data to Trump campaign," by Michael Calderone: "In their new book 'Let Trump Be Trump,' campaign insiders Corey Lewandowski and David Bossie wrote that Chris Vlasto -- then-executive producer of 'Good Morning America' and now senior executive producer for investigative reporting -- called Bossie, Trump's deputy campaign manager, at 5:01 p.m. on election night with information being shared within a consortium of the Associated Press and the major TV networks. ...

"Bossie had known Vlasto for decades, going back to when Bossie was a Republican House investigator in the 1990s and Vlasto was covering the Clinton Whitewater investigations, according to the book. Vlasto was considered for a senior communications position in the Trump White House in the weeks after the election before pulling himself out of consideration." http://politi.co/2BayJWQ

--PER MICHAEL CALDERONE IN MORNING MEDIA: "Doyle McManus is taking a buyout from the Los Angeles Times after 39 years with the paper. He said in a note to friends that he'll write occasional op-ed columns for the paper as a contributing writer, and that he plans to do more long-form pieces – and possibly a book."

Playbookers

SPOTTED: Donald Rumsfeld in Farragut Square yesterday after getting a haircut

SPOTTED at the annual American Defense International holiday party at the Hotel George hosted by defense lobbyists Van Hipp and Michael Herson: Rick Harrison, star of History Channel's "Pawn Stars," Ed Nixon, brother of former President Richard Nixon,

AMERICAN OVERSIGHT

former Virginia Governor, RNC Chair and presidential candidate Jim Gilmore, Reps. Debbie Wasserman-Schultz (D-Fla.), Adam Schiff (D-Calif.), Adam Smith (D-Wash.), Joe Wilson (R-S.C.), Jim Banks (R-Ind.), Scott Taylor (R-Va.), Bill Shuster (R-Pa.), Pete Visclosky (D-Ind.), Bradley Byrne (R-Ala.), Martha McSally (R-Ariz.), Charlie Crist (D-Fla.), Mario Diaz-Balart (R-Fla.), and Mike Turner (R-Ohio).

TRANSITIONS -- "Cruz chief of staff leaves Capitol Hill," by Seung Min Kim: "Sen. Ted Cruz's chief of staff is leaving Capitol Hill after more than a year leading the Texas Republican's congressional operation in Washington and in his home state. David Polyansky, 46, came on board as Cruz's chief of staff following the Republican National Convention in 2016 at a time when the senator re-focused his energies on Texas following his unsuccessful presidential campaign.

"Now, Polyansky is returning to Houston, where his family resides, and staying on as a senior adviser for Cruz's re-election campaign in 2018. ... Pre Shah, currently Cruz's chief counsel, will take over for Polyansky as the senator's chief of staff. Cruz's legislative director, Steve Chartan, will become deputy chief of staff while keeping his legislative duties." http://politi.co/2AyC0Ou

-- SPOTTED: Cruz, Polyansky and Scott Reed in a booth at Capital Grille last night - also seen there: Rep. Jeff Duncan (R-S.C.) chatting with Arkansas Lt. Gov. Tim Griffin. Rep. Duncan Hunter (R-Calif.) and Rep. Roger Williams (R-Texas) were also at the restaurant.

BIRTHDAY OF THE DAY: Suhail Khan, Microsoft director of external affairs. **A fun fact about Suhail:** "I was a nanny in college, have ridden a '61 Harley Davidson since high school and am currently restoring a '67 Shelby Mustang GT500. I was also front row for Metallica three times this summer." **Read his Playbook Plus Q&A:** http://politi.co/2AzrXss

BIRTHDAYS: Carole Simpson is 76 ... Sen. Susan Collins (R-Maine) is 65 ... Sen. Thad Cochran (R-Miss.) is 8-0 ... CNN's Ashley Killough (hat tip: Kevin Cirilli) ... Emily Hamilton, director at Hamilton Place Strategies ... Kate Tummarello, policy analyst at Electronic Frontier Foundation ... Allie Grasgreen Ciaramella, comms manager at the National College Access Network ... Nicolás Luis Rosero ... Larisa Alexandrovna Horton ... Oath's Sarindee Wickramasuriya ... former Amb. Michael Punke, VP of global public policy for Amazon Web Services and author of "The Revenant" ... Scott Greene ... Kenny Fried ... Patrick Lee Plaisance is 54 ... Molly Block, newly-hired press secretary at EPA ... Ben Fallon ... Maria Fuentes ... Jeannie Lough ... Doug Henwood ... Dafna Tapiero ... Adam Culbertson ... Michael Steinhardt is 77 ... Jonathan Tisch is 64 ... Edelman's Erika Reyes ... NYT's Dean Chang ...

... Priya Dayananda of KPMG ... Anne MacMillan of Invariant ... Sam Runyon, deputy press secretary for Sen. Joe Manchin (D-W.Va.), celebrating over three days (h/t Jonathan Kott) ... Christina Freundlich ... Olivia Wenk (h/t Dad, Christopher) ... Tyler Prell ... Robert Cresanti, pres. and CEO of Int'l Franchise Association ... Mary Heitman,

AMERICAN OVERSIGHT

EVP at IFA ... Illinois State Sen. Dan McConchie ... Rep. Duncan Hunter (R-Calif.) is 41 (h/t Robb Watters) ... Tom Frieden ... Mike Klein ... Deloitte's Sam Schofield, a State alum (h/t Nihal Krishan, "his fellow Fessenden Fiefdom housemate") ... Jenny Kordick ... Amanda Faulkner, public policy and government relations at Google (h/t Ben Khouri) ... Lisa Sun ... Raj Peter Bhakta ... Tim Andrews ... Kim Bradford ... Peter Truell is 62 ... Brian Mosteller ... Mike Meece ... Cristina Beato ... Noam Chomsky is 89 ... Alice Parker ... Ruthanne Buck ... Sachin Chheda ... Antha Williams ... Jeff Blum (h/ts Teresa Vilmain)

****** **A message from PhRMA** : In the competitive marketplace for medicines, negotiations between pharmacy benefit managers (PBMs) and biopharmaceutical companies result in substantial rebates and fees. According to a new report, in many cases, this system often creates incentives for PBMs to prefer medicines with higher list prices and higher rebates. Read more about how money flows through the supply chain here: http://onphr.ma/2kgd6Nu ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 12/7/2017 10:45:23 AM
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

AMERICAN OVERSIGHT

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

AMERICAN OVERSIGHT

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

AMERICAN OVERSIGHT

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

AMERICAN OVERSIGHT

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

AMERICAN OVERSIGHT

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association

AMERICAN OVERSIGHT

President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

AMERICAN OVERSIGHT

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring

AMERICAN OVERSIGHT

federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for

AMERICAN OVERSIGHT

indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now

AMERICAN OVERSIGHT

Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be

AMERICAN OVERSIGHT

commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

AMERICAN OVERSIGHT

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a

AMERICAN OVERSIGHT

dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Wed 2/21/2018 12:08:52 PM
Subject: February 21 -- Energywire is ready

Read today's Energywire on the web

SUBSCRIPTION

ENERGYWIRE — Wed., February 21, 2018

READ FULL EDITION

1.CLIMATE:
Environmentalists lost big on LNG exports. Now what?

After years of fever-pitched opposition to liquefied natural gas exports, the Sierra Club quietly pulled its last LNG lawsuit from federal court last month. The withdrawal followed a series of losses in similar cases, a subdued end to environmentalists' chief legal campaign against shipping U.S. natural gas around the world.

TOP STORIES

2.ELECTRICITY:
Texas grid operator moves to protect state jurisdiction

3.INFRASTRUCTURE:
DOE's Walker plugs North American energy model

4.EPA:
IG report discounted Tar Creek Superfund fraud claims

LAW

5.SCIENCE:
D.C. court wades into messy feud between energy researchers

OIL AND GAS

6.ALASKA:
Interior to move quickly on ANWR leasing — Murkowski

7.PEOPLE:
Colo. governor's energy point man steps down

8.SAFETY:
Blaze at N.D. tank farm 'rare,' but owner citations frequent

ELECTRICITY

9.SECURITY:
DOJ task force takes aim at 'unprecedented' cyberthreat

10.UTILITIES:
Duke touts grid transformation plans

11.PIPELINES:
N.J. consumer advocate calls on FERC to reconsider PennEast

12.SOLAR:
Government mandates to cushion blow of Trump tariffs

13.SAFETY:
Tampa utility to appeal OSHA finding on molten-ash deaths

14.NUCLEAR:
White House bid for Saudi reactors worries legislators

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

AMERICAN OVERSIGHT

ABOUT ENERGYWIRE -- The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net

All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Agriculture
Sent: Tue 8/1/2017 2:05:07 PM
Subject: POLITICO's Morning Agriculture: Perdue hits the road in search of farm bill 'roots' — The Almanza era draws to a close — Mexico names new chief NAFTA negotiator

By Catherine Boudreau | 08/01/2017 10:01 AM EDT

With help from Eric Wolff and Adam Behsudi

PERDUE HITS THE ROAD IN SEARCH OF FARM BILL 'ROOTS': We'll spare you the Clark W. Griswold joke and get right down to it: Agriculture Secretary Sonny Perdue is set to depart on a five-state farm bill tour via RV, a journey that begins Thursday at the Wisconsin State Fair and signals the secretary's intent to be "intimately" involved in development of the 2018 measure. Perdue's summer road trip - dubbed "Back to Our Roots" - will also bring him to Minnesota, Iowa, Illinois and Indiana, USDA will announce this morning. His schedule is packed with listening sessions, to allow him to hear from producers and consumers across the country who are "on the front lines of American agriculture and ... know best what the current issues are," Perdue said in a statement. He'll have some fun along the way, attending a Minnesota Twins game with USDA employees and popping in at Indianapolis Colts training camp for an event on the NFL's "Fuel Up to Play 60" initiative.

"USDA will be intimately involved as Congress deliberates and formulates the 2018 Farm Bill," Perdue said in a statement. "We are committed to making the resources and the research available so that Congress can make good, facts-based, data-driven decisions. It's important to look at past practices to see what has worked and what has not worked, so that we create a farm bill for the future that will be embraced by American agriculture in 2018."

That would mark a significant departure from the USDA that Congress came to know under former President Barack Obama. While Obama included changes to crop insurance and other farm bill programs in his annual budget, former Agriculture Secretary Tom Vilsack largely stayed out of negotiations over the legislation.

Does Sonny do encores? Yup. A second RV tour is planned for later this summer, though details have yet to be announced. The trips will be documented on Perdue's Twitter account under #BackToOurRoots.

HAPPY TUESDAY, AUGUST 1! Welcome to Morning Ag, where your host would categorize this as a crime of passion. You know the deal: Thoughts, news, tips? Send them to cboudreau@politico.com and @ceboudreau. Follow the whole team at @Morning_Ag.

TEXANS FRET ABOUT NEXT GENERATION OF FARMERS: Sticking with the 2018 farm bill for a moment ... House Agriculture Chairman Mike Conaway said at the panel's field hearing in San Angelo, Texas on Monday that he wants to get a farm bill on the House floor by the end of this year - echoing a goal that his Senate counterpart, Pat Roberts , outlined last week. Over the course of three hours, some 80 farmers and ranchers, food bank employees, agricultural bankers and conservation groups discussed their concerns and suggestions on farm policy to

AMERICAN OVERSIGHT

Conaway, ranking member Collin Peterson and six other committee members.

Calls for returning cotton to Title I so it can qualify for commodity supports, improving livestock disaster assistance and strengthening conservation programs like CSP and EQUIP were plentiful, but the more passionate statements came from producers who fear the next generation won't be on the farm for a variety of reasons: the lack of equity needed to secure financing; the constant rise in the cost of pesticides, seeds, and equipment while commodity prices slump, which makes it difficult to make a profit; and the deteriorating economic condition of rural America.

"I know five young growers who went out of business in the last three years," said Tony Dill of the Western Peanut Growers Association. "This is a very severe issue. I see no future in our country if we don't do something for younger farmers. A lot of us older farmers are living on equity, and younger farmers don't have that equity to get started."

THE ALMANZA ERA DRAWS TO A CLOSE: Al Almanza, administrator of the USDA Food Safety and Inspection Service, retired on Monday after 39 years at the agency. Secretary Perdue, in an email to staff, announced that two career employees will take on temporary leadership roles, beginning today: Paul Kiecker will be FSIS acting administrator, and Carmen Rottenberg will serve as acting deputy undersecretary for food safety - a post Almanza also held from September 2014 to December 2016.

In a farewell message to USDA employees last week, Almanza said highlights of his tenure include modernizing the poultry inspection system, reducing foodborne illnesses from listeriosis and E. coli and implementing stricter performance standards for campylobacter and salmonella in poultry.

The new line-up. Rottenberg has spent nearly six years in leadership roles at FSIS, including as deputy administrator and chief operating officer, overseeing the agency's $1-billion budget. Kiecker joined FSIS in 1988 as a food inspector and has held a number of positions since then, most recently as deputy assistant administrator for the Office of Field Operations.

MEXICO NAMES NEW CHIEF NAFTA NEGOTIATOR: Mexico is building out its negotiating team in preparation for the much-awaited renegotiation of NAFTA, naming Kenneth Smith Ramos on Monday to be its chief technical negotiator. Ramos, head of the trade and NAFTA office at the Mexican Embassy in Washington, will work just below Economy Secretary Ildefonso Guajardo and Undersecretary for Foreign Trade Juan Carlos Baker in leading the negotiations, a Guajardo spokesperson told our colleagues at Morning Trade.

Guajardo, speaking to reporters on Monday, highlighted Ramos' past work in Mexico's agriculture department as well as its economy ministry. "He is a man who has had a very, very long, intense and brilliant career in all foreign trade topics," Guajardo said in Spanish.

RFS HEARING BE POPPIN' LIKE CORN: EPA is throwing its annual Renewable Fuel Standard bash today, an all-day hearing for the agency to get feedback on its proposed rule, which will set the amount of biofuel that must be blended into the nation's fuel supply. The agency kept the ethanol mandate at the legal maximum of 15 billion gallons, but it dramatically

AMERICAN OVERSIGHT

cut the amount of advanced biofuels, and it will surely get an earful on that.

RFS A-listers: EPA will hear from: Iowa Gov. Kim Reynolds; Nebraska Gov. Pete Ricketts; Chris Bliley of Growth Energy; Bob Dinneen of the Renewable Fuels Association; Frank Macchiarola of the American Petroleum Institute; and Donnell Rehagen of the National Biodiesel Board. Reynolds, whose state leads the nation in ethanol production, will tell EPA she's glad it is on track for an on-time rule (they're actually a bit behind schedule), but wants the agency "to raise the advanced biofuel, biodiesel and cellulosic volumes. The RFS is a bold policy, and Iowans and the industry as a whole have always risen to the challenge."

NMPF: PLANT-BASED FOOD PETITION 'INAPPROPRIATE': The Good Food Institute's effort to revive a 20-year-old soy industry petition that requested FDA allow plant-based products to be labeled as "milk" is as "inappropriate today as it was ... in 1997," the National Milk Producers Federation said in response Monday. "Nothing has happened in the intervening time period to allow the combination of soy powder, water, emulsifiers, stabilizers, sugar, sodium and added vitamins to magically become milk," NMPF President Jim Mulhern said in a statement. "Regardless of what food technologists might try, milk still only comes from mammals."

GFI also filed its own petition on Monday, asking FDA to codify its existing practice of allowing manufacturers to use common dairy names to broadly label plant-based foods and beverages. The FDA told MA in response on Monday that it is "reviewing the matter and takes action in accordance with public health priorities and agency resources."

THIS TAX REFORM TIMELINE IS ... 'AGGRESSIVE': The White House expects tax reform legislation to move quickly through Congress this fall, clearing the House in October and the Senate in November, legislative director Marc Short said Monday. Markups will begin in September. "So that, I think, is an aggressive schedule, but that is our timetable," he said during an event hosted by a pair of conservative political groups backed by the billionaire Koch brothers - Freedom Partners and Americans for Prosperity.

Short's ambitious timeline is the most specific to be laid out by either the White House or Congress in recent months, reports Pro Tax's Aaron Lorenzo. It jives with a joint statement issued by administration and congressional negotiators last week, which said the expectation is that tax reform legislation will move through committees "this fall," followed by consideration on the House and Senate floor. Republicans are planning to use special instructions in a budget resolution - should it advance through Congress - to pass tax reform with a simple majority in the Senate in order to short-circuit a Democratic filibuster. But Short also suggested a Republican-only pathway isn't completely necessary. Some Democrats might get on board, particularly those up for reelection next year in states Trump carried, he said.

THE 2018 WATCH: CASEY, TESTER GET NEW CHALLENGERS: Senate Agriculture Committee member Bob Casey (D-Pa.) has a new challenger in 2018: GOP Rep. Lou Barletta, two Republican sources told POLITICO's Kevin Robillard. Barletta, an early supporter of President Donald Trump, is an immigration hard-liner serving his fourth term in the House. Trump has publicly suggested Barletta challenge either Casey or Democratic Gov. Tom Wolf.

AMERICAN OVERSIGHT

Barletta, a former mayor of Hazleton, Pa., is the biggest name in a large Republican field challenging Casey, a moderate who has emerged as a fierce Trump critic.

Tester territory: Montana State Auditor Matt Rosendale on Monday formally launched his campaign to challenge Democratic Sen. Jon Tester next year, and gave a heads-up to POLITICO's Elena Schneider. A handful of Republicans are already in the race, but Rosendale is the first statewide officeholder to jump in. Tester, an organic farmer and two-term incumbent, is one of the GOP's top Senate targets. Rosendale ran for Congress in 2014 and loaned his own campaign more than $1.1 million before losing to Interior Secretary Ryan Zinke in the Republican primary.

"I've always said that I will serve wherever Montanans feel I can be the most effective, and I've gotten calls from across the entire state from people who are not satisfied with the job that Tester is doing. He acts like a farmer when he's here, but he goes back to Washington and votes just like Chuck Schumer," Rosendale said. "We recognize that even if you go into federal government well-intentioned, there comes a time when you have been there too long."

U.S., BRAZIL TO COMPETE FOR CORN CUSTOMERS: Brazil's corn production in the 2016-17 season is forecast to be a record 97 million tons, while U.S. farmers are predicted to harvest their second-biggest crop this fall - setting up intense competition for buyers in the second half of 2017, Bloomberg reports . Two decades ago, Brazil wasn't even on the United States' radar as a competitor in corn exports, but has since ramped up shipments. In 2016, the country ranked third in corn exports, while the U.S. was No. 1 and Argentina No. 2, according to USDA data. Japan and Mexico are the top buyers of the commodity.

U.S. corn shippers are seeing slow bookings for the coming marketing year, which starts in September, Bloomberg reported, citing USDA data. Corn shipments from Brazil are climbing, but they are projected to continue to pace behind those of the U.S. Whether Brazil can steal more market share from U.S. farmers depends partly on the value of the Brazilian real and how many growers are willing to sell crops at low local prices, one analyst told Bloomberg.

Another factor? Trump. Mexico is looking to diversify its corn supply amid the political uncertainty surrounding NAFTA 2.0 and President Trump's harsh rhetoric. But Secretary Perdue, after two days of bilateral meetings in Mexico last week with Mexican Secretary of Agriculture José Calzada, said the U.S. still has an edge.

"I did not get any indication that they're seriously considering that," Perdue told reporters during a conference call on Friday. "I think while they may talk ... as if they're having conversations, we have a corner store location for their supply," he added, highlighting the U.S. agricultural sector's competitive and logistical advantages in relation to its southern neighbor.

ERS: FARM PRODUCTIVITY KEY TO FOOD SECURITY: Growth in agricultural productivity is strongly connected to improvements in developing countries' food security status, according to a report published by the USDA Economic Research Service on Monday. Investments in agricultural research and technology are central to efforts to meet the challenge of feeding a world population north of 9 billion by 2050. "On average, the faster the growth in

AMERICAN OVERSIGHT

agricultural productivity, the larger the reductions in food insecurity," the report said.

ERS analyzed the role of trade, agricultural productivity, international aid, and better data and measurement in achieving food security gains in 76 low- and middle-income countries over the past 15 years. Since the U.S. provides about half of global food aid and support for agricultural development - between $6 billion and 7 billion annually over the last few years - the researchers said it's necessary to study factors that drive improvement if the U.S. is to reach its commitment of ending global food insecurity by 2030.

Cash is king? The report also found that for countries receiving aid, cash-transfer programs can be more cost effective than traditional methods like in-kind commodity donations, which represent the United States' largest form of food aid under the Food for Peace program. However, not all countries have sufficient food markets or the administrative capability to broadly implement cash programs. Advances in IT, personal identification, banking and mobile phones support the expansion of targeted cash-transfer programs. "These innovations can ... reduce the market distortions associated with acquiring, distributing, and storing commodities found in traditional in-kind programs," the report said. Read it here.

FARM CREDIT ADMIN NAMES NEW IG: The Farm Credit Administration announced Monday that Wendy Laguarda will become its inspector general, effective today. Laguarda, who joined the FCA Office of General Counsel in 1990 and rose to become assistant general counsel and the designated agency ethics official, succeeds Elizabeth Dean, who retired Monday.

MA'S INSTANT OATS:

- New Food Economy has this deep dive on who owns America's farmland (hint: it's increasingly not farmers).

- The country's largest fresh-garlic producer solved its labor shortage by raising wages to $13. The Mercury News explores whether it's an isolated success story or a fix for U.S. agriculture more broadly.

- A group of leading crop scientists is calling for a coordinated approach to research to tackle global food security threats, Feedstuffs reports.

- Researchers found that providing a 50 percent discount on the price of fruits and vegetables doubled consumers' intake of the produce. Read the study here.

THAT'S ALL FOR MA! See you again soon! In the meantime, drop your host and the rest of the team a line: cboudreau@politico.com and @ceboudreau; jhopkinson@politico.com and @JennyHops; hbottemiller@politico.com and @hbottemiller; jlauinger@politico.com and @jmlauinger; and P.J. Joshi, at pjoshi@politico.com and @pjoshiny. Follow @POLITICOPro and @Morning_Ag on Twitter.

To view online:
http://www.politico.com/tipsheets/morning-agriculture/2017/08/01/perdue-hits-the-road-in-

AMERICAN OVERSIGHT

search-of-farm-bill-roots-221636

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Block, Molly[block.molly@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]
From: Hewitt, James
Sent: Wed 3/21/2018 1:07:07 PM
Subject: EPA Morning News Highlights 03.21.18
EPA Morning News Highlights 03.21.18 docx.docx

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

AMERICAN OVERSIGHT

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

AMERICAN OVERSIGHT

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

AMERICAN OVERSIGHT

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under

AMERICAN OVERSIGHT

major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

AMERICAN OVERSIGHT

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

AMERICAN OVERSIGHT

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

AMERICAN OVERSIGHT

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

AMERICAN OVERSIGHT

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

AMERICAN OVERSIGHT

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

AMERICAN OVERSIGHT

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate

AMERICAN OVERSIGHT

it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find

AMERICAN OVERSIGHT

themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

"Everything that remains is going to be pulling teeth to resolve," said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House

AMERICAN OVERSIGHT

legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

AMERICAN OVERSIGHT

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

"Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

"The secretary of transportation has explained if you put that much money in one project it's going to crimp projects across the country she needs to fund. It's also a project that a majority of House Republicans… voted against," Short said. "The president has made his wishes well known so I think we're going to be fine."

AMERICAN OVERSIGHT

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called "grain glitch," it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

"We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI's background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply

AMERICAN OVERSIGHT

bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there's [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

AMERICAN OVERSIGHT

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At

AMERICAN OVERSIGHT

a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading

AMERICAN OVERSIGHT

center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

AMERICAN OVERSIGHT

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'
Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations
Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water
The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis
EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?
Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal
Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a

AMERICAN OVERSIGHT

host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

AMERICAN OVERSIGHT

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

> "We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."
>
> Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.
>
> EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

AMERICAN OVERSIGHT

> "When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

AMERICAN OVERSIGHT

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

AMERICAN OVERSIGHT

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

AMERICAN OVERSIGHT

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

"Everything that remains is going to be pulling teeth to resolve," said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

AMERICAN OVERSIGHT

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

"Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

AMERICAN OVERSIGHT

The White House remains unmoved, however.

"The secretary of transportation has explained if you put that much money in one project it's going to crimp projects across the country she needs to fund. It's also a project that a majority of House Republicans... voted against," Short said. "The president has made his wishes well known so I think we're going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix the so-called "grain glitch," it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

"We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI's background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there's [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

AMERICAN OVERSIGHT

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

AMERICAN OVERSIGHT

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp., Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening

AMERICAN OVERSIGHT

export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Fri 4/6/2018 2:16:15 PM
Subject: POLITICO's Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 10:00 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively - appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

- **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

- **Even with the continued spray of scandals,** CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

- **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement - the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

- **Another new letter to the IG emerged Thursday** from Carper, who raised questions last week - before Pruitt's scandal saga hit fever-pitch - about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal

AMERICAN OVERSIGHT

government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

- The Renewable Fuels Association submitted FOIA requests to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

QUICK HITS

AMERICAN OVERSIGHT

- U.S. companies on edge over tariff threat to supply chains, Financial Times.

- Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

- Conservative allies rally in bid to save embattled EPA head, Bloomberg.

- Documents show Shell grappled with climate change years ago, E&E News.

- How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

- This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

THAT'S ALL FOR ME!

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/06/pruitt-watch-what-comes-next-160332

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Block, Molly[block.molly@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Tue 2/13/2018 3:02:30 PM
Subject: EPA News Highlights 2.13.18
EPA News Highlights 2.13.18.docx

EPA News Highlights 2.13.18

The Washington Examiner: EPA Reaches $10 Million Settlement With Shell

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department. EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance. "This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said. The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La. The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases. The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

E&E News: Trump Wants To End EPA Dredge And Fill Permitting, Vetoes

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways. The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today. The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process. The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with. The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

AMERICAN OVERSIGHT

Milwaukee Journal Sentinel: No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin. Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency. Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared. The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

Oklahoma Energy Today: EPA Disagrees With Auditor Jones Over Tar Creek Trust

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site. He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma. The paper quoted the investigator from the report. "Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report. The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

Bloomberg BNA: Water Infrastructure Among Few EPA Winners In Trump Budget Plan

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs. The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans. At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

AMERICAN OVERSIGHT

National News Highlights 2.13.18

The Wall Street Journal: Shale Output Hasn't Grown This Fast Since Oil Was At $100

U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday. U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower. The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends. Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Bloomberg: Americans Expect Biggest Pay Jump In Years

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal: Trump's Big Public Works Dig

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species. Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years. Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General

AMERICAN OVERSIGHT

Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs. Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

The Washington Examiner

http://www.washingtonexaminer.com/epa-reaches-10-million-settlement-with-shell/article/2648888

EPA Reaches $10 Million Settlement With Shell

By John Siciliano, 2/12/18

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department.

EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance.

"This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said.

The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La.

AMERICAN OVERSIGHT

The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases.

The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

"This agreement is the latest in EPA's and the Justice Department's continuing efforts to work with our state partners to protect the American public from harmful air pollution," said Jeffrey Wood, the Justice Department's acting assistant attorney general for environment and natural resources.

E&E News

https://www.eenews.net/eenewspm/2018/02/12/stories/1060073641

Trump Wants To End EPA Dredge□And□Fill Permitting, Vetoes

By Ariel Wittenberg, 2/12/18

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways.

The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today.

The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process.

The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with.

AMERICAN OVERSIGHT

The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

While EPA and the Army Corps would continue working on current efforts to rewrite regulations defining which wetlands and small waterways are subject to the Clean Water Act, the administration apparently wants EPA's authority to end there.

Not only would the Army Corps be the only agency to issue jurisdictional determinations about whether specific projects need permits for dredging and filling, the administration also wants to "eliminate duplicative oversight" by removing EPA's veto authority over Army Corps 404 permits.

"The threat of the veto creates significant uncertainty and delays permit decisions," the proposal says. "Removing EPA's authority to veto a 404 permit would make the permitting process more efficient and predictable."

That could have major ramifications for projects nationwide, especially the Pebble mine project in southwestern Alaska.

Last month, U.S. EPA Administrator Scott Pruitt unexpectedly withdrew his attempt to quash proposed pre-emptive restrictions on the controversial mine project (Greenwire, Jan. 30).

Today's proposal would render that meaningless by eliminating 404(c) altogether, leaving Pebble's critics with only EPA's science showing "significant and irreversible harm."

EPA and Army Corps' joint administration of dredging and filling permits dates back to the Clean Water Act's 1972 passage. A deal between the House and Senate during CWA negotiations maintained the Army Corps' traditional authority over dredging and filling as EPA became responsible for water pollution from those projects (Greenwire, June 29, 2017).

AMERICAN OVERSIGHT

The agencies agreed in 1979 that while the Army Corps would be the primary permit administrator, EPA would have the final say. In 1992, the agencies signed another agreement that they would jointly participate in a dual review.

The administration's proposal follows requests from energy companies this fall that EPA be eliminated from 404 permitting.

"Unfortunately, the extreme difference in opinions and backgrounds between the agencies has created a significant disruption in their coordination and program administration," coal company Murray Energy Corp. wrote to the Army Corps in October. "Each agency is struggling to manage the program as they see fit creating an uncertainty and unclear path of progression for the applicants."

The comments were in response to the Army Corps' requests for comments on 30 regulations that "might be appropriate for repeal, replacement or modification" (Greenwire, Oct. 20, 2017).

The Waters Advocacy Coalition, which comprises more than 60 industry groups, also asked the Army Corps to withdraw from both the 1979 and 1992 agreements.

The 1979 agreement, the coalition wrote, "allows EPA to delay and/or second-guess the Corps expertise."

That position is also supported by several construction and farming groups.

"Recognizing the Corps' authority over its own 404 program would promote consistency and certainty, as permit holders could rely on a jurisdictional determination or 404 permit issued by the Corps without having to wonder if EPA will insert itself into the decision making process and undermine the Corps' positions," the National Association of Home Builders wrote.

AMERICAN OVERSIGHT

Milwaukee Journal Sentinel

https://www.jsonline.com/story/news/politics/2018/02/12/no-2-wisconsin-dnr-official-joins-cathy-stepp-regional-office-epa-chicago/330657002/

No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

By Lee Bergquist, 2/12/18

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin.

Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency.

Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared.

The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

The Foxconn project is likely to require some federal environmental reviews or oversight.

Foxconn is planning to construct a $10 billion flat-screen plant in Mount Pleasant. The Taiwan company has already won exemptions from some state environmental rules as part of a state financial incentive package.

AMERICAN OVERSIGHT

The EPA said earlier this month that Stepp has stepped aside from involvement in two ongoing regulatory cases in Wisconsin because of previous ties when she was at the DNR.

Those two cases involve pollution problems at barrel refurbishing plants in St. Francis, Milwaukee and Oak Creek and a longstanding EPA review of the DNR's water regulation program.

Asked if Stepp would recuse herself in other cases, an EPA spokeswoman told the Milwaukee Journal Sentinel on Feb. 6 that Stepp is "consulting with EPA ethics officials to determine which, if any, additional matters she should recuse herself from." The spokeswoman said Monday she had no additional details.

As for Thiede, the spokeswoman said, "Mr. Thiede will consult with EPA ethics officials to determine which matters he should recuse himself from."

Under the Walker administration, Thiede has played an influential role as an experienced agency insider in a department whose top managers mostly came from the outside.

In a memo to DNR employees on Monday, Thiede said:

"When I started to take on leadership roles at the agency I wanted to make sure we began to change the narrative that the DNR was something to be feared, avoided, or maligned.

"I wanted the agency to be viewed as a partner, a resource, and I feel like we have made great strides in this area. I understand that by the nature of our work we can't make everyone happy all the time, but we can change perceptions and make sure that any experience with the agency is professional, respectful and enlightening."

Stepp, a Republican and former builder and state senator from Racine County, oversaw all

AMERICAN OVERSIGHT

environmental regulations in Wisconsin as secretary from 2011 until August.

She left the DNR in August for a post in the Trump administration in the Kansas City office of the EPA. On Dec. 19, she was appointed to head up the Midwest regional office in Chicago.

The regional office oversees Wisconsin, Indiana, Illinois, Michigan, Minnesota and Ohio.

In Madison, DNR Secretary Dan Meyer said Ed Eberle, the assistant deputy secretary, will become the No. 2 official in the agency.

In another move, Pat Stevens, administrator of the environmental management division of the DNR, will become assistant deputy secretary.

Oklahoma Energy Today

http://www.okenergytoday.com/2018/02/epa-disagrees-with-auditor-jones-over-tar-creek-trust/

EPA Disagrees With Auditor Jones Over Tar Creek Trust

By Jerry Bohnen, 2/12/18

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site.

He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma.

AMERICAN OVERSIGHT

The paper quoted the investigator from the report.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report.

The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

The investigation and conclusions drawn by the State Auditor were submitted to then-Attorney General Scott Pruitt who chose not to release the report. Current Attorney General Mike Hunter agreed also not to release it.

Jones still contends his report should be released to the public.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones told the paper last week.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. The World reported they deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a $3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

Dalrymple told the newspaper he thinks the Auditor and Inspector's report should be made public and he's not afraid of its release, adding, "I can tell you every single person on that trust was honest and true."

Bloomberg BNA

https://www.bna.com/water-infrastructure-among-n57982088642/

AMERICAN OVERSIGHT

Water Infrastructure Among Few EPA Winners In Trump Budget Plan

By Dean Scott, 2/12/18

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs.

The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans.

At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

This $2.3 billion allocation is separate from the $20 billion proposed to go to EPA in the president's infrastructure proposal, which was also released Feb. 12. The $20 billion in the infrastructure plan would be used as matching funds meant to spur states, cities, and private companies to move forward on projects.

Before Congress last week reached a two-year budget deal, which Trump signed Feb. 9, the administration planned to cut more than $380 million from the infrastructure fund that goes toward wastewater projects. That would have been a more than 27 percent reduction from fiscal 2017, the last year for which detailed full-year budget figures exist.

The administration instead kept funding for the wastewater program and for the EPA's drinking water infrastructure program after the budget deal was reached.

Great Lakes, Chesapeake Cleanups Cut

AMERICAN OVERSIGHT

But funding for most regional water quality programs, in which the EPA supports cooperative efforts by states, would take a big hit under the Trump administration's fiscal 2019 request. It is seeking to eliminate EPA support for all such regional programs, with the exception of the Chesapeake Bay and the Great Lakes. Those two programs would be cut to 90 percent below the fiscal 2017 enacted levels.

The Chesapeake Bay regional cleanup effort would receive $7.3 million in fiscal 2019, down from the fiscal 2017 level of $73 million level, and the Great Lakes regional effort would receive $30 million, down from $300 million in fiscal 2017. The Trump administration proposed to eliminate those programs as well in its 2018 budget request, but Congress kept the funding.

Sen. Debbie Stabenow (D-Mich.) vowed to fight to restore that funding for the Great Lakes Restoration Initiative.

"This is outrageous," Stabenow said in a Feb. 12 statement. "People across Michigan spoke out and took action last year to stop these cuts and I know they'll do so again."

State water pollution programs also would get less funding under the Trump administration's budget plan. The White House is proposing $153 million for those EPA-funded programs, 33 percent below the enacted fiscal 2017 levels.

State Grant Cuts Sought

Trump also took aim once again at funding for state grants to reduce nonpoint source pollution, which comes from diffuse sources such as land runoff. His EPA budget proposal would eliminate funding for them in fiscal 2019.

The agency "will continue to coordinate with the United States Department of Agriculture to target funding where appropriate to address nonpoint sources," the administration said in its EPA budget request.

AMERICAN OVERSIGHT

The White House also is proposing to eliminate funding for beach protection, contending that local governments have acquired expertise and procedures to carry out this program without federal funding and technical assistance.

Whether the EPA will actually see an overall cut in those programs or its overall fiscal 2019 budget will depend in part on how Congress allocates increased spending it approved as part of a two-year budget deal that boosted both domestic and defense spending. The White House included an addendum in its budget plan released Feb. 12 to reflect that infusion of funds.

The EPA addendum would provide a boost of $724 million to the EPA, which is included in the $6.15 billion the White House requested in total. The White House proposed to use the additional funding for Superfund sites and EPA-funded state and tribal grants for drinking water and wastewater infrastructure projects.

Fees Boost Chemical Program

The EPA's chemicals program would see an increase in funding under the budget request, thanks to expected fees from the chemical industry.

The EPA requested $58.6 million for the chemicals program, which would represent an 8.8 percent cut from fiscal 2017 enacted levels. However, the EPA anticipates it would more than make up that difference through fees from chemical manufacturers, importers, and processors.

Updates to the nation's chemicals law authorized those fees to help defray agency costs. The EPA recently proposed a fee rule that presumes the agency would collect about $20 million annually.

The Wall Street Journal

https://www.wsj.com/articles/u-s-crude-output-expected-to-outpace-demand-iea-says-1518512404

AMERICAN OVERSIGHT

Shale Output Hasn't Grown This Fast Since Oil Was At $100

By Christopher Alessi, 2/13/18

LONDON—U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday.

U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower.

The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends.

Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Shale producers "cut costs dramatically" during the nearly three-year-long oil industry downturn, the IEA said. They then took advantage of the Organization of the Petroleum Exporting Countries cartel's decision to cut its own output, which helped prices rise from the low $40s to over $70 a barrel as recently as late last month.

"All the indicators that suggest continued fast growth in the U.S. are in perfect alignment," the IEA said.

The result has been a series of milestones for U.S. oil production, which surpassed 10 million barrels a day for the first time since 1970 and is now higher than Saudi Arabian output. The IEA said the U.S. could catch up with Russia this year, the world's biggest producer at 11 million barrels a day.

AMERICAN OVERSIGHT

Led by U.S. shale companies, crude output from non-OPEC nations is expected to outpace the growth in oil demand in 2018, the IEA said. That is an important data point for oil traders who have been watching to see if shale production could catch up to robust demand that has been fueled by a strong global economy.

"U.S. shale is growing as sharply as it was in 2013-2014," said Bjarne Schieldrop, chief commodities analyst at SEB Markets. But the situation is different now because of the OPEC-led agreement to curb production, Mr. Schieldrop added.

OPEC and 10 other countries including Russia—whose combined output accounts for over 55% of global supply—have been steadfast in their resolve to cut output. These countries have cut far more than the 1.8 million barrels a day they promised, according to the IEA.

The shale-oil growth will apply downward pressure on prices in the coming weeks. But as long as OPEC sticks to the deal, there won't be a dramatic correction like there was in 2014, when prices fell from $114 a barrel to less than $70, Mr. Schieldrop said. Demand for OPEC oil "is not going to decline this year," he said.

Until two weeks ago, oil prices had risen almost nonstop for over six months.

The optimistic sentiment was driven not only by OPEC but also by strong economic news, geopolitical flare-ups in Iraq, Saudi Arabia and Iran, and supply outages in Venezuela and the U.K. Oil storage levels—a gauge of a still-existing oversupply—have come down.

The IEA said commercial oil inventories in the Organization for Economic Cooperation and Development—a group of industrialized, oil-consuming nations, including the U.S.—fell by 55.6 million barrels in December, in the largest drop since 2011.

"The huge drop in inventories is a bullish signal," said Giovanni Staunovo, commodities analyst

AMERICAN OVERSIGHT

at UBS Wealth Management.

But inventory levels in the U.S. have begun to rise again, after months of falling, as U.S. output rises.

U.S. crude output in January climbed by 1.3 million barrels a day compared with a year earlier, according to the IEA. Shale output accounted for much of those gains and is forecast to grow 1.25 million barrels a day on its own in 2018—its fastest rate ever, the IEA said.

The numbers represent a turnaround for a U.S. shale industry that was once dismissed as too high-cost to survive when oil prices fell from their peak several years ago.

Bloomberg

https://www.bloomberg.com/news/articles/2018-02-12/americans-expect-biggest-pay-jump-in-years

Americans Expect Biggest Pay Jump In Years

By Matthew Boesler, 2/12/18

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal

https://www.wsj.com/articles/trumps-big-public-works-dig-1518481073

Trump's Big Public Works Dig

By The Wall Street Journal Editorial Board, 2/12/18

AMERICAN OVERSIGHT

The White House on Monday unveiled its plan to raise $1.5 trillion in capital for public works. This will cause sticker shock among Republicans, but the President's innovative regulatory reforms deserve debate and may even garner some Democratic support.

President Trump is proposing to spend $200 billion in federal funds to leverage $1.3 trillion in state, local and private investment in public works. This bid is probably dead on arrival since Republicans have little appetite for more spending after blowing the budget sequestration caps last week.

Many bridges and airports need a face-lift, though claims of crumbling roads are overwrought and often politically motivated. One problem is that public works like other discretionary programs are being squeezed by entitlements, which constitute nearly two-thirds of federal spending. But even while politicians in Washington gripe that we—always the royal "we"—don't spend enough on public works, they consistently prioritize other discretionary programs.

Consider: Of the $787 billion stimulus in 2009, only about $60 billion financed public works. Most was spent on safety-net programs and other progressive causes. More Hurricane Sandy recovery money went to "community development" than repairing train tunnels.

Many projects that do receive federal funding aren't national priorities, such as California's bullet train. That's because the government typically awards "competitive" grants to politically favored projects rather than those that would produce the biggest economic benefits. The Obama Administration rigged cost-benefit analysis to reward projects that would promote public housing and reduce carbon emissions.

Mr. Trump's plan includes $100 billion in "incentives" to spur state and private investment; $50 billion for rural projects; $30 billion in revolving federal credit and capital funds; and $20 billion for "bold and innovative projects" that may not attract private investment "because of the project's unique characteristics." By any other name, this is a national infrastructure bank synonymous with cronyism.

AMERICAN OVERSIGHT

State and local governments have shown they're willing to finance worthwhile projects. According to the Pew Charitable Trusts, more than half of states have raised gas taxes over the past five years to pay for public works. Many innovative projects have no trouble attracting private investment. Consider the Cadiz pipeline, which aims to move 16.3 billion gallons of groundwater each year from the Mojave Desert to Southern California. Or the new desalination plant in Carlsbad, Calif.

Mr. Trump and Congress should instead focus new federal funding on national or regional priorities such as improving port security and repairing the Hudson River train tunnels, which would benefit most of the Northeast. Congress could also shift from categorical and competitive grants to block grants that give governors flexibility. This would also make state and local politicians more accountable for their spending. Let California Gov. Jerry Brown choose between spending billions more on his bullet train in the Central Valley or improving commuter rail in the Bay Area.

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species.

Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years.

Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs.

AMERICAN OVERSIGHT

Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 3h

Negotiations on DACA have begun. Republicans want to make a deal and Democrats say they want to make a deal. Wouldn't it be great if we could finally, after so many years, solve the DACA puzzle. This will be our last chance, there will never be another opportunity! March 5th.

7.7K 7.5K 32K

Donald J. Trump @realDonaldTrump · 3h

Our infrastructure plan has been put forward and has received great reviews by everyone except, of course, the Democrats. After many years we have taken care of our Military, now we have to fix our roads, bridges, tunnels, airports and more. Bipartisan, make deal Dems?

7.3K 8.6K 37K

Donald J. Trump @realDonaldTrump · 17h

The journey to #MAGA began @CPAC 2011 and the opportunity to reconnect with friends and supporters is something I look forward to every year. See you at #CPAC2018!

9.6K 11K 52K

AMERICAN OVERSIGHT

EPA News Highlights 2.13.18

The Washington Examiner: EPA Reaches $10 Million Settlement With Shell

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department. EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance. "This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said. The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La. The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases. The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

E&E News: Trump Wants To End EPA Dredge And Fill Permitting, Vetoes

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways. The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today. The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process. The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with. The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

Milwaukee Journal Sentinel: No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin. Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency. Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared. The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

Oklahoma Energy Today: EPA Disagrees With Auditor Jones Over Tar Creek Trust

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site. He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma. The paper quoted the investigator from the report. "Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report. The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

Bloomberg BNA: Water Infrastructure Among Few EPA Winners In Trump Budget Plan

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs. The president's budget request released Feb. 12 would provide $6.15 billion to the EPA

AMERICAN OVERSIGHT

for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans. At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

National News Highlights 2.13.18

The Wall Street Journal: Shale Output Hasn't Grown This Fast Since Oil Was At $100
U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday. U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower. The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends. Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Bloomberg: Americans Expect Biggest Pay Jump In Years
Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal: Trump's Big Public Works Dig
The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species. Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years. Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs. Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

The Washington Examiner

http://www.washingtonexaminer.com/epa-reaches-10-million-settlement-with-shell/article/2648888
EPA Reaches $10 Million Settlement With Shell
By John Siciliano, 2/12/18

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a

AMERICAN OVERSIGHT

settlement Monday with the Environmental Protection Agency and Justice Department.

EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance.

"This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said.

The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La.

The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases.

The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

"This agreement is the latest in EPA's and the Justice Department's continuing efforts to work with our state partners to protect the American public from harmful air pollution," said Jeffrey Wood, the Justice Department's acting assistant attorney general for environment and natural resources.

E&E News
https://www.eenews.net/eenewspm/2018/02/12/stories/1060073641

Trump Wants To End EPA Dredge And Fill Permitting, Vetoes

By Ariel Wittenberg, 2/12/18

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways.

The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today.

The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process.

The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with.

The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

While EPA and the Army Corps would continue working on current efforts to rewrite regulations defining which wetlands and small waterways are subject to the Clean Water Act, the administration apparently wants EPA's authority to end there.

Not only would the Army Corps be the only agency to issue jurisdictional determinations about whether specific projects need permits for dredging and filling, the administration also wants to "eliminate duplicative oversight" by removing

AMERICAN OVERSIGHT

EPA's veto authority over Army Corps 404 permits.

"The threat of the veto creates significant uncertainty and delays permit decisions," the proposal says. "Removing EPA's authority to veto a 404 permit would make the permitting process more efficient and predictable."

That could have major ramifications for projects nationwide, especially the Pebble mine project in southwestern Alaska.

Last month, U.S. EPA Administrator Scott Pruitt unexpectedly withdrew his attempt to quash proposed pre-emptive restrictions on the controversial mine project (Greenwire, Jan. 30).

Today's proposal would render that meaningless by eliminating 404(c) altogether, leaving Pebble's critics with only EPA's science showing "significant and irreversible harm."

EPA and Army Corps' joint administration of dredging and filling permits dates back to the Clean Water Act's 1972 passage. A deal between the House and Senate during CWA negotiations maintained the Army Corps' traditional authority over dredging and filling as EPA became responsible for water pollution from those projects (Greenwire, June 29, 2017).

The agencies agreed in 1979 that while the Army Corps would be the primary permit administrator, EPA would have the final say. In 1992, the agencies signed another agreement that they would jointly participate in a dual review.

The administration's proposal follows requests from energy companies this fall that EPA be eliminated from 404 permitting.

"Unfortunately, the extreme difference in opinions and backgrounds between the agencies has created a significant disruption in their coordination and program administration," coal company Murray Energy Corp. wrote to the Army Corps in October. "Each agency is struggling to manage the program as they see fit creating an uncertainty and unclear path of progression for the applicants."

The comments were in response to the Army Corps' requests for comments on 30 regulations that "might be appropriate for repeal, replacement or modification" (Greenwire, Oct. 20, 2017).

The Waters Advocacy Coalition, which comprises more than 60 industry groups, also asked the Army Corps to withdraw from both the 1979 and 1992 agreements.

The 1979 agreement, the coalition wrote, "allows EPA to delay and/or second-guess the Corps expertise."

That position is also supported by several construction and farming groups.

"Recognizing the Corps' authority over its own 404 program would promote consistency and certainty, as permit holders could rely on a jurisdictional determination or 404 permit issued by the Corps without having to wonder if EPA will insert itself into the decision making process and undermine the Corps' positions," the National Association of Home Builders wrote.

Milwaukee Journal Sentinel

https://www.jsonline.com/story/news/politics/2018/02/12/no-2-wisconsin-dnr-official-joins-cathy-stepp-regional-office-epa-chicago/330657002/

No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

By Lee Bergquist, 2/12/18

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental

AMERICAN OVERSIGHT

Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin.

Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency.

Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared.

The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

The Foxconn project is likely to require some federal environmental reviews or oversight.

Foxconn is planning to construct a $10 billion flat-screen plant in Mount Pleasant. The Taiwan company has already won exemptions from some state environmental rules as part of a state financial incentive package.

The EPA said earlier this month that Stepp has stepped aside from involvement in two ongoing regulatory cases in Wisconsin because of previous ties when she was at the DNR.

Those two cases involve pollution problems at barrel refurbishing plants in St. Francis, Milwaukee and Oak Creek and a longstanding EPA review of the DNR's water regulation program.

Asked if Stepp would recuse herself in other cases, an EPA spokeswoman told the Milwaukee Journal Sentinel on Feb. 6 that Stepp is "consulting with EPA ethics officials to determine which, if any, additional matters she should recuse herself from." The spokeswoman said Monday she had no additional details.

As for Thiede, the spokeswoman said, "Mr. Thiede will consult with EPA ethics officials to determine which matters he should recuse himself from."

Under the Walker administration, Thiede has played an influential role as an experienced agency insider in a department whose top managers mostly came from the outside.

In a memo to DNR employees on Monday, Thiede said:

"When I started to take on leadership roles at the agency I wanted to make sure we began to change the narrative that the DNR was something to be feared, avoided, or maligned.

"I wanted the agency to be viewed as a partner, a resource, and I feel like we have made great strides in this area. I understand that by the nature of our work we can't make everyone happy all the time, but we can change perceptions and make sure that any experience with the agency is professional, respectful and enlightening."

Stepp, a Republican and former builder and state senator from Racine County, oversaw all environmental regulations in Wisconsin as secretary from 2011 until August.

She left the DNR in August for a post in the Trump administration in the Kansas City office of the EPA. On Dec. 19, she was appointed to head up the Midwest regional office in Chicago.

The regional office oversees Wisconsin, Indiana, Illinois, Michigan, Minnesota and Ohio.

AMERICAN OVERSIGHT

In Madison, DNR Secretary Dan Meyer said Ed Eberle, the assistant deputy secretary, will become the No. 2 official in the agency.

In another move, Pat Stevens, administrator of the environmental management division of the DNR, will become assistant deputy secretary.

Oklahoma Energy Today

http://www.okenergytoday.com/2018/02/epa-disagrees-with-auditor-jones-over-tar-creek-trust/

EPA Disagrees With Auditor Jones Over Tar Creek Trust

By Jerry Bohnen, 2/12/18

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site.

He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma.

The paper quoted the investigator from the report.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report.

The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

The investigation and conclusions drawn by the State Auditor were submitted to then-Attorney General Scott Pruitt who chose not to release the report. Current Attorney General Mike Hunter agreed also not to release it.

Jones still contends his report should be released to the public.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones told the paper last week.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. The World reported they deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a $3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

Dalrymple told the newspaper he thinks the Auditor and Inspector's report should be made public and he's not afraid of its release, adding, "I can tell you every single person on that trust was honest and true."

Bloomberg BNA

https://www.bna.com/water-infrastructure-among-n57982088642/

Water Infrastructure Among Few EPA Winners In Trump Budget Plan

By Dean Scott, 2/12/18

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs.

AMERICAN OVERSIGHT

The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans.

At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

This $2.3 billion allocation is separate from the $20 billion proposed to go to EPA in the president's infrastructure proposal, which was also released Feb. 12. The $20 billion in the infrastructure plan would be used as matching funds meant to spur states, cities, and private companies to move forward on projects.

Before Congress last week reached a two-year budget deal, which Trump signed Feb. 9, the administration planned to cut more than $380 million from the infrastructure fund that goes toward wastewater projects. That would have been a more than 27 percent reduction from fiscal 2017, the last year for which detailed full-year budget figures exist.

The administration instead kept funding for the wastewater program and for the EPA's drinking water infrastructure program after the budget deal was reached.

Great Lakes, Chesapeake Cleanups Cut

But funding for most regional water quality programs, in which the EPA supports cooperative efforts by states, would take a big hit under the Trump administration's fiscal 2019 request. It is seeking to eliminate EPA support for all such regional programs, with the exception of the Chesapeake Bay and the Great Lakes. Those two programs would be cut to 90 percent below the fiscal 2017 enacted levels.

The Chesapeake Bay regional cleanup effort would receive $7.3 million in fiscal 2019, down from the fiscal 2017 level of $73 million level, and the Great Lakes regional effort would receive $30 million, down from $300 million in fiscal 2017. The Trump administration proposed to eliminate those programs as well in its 2018 budget request, but Congress kept the funding.

Sen. Debbie Stabenow (D-Mich.) vowed to fight to restore that funding for the Great Lakes Restoration Initiative.

"This is outrageous," Stabenow said in a Feb. 12 statement. "People across Michigan spoke out and took action last year to stop these cuts and I know they'll do so again."

State water pollution programs also would get less funding under the Trump administration's budget plan. The White House is proposing $153 million for those EPA-funded programs, 33 percent below the enacted fiscal 2017 levels.

State Grant Cuts Sought

Trump also took aim once again at funding for state grants to reduce nonpoint source pollution, which comes from diffuse sources such as land runoff. His EPA budget proposal would eliminate funding for them in fiscal 2019.

The agency "will continue to coordinate with the United States Department of Agriculture to target funding where appropriate to address nonpoint sources," the administration said in its EPA budget request.

The White House also is proposing to eliminate funding for beach protection, contending that local governments have acquired expertise and procedures to carry out this program without federal funding and technical assistance.

Whether the EPA will actually see an overall cut in those programs or its overall fiscal 2019 budget will depend in part on how Congress allocates increased spending it approved as part of a two-year budget deal that boosted both domestic and defense spending. The White House included an addendum in its budget plan released Feb. 12 to reflect that

AMERICAN OVERSIGHT

infusion of funds.

The EPA addendum would provide a boost of $724 million to the EPA, which is included in the $6.15 billion the White House requested in total. The White House proposed to use the additional funding for Superfund sites and EPA-funded state and tribal grants for drinking water and wastewater infrastructure projects.

Fees Boost Chemical Program
The EPA's chemicals program would see an increase in funding under the budget request, thanks to expected fees from the chemical industry.

The EPA requested $58.6 million for the chemicals program, which would represent an 8.8 percent cut from fiscal 2017 enacted levels. However, the EPA anticipates it would more than make up that difference through fees from chemical manufacturers, importers, and processors.

Updates to the nation's chemicals law authorized those fees to help defray agency costs. The EPA recently proposed a fee rule that presumes the agency would collect about $20 million annually.

The Wall Street Journal

https://www.wsj.com/articles/u-s-crude-output-expected-to-outpace-demand-iea-says-1518512404

Shale Output Hasn't Grown This Fast Since Oil Was At $100
By Christopher Alessi, 2/13/18

LONDON—U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday.

U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower.

The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends.

Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Shale producers "cut costs dramatically" during the nearly three-year-long oil industry downturn, the IEA said. They then took advantage of the Organization of the Petroleum Exporting Countries cartel's decision to cut its own output, which helped prices rise from the low $40s to over $70 a barrel as recently as late last month.

"All the indicators that suggest continued fast growth in the U.S. are in perfect alignment," the IEA said.

The result has been a series of milestones for U.S. oil production, which surpassed 10 million barrels a day for the first time since 1970 and is now higher than Saudi Arabian output. The IEA said the U.S. could catch up with Russia this year, the world's biggest producer at 11 million barrels a day.

Led by U.S. shale companies, crude output from non-OPEC nations is expected to outpace the growth in oil demand in 2018, the IEA said. That is an important data point for oil traders who have been watching to see if shale production could catch up to robust demand that has been fueled by a strong global economy.

AMERICAN OVERSIGHT

"U.S. shale is growing as sharply as it was in 2013-2014," said Bjarne Schieldrop, chief commodities analyst at SEB Markets. But the situation is different now because of the OPEC-led agreement to curb production, Mr. Schieldrop added.

OPEC and 10 other countries including Russia—whose combined output accounts for over 55% of global supply—have been steadfast in their resolve to cut output. These countries have cut far more than the 1.8 million barrels a day they promised, according to the IEA.

The shale-oil growth will apply downward pressure on prices in the coming weeks. But as long as OPEC sticks to the deal, there won't be a dramatic correction like there was in 2014, when prices fell from $114 a barrel to less than $70, Mr. Schieldrop said. Demand for OPEC oil "is not going to decline this year," he said.

Until two weeks ago, oil prices had risen almost nonstop for over six months.

The optimistic sentiment was driven not only by OPEC but also by strong economic news, geopolitical flare-ups in Iraq, Saudi Arabia and Iran, and supply outages in Venezuela and the U.K. Oil storage levels—a gauge of a still-existing oversupply—have come down.

The IEA said commercial oil inventories in the Organization for Economic Cooperation and Development—a group of industrialized, oil-consuming nations, including the U.S.—fell by 55.6 million barrels in December, in the largest drop since 2011.

"The huge drop in inventories is a bullish signal," said Giovanni Staunovo, commodities analyst at UBS Wealth Management.

But inventory levels in the U.S. have begun to rise again, after months of falling, as U.S. output rises.

U.S. crude output in January climbed by 1.3 million barrels a day compared with a year earlier, according to the IEA. Shale output accounted for much of those gains and is forecast to grow 1.25 million barrels a day on its own in 2018—its fastest rate ever, the IEA said.

The numbers represent a turnaround for a U.S. shale industry that was once dismissed as too high-cost to survive when oil prices fell from their peak several years ago.

Bloomberg

https://www.bloomberg.com/news/articles/2018-02-12/americans-expect-biggest-pay-jump-in-years

Americans Expect Biggest Pay Jump In Years

By Matthew Boesler, 2/12/18

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal

https://www.wsj.com/articles/trumps-big-public-works-dig-1518481073

Trump's Big Public Works Dig

By The Wall Street Journal Editorial Board, 2/12/18

AMERICAN OVERSIGHT

The White House on Monday unveiled its plan to raise $1.5 trillion in capital for public works. This will cause sticker shock among Republicans, but the President's innovative regulatory reforms deserve debate and may even garner some Democratic support.

President Trump is proposing to spend $200 billion in federal funds to leverage $1.3 trillion in state, local and private investment in public works. This bid is probably dead on arrival since Republicans have little appetite for more spending after blowing the budget sequestration caps last week.

Many bridges and airports need a face-lift, though claims of crumbling roads are overwrought and often politically motivated. One problem is that public works like other discretionary programs are being squeezed by entitlements, which constitute nearly two-thirds of federal spending. But even while politicians in Washington gripe that we—always the royal "we"—don't spend enough on public works, they consistently prioritize other discretionary programs.

Consider: Of the $787 billion stimulus in 2009, only about $60 billion financed public works. Most was spent on safety-net programs and other progressive causes. More Hurricane Sandy recovery money went to "community development" than repairing train tunnels.

Many projects that do receive federal funding aren't national priorities, such as California's bullet train. That's because the government typically awards "competitive" grants to politically favored projects rather than those that would produce the biggest economic benefits. The Obama Administration rigged cost-benefit analysis to reward projects that would promote public housing and reduce carbon emissions.

Mr. Trump's plan includes $100 billion in "incentives" to spur state and private investment; $50 billion for rural projects; $30 billion in revolving federal credit and capital funds; and $20 billion for "bold and innovative projects" that may not attract private investment "because of the project's unique characteristics." By any other name, this is a national infrastructure bank synonymous with cronyism.

State and local governments have shown they're willing to finance worthwhile projects. According to the Pew Charitable Trusts, more than half of states have raised gas taxes over the past five years to pay for public works. Many innovative projects have no trouble attracting private investment. Consider the Cadiz pipeline, which aims to move 16.3 billion gallons of groundwater each year from the Mojave Desert to Southern California. Or the new desalination plant in Carlsbad, Calif.

Mr. Trump and Congress should instead focus new federal funding on national or regional priorities such as improving port security and repairing the Hudson River train tunnels, which would benefit most of the Northeast. Congress could also shift from categorical and competitive grants to block grants that give governors flexibility. This would also make state and local politicians more accountable for their spending. Let California Gov. Jerry Brown choose between spending billions more on his bullet train in the Central Valley or improving commuter rail in the Bay Area.

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species.

Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years.

Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on

AMERICAN OVERSIGHT

federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs.

Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 3h

Negotiations on DACA have begun. Republicans want to make a deal and Democrats say they want to make a deal. Wouldn't it be great if we could finally, after so many years, solve the DACA puzzle. This will be our last chance, there will never be another opportunity! March 5th.

7.7K 7.5K 32K

Donald J. Trump @realDonaldTrump · 3h

Our infrastructure plan has been put forward and has received great reviews by everyone except, of course, the Democrats. After many years we have taken care of our Military, now we have to fix our roads, bridges, tunnels, airports and more. Bipartisan, make deal Dems?

7.3K 8.6K 37K

Donald J. Trump @realDonaldTrump · 17h

The journey to #MAGA began @CPAC 2011 and the opportunity to reconnect with friends and supporters is something I look forward to every year. See you at #CPAC2018!

9.6K 11K 52K

AMERICAN OVERSIGHT

To: Hewitt, James[hewitt.james@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Block, Molly[block.molly@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: Daniell, Kelsi
Sent: Fri 4/20/2018 1:55:21 PM
Subject: EPA Morning News Highlights 04.20.18
EPA Morning News Highlights 04.20.18 docx..docx

EPA Morning News Highlights 04.20.18

-

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

-

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

AMERICAN OVERSIGHT

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

-

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters

AMERICAN OVERSIGHT

in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

AMERICAN OVERSIGHT

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

AMERICAN OVERSIGHT

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

AMERICAN OVERSIGHT

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

AMERICAN OVERSIGHT

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

AMERICAN OVERSIGHT

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

AMERICAN OVERSIGHT

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

AMERICAN OVERSIGHT

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude,

AMERICAN OVERSIGHT

using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

AMERICAN OVERSIGHT

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

AMERICAN OVERSIGHT

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

AMERICAN OVERSIGHT

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

AMERICAN OVERSIGHT

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then

AMERICAN OVERSIGHT

related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning

AMERICAN OVERSIGHT

his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and

AMERICAN OVERSIGHT

because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael

AMERICAN OVERSIGHT

Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

AMERICAN OVERSIGHT

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has

AMERICAN OVERSIGHT

also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

6.9K 9.7K 37K

Donald J. Trump @realDonaldTrump · 2h

Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

8.1K 11K 38K

Donald J. Trump @realDonaldTrump · 3h

So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

7.0K 7.8K 43K

Donald J. Trump @realDonaldTrump · 3h

So General Michael Flynn's life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

17K 12K 43K

AMERICAN OVERSIGHT

EPA Morning News Highlights 04.20.18

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.
The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked
Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site
The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements
The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head
Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn
The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia
Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/
Indiana to Get EPA Money for Lead Cleanup, Water Upgrades
By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.
Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"
Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/
Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked
By: Chris Talgo, 4/19/18

AMERICAN OVERSIGHT

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time." To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups. Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical

AMERICAN OVERSIGHT

environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."
In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule. EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html
EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site
By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

AMERICAN OVERSIGHT

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips

AMERICAN OVERSIGHT

involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

AMERICAN OVERSIGHT

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

AMERICAN OVERSIGHT

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice

AMERICAN OVERSIGHT

Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

AMERICAN OVERSIGHT

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)
Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his

AMERICAN OVERSIGHT

job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

6.9K 9.7K 37K

Donald J. Trump @realDonaldTrump · 2h

Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

8.1K 11K 38K

Donald J. Trump @realDonaldTrump · 3h

So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

7.0K 7.8K 43K

Donald J. Trump @realDonaldTrump · 3h

So General Michael Flynn s life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

17K 12K 43K

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/6/2018 9:43:20 AM
Subject: Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 05:41 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively — appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

— **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

— Even with the continued spray of scandals, CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

— **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement — the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

— Another new letter to the IG emerged Thursday from Carper, who raised questions last week — before Pruitt's scandal saga hit fever-pitch — about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering

AMERICAN OVERSIGHT

Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

— **The Renewable Fuels Association submitted FOIA requests** to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

AMERICAN OVERSIGHT

QUICK HITS

— U.S. companies on edge over tariff threat to supply chains, Financial Times.

— Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

— Conservative allies rally in bid to save embattled EPA head, Bloomberg.

— Documents show Shell grappled with climate change years ago, E&E News.

— How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

— This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

HAPPENING TODAY

8:00 a.m. — The Business Network for Offshore Wind holds International Offshore Wind Partnering Forum, Princeton, N.J.

9:00 a.m. — The Henry L. Stimson Center seminar on "Solving the Unsolvable: Nuclear Waste Solutions for the New Millennium," 1211 Connecticut Avenue NW

9:30 a.m. — The National Capital Region Water Resources Symposium on water management in urban environments, 4340 Connecticut Ave NW

10:00 a.m. — The Millennium Challenge Corporation discussion on work in the water, sanitation and irrigation sector, 1099 14th Street NW

12:30 p.m. — Young Professionals in Energy DC afternoon tour of Covanta's Energy-from-Waste facility, Alexandria, Va.

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-watch-what-comes-next-160332

Stories from POLITICO Pro

Pruitt fell behind on payments for his $50-a-night condo rental Back

By Eliana Johnson and Andrew Restuccia | 04/05/2018 05:21 PM EDT

AMERICAN OVERSIGHT

Environmental Protection Agency chief Scott Pruitt was at times slow to pay the rent on his $50-per-night lease in a Capitol Hill condo, according to two people with knowledge of the situation — forcing his lobbyist landlord to pester him for payment.

Pruitt's living arrangement is the latest ethical issue to come under scrutiny by the EPA's inspector general's office, which said Thursday it's considering opening an investigation into Pruitt's lease arrangement — a move that would add to reviews of Pruitt's taxpayer-funded first-class travel, his use of special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The EPA head was renting the condo from health care lobbyist Vicki Hart, whose husband, J. Steven Hart, is an energy lobbyist.

The cavalcade of problems has raised questions about Pruitt's future in the Trump administration.

Though President Donald Trump told reporters "I do, I do," when asked Thursday whether he had confidence in Pruitt, an administration official said the president has begun asking friends and advisers what he should do about the EPA chief.

On his way back from an event in West Virginia, Trump said he was considering how to respond to reports about Pruitt's activities. "I have to look at them," Trump said. "I'll make that determination."

But the president said repeatedly that he thinks Pruitt has done "a fantastic job."

"I think he's a fantastic person," Trump added. "I just left coal and energy country. They love Scott Pruitt. They feel very strongly about Scott Pruitt, and they love Scott Pruitt."

Trump's conservative outside advisers have been mounting a defense of the EPA chief, urging the president not to succumb to what they argue is an unfair pile-on by the media.

White House officials, conscious of how quickly the president's mind can change about defending or dismissing top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job. "I can't speak to the future of Scott Pruitt," White House spokesman Hogan Gidley said Thursday. "If the president has confidence in somebody, they stay."

But behind the scenes, White House officials are frustrated with the way Pruitt has handled the crisis. While in many cases, the president has unilaterally dismissed Cabinet members and senior advisers against the advice of his top aides, Pruitt's situation is a rare instance in which the president has remained loyal longer than other members of the White House staff, who are eager to see Pruitt gone.

West Wing frustration with Pruitt spiked after a Fox News interview on Wednesday that one White House official called a "disaster."

AMERICAN OVERSIGHT

Trump, who watched the interview, was said to be unhappy with Pruitt's performance, the aide said, adding that the EPA chief appeared to be unprepared for tough questions from Fox News correspondent Ed Henry.

Pruitt, for his part, has gotten conflicting messages from the White House.

During a phone call on Monday, Trump encouraged Pruitt to defend himself after the EPA chief complained that the press was out to get him, according to a person familiar with the conversation — which Pruitt interpreted as a green light from Trump to do a series of media interviews in a bid to tamp down the scandals engulfing him.

But Kelly and other White House officials have found Pruitt's efforts at a response to be lackluster and counterproductive. Kelly called Pruitt after Wednesday's Fox News interview to discourage him from doing more press.

In a separate phone call on Tuesday, Kelly pressed Pruitt about whether more damaging revelations were coming, the White House official confirmed. The Daily Beast first reported Kelly's comments. It is unclear how Pruitt responded, but the next day, The Atlantic broke the news that Pruitt circumvented the White House to grant raises to two employees.

And late Thursday, Pruitt faced a new batch of damaging reports, including one from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Pruitt's lease agreement, first reported last week by Bloomberg News, has become a point of contention because political appointees sign an ethics pledge prohibiting them from accepting gifts from lobbyists — which would cover cut-rate lodging.

A lease agreement covering February through April 2017 indicated Pruitt's rent was "payable on the 1st day of each month, in installments of $500 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy," according to a memo obtained by the Campaign Legal Center.

Had Pruitt stayed in the condo every night in a given month, he would have owed $1,500 — but canceled checks reviewed by Bloomberg show Pruitt made a payment of $1,700 on Sept. 1, suggesting he eventually paid his back rent.

A spokesman for Pruitt declined to comment.

The uncertainty about Pruitt's fate comes in the wake of Trump's successive dismissals last month of Secretary of State Rex Tillerson, national security adviser H.R. McMaster and Veterans Affairs secretary David Shulkin.

His situation may more closely resemble that of former "Apprentice" contestant Omarosa Manigault, who was fired in December of last year despite the president's initial objections after

AMERICAN OVERSIGHT

Kelly convinced him that her abuse of a White House car service, among other things, was a scandal in the making.

Pruitt was among a handful of Cabinet-level officials slapped on the wrist last month by Kelly, who called him into the White House to drill home the notion that — legality aside — "optics matter." CNN first reported on the meeting.

Pruitt has made clear he wants to keep fighting. He pushed back on allegations in the interview with Fox News on Wednesday. In the interview, Pruitt described his housing arrangement as "an Airbnb situation" and said EPA ethics officials had signed off on it.

An EPA ethics official clarified later Wednesday that he had concluded only that the $50-per-night lease did not constitute an improper gift but did not investigate whether Pruitt's arrangement ran afoul of other ethics rules.

Asked by Fox whether renting a room from a Washington lobbyist was inconsistent with Trump's promise to drain the swamp, Pruitt replied: "I don't even think that that's even remotely fair to ask that question."

To view online click here.

Back

Trump: Pruitt's 'done an incredible job' Back

By Kelsey Tamborrino | 04/05/2018 05:17 PM EDT

President Donald Trump today praised Scott Pruitt but said he would look into reports of ethics questions that have been raised about the EPA administrator.

"I think he's done an incredible job," Trump said of Pruitt, according to a pool report. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job."

Pruitt has come under scrutiny for a slew of reports concerning a $50-per-night condo he rented from a lobbyist last year, as well as previous questions surrounding his travel costs and security spending. When asked about the reports today, Trump suggested he had not read all the details.

"I have to look at them," Trump told reporters aboard Air Force One. "I'll make that determination. But he's a good man."

The president was returning from an event in White Sulphur Springs, W.Va., on the recent tax cuts, where he said the residents were in support of Pruitt.

"You know, I just left coal and energy country," Trump said. "They love Scott Pruitt. They feel very strongly about Scott Pruitt."

AMERICAN OVERSIGHT

To view online click here.

Back

Third Republican calls on Pruitt to resign Back

By Alex Guillén | 04/05/2018 03:34 PM EDT

Rep. Elise Stefanik (R-N.Y.) today called on EPA Administrator Scott Pruitt to resign, becoming at least the third Republican to do so even as more conservative lawmakers come to Pruitt's defense.

"I'm going to make news today," Stefanik said at a town hall meeting in South Glens Falls, about 45 miles north of Albany, according to The Saratogian. "I think Scott Pruitt should resign. I fundamentally disagree with how Pruitt has handled the EPA."

Reps. Carlos Curbelo and Ileana Ros-Lehtinen, both Florida Republicans, earlier this week called for Pruitt's ouster, as have a number of Democrats. Pruitt is facing increased scrutiny for ethics issues including the $50-per-night rent he paid to rent space in a condo from a lobbyist last year.

Meanwhile, conservative Republicans like Sens. Rand Paul (R-Ky.) and Ted Cruz (R-Texas) have come to Pruitt's defense today.

"Why do Obama and his media cronies want so badly to drive @EPAScottPruitt out of office?" tweeted Cruz.

Pruitt "is likely the bravest and most conservative member of Trump's cabinet," tweeted Paul. "We need him to help @realDonaldTrump drain the regulatory swamp."

To view online click here.

Back

Democrats ask EPA IG to expand probe into hiring authority to cover aides' raises Back

By Alex Guillén | 04/05/2018 05:10 PM EDT

Two Senate Democrats today asked EPA's inspector general to expand an existing investigation into Administrator Scott Pruitt's use of a special hiring authority to look into allegations that two aides brought with him from Oklahoma received large raises via that authority.

The Atlantic first reported this week that Sarah Greenwalt and Millan Hupp were both denied

AMERICAN OVERSIGHT

large raises by the White House, but that they later received them via special authority that allows Pruitt to make hires via the Safe Drinking Water Act.

Pruitt said Wednesday on Fox News that he had no knowledge of the raises, and was looking into the matter.

In a letter to EPA's IG, Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.) write that if Pruitt's statement to Fox News is accurate, then one or more EPA officials acted without his knowledge. "This could indicate a serious breakdown of internal controls on the appropriate use of this authority," they wrote. "If Pruitt's statements were false, then the SDWA hiring authority may have been intentionally abused under the direction of the Administrator to award large raises to favored aides."

EPA's IG in January announced an investigation into whether Pruitt used the SDWA hiring authority to shield political appointees from the Trump administration's ethics pledge.

To view online click here.

Back

EPA inspector general reviewing allegations around Pruitt rental Back

By Alex Guillén | 04/05/2018 09:04 AM EDT

EPA's inspector general is reviewing requests to investigate Administrator Scott Pruitt's $50-a-night lease agreement, a spokesman confirmed today — an initial step before determining whether to launch a formal probe.

Democrats from the House and Senate this week called on the IG to review Pruitt's rental of a room in a condo co-owned by the wife of a lobbyist with energy clients.

There are already three other IG investigations underway into Pruitt's specific activities at EPA. The IG is also investigating his travel, his use of a special Safe Drinking Water Act hiring authority and his spending on a soundproof phone booth for his office.

WHAT'S NEXT: It is unclear how long the IG will review the allegations before determining whether to open an investigation into the apartment lease. IG probes often take months to complete.

To view online click here.

Back

Top Pruitt policy aide Samantha Dravis resigns Back

AMERICAN OVERSIGHT

By Emily Holden and Daniel Lippman | 04/05/2018 09:05 AM EDT

Samantha Dravis, senior counsel and associate administrator of EPA's Office of Policy, submitted her resignation early last week, according to a source familiar with her plans.

People close to the situation said she had been planning to leave for some time, and that her decision is not because of a series of recent negative headlines for Administrator Scott Pruitt, including news that he rented a $50-a-night condo from a lobbyist and clarification from an ethics official late last night that he didn't have all the facts when he suggested the deal might not violate rules.

Dravis is one of Pruitt's top aides and she had been tasked with numerous new responsibilities, including a regulatory reform task force, and the offices for environmental reviews and environmental justice.

Dravis, who previously was policy director and general counsel of the Republican Attorneys General Association, will pursue opportunities in the private sector.

To view online click here.

Back

Trump in West Virginia promises review of emergency authority for power plants Back

By Eric Wolff | 04/05/2018 03:30 PM EDT

President Donald Trump told a crowd in West Virginia today that he'd review the use of emergency authority to prop up coal and nuclear power plants.

Trump said he would review the use of Section 202c of the Federal Power Act, a provision that can be used to keep power plants running that are in danger of retiring. The president was at an event in White Sulphur Springs, W. Va., promoting last year's tax cuts.

"We'll be looking at that 202. You know what a 202 is? We'll be looking at that," he told the crowd. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back."

FirstEnergy Solutions, an Ohio utility company, submitted an unusual request to the Department of Energy last week — days before the company filed for bankruptcy protection — asking that DOE use its authority to provide four-year contracts to as many as 85 coal and nuclear power plants in the PJM Interconnection, a power market consisting of 13 mid-Atlantic and rust belt states.

DOE rejected a request from FES, a subsidiary of the regulated utility FirstEnergy Corp., to use

AMERICAN OVERSIGHT

that authority last year, and FERC rejected a rule proposed by Energy Secretary Rick Perry that would have benefited FES in January.

Alex Guillén contributed to this report

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering up anything, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in the interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-led study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, which offered the most expensive of all four bids. At $2.1 million, Stone's bid was nearly four times that of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract

AMERICAN OVERSIGHT

remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, whose bid was also the least expensive of the three received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of

AMERICAN OVERSIGHT

the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In the interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at

AMERICAN OVERSIGHT

the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the former president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan

AMERICAN OVERSIGHT

Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Joplin Globe columnist Wally Kennedy, who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Konkus, John[konkus.john@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Daniell, Kelsi
Sent: Wed 1/10/2018 2:48:28 PM
Subject: EPA Morning News Highlights 01.10.18
EPA Morning News Highlights 01.10.18.docx

EPA Morning News Highlights 01.10.18

Reuters: Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants. The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

NewsOK: Contaminated Eagle Industries site in Midwest City added to EPA priorities list

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site. The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

Miami News Record: Tar Creek Superfund Site Makes Pruitt's Priority List

The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list. The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list. The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

AMERICAN OVERSIGHT

Times Free Press: Local Site Proposed for List of Country's Most Toxic Places

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places. The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

US News: Michigan Sets Standard for Chemical Contaminant in Water

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed. The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

Newark Post: EPA Adds Contaminated Newark Site to Superfund List

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program. The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

National Morning News Highlights 01.10.18

-

Los Angeles Times: At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims. The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

AMERICAN OVERSIGHT

Fox News: US Oks selling Japan missiles to shoot down North Korean missiles

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles. The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

CNBC: China is reportedly thinking of halting US Treasury purchases and that's worrying markets right now

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report. Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

Wall Street Journal: Amid signs of a thaw in North Korea, Tensions bubble up

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating. In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

Reuters

http://news.trust.org/item/20180110023844-vd9k3/

Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

By: Valerie Volcovici and David Shepardson, 1/9/18

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants

AMERICAN OVERSIGHT

The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

The agenda, laid out by EPA Administrator Scott Pruitt in an exclusive interview with Reuters on Tuesday, marks an extension of the agency's efforts under President Donald Trump to weaken or kill regulations the administration believes are too broad and harm economic growth, but which environmentalists say are critical to human health.

"The climate is changing. That's not the debate. The debate is how do we know what the ideal surface temperature is in 2100?... I think the American people deserve an open honest transparent discussion about those things," said Pruitt, who has frequently cast doubt on the causes and implications of global warming.

Pruitt reaffirmed plans for the EPA to host a public debate on climate science sometime this year that would pit climate change doubters against other climate scientists, but he provided no further details on timing or which scientists would be involved.

Pruitt said among the EPA's top priorities for 2018 will be to replace the Clean Power Plan, former President Barack Obama's centerpiece climate change regulation which would have slashed carbon emissions from power plants. The EPA began the process of rescinding the regulation last year and is taking input on what should replace it.

"A proposed rule will come out this year and then a final rule will come out sometime this year," he said. He did not give any details on what the rule could look like, saying the agency was still soliciting comments from stakeholders.

He said the agency was also planning to rewrite the Waters of the United States rule, another Obama-era regulation, this one defining which U.S. waterways are protected under federal law. Pruitt and Trump have said the rule marked an overreach by including streams that are shallow, narrow, or sometimes completely dry - and was choking off energy development.

AMERICAN OVERSIGHT

Pruitt said that in both cases, former President Barack Obama had made the rules by executive order, and without Congress. "We only have the authority that Congress gives us," Pruitt said.

Pruitt's plans to replace the Clean Power Plan have raised concerns by attorneys general of states like California and New York, who said in comments submitted to the EPA on Tuesday that the administrator should recuse himself because as Oklahoma attorney general he led legal challenges against it.

BIOFUELS AND STAFF CUTS

Pruitt said he hoped for legislative reform of the U.S. biofuels policy this year, calling it "substantially needed and important" because of the costs the regulation imposes on oil refiners.

The Renewable Fuel Standard, ushered in by former President George W. Bush as a way to help U.S. farmers, requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply every year.

Refining companies say the EPA-administered policy costs them hundreds of millions of dollars annually and threatens to put some plants out of business. But their proposals to change the program have so far been rejected by the Trump administration under pressure from the corn lobby.

The EPA in November slightly raised biofuels volumes mandates for 2018, after previously opening the door to cuts.

The White House is now mediating talks on the issue between representatives of both sides, with input from EPA, and some Republican senators from states representing refineries are working on possible legislation to overhaul the program.

AMERICAN OVERSIGHT

Pruitt said he also hoped Congress could produce an infrastructure package this year that would include replacing municipal water pipes, as a way of combating high lead levels in certain parts of the United States.

"That to me is something very tangible very important that we can achieve for the American people," he said.

Pruitt added that EPA also continuing its review of automobile fuel efficiency rules, and would be headed to California soon for more meetings with the California Air Resources Board to discuss them.

California in 2011 agreed to adopt the federal vehicle emission rules through 2025, but has signaled it would opt out of the standards if they are weakened – a move that would complicate matters for automakers serving the huge California market.

In the meantime, Pruitt said EPA is continuing to reduce the size of its staff, which fell to 14,162 employees as of Jan. 3, the lowest it has been since 1998, under Ronald Reagan when the employment level was 14,400. The EPA employed about 15,000 when Obama left office.

Nearly 50 percent of the EPA will be eligible to retire within the next five years, according to the agency.

NewsOK

http://newsok.com/contaminated-eagle-industries-site-in-midwest-city-added-to-epa-priorities-list/article/5578891

Contaminated Eagle Industries site in Midwest City added to EPA priorities list

By: Justin Wingerter, 1/9/18

AMERICAN OVERSIGHT

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site.

The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

"Groundwater resources at the site and the surrounding area are threatened by the contamination," the EPA wrote in a memo Tuesday. "(Trichloroethylene) has been found in off-site private drinking water wells. The site is an area of recharge for the Central Oklahoma aquifer system, which is a major source of groundwater in Central Oklahoma."

Contamination at Eagle Industries was first discovered in 2003. The company, which had dumped contaminants in violation of state law, closed in 2010 without paying a fine.

The EPA announced in early August it would consider adding Eagle to its national priorities list at the request of Gov. Mary Fallin. Several months of public comment followed, leading to Tuesday's announcement.

“Once again, Administrator (Scott) Pruitt is making it clear that he's focused on protecting the environment by partnering with states to clean up contaminated sites in local communities," said U.S. Sen. Jim Inhofe, R-Tulsa.

"By adding the Eagle Industries site in Oklahoma City to the National Priorities List, it will give the site increased attention for long-term clean-up efforts and focus on revitalizing the area for development and economic activity," he added.

The adverse public health ramifications of Eagle's illegal actions have not dissipated. Trichloroethylene, or TCE, has been found within nearby residential water wells. State investigators distributed a fact sheet to residents that stated TCE “may cause nervous system

AMERICAN OVERSIGHT

effects, liver and lung damage, abnormal heartbeat, coma and possibly death."

"It is clear that the TCE is migrating, with the likelihood of affecting approximately 30 additional residences and businesses," stated an internal DEQ memo obtained by The Oklahoman in an open records request. "Eagle Industries lies in Midwest City. The plume of pollution is flowing into Oklahoma City."

On Tuesday, the EPA wrote, "There are currently no readily available alternative drinking water sources for the 18 family homes south of Eagle Industries."

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," Pruitt said in a statement.

EPA cleanup efforts could eventually extend to a second Eagle site, where the company operated for decades, beginning in 1957. Since an investigation by The Oklahoman found Eagle employees may have also dumped trichloroethylene at the site, 8828 SE 29th St., state investigators and Midwest City have agreed to test the soil and groundwater there. The property is owned by Midwest City.

Rita Kottke, an environmental programs director at DEQ, told Midwest City council members last month that EPA headquarters in Washington had shown an interest in the 8828 site. The EPA contacted DEQ and pushed them to conduct environmental testing, the first step in the Superfund process, according to Kottke.

When soil and groundwater tests are complete in the coming months, several outcomes are possible. The tests could find no cause for concern, allowing Midwest City to develop the 8828 site and attract a grocery store or other retail opportunity. The tests could find minor contamination curative with soil extraction and other actions. Or the tests could find dire contamination requiring massive EPA action.

Miami News Record

AMERICAN OVERSIGHT

http://www.miamiok.com/news/20180109/tar-creek-superfund-site-makes-pruitts-priority-list

Tar Creek Superfund Site Makes Pruitt's Priority List

By: Melinda Stotts, 1/9/18

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

MIAMI – The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list.

The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list.

The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

The listed sites require timely resolution of specific issues to expedite cleanup and redevelopment efforts, according to the EPA's press release, and the list is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

According to the EPA, Pruitt will receive regular updates on the listed sites, but the EPA remains dedicated to addressing the risks of all Superfund sites.

AMERICAN OVERSIGHT

There are currently more than 1,300 Superfund sites on EPA's National Priorities List at various stages in the cleanup process

The Task Force recommendations are aimed at expediting cleanup at all sites and Pruitt has set the expectation of a renewed focus on accelerating work and progress.

The list released on Dec. 8 includes the following U.S. Superfund Sites Mohawk Tannery in Nashua, New Hampshire, Centredale Manor Restoration Project in North Providence in Rhode Island, American Cyanamid Co. in Bound Brook, New Jersey, Diamond Alkali Co. (aka Upper Lower Passaic) Newark, New Jersey, Ventron/Velsicol (aka Berry's Creek) in Wood Ridge Borough, New Jersey, L.A. Clarke & Son in Spotsylvania, Virginia, B.F. Goodrich in Calvert City, Kentucky, Mississippi Phosphates Corporation in Pascagoula, Mississippi, U.S. Smelter and Lead Refinery Inc. (aka USS Lead or East Chicago) in East Chicago, Indiana, Allied Paper Inc./Portage Creek/Kalamazoo River in Kalamazoo, Michigan, Tar Creek (Ottawa County) in Ottawa County, Oklahoma, San Jacinto Waste Pits in Channelview, Texas, Des Moines TCE (aka Dico Company) in Des Moines, Iowa, West Lake Landfill in Bridgeton, Missouri, Bonita Peak Mining District in San Juan County, Colorado, Anaconda Co. Smelter in Anaconda, Montana, Silver Bow Creek/Butte Area I Butte, Montana, Orange County North Basin in Fullerton, California, Anaconda Copper Mine in Lyon County, Nevada, Portland Harbor in Portland, Oregon and Quendall Terminal in Renton, Washington.

All 21 sites have been designated the nation's Superfund sites for years, some for decades. Tar Creek was first officially designated a Superfund in 1983.

Millions and millions, well over $300 million, of federal funding has been expended for cleanup and buyout of the Tar Creek Superfund Site which continues today and is expected to continue for more decades to come.

Pruitt is a former Oklahoma state senator and served the state as attorney general before his nomination by President Trump to the EPA and confirmation to the post in February of 2017.

During his time serving as Oklahoma's attorney general Pruitt refused to release the state audit conducted regarding the Lead-Impacted Communities Relocation Trust (LICRAT), a Public Trust and Agency of the State of Oklahoma buyout of the Tar Creek Superfund Site despite the

AMERICAN OVERSIGHT

objection of other state officials.

A non-profit Washington, DC watchdog group, Campaign for Accountability (CfA) filed a lawsuit in the District Court of Oklahoma in November of 2017 against Oklahoma Attorney General Mike Hunter and Oklahoma State Auditor and Inspector Gary Jones for failing to release copies of audits and documents related to corruption allegations associated with the management of the Tar Creek Reclamation site in the state, according to their press release.

"While he was serving as the Attorney General of Oklahoma, EPA Administrator Scott Pruitt declined to bring criminal charges in response to an audit that found evidence of criminal wrongdoing at the Tar Creek Reclamation site," said CfA Executive Director Daniel E. Stevens in a press release issued by Nov. 27, 2017, by CfA. "Why did he refuse to bring charges? We don't know because the Oklahoma Attorney General's office has repeatedly refused to release documents related to this audit."

Pruitt claimed if released the information in the audit might unfairly embarrass private civilians.

Times Free Press

http://www.timesfreepress.com/news/breakingnews/story/2018/jan/09/local-site-proposed/460875/

Local site proposed for list of country's most toxic places

By: Mark Pace, 1/9/18

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places.

The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be

AMERICAN OVERSIGHT

added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

"The priority for proposing the Site is protecting children by identifying and cleaning up lead-contaminated soil at residential properties and other areas where children may be present," according to a release from the EPA.

The site site located where waste material was used in past decades as fill or top soil in Alton Park, Cowart Place, Jefferson Heights, Richmond and the Southside Gardens areas in the southwestern portion of Chattanooga.

Lead levels at the site were detected above health-based benchmarks. The EPA will work with other groups and agencies to clean the site and replace it with clean soil.

Sites are added to the National Priorities List when contaminants are considered threats to human health and the environment.

The move is another step in EPA Administrator Scott Pruitt's goal to identify and the clean toxic sites. The announcement comes on the heels of a targeted campaign for "immediate and intense attention" to clean and restore 21 sites in the U.S.

US News

https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water

Michigan sets standard for chemical contaminant in water

By: David Eggert, AP, 1/9/18

AMERICAN OVERSIGHT

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion. That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted $23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

AMERICAN OVERSIGHT

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

Newark Post

http://www.newarkpostonline.com/news/epa-adds-contaminated-newark-site-to-superfund-list/article_bd185770-1678-57de-91c0-40f653ecd7af.html

EPA adds contaminated Newark site to Superfund list

By: Josh Shannon, 1/9/18

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program.

AMERICAN OVERSIGHT

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," EPA Administrator Scott Pruitt said in a prepared statement.

The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

City and state officials first asked for federal help investigating the cause of groundwater pollution in 2016.

The issue involves the area surrounding the city's South Well Field, located on a narrow property off South Chapel Street, between Brookside and Scottfield. Water from the South Well Field feeds the southern part of the city, roughly as far north as Kells Avenue. The northern part of the city gets its water from White Clay Creek and the Newark Reservoir.

Nearly 20 years ago, city officials noticed volatile organic compounds (VOCs) – including chemicals commonly found in dry cleaning solvents and other industrial solvents and degreasers – seeping into the water and installed a treatment system in 2003. The chemicals are toxic but are easily removed in treatment, according to Tom Coleman, acting city manager for the city of Newark.

"It's been in place since 2003, and we don't have any problem treating it," Coleman explained in 2016. "It's just an expense."

Coleman emphasized that treatment eliminates the VOCs from the water.

"Our water is safe, has been safe and will continue to be safe," he said.

AMERICAN OVERSIGHT

The Delaware Department of Natural Resources and Environmental Control has been studying the cause of the pollution but has been unable to pinpoint the source.

The contamination is believed to be in two groundwater plumes. One is beneath Pencader Plaza, the Blue Hen Industrial Park and homes around Scottfield Drive. The second is beneath a portion of the Diamond State Industrial Park along Bellevue Road.

Officials believe the VOCs may have come from industrial chemicals used or spilled in the industrial parks.

A year ago, the EPA conducted preliminary tests at monitoring wells in Brookside and Scottfield, as well as in the commercial areas along South Chapel Street. The agency was testing for "vapor intrusion," which is the migration of VOCs from contaminated groundwater into nearby buildings through openings in the building foundation.

The study found the concentration of VOCs does not present a vapor intrusion concern to nearby residents and businesses.

Los Angeles Times

http://www.latimes.com/local/lanow/la-me-ln-rainfall-mudflow-20180109-story.html

At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

By: James Queally, Joseph Serna, Michael Livingston and Ruben Vines, 1/9/18

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and

AMERICAN OVERSIGHT

downed trees to search for victims.

The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

At least 25 other people were injured, authorities said at an afternoon press conference. Crews rescued 50 people by air and dozens more from the ground.

"It's going to be worse than anyone imagined for our area," Eliason said in a phone interview Tuesday. "Following our fire, this is the worst-case scenario."

The deaths came after a heavy band of rain struck around 2:30 a.m., causing "waist-high" mudflows, Eliason said.

Late Tuesday, about 300 people remained stuck in their homes in Montecito's Romero Canyon neighborhood after impassable roads halted rescue operations, officials said.

First-responders plan to launch aerial rescues at daybreak for those residents, all of whom are safe.

"So far there isn't a concern about anybody being in any potential danger in that area," said Rosie Narez, a spokeswoman for the multi-agency storm response. "There's no way in or out, so I mean, at some point … you're going to run out of stuff, so you're going to need help."

Authorities said the residents are in a mandatory evacuation zone.

AMERICAN OVERSIGHT

The mudslide struck a section of the city that is south of the Thomas fire's burn area and was not subject to a mandatory evacuation, Eliason said. Rescue personnel have yet to even make it north of Highway 192, which is closer to soil scorched by last month's wildfire. Burned areas are less capable of absorbing water, making them even more susceptible to flooding and mudslides.

Officials had no estimate on how many people could be trapped or how many homes were damaged. The search for survivors was still underway Tuesday afternoon, with many places inaccessible.

Stationed in Hawaii for the Navy, Tyler McManigal, 28, was notified Tuesday that his father and brother were swept away by flooding in Montecito.

In a phone interview, he said he knew very little else about what happened.

McManigal said when the flash flood and mud flow began, his 64-year-old father, John, woke up and rushed over to wake up his brother, Connor, 23. The pair were unable to make it out of their home in the 300 block of Hot Springs Road, just north of Olive Mill Road.

The torrent of brown liquid mixed with branches, rocks, boulders and other debris carried away the family home — along with McManigal's brother and father.

"They found my brother probably three-quarters of a mile away, south of where the house is, on the 101 Freeway," he said, adding that Connor was taken to a local hospital.

"My brother is OK," he said.

But his father, who has six children, is yet to be found, said McManigal, who is trying to get

AMERICAN OVERSIGHT

back home.

The founder of St. Augustine Academy in Ventura was among those killed early Tuesday when a powerful mudslide swept him and his wife from their Montecito home.

Roy Rohter was identified by officials at Thomas Aquinas College, from which his daughter graduated in 2000. His wife, Theresa, was rescued and is in stable condition, officials said.

Friends remembered Rohter as an energetic leader and generous benefactor of the college.

"Roy Rohter was a man of strong faith and a great friend of Catholic education," Michael F. McLean, president of the college, said in a statement posted on the school's website. "He played a pivotal role in the lives of countless young Catholic students — students who came to a deeper knowledge and love of Christ because of his vision, commitment and generosity."

Michael Van Hecke, headmaster of St. Augustine, said in a statement that Rohter "has done so much for so many people and pro-life and Catholic education causes. … Thousands have been blessed by the Rohters' friendship and generosity."

Emergency crews spent the first hours of light making rescues in voluntary evacuation zones near Montecito Creek north of U.S. 101.

In the 300 block of Hot Springs Road, crews rescued six people and a dog after four homes were destroyed. The mud lifted one home off of its foundation and carried it into trees, where it then collapsed, Eliason said. Firefighters used the jaws of life to cut their way into the home where a firefighter heard muffled cries for help from a 14-year-old girl, Eliason said.

A rescue dog pinpointed the girl's location and two hours later, the mud-covered girl was pulled free. A second 14-year-old girl was also rescued from the same neighborhood and carried from ankle-high mud in a basket by half a dozen firefighters.

AMERICAN OVERSIGHT

The U.S. Coast Guard also sent rescue helicopters into the area Tuesday morning, hoisting several people from collapsed homes or rooftops that stood above swirling mud and water. Rescue personnel were also able to save a young boy who was swept more than half a mile south from his house after the building was lifted from its foundation in Montecito, authorities said.

The boy was found alive under a U.S. 101 overpass, authorities said. But his father remains unaccounted for.

On Hot Springs Road on Tuesday afternoon, a dozen sheriff's deputies carried a body on a gurney from a collapsed house as muddy water raced down the street. The deputies surrounded the body in silence for several moments before placing it gently into an emergency vehicle.

According to the National Weather Service in Los Angeles, the highest preliminary rainfall total appeared to register at roughly 5 inches in a gauge north of Ojai in Ventura County, in the burn area of the Thomas fire, which forced evacuations and destroyed homes last month. With heavy showers still forecast, flash flood warnings remained in effect for Santa Barbara County and southern Ventura County through Tuesday afternoon, according to the National Weather Service.

The 101 Freeway was shut down in both directions for more than 30 miles in the Thomas fire burn area because of flooding and debris flow, spanning an area from Santa Barbara to Ventura, according to the California Highway Patrol. Sections of routes 33 and 150 were also closed in Ventura County, according to the Sheriff's Department. There was no estimate for when the roadways might reopen, a California Department of Transportation spokesman said Tuesday afternoon.

In Los Angeles, one person was killed when a big rig overturned in the northbound lanes of the 5 Freeway near Los Feliz, said Saul Gomez, public information officer for the California Highway Patrol's Southern Division. All northbound lanes were closed as of 4 a.m., though Gomez said police were hoping to reopen the roadway by 8 a.m.

AMERICAN OVERSIGHT

The victim, who was not identified, was approximately 60 years old, Gomez said. No one else was injured. While the accident happened as rain fell across Los Angeles County, Gomez said he could not confirm the crash was storm-related.

The fatal crash was one of hundreds that occurred during the downpour. Between 5 and 9 a.m. Tuesday, there were 275 traffic collisions reported on Los Angeles-area freeways, the California Highway Patrol said. There were only 30 during the same time period a week ago.

Santa Barbara County officials evacuated nearly 7,000 residents from foothill communities shortly before the heaviest surge hit the area, according to Sheriff's Office spokeswoman Kelly Hoover.

About 3 a.m., she said, the storm became ferocious.

"We just had a deluge, a power surge of rain. And we had a report of a structure fire burning in the Montecito area, the San Ysidro area. And it just kept going downhill from there," she said. "We have people stuck in their homes, stuck in their cars. There's downed power lines, flooded roadways, debris."

Hoover said the shutdown of the 101 Freeway was heavily hindering rescue efforts.

"There's no way to get from Ventura here, no way for us to get south," Hoover said. "We're encouraging people to stay off the roads if they're in an evacuation area."

By 8:30 a.m., the county's dispatch center had at least 50 calls pending, she said.

Santa Barbara County officials put a boil water notice in effect for the entire Montecito Water District on Tuesday afternoon.

AMERICAN OVERSIGHT

In Los Angeles County, there was "mudslide activity" on Country Club Drive in Burbank, where police ordered evacuations of all homes east of Via Montana on Tuesday morning. The Police Department released footage of water surging across a roadway and urged people not to attempt to drive over it. Some vehicles were picked up and moved by the surge, and a few homes suffered minor damage, but no one had been injured as of 1 p.m., according to Sgt. Derek Green, a Burbank police spokesman.

The torrent of mud and debris sheared at least three fire hydrants, pumping another 130,000 gallons of water onto the debris flow, said Bill Mace, an assistant general manager of water systems for Burbank Water and Power. The department was able to cut off the pressure to each hydrant, but 14 homeowners will be without water for at least two days, Mace said.

Country Club Drive residents Allie Vonnacher, 17, and her mom, Heidi Donato-Fennell, 42, said they awoke to the site of several cars flowing down the street, along with power lines, trees and mailboxes.

"It's just surreal how powerful nature is," Donato-Fennell said. "You just hope it stays contained in the street and it doesn't become life-threatening."

Surges also washed out Topanga Canyon Boulevard north of Pacific Coast Highway, and sections of the 110 Freeway were closed because of flooding. The Los Angeles Fire Department had to launch a swift-water rescue to aid a man and a dog trapped in rising water near the Sepulveda Basin Recreation Area, and a Los Angeles police cruiser became mired in a debris flow on La Tuna Canyon Road, according to authorities. The officer was uninjured and walked out of the vehicle. The cruiser was in the process of being dug out of the mud with a backhoe early Tuesday.

International travelers arriving at Los Angeles International Airport also had to be diverted from Terminal 2 on Tuesday morning, after the customs area became flooded, the airport said on Twitter.

The CHP also said heavy rains likely contributed to a crash that left one person dead on Highway 126 in Ventura County, about two miles from the Los Angeles County line, on Monday

AMERICAN OVERSIGHT

afternoon. One woman died and two others were injured in the five-car crash, the agency said.

The National Weather Service was reporting rainfall totals of up to 5 inches in Ventura County and 3.3 inches in Santa Barbara County as of 11 a.m. Nearly 1½ inches of rain had fallen in Bel-Air, which could be susceptible to mudslides and debris flow because of damage caused by the Skirball fire last month.

The storm spared some areas that were affected by last month's blazes. Early Tuesday afternoon, evacuation orders for neighborhoods in the burn areas of the Creek and Fish fires were lifted, according to the Los Angeles County Sheriff's Department.

"I woke up ready this morning to laugh and scoff at all the gloom-and-doom predictions," said Dominic Shiach, 50. "It's actually way worse than I thought it was going to be."

Shiach wore a Navy raincoat as he walked Archie, his 3-year-old West Highland terrier, down Sycamore Canyon Road on Tuesday morning.

Amber Anderson with the Santa Barbara Incident Management Team said there were about 75 people who called for evacuation help.

Marc Phillips realized he should have listened to emergency officials as he trudged down East Valley Road in mud-soaked jeans.

"They were right," he said, pointing to a place where residences had been knocked from their foundations. "It looks like there was never a house there, but it was."

Fox News

AMERICAN OVERSIGHT

http://www.foxnews.com/politics/2018/01/09/us-oks-selling-japan-missiles-to-shoot-down-north-korean-missiles.html

US Oks selling Japan missiles to shoot down North Korean missiles

By: Frank Miles, 1/9/18

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles.

The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

A State Department official told Fox News that, "Also included are four Mk 29 missile canisters, and other technical, engineering and logistics support services."

The department said the sale would support the U.S. defense industry and underscore Trump's commitment to improve the defense of allies threatened by North Korea.

The system was jointly developed by Japan and the U.S.

The missiles could be used at sea with Japan's current Aegis-equipped destroyers and with the land-based Aegis system its Cabinet approved for purchase last month.

That's intended to bolster Japan's current missile defense and perhaps curry favor with President Donald Trump who is eager for U.S. allies to buy more American military hardware.

"If concluded, this proposed sale will contribute to the foreign policy and national security interests of the United States," the State Department official told Fox News. "It will bolster the

AMERICAN OVERSIGHT

security of a major treaty ally that has been, and continues to be, a force for political stability and economic progress in the Asia-Pacific region. It will also improve (Japan Maritime Self-Defense Force's) interoperability with U.S. missile defense systems, and increase the protection for U.S. installations in the region."

Fox News previously reported that North Korea's weapons "are only aimed" at America and its territories, a regime official menacingly revealed during Tuesday's joint talks with South Korea — doubling down on Kim Jong Un's frequent threats to destroy the United States.

CNBC

https://www.cnbc.com/2018/01/10/china-is-reportedly-thinking-of-halting-us-treasury-purchases.html

China is reportedly thinking of halting US Treasury purchase and that's worrying markets right now

By: Fred Imbert, 1/10/18

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report.

Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

The report also notes that Chinese officials think U.S. debt is becoming less attractive compared to other assets, adding that trade tensions between the two countries could provide a reason to slow down or halt the purchases.

The news is worrying markets.

AMERICAN OVERSIGHT

Treasury prices fell, boosting yields. The U.S. dollar also fell vs. most currencies and gold increased.

Dow futures were down more than 110 points.

A taper in Chinese purchases would come as the Federal Reserve unwinds the massive balance sheet it amassed following the financial crisis. The Fed is also expected to raise rates three times this year. In 2017, the central bank also hiked rates three times.

The U.S. 10-year yield rose to 2.59 percent on Wednesday, hitting levels not seen since last March. The dollar also fell against a basket of major currencies, trading down 0.6 percent at 91.96.

Click here for the full report.

Wall Street Journal

https://www.wsj.com/articles/amid-signs-of-a-thaw-in-north-korea-tensions-bubble-up-1515427541

Amid signs of a thaw in North Korea, Tensions bubble up

By: Gerald Seib, 1/9/18

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating.

In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

AMERICAN OVERSIGHT

But as just one sign of how fraught the situation remains, simply consider this: U.S. officials are quietly debating whether it's possible to mount a limited military strike against North Korean sites without igniting an all-out war on the Korean Peninsula.

Senior officials from South and North Korea held their first formal face-to-face talks in two years on Tuesday, discussing Pyongyang's possible participation in the Winter Olympics and other issues in hopes of cooling tensions.

The idea is known as the "bloody nose" strategy: React to some nuclear or missile test with a targeted strike against a North Korean facility to bloody Pyongyang's nose and illustrate the high price the regime could pay for its behavior. The hope would be to make that point without inciting a full-bore reprisal by North Korea.

It's an enormously risky idea, and there is a debate among Trump administration officials about whether it is feasible. North Koreans have a vast array of artillery tubes pointed across the demilitarized zone at Seoul, the capital of South Korea, with which they could inflict thousands of casualties within minutes if they choose to unleash an all-out barrage.

Now, that danger is coupled with the risk that the North Koreans could attempt to use a nuclear weapon if they choose to escalate in retaliation against even a single strike.

Such a debate reflects how tense the situation remains, even though North Korea has scaled back the pace of its provocative actions in recent weeks and opened the door to diplomacy.

Tuesday's talks marked the first high-level dialogue between the Koreas in two years. After almost a year of regular provocations from North Korean leader Kim Jong Un, they are the first real sign that a diplomatic track is possible to begin de-escalating tensions over his nuclear and missile programs.

The U.S. and South Korea agreed on Thursday to delay their planned joint military exercises.

AMERICAN OVERSIGHT

The South Koreans are hosting the Olympics in February and want a period of calm and peace on the Korean Peninsula during that period. WSJ's Gerald F. Seib explains the short-term and long-term consequences of the delay.

A key question is whether the conversation can expand beyond the Olympics to include other topics Seoul wants to discuss, notably reunification of Korean families split between North and South, and a general lowering of hostility.

Even if that happens, though, the diplomatic move needed to really start dialing back tensions would be conversations between North Korea and the U.S. That possibility seems stuck in a long-distance dance between Pyongyang and Washington, with each side making opening bids the other finds unacceptable.

North Korea wants the U.S. to forswear joint military activities with South Korea in advance of talks, while the U.S. insists the goal of talks should be to eliminate North Korea's nuclear arsenal, not merely contain it. Each side finds the other's conditions unacceptable.

Indeed, diplomats suspect North Korea's engagement with South Korea is an attempt to drive a wedge between Seoul and its American allies, thereby reducing the possibility the U.S. could take any kind of military action against Pyongyang.

Efforts are under way to broaden the diplomatic opening beyond Tuesday's intra-Korean conversation. Jonathan Powell, a former chief of staff to British Prime Minister Tony Blair, has offered to help try to get broader conversations going, three people in the diplomatic community said.

And Jeffrey Feltman, an American diplomat now serving as U.N. under secretary-general for political affairs, recently traveled to North Korea to explore diplomatic possibilities. But Mr. Feltman returned alarmed at what he found in Pyongyang, where he sensed little interest in either talks with the U.S. or moving off the North's current nuclear track, say those who have talked with him.

Within the Trump administration, officials say, Secretary of State Rex Tillerson and Defense Secretary Jim Mattis remain focused on trying to get a broader diplomatic effort under way to

AMERICAN OVERSIGHT

rein in the North Korean nuclear program. National security adviser H.R. McMaster is arguing more vocally, publicly and privately, that military options need to be considered.

The wild card, as in all things in the Trump administration, is President Donald Trump himself. He signaled his own interest in a diplomatic track in the past. But he has also seemed to disavow Mr. Tillerson's overtures on negotiations. And his recent tweet—asserting he has a "bigger" nuclear button than does Mr. Kim—is, in the words of one experienced diplomat, the equivalent of "waving a red flag before a bull."

The U.S. hasn't done the kind of logistical preparations needed for a full-blown conflict on the Korean Peninsula. Still, as the talk of a "bloody nose" option suggests, that doesn't mean one can't happen.

Thanks to the Olympics and the intra-Korean diplomatic opening, the next few months figure to be relatively calm. But depending on whether the diplomatic opening widens or not, mid-2018 could be a time of reckoning.

AMERICAN OVERSIGHT

EPA Morning News Highlights 01.10.18

Reuters: Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018
A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants. The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

NewsOK: Contaminated Eagle Industries site in Midwest City added to EPA priorities list
A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site. The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

Miami News Record: Tar Creek Superfund Site Makes Pruitt's Priority List
The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list. The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list. The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

Times Free Press: Local Site Proposed for List of Country's Most Toxic Places
A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places. The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

US News: Michigan Sets Standard for Chemical Contaminant in Water
Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed. The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

Newark Post: EPA Adds Contaminated Newark Site to Superfund List
The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program. The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

National Morning News Highlights 01.10.18

Los Angeles Times: At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California
At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims. The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

AMERICAN OVERSIGHT

Fox News: US Oks selling Japan missiles to shoot down North Korean missiles
The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles. The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

CNBC: China is reportedly thinking of halting US Treasury purchases and that's worrying markets right now
China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report. Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

Wall Street Journal: Amid signs of a thaw in North Korea, Tensions bubble up
A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating. In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

Reuters

http://news.trust.org/item/20180110023844-vd9k3/
Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018
By: Valerie Volcovici and David Shepardson, 1/9/18

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants

The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

The agenda, laid out by EPA Administrator Scott Pruitt in an exclusive interview with Reuters on Tuesday, marks an extension of the agency's efforts under President Donald Trump to weaken or kill regulations the administration believes are too broad and harm economic growth, but which environmentalists say are critical to human health.

"The climate is changing. That's not the debate. The debate is how do we know what the ideal surface temperature is in 2100?... I think the American people deserve an open honest transparent discussion about those things," said Pruitt, who has frequently cast doubt on the causes and implications of global warming.

Pruitt reaffirmed plans for the EPA to host a public debate on climate science sometime this year that would pit climate change doubters against other climate scientists, but he provided no further details on timing or which scientists would be involved.

Pruitt said among the EPA's top priorities for 2018 will be to replace the Clean Power Plan, former President Barack Obama's centerpiece climate change regulation which would have slashed carbon emissions from power plants. The EPA began the process of rescinding the regulation last year and is taking input on what should replace it.

"A proposed rule will come out this year and then a final rule will come out sometime this year," he said. He did not give any details on what the rule could look like, saying the agency was still soliciting comments from stakeholders.

He said the agency was also planning to rewrite the Waters of the United States rule, another Obama-era regulation, this one defining which U.S. waterways are protected under federal law. Pruitt and Trump have said the rule marked an overreach by including streams that are shallow, narrow, or sometimes completely dry - and was choking off energy development.

AMERICAN OVERSIGHT

Pruitt said that in both cases, former President Barack Obama had made the rules by executive order, and without Congress. "We only have the authority that Congress gives us," Pruitt said.

Pruitt's plans to replace the Clean Power Plan have raised concerns by attorneys general of states like California and New York, who said in comments submitted to the EPA on Tuesday that the administrator should recuse himself because as Oklahoma attorney general he led legal challenges against it.

BIOFUELS AND STAFF CUTS

Pruitt said he hoped for legislative reform of the U.S. biofuels policy this year, calling it "substantially needed and important" because of the costs the regulation imposes on oil refiners.

The Renewable Fuel Standard, ushered in by former President George W. Bush as a way to help U.S. farmers, requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply every year.

Refining companies say the EPA-administered policy costs them hundreds of millions of dollars annually and threatens to put some plants out of business. But their proposals to change the program have so far been rejected by the Trump administration under pressure from the corn lobby.

The EPA in November slightly raised biofuels volumes mandates for 2018, after previously opening the door to cuts.

The White House is now mediating talks on the issue between representatives of both sides, with input from EPA, and some Republican senators from states representing refineries are working on possible legislation to overhaul the program.

Pruitt said he also hoped Congress could produce an infrastructure package this year that would include replacing municipal water pipes, as a way of combating high lead levels in certain parts of the United States.

"That to me is something very tangible very important that we can achieve for the American people," he said.

Pruitt added that EPA also continuing its review of automobile fuel efficiency rules, and would be headed to California soon for more meetings with the California Air Resources Board to discuss them.

California in 2011 agreed to adopt the federal vehicle emission rules through 2025, but has signaled it would opt out of the standards if they are weakened – a move that would complicate matters for automakers serving the huge California market.

In the meantime, Pruitt said EPA is continuing to reduce the size of its staff, which fell to 14,162 employees as of Jan. 3, the lowest it has been since 1998, under Ronald Reagan when the employment level was 14,400. The EPA employed about 15,000 when Obama left office.

Nearly 50 percent of the EPA will be eligible to retire within the next five years, according to the agency.

NewsOK

http://newsok.com/contaminated-eagle-industries-site-in-midwest-city-added-to-epa-priorities-list/article/5578891

Contaminated Eagle Industries site in Midwest City added to EPA priorities list

By: Justin Wingerter, 1/9/18

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental

AMERICAN OVERSIGHT

Protection Agency's national priorities list for Superfund site.

The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

"Groundwater resources at the site and the surrounding area are threatened by the contamination," the EPA wrote in a memo Tuesday. "(Trichloroethylene) has been found in off-site private drinking water wells. The site is an area of recharge for the Central Oklahoma aquifer system, which is a major source of groundwater in Central Oklahoma."

Contamination at Eagle Industries was first discovered in 2003. The company, which had dumped contaminants in violation of state law, closed in 2010 without paying a fine.

The EPA announced in early August it would consider adding Eagle to its national priorities list at the request of Gov. Mary Fallin. Several months of public comment followed, leading to Tuesday's announcement.

“Once again, Administrator (Scott) Pruitt is making it clear that he's focused on protecting the environment by partnering with states to clean up contaminated sites in local communities," said U.S. Sen. Jim Inhofe, R-Tulsa.

"By adding the Eagle Industries site in Oklahoma City to the National Priorities List, it will give the site increased attention for long-term clean-up efforts and focus on revitalizing the area for development and economic activity," he added.

The adverse public health ramifications of Eagle's illegal actions have not dissipated. Trichloroethylene, or TCE, has been found within nearby residential water wells. State investigators distributed a fact sheet to residents that stated TCE “may cause nervous system effects, liver and lung damage, abnormal heartbeat, coma and possibly death.”

“It is clear that the TCE is migrating, with the likelihood of affecting approximately 30 additional residences and businesses,” stated an internal DEQ memo obtained by The Oklahoman in an open records request. “Eagle Industries lies in Midwest City. The plume of pollution is flowing into Oklahoma City.”

On Tuesday, the EPA wrote, "There are currently no readily available alternative drinking water sources for the 18 family homes south of Eagle Industries."

“Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country,” Pruitt said in a statement.

EPA cleanup efforts could eventually extend to a second Eagle site, where the company operated for decades, beginning in 1957. Since an investigation by The Oklahoman found Eagle employees may have also dumped trichloroethylene at the site, 8828 SE 29th St., state investigators and Midwest City have agreed to test the soil and groundwater there. The property is owned by Midwest City.

Rita Kottke, an environmental programs director at DEQ, told Midwest City council members last month that EPA headquarters in Washington had shown an interest in the 8828 site. The EPA contacted DEQ and pushed them to conduct environmental testing, the first step in the Superfund process, according to Kottke.

When soil and groundwater tests are complete in the coming months, several outcomes are possible. The tests could find no cause for concern, allowing Midwest City to develop the 8828 site and attract a grocery store or other retail opportunity. The tests could find minor contamination curative with soil extraction and other actions. Or the tests could find dire contamination requiring massive EPA action.

AMERICAN OVERSIGHT

Miami News Record
http://www.miamiok.com/news/20180109/tar-creek-superfund-site-makes-pruitts-priority-list

Tar Creek Superfund Site Makes Pruitt's Priority List

By: Melinda Stotts, 1/9/18

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

MIAMI – The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list.

The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list.

The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

The listed sites require timely resolution of specific issues to expedite cleanup and redevelopment efforts, according to the EPA's press release, and the list is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

According to the EPA, Pruitt will receive regular updates on the listed sites, but the EPA remains dedicated to addressing the risks of all Superfund sites.

There are currently more than 1,300 Superfund sites on EPA's National Priorities List at various stages in the cleanup process

The Task Force recommendations are aimed at expediting cleanup at all sites and Pruitt has set the expectation of a renewed focus on accelerating work and progress.

The list released on Dec. 8 includes the following U.S. Superfund Sites Mohawk Tannery in Nashua, New Hampshire, Centredale Manor Restoration Project in North Providence in Rhode Island, American Cyanamid Co. in Bound Brook, New Jersey, Diamond Alkali Co. (aka Upper Lower Passaic) Newark, New Jersey, Ventron/Velsicol (aka Berry's Creek) in Wood Ridge Borough, New Jersey, L.A. Clarke & Son in Spotsylvania, Virginia, B.F. Goodrich in Calvert City, Kentucky, Mississippi Phosphates Corporation in Pascagoula, Mississippi, U.S. Smelter and Lead Refinery Inc. (aka USS Lead or East Chicago) in East Chicago, Indiana, Allied Paper Inc./Portage Creek/Kalamazoo River in Kalamazoo, Michigan, Tar Creek (Ottawa County) in Ottawa County, Oklahoma, San Jacinto Waste Pits in Channelview, Texas, Des Moines TCE (aka Dico Company) in Des Moines, Iowa, West Lake Landfill in Bridgeton, Missouri, Bonita Peak Mining District in San Juan County, Colorado, Anaconda Co. Smelter in Anaconda, Montana, Silver Bow Creek/Butte Area I Butte, Montana, Orange County North Basin in Fullerton, California, Anaconda Copper Mine in Lyon County, Nevada, Portland Harbor in Portland, Oregon and Quendall Terminal in Renton, Washington.

All 21 sites have been designated the nation's Superfund sites for years, some for decades. Tar Creek was first officially designated a Superfund in 1983.

Millions and millions, well over $300 million, of federal funding has been expended for cleanup and buyout of the Tar Creek Superfund Site which continues today and is expected to continue for more decades to come.

Pruitt is a former Oklahoma state senator and served the state as attorney general before his nomination by President Trump to the EPA and confirmation to the post in February of 2017.

AMERICAN OVERSIGHT

During his time serving as Oklahoma's attorney general Pruitt refused to release the state audit conducted regarding the Lead-Impacted Communities Relocation Trust (LICRAT), a Public Trust and Agency of the State of Oklahoma buyout of the Tar Creek Superfund Site despite the objection of other state officials.

A non-profit Washington, DC watchdog group, Campaign for Accountability (CfA) filed a lawsuit in the District Court of Oklahoma in November of 2017 against Oklahoma Attorney General Mike Hunter and Oklahoma State Auditor and Inspector Gary Jones for failing to release copies of audits and documents related to corruption allegations associated with the management of the Tar Creek Reclamation site in the state, according to their press release.

"While he was serving as the Attorney General of Oklahoma, EPA Administrator Scott Pruitt declined to bring criminal charges in response to an audit that found evidence of criminal wrongdoing at the Tar Creek Reclamation site," said CfA Executive Director Daniel E. Stevens in a press release issued by Nov. 27, 2017, by CfA. "Why did he refuse to bring charges? We don't know because the Oklahoma Attorney General's office has repeatedly refused to release documents related to this audit."

Pruitt claimed if released the information in the audit might unfairly embarrass private civilians.

Times Free Press

http://www.timesfreepress.com/news/breakingnews/story/2018/jan/09/local-site-proposed/460875/

Local site proposed for list of country's most toxic places

By: Mark Pace, 1/9/18

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places.

The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

"The priority for proposing the Site is protecting children by identifying and cleaning up lead-contaminated soil at residential properties and other areas where children may be present," according to a release from the EPA.

The site site located where waste material was used in past decades as fill or top soil in Alton Park, Cowart Place, Jefferson Heights, Richmond and the Southside Gardens areas in the southwestern portion of Chattanooga.

Lead levels at the site were detected above health-based benchmarks. The EPA will work with other groups and agencies to clean the site and replace it with clean soil.

Sites are added to the National Priorities List when contaminants are considered threats to human health and the environment.

The move is another step in EPA Administrator Scott Pruitt's goal to identify and the clean toxic sites. The announcement comes on the heels of a targeted campaign for "immediate and intense attention" to clean and restore 21 sites in the U.S.

US News

AMERICAN OVERSIGHT

https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water

Michigan sets standard for chemical contaminant in water

By: David Eggert, AP, 1/9/18

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion. That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted $23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

Newark Post

http://www.newarkpostonline.com/news/epa-adds-contaminated-newark-site-to-superfund-list/article_bd185770-1678-57de-91c0-40f653ecd7af.html

AMERICAN OVERSIGHT

EPA adds contaminated Newark site to Superfund list
By: Josh Shannon, 1/9/18

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program.

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," EPA Administrator Scott Pruitt said in a prepared statement.

The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

City and state officials first asked for federal help investigating the cause of groundwater pollution in 2016.

The issue involves the area surrounding the city's South Well Field, located on a narrow property off South Chapel Street, between Brookside and Scottfield. Water from the South Well Field feeds the southern part of the city, roughly as far north as Kells Avenue. The northern part of the city gets its water from White Clay Creek and the Newark Reservoir.

Nearly 20 years ago, city officials noticed volatile organic compounds (VOCs) – including chemicals commonly found in dry cleaning solvents and other industrial solvents and degreasers – seeping into the water and installed a treatment system in 2003. The chemicals are toxic but are easily removed in treatment, according to Tom Coleman, acting city manager for the city of Newark.

"It's been in place since 2003, and we don't have any problem treating it," Coleman explained in 2016. "It's just an expense."

Coleman emphasized that treatment eliminates the VOCs from the water.

"Our water is safe, has been safe and will continue to be safe," he said.

The Delaware Department of Natural Resources and Environmental Control has been studying the cause of the pollution but has been unable to pinpoint the source.

The contamination is believed to be in two groundwater plumes. One is beneath Pencader Plaza, the Blue Hen Industrial Park and homes around Scottfield Drive. The second is beneath a portion of the Diamond State Industrial Park along Bellevue Road.

Officials believe the VOCs may have come from industrial chemicals used or spilled in the industrial parks.

A year ago, the EPA conducted preliminary tests at monitoring wells in Brookside and Scottfield, as well as in the commercial areas along South Chapel Street. The agency was testing for "vapor intrusion," which is the migration of VOCs from contaminated groundwater into nearby buildings through openings in the building foundation.

The study found the concentration of VOCs does not present a vapor intrusion concern to nearby residents and businesses.

Los Angeles Times
http://www.latimes.com/local/lanow/la-me-ln-rainfall-mudflow-20180109-story.html

AMERICAN OVERSIGHT

At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California
By: James Queally, Joseph Serna, Michael Livingston and Ruben Vines, 1/9/18

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims.

The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

At least 25 other people were injured, authorities said at an afternoon press conference. Crews rescued 50 people by air and dozens more from the ground.

"It's going to be worse than anyone imagined for our area," Eliason said in a phone interview Tuesday. "Following our fire, this is the worst-case scenario."

The deaths came after a heavy band of rain struck around 2:30 a.m., causing "waist-high" mudflows, Eliason said.

Late Tuesday, about 300 people remained stuck in their homes in Montecito's Romero Canyon neighborhood after impassable roads halted rescue operations, officials said.

First-responders plan to launch aerial rescues at daybreak for those residents, all of whom are safe.

"So far there isn't a concern about anybody being in any potential danger in that area," said Rosie Narez, a spokeswoman for the multi-agency storm response. "There's no way in or out, so I mean, at some point … you're going to run out of stuff, so you're going to need help."

Authorities said the residents are in a mandatory evacuation zone.

The mudslide struck a section of the city that is south of the Thomas fire's burn area and was not subject to a mandatory evacuation, Eliason said. Rescue personnel have yet to even make it north of Highway 192, which is closer to soil scorched by last month's wildfire. Burned areas are less capable of absorbing water, making them even more susceptible to flooding and mudslides.

Officials had no estimate on how many people could be trapped or how many homes were damaged. The search for survivors was still underway Tuesday afternoon, with many places inaccessible.

Stationed in Hawaii for the Navy, Tyler McManigal, 28, was notified Tuesday that his father and brother were swept away by flooding in Montecito.

In a phone interview, he said he knew very little else about what happened.

McManigal said when the flash flood and mud flow began, his 64-year-old father, John, woke up and rushed over to wake up his brother, Connor, 23. The pair were unable to make it out of their home in the 300 block of Hot Springs Road, just north of Olive Mill Road.

The torrent of brown liquid mixed with branches, rocks, boulders and other debris carried away the family home — along with McManigal's brother and father.

AMERICAN OVERSIGHT

"They found my brother probably three-quarters of a mile away, south of where the house is, on the 101 Freeway," he said, adding that Connor was taken to a local hospital.

"My brother is OK," he said.

But his father, who has six children, is yet to be found, said McManigal, who is trying to get back home.

The founder of St. Augustine Academy in Ventura was among those killed early Tuesday when a powerful mudslide swept him and his wife from their Montecito home.

Roy Rohter was identified by officials at Thomas Aquinas College, from which his daughter graduated in 2000. His wife, Theresa, was rescued and is in stable condition, officials said.

Friends remembered Rohter as an energetic leader and generous benefactor of the college.

“Roy Rohter was a man of strong faith and a great friend of Catholic education,” Michael F. McLean, president of the college, said in a statement posted on the school’s website. “He played a pivotal role in the lives of countless young Catholic students — students who came to a deeper knowledge and love of Christ because of his vision, commitment and generosity.”

Michael Van Hecke, headmaster of St. Augustine, said in a statement that Rohter “has done so much for so many people and pro-life and Catholic education causes. ... Thousands have been blessed by the Rohters’ friendship and generosity.”

Emergency crews spent the first hours of light making rescues in voluntary evacuation zones near Montecito Creek north of U.S. 101.

In the 300 block of Hot Springs Road, crews rescued six people and a dog after four homes were destroyed. The mud lifted one home off of its foundation and carried it into trees, where it then collapsed, Eliason said. Firefighters used the jaws of life to cut their way into the home where a firefighter heard muffled cries for help from a 14-year-old girl, Eliason said.

A rescue dog pinpointed the girl’s location and two hours later, the mud-covered girl was pulled free. A second 14-year-old girl was also rescued from the same neighborhood and carried from ankle-high mud in a basket by half a dozen firefighters.

The U.S. Coast Guard also sent rescue helicopters into the area Tuesday morning, hoisting several people from collapsed homes or rooftops that stood above swirling mud and water. Rescue personnel were also able to save a young boy who was swept more than half a mile south from his house after the building was lifted from its foundation in Montecito, authorities said.

The boy was found alive under a U.S. 101 overpass, authorities said. But his father remains unaccounted for.

On Hot Springs Road on Tuesday afternoon, a dozen sheriff’s deputies carried a body on a gurney from a collapsed house as muddy water raced down the street. The deputies surrounded the body in silence for several moments before placing it gently into an emergency vehicle.

According to the National Weather Service in Los Angeles, the highest preliminary rainfall total appeared to register at roughly 5 inches in a gauge north of Ojai in Ventura County, in the burn area of the Thomas fire, which forced evacuations and destroyed homes last month. With heavy showers still forecast, flash flood warnings remained in effect for Santa Barbara County and southern Ventura County through Tuesday afternoon, according to the National Weather Service.

AMERICAN OVERSIGHT

The 101 Freeway was shut down in both directions for more than 30 miles in the Thomas fire burn area because of flooding and debris flow, spanning an area from Santa Barbara to Ventura, according to the California Highway Patrol. Sections of routes 33 and 150 were also closed in Ventura County, according to the Sheriff's Department. There was no estimate for when the roadways might reopen, a California Department of Transportation spokesman said Tuesday afternoon.

In Los Angeles, one person was killed when a big rig overturned in the northbound lanes of the 5 Freeway near Los Feliz, said Saul Gomez, public information officer for the California Highway Patrol's Southern Division. All northbound lanes were closed as of 4 a.m., though Gomez said police were hoping to reopen the roadway by 8 a.m.

The victim, who was not identified, was approximately 60 years old, Gomez said. No one else was injured. While the accident happened as rain fell across Los Angeles County, Gomez said he could not confirm the crash was storm-related.

The fatal crash was one of hundreds that occurred during the downpour. Between 5 and 9 a.m. Tuesday, there were 275 traffic collisions reported on Los Angeles-area freeways, the California Highway Patrol said. There were only 30 during the same time period a week ago.

Santa Barbara County officials evacuated nearly 7,000 residents from foothill communities shortly before the heaviest surge hit the area, according to Sheriff's Office spokeswoman Kelly Hoover.

About 3 a.m., she said, the storm became ferocious.

"We just had a deluge, a power surge of rain. And we had a report of a structure fire burning in the Montecito area, the San Ysidro area. And it just kept going downhill from there," she said. "We have people stuck in their homes, stuck in their cars. There's downed power lines, flooded roadways, debris."

Hoover said the shutdown of the 101 Freeway was heavily hindering rescue efforts.

"There's no way to get from Ventura here, no way for us to get south," Hoover said. "We're encouraging people to stay off the roads if they're in an evacuation area."

By 8:30 a.m., the county's dispatch center had at least 50 calls pending, she said.

Santa Barbara County officials put a boil water notice in effect for the entire Montecito Water District on Tuesday afternoon.

In Los Angeles County, there was "mudslide activity" on Country Club Drive in Burbank, where police ordered evacuations of all homes east of Via Montana on Tuesday morning. The Police Department released footage of water surging across a roadway and urged people not to attempt to drive over it. Some vehicles were picked up and moved by the surge, and a few homes suffered minor damage, but no one had been injured as of 1 p.m., according to Sgt. Derek Green, a Burbank police spokesman.

The torrent of mud and debris sheared at least three fire hydrants, pumping another 130,000 gallons of water onto the debris flow, said Bill Mace, an assistant general manager of water systems for Burbank Water and Power. The department was able to cut off the pressure to each hydrant, but 14 homeowners will be without water for at least two days, Mace said.

Country Club Drive residents Allie Vonnacher, 17, and her mom, Heidi Donato-Fennell, 42, said they awoke to the site of several cars flowing down the street, along with power lines, trees and mailboxes.

AMERICAN OVERSIGHT

"It's just surreal how powerful nature is," Donato-Fennell said. "You just hope it stays contained in the street and it doesn't become life-threatening."

Surges also washed out Topanga Canyon Boulevard north of Pacific Coast Highway, and sections of the 110 Freeway were closed because of flooding. The Los Angeles Fire Department had to launch a swift-water rescue to aid a man and a dog trapped in rising water near the Sepulveda Basin Recreation Area, and a Los Angeles police cruiser became mired in a debris flow on La Tuna Canyon Road, according to authorities. The officer was uninjured and walked out of the vehicle. The cruiser was in the process of being dug out of the mud with a backhoe early Tuesday.

International travelers arriving at Los Angeles International Airport also had to be diverted from Terminal 2 on Tuesday morning, after the customs area became flooded, the airport said on Twitter.

The CHP also said heavy rains likely contributed to a crash that left one person dead on Highway 126 in Ventura County, about two miles from the Los Angeles County line, on Monday afternoon. One woman died and two others were injured in the five-car crash, the agency said.

The National Weather Service was reporting rainfall totals of up to 5 inches in Ventura County and 3.3 inches in Santa Barbara County as of 11 a.m. Nearly 1½ inches of rain had fallen in Bel-Air, which could be susceptible to mudslides and debris flow because of damage caused by the Skirball fire last month.

The storm spared some areas that were affected by last month's blazes. Early Tuesday afternoon, evacuation orders for neighborhoods in the burn areas of the Creek and Fish fires were lifted, according to the Los Angeles County Sheriff's Department.

"I woke up ready this morning to laugh and scoff at all the gloom-and-doom predictions," said Dominic Shiach, 50. "It's actually way worse than I thought it was going to be."

Shiach wore a Navy raincoat as he walked Archie, his 3-year-old West Highland terrier, down Sycamore Canyon Road on Tuesday morning.

Amber Anderson with the Santa Barbara Incident Management Team said there were about 75 people who called for evacuation help.

Marc Phillips realized he should have listened to emergency officials as he trudged down East Valley Road in mud-soaked jeans.

"They were right," he said, pointing to a place where residences had been knocked from their foundations. "It looks like there was never a house there, but it was."

Fox News

http://www.foxnews.com/politics/2018/01/09/us-oks-selling-japan-missiles-to-shoot-down-north-korean-missiles.html

US Oks selling Japan missiles to shoot down North Korean missiles

By: Frank Miles, 1/9/18

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles.

The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

AMERICAN OVERSIGHT

A State Department official told Fox News that, "Also included are four Mk 29 missile canisters, and other technical, engineering and logistics support services."

The department said the sale would support the U.S. defense industry and underscore Trump's commitment to improve the defense of allies threatened by North Korea.

The system was jointly developed by Japan and the U.S.

The missiles could be used at sea with Japan's current Aegis-equipped destroyers and with the land-based Aegis system its Cabinet approved for purchase last month.

That's intended to bolster Japan's current missile defense and perhaps curry favor with President Donald Trump who is eager for U.S. allies to buy more American military hardware.

"If concluded, this proposed sale will contribute to the foreign policy and national security interests of the United States," the State Department official told Fox News. "It will bolster the security of a major treaty ally that has been, and continues to be, a force for political stability and economic progress in the Asia-Pacific region. It will also improve (Japan Maritime Self-Defense Force's) interoperability with U.S. missile defense systems, and increase the protection for U.S. installations in the region."

Fox News previously reported that North Korea's weapons "are only aimed" at America and its territories, a regime official menacingly revealed during Tuesday's joint talks with South Korea — doubling down on Kim Jong Un's frequent threats to destroy the United States.

CNBC

https://www.cnbc.com/2018/01/10/china-is-reportedly-thinking-of-halting-us-treasury-purchases.html

China is reportedly thinking of halting US Treasury purchase and that's worrying markets right now

By: Fred Imbert, 1/10/18

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report.

Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

The report also notes that Chinese officials think U.S. debt is becoming less attractive compared to other assets, adding that trade tensions between the two countries could provide a reason to slow down or halt the purchases.
The news is worrying markets.

Treasury prices fell, boosting yields. The U.S. dollar also fell vs. most currencies and gold increased.
Dow futures were down more than 110 points.

A taper in Chinese purchases would come as the Federal Reserve unwinds the massive balance sheet it amassed following the financial crisis. The Fed is also expected to raise rates three times this year. In 2017, the central bank also hiked rates three times.

The U.S. 10-year yield rose to 2.59 percent on Wednesday, hitting levels not seen since last March. The dollar also fell against a basket of major currencies, trading down 0.6 percent at 91.96.

Click here for the full report.

AMERICAN OVERSIGHT

Wall Street Journal

https://www.wsj.com/articles/amid-signs-of-a-thaw-in-north-korea-tensions-bubble-up-1515427541

Amid signs of a thaw in North Korea, Tensions bubble up

By: Gerald Seib, 1/9/18

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating.

In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

But as just one sign of how fraught the situation remains, simply consider this: U.S. officials are quietly debating whether it's possible to mount a limited military strike against North Korean sites without igniting an all-out war on the Korean Peninsula.

Senior officials from South and North Korea held their first formal face-to-face talks in two years on Tuesday, discussing Pyongyang's possible participation in the Winter Olympics and other issues in hopes of cooling tensions.

The idea is known as the "bloody nose" strategy: React to some nuclear or missile test with a targeted strike against a North Korean facility to bloody Pyongyang's nose and illustrate the high price the regime could pay for its behavior. The hope would be to make that point without inciting a full-bore reprisal by North Korea.

It's an enormously risky idea, and there is a debate among Trump administration officials about whether it is feasible. North Koreans have a vast array of artillery tubes pointed across the demilitarized zone at Seoul, the capital of South Korea, with which they could inflict thousands of casualties within minutes if they choose to unleash an all-out barrage.

Now, that danger is coupled with the risk that the North Koreans could attempt to use a nuclear weapon if they choose to escalate in retaliation against even a single strike.

Such a debate reflects how tense the situation remains, even though North Korea has scaled back the pace of its provocative actions in recent weeks and opened the door to diplomacy.

Tuesday's talks marked the first high-level dialogue between the Koreas in two years. After almost a year of regular provocations from North Korean leader Kim Jong Un, they are the first real sign that a diplomatic track is possible to begin de-escalating tensions over his nuclear and missile programs.

The U.S. and South Korea agreed on Thursday to delay their planned joint military exercises. The South Koreans are hosting the Olympics in February and want a period of calm and peace on the Korean Peninsula during that period. WSJ's Gerald F. Seib explains the short-term and long-term consequences of the delay.

A key question is whether the conversation can expand beyond the Olympics to include other topics Seoul wants to discuss, notably reunification of Korean families split between North and South, and a general lowering of hostility.

Even if that happens, though, the diplomatic move needed to really start dialing back tensions would be conversations between North Korea and the U.S. That possibility seems stuck in a long-distance dance between Pyongyang and Washington, with each side making opening bids the other finds unacceptable.

North Korea wants the U.S. to forswear joint military activities with South Korea in advance of talks, while the U.S. insists

AMERICAN OVERSIGHT

the goal of talks should be to eliminate North Korea's nuclear arsenal, not merely contain it. Each side finds the other's conditions unacceptable.

Indeed, diplomats suspect North Korea's engagement with South Korea is an attempt to drive a wedge between Seoul and its American allies, thereby reducing the possibility the U.S. could take any kind of military action against Pyongyang.
Efforts are under way to broaden the diplomatic opening beyond Tuesday's intra-Korean conversation. Jonathan Powell, a former chief of staff to British Prime Minister Tony Blair, has offered to help try to get broader conversations going, three people in the diplomatic community said.

And Jeffrey Feltman, an American diplomat now serving as U.N. under secretary-general for political affairs, recently traveled to North Korea to explore diplomatic possibilities. But Mr. Feltman returned alarmed at what he found in Pyongyang, where he sensed little interest in either talks with the U.S. or moving off the North's current nuclear track, say those who have talked with him.

Within the Trump administration, officials say, Secretary of State Rex Tillerson and Defense Secretary Jim Mattis remain focused on trying to get a broader diplomatic effort under way to rein in the North Korean nuclear program. National security adviser H.R. McMaster is arguing more vocally, publicly and privately, that military options need to be considered.

The wild card, as in all things in the Trump administration, is President Donald Trump himself. He signaled his own interest in a diplomatic track in the past. But he has also seemed to disavow Mr. Tillerson's overtures on negotiations. And his recent tweet—asserting he has a "bigger" nuclear button than does Mr. Kim—is, in the words of one experienced diplomat, the equivalent of "waving a red flag before a bull."

The U.S. hasn't done the kind of logistical preparations needed for a full-blown conflict on the Korean Peninsula. Still, as the talk of a "bloody nose" option suggests, that doesn't mean one can't happen.

Thanks to the Olympics and the intra-Korean diplomatic opening, the next few months figure to be relatively calm. But depending on whether the diplomatic opening widens or not, mid-2018 could be a time of reckoning.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Samuel DeMarco III
Sent: Thur 12/14/2017 3:19:03 AM
Subject: Fwd: A New Chapter Begins in the Long Running PWSA Saga

Good evening Tate,
I wanted to forward this email from a local think tank for some additional background on the Pittsburgh Water and Sewer Authority. Please forward to the appropriate folks dealing with this.

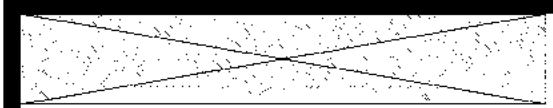
P.S. Have a Merry Christmas!

Thank you,

Councilman Sam DeMarco
(412) 370-1737

Begin forwarded message:

From: allegheny institute for public policy <allegheny_institute_for_public_p@mail.vresp.com>
Subject: A New Chapter Begins in the Long Running PWSA Saga
Date: December 13, 2017 at 9:12:26 AM EST
To: council@alleghenycounty.us
Reply-To: allegheny institute for public policy <reply-cf9667db1c-acad8b3768-7793@u.cts.vresp.com>



A New Chapter Begins in the Long Running PWSA Saga

(December 13, 2017)--Summary: The year 2017 has not been kind, to say the least, to the Pittsburgh Water and Sewer Authority (PWSA). As *Policy Brief Vol. 17, No. 14*, described earlier this year, the PWSA's very old infrastructure has been continually springing leaks that have cost millions of dollars to repair. The mayor proposed leasing the beleaguered authority to a private operator. But given the very high level of debt and the daunting problem of replacing the many miles of water and sewer lines at a cost of several billions of dollars, finding a firm that will enter into a lease agreement on the mayor's terms is not likely to happen. A state auditor general's (AG) report claims that half of all the water treated is lost before it reaches customers.

AMERICAN OVERSIGHT

PWSA's very serious problems caught the eye of the state Legislature which introduced a bill (HB 1490) back in June to place the authority under regulation by the state Public Utility Commission (PUC). After the House passed the bill and sent it to the Senate, HB 1490 was not acted on again for several months. It received legislative approval and was signed into law in late November.

The legislation does two essential things: First, it holds the PWSA accountable for putting together a compliance plan to bring its procedures such as accounting, billing and technology in line with the requirements applicable to other PUC-governed water and wastewater utilities. The authority needs to improve its asset management capabilities so it will know what assets need repair and be able to prioritize those repairs.

Second, it requires the PWSA to create a long-range plan to improve its infrastructure. This plan must include a general description of items needing repair, where they are located and an initial schedule of the planned repairs or replacements. The PWSA will also be required to project annual expenditures to implement the plan and will be allowed to raise rates to pay for the repairs/replacements. The authority will be allowed to update the charge quarterly as appropriate while keeping customers informed about any rate increases. In addition, the PUC will require the authority to submit an annual plan detailing what has been improved or replaced as well as a description of the work to be done in the coming year. This requirement is designed to ensure that the PWSA follows through on the urgent need to replace the outdated and fragile infrastructure.

The legislation gives the authority six months (until May 20, 2018) to present its compliance plan.

In addition to legislative action on the PWSA this year, the AG conducted an audit of the authority (the city controller had performed an audit earlier in the year). The AG audit focused on the leadership of the PWSA and its ties to city government but also provided a useful history of the authority.

A succinct recap of that history follows: The PWSA was established in 1984 under the Municipal Authorities Act of 1945 but was not granted a fully independent status. Indeed, its primary function was to oversee a $200 million capital improvement program to refurbish the entire system. The city would bill the PWSA for any back-office services the authority used and employees remained on the city payroll. In 1995, the PWSA and city replaced the 1984 arrangement by entering into a new agreement in which the authority would lease the system from the city for an upfront payment of $101.4 million to cover the 30 year lease. At the end of the lease, the authority could purchase the system for $1.

AMERICAN OVERSIGHT

However, the 1995 agreement also included a 40-year co-op arrangement in which the city would also provide for a fee the same services agreed to in 1984—telephone and data, vehicle fuel and repair, legal aid, computer services, payroll service and administration of benefit programs. A major change was to move PWSA employees off the city's payroll.

In addition, the PWSA would provide the city with 600 million gallons of water per year at no charge (estimated to be worth $6 million and $6.84 million at 2016 and 2017 rates, respectively). The city would also charge the authority for direct and overhead expenses for any services required (estimated to be worth a total of $7.15 million from 2012 to 2016). Furthermore, the PWSA is required to make equalization payments to city residents not served by the authority and have to get their water from another provider if its water costs more than PWSA water. Over the three years ending in 2016, this requirement cost PWSA an estimated $4.8 million.

Both the 1984 and 1995 agreements placed conditions on the PWSA that doomed it to financial hardship—while providing a bailout for a city that couldn't put its fiscal house in order. The AG quoted a former mayor who claimed that from 1984 to 1995 the PWSA was used to help balance the city's budgets. Revenues were diverted to uses not related to the PWSA system limiting the authority's ability to invest in infrastructure upgrades.

A primary aim of the 1995 agreement was to spin off the PWSA to "focus on rebuilding the system and not use it as a financial tool of the city." The AG's report notes that the city used the $101.4 million payment—which the PWSA had to borrow—to improve its own financial situation. According to the audit, "the City retained ownership of the system, yet pawned the financial and operation responsibilities of the neglected system off on the PWSA."

The AG believes the "City has over-extended authority regarding the PWSA." Based on the original governing documents (1984 and 1995 leases), the city never intended the PWSA to be a truly independent organization. That starts with the makeup of the board of directors. One seat belongs to city council, two belong to the city finance director and treasurer and the remaining four are appointed by the mayor. The board appoints an executive director. Little wonder the authority agreed to lopsided agreements with the city.

Additionally, to the detriment of the PWSA, the 1995 lease agreement states that the PWSA is to keep the system in "as good condition as it is in on the date hereof, ordinary wear and tear excepted… while also putting all the financial burden on the authority." The new 1995 agreement stipulates that "the City shall not be liable for any [PWSA] debt payments." This holds the PWSA responsible for the system and absolves the city of any responsibility

AMERICAN OVERSIGHT

even though it still owns the system's assets. City ownership of the assets and the co-op agreement have limited the steps PWSA could take to accelerate needed improvements. This arrangement designed to benefit the city while hamstringing the PWSA is not remotely akin to good governance.

As mentioned above the AG audit reports that the city receives free water worth close to $7 million, the value of the 600 million gallons allowed under the 1995 agreement. What is not known is how much water the city *actually* uses because the water it uses is not metered. The city does not have a list of all properties that receive free water. However, as the audit explains the known free water users include, "its departments, agencies and instrumentalities (i.e., Pittsburgh Zoo, Phipps Conservatory, National Aviary, and Schenley Golf Course)." Although in a footnote it is explained that the golf course was metered in 2012 and has been paying bills, but for prior years was not.

The PWSA has severely under-invested in its infrastructure in large part due to the heavy debt load incurred over the past 30 years. The audit notes the debt levels (debt, bond and loan debt minus swap debt) increased from $300 million in 1995 to $680 million in 2012 to $750 million at the end of 2016.

High debt levels at the PWSA have critically hampered the authority's ability to make adequate investments in its infrastructure. For the years 2012-2016, the period of the audit, the PWSA's average annual capital investment was $31.4 million, ranging from $21.4 million in 2013 to $47.2 million in 2015. The recommended annual capital investment during this time, as noted by a PWSA official, was $200 million. Obviously the actual investment fell well short of what was needed.

Misuse of the PWSA as a source of funding for the city resulted in inadequate expenditures on the crumbling infrastructure. This ill-advised policy has caught up to the authority (and the city) in a big way and it will cost several billions of dollars to fix the problems now staring them in the face.

So where does the PWSA go from here?

Provisions of HB 1490 require the authority to start working on a plan to begin addressing the dreadful condition of its delivery infrastructure. Presumably, the PWSA board is taking the six- month deadline seriously. Moreover, the board and the city should also take the AG's audit to heart and begin to develop a more arms-length relationship wherein the PWSA has greater independence and less influence from city government officials. Perhaps the PUC can help with that effort. While the authority will remain an autonomous entity, its board will be accountable to the PUC and ultimately the Legislature which will undoubtedly be keeping a close watch.

AMERICAN OVERSIGHT

Of utmost importance is to keep the PWSA's critical problem of repairing and/or replacing its very old equipment at the forefront of management thinking. And that project will be very costly—recent estimates place the cost at $5 billion. Unfortunately, with its current debt and revenue levels, the authority will find it difficult to borrow the enormous amount of funding necessary to carry out a long term repair and replace program. Thus, as our earlier *Policy Br*iefs pointed out, customers will be forced to bear the cost of borrowing the funds for the project in the form of substantially higher rates. Note that rate hikes must be approved by the PUC and those increases must conform to the long-term plan.

And what can the city do to help fix the mess it has allowed to develop? While the co-op agreement frees the city from any PWSA debt responsibility, nonetheless the city should take steps to help. First of all it needs to meter all city properties and begin paying for water like any other user. Secondly, city officials should pledge to support the PWSA as it develops a long-term plan as required by law and avoid carping when rate hikes become necessary. Indeed, city officials should help prepare residents and businesses for the likelihood of substantially higher water and sewer bills to come over the next several years. Dealing with this critical problem cannot be avoided any longer. In short, the city must accept the urgent need for a wholesale system upgrade and fully and willingly cooperate and assist in the process.

Frank Gamrat, Ph.D. Senior Research Associate
Jake Haulk, Ph.D., President

If you wish to support our efforts please consider becoming a donor to the Allegheny Institute.The Allegheny Institute is a 501(c)(3) non-profit organization and all contributions are tax deductible.Please mail your contribution to:

The Allegheny Institute
305 Mt. Lebanon Boulevard
Suite 208
Pittsburgh, PA15234

For more on this topic click here

Link to Allegheny Institute Website

Forward this Brief to a friend

Tel: (412) 440-0079
Fax: (412) 440-0085
Email:

AMERICAN OVERSIGHT

Click to view this email in a browser

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link: Unsubscribe

---

Allegheny Institute for Public Policy
305 Mt. Lebanon Blvd. Ste #208
Pittsburgh, PA 15234
US

Read the VerticalResponse marketing policy.

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, forwarding, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

AMERICAN OVERSIGHT

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]
From: Dantell, Kelsi
Sent: Fri 6/29/2018 12:47:54 PM
Subject: Fwd: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

Got Kelsey to include our meeting!

Sent from my iPhone

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: June 29, 2018 at 2:44:20 AM PDT
To: <daniell.kelsi@epa.gov>
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars
Reply-To: "POLITICO subscriptions" <reply-fe9013757364017d7d-630326_HTML-848943095-1376319-0@politicoemail.com>

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in

AMERICAN OVERSIGHT

terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on

AMERICAN OVERSIGHT

innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another

AMERICAN OVERSIGHT

NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey,

AMERICAN OVERSIGHT

New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

AMERICAN OVERSIGHT

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-

AMERICAN OVERSIGHT

and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a

AMERICAN OVERSIGHT

risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

AMERICAN OVERSIGHT

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

AMERICAN OVERSIGHT

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

AMERICAN OVERSIGHT

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

AMERICAN OVERSIGHT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the

AMERICAN OVERSIGHT

best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any

AMERICAN OVERSIGHT

of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

AMERICAN OVERSIGHT

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

AMERICAN OVERSIGHT

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

AMERICAN OVERSIGHT

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

AMERICAN OVERSIGHT

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection

AMERICAN OVERSIGHT

this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any

AMERICAN OVERSIGHT

timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get

AMERICAN OVERSIGHT

a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to daniell.kelsi@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Kundinger, Kelly[kundinger.kelly@epa.gov]
Cc: Bennett, Tate[Bennett.Tate@epa.gov]
From: Chancellor, Erin
Sent: Mon 6/25/2018 4:34:42 PM
Subject: Re: John Meyer

If y'all need anything, holler!

Erin E. Chancellor

On Jun 25, 2018, at 12:25 PM, Kundinger, Kelly <kundinger.kelly@epa.gov> wrote:

> He is getting into town early to run through the route. He said he can be there at 2:30, therefore, I assume he can come 30 minutes sooner if we ask.
> Please let me know if you'd like me to give him a call.
>
> Sent from my iPhone
>
> On Jun 25, 2018, at 11:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?
> >
> > Sent from my iPad

AMERICAN OVERSIGHT

To: Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Danieli, Kelsi[danieli.kelsi@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]
From: Block, Molly
Sent: Tue 4/17/2018 2:33:30 PM
Subject: EPA News Highlights 4.17.18
EPA News Highlights 4.17.18.docx

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Tulsa World: EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

AMERICAN OVERSIGHT

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources. Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed. "I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole." "It's definitely a step forward," he said Monday.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from

AMERICAN OVERSIGHT

the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal

AMERICAN OVERSIGHT

EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

AMERICAN OVERSIGHT

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed

AMERICAN OVERSIGHT

waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims

AMERICAN OVERSIGHT

to compel companies responsible for the sites to pay the cleanup bills.

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-finalizes-guidelines-to-ebb-illinois-river-tenkiller-lake-pollution/article_f2de85c0-46c8-5dec-99c4-3a84fc710fad.html

EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

By Kelly Bostian, 4/16/18

Long-awaited rules mean Arkansas and Oklahoma agencies will operate off same page

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources.

Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed.

"I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole."

"It's definitely a step forward," he said Monday.

Phosphorous and nitrates from wastewater plants, poultry producers, industry and other sources caused algae to grow in the river and changed the habitat. The pollutants can cause algal blooms that lead to low dissolved oxygen and fish die-offs in the lake. Increased erosion and sedimentation in the river and lake also are issues.

What the EPA approved are working models for the river and the lake that address the long-debated water quality factors, most notably "total maximum daily load" for phosphorus and nitrates. In coming weeks and months, Oklahoma and Arkansas agencies and stakeholders will review the models and discuss implementation and enforcement of those rules.

The Oklahoma Water Resources Board planned to discuss the guidelines in its meeting in Oklahoma City Tuesday morning. Oklahoma Secretary of Energy and Environment Michael Teague met with his cabinet and other state agency leaders Monday.

"What we have now is a template that is concise and clear and user-friendly," said Ed Fite, vice president of water quality for Grand River Dam Authority. "The homework assignment now is for the two states to put together a framework of how it all comes together."

AMERICAN OVERSIGHT

Teague said his office, Arkansas state leaders, agency leaders of both states and Cherokee tribal leaders have worked with the EPA throughout the process.

"The models (for the river and Tenkiller Lake) say, 'here is the tool we're all going to use,' " Teague said. "Now we can look at it and say, 'now if we put this regulation change in place here, then what does that impact throughout the system?' It gives everyone a common platform."

EPA Regional Administrator Anne Edsal urged that continued cooperation.

"Over the years, we have made great progress by working with states, tribes and local agencies in improving conditions throughout the watershed and we look forward to continuing this effort," she said.

After years of disagreement between the states, a Statement of Joint Principles and Action was signed in 2003 in an effort to avoid litigation and further scientific understanding of the situation at hand.

The agreement fell short in the eyes of Oklahomans, who filed suit against poultry producers in a lawsuit that concluded in 2008 but has yet to see a ruling from the presiding judge.

Cooperative efforts increased after the lawsuit and in 2013 the states extended the agreement, enlisted the help of Baylor University as a neutral third party to complete water quality studies, and in 2016 the reports and suggested models were given to the EPA for finalization.

"Now the states and other entities can begin finding agreement on how to achieve Oklahoma Scenic River water quality standards," said Denise Deason-Toyne, president of non-profit Save the Illinois River group. "We are anxious to see the modeling for phosphorous, the primary nutrient that is over fertilizing our scenic rivers and Tenkiller Lake. Sedimentation is also a big problem, which must be addressed."

The Oklahoma-Arkansas Scenic Rivers Joint Phosphorus Study, part of the cooperative effort started in 2003, found that a 0.037 ppm total maximum daily load was appropriate for the river with the help of Baylor University researchers. The guideline is one that Arkansas interests initially thought to be arbitrary and too restrictive.

Teague said his understanding is the new models follow that 0.037 recommendation but he said the states will have to make it official.

Fite said that from his discussions with Arkansas leaders and stakeholders, the guidelines will be welcomed.

"People have been just waiting for the ambiguity to be firmed up and have a number so they can actually plan, design and fund and implement (their plans)," he said.

Teague said collaboration between states, agencies and stakeholders has been a superior process

AMERICAN OVERSIGHT

to legal wrangling of the past.

"Collaboration is how you get everything done," he said. "It's how we addressed earthquakes, it's this same type of thing, and now we have Arkansas and Oklahoma and EPA Region 6 and the Cherokee Nation all working together and improving this watershed."

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the

AMERICAN OVERSIGHT

surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

AMERICAN OVERSIGHT

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

AMERICAN OVERSIGHT

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

AMERICAN OVERSIGHT

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

AMERICAN OVERSIGHT

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are

AMERICAN OVERSIGHT

protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

AMERICAN OVERSIGHT

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

“My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens,” she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

AMERICAN OVERSIGHT

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

AMERICAN OVERSIGHT

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the

AMERICAN OVERSIGHT

campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described

AMERICAN OVERSIGHT

himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't

AMERICAN OVERSIGHT

be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati
U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites
EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Tulsa World: EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution
After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources. Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed. "I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole." "It's definitely a step forward," he said Monday.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List
An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated
William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer
U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling
Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event"

AMERICAN OVERSIGHT

against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'
Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/
EPA Head Scott Pruitt in Cincinnati
By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1
Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites
By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

AMERICAN OVERSIGHT

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg

AMERICAN OVERSIGHT

Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-finalizes-guidelines-to-ebb-illinois-river-tenkiller-lake-pollution/article_f2de85c0-46c8-5dec-99c4-3a84fc710fad.html

EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

By Kelly Bostian, 4/16/18

Long-awaited rules mean Arkansas and Oklahoma agencies will operate off same page

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources.

Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed.

"I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa

AMERICAN OVERSIGHT

World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole."

"It's definitely a step forward," he said Monday.

Phosphorous and nitrates from wastewater plants, poultry producers, industry and other sources caused algae to grow in the river and changed the habitat. The pollutants can cause algal blooms that lead to low dissolved oxygen and fish die-offs in the lake. Increased erosion and sedimentation in the river and lake also are issues.

What the EPA approved are working models for the river and the lake that address the long-debated water quality factors, most notably "total maximum daily load" for phosphorus and nitrates. In coming weeks and months, Oklahoma and Arkansas agencies and stakeholders will review the models and discuss implementation and enforcement of those rules.

The Oklahoma Water Resources Board planned to discuss the guidelines in its meeting in Oklahoma City Tuesday morning. Oklahoma Secretary of Energy and Environment Michael Teague met with his cabinet and other state agency leaders Monday.

"What we have now is a template that is concise and clear and user-friendly," said Ed Fite, vice president of water quality for Grand River Dam Authority. "The homework assignment now is for the two states to put together a framework of how it all comes together."

Teague said his office, Arkansas state leaders, agency leaders of both states and Cherokee tribal leaders have worked with the EPA throughout the process.

"The models (for the river and Tenkiller Lake) say, 'here is the tool we're all going to use,' " Teague said. "Now we can look at it and say, 'now if we put this regulation change in place here, then what does that impact throughout the system?' It gives everyone a common platform."

EPA Regional Administrator Anne Edsal urged that continued cooperation.

"Over the years, we have made great progress by working with states, tribes and local agencies in improving conditions throughout the watershed and we look forward to continuing this effort," she said.

After years of disagreement between the states, a Statement of Joint Principles and Action was signed in 2003 in an effort to avoid litigation and further scientific understanding of the situation at hand.

The agreement fell short in the eyes of Oklahomans, who filed suit against poultry producers in a lawsuit that concluded in 2008 but has yet to see a ruling from the presiding judge.

Cooperative efforts increased after the lawsuit and in 2013 the states extended the agreement, enlisted the help of Baylor University as a neutral third party to complete water quality studies, and in 2016 the reports and suggested models were given to the EPA for finalization.

"Now the states and other entities can begin finding agreement on how to achieve Oklahoma Scenic River water quality standards," said Denise Deason-Toyne, president of non-profit Save the Illinois River group. "We are anxious to see the modeling for phosphorous, the primary nutrient that is over fertilizing our scenic rivers and Tenkiller Lake. Sedimentation is also a big problem, which must be addressed."

The Oklahoma-Arkansas Scenic Rivers Joint Phosphorus Study, part of the cooperative effort started in 2003, found that a 0.037 ppm total maximum daily load was appropriate for the river with the help of Baylor University researchers. The guideline is one that Arkansas interests initially thought to be arbitrary and too restrictive.

AMERICAN OVERSIGHT

Teague said his understanding is the new models follow that 0.037 recommendation but he said the states will have to make it official.

Fite said that from his discussions with Arkansas leaders and stakeholders, the guidelines will be welcomed.

"People have been just waiting for the ambiguity to be firmed up and have a number so they can actually plan, design and fund and implement (their plans)," he said.

Teague said collaboration between states, agencies and stakeholders has been a superior process to legal wrangling of the past.

"Collaboration is how you get everything done," he said. "It's how we addressed earthquakes, it's this same type of thing, and now we have Arkansas and Oklahoma and EPA Region 6 and the Cherokee Nation all working together and improving this watershed."

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the

AMERICAN OVERSIGHT

national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

AMERICAN OVERSIGHT

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted,

AMERICAN OVERSIGHT

according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

AMERICAN OVERSIGHT

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

AMERICAN OVERSIGHT

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

AMERICAN OVERSIGHT

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has

AMERICAN OVERSIGHT

been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't

AMERICAN OVERSIGHT

know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership... I'm going to use my book in the class and I'm

AMERICAN OVERSIGHT

going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking. really nice to see!

1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m

Employment is up. Taxes are DOWN. Enjoy!

625 1.2K 4.6K

AMERICAN OVERSIGHT

Name	City	State
Dana Beasley	Jones	Oklahoma
Tony Smith	Queen Creek	Arizona
David Bucarey	Fairfax	Virginia
Stan Beasley	Jones	Oklahoma
ROSEMARY LANDRY	MEREDITH	New Hampshire
Mark Scirocco	Cape Girardeau	Missouri
Paul Edens	Hensley	Arkansas
Wesley Warnke	Springfield	Nebraska
Neville Storm	Lakeside	Arizona
Bill Nagele	Sheldon	Illinois
Adam Houser	Fairfax	Virginia
RJ Bradner	Bath Township	Ohio
Louis Bushard	Roseville	Minnesota
Pat O\'Neal	Cartersville	Georgia
Burnet Shealey Sr	Honea Path	South Carolina
Jerry Johnson	Butte	Montana
Karen Scaggs	Middleton	Idaho
Louis Fourie	Livermore	California
Walter Fitzpatrick	South Windsor	Connecticut
Mike Woody	Ellisville	Missouri
Robert Cruikshank	Bradenton	Florida
Hugh Bartlett	Rolla	Missouri
K R	Southampton	Pennsylvania
Wanda Wilson	Tallahassee	Florida
Richard Lambert`	Gaithersburg	Maryland
Ng Lai Hah	Singapore	California
Naomi VanHart	Conlkin	New York
William Hertel	Granbury	Texas
John Mowery	Dublin	Ohio
Anthony Pompei	Long Beach	California
Marleen Wiersum	Ocala	Florida
Harry Gompf	Lawrenceburg	Tennessee
Jay Popowicz	Baltimore	Maryland
Lori Rucker	Berryville	Virginia
Thomas Roark Sr.	Mahwah	New Jersey
craig Anderson	Stockton	California
Diane Arnal	St.George	Utah
Julie Anderson	Bellefontaine	Ohio
William Brauer	Jacksonville	Florida
Dean Schaf	Indianapolis	Indiana
Arthur Dehon	Fernandina Beach	Florida
steve wegner wegner	big bend	Wisconsin
Michael Moichanow	The Villages	Florida
John Russell	Newport	North Carolina
Jim Williams		Pennsylvania
Sally Major	Greenville	South Carolina
Bob Brock	Chapel Hill. Brisbane. Australia	Select a state
William Beckham	Fresno	California
Jarrod Simon	Gueydan	Louisiana
Dr. Jochem Hauser	White Plains	New York
Harold Shaffer	Harrington	Delaware
Glenn Hemp	Waynesboro	Virginia

For yea

EPA has
unduly l

EPA has
and has

EPA has
resource

Presider

Adminis

Therefo
and to c
construc

AMERICAN OVERSIGHT

Bert Ruys	Bluffton	South Carolina
gail walton walton	Nashville	Tennessee
michael neibel neibel	Roseville	Michigan
roxie Tyler	Amelia	Ohio
Edward Hicks	Mesa	Arizona
Rudy Moehs	HURLEYVILLE	New York
Mark Vance	Clover	Virginia
George Miller	Tracy City	Tennessee
Cheryl Mulligan	Pahrump	Nevada
Patrick Mulligan	Pahrump	Nevada
Tanq Mayo	Woodstock	Georgia
Kathryn B. Mayo	Woodstock	Georgia
Ronald Countryman	Greenville,	South Carolina
Jeffrey May	Indio	California
Russell Webster	Fleming Island	Florida
Katie Lambert	Yuma	Arizona
Alfred Pfeiffer	Denver	Colorado
William Olds		Select a state
Diana Schommer	Merritt Island	Florida
Susan De Courley	Hallsville	Missouri
Clay Pasternak	Walsenburg	Colorado
Nancy Pasternak	Walsenburg	Colorado
Steve Malinowski	RED MOUNTAIN	California
John Trulio Trulio	Los Angeles	California
Clint Evans	Russell	Kansas
TIMOTHY ODWYER	IRVING	Texas
randy smith	vacaville	California
Richard E. Otto	Badger	Minnesota
Paul Gionet	Liverpool	New York
Gilbert Calhoun	Eagle Rock	California
bruce judelson	tamarac	Florida
Hildegarde Evans	Sacramento	California
David Swan	Warren	Oregon
Gregory Weber	Columbia	South Carolina
Herman and Carole Fisler Fisler	Greencastle	Pennsylvania
Paul Thiele	Lakewood	Colorado
Linda Gurski	Becket	Massachusetts
Rebecca Voytek	Rowland Heights	California
Randy Giles	West Terre Haute	Indiana
Albert Simpson	Longwood	Florida
Rebecca Loporto	Ruidoso, NM	New Mexico
Cheryl Little	Chandler	Arizona
Jack. Hamm	Collbran	Colorado
rick cole	peoria	Arizona
Mary Auer Auer	Rancho Cordova	California
Ken Kleinendorst	Hop Bottom	Pennsylvania
Charles Hall	Chester	Maryland
Marti Deputy	Minden	Nevada
Richard Wickham	STOCKTON	California
Dean Eickman	Seward	Illinois
Valerie Dowden	KOKOMO	Indiana
Debby Stebel	Belchertown	Massachusetts
Alan Cannon	Houston	Texas

AMERICAN OVERSIGHT

Steve Rovensine	Overland Park	Kansas
Neal Brown	San Diego	California
Mitchel Fritschle	Auburn	Washington
Kenny Miller	Madison	Alabama
Liz Prestridge	Magnolia	Texas
Stanley Halecki	South Mills	North Carolina
Jesse Davidson	Dickinson	Texas
Barbara Rogers	Flushing	New York
Sally Jadlowski	Olean	New York
Elizabeth Terrazas	Sacramento	California
Bryan Latham	Clark	New Jersey
alwyne todd	sydney	Select a state
William Kurz	Sanford	Florida
Michael Lastufka	Cedar Hill	Texas
Adele Cunningham	Bartlesville	Oklahoma
Robert Cunningham	Dallas	Texas
Marilyn Stadtmueller	Olathe	Kansas
Robert Allen	Livermore	California
Doug Hoover	Minden	Nevada
Douglas Stewart	Adelaide	California
Margaret Dumas	Montrose	Colorado
james jackson	albright	West Virginia
Mike Heath		Select a state
Karen Spremulli	Bay Village	Ohio
Jess Stark	Houston	Texas
Micki Lynn Zettel	Laguna Hills	California
David Moretz	Belhaven	North Carolina
Norman Holman	Hood River	Oregon
Laura Hilse	Andover	Minnesota
Marian Creel	DAVIDSONVILLE	Maryland
Esther Steege	Mercer Island	Washington
charles gordon	saint johns	Florida
Donald Mueller	New Palestine	Indiana
michael Ferrell	Hyannis	Massachusetts
Mike Ayers Ayers	Myrtle Creek	Oregon
Herman Stanford	Poplarville	Mississippi
john willoughby	villa rica	Georgia
Marvin Earle	Mt arlington	New Jersey
Patti Sexton	Cambridge	Idaho
Jim Stadler	Dayton	Ohio
Eleanor Zimmerlein	LaMoille	Illinois
Sue Marsh	Pittsburgh	Pennsylvania
David Nicklas	Danvers	Massachusetts
steven torres	manvel	Texas
William Moulliet	Harrison	Ohio
Jay Taylor	Pensacola	Florida
Gary Simpronio	Selma	Oregon
cheryl steen	Woodland Park	Select a state
Ronald Russell	UNION	Washington
George Kacek	Chelmsford	Massachusetts
Robert Balsbaugh	Myerstown	Pennsylvania
Robert Flechtner	San Ber\'dino	California
Donald Stoneburner	Lima	Ohio

AMERICAN OVERSIGHT

Owen Henry	Pharr	Texas
Denny Allen	Auburn	California
Bonnie Chandler Chandler	Harvard	Massachusetts
Michael St-Onge	Coeur d\'Alene	Idaho
Robert Resetar Resetar	Tucson	Arizona
Pedro Avila	Miami	Florida
Janis Ulmer	Fallbrook	California
Bonnie Hackett	S Berwick	Maine
Lee Cruickshank	Orange Park	Florida
Brett Wortham	Kimberly	Idaho
Jeremy Jelle	Tucson	Arizona
Linda Mellott	Jeffersonville	Ohio
Ann Lowe	Clarksville	Tennessee
Charlotte Brock Brock	Gallatin	Tennessee
John Akers	Everett	Pennsylvania
Lynne Morand	Monroe	North Carolina
Jean Reed	Ft. Myers	Florida
Nancy Dueppengiesser	Greenville	Texas
Kathy Koznek	Willowick	Ohio
Michael Leitch	Cedar City	Utah
James Ozee	Mattoon	Illinois
Paul Castilleja	Joseph	Oregon
Judi Maus	El Dorado Hills	California
Mark Rochen	ROSENBERG	Texas
Matthew Grigas	Millbury	Massachusetts
William Taylor	Chicago	Illinois
John Ruckman	Yreka	California
Joseph D\'Ambrosia	Frederick	Maryland
William Calderon	Naperville	Illinois
John Sammons	Ocala	Florida
Dennis Nickson	Cameron Park	California
John Anderson	Sparta	Wisconsin
Larry Mattson	Pine Island	Minnesota
Ann Seamon	Cleveland	Ohio
Newell Richardson	Spanish Fork	Utah
Mike Nelsen	Ft myers	Florida
DebraAnn Grimes	Paris	Tennessee
Brian Cates	Las Vegas	Nevada
james durant	minneapolis	Minnesota
Kathy Brewer	Greenville	Illinois
Kimberly Caudill	Williamsburg	Ohio
Theresa Spencer	Sioux Falls	South Dakota
Elaine Balgemann	Mesa	Arizona
sandy abel	roseburg	Oregon
Bill Meznarich	Kalispell	Montana
Laura Christiansen	Palmer	Alaska
Kyle and Julie Barnett	Briscoe	Texas
Heidi Williams	Marysville	Washington
Marjorie McGee	Gardnerville	Nevada
Edwin Smith	Santa Ana	California
Frances McCandless	Kernersville	North Carolina
Stephen Coyle	Lawrenceville	Georgia
John Thompson	Canyon Lake	California

AMERICAN OVERSIGHT

Barbara Denton	Easton	Maryland
Daniel Carroll	East Meadow	New York
Clifton Powell	Denver	Colorado
Dennis Schmit	Bonney Lake	Washington
Ralph Mullinger	Findlay	Ohio
kathleen conley	adairsville	Georgia
Beverly Manning	Waleska	Georgia
Edward Crabbs	Fredericksburg	Virginia
john mleziva	manasass	Virginia
Michael Clark Clark	Quebeck	Tennessee
Daniel sprigg	Whittier	California
Brian Heist	Palmyra	Pennsylvania
Eunice Peterson	Fort Myers	Florida
Connie Livingston	Longwood	Florida
William Burris	Saint Clairsville	Ohio
V Gleeson	Adairsvile	Georgia
Gregorio Solorzano	Loma Linda	California
Brian Dali	Maplewood	Minnesota
Leo Schoepl	Freehold	New Jersey
Janet Carlini	Clarkston	Michigan
Sonya Haler	Silva spring	Select a state
William Coates	Eckert	Colorado
Christine Stephenson	De Leon	Texas
Harold Tucker	Pulaski	Tennessee
Beverly Collins Collins	Bloomsburg	Pennsylvania
Kirk Dennis	Hayden	Idaho
James Ballard	Jensen Beach	Florida
nick cinquino	schaumburg	Illinois
Barbara Taylor	Carrollton	Texas
Teresa Jones	Crestview	Florida
Trudy Stamps	Cordova	Tennessee
Dexter Wilson	Amarillo	Texas
Scott Soroko	Jeannette	Pennsylvania
Howard Bull	Mountain View	California
William Elliott	Pike Road	Alabama
Carla Sodowsky	Arlington	Texas
Mary K. Paddenburg	Lawrenceburg	Indiana
CHARLES SMITH	WOODSTOCK	Illinois
Don Feller	Morton	Illinois
Bill Weiss	Aiken	South Carolina
leland long	saratoga	California
Darrell Rogers	Oskaloosa	Iowa
jeff king	shelbyville	Indiana
Mishael Grabner	Roosevelt	Washington
wynne williama	cottage grove	Wisconsin
Kenny Danner	Tallahassee	Florida
Mcihael Matlock	Gardendale	Alabama
Lucy Clark	Hoisington	Kansas
Jean Johns		Maryland
Peter Pero	Rochester	New York
Ronnie Edelstein	Morgantown	West Virginia
G.L. Meyer	Bristol	Indiana
John Steiger	Nassau Bay	Texas

AMERICAN OVERSIGHT

Stephen Kunkle	Bernville	Pennsylvania
Glen Ingalsbe	Selah	Washington
Dihlon McManne	Ben Avon	Pennsylvania
ronald miller		Select a state
John Shumar	Berkeley Springs	West Virginia
Sandra Smith	Prescott	Arizona
Richard and JoAnn Dreist	Royal Oak	Michigan
Bill Gradoville	Rapid City	South Dakota
James McBurney	Augusta	Georgia
Mary McLemore	Pike Road	Alabama
Garland Rucker	Herington	Kansas
Pamela Bennett	West Monroe	Louisiana
David Thompson	Richmond	Texas
Joe Priday	Marysville	Ohio
Erik Wahlman	Shingletown	California
don jackson	imperial beach	California
Marv Becker	Nevada city	California
Josh Roeder	Amarillo	Texas
Walter Barnes	Albuquerque	New Mexico
Lawrence Whalley	Cary	Illinois
Joanne Mortensen	Lake Elsinore	California
Ann Rave	Wilmington	Delaware
Fred Meabe	Manchester	New Jersey
Leslie Callahan	Tulsa	Oklahoma
John Bauer	San Diego	California
RICHARD VINCENT	HOUSTON	Texas
SHARON SCHECHTER	Locust Valley	New York
James Borgstadt	Mitchell	South Dakota
Lois Barron	Lindsay	Select a state
Richard Sweazy	Greenwood	Indiana
Charled Johnson	PHOENIX	Arizona
Fred Maddalena		Select a state
William Helmer	Ilion	New York
Lester Ensminger	Carson city	Nevada
Rick Minato	Huntington Beach	California
Paul Polansky	New Providence	New Jersey
Philip Effland	Gunnison	Colorado
MARY ORR	RIO RANCHO	New Mexico
GARY ORR	RIO RANCHO	New Mexico
joyce flaherty	frankfort	Illinois
Roger Charles	Benton	Pennsylvania
James BRYANT	MONTGOMERY	Alabama
Brendan Hopkins	Orlando	Florida
Edward Smith	BLACK DIAMOND	Washington
Chad Palmer	Vienna	Virginia
Ray Labahn	Price	Utah
A.F. MONTEALEGRE	MIAMI	Florida
Carol Clymo	Mckinleyville	California
Mark Austin	Centerville	Utah
bud chapel	olympia	Washington
Mary Folger	Pasco	Washington
Doug Foster	Colorado Springs	Colorado
Robert Cihak	Gilbert	Arizona

AMERICAN OVERSIGHT

Thomas Pinelli Pinelli	Fairlawn	New Jersey
john gilsenan	south windsor	Connecticut
Suzanne Stockfisch	Maryville	Tennessee
John Hammond	Indianapolis	Indiana
Gary Kellogg Kellogg	OLEAN	New York
Raymond Reddy	Albuquerque	New Mexico
Robert Pedersen	Glen Carbon	Illinois
Wayman Boudinier		Select a state
Kendall Johnson	Richmond	Utah
David Smith	Henderson	Nevada
Tom McNeight	Eatonton	Georgia
Patricia Petrovich	Klamath Falls	Oregon
Edna Willadsen	Port Angeles	Washington
Doreen Zeliff	Shingletown	California
Fred Sullivan	Killeen	Texas
Leroy Rouse	Knoxville	Tennessee
Nancy Tuzes	Virginia Beach	Virginia
Linda Mahar	Rockledge	Florida
ronald hanson	BUTTE	Montana
Sally Hahner	Grass Valley	Colorado
Jeanne Pastor	San Diego	California
MARCIO FERRAZ	Monroe	Washington
Catherine James	Battle Ground	Washington
Kathleen Kirsan	Lincoln	California
James Feguer	Harrisburg	Pennsylvania
Steve Loizeaux	Telford	Pennsylvania
Alex Bealer	Moorpark	California
Richard Taylor Taylor	poway	California
Thomas Coram	Wheeling	West Virginia
Douglas Wood	Huber Heights	Ohio
Bob Anderson	Florence	South Carolina
Tommy and Kathryn Carter	Creston	California
Jack E Zehring	Mechanicsburg	Pennsylvania
Bonnie Rosell	Tulsa	Oklahoma
David Miller	Kenner	Louisiana
Stephen Uhalley	Novato	California
Ron Bailey	Lagrange	Georgia
Althea Rhoads	Olathe	Kansas
Ronaldok suder	belington	West Virginia
Russell Lerch	Henrico	Virginia
Linda Meyer	Speedwell	Virginia
John hammerbacher	SAN GABRIEL	California
Carl Looney	Henderson	Nevada
william fehling	jupiter	Florida
Larry Hoover	Fort worth	Texas
Diane Deboard	Terrebonne	Oregon
William Holland	Albion	Maine
larry sanders	bethany	Missouri
Phil Chait	Beverly	Massachusetts
Katherine Schleifer	Wind Gap	Pennsylvania
Colleen Franzese	FORT MYERS	Florida
LaDean Fennern	New Ulm	Minnesota
Gordon Miller	Shady Shores	Texas

AMERICAN OVERSIGHT

Gregg Phillips	Huntington Beach	California
Steve Clabaugh	Gettysburg	Pennsylvania
Susan Harris	Chelsea	Michigan
Patric Brock	Kihei	Hawaii
Robert Griffith	Hammond	Indiana
James Itterly	PRINCETON	Minnesota
Brian Baker	Victorville	California
Eric Fahnoe	Garnet Valley	Pennsylvania
joe thorpe	selah	Washington
Edwin Lamberth	Alexander City	Alabama
Brad FOLKEDAHL	Millersburg	Iowa
John Conway	Loveland	Colorado
Patrick Forrester	Chicago	Illinois
Jerry Fink		Select a state
Joseph King	Choctaw	Oklahoma
Christian Chatfield Sr	Las Vegas	New Mexico
William Battcher	Lombard	Illinois
Robert Miller	kimberly idaho 83341	Idaho
Stephen Sharp	Sandy	Utah
Betty Super	Bigfork	Montana
John Weinreich	Chesapeake	Virginia
Richard Eger	Goshen	Indiana
Kenneth Carlson	Morgan Hill	California
Tod Bartholomew	Wayne	Michigan
Jacob Kaiser	Lovelady	Texas
John Barrett	Marion	Massachusetts
John Trudel	Newberg	Oregon
melody mokres	lancaster	California
James Knaus	Rochester	Michigan
betty guffey	troy	North Carolina
Roger L. Boyell	Moorestown	New Jersey
S.B. McClary	Rimrock	Arizona
Anna Green	HOUSTON	Texas
Eileen Barayasarra	Meridian	Idaho
Piper Keairnes	Suwanee	Georgia
Tammy Kerr	Lindstrom	Minnesota
Thomas Proctor	Dublin	Georgia
Lawrence Foster	The Villages	Florida
James Collins	Cornville	Arizona
Robert Gibson	LAS CRUCES	New Mexico
Robert L Fragoman	Memphis	New York
Gregory Aldrich	Terre Haute	Indiana
Robert Coe	Jacksonville	Florida
Francisco Aguilar	San Antonio	Texas
Bruce Dunn	Cicero	Indiana
Pam Russell	Fouke	Arkansas
George Eddy	Coulter	Iowa
William Cole	Brookville	Pennsylvania
Thomas Cambridge	Amarillo	Texas
Robert Beck	Wimberley	Texas
Steve Feder	Chester	Virginia
Mary Pence	Ellettsville	Indiana
Randy Freeland	Bodfish	California

AMERICAN OVERSIGHT

Joseph Parish	edgewater	Florida
Doug Thoman	Anchorage	Kentucky
Larice McCann	Philadelphia	Pennsylvania
James Deuro	Sanborn	New York
Koe Davidson	Guysville	Ohio
GEORGE SCRUGGS	Durham	North Carolina
Gene Hutchins	Saint Louis	Missouri
Frank X McWilliams	Glenshaw	Pennsylvania
Rita Albright	Chevy Chase	Maryland
Alan Schug	Lewiston	Select a state
Ronald Guyer	Newport Beach	California
ALAN WELCH	BLAINE	Minnesota
jeff ross	senatobia	Mississippi
Barrett Cowen	State College	Pennsylvania
Donald Hess Hess	Willow Street	Pennsylvania
David McCoy	The Villages	Florida
Mike Yannes	Saylorsburg	Pennsylvania
Glenn Schexnayder	Donaldsonville	Louisiana
Paul Nemitz	Crossville	Tennessee
Peter Kirschhoffer	Lake Mills	Wisconsin
Barbara Serbick	Naperville	Illinois
Phyllis Kolb	Indianapolis	Indiana
Francis Barbeau	Finlayson	Minnesota
Elmer Werth	Grand Ronde	Oregon
Nancy Norton	Carthage	Texas
John Diegel	Knoxville	Tennessee
Thomas Green	St. Clair	Michigan
Neal McDowell	Clifton	Texas
Joseph Fury	Woodland Park	Colorado
William Heckethorn	Bullhead City	Arizona
Sharon Asch	Montclair	California
Erma Cox	Riner	Virginia
Elaine Herring	Leavenworth	Kansas
Neville Robeson	Ft Myers	Florida
Thomas Szczygiel	Riverhead	New York
Sheilah Heidenreich	Lady Lake	Florida
Daniel Fels	Bradenton	Florida
Holly Lindell	Brookfield	Wisconsin
Louis Wright	Kearneysville	West Virginia
Jan Bott	Pikeville	Tennessee
Debbi Tylenda	Sterling Heights	Michigan
Richard Herd	Greensburg	Pennsylvania
John Eiken	Delano	Minnesota
Yochanan Heimeyer	Bradenton	Select a state
Harry Gayle	Sacramento	California
Mark Hilse	Ham Lake	Minnesota
Val Page	Nashville	Tennessee
Patrick Klinzmann Klinzmann	Sterling	Colorado
Jeff Weber		Select a state
D.M. De Haven	Orange	California
Saul Fermon	Mesa	Arizona
Earlene Wallick	Shaker Heights	Ohio
Alan Brandis	Woodstock	Georgia

AMERICAN OVERSIGHT

Jeanne Hurlebaus	Plano	Texas
James Maddox	Collierville	Tennessee
Ken Meiners	Carroll	Iowa
Bernard Kordenbrock	Florence	Kentucky
Pamela Matlack-Klein	Appomattox	Virginia
Robert Dimmock	Cullman	Alabama
William Thompson	Butte	Montana
Richard Swomley	Lancaster	Pennsylvania
Steve Gerrish	Bristol	Rhode Island
kelly white	loyalton	California
Bonnie White	Loyalton	California
David Wagner	Norway	Michigan
Andy White White	Loyalton	California
George Decker	Mount Vision	New York
Gene Watts	Apopka	Florida
Elizabeth Montgomery	Hamilton	Ohio
Karen Haines	Macungie	Pennsylvania
Jesse Montgomery	Hamilton	Ohio
Henry Smith	Fox Lake	Wisconsin
Melaine Mullin	Granbury	Texas
Tony Johnson	North Wilkesboro	North Carolina
Tony Paskali	Nashua	New Hampshire
Tracy Jones	Scottsdale	Arizona
Donna Batagianis	Galien	Michigan
Brad Etheredge	Dale	Texas
Michael Douthit	Jacksonville	Florida
ROY BROWN	ROME	Pennsylvania
Thomas Burk	Chapel Hill	North Carolina
Lyle Rogalla	Willow River	Minnesota
Stephen Brim	Strasburg	Virginia
L Pierce Pierce	Parkersburg	West Virginia
Christopher Whitham	LOVELAND	Colorado
Dick Dazey	Castle Rock	Colorado
Tom Casey	Clarksville	Virginia
Britny Blake	Coventry	Rhode Island
Glenda Jordan	Coventry	Rhode Island
Glenda Disney	Hobbs	New Mexico
Edward Kozelnicky Kozelnicky	Center Valley	Pennsylvania
Bryan Montgomery	Willow Park	Texas
John Vivier	Las Vegas	Nevada
David Bayer	Gilbert	Arizona
Julius Smoak	Memphis	Tennessee
Joseph P Farrell	Lake Waynoka	Ohio
Eileen ONeill	Danville	California
James Covey	Houston	Texas
Len Salonsky	Prescxott	Arizona
Jack Corneveaux	Midway	Utah
Duane and Linda Bunnell	East Concord	New York
Leroy Harbough	Provo	Utah
Jerry Metcalf	Crossroads	Texas
Mark Liscinski	Albrightsville	Pennsylvania
Pauline Hale	Roanoke	Virginia
DAVID PHILPOTT PHILPOTT	SHERIDAN	Montana

AMERICAN OVERSIGHT

Ted Gramlich Gramlich	Cutler	Maine
Robert Hildebrand Hildebrand	Reidsville	North Carolina
Richaard Bertozzi	Marco Island	Florida
Donald Olsen	San Leandro	California
Paul Robillard	Yellville	Arkansas
Frederick Fisher	Carolina Beach	North Carolina
Jane Balzer	Florence	Oregon
Ed Jackson	Montgomery	Alabama
Donna Campagna	Millboro	Virginia
Kerri Landis Landis	COLUMBIA	Pennsylvania
Michael Carter	Boulder City	Nevada
Dennis Davis	Prescott	Arizona
Nick Puluso	Venice	Florida
Anthony Cassoni	Arcanum	Ohio
Ray Sablick	Plainfield	Illinois
Sharon Roberts	Woodland Park	Colorado
Jack Dermanoski	Iredell	Texas
teresa wolfe wolfe	Auburn	California
Roger Kelly	Southbury	Connecticut
Steve and Lorri Vouk	Saint Joseph	Minnesota
Russell Buckley	La Mesa	California
Pearson Liddell	Bradenton	Florida
Ron Alberico	Livingston	Texas
Kenneth Reed	Rochester	Minnesota
RICH LAVOIE LAVOIE	ENFIELD	Connecticut
Mike Maly	Frankfort	Illinois
Earl Wells	Beeville	Texas
Debbie Maddox	Ooltewah	Tennessee
Andrew Pughe	Howey In The Hills	Florida
Scott Drysdale	Houston	Texas
Charla Shamhart	Yucca Valley	California
George Burns	Loysville	Pennsylvania
John Bagby	Picayune	Mississippi
Donald Ewing	Meredith	New Hampshire
Shadley Wiegman	Apollo Beach	Florida
Troy Vanderhoof	Camas Valley	Oregon
JOHN EAGLE	ANAHEIM	California
Diane Lagergren	Titusville	Florida
Roger Campbell Campbell	Dayton	Tennessee
howard yost	Midkiff	West Virginia
eliezer sandler	brooklyn	New York
stuart mcpherson	Yuba City	California
Marc Yaxley	Cortez	Colorado
lauren james	Topeka	Maine
jack moulder	san antonio	Texas
Brad Zeigler	Berlin	Pennsylvania
jason currie	Fairfield	Ohio
Cheryl Johnson	San Antonio	Texas
Daniel DOMOGALA	Eatontown	New Jersey
Lisa Distad	Apple Valley	Minnesota
Jeffrey Wright	Renton	Washington
Frank Warren	North Plainfield	New Jersey
Robert Emling	Hazelwood	Missouri

AMERICAN OVERSIGHT

Charles Lefkowitz	Rancho Palos Verdes	California
GLENN NELSON	Pipestone	Minnesota
Foy Foy	Lincoln	Arkansas
Mike Haiduck	Minneapolis	Minnesota
Jeffrey Dammeyer	Edenton	North Carolina
Bill Stapleton	Fairview	Texas
Susan LENTZ	central	South Carolina
Annelise Freeman	Royal Oak	Michigan
Keith F9rtin	Anderson	South Carolina
Lyle Duncan	Lakeland	Florida
Jerry Dickerson	Waco	Texas
earl sexton	owingsville	Kentucky
Don Isgitt	Plano	Texas
Michael Caserta	Fairfield	Connecticut
Ron Harvey	Belen	New Mexico
James F Thigpen Jr	Monroe Township	New Jersey
Angela Andrews	Dallas	Texas
Robert Thompson	Bonita	California
Joe Goodykoontz	Radford	Virginia
Joseph Brenner	Waterford	Michigan
James Wagner	Yarrow Point	Washington
John Preston Preston	Lewes	Delaware
Arthur Phelps	Blue Springs	Missouri
shaun ward	Lethbridge	Select a state
Ray Baugh	Roy	Utah
Edward Kurzanski	Ashtabula	Ohio
Rodney Jacobs	Kissimmee	Florida
doris carey	Cherry Hill	New Jersey
marjorie ulmer	empire	Louisiana
Michael Pooschke	OREGON CITY	Oregon
Robert Stricler Stricler	RIPON	California
Don Chambers	Loganville	Georgia
Lois Anderson	Millsboro	Delaware
Joseph Orlando	Ridgewood	New Jersey
Kathy Foster-Sowell	Mesa	Arizona
Rosa Shobe	Trafalgar	Indiana
Frances Lafferman	Culver City	California
George Goyer	PALM SPRINGS	California
John Meisenheimer	Orlando	Florida
Ted Kisiel	Erie	Pennsylvania
Dennis Avery	Swoope	Virginia
Gary Feist	Akron	Ohio
Melinda Ryan	Alta Lima	California
Glen Haas	Allen	Texas
William Zmistowski, Jr.	Mesa	Arizona
BOBBIE KREWSON	LICKING	Missouri
Wayne Haas	Modesto	California
Bob Novak	tulsa	Oklahoma
Donald Myer	Jackson	New Jersey
Jon Bradfield	Saint Helens	Oregon
Jim Baker	Rochester	Minnesota
Lopamudra Mohanty	St.Peters	Missouri
Steven Lopez	Lake Hughes	California

AMERICAN OVERSIGHT

Ross Campbell	St Martinville	Louisiana
William Mosser	Palmdale	California
Jeannette Solinsky	Center	Colorado
Bob Armstrong	Woodland Park	Colorado
Luke Lemmo	Palm Beach Gardens	Florida
dennis lauver	harrisburg	Pennsylvania
Timothy Docter	Las Vegas	Nevada
YVONNE JENSEN	Palm Desert	California
Leonilla Hones Hones	Rochester	New Mexico
Doug HALL	Arlington	Tennessee
D.W. Daniels	Waterloo	Iowa
W A Klein	Mobile	Alabama
Justin Klingler	Redding	California
Timm Lyons Lyons	Rexburg	Idaho
Ken Tice Tice	Tucson	Arizona
RONALD SOPER	Hermiston	Oregon
Howard Bartlett	Casselberry	Florida
john hudgins	Anna	Texas
Shannon Nerren	Rockwall	Texas
Delbert Zerjav	St. Peters	Missouri
Scott Andres	Gilbert	Arizona
bob staples		Select a state
Vick Pope	Powder Springs	Georgia
Michael Graves	Cedar Rapids	Iowa
Star Jones	Phoenix	Arizona
Annette Savoie	Palm Bay	Florida
Kenneth Buckley	Moon Township	Pennsylvania
Alice Steinbacher	Bernardsville	New Jersey
Carl Nelson Nelson	Manakin- Sabot	Virginia
Karen Mattox	Hamilton	Montana
Brant Smith	Phoenix	Arizona
Robert Bates	Clinton	Mississippi
Janey Larson	Seguin	Texas
Philip Gebbie	Flower Mound	Texas
Everett Griffiths	Ashburn	Virginia
william lott	harmoney	Pennsylvania
Larry Krohmer	Katy	Texas
David TEbbe	Shawnee	Kansas
Judith Leone	Cliffside Pk	New Jersey
Tom Moore	Prior Lake	Minnesota
Robert Mahar	Florence	Montana
Richard Lashua	Colorado Springs	Colorado
Donald Marion	Whitehouse	Ohio
John Gimple	Arvada	Colorado
Donald Sawyer	Columbia	Maryland
Dean Connelly	Burlington	Iowa
James Drechsel	GLEN ELLYN	Illinois
Daryl Behrens	VISALIA	California
Anthony DAntonio	Neptune	New Jersey
Judy Borg	Moore	Oklahoma
Ron Baker	Fillmore	Utah
Ron Thaine	Rochester	New York
David Kopka	Normal	Illinois

AMERICAN OVERSIGHT

Charles Kendrick	Monroe City	Missouri
Larry Bever	Clive	Iowa
Ana Vila	Elk Grove	California
Denny Funnemark	Williston	Florida
Martha Dudley Dudley	Madison	Virginia
Curt Botelho	North Hollywood	California
Holly Porter	Beaverton	Oregon
Don Lieske	Houston	Texas
Robert Irwin	Sweeny	Texas
Richard McNerney	Monett	Missouri
Eric Watson	Sunbury	Ohio
Larry Reynolds	Beryl	Utah
Mike Protopappas	Pahrump	Nevada
Mark Carter	Mesquite	Texas
Donna Matthews	Huntington	West Virginia
David Lyons Lyons	Huntington Station	New York
Daniel Buck	Barneveld	New York
Marianne Swon	Brookfield	Illinois
Merle Wiese	Price	Utah
Cindy Buttelwerth	Cincinnati	Ohio
Riley Dunahoo	Su;phur Springs	Texas
Patrick Coyne	Hays	Kansas
Darell Trouth	Champaign	Illinois
Chris Nickalls	Mechanicsburg	Pennsylvania
HD Sumner	Montague	California
Charles Alcini	Dryden	Michigan
Larry Hudler	San Antonio	Texas
William embree	MEAD	Colorado
Carole Leofsky	Oakland	Oregon
Joan Justesen	Staten island	New York
David Johnson	Lyons	Colorado
Carol Mitchell	Trail Creek	Indiana
Michael Little	Pittsburgh	Pennsylvania
Paul Nickalls	Mechanicsburg	Pennsylvania
Francis Schlegel	Berwyn	Pennsylvania
eric vosburgh	san antonio	Texas
Chris Byers	Phoenix	Arizona
John Peters	Northport	New York
Ruth Delmore	Bonita Springs	Florida
John Gundling	Hagerstown	Maryland
Sharon Bollum	Fair Oaks	California
Fenton Larsen	Ivins	Utah
John Mustonen	Sault Ste Marie	Michigan
Dolores Testerman	Vail	Arizona
Crystal Paneiro	Spokane	Washington
DAVID FEARIS	Waxahachie	Texas
Jerry Rivers	Roosevelt	New York
Marc Burningham	Provo	Utah
eric tuch	Phoenix	Arizona
Earl Peyton	Lexington	Kentucky
Roger Bott	Pikeville	Tennessee
Dow Bancroft	Hubert	North Carolina
Carla Nagel	Blasdell	New York

AMERICAN OVERSIGHT

ken wilmes	mankato	Minnesota
Hugo Ortega	CARTERET	New Jersey
Ralph Ccalabrese	Webster	New York
RICKY MATHIS	ADEL	Georgia
nancy Roullier	tonasket	Washington
John Hallenbeck	Brick	New Jersey
Dr. Herbert Lebherz	San Diego	California
Dennis Dudgeon	East Helena	Montana
Patricia Morgan	Raleigh	North Carolina
William Ballard	Elgin	Texas
bob pearson	Eugene	Oregon
John Sadler	Knoxville	Tennessee
Cheryl Leon	Duson	Louisiana
Alvin Barden	Eagle River	Wisconsin
Jeffrey Stenger	Shelbyville	Illinois
Paul Cavote	Worthington	Ohio
William McCafferty	Fall City	Washington
Wayne Fowler	Albuquerque	New Mexico
Josh Pelland	Northampton	Massachusetts
Kevin Coe Coe	Woodbridge	Virginia
Roger Attwood	Centralia	Washington
Dale Mensch	Pittsburgh	Pennsylvania
James Keeton	Metairie	Louisiana
sandra wood	Prosper	Texas
Judith Discenza	Jacksonville	Florida
Terria Bridgeford	El Cajon	California
Don Bruner	Somerset	Pennsylvania
gregg elsom	durant	Oklahoma
Ted Grygar	SAN DIEGO	California
Raymond Hillson	CLARENDON HILLS	Illinois
Philip Smith	Dallas	Texas
De Ette Moon	Ponca City	Oklahoma
Blair Brooks		California
John Steed II	Amarillo	Texas
DAVID BODAH	Shippensburg	Pennsylvania
Rosanne Stewart	West Cherster	Pennsylvania
Dennis Stewart	West Chester	Pennsylvania
Steve Epstein	Arkdale	Wisconsin
Lynn Loomis	Loudon	Tennessee
Michael Sheehan	Navarre	Florida
DONALD WILSON	North Hollywood	California
Dorothy Novotny	Bloomington	Minnesota
Todd Marvin	Newark	Ohio
Dennis Lamb	Santaquin	Utah
Jason Blair	Kamuela	Hawaii
Terri Nelson		Minnesota
Kenneth Condrey	North Chesterfield	Virginia
antoinette Beamer	Inverrness	Florida
Lee Underwood	Wasilla	Alaska
Greg Brummett	Pueblo	Colorado
Claude Sanderlin Sanderlin	Blue Ridge	Georgia
KENNETH SHEDAKER	DELANCO	New Jersey
DALE DOEHLER	WATERTOWN	Wisconsin

AMERICAN OVERSIGHT

Peter Henden	Dalton	New Hampshire
JoAnn Baughman	Philomath	Oregon
Frank Ray	Sherwood	Oregon
Jim Mayer	McKinney	Texas
Mark Matis	COCOA	Florida
Richard Burleigh	Shelton	Washington
David Jennings	Kingsbury	Texas
Edward Katz		Maryland
carl orzech	lagrange	Ohio
Le Nora Geenen	San Antonio	Texas
Ken Starcher	CUYAHOGA FALLS	Ohio
John Wall		Select a state
Ken Counts	Severna Park	Maryland
Clinton Thoman	Beaufort	South Carolina
Howard Campbell	Middleburg	Florida
Karen Enns	Sun Lakes	Arizona
Irene _Pederson	Plentywood	Montana
Michael Mundt	Santa Fe	New Mexico
Jeffrey Mahn	Albuquerque	New Mexico
david poulos	weymouth	Massachusetts
larry lasky	olmsted falls	Ohio
Peter Hayles	Toms River	New Jersey
connie condra	new haven	Indiana
Tod Torrence	Kennebunk	Maine
Ronald Stabile	Warminster	Pennsylvania
Janet Bell	Fredericksburg	Virginia
Evan Watson	Sunbury	Ohio
Shelley McKnight	Sunbury	Ohio
Val Sanchez	Corpus Christi	Texas
Roger Trout	Ephrata	Pennsylvania
Don Myrick	Kennesaw	Georgia
John Bergin	Skull Valley	Arizona
Joy McCarl	Willow Creek	California
David McCarl	Willow Creek	California
John Hart	Peru	New York
Diana Van Zeelt	Holland	Michigan
joseph Manning	narragansett	Rhode Island
paul kelly	moseley	Virginia
Boyd Reasor	Edgewood	New Mexico
william langston	mineral springs	Arkansas
David Dawson	Las Vegas	Nevada
Kevin Jump Jump	Kalispell	Montana
Joe Selig	Vallejo	California
Scott Schmer	Ft. Collins	Colorado
James Troy Troy	Alexandria	Virginia
Ted Rouster	Belleville	Michigan
Hubert Rosa	Riverside	California
Donald Coyne	Charles Town	West Virginia
Mark Dodge	Tampa	Florida
Boyd Rankin	Elizabeth	Pennsylvania
Stephen Aument	Lancaster	Pennsylvania
james best	phoenix	Arizona
David Osthus	Eagan	Minnesota

AMERICAN OVERSIGHT

Samuel Payton	Mena	Arkansas
Nina Gilbert		New Jersey
Charles Ashley	Lynnwood	Washington
Nancy Grosser Copp	Glenmoore	Pennsylvania
Peter Andrew Copp	Glenmoore	Pennsylvania
josephine collier	falls church	Virginia
robert collier	falls church	Virginia
Case Smit	New York	New York
Sylvia Cozzens	Milford	Massachusetts
Keith Terrell	Dallas	Texas
Shirley Stewart	Payson	Arizona
Mariah Corona	Durham	North Carolina
Pam Smith	Surprise	Arizona
JULIE ALLINGTON	MCFARLAND	Wisconsin
Ed Morse	Greeley	Colorado
Ken Mitchell	Livermore	California
Gerald Brown	Detroit	Michigan
Michael Merchant	Longwood	Florida
Mary Hock	Cicero	New York
kerry camp	Independence	Missouri
Albert Carnes	Fairview	Texas
Neal Ala	Roy	Utah
Cressie Patterson	Chino	California
Terrance Pausche	Bellingham	Washington
Charles Calvano	Fort Collins	Colorado
Gary Vasek	Colorado Springs	Colorado
Julie Von Vett	wyoming	Minnesota
Ron Lautenslager	Cashmere	Washington
Robert Gholston	Enid	Oklahoma
Marc Jeric	Las Vegas	Nevada
Sharon Hixon Hixon	Jefferson City	Tennessee
George Tomaich	Lexington	Kentucky
Richard Snowden	Andalusia	Pennsylvania
Thearl Nelson	Sweetwater	Texas
Fred Cannizzaro	Orange	California
Gary Barman	Norwalk	Ohio
Skathleen Easterly ng	Roseville	Minnesota
Cory Miedema	Nine Mile Falls	Washington
Steve Ash	Hollis	New Hampshire
Carla Robertson	Hewitt	Texas
LJ SCOTT	LA MESA	California
Theodore Cahoon	Los Gatos	California
Mark Emerson	Las Vegas	Nevada
Joan Kromphold	Tucson	Arizona
carl griffin	Winnsboro	Texas
Bruce Mcelvaine	Tucson	Arizona
Robert B Pring	Cottleville,	Missouri
william Porteous	Chandler	Arizona
Larry Leavitt	Indianapolis	Indiana
Rocky L Mountain	Lakewood	Colorado
Robert Withers	Antioch	California
Gary Henderson	Olympia	Washington
Glenda Parr	Texas City	Texas

AMERICAN OVERSIGHT

Carolyn Therrien	Windham	New Hampshire
Ann Weinhagen	Hamburg Twp.	Michigan
Ruth Hoefert	Sioux Falls	South Dakota
Bruce Stevenson		Select a state
Ernest Jackson	Denver	Colorado
H Doersam	Annapolis	Select a state
david goeden	stoughton	Wisconsin
Duane Georgeson	Ventura	California
Karroll Bohnak	Negaunee	Michigan
Carl Friis-Hansen		Texas
Bob Cihak	Clarkston	Washington
BERNARD DAMBROSIO	INDIALANTIC	Florida
HORACE CASH	Chester	Virginia
Greg Wofford	New Braunfels	Texas
Donald Sims	Carmi	Illinois
james bowe	massapequa park	New York
William Pekny	Midway	Utah
Donald Buchanan	Redlands	California
randy robinson	victorville	California
Gene & Betty Preas	Richmond	Virginia
Michael Duvall	Blairsville	Georgia
James Wing	VALLEY VIEW	Texas
Tom Stevens	Columbus	Ohio
Thomas Marburger	San Antonio	Texas
Latasia Horton	Uniontown	Kentucky
Ryan Cipkar	Carbondale	Illinois
Joshua Lambert	Austin	Texas
Peter Eldredge	Westfield	Maine
Doris Cheney	Canyon Lake	Texas
Cheryl Goldberg	Boca Raton	Florida
nicholas ioannou	fort pierce	Florida
William Snyer	Cedaredge	Colorado
GILDARDO HIGAREDA	LAS VEGAS	Nevada
BRENDA STREY	LAS VEGAS	Nevada
Tammy Weatherly	Cortland	Ohio
Ian Elrod	St Paul	Minnesota
Ruth Cook	Hobbs	New Mexico
Charles Barney	Burnsville	Minnesota
Geert F de Vries	Pretoria, South Africa	Connecticut
David Healy	Elizabeth	Colorado
John Parks	Coatesville	Pennsylvania
TONY LOPICOLA	Wayne	Michigan
kermit wilson	arlington	Texas
Carl Morgan	Colton	Oregon
Janice McShane	Mount Ephraim	New Jersey
joseph smith	phoenix	Arizona
Maurice Guest	Fulton	New York
Carmen Bonney	Scituate	Massachusetts
Roger Saxton	Las Cruces	New Mexico
Paul Pradetto	Columbia	Connecticut
April Gallart	Mission Viejo	California
CHRIS STARBALA STARBALA	PLEASANT VALLEY	New York
John Nowak	Santa Ana	California

AMERICAN OVERSIGHT

Jennifer Larson	LONG BEACH	Mississippi
David Houghton	Laguna Niguel	California
Elizabeth Houghton	Laguna Niguel	California
Beth Richardson	Buda	Texas
Ms Jackie Ladd	Queensbury	New York
Bonnie Fleiss	SMYRNA	Georgia
Mike Magaletti	Gardnerville	Nevada
Bryan Cunningham	Amarillo	Texas
Rob shull	Eagan	Minnesota
ELIZABETH HERSHKOWITZ	Wickenburg	Arizona
David D Vanderhoofven	Delta	Colorado
Eleanor Dyson	Harrisville	Rhode Island
Craig Gomes	Mililani	Hawaii
Peggy Burns	Newbury Park	California
Fred Gertz	Minot	North Dakota
Harley Simonson	Snohomish	Washington
Alexander Martin	Normal	Illinois
Lisa Babcock	Lawrenceville	Georgia
Dana George Reed	Spencer	Massachusetts
joy johnson	atlanta	Georgia
Mary Reilly	Gansevoort	New York
Mary Garrett	Fairbanks	Alaska
Michael Hall	Heidelberg	Select a state
David Hansen	Brownsville	Oregon
Murney Sikes	Cheyenne	Wyoming
John Irwin	Oakhurst	California
Elias Goldstein	Highland Beach	Florida
Joseoph Nichols	Great Falls	Virginia
Herb Sand	Glasgow	Montana
PAT VIVAS	MIRAMAR	Florida
Marilyn Bo.		Select a state
Janice Stuessi	Sandy	Utah
RW Gross	Avon Lake	Ohio
William Ranney	Owensboro	Kentucky
Richard Dell Dell	Macedoni	Ohio
Elizabeth Toler	Dallas	North Carolina
Dennis Parrott	Sunset Hills	Missouri
Lawrence Leon	WALLINGFORD	Connecticut
John Allard	Barrington	New Hampshire
Janet Westlake	ELM CREEK	Nebraska
David Paliotta	East Syracuse	New York
John Kesler	Apache Junction	Arizona
angie bluck	springfiled	Illinois
Jean Maschek	Gulfport	Mississippi
kay causey	adairsville	Georgia
John Mccall	Butler	Pennsylvania
Charles Orr	Ponca	Oklahoma
John Clark	Rolla	Missouri
Harvey Miller	Advance	North Carolina
Harold Cooper	Prospect	Ohio
Gertrude C Dickinson	lake Panasoffkee	Florida
JoAnn Olson	Glenmoore, PA	Pennsylvania
Charlotte Dexter	Wilmington	North Carolina

AMERICAN OVERSIGHT

harold egbert	Ridge	New York
Sandra Standeford	Cedartown	Georgia
Patrick Quinn	Ingram	Texas
Pamela Partridge	Butler	Missouri
Ed Myhan	Azle	Texas
Freda Faith	Hendersonville	Tennessee
LETA fRY	tULSA	Oklahoma
Wanda Crotts	Sophia	North Carolina
Oris Smith	Lincoln	Nebraska
Grace Crary		Select a state
Ward and Carole Larsen	Everson	Washington
Robert Yorgason	Cowley	Wyoming
Jerry Robison	MUKILTEO	Washington
Sally Barclay	Calvert City	Kentucky
linda lucero lucero	reno	Nevada
W.Randy Holman	Henrietta	Texas
Tony Barnes	Bicknell 47512	Indiana
JOHN MULLIN	POWAY	California
N E Freed	Kansas City	Missouri
Frank Jansson	Saint Augustine	Florida
Chris Beemer	Milford	Kansas
Sue McPherson	Hendersonville	Tennessee
Richard Garowski	Alvin	Illinois
Linda Altice	Salem	Virginia
James Corey	Greenville	South Carolina
Lynda Cooper	Hawaiian Gardens	California
Jim Campbell	Springfield	Missouri
TERRY OLIVARES	SAN FRANCISCO	California
Virginia Burch	West Manchester	Ohio
suzy slaughter	carson city	Nevada
Meredith Headquist	Tate	Georgia
Tim Schoenradt	Frisco	Texas
Tim Cannon	Keller	Texas
Katherine Anderson	Stuart	Florida
Donald Verdinella	Keller	Texas
William Dietz	Indian river	Michigan
Thomas Pearman	Chula	Georgia
Mollie Waters	Ferdinand	Idaho
Amy Vincent	Pekin	Illinois
Sandra L. Lampert Lampert	Monticello	Illinois
eric meller	Tampa	Florida
James Marusek	Bloomfield	Indiana
Paula Matteson	Tyler	Texas
Dennis Janes	San Antonio	Texas
Kerry Killebrew	Niceville	Florida
Kathy Cross	Idaho Falls	Idaho
Lea Smetana	Glen ellyn	Illinois
Janice Allen	Orono	Maine
Darlene Harris	Fort McCoy	Florida
Bob Morris	albemarle	North Carolina
Julia Rowe	Show Low	Arizona
Mark Wieber	Sykesville	Maryland
Lee Miller	Stmarys	Ohio

AMERICAN OVERSIGHT

Danny Deckard	Denison	Texas
David Burner	Linesvillr	Pennsylvania
Jane Gilmore	Perry Hall	Maryland
Warren Benaway	Grand Haven	Michigan
Keith Kempenich	Bowman	North Dakota
Ronald Junker	Galloway	Ohio
John Mullins	Cleburne	Texas
MJ Lewis	Columbus	Georgia
Charlie Brugger	Albuquerque	New Mexico
Erika Cramer Cramer	Milpitas	California
Kim Fowlkes	Tampa	Florida
Emmanuel Zullo Zullo	Surprise	Arizona
Charles Ness		Select a state
VERNON MCDERMOTT	RIDGEWOOD	New York
James Miller	Salisbury	North Carolina
Mike Richardson		Select a state
David Elliott	Thousand Oaks	California
Tammy Cleary	Sugar Land	Texas
John Gibbons	Sulphur Springs,	Texas
Lawrence Campbell	Montgomery	Alabama
David Scroggins	Hallsville	Texas
Thomas Acosta	Laguna Niguel	California
Henry Pate	Horton	Alabama
Lloyd Whitney	Kansss City	Mississippi
Larry Trevino	Colorado Springs	Colorado
Michael Koga	Largo	Florida
Billy Pierce Pierce	FLAGLER	Colorado
Joshua Kahn	Kew Gardens	New York
Travis White	San Antonio	Texas
DAVID LAMMERT	SAINT CHARLES	Missouri
JUDITH MARTIN	DUNDEE	Florida
Richard Chernisky	Sagamore Hills	Ohio
Joseph Clark	Mesa	Arizona
Thomas Robertson	Muncie	Indiana
David Moyer	CampHill	Pennsylvania
Robert McMillan	Lilburn	Georgia
L. Daniel Miller	Sherman	Texas
Daniel OLeary	Westerville	Ohio
Ron Beegle	Trion	Georgia
Gerald Battle Battle	Suttons Bay	Michigan
Thomas Lewis	Paso Robles	California
Terry Mathews	West Melbourne	Florida
Thomas Little	Howell	Michigan
Jet Ledesma	Perkiomenville	Pennsylvania
Karl Olsen	Newport	Pennsylvania
Michael England	Prince George	Virginia
donald solomon	providdence	Rhode Island
Michael Gustafson	Superior	Wisconsin
Brad Grace	Canfield	Ohio
Lisa Thiel	Sherwood	Oregon
Kevin A Masterman Masterman	Harris	Minnesota
James Macdonald	Vancouver	Washington
John Meyer	Arlington	Virginia

AMERICAN OVERSIGHT

Nancy Buchik	Port Charlotte	Florida
john p hanges	iron mountain	Michigan
Paul McElligott	Ione	Oregon
Leonard Rowley	The Woodlands	Texas
R. Michael Allen	Marietta	South Carolina
Robert Eline		Pennsylvania
Michael Muro	North Pole	Alaska
Matt Horrer	Clayton	North Carolina
Gail Coverdale	Erie	Pennsylvania
Grant Smith	Wauconda	Illinois
Karen Seibel	Carnegie	Pennsylvania
Pat Mergner	Wheaton	Illinois
Rachel Erikson	De Witt	Michigan
Clifton Hefner	Garwood	Texas
Mark Kahler	Scottsville	Kentucky
DUANE BERRY	NEW PORT RICHEY	Florida
Geoffrey Lloyd	Kissimmee	Florida
J Mahn	Albuquerque	New Mexico
John A. Steiger Steiger	Nassau Bay	Texas
Jane Bohman	Robinson	Illinois
Barbara Garrigus Garrigus	Saint Ignatius	Montana
Peter Kinnebrew	Huntsville	Alabama
edward allen	new castle	Pennsylvania
dennis ryan	white pine	Tennessee
Tim Dixon	Waverly	Ohio
Marlin Massey	Fort worth	Texas
Ron Olsthoorn	Buffalo	New York
Ronald Pitsch	Farmington Hills	Michigan
John McGregor	Ballinger	Texas
Carol Dove	Vero Beach	Florida
Bryant Cochran	Alexandria	Virginia
Louise Clarke	Huntersville	North Carolina
Gus Godwin	Huntersville	North Carolina
Karen Godwin	Fancy Gap	Virginia
Brian Godwin	Fancy Gap	Virginia
Barbara Cox	Macon	Georgia
Don Arnold	Kemper	Texas
JOHN GREER	WILMINGTON	Delaware
James Wharton	LUMBERTON	Texas
Anthony Reyes	Brooklyn	New York
Mary Auer	Rancho Cordova	California
MARCI REED REED	BURKE	Virginia
MARY WUTKE	MADISON	Wisconsin
Nantalie Hodapp	Mankato	Minnesota
Maxine Haley	Shirley	Arkansas
William Chase	North Chesterfield	Virginia
Gerald Bourque	DESTREHAN	Louisiana
Linda B.	Salinas	California
Connie CooperSmith	Chelan	Select a state
John Davies	Canonsburg	Pennsylvania
C Graham Wayne	Macomb	Illinois
Alan Fuller	East Canton	Ohio
MARKUS HAYES	Lebanon	Pennsylvania

AMERICAN OVERSIGHT

robert Norberg	Banning	California
Paul Louisell	Grosse Pointe	Michigan
Connie Potter	Chewelah	Washington
P.A. Lewis		Select a state
don mccollough	deweyville	Texas
curtis cobb	Thief River Falls	Minnesota
Paul DiPasquale	Carbondale	Kansas
W. Dow Jones	Ventura	California
william couch	MESA	Arizona
Wayne Smyly	Milton	Florida
Halford Park	Scotland	Connecticut
Jere Casey	Pennsburg	Pennsylvania
Kathryn Yamamoto	Seal Beach	California
Joseph Walsh	Bridgewater	New Jersey
Eric Matson	Phoenix	Arizona
Norma Ross	Magnolia	Delaware
Lew Ridgway	Heathsville	Virginia
Freddie Morrill	City By The Sea	Texas
William Nunnery	Cary	North Carolina
sally sprecher	libby	Montana
Cheryl Dick	Mountain Lake	Minnesota
Walter Hatcher	Lake Charles	Louisiana
Lester Barclay	Tampa,Fl.	Florida
Roger Rigney	Rotonda West	Florida
ryan forkin	boston	Massachusetts
richard schwartz	dunellen	New Jersey
Richmond Petty Petty	Roseburg	Oregon
Dennis Sundermeyer	Donna	Texas
Edward Andre	Fort Bragg	California
Bridget Yates	Huntsville	Texas
Marie Smith	Marengo	Illinois
Anthony Charletta	Katy	Texas
Gregory Olsen	Tempe	Arizona
Greg Altberg	Littleton	Colorado
noel joynt	lakeside	California
John Ribecky	Tampa	Florida
Philip Sikes	Summit	Wisconsin
E Brown Brown	Dallas	Texas
Susan Petree	Winston-Salem	North Carolina
Thomas Balaskas	Chandler	Arizona
Marc Taylor	Overland Park	Kansas
Teresa Acosta	Houston	Texas
bob phelps	groveland	New York
J Bonner	Potsdam	New York
Ron Klick	White Bear Lake	Minnesota
Steve Jakowski	Farmington	Minnesota
Timothy Moore	Earleville	Maryland
LuAnn Hestermann	Bellevue	Nebraska
Wendy Fulks		Select a state
Mark Bartelt		Select a state
Judy Kozlowski	Oshkosh	Wisconsin
Jeanne Wacker	Carbondale	Illinois
Ted Bruesch	West Bend	Wisconsin

AMERICAN OVERSIGHT

Michelle Abrams	State College	Pennsylvania
David Boland	Washington Crossing	Pennsylvania
Linda Poland	Effingham	Illinois
robert johnson	southwick	Massachusetts
Dan Benton	Boise	Idaho
Frank Turner	Alamogordo	New Mexico
kevin mc	tampa	Florida
Ronald Wentworth	Sanford	Maine
Patrick Merlet	Orlando	Florida
david ansell	tauranga	California
Dennis Hedke	Andover	Kansas
Michelle Schick	Lincoln	Illinois
Judy Wolz	Bellevue	Nebraska
James Bratten	Evansville	Indiana
Deborah Ellison-Amurn	Council Bluffs	Iowa
John E. Emrick	Clarksburg	West Virginia
M Pahl	Palmyra	Pennsylvania
MELVIN GAMBLE	RAINIER	Oregon
Martin Owens	Lee\'s Summit	Missouri
Allen Wessel	Chalmers	Indiana
Aaron Graupman	GrantsPass	Oregon
William Price	Bakersfield	California
Henry Parker	Camilla	Georgia
Sue Little	Decorah	Iowa
Chris Hageman	Conroe	Texas
Adrienne Schiele	Chandler	Arizona
Barbara Cole	Shelby	Montana
Randall Ross	Evansville	Indiana
Marcia Puskar	Buckeye	Arizona
John Trulio	Los Angeles	California
Paul Constantine	Bel Air	Maryland
Tom Medinger	David City	Nebraska
Robert Yates	Ormond Beach	Florida
Darren Earley	Campbell Town	Select a state
robert helms	abilene	Texas
Terry Welty	Davenport	Iowa
Stephen Linck	Chevy Chase	Maryland
Becky Adams	Houlton	Maine
Rebecca Williams	Hobe Sound	Florida
Edward Goolbis	New London	New Hampshire
Joanne Ledford	AKRON	Ohio
Maurine Cornelius	Plainview	Texas
Jimmy Cornelius	Plainview	Texas
Linda Williams	Torrance	California
Bill Hoffman	Madison	Ohio
Gerald Jarabek	Dayton	Ohio
Reggie Geier	Girard	Kansas
Gleita Edwards	Mesa	Arizona
Ronald Merritt Merritt	Roswell	New Mexico
james Boyd	Homosassa	Florida
Mark Moennig	Mobile	Alabama
warren klaus	nesconset	New York
Joseph Lovero	Buckeye	Arizona

AMERICAN OVERSIGHT

Richard Sparks	Holiday	Florida
Paula Sparks	Holiday	Florida
Shawn Salazar	El Prado	New Mexico
Christine King King	Inverness	Florida
Jerry Tuott	Cedar	Minnesota
Everett Rackley	Van Alstyne	Texas
Keith Grew Grew	Bay City	Michigan
Catherine Sweeney	Pleasanton	California
Ted Leger	Elizabethton	Tennessee
Kenneth Pugoa	Scotch Plains	New Jersey
Kate Jaudes	Salem	Oregon
Stephen Legg	Knoxville	Tennessee
Tom Cumberland	West Melbourne	Florida
donald cockrel	woodstock	Georgia
Michael Beard	Johnson City	Tennessee
Thomas Stack	Oxford	Michigan
Timothy Mishic	Kane	Pennsylvania
Ronald Chappell Chappell	Taylorsville	Utah
Marva Heier	Halethorpe	Maryland
hubert bradford	fairview	Tennessee
Bryan Hagedorn	West Union	West Virginia
Kathleen Carter	Meredith	New Hampshire
Greg Clement		Select a state
RITA PALMER PALMER	Mountain Home	Arkansas
Shane I Tyler Sr	Perryville	Missouri
William I Coates	Eckert	Colorado
Michael Davis	Bulls Gap	Tennessee
Craig Bowen	Jasper	Alabama
Dennis Corbiser	Berkeley Springs	West Virginia
Jerel Brown	Shirley	Arkansas
Gene Schultz	Fremont	Nebraska
Paul Lysen	South Haven	Minnesota
k kenney	chandler	Arizona
Bernard Resh	Lititz	Pennsylvania
Mike Moore	Charlotte	North Carolina
Frank Yates	Santa Fe	New Mexico
James & Mary McIntosh	Wasilla	Alaska
robert sinclair	arlington	Massachusetts
DAVID ARNDT	WILLIAMSVILLE	New York
Richard Hobby	Yarmouth	Maine
Ken Griffith	Rancho Mirage	California
Martin Cornell	Lake Jackson	Texas
Phil Minard	Moncks Corner	South Carolina
Joyce Jacobsen	Cheyenne	Wyoming
Henry Carpenter	Orofino	Idaho
Steve Curley	Columbia	South Carolina
matt McAuslin	St.Michaels	Maryland
Robert Archer	Boerne	Texas
William Vail	Cookeville	Tennessee
Luctrician Hamilton	Fairfax station	Virginia
Carmen Cieslar	Lakewood Ranch	Florida
Jim Vanderveen	Holland	Michigan
Mike Benton	Houston	Texas

AMERICAN OVERSIGHT

John Wood	Austin	Texas
David Greene Greene	Winchester	Virginia
Linda Black	prescott	Arizona
Sharon Allen	Soldotna	Alaska
Willis Wells	Garwood	New Jersey
Donna Schmidt	Phoenix	Arizona
Keith Rollins	Bolingbroke	Georgia
Stuart Brown	bushnell	Florida
Wayne Davis	Oakridge	Oregon
David DeMent	Oakland	California
Joseph Simmons	Chino	California
Ray Renfro	WINTER PARK	Florida
Rodger Wesch	Farmington Hills	Michigan
Erman Croney	Thayer	Missouri
Larry Schultz	Vancouver	Washington
Rich Missall	Ocala	Florida
Bob Sutphin	Mound	Minnesota
Paul Groves	Vista	California
Patricia Dale	Babylon	New York
Wendell Neugebauer	Ballston Spa	New York
Daniel Bill	Phoenix	Arizona
ed herman	rochester hills	Michigan
Alfred Ewell	Cape Charles	Virginia
Kathy Johnson	West Allis	Wisconsin
Sandra Johnston	Cumming	Georgia
Stephen Chilluffo	Caledonia	Michigan
Denis Palmer	TULSA	Oklahoma
Bobby Anderson	Midway	Arkansas
Roger Burtner	Fullerton	California
Tom Ford	Penn Valley	California
Carol Bertilson	Minneapolis	Minnesota
Eric Augustine	Lakeside	California
Karen Ebert	Murrysville	Pennsylvania
Sally Zehnal	Hudson	Ohio
rick noggle	massillon	Ohio
Chris Williams	Dixon	Kentucky
Dr. and Mrs. Walter Duffin	Birmingham	Alabama
Diane Parker	Cocoa	Florida
Dakota Mills	Montgomery	Alabama
Vonda Marlow	Little Hocking	Ohio
Josephine Gieske	Silver Spring	Maryland
Randy Adams	Marion	Illinois
Scott Schultz	Kaneohe	Hawaii
Susan Joakimson	Franklin	Wisconsin
Carol Palmer	McKinleyville	California
Tom McKean	Peoria	Arizona
Ron Engle Engle	Richmond	Indiana
Gary Wright	Monument	Colorado
stephen lord	Encinitas	California
ROLAND RODRIGUEZ	SAN ANTONIO	Texas
DENNIS HOUSE HOUSE	CHAPEL HILL	North Carolina
SHARON RHOADS	COSTA MESA	California
EARL WHETSTONE	PLEASANTON	California

AMERICAN OVERSIGHT

Milton L Johnson	Mobridge	South Dakota
Darlene Dunsmore	Prescott	Arizona
Scott Bertilson	Minneapolis	Minnesota
Frank Mallon	Roundup	Montana
Scott Greenfield	Plano	Texas
Robert Tingley	Burien	Washington
Matt Darrah	Amarillo	Texas
Shirley McBurney	Augusta	Georgia
KURT HEIMBROCK	Littleton	Colorado
Leo Flores	West Covina	California
Dean Ekberg	Mahomet	Illinois
Dianne Maddox	Miami	Florida
Frank and Linda Plath	Troy	New York
Kevin Lawler	Brooklyn	Michigan
ernest dunajski dunajski	lla grande	Oregon
James Huston	Rushville	Indiana
Darryl Hetherington	Ringtown	Pennsylvania
Dean Maycock Maycock	ROY	Utah
Martha McGowan McGowan	Bradenton	Florida
Robert Flinders	Kaysville	Utah
Jeff Mcfarlin	Ashland	Ohio
Ted Gramlich	Cutler	Maine
Morgan Kennon	Houston	Texas
Bernard Murguia	San Antonio	Texas
Bruce Lefebure	Ponca City	Oklahoma
Paula Ford Ford	Prosper	Texas
Charles Powell	Irvine	California
Lou Burton	Garner	North Carolina
Jack Rookhuyzen	La Conner	Washington
Gordon Wavra	Monmouth	Oregon
Roger Rusert	Midland	Texas
Ervin Bathke	Falls City	Oregon
Daniel Sheldon	Fort Lupton	Colorado
Stanley Wengert	Mt. Pleasant	South Carolina
Joseph Hebert Jr	East Providence	Rhode Island
Doris Jones	Hoschton	Georgia
Jerry Taylor	Flowery Branch	Georgia
Roberto Ayala	Chandler	Arizona
Joseph Ostrander	Wausau	Wisconsin
Daniel Pechacek	Allentown	Pennsylvania
Edmund Jacoby	Harbor Springs	Michigan
Pamela Ament	Colorado Springs	Colorado
Steven Glynn	Abita Springs	Louisiana
John Jolly	Amarillo	Texas
Gary Grayson	Fort Worth	Texas
Leslie Estes	Granbury	Texas
Michael Walsh	Wilmington	Delaware
thomas wright	bothell	Washington
Linda Roeder	Amarillo	Texas
DAVID PHILLIPS PHILLIPS	PRESCOTT	Arizona
Jerry Piger	Auburn	Washington
Keith Hollien	Gainesville	Florida
Michelle Hollien	Gainesville	Florida

AMERICAN OVERSIGHT

Gladys Johnson	Ventura	California
Sally Price	Newport News	Virginia
Herman Breed	San Antonio	Texas
PAUL BRONZO	MORTON	Illinois
Reggie Grimes	Olive Branch	Mississippi
David Braithwaite	Perry	Utah
Brad Studebaker	Gold Hill	Oregon
Andrea Pitts		Select a state
Robert O\'Neill	South Jordan	Utah
David Sipe	White Oak	Pennsylvania
Dennis Richey	Commerce City	Colorado
Thomas Wiley	Anchorage	Alaska
Laurie Lyford	Bellevue	Washington
Leslie Karl	Rock Tavern	New York
Daniel VanHart	conklin	New York
Richard Doran	Kahului	Hawaii
Robert Gaston	Leander	Texas
Rick Kole Kole	Phoenix	Arizona
Victoria Murphy	San Leandro	California
James Strachan	Escondido	California
Teri Santucci	Arcadia	Florida
Gordon Eyre	St. George	Utah
James Cooney	Helena	Montana
Robert Ziccarelli	Kenosha	Wisconsin
Paul Kotowicz	Perrysburg	Ohio
scott nickerson	big horn	Wyoming
Dave Dahlen	Punta Gorda	Florida
Clint Coakley	Golden	Colorado
Frank Rasmussen	Edgemont	South Dakota
Frank Lehmann	Vista	California
Jan Rogers	Polson	Montana
Marjorie Olmstead	Wauseon	Ohio
Joseph Sero	Simpsonville	South Carolina
Robert Armistead	Apple Valley	California
Greg Henry	Vernal	Utah
Dianne Patti	Austell	Georgia
John Schmalenberg	Ironton	Minnesota
Melvin Buerck	Perryville	Missouri
Sharon Buerck	Perryville	Missouri
Gil Roschuni	Bowie	Maryland
CARL SYKES	LOWELLVILLE	Ohio
Charles Brockus	Reno	Nevada
James W. W, Lundy Lundy	Port Matilda	Pennsylvania
Janet Sykes	Lowellville	Ohio
Kaye Stenbeck	Simi Valley	California
Tim Phelps	Gladstone	Missouri
Stephen Dunbar	Broken Arrow	Oklahoma
Edward and Velinda Jonson Jonson	Hudson	New Hampshire
Tony Lanetti		Select a state
Harold Fry	Kent	Ohio
James Hausmann	Kearney	Nebraska
Samuel Ashwood	MUSKOGEE	Oklahoma
Keith Cook	Brentwood	California

AMERICAN OVERSIGHT

George Smietana	Beaumont	California
Joseph Murphy	Silver Spring	Maryland
Cathleen Geiger	Milwaukee	Wisconsin
James Costlow	Atlanta	Georgia
John Ogle	Shell Knob	Missouri
Therese Seybert	Des Plaines	Illinois
Mike Messenger	Medford	Oregon
Barbara Potter	Landrum	South Carolina
Giuliano Ceradelli	Milano	South Carolina
Charles Ward	Mechanicsville	Virginia
Vitus Cheng Cheng	DERWOOD	Maryland
Mark Huffman	Corona	California
John Batista	Dayton	Ohio
Barry Haymes	Tulsa	Oklahoma
John Copeland	Corvallis	Montana
Robert Connolly	ROLAND	Arkansas
Harold Nash	Hayward	California
J.M. Duty	Sand Springs	Oklahoma
Al Evans	East Amherst	New York
Geraldine Hofer Hofer	Wyoming	Michigan
Deborah Crutchfield	Geneva	Alabama
Michael Oberndorf	Cortez	Colorado
THURMAN SMITH SMITH	WINCHESTER	Massachusetts
Rita Langfitt	Walling	Tennessee
Samuel A. Sheller	Orrville	Ohio
William Pennington	Melbourne	Florida
Peggy Carpenter	Woodland Hills	California
Jack C. Hamm	Collbran	Colorado
Kay Cook	Radford	Virginia
francis galiano	Matawan	New Jersey
TERRY NEELD	NEW ALBANY	Indiana
John Bates	Naples	Florida
Raymond Miller	Spring Lake Hgts.	New Jersey
Karen LaVance	Taylors	South Carolina
LaVary Hager	Brighton	Colorado
john graves	raleigh	North Carolina
John Stillman	Tucson	Arizona
Mark Burhans	Timberlake	North Carolina
Frank Valente	Bakersfield	California
Mickey Olmstead	Austin	Texas
Michael Guin	Bozeman	Montana
Steve Schoer	Rocklin	California
linsey lane	sioux city	Iowa
Mike Carr	Livermore	California
Tom Perrin	Tallahassee	Florida
Allan Ward	Boca Raton	Florida
Paul Woyciechowski	Blackwood	New Jersey
Harold Carter	Millington	Tennessee
Timothy LaForest	Conesus	New York
ROBERT PRUDHOMME	DENVER	Colorado
Kendal Holmes	Streamwood	Illinois
Edward Marr	Round Rock	Texas
Tommy Harris	Houston	Texas

AMERICAN OVERSIGHT

William Ballard Ballard	Elgin	Texas
Jose Hernandez	Azusa	California
Maxwell Friedlander	Tobyhanna	Pennsylvania
BRETT HARDY	MERRIFIELD	Minnesota
Austin Oldham	Rowlett	Texas
Scott Clouser	Harrisburg	Pennsylvania
JAMES CAVANAUGH CAVANAUG	WONDER LAKE	Illinois
John Easterling	Roseville	Minnesota
Kurt Faber	Shorewood	Illinois
mireille torjman torjman	north fort myers	Florida
Bo Hindall	Columbus	Ohio
Janeen White	Dallas	Oregon
Stephen Shoemaker	Gresham	Oregon
Lanna Shrader	Eagle	Nebraska
Dan Troidl	Raleigh	North Carolina
Harriet Lester	Houston	Texas
Charles King	San Diego	California
Joe Ingalis	Peoria	Arizona
Randy Thomas	Miami	Florida
James Morgan	Boca Raton	Florida
Michael Grivette	Blackhawk	California
Ian Page	Cottage Grove	Minnesota
Rocky Bensch	Pickens	South Carolina
Mary Baruch	Mimbres	New Mexico
Gilbert Ruiz	Redondo Beach	California
Peter Alexander	Greenwich	Connecticut
Cs Beelman	Pensacola	Florida
Helen McDonald	Denio	Nevada
Susan Glasner	Beaufort	South Carolina
Don Scott	Wisconsin Dells	Wisconsin
Felton Barlow	Eastman	Georgia
George Carey	Pahrump	Nevada
Robert Braunohler	Washington	District of Columbia
Arch Kennedy	Atlanta	Georgia
Sean Conrad		Select a state
James Atkinson	Cullowhee	North Carolina
Tony Elliot	Oxford, England	Select a state
Thomas Barry	Woodridge	Illinois
Paul Thoman	Jacksonville	Florida
Ted Pettigrew Pettigrew	melrose	Florida
David Wolgemuth	Manheim	Pennsylvania
Chris Klein	Saint Ignace	Michigan
Thomas Buchenauer	Sumas	Washington
Paul Barabasz	Louisburg	North Carolina
Tom Scheeler	San Tan Valley	Arizona
Lawrence Carpenter	FENTON	Michigan
William Coffey	Chicago	Illinois
sal manzo	ny	New York
Toby Bofshever	Davie	Florida
karl krumins	houston	Texas
William Glick	Soldotna	Alaska
Kathleen Peatfield	Billerica	Massachusetts
Pete Diffenderfer Diffenderfer	Eugene	Oregon

AMERICAN OVERSIGHT

Beatrice Rano	Vestal	New York
rob rano	Binghamton	New York
Randy Leliaert	Osceola	Indiana
John Dean	El Paso	Texas
Tim DiMartino	Pittsburgh	Pennsylvania
Glenn Moore	Harrisburg	Pennsylvania
Ted Richichi	Lake George	New York
Karen Laffredi	Morristown	Tennessee
Seth Cottrell	Sioux City	Iowa
David Simsek	Winnemucca	Nevada
Roger Studebaker	Pierceton	Indiana
Harold Hutson	Thermopolis	Wyoming
bobby barefield	jackson	Mississippi
C Earl Jantzi	Grottoes	Virginia
Tom Farrar	Monticello	Illinois
David King	SPOTSYLVANIA	Virginia
Maralyn Ortiz	Chaparral	New Mexico
Thomas Smith	Columbus	Ohio
alan degraw degraw	jenison	Michigan
Chad Seda	San Clemente	California
Taylor Seda	Upland	California
Marlene Seda	Arcadia	California
Greg Seda	Arcadia	California
Chuck Byrum	Bangor	Maine
Sara Waymire	Dayton	Ohio
Elizabeth Waymire	Dayton,	Ohio
Charles Waymire	Dayton,	Ohio
Elisa Smalley	Chappaqua	New York
Jill Crawford Crawford	Cordova	Tennessee
Phyllis Haig	PHOENIX	Arizona
Jim Fulford	Orinda	California
Beverly Bradshaw Bradshaw	Fredericksburg	Virginia
Gerald Pierson	enid	Oklahoma
Brad Puryear	Sandpoint	Idaho
John Muzio	San Mateo	California
Bill Stephens	Woodward	Oklahoma
John DeKam	Boynton Beach	Florida
jams yuill	harpursvill	New York
Janis Karabats	Burney	California
Kevin Sheffield	Rigby	Idaho
Dennis Flohrschutz	Berryton	Kansas
Gerald Strawn	Vancouver	Washington
Bruce Longenecker	Harmony	Pennsylvania
Marcia Sailsbury	Litchfield	Illinois
Eric Johnson	Granite Falls	Washington
Cheryl Richardson	Easley	South Carolina
R.E.L. Richards	Westfield	New Jersey
Madeleine Pigg		Texas
Walter Kunz	Flagler Beach	Florida
T. Hardin		Select a state
desaray green	joplin	Missouri
Vincenia Annuzzi	Newton	New Jersey
Rexford Yoshimoto	Covington	Washington

AMERICAN OVERSIGHT

Jane Orient	Tucson	Arizona
Herve Lajoie	Helena	Montana
Denise Benson	Tulsa	Oklahoma
Mary Jo Lunsford	Stuart	Florida
jorge marenge	sandy	Utah
David Blauvelt	Tacoma	Washington
Betty Ann DeHaven DeHaven	Martinsburg	West Virginia
Louise Kresan	Stevensville	Montana
Eldred Stricklin	LITTLE ROCK	Arkansas
Chris Hammond	Wolfeboro	New Hampshire
Dale Engel		Tennessee
Trygve Gaalaas	Fairfax	Virginia
Susan Cook	Springfield	Illinois
Patricia Eden	Newark	Delaware
Robert Forbes	Campbell	California
George Brooks	Greenback	Tennessee
Annemarie Maynard	Bailey	Colorado
Betsy Barnicle	Dillsburg	Pennsylvania
John Boyle	Hernando Beach	Florida
Susan Kolczun	Claremore	Oklahoma
mike Civil	Hewitt	New Jersey
Marshall Murphy	League City	Texas
William Gibson	Leesburg	Florida
Carolyn Gibson	Leesburg	Florida
Malcolm Allred	Vicksburg	Mississippi
Walt Christen	Beaverton	Oregon
Gina Tarvin	Harned	Kentucky
John Paloma	Camby	Indiana
Jodi Cera-Markota	girard	Ohio
Joseph Taverniti	Pensacola	Florida
Jodi Cera\'s-markota	Girard	Ohio
james Shugrue	Onalaska	Wisconsin
Stephen Leonard	Hampton	Virginia
Sheila Brothers	Brocton	Illinois
Gene Donner	Mechanicsville	Virginia
Joseph Griffin	WINTERVILLE	North Carolina
Tom Streifel	Kodiak	Select a state
William Olson	Roosevelt	Minnesota
Charlie Bates	Albuquerque	New Mexico
lloyd Elliott	Spiceland	Indiana
Shirley Mansfield	East Peoria	Illinois
Tom Viets		Alabama
Carol Herbert	MARNHULL	Select a state
Tom Shade III	Hartford City	Indiana
forrest leatherman	fort lupton	Colorado
William Ron Bobby	Peoria	Arizona
Wendy Frerkson	Salinas	California
Walter R. Daniels	Kirksville	Missouri
William Popp	Royalton	Minnesota
Layne Gosnell	Weatherford	Texas
Joseph Lear	Crescent	Pennsylvania
Sidney Cabbiness	Bixby	Oklahoma
KEVIN ROMSEY	GILBERT	Iowa

AMERICAN OVERSIGHT

William Lippincott	Del Mar	California
Sherry Barbarisi	Neptune Bch	Florida
CARY CONNORS	SPANISH FORK	Utah
UWE HOFFMANN	Colorado Springs	Colorado
Steven Welcenbach	MENOMONEE FALLS	Wisconsin
john emery	Shady Cove	Oregon
Daniel Carr	East Pembroke	New York
wynne williams	cottage grove	Wisconsin
Frank E Murphy Murphy	Hidden Valley Lake	California
Robert Glover	Hermitage	Tennessee
Robert Slowik	Yardley	Pennsylvania
JOHN STORMS	OLALLA	Washington
Eric Osterberg Osterberg	Holden	Massachusetts
Gene Smith	RALEIGH	North Carolina
k Keefe Keefe	Dillon	Montana
shirley vaughn	boise	Idaho
Jack Bridge Bridge	Blairsden-graeagle	California
Carla Woolbright	Greenwood	Arkansas
Nancy Pordon	Hop Bottom	Pennsylvania
Wayne Herrod Herrod	lisbon	Ohio
Kenneth Barber	Forney	Texas
David Gish	Orange	California
John Boggs	Kingston	Ohio
Arnold Conrad	Ashland	Oregon
Grace Larson	Kalispell	Montana
Margaret Plese	Poway	California
baird davis	germantown	Tennessee
John Arden	Harleton	Texas
Jerry McDonough McDonough		Select a state
Robert LaLanne	Rockdale	Texas
Anthony Horzempa	Kirkville	New York
arnold smith	cleveland	Texas
Angela Younger	Meeker	Oklahoma
Emil Younger Jr	Meeker	Oklahoma
David Baughn Baughn	Newcastle	Oklahoma
Chuck Beach	Delaware	Ohio
Michael Henderson	Oakland	Maryland
Michael Austin	Princeton	Texas
Serena Bennett	Republic	Washington
Dennis Finley Finley	Louisville	Select a state
Tim Smith	Ann Arbor	Michigan
Lynda Farabee	Littlefield	Texas
Jay Peterson	Fremont	Nebraska
Raymond Lukens	Paradise	California
Laurie Smith	Sierra Blanca	Texas
Betty Vis	sioux Falls	South Dakota
Jonathan Jacob	Woodside	New York
Michael Thompson	Glendale	Arizona
Daniel Stewart	Atascadero	California
Roger Stokes	St. John	Indiana
Susan Erwin	Benicia	California
John Pastuck	Long Valley	New Jersey
James McEnanly	Belmont	Michigan

AMERICAN OVERSIGHT

James Samuel	Chicago	Illinois
Ken Wicker	Flat Rock	North Carolina
Tim Kelly	Larkspur	Colorado
John Mann	Kingman	Arizona
Geoff Derrick	Brisbane	Select a state
Paul Youngblood	Bloomington Springs	Tennessee
mike malone	warrenville	Illinois
Georga Collins	Baton Rouge	Louisiana
Brad Neufeld	Paradise	California
John Anderman	Phila	Pennsylvania
Karl Whittenberg	Lewes	Delaware
William Hille	Manorville	New York
Mike Rochelle	Resaca	Georgia
Ronita Sylvester	LaSalle	Colorado
James Hill	Eagle lake	Florida
Crissy pelafas	Wheaton	Illinois
Duane Siedentop	Herscher	Illinois
Lewis James	Graton	California
Lynette Lewis	Springfield	Oregon
Thomas Bluemel	Arcadia	California
James Leigh	Roundup	Montana
Michael Foley	Tacoma	Washington
Jerrold Sturm	Caledonia	New York
Michael Bell	Durango	Colorado
Kinney Beisel	Bastian	Virginia
Greg McCall	Hilliard	Ohio
Bill Nickerson	Ashburn	Virginia
Jacqueline Stellone	Melrose	New York
Eric Wolfe Wolfe	Walkerton	Indiana
Dennis Reynolds	Kennesaw	Georgia
Jeff Silver	Los Angeles	California
Tami Argo-Ray	Kimball	Nebraska
Jimmy Smith	Murray	Kentucky
Edgar MacWilliam	Sebastain	Florida
Steven Hill	Marietta	Georgia
Sarah Parks	Bryan	Texas
Randy Barbe	Hampstead	Maryland
Melanie Coles	FT Myers	Florida
Ken Moreland	Bettendorf	Iowa
chuck kandel kandel	West Bend	Wisconsin
Aimee W		Georgia
Jeremy Provencher	Litchfield	New Hampshire
Christopher Wright	Worthing, UK	Select a state
TIMOTHY DARNELL	Sanford	Florida
Philip Christiansen	West Newbury	Massachusetts
Robert Goetz	Orrington	Maine
Kenneth Bakke	Central Point	Oregon
Dan Gingras	Rye	New Hampshire
Darlene Richison	Fort Scott	Kansas
John Paniagua	Rego Park	New York
Susien Sugeng	Grantham	New Hampshire
Lanell Stockstill	Denham Springs	Louisiana
Kenneth DeGeneffe	Georgetown	Kentucky

AMERICAN OVERSIGHT

Wojciech Poza	London UK	Select a state
jim karlock	Portland	Oregon
Richard Piel	Sparta	Missouri
Kelly Piel	Sparta	Missouri
Carolyn Piel	Sparta	Missouri
David Russell	SAN DIEGO	California
Jim Riedmann	Glendale	Arizona
Charles Gilstad	New Town	North Dakota
Rance Allyn	Brea	California
Sue-Ann Jacobson	Belgrade	Montana
Warren H. Toone	Farmington	Utah
Margaret Abeyta	Albuquerque	New Mexico
art fonden	encinitas	California
Robert Feldmann	Volborg	Montana
George Gasparian	Doylestown	Pennsylvania
marilynn manke	st. paul	Minnesota
Thomas Wysmuller	Ogunquit	Maine
Brooke Biehl	Spring City	Pennsylvania
melinda godwin	Hot Springs National Park	Arkansas
Craig Adkins	los angeles	Select a state
John Gilman	Tiburon	California
Glem Riddle	Ada	Oklahoma
Charles Tedrow	North Bend	Oregon
Stephen Wille	Bellevue	Washington
Mark Hendricks	Bothell	Washington
Ed Bradford	Pflugerville	Texas
Larry McGrenera	Orland Park	Illinois
Hap Herndon	Grapevine	Texas
Franklin Hilmen	Georgetown	Delaware
William Gilbert	Arden	North Carolina
Dennis Irby	Kennewick	Washington
Rob Real	Farmington	New Hampshire
Susan Sisley	Ambridge	Pennsylvania
Michael Howington	Kingwood	Texas
Dennis Carlson	Thousand Oaks	California
Gibson jerue	Fargo	North Dakota
Joe Henson	Tyler	Texas
John Unnasch	La Crescent	Minnesota
George Reisman	Laguna Hills	Select a state
Glennda Shelton	Tulsa	Oklahoma
Kathy Trimble	Kingston	Arkansas
jim wiese	lexington	Kentucky
Zobeida Harp	Oregon City	Oregon
Lori Williams	Midwest City	Oklahoma
Linda Black Black	Bellaire	Texas
Jack Gallaher	Kokomo	Indiana
Mark Schaefer	Tempe	Arizona
Jessca Walton	Albany	Georgia
Douglas Johnson	Escanaba	Michigan
Jonathan Laux	Elida	Ohio
Matthew Norman	Farmington Hills	Michigan
Dana Schaefer	Broken Arrow	Oklahoma
Richard Zafar	University City	Missouri

AMERICAN OVERSIGHT

Kay Davis	Grifton	North Carolina
William Gardner	Cleveland	Tennessee
Linda Newhouse	Broken Arrow	Oklahoma
Sharla Utz	Round Lake Beach	Illinois
Katy Hoppa	Tulsa	Oklahoma
John Merson	Linthicum Heights	Maryland
Billy Harnage	Leesburg	Georgia
Bob Hobert	Penn Valley	California
Henry Perry	Titusville	Florida
Eric Sandberg	Long Prairie	Minnesota
Larry Tschopp	Savoy	Illinois
Victor Pierson Pierson	Georgetown	Texas
Richard Benson	Tulsa	Oklahoma
Janette Sheely	High Springs	Florida
Greg Munger	Burlington	Select a state
Fredericka Thompson	Missoula	Montana
ROBERT JONES	Bethany	Oklahoma
Robert Hains	Markleville	Indiana
Paul Schoonmaker Schoonmaker	Claryville	New York
Chris and Tammy Kreif	2321 Moccassin Ln	Texas
Peter Pollock	Palo Alto	California
Les Birtchet	Satsuma	Florida
Epifanio Cruz	Fultondale	Alabama
Michael Healy	Chicago	Illinois
Thomas Schaefer		Select a state
John Hagg	Las Vegas	Nevada
Michael Hill	Gaston	South Carolina
bill nicol	Jupiter	Florida
Brian Prunty	Braselton	Georgia
Bob Hoff	Spokane	Washington
Steven Adams	Lakewood	Colorado
Al Gom	Harrisburg	Pennsylvania
ST Urban	Leonardtown	Maryland
Ben Brigham	Austin	Texas
William Humphrey Humphrey	Newbury Park	California
rose Phelps	Thief River Falls	Minnesota
richard stokely	jamestown	Pennsylvania
John Mack	Lago Vista	Texas
Lyle Henretty	Marion	Ohio
Judith Gustafson	Ojai	California
George Matyas	Lisle	New York
Gregory Emerick	Johnstown	Pennsylvania
Franklyn Durilla	Mount Airy	Maryland
Norman Larson	south beloit	Illinois
Evelyn Ashour	Glen Burnie	Maryland
Todd Fry	Scottsdale	Arizona
robert youells	elizabethville	Pennsylvania
Roger Messier	Manteca	California
Michael Barlage	LANSING	Illinois
Robert Bermea	Bremerton	Washington
Gordon Gill	Twentynine Palms	California
Jack Campell	Longmont	Colorado
Phillip Bullington	Florence	Alabama

AMERICAN OVERSIGHT

Ronald Gabel	Sunland	California
Tony Whiddon	Kennesaw	Georgia
Donald Engels	Fayetteville	Arkansas
Richard Deiss	Warrington	Pennsylvania
Robert Steffel	Loveland	Ohio
Gene Smithson		Select a state
Martin Nolan	Baton Rouge	Louisiana
Adreanna Mendoza		Select a state
Richard Ferris	San Luis Obispo	California
ROGER HOFFMAN	MADISON	Wisconsin
Kerry Chase	PORTLAND	Tennessee
Beverly Wentz	OAK RIDGE	North Carolina
Virginia Ross		New York
Jeff Ware	Rapid River	Michigan
Thomas Sokoloski		New Hampshire
Gerald Marquardt	Onemo	Virginia
LaVonne Howard	Blaine	Washington
Robert Lande	Muscatine	Iowa
Samuel A. Sheller		Select a state
Caleb Rossiter	Washington	District of Columbia
R J Prokop	Pontiac	Michigan
Jamie Spry	NYC	New York
Kim Cleveland	Millville	Pennsylvania
Donna Reaved	Mooresville	Indiana
Kendall Post	Madison	Wisconsin
MOHAMED ABOUL-SEOUD	SCHENECTADY	New York
Bob Lento	Brooklyn	New York
John Linnenkamp		Maryland
Susan Olson	Bella Vista	Arkansas
Earl Pederson	Renville	Minnesota
Christopher DePhillips	Montclair	New Jersey
RUTH BARKER	Organ	New Mexico
Giles Earnshaw	New york	New York
John Stuhrman	Conyers	Georgia
Lauretta Freiberg		Select a state
Marty Remmes	GRAND ISLAND	New York
West Coile	Laytonsville	Maryland
Jim Hausmann	Kearney	Nebraska
Ted Grah	Blaine	Washington
Gene Beljaeff	Madison	Wisconsin
scott mcpherson	barneveld	New York
Bernard Clark	Columbia	Maryland
Greg Hughan	Tulare	California
James Stankey	Dublin	Ohio
Robert Hamilton	White Cloud	Kansas
Tyson Poskochil	Wahoo	Nebraska
kate Williams	Sydney	Select a state
Christine Gaskin Gaskin	Gaston,	South Carolina
Philip Birchall	Spindale	North Carolina
Douglas Pettibone	Sarasota	Florida
John Thauberg	Victoria	Select a state
Philip Verslues	Holts summit	Missouri
DAVID BOESCH	TEANECK	New Jersey

AMERICAN OVERSIGHT

Lee Valentine	Los Angeles	California
Brian Phillips	Garland	Texas
Leonard Giuliani	S.Daytona	Florida
Sylvia Bradford	Cypress	Texas
David Altom	Mabank	Texas
Teresa Stone	FLORISSANT	Missouri
Claude Cufross	Baton Rouge	Louisiana
Peter Walseth	Centennial	Colorado
Andrea Smith	Baton Rouge	Louisiana
Terry Dunleavy Snr	Auckland, New Zealand	Select a state
Dennis Scogin	Cave City	Arkansas
Gabriela Lopez-Gardner	Branson	Missouri
pete kelly	montgomery	Texas
Robert Eberspacher	Baldwin	Wisconsin
Jack Hopkins	Eureka	California
Wendell Laney	Mint Hill	North Carolina
Don Thompson	Whittier	California
Sarah Blahnik	Hoschton	Georgia
Thomas Wiita	Vancouver	Washington
Launa Wing	Fossil	Oregon
Brenda Cox	Jefferson City	Tennessee
Jim Lakely	Lake Zurich	Illinois
Jill Burns	Wildwood	Missouri
Robert Amos	Point Clear	Alabama
Barbara Stockwell	Gren Valley	Arizona
Miller Drake	Glendale	California
Bret Koops	Denver	Colorado
Rick Allemang	Kirksville	Missouri
TD Boudreau	Flower Mound	Texas
warrick walker	calgary	Select a state
George Germick	Schererville	Indiana
Patricia Hines	Pittston	Pennsylvania
William Rickards	Goose Creek	South Carolina
Brian Will	South Dartmouth	Massachusetts
Richard Ellerson	Tucson	Arizona
Bryan Leyland	Auckland	Select a state
Arvid Pasto	Sparks	Nevada
Greg Brownell	Steamboat Springs	Colorado
Jack Logan	Wethersfield	Connecticut
Leo Belill	Sarasota	Florida
Raymond Bajer	Phoenix	Arizona
William Hoy	Bailey	Colorado
Ralph Heap	Mesa	Arizona
Kevin Kane	Denver	Colorado
John Micknal	Campwood	Texas
John Lange	Austin	Texas
Judith McMillen	Tulsa	Oklahoma
Eoghan Finnerty	Boston	Massachusetts
Kevin Hearle	Te Puke NZ	Select a state
Bernhard Winkler		South Dakota
Don Lingle	Avon	Indiana
Deryl Henson	Jacksonville	Texas
Michael Shimek	Corpus Christi	Texas

AMERICAN OVERSIGHT

michael sullivan	knoxville	Texas
Shawn McFatter McFatter	Freedom	California
Karl Backus		Select a state
Darren Neal	Castle Rock	Colorado
Greg Ritzer	Freehold	New Jersey
Louise Kelly	Cleveland	Tennessee
Kenneth Lutich	Sequim	Washington
Debra Bergum	Rancho Cucamonga	California
Daniel Stanhope	Palm Harbor	Florida
Suzanne Morstad	Basin	Wyoming
Bobby Todd	Trenton	Texas
STEVEN SCHRAM	GRAND JUNCTION	Colorado
Robert Fisher	Berkeley	California
John Levonian	Covina	California
Don Schroeder	Park City	Utah
Lowell Howard	Merrill	Wisconsin
Marilyn Zimmerman	Hollandale	Minnesota
Jack DeLong	Jackson	Tennessee
Harry Parker	Birmingham	Alaska
Karen Stanley	eustace	Texas
Lois Mammel	Newtown	Pennsylvania
Alan Becker	Wantagh	New York
Ray Ryan	Carolina Beach	North Carolina
Jim Demorest	Escondido	California
Ben Brahler	Massillon	Ohio
Mary Merryman	Philipsburg	Pennsylvania
Hugh Wise	Gainesville	Florida
Bill Warren	Elgin	Illinois
Rick Champagne		Select a state
Jim Wenzel	Brighton	Colorado
Amos C. Myer Myer	Medford	Oregon
sharon zdrojewski	LANCASTER	California
Chase Kramer	Indianapolis	Indiana
Andrew O\'Donnell	Woodhaven	Michigan
John Power	Longview	Washington
Ethan Whisenant	Front Royal	Virginia
Rich Manning	KEIZER	Oregon
Richard Campbell	Fredericksburg	Virginia
kenneth freund	aurora	Colorado
Virginia Hansen	North Las Vegas	Nevada
Reid Smith	Glastonbury	Connecticut
Ed Hardman	Grove City	Ohio
Christine Genge	Cave Creek	Arizona
Kathryn Fanning	Thermopolis	Wyoming
John French	Burkeville	Texas
Tanner Davis		Georgia
George Guisewhite	Mohrsville	Pennsylvania
Daniel Zeise	Black Creek	Wisconsin
John Sherouse	Grafton	Illinois
Robert Weber	GRANGER	Texas
Peter Capell Capell	PITTSBURGH	Pennsylvania
allan bose	Sumas	Washington
Jacqueline Brown	Orange	New Jersey

AMERICAN OVERSIGHT

Tim Barrett	Burks Falls	Select a state
Bonnie Kaiser	Helena	Montana
Robert Weidner	Phoenix	Arizona
Kevin Kelly		Select a state
stephen Hillis	Lakeland	Florida
Kathren Parker	granbury	Texas
hsuh yao	Milan	Pennsylvania
William Vanderheyden	Katy	Texas
Vivian Ellis	Scottsdale	Arizona
George Woodward	Swanton	Vermont
Tom Zapico	Lakewood	Colorado
Phillip Ferris	Houston	Texas
Joel Patterson	Portland	Oregon
Lowell Miles	Albuqerque	New Mexico
Marvin Powers	Rogersville	Tennessee
Allen Cichanski	Redding	California
manny medeiros	kill devil hills	North Carolina
Denis McCormick	Landenberg	Pennsylvania
Christian Adams	Yalaha	Florida
Richard Hessel	Manhattan	Kansas
Dennis Stayer	Moorpark	California
Punyamurtula Kishore	Chestnut Hill	Massachusetts
LAWRENCE BROWN	MEQUON	Wisconsin
Willis Eschenbach	Occidental	California
john abrahamson	hurricane	Utah
Bill Snider	Arlington	Texas
Charles Mosgrave	Lexington	Kentucky
John Matty Jr	Colonia	New Jersey
Lucy Molinaro		Georgia
Larry James	Marquette	Michigan
Linda Weighall	Lenore	Idaho
Robert Hendricks	Fair Oaks	California
Roger Weaver	De Soto	Missouri
Jerome Hudson	Concord	California
Wesley Fulks	Richmond	Kentucky
Janine Frederick	Taylor	Michigan
Stephen Craffen	Oakland	New Jersey
Richard Lindzen	NEWTON HIGHLANDS	Massachusetts
Darryl Delaney	Manchester	New Hampshire
Linda Bunnell	East Concord	New York
Duane Bunnell	East Concord	New York
Robert Conklin Conklin	Peoria	Arizona
Jim Ballew	Spring	Texas
Ross Davis	Burlington	Massachusetts
Carl Langner	Loveland	Colorado
Sumant Rawat	Pueblo	Colorado
Cecil Coupe	Boise	Idaho
Douglas Heffington	Las Vegas	Nevada
Charles Battig	Houston	Texas
Beth Cheek	Cheekjabc@bellsouth.net	Georgia
Tom Robinson	mendham	New Jersey
KIRAN ANDROLEWICZ	ALBUQUERQUE	New Mexico
Carl Lehfeldt	Morgan Hill	California

AMERICAN OVERSIGHT

Karry Phillips	Calvert	Texas
John Hill	Caldwell	Idaho
Don Allen	Buckeye	Arizona
Bienvenido Oplas, Jr.	Makati City, Philippines	Select a state
Keith Smith	Canyon Country	California
John Harwell	Guthrie	Oklahoma
David Wojick	Wardensville	West Virginia
Robert Strauss	Sayre	Pennsylvania
mike schnurr	spokane	Washington
Carol Westervelt	White Post	Virginia
Patrick Moore	Comox, BC Canada	Select a state
Raymond Freisleben	West Bend	Wisconsin
Bruce Moore	Geneva	New York
Kathleen Sgamma	Denver	Colorado
willie soon	salem	Massachusetts
Thomas Lavallee	Prescott	Arizona
Eileen Green	Jacksonville	Florida
Joseph Pujol	Montclair	New Jersey
Leslie Anchors	Polo	Missouri
Michael Zimmer MD	Vero Beach	Florida
Richard Kahle	Lincoln	Nebraska
Gary Hall	Los Angeles	California
Diane Bast	Sherwood	Wisconsin
John Droz	Morehead City	North Carolina
Burlin Wright		West Virginia
John Warden	PIKE ROAD	Alabama
Mervin Kamper	Hudsonville	Michigan
Elizabeth Lynn	Dublin	Ohio
William Temple	Austin	Texas
James Howell	Evansville	Indiana
Zach Fairchild	Normal	Illinois
Harold Seneker	Fair Lawn	New Jersey
John Larkin	Warminster	Pennsylvania
John Hartley		Select a state
Joanne Walczak	Gulf Breeze	Florida
Perley Patrick	TEANECK	New Jersey
Jerry Davidson	Reno	Nevada
Joyce Hemphill	Cherryvale	Kansas
Steven Ivey	Margate	Florida
Jack Gravlin	Egg Harbor	New Jersey
Stephan Strasser	Scottsdale	Arizona
scott Smolenski	Gainesville	Florida
Robert Schmidt Jr	Bremen	Indiana
Jay Mahoney	Harwich Port	Massachusetts
Daniel Davis	Creve Coeur	Illinois
harry betley	chicago	Illinois
Marlene LaForge	Parsons	Kansas
Steve Sollars	Washington C.H.	Ohio
Paul JAHNSON JAHNSON	Montreal	Wisconsin
Michael Van Parys	Desert Hot Springs	California
Bob Lex		Washington
Tom Anderson Anderson	Eureka	California
frank free		Select a state

AMERICAN OVERSIGHT

William Adkerson	Yukon	Oklahoma
Rodney Gaumer	Boiling Springs	Pennsylvania
Steve Cantrell	Loma Linda	California
Tom F. Rolewicz Rolewicz	Mendota Heights	Minnesota
Joe Reilly	Bellevue	Washington
Donald Larson	Gurley	Alabama
norman staton staton	Sebring	Florida
Dennis Evans	Taylor	Arizona
Daniel Roeder	Amarillo	Texas
terry woolven	HASTINGS	Maine
Calvin Simmons	Bountiful	Utah
Bill Schlibdiver	Parsippany`	New Jersey
Katherine Smith	Mt Vernon	Maine
Curtis Jones	Madison	Ohio
James Kramer	Goshen	Indiana
MICHAEL TYLER	PLUM BRANCH	South Carolina
Bill Shepherd	Lewisville	Texas
Keith Brandt	Alvin	Texas
Jeff Zenker	Capitola	California
Kelton Peery	Leavenworth	Washington
Gary Sharp	Salinas	California
Gene Stevenson	Bluff	Utah
Gale Clemenson	Portland	Oregon
Bradley Beran Beran	Concord	North Carolina
Cindy Rodibaugh	Flatonia	Texas
Roger Lakey	Carlsbad	California
Clyde H. Shaulis, Jr.	Erie	Michigan
Michael Wagner	Mercer	Pennsylvania
Ronnie Goble	Inez	Kentucky
Gloria Senecal	Delanson	New York
Jack Deal	Massillon	Ohio
Greg Bores	Prior Lake	Minnesota
Zdzislaw Meglicki	Bloomington	Indiana
Eugene Sanders	Newark Valley	New York
Ricardo Ferraz	Mountainside	New Jersey
Jerry Estes	Tallapoosa	Georgia
Carole Watson	Sunbury	Ohio
ScottPruitt isCorrupt	Jackson	Mississippi
Christine Ogden	Washington	Utah
Diane Toth	Venice	Florida
Steve Glasgow	Charlotte	North Carolina
Judith Battraw	Richmond	Indiana
Daryn Montgomery	Indianapolis	Indiana
Matthew Horsley	Pinehurst	North Carolina
roger stone	northbrook	Illinois
rudy Batties	Palo Alto	California
Linda Haege	Glen Ellyn	Illinois
Michael Verga	Los Gatos	California
Ray Vandenberg	Pequot Lakes	Minnesota
Samantha Sloan	Groesbeck	Texas
Jim Egbert	Colorado Springs	Colorado
David Gunn		Select a state
Mark Reinhard	Endwell	New York

AMERICAN OVERSIGHT

William Coddington	Prior Lake	Minnesota
Benjamin Boekweg	Springville	Utah
George Levasseur	Carpendale(Ridgeley)	West Virginia
Darrell Rogers		Select a state
joe Phillips	Lebanon	Tennessee
Frank Spracklen	Salt Lake City	Utah
Harold Levi	Blairsville	Georgia
Fritz Damveld	Hollywood	Florida
Emily R	Athens	Georgia
Carl Winters	Farmington	New Mexico
Michael Melton	Texarkana	Texas
Jill neubraunner	N.A.	Select a state
Cole Wibbels	Gillette	Wyoming
John Drew	Battle creek	Michigan
Joy Bazill	Fairborn	Ohio
terry chambers	Boyd	Texas
Carolyn Watters		Florida
Sam Pyeatte	Everett	Washington
Alex Dunlap	Woodstock	Georgia
Roger Sowerby	Kaysville	Utah
Allyn Thornberry	Vulcan	Michigan
Steve Gunyon	Bowie	Maryland
William Jordan	Huntsville	Alabama
DAN HALL	LUDLOW FALLS	Ohio
Allen Rogers	Vancouver	Washington
Edward Rogers Rogers	ironton	Ohio
Richard Cramer	Mount Pleasant	Wisconsin
Robert Latta	Columbia	South Carolina
Chris Gerhardstein	Hiram	Ohio
John Loftin	Lake Charles	Louisiana
Armand Kachigian	Granite City	Illinois
Lois Grebosky	Woodbury	Connecticut
Edward Martin Martin	Poinciana	Florida
Mark Zaslav	Novato	California
Kris Moore	Earleville	Maryland
Mark Sims	Camp Hill	Pennsylvania
Kevin Lopata	Latrobe	Pennsylvania
Gary Wescom	LEBANON	Missouri
carlo blanco	boca raton	Florida
Cliff Cottonaro	Davie	Florida
Phil Doucette	Memphis	New York
John Barnes	Lexington	Kentucky
Richard Reitmeyer	Henderson	North Carolina
Arnoldus Lapre	Carligford, N.S.W. 2118, Australia	Select a state
Paul D Renselle	Carmel	Indiana
Gary Arthur	Coopersville	Michigan
James Barnett	Sierra Vista	Arizona
William Strang	Westland	Michigan
Charles Landgraf	Anacortes	Washington
Dale Horst	Lititz	Pennsylvania
Roy Royster	Dunlap	Tennessee
Michael Turner	Pine Grove	Pennsylvania
John Ziegenhardt	Milford	Ohio

AMERICAN OVERSIGHT

William Edwards	Georgetown	Texas
James Roy	Brandywine	Maryland
jim donohue	newtown	Pennsylvania
Rich Zuppio	Peabody	Massachusetts
Rick Groman	Bridport	Vermont
Karen Thompson	Canaseraga	New York
Warren Cole	Charlotte	North Carolina
Fred Barth	Reading	Pennsylvania
Jeannie Luttrell	Greeneville	Tennessee
John LaBriola	Fairfax Station	Virginia
Glen Kuykendall	Amarillo	Texas
Lyle Baumann		Select a state
Dennis Hardman Hardman	Piedmont	Oklahoma
dale jones	summersville	West Virginia
Al Martin	Denton	Texas
Sanford Edwardsen	Bellingham	Massachusetts
Doug Ellwood	Chesterfield	Missouri
Susan Davis	Marshall	Missouri
Robert Lyman	West Berlin	New Jersey
William Threewits	Lawndale	Select a state
kenneth lyon	Wagoner	Oklahoma
Mark Michalsky	Waukesha	Wisconsin
Charles Iliff	Arnold	Maryland
Dennis Kimball	Cambridge	Maryland
Eric Nelson	Crossville	Tennessee
Oren Kesler		Select a state
Roger Densley	elma	Washington
Clark Graeve	Bloomington	Minnesota
Mark Hodges	Malo	Washington
Colin Wilkinson	St. Paul	Minnesota
Troy Rogers		Select a state
Tim Chapin	Akron	Ohio
Ryan Gengler	Mosinee	Wisconsin
Ron Marks	Mount Juliet	Tennessee
Margie Luna	Livingston	Texas
Bryce Johnson	Saratoga	California
Mark Rocconi	Bethel	Connecticut
Tim Power		Kansas
James Barrett Jr	Canton	Texas
Patrick Collins	Greendale	Indiana
Jennifer Cleveland	McKinney	Texas
Paul Link	Hampton	Virginia
Rachelle Brown	Detroit	Michigan
Rick Rivera	Quinlan	Texas
Eric Anderson	Palm Coast	Florida
DONALD KERSEY	SHAWNEE	Oklahoma
Al Lowe		Select a state
Kevin Saunders	Samson	Alabama
David Sion	Springville	New York
Dennis THOMAS	GULF BREEZE	Florida
tad dickerson	denham springs	Louisiana
Li Tyler	Winchester	Kentucky
Don Bishop	Estes Park	Colorado

AMERICAN OVERSIGHT

Rob Mudry	Westlake	Ohio
Bill wyman	Gunnison	Colorado
Ronald Fleck	Saint Louis	Missouri
John Angiulli	Poughkeepsie	New York
Ron Brooks	Sugar Land	Texas
David Samples	Ray	Ohio
Jules Guidry	Battlefield	Missouri
Barry Bordes	Slidell	Louisiana
Jim Drescher	Justin	Texas
Harry Wilson	Los Angeles	California
Ron Stappenbeck	Macedon	Select a state
neil santucci		Select a state
Janet Carter	Moran	Texas
Clifford Eike	Willow Grove	Pennsylvania
arren bruns	sunman	Indiana
Ruby Lewis	Churchville	New York
Grand Nagus	Irving	Texas
Pauli Hirvonen	SUMMERVILLE	South Carolina
John Keller	Dunedin	Florida
Danny Spivey	Tipp City	Ohio
Samuel Fluckiger	Golden	Colorado
Richard Brue		Nevada
James Oberlin	Lewisburg	Pennsylvania
John Stowe	lebanon	Missouri
Peter Wells	St. Cloud	Florida
John Viertel	Moran	Texas
Augustine O\'Brien	Lawrence	Massachusetts
Robert Denham	Hiram	Georgia
John Boland	Murrells Inlet	South Carolina
Courtney Owen		Select a state
David D\'Arcangelo	Collegeville	Pennsylvania
Stephanie D\'Arcangelo	Collegeville	Pennsylvania
Lorraine Gloede	Dover	Delaware
Ted Bjorem	Tigard	Oregon
Thomas Graham	Mount Pleasant	South Carolina
Shawn Marshall	Hardy	Virginia
Richard Pitts	Alpharetta	Georgia
Jon Atkinson	Aitkin	Minnesota
Fred Purdue	Elmira Heights	New York
georgia cannon	fayetteville	North Carolina
Barbara Brackett	Forest Park	Georgia
Eugene Wojciechowski	Mickleton	New Jersey
Tony Douglas	Independence	Missouri
Joel Black	Birmingham	Alabama
Anna Pacer	Auburn	Alabama
Mark Barbee	Dry Prong	Louisiana
AL NAZARIO	NYC	New York
Frank Thompson	Bullard	Texas
alvin copping	Cumming	Georgia
Tom Hinkelman	Arlington	Texas
Cliff & Diana Schommer	Merritt Island	Florida
Samuel Wallace	Georgetown	Indiana
Jack Langdon	Asheville	North Carolina

AMERICAN OVERSIGHT

Neale Bailey Bailey	The Villages	Florida
FREDERICK MCCAIN	gasport	New York
David Ingraham	Napa	California
Gregg Frye	Prospect Park	Pennsylvania
Matthew Emanuel	Chicago	Illinois
Thomas Bruice	Carlsbad	California
Susan King	Lebanon	Oregon
Gary Fausz	Markle	Indiana
Jim Carmichael	Brunswick	Georgia
Henry Le Donne	Groveton	New Hampshire
Bill Ponton	Winston Salem	North Carolina
Kate Jaudes Jaudes	Salem	Oregon
Ron Wilcox	Menan	Idaho
Lewell Austin	St. Cloud	Florida
Bonnie McGinnis	Sturgis	South Dakota
Chantenelle Lind	Billings	Montana
Scott Parlin	Sahuarita	Arizona
Herve Deveaux	Paphos	Select a state
Douglas Spillman	Louisville	Kentucky
James Baker	Anchorage	Alaska
Lynn Thacker		Select a state
Jack Moilanen	L\'Anse	Michigan
Loren Corle	New London	Minnesota
Walter Clark	Wilmington	North Carolina
Lawrence E Jones Jones	Plymouth	Michigan
Joshua Henrie	Benton	Pennsylvania
Kenneth Bevering	Hamilton	Illinois
Paul Yale	Portland	Oregon
Dale C Casey	Cooper	Maine
David Lawell	Eloy	Arizona
William F Lynes Jr	Alameda	California
Mark Roberts	Kempton	Pennsylvania
Rodney Spriggs	Berryville	Virginia
Jennifer and Keith Lorensen	PUEBLO	Colorado
E Eugene Wickstrom	Cathlamet	Washington
Milt Peters	Glennallen	Alaska
James Brown	Clyde	North Carolina
Rita Padget	Kingman	Arizona
Kevin Hoar	Portland	Oregon
Dennis Faulkner	Lakeside	California
Richard Gutierrez	Channelview	Texas
Russ Meisner	Poulsbo	Washington
Lars Tovander	Baytown	Texas
michael nehlsen	big bend	Wisconsin
Ed Feldman Feldman	Freeport	New York
Christina Chan	San Diego	California
vern sieving sieving	lemay	Missouri
Todd McNemee	Salem	Oregon
Aimee Potter	Seattle	Washington
Margrett Buchholz	Prosser	Washington
Suzanne Prince	Las Vegas	Nevada
Eric Shields	Portland	Oregon
William Chase Chase	North Chesterfield	Virginia

AMERICAN OVERSIGHT

Kimberly Wingard	Gainesville	Florida
Jerry Nass Nass	Clarksville	Tennessee
Norman Sannes	Mora	Minnesota
Paul Phillips	Carbondale	Illinois
Jordan Thompson	Mountain House	California
Mitch LaBuda	San Jose	California
Daniel Dennison	Lubbock	Texas
Ryan Muhammad		New York
Warren H. TooneFarmington	Farmington	Utah
Dick Bertrand	Lincoln	Nebraska
Cecil Beumer	Asheville	North Carolina
Dale McDaniel	Conroe	Texas
Anthony Armini	NIPOMO	California
John Mix	Lake Forest	California
Alan Jussila	Goldendale	Washington
David Lee	Mesa	Arizona
Larry Kirkland	Moscow	Idaho
Paul Atwater	Benicia	California
Delbert Cline	Coos Bay	Oregon
Paul Atwater Atwater	Benicia	California
Beverlee Roper	Weatherby Lake	Missouri
Robert Fox	Brentwood	California
Gregory Kuhl	Hammond	Indiana
Dean Unruh	Sioux Falls	South Dakota
J S		Select a state
Peter Fanucchi	Fulton	California
Deryk Ford	Lake Worth	Florida
Dennis & Marsha Stayer	Moorpark	California
Charles Morrison	Soledad	California
John DeFayette	Gettysburg	Pennsylvania
Martha Johnson	Chandler	Arizona
Melvin Howerton		Select a state
William Hutchins	Lexington	Kentucky
michael may	tempe	Arizona
Reggie Jardon	Elk Grove	California
Joe Wellborn	Corrales	New Mexico
David Averill	Littleton	Colorado
Suzanne Phillips	McCleary	Washington
Robert Byers	Martisville	New Jersey
Thomas Williams	Grand Blanc	Michigan
Willy Nerdal	Bergen	Select a state
John Bickford	Bismarck	North Dakota
Thomas Bauch	Colleyville	Texas
John Sipp	Pinehurst	Idaho
Margaret Taskila	Scobey	Montana
Jennifer Kelly	Prescott Valley	Arizona
Suzanne Paroski	Story	Wyoming
Thomas F. Stalnaker	Tehachapi	California
Marian Hopkins	Dawsonville	Georgia
Candy luhrsen	Mimbres	New Mexico
Ralph Bazil	Rose Hill	Kansas
Mark Smith		Alabama
John Ritland	Kirkwood	Missouri

AMERICAN OVERSIGHT

Robert Fogelsanger	Gilbert	Arizona
Joseph Draper	Christiansburg	Virginia
John Brudnicki	Gold Beach	Oregon
Shawn Broman	Plainfield	Illinois
Sam Neff	Ruby Valley	Nevada
Brian Halawith	Phoenix	Arizona
David Peterson		Select a state
Margaret Folz	Glen Cove	New York
Kerwin Dunsmore	Dunsmore	Colorado
Frank Romano	Carmichael	California
Amanda Pence	Norman	Oklahoma
Sterling Munce	Valley Village	California
Mary Curry	Medford	Oregon
Esther McGuire	Momtrose	Colorado
Frank Nash	pleasant Plains	Arkansas
Floyd McGuire	Montrose	Colorado
Dan Korpi	Eveleth	Minnesota
Ronald Sabo	Lk Cormorant	Mississippi
RICK RETHWISCH	LEWELLEN	Nebraska
Dustan Duphily	Oroville	Washington
Bill Prater	Redkey	Indiana
Eva Oriold	Baldwin Park	California
John F. Gunn	SPOKANE	Washington
Stephen Oriold	Baldwin Park	California
Alan Mewhort	Houston	Texas
Raymond Acuna	Torrance	California
Robert Baxter Jr	Paaso Robles	California
Lois` Van Kirk	Metairie	Louisiana
Michael Gangemi	Rochester	New York
Ronald Collins	Knoxville	Tennessee
John Bruha	Grand Rapids	Michigan
Daniel Zabawa Zabawa	Omaha	Nebraska
John Duck	Dallas	Texas
Greg Mather	The Woodlands	Texas
Philip Sanchez	Joshua tree	California
Charles Albritton	Pascagoula	Mississippi
Richard Green	Prescott	Arizona
Lark Pursifull	Nampa	Idaho
John Sanders	Painesville	Ohio
Bruce Thompson	Stratton	Colorado
Franca Gaudet	east Longmeadow	Massachusetts
Alex Moorehead1	Cohasset	Massachusetts
Albert Porter	Fernandina Beach	Florida
Robert A. Musser	Arlington	Texas
Charles Oslakovic	Wonder Lake	Illinois
Kazuko Meissen	las vegas	Nevada
Greta Kocol	Bellingham	Washington
Joseph Meissen	las vegas	Nevada
Kelly Gerez	LAWRENCEVILLE	Georgia
Dennis zumbrun	montz	Louisiana
Glenn Shelton	PITTSBORO	North Carolina
Kara Schoepfer	Ames	Iowa
Michael Murphy	Sioux Falls	South Dakota

AMERICAN OVERSIGHT

Richard J Jones	Dayton	Ohio
Michael Morris	Naples	Florida
David Kuhn	Chatsworth	California
Richard Schaeffer	Vacaville	California
Sharon Larson	South Beloit	Illinois
James P Vincent	Alvin	Texas
Mackey Stephenson	Willow Spring	North Carolina
Carol Keddington	Salt Lake City	Utah
Kevin Parnin	Alachua	Florida
greg heymans	minneapolis	Minnesota
Martin Montoya Montoya		California
Ellen Theilen	Farmers Branch	Texas
Tracy Butts	Caney	Kansas
Alan Zeidman	Vail	Arizona
Paul Standridge	Allen	Oklahoma
Shirley Sampson	Hoffman	Minnesota
Kyle Cramer	Saint Michael	Minnesota
Albert Emge	Gardendale	Alabama
Jerry coyle	Grove	Oklahoma
James fitch	renton	Washington
Ron Nichols	Richfield	Minnesota
Paul Prochko	Pocatello	Idaho
James Burnett	Hermitage	Tennessee
Richard Del Frate	Crossville	Tennessee
Merrilee Mcdonald	Boise	Idaho
Mark Crouse	Plattsburgh	New York
Linda Carney	Forest Lake	Minnesota
Gary Jones		Select a state
Allen Barr	Stevensville	Montana
James Nolan	Cave Junction	Oregon
David Sementilli	Liberty Hill	Texas
Ernest Moody	Reno	Nevada
Gary Carrington Carrington	Bartonville	Texas
Bruce Morgan	Torrance,	California
Richard Jensen	Torrey	Utah
Jerry Cooper	Tumbling Shoals	Colorado
Denis Mewis	Roggen	Colorado
Frank DeVoy	Wauwatosa	Wisconsin
Scott Harris	Henderson	Nevada
Donald E and Donna K Sims	Carmi	Illinois
Barbara Lytle	Chula Vista	California
Willie McRoy	Fuquay Varina	North Carolina
Peter Jarvi	Menahga	Minnesota
Dawn Whitman	Ruston	Louisiana
John Riganati	Skillman	New Jersey
Ann Gabel	Byrnes Mill	Missouri
K Reynoso Reynoso	Tehachapi	California
Henry Koopman	Waite park	Select a state
Rosejoy Stagg	Pineville	Louisiana
Marsha Greenfield	Gardena	California
David Olson	Greenwood Village	Connecticut
Frank Buckoski	Mims	Florida
Sam Bronstein	College park	Maryland

AMERICAN OVERSIGHT

William Puckette	Poteau	Oklahoma
Darrell Radford	Templeton	California
Ellis Venia Jr	Toledo	Ohio
David Koepp	Brule	Wisconsin
Earl Neidig	Dillsburg	Pennsylvania
Prof. James Rust	Atlanta	Georgia
Daniel Botwin	Montgomery	Alabama
Nita Hewson	Mandeville	Louisiana
Richard Vermilyea	Houston	Texas
Judy Lovins	Springfield	Missouri
Connie Hester	Witt	Illinois
Greg Wagner	Spokane	Washington
Amber Matthews	Burleson	Texas
Perry Rucker	Slidell	Louisiana
Michelle Weaver	Dryden	Washington
THOMAS TRAINOR	SUSSEX	New Jersey
THOMAS SIMPSON	BOCA RATON	Florida
Emma Brown	Watkinsville	Georgia
Nathan Detrich	Escondido	California
benjamin antrim	gilroy	California
David Pullin	McDowell,	Virginia
John Dyer	Evansville	Indiana
Jose Rodriguez	Houston	Texas
Jan Fisher	Sudan	Texas
D Kenny	Niles	Illinois
CJ Hinkle	Portland	Oregon
Kent Schumacher	Elkhart	Indiana
Pete McEntee	Spring Hill	Florida
Richard Spicka	Littleton	Colorado
Justin Victoria	Franklin	Massachusetts
Robert Peacock	San Diego	California
Vernon Boyd	Roy	Washington
Vicki Cicero	Tyrone	Georgia
Dean Maycock	ROY	Utah
Brent Junkins	Highland	California
Tim Momsen	Golden Valley	Minnesota
Bernard Tully	Mashpee	Massachusetts
Mark Ragsdale	Duncan	South Carolina
Glenn Gelineau	San Carlos	California
Pam Ostrander	Lake villa	Illinois
Terry Burke Burke	Castleton	Vermont
Thomas Griffith	Boulder	Colorado
Gail Daley	Westfield	Massachusetts
Stanley Hutchinson	Grand Junction	Colorado
Rob Warner	Broomall	Pennsylvania
Michael Everett	Princeton	North Carolina
Barb Otto	Spencer	Nebraska
Tammy Woten	Potter	Nebraska
Ellen Atkins	Emory	Texas
Earl Vraney	Antioch	Illinois
Frank Dierenfeld	Deep River	Iowa
John Taylor	Gardendale	Alabama
Sarah Luke	Houston	Texas

AMERICAN OVERSIGHT

James Buysse	Riverside	California
David Jenningd	Kingsbury	Texas
mike logan		Select a state
Thomas Rall	Fort Worth	Texas
Virginia Davis	Mooresville	Indiana
Sharon Lindsay	Sedalia	Colorado
Kathy Michaelson	Rockton	Illinois
Mike Ayers	Myrtle Creek	Oregon
Ted & Diana Burton Burton	Oklahoma City	Oklahoma
Bill RYAN	Mount Wilson	Select a state
Jason Miller	Northpole	Alaska
John Kotchian	Middlebury	Connecticut
Richard Woodworth	Los Osos	California
Ron Johnson	Arlington	Washington
Justin Barnes	Memphis	Tennessee
Ben Humphries	Jasper	Alabama
Randy O\'Connell	Conception Junction	Missouri
Jacob Schulfer	Platteville	Wisconsin
Charles Fox	Phx	Arizona
Thomas Arnold	Manchester	Missouri
Jim DeVore	Navarre	Florida
John Crawford	Phoenix	Arizona
Timothy Simmons	Elizabeth	West Virginia
Judy Skov	Denver	Colorado
Henry W Friedrich	Algona	Iowa
ruth hickey	Minneapolis	Minnesota
Judith Liegmann	Campbell	California
Jeffrey Saler Saler	Bellbrook	Ohio
Paul Dyer	Springfield	Missouri
Ronald D Thompson	Bandera	Texas
Lana Butler	Lynnwood WA 98087-7028	Washington
Andrew Woods	CARRSVILLE	Virginia
Paul Buckholz	Croswell	Michigan
PAUL HENRY	MOUNTAIN HOME	Arkansas
Linda Sarto	Camdenton	Missouri
Douglas Cross	Birch Bay	Washington
Terry Grambsch	Hamilton	Ohio
MANDY PRUYT		Select a state
Gabrielle Geschke	Jackson	Wisconsin
michael forster	Lincoln	Delaware
Gonzalo Munevar Munevar	Farmington Hills	Michigan
Judith Stroick	Chandler	Arizona
John Mooney	Taylor	Michigan
Frank Colton	Baker City	Oregon
Linda Augsbach	Tarpon Springs	Florida
holly yanushka	mckinleyville	California
Matthew Mayo	Pickerington	Ohio
judy graham	magnolia	Texas
Tom Spanton	San Diego	California
Brian Fulton		Select a state
Matthew Madsen	Fairfax Station	Virginia
Paul Savoy	Metairie	Louisiana
Harley Moody	Corpus Christi	Texas

AMERICAN OVERSIGHT

Velma Enloe	Eldon	Missouri
Anna Enloe	Eldon	Missouri
Mr. & Mrs. Harding	Wilmington	North Carolina
Caitlyn Curtis	Eldon	Missouri
Kayla Theys	Oak Creek	Wisconsin
Laurence Barton	Santa Fe	New Mexico
Donna E. Smith	San Antonio	Texas
Anna Curtis	Eldon	Missouri
John Roberts	Clermont	Florida
Edward Eteshola	Gahanna	Ohio
Eric Stampfli	Greenwood	Indiana
Darlene Beckman	Lilburn	Georgia
Esta Bond	Eldon	Missouri
Gary Bjerrum	Vermillion	South Dakota
Anna Bond	Eldon	Missouri
Rose Comstock	Clio	California
Caitlyn Bond	Eldon	Missouri
Jennifer Bond	Eldon	Missouri
Chris Kornowski	West Allis	Wisconsin
Bruce Ebelt	Kerrville	Texas
Jodi Coan	De Leon	Texas
Roy Bond	Eldon	Missouri
Garrell Bond	Eldon	Missouri
Penny Bonadonna	Williamsburg	Virginia
Al Lancasters@verizon.net	Byram	New Jersey
Marge Taylor	Guntersville	Alabama
claudia pauloo	divide	Colorado
James Ottesen	Chula Vista	California
Shawn Allan	St. Clair	Pennsylvania
Phillip Hoffer	Glenside	Pennsylvania
Linda Myrick	Chicago	Illinois
James Lugar	Austin	Minnesota
Reagan Rieken	Ames	Iowa
James Payne	San Diego	California
Robert Perwas	Elmwood Park	New Jersey
Leonard Schafer	Campbelltown NSW Australia	Select a state
Anne Burton	Ozark	Missouri
Jack Bulwidas	New milford	Connecticut
Tara Poston	Athens	Georgia
James Baird	Mapleton	Utah
James Higgins	Leawood	Kansas
David Minshall	Roxboro	North Carolina
robert hanneken	stroud	Oklahoma
Stephen Kersten	Leicester	North Carolina
Mark Kohlhafer	Kill Devil Hills	North Carolina
William Seachrist	Harrisburg	Pennsylvania
Joe Perry	Damascus	Maryland
Charles Burket	GRIMES	Iowa
Jackson Garrott	Penhook	Virginia
Robert Bischoff	Oak Grove	Missouri
gary graber	lebanon	Missouri
DuNard Cooper	St. Peters	Missouri
Steve Dorgan	Gilberts	Illinois

AMERICAN OVERSIGHT

Jean Onasch	Port Charlotte	Florida
Michael Snyder	Merritt Island	Florida
Timothy Powell	Appling	Georgia
Brad Van Conant II	Croswell	Michigan
Eugene and Frances Livesay	Newport	Tennessee
John Haworth	Sequim	Washington
Ken Andrews	SALT LAKE CITY	Utah
Donna Rott	Henry	Illinois
SUE HORNER	KENNY LAKE	Alaska
MIKE RUTHERFORD		Select a state
Ray Bugbee	Upland	California
William Lippe Lippe	San Angelo	Texas
VAUGHAN MCCURRIE	CHRISTCHURCH	Select a state
Gary Elliott	Las Vegas	Nevada
Glenn Gruenhagen	Glencoe	Minnesota
Evelyn Gallego	Baton Rouge	Louisiana
Paula Peterson	Loveland	Colorado
Eric Hein		Select a state
RICK WAYMAN	NAPLES	Florida
Sheryl Durbin	Justin	Texas
Garret Conner	Annville	Pennsylvania
Richard Duke	Burns	Oregon
Kenneth Loveland	Fairfax	Virginia
Frank Zipperer	Round Rock	Texas
Melinda Crawley	RINGGOLD	Georgia
Alan Morrison	Grafton	Ohio
Tom Daniel	Florissant	Colorado
Peter Pomeroy	Perth	Alaska
Don Curtis	Long Beach	California
Mark Strandjord	Lakewood	Colorado
Sue Moore	Sedalia	Colorado
Catherine Moore	Felton	California
Ralph Lindenberger Lindenberger	UNION	Kentucky
R Nicholas	GT Falls	Montana
Eric Henderson	Grants Pass	Oregon
Al Wigand	evavsville	Indiana
Christopher Cook	Londonderry	New Hampshire
Lisbeth Pierce	Bothell	Washington
Don Kemper		Select a state
Jennifer Frie	El Dorado Hills	California
Arlen Besel	Elkton	Maryland
Steve Buchanan	South Jordan	Utah
Ed Ellis	Basking Ridge	New Jersey
Jim Kempen	Fond du Lac	Wisconsin
Harold Kramer Kramer	Mansfield	Texas
Cameron Montgomery	Price	Utah
Tony Matrona	Berlin	Maryland
Marvin Johnson	Independence	Minnesota
Cindy Kirkland	Tioga	Texas
Donald Hatfield	Stillwater	Oklahoma
edward tegland	Parker	Colorado
Sandra Aleman	Cody	Wyoming
Donald Ratliff	Gray	Tennessee

AMERICAN OVERSIGHT

Ronald Sims	Niangua	Missouri
Janice Rathman Rathman	Orlando	Florida
William Tessore	Squaw Valley	California
Roland Sleater	CHANDLER	Arizona
David LaPlant	Taunton	Massachusetts
Jerry RosebErry	Ona	West Virginia
Jim McGregor-Dawson	Capalaba	Select a state
James Keogh	Wheaton	Illinois
Sam Tucci	Harrisburg	Pennsylvania
Scott Smith	Provo	Utah
Mark Wakeford	Flagstaff	Arizona
Tim Juett Rose urg	Roseburg	Oregon
Michelle Alsobrook	Friendswood	Texas
Steve Cook	Montrose	Colorado
Anthony Follett	Santa Clarita	Select a state
jack stockdale	Worcester	Massachusetts
George Pranis	West Bloomfield	Michigan
Gary Kohl	Glasgow	Virginia
Macky Patton	New Braunfels	Texas
Terry Fox	Louisville	Kentucky
Garry forquer	Surprise	Arizona
Thomas Lucero	Arleta	California
John Paddenburg	Lawrenceburg	Indiana
Jackie Kearney	Daphne	Alabama
Fred Mueller	Grove City	Pennsylvania
Stanley Castagnetto	Newbury Park	California
earl sexton sexton	owingsville	Kentucky
Richard Fox	Sedro Woolley	Washington
Douglas Larson t	Tonopah	Arkansas
David Tallant	Albuquerque	New Mexico
Bill Hertel	Granbury	Texas
patricia bauer	tukwila	Washington
Harry Titshaw	Knoxville	Tennessee
charles hartman	shirley	Massachusetts
David r	Port Angeles	Washington
Cheston M Newbold Newbold	Cornish	New Hampshire
Erin Jackson	Columbus	Ohio
Jeff Smith	Stillwater	Oklahoma
John Ashe	Plano	Texas
Ronald suder	belington	West Virginia
Francis Furmanek	Westport	Connecticut
Dwayne Oxford	Holladay	Tennessee
Dirk Jeanis	Clearwater	Florida
James Bubb	Gaithersburg	Maryland
Mike Lewis	Santa Barbara	California
Christine Anderson	San Diego	California
Kenneth Murphy	San Augustine,	Texas
Robert Walsh	Islip Terrace	New York
Jordan Hammond	Columbia	South Carolina
Gerald Shepherd	Santa Barbara	California
Deborah Castleman	Santa Monica	California
Mario Esparza	Conroe	Texas
Robert Barr	Weston	Ohio

AMERICAN OVERSIGHT

Stephen Wibberley	Canterbury	Connecticut
Ted Deremer	North Canton	Ohio
Bill Lindemann	Honolulu	Hawaii
Dennis Fullenkamp	Tomball	Texas
Jay Zoller	Tulsa	Oklahoma
Jennifer Grethel	Encinitas	California
Ray Svoboda	Elburn	Illinois
Stuart Colman	Isle of Palms	South Carolina
William Seibel	Carnegie	Pennsylvania
Chris Reeves	Sacramento	California
Michael Trazzera		Select a state
Glenda Dunn	Boerne	Texas
Edward Cooper	Aztec	New Mexico
Joyce Miller	Colonial Beach	Virginia
NANCY ALBERICO ALBERICO	MARSHALL	Virginia
Bruce Hempel	Tivoli	New York
Janet Zimmer	Warrenton	Virginia
William Allbritten	Aberdeen	Maryland
John Heinsen	Orlando	Florida
Robert Workman	Ashburn	Virginia
Barbara Geary	Paso Robles	California
Sara Dowling	St. Petersburg	Florida
William Rachels	APPLING	Georgia
Gordon Maronde	Omah	Nebraska
Bill Foster	Red Oak	Texas
Jim Billingsley	Bloomington	Indiana
Armida Remy	Le Plan de la Tour	Select a state
Patrick Bray	Edmond	Oklahoma
Anna Aldredge Aldredge	Encino	California
George Reagan	Fort Worth	Texas
Naomi Kane	New Milford	Connecticut
Mark Behrens	San Francisco	California
Peter Farrell	Houston	Texas
David Simpson	New York	New York
Harry Young	Eagle River	Alaska
Conner Chambers	Pawhuska	Oklahoma
Richard Brox	Amherst	New York
DAN VANDRE	KOKOMO	Indiana
LORETTA WOLTER-PINKOWSKI	UPLAND	California
Dominic Bashford	Highland Heights	Kentucky
Stephen Doyle	Glade Park	Colorado
Robert DiPerna DiPerna	Remsen	New York
Katherine Bartlett	Colfax	Wisconsin
Steve Bochra	Chicago	Illinois
Clinta Samuelson	Omaha	Nebraska
Roy Harvey	Chautauqua	New York
Stece Bochra	Chicago	Illinois
David Strock	Napa	California
Pierre Kleff	Harker Heights	Texas
Ronald Kitts	Munford	Tennessee
John Holliday	Madison	Wisconsin
Austin Burge	Culpeper	Virginia
Carl Curtis	Lynchburg	Virginia

AMERICAN OVERSIGHT

Deanne Phillips	Alabaster	Alabama
Michael Wilkinson	Benicia	California
Karl Schwelm	Marietta	Georgia
Robert Brucklacher	New Cumberland	Pennsylvania
Mark Williams	Tulsa	Oklahoma
Lawrence Harrison	Lakerwood	Colorado
Lori Miller	Lovettsville	Virginia
Gabrielle Oreskovic		Wisconsin
Travis Sherman	Rossford	Ohio
James Peck		Washington
James Steenson	Puyallup	Washington
Kenneth Young	Simi Valley	California
Robin Glass	Bloomfield	New Mexico
Jolynn Rider	Lamar	Colorado
Daniel Smith	Rolla	Missouri
Aaron Smith	West Lafayette	Indiana
Paul Fredriksen	Clear Lake	Iowa
john Birge	montrose	Colorado
Mike Davis	Canyon	Texas
Charles Sander	Mutual	Oklahoma
Matthew Winn	Conroe	Texas
Rebecca Sexton	Kendallville	Indiana
Peter Glick	Los Angeles	California
Jackson Carroll	Pullman	Washington
Fred Sowerwine	Belgrade	Montana
John Campbell	Palm City	Florida
Diane Von Niederhasuern	Hyrum	Utah
Preston Fittro	Auburn	Alabama
Chet Swartz	Covington	Virginia
Bernard Brzostek	Virginia Beach	Virginia
Elaine Liming	Yorba Linda	California
anthony musillo	manalapan	New Jersey
Roger Lamphier	Birch Run	Michigan
Dwight Reese	Davenport	Iowa
LEONARD SHARP	JACK	Alabama
Martin Kneis	Houston	Texas
JEFFERY DeLong	Lancaster	Pennsylvania
Craig Nelson		Select a state
wayne van ness	Dunlap	Tennessee
Steven Hyde	Astoria	Oregon
Priscilla Kennedy	Manasquan	New Jersey
Lawrence Whalley Whalley	Cary	Illinois
James Price	Hop Bottom	Pennsylvania
Bonnie Carter	Lawrenceburg	Indiana
Dave Hamilton	Vancouver	Washington
Barbara Snodgrass	Grafton	Wisconsin
Kaden Bratt		Select a state
Blake Marx	Gilbert	Arizona
Daniel Mills	Windham	New Hampshire
carla christopherson	Springfield	Missouri
Larry Hendrickson	Tyler	Texas
sion peters		Massachusetts
George HOFFMANN	Galena	Illinois

AMERICAN OVERSIGHT

C M Green	Spicewood	Texas
Charles Everly		Georgia
Sarah Myers	Westerville	Ohio
Cathy Epsim		Illinois
Maddie Schrage	Beecher	Illinois
Miles McGillivray	Rancho Mirage	California
david boyer	desloge	Missouri
Michelle Daigh	Boerne	Texas
Anna Graziosi	Grosse Pointe Shores	Michigan
michael musgrove		Texas
William de Otero	San Fernando	California
Jim Hopkins	Berkeley Heights	New Jersey
robert hoyum	kelliher	Minnesota
Barry Jackson	coconut creek	Florida
Bryan L. Peterson	North Richland Hills	Texas
Edward Hee	Cantril	Iowa
Katherine McDonald	Oxford	Connecticut
Stephan Stringer		Select a state
Gerald Bailey	Oxford	Connecticut
Charles Cox	Muskogee	Oklahoma
Ronald May	Bloomington	Indiana
Tommy Salem	Marble Falls	Texas
Roberta Rees	Rockwood	Tennessee
Carl Johnson	Hesston	Kansas
Ted Cooper	Troy	Michigan
Andre Zivkovic	Nampa	Idaho
Barbara Kowlsen	Athens	Tennessee
Keith Brockmeyer	Spirit Lake	Iowa
Betsy Santoro	Plano	Texas
Robert Mitchell	Eldorado	Illinois
Cheryl Volesky	Castle Rock	Colorado
Doris Slyfield	Milwaukee	Wisconsin
Robert Young	Oro Valley	Arizona
Rory Murphy		Connecticut
Curtis Shepherd	Fort Collins	Colorado
Jared Core	Fond du lac	Wisconsin
Leroy Hulse	Forest Grove	Oregon
kellie schmaus	Winchester	Idaho
John Alston	Newport Beach	California
Ralph Orton	Merlin	Oregon
D Haesloop	Baltimore	Maryland
THOMAS CONATY	Le Roy	Illinois
Roger Rulewich		Select a state
Dick Broadway	Mission Viejo	California
Douglas Sanger	Versailles	Ohio
Al Winger	Monument	Colorado
Jim Bollenbacher	Huron	Ohio
Roger Redman	Lumberton	North Carolina
Stephen Tyler	Port Jervis	New York
Philip Tarnaski	Wendell	North Carolina
Kathleen Danker	Saint Louis	Missouri
Thomas Sakkestad	Hazlet	New Jersey
Alec Medich	White Oak	Pennsylvania

AMERICAN OVERSIGHT

Timothy Tolleson	Valencia	California
Gary Lenz		Select a state
Richard Conn	Lorton	Virginia
Jay McIntyre	Paoli	Pennsylvania
Mike and Jaye	Westerly	Rhode Island
Dennis Mason	Ulysses	Kansas
Glen Summers	Burleson	Texas
Carol Stephens	Katy	Texas
Christine DiVinere	Carlsbad	California
GENE SYMS	SALEM	Wisconsin
Jadyn Cline	Coshocton	Ohio
Brooke Montalbano	Huntsville	Texas
mark walker walker	new castle	Virginia
Ashlie Thomas	Victoria	Texas
Ryan Smith	Dallas	Texas
Griffin Walker	Spokane	Washington
Jimmy Dunford	Appleton	Wisconsin
David House	Hubert	North Carolina
John Deeter	Glen Allen	Virginia
Andy Stringfellow	Columbus	Georgia
John R. Vasko	Redmond	Washington
Beverly Breaux	Houston	Texas
Philip Bunch	Greenwood	Arkansas
kathy ostrowski	churchton	Maryland
Gary Grant	Naperville	Illinois
Victor Lombardi	Phoenix	Arizona
Cynthia Miller	Lumberton	North Carolina
John Burns	Sheridan	Indiana
Annette Price	Stephenville	Texas
Christina Cunneen	Brooklyn	New York
Amy Poelker	Saint Ann	Missouri
Jerry Hampton	Aledo	Texas
Jann Dougherty	Richmond	Virginia
Kerry Baum	Highland	Utah
Daniel James	Seagoville	Texas
Patricia Nickalls	Mechanicsburg	Pennsylvania
Meaghan Brown	Holliston	Massachusetts
Q S		Select a state
Key Mastrion	Atlanta	Georgia
James Hile	Lansing	Michigan
Ryan Leahy	Columbus	Ohio
Lillie Adams	Riverside	California
James Myers	Comanche	Texas
Emma Nicole Erfourth Erfourth	Tallahassee	Florida
Richard Warner Warner	Willow Springs	Missouri
JC Mayfield	Warner Springs	California
Collier Smith		Select a state
Richard Eckstein	Mountain View	California
Thomas M. Dorr Dorr	Fremont	Ohio
kathie sola	milan	Michigan
Doug Dunham	Quakertown	Pennsylvania
Jake Liacone	Norridge	Illinois
Donald Mitchell	Laurel	Delaware

AMERICAN OVERSIGHT

Matthew Camacho	Austin	Texas
Mike Chmaj	Phoenix	Arizona
Brendan Zuraw	East Longmeadow	Massachusetts
Jeff Furlong	Honeyville	Utah
Sherilyn Thompson	Terre Haute	Indiana
Thomas Carter	Warner Robins	Georgia
Colin Barton	Cottonwood	Arizona
Roger Brannon	Tallahassee	Florida
GUSTAVE A PRIBNOW PRIBNOW	Collierville	Tennessee
Kevin Yeager	Chinle	Arizona
Mary Gild	Pittsburgh	Pennsylvania
Jim Woodside	Portage	Michigan
Burton C Trattner Trattner	HAMBURG	New Jersey
Connie Robertson	BROOMFIELD	Colorado
Charles Wellman	Lenoir	North Carolina
MaryKathryn Dick	El Paso	Texas
George Griffin	Lynchburg	Virginia
Sandra Shoun	Arlington	Virginia
Andrew Nelson	Armada	Michigan
Lydia Christensen	Oshkosh	Wisconsin
James Maurer	North Hollywood	California
Brady Moore	Norman	Oklahoma
Liz Kaufmann	Coeur d Alene	Idaho
Paul George	Vancouver	Washington
Trace Lutz	Cypress	Texas
Chris Luna	Huntsville	Texas
Benjamin Chafetz	Boise	Idaho
Deb Foulkes	Creedmoor	North Carolina
Austin Airmet	Layton	Utah
Kirk Smith	Sanford	North Carolina
Gilbert Juarez	Edgewater	Florida
Cameron Riedy	Chesapeake	Virginia
James Egan	Atlantic Beach	North Carolina
Connor Ryan	Edmond	Oklahoma
Gregg Messerschmitt	Wimauma	Florida
Luis Guzman	South Pasadena	California
merle Dack	culbertson	Nebraska
Paul Geasland Geasland	western New Mexico...Reserve, N.M.	New Mexico
Phil Esposito	Carson	California
David Smith		Select a state
Wanda Huber	Fairbanks	Alaska
Donald Ady	Summit	New Jersey
VINCENT DEGEORGE	MALDEN	Massachusetts
Brenda Woodrell	Stockton	Missouri
Stanley Penkala	Pittsburgh	Pennsylvania
Kaitlyn Collins	Roanoke	Indiana
William Tipping	Fairfield	Iowa
Shirley Beranek	Raymond	Nebraska
Virginia Rester	Dallas	Texas
Steve Coots	San Antonio	Texas
Wayne Forkum	Knoxville	Tennessee
Michelle Bixby	Oakhurst	New Jersey
Mike Mathis	Cabot	Arkansas

AMERICAN OVERSIGHT

Jim Mullins	walton	Kentucky
David Witham	Thousand Oaks	California
Ralph Tremper	Youngsville	New York
Jimmy R. Mitchell	Snohomish	Washington
LARRY TROLLINGER	ALEXANDRIA	Virginia
Larry Hart	Middletown	Delaware
Nancy ODonnell	Charleston	West Virginia
larry conrad	jasper	Florida
Ralph Ormsbee	Eustis	Florida
D. SteMarie	Houston	Texas
John Schmedake	Olympia	Washington
Herman Ruta	Menomonee Falls	Wisconsin
Mary Elizabeth Kuykendall	Santa Ana	California
Andrew Boyd	Elkton	Maryland
Russ Torgersen	Cottonwood Heights	Utah
Richard Young	Asheville	North Carolina
Thomas Gillespie	Coopersburg	Pennsylvania
joan ring	lisle	Illinois
Russell Sikes	Moreno Valley	California
Bill Regli	Lewes	Delaware
James Nachtman	Detroit	Michigan
Richard Baca	Albuquerque	New Mexico
Bruce and Marjorie Drayton	Temecula	California
Ralph Heising	San Diego	California
Vince Yorston	Bowie	Maryland
Sue Mosher	Ironton	Missouri
Ed Newby		Select a state
Gregory Flis	Burlington	Oregon
Thomas Martin	San Antonio	Texas
Lloyd Duke	Knoxville	Tennessee
Bob Copeland	Nampa	Idaho
Bret Romer	Lakeside	Connecticut
john frank		Iowa
Gayle Moxness	Ramsey	Minnesota
Ted Troyer	Evansville	Indiana
Kurt Hall	Littleton	Colorado
Annie Provence	Amarillo	Texas
ken lobbes	grand rapids	Michigan
Richard Baty	Milton	Delaware
Howard Chandler	Scarborough	Maine
Guy Kern		Maryland
Paul Chacho	Placitas	New Mexico
Robert Simonton	Ventura	California
Thomas Boswell	Saint Clair	Michigan
Lynn Kursewicz	Epping	New Hampshire
Diane Bissonnette	Lecanto	Florida
James King	Salisbury	Maryland
Rory Robertson	Wilmington	Illinois
Matt Dielman	Louisville	Kentucky
RONALD HAWKS	SYRACUSE	New York
Stephen West	Milan	Pennsylvania
phil arnold	Hermitage	Tennessee
Jeffrey Kilgariff	O\'Fallon	Missouri

AMERICAN OVERSIGHT

Greg Benz	Clarksville	Ohio
Blandina Spitznagle	St. Louis	Missouri
william mulgrew	millbourne	Pennsylvania
Janice Smith Smith	Vienna	Virginia
Dave B.		Select a state
Naida Bacon	Tacoma	Washington
Klara Szekely	Greenville	South Carolina
Richard Bacon	Tacoma	Washington
Gordon Lee	Lubbock	Texas
Joseph W Linton	Little Canada	Minnesota
Royce Hallock	Corpus Christi	Texas
Anthony Ivanoski	Montgomeryville	Pennsylvania
David Jokela	Champlin	Minnesota
Darryll Green	Spring Hill	Florida
James Scherbinski		Select a state
Cynthia Van Slogteren	Denison	Texas
Dave Wingrove	Houston	Texas
Mike Wallace	Huntingtown	Maryland
Kenneth Bird	Palo Alto	California
Brenda Vaughn	Hixson	Tennessee
Maxwell McGuire	Portland	Oregon
William Robertson	simpsonville	South Carolina
David Cutshall	Sioux Falls	South Dakota
Pamela J Dunn	Wesley Chapel	Florida
Jim Rosemary	Kent	Washington
Craig Arneson	LAKEVILLE	Minnesota
Maya Callahan	Cincinnati	Ohio
Dennis Oliver		Select a state
Anthony Sing	Reeds Spring	Missouri
Tim Turner	Mooresville	Indiana
Wesley isbrod Weisbrod	Largo	Florida
Rosemary DANDREA	Morehead City	North Carolina
Steven Bryant	Champaign	Illinois
Stephen Kelly	London	Select a state
Donald Rose	Hood River	Oregon
Dan Benson	Stockbridge	Georgia
Steve Burgess	Shawnee	Ohio
Calvin Burr	Albany	Oregon
R Campeau	San Diego	California
Anna Benson Benson	Stockbridge	Georgia
Ashley Hilton	Massillon	Ohio
Ira Killbourne	Parks	Arizona
Jean Bartholomew	Mebane	North Carolina
Mike Hixson	Park Hills	Missouri
Wayne Lea	Apple Valley	Minnesota
Ralph Neeley	Gardnerville	Nevada
Cecilia Parodi	Miami Beach	Florida
Patricia Bernhard	Glenside	Pennsylvania
WILLIAM BURKEL	CHELSEA,	Michigan
Harold Thornbrough	Sedro Woolley	Washington
Robert Mack	Irvine	California
Peter Moles	Cypress	Texas
ROBERT VOZEY	ERATH	Louisiana

AMERICAN OVERSIGHT

Cathy Bickerstaff	Bartlett	Tennessee
paul murdock	brea	California
Glenn Biedermann	Ponca City	Oklahoma
wayne erkkinen	Greenville Junction	Maine
Betty Wood	Atwater	California
Collin Farrell	Sanger	Texas
William Singleton	Conway	South Carolina
Robert Steiner Steiner	Seattle	Washington
Traci Grant	Edmond	Oklahoma
Harry Power	Stockett	Montana
Bernard Kepshire Jr. Kepshire Jr.	CORVALLIS, OREGON	Oregon
Kilton Holmes	baraboo	Wisconsin
Elaine Jacobs	Lakeway	Texas
Pollyanna Hardesty	Tell City	Indiana
Joseph Fisher Fisher	West Columbia	South Carolina
William Striegel	Waipahu	Hawaii
Theodore Holsten Holsten	Shoreview	Minnesota
Gregory Baumgartner	Vail	Arizona
William Wolf	Columbia	Missouri
William Parsons	Harrison	Maine
Daniel Schell	Enumclaw	Washington
Terry Miller	Bloomington	Illinois
Larry Haagenson	Loveland	Colorado
Robert Swota		Select a state
Angie Battin	Inverness	Illinois
dallas brockton	beecher city	Illinois
Gary Triffo	Mullica Hill	New Jersey
Randy Schutt	Tilden	Nebraska
Terry Nieuwlandt	Placentia	Connecticut
Kip Harzman	Wimauma	Florida
Charles Slice	Prescott	Arizona
LaVon Ausherman	Pomona	California
Deborah Oliphant	Hagerstown	Maryland
Dennis McGuire	Sioux City	Iowa
Elizabeth Davis	Greeneville	Tennessee
Mark Regan	Westfield	Massachusetts
Ted Eisch	Longboat Key	Florida
Francis Slojkowski	Morris Plains	New Jersey
Carol Walton	Dearborn Heights	Michigan
Timothy O\'Dwyer	Irving	Texas
Timothy Johnson	Tucson	Arizona
Jan Breslow	Scarsdale	New York
Wayne Thorenson	Junction City	Oregon
Perry Morinville	Brooks	Minnesota
James A Penrod Penrod	SAINT LOUIS	Missouri
Corey Elder	O Fallon	Missouri
William Thompson	Atlanta	Georgia
Ray Rosalia	Bayport	New York
Sandra Nelson	Beaverton	Oregon
Beverly Guyn	Surpris	Arizona
Vern Eaton	Lexington	South Carolina
Scott Miller	San Antonio	Florida
James Shelburg	Houston	Texas

AMERICAN OVERSIGHT

Guy Terrill	Grand Haven	Michigan
Wayne Elliott	Aurora	Missouri
BJ Anderson	Hopewell	Virginia
Jim Haney	Dallas	Texas
Dennis Fangmeyer	Nashville	Kansas
Kevin Morrey	Creal Springs	Illinois
Eric Moeller	Barker	New York
Kent Ferrell	Carrollton	Texas
John Archibald	Tri-Cities	Washington
Gregory Barnes	San Diego	California
Ronald Orians	Tigard	Oregon
dan zimsen	Bremerton	Washington
David Hooven	NASHVILLE	Tennessee
Jane Morton-Moncrieff	Julian	Pennsylvania
Verlon Blagg	Modesto	California
Paul Newby	Bozeman	Montana
Brenda Weiss	Nashville	Tennessee
Michael Hammerlund	Big Lake	Minnesota
Ann McCoy	Renton	Washington
Philip Meadow	Livingston	Texas
Cherie Hein	Lantana	Florida
James Burnell	Golden	Colorado
Mary Schneider	Cincinnati	Ohio
Andrew Macdonald	Sydney	Select a state
Larry Baker	Perkasie	Pennsylvania
TERRY LIATER	BLOOMFIELD	Iowa
Donald DaCosta	Raleigh	North Carolina
Mark Mckeon	Sterling Heights	Michigan
Roger Harris	Lapeer	Michigan
Dale Spratt	Sylvania	Ohio
Clark Elliott	Guthrie	Oklahoma
Christopher Wicker	Wyandotte	Michigan
Paul Stout	Topeka	Kansas
Harold Craft	Birmingham	Alabama
Brenda Derreberry	Akron	Ohio
David Turnidge	Blaine	Minnesota
Gini Whitney	Corning	California
G Wilson	S\'bridge	Georgia
Donald Attig	Chenoa	Illinois
Steven Gregor		Select a state
jack scott	lockport	New York
Larry Sims	Culver	Oregon
Larry Morriss	New Braunfels	Texas
Bill Denman	Hornbeak	Tennessee
B K Jennings	Carversville	Pennsylvania
Valerie Guinan	Bend	Oregon
Randall Esperas	Bend	Oregon
Timothy Spong	Houston	Delaware
Gerald Brunetto	Cromwell	Connecticut
Richard Oliver	Corpus Christi	Texas
Samuel Hills	Slidell	Louisiana
stephan shook	mesa	Arizona
Ed Ewing	Saint Helena	California

AMERICAN OVERSIGHT

teresa j wolfe wolfe	auburn	California
Bruce Lundberg	Ham lakw	Minnesota
Raymond Finke	Miami	Florida
Terrance Haviland	Newburgh	New York
Wally Ake	Garfield	Arkansas
Susan Bingham	Idaho Falls	Idaho
Irwin Mincks	Grants Pass	Oregon
Gwen Myers	Roseville	California
Ann Hair	Greenville	Mississippi
David P	Conway	Arkansas
Gordon Fritzler	Northglenn	Colorado
paula hoskins	reno	Nevada
Louis Molnar	Bound Brook	New Jersey
William Roach	Hutchinson	Kansas
R F SENGER	HUSTISFORD	Wisconsin
Frank Phillips Phillips	Largo	Florida
Rory Carpenter	Ypsilanti	Michigan
Matthew Kelley	Holiday	Florida
Vincent Bowers	Ocala	Florida
James Thompson	Miller place	New York
Laura Miller	Fairhope	Alabama
Russell Barnes Barnes	Greeneville.	Tennessee
James W. Somervell	Hardin	Kentucky
J Kube	Nq Lonson	Wisconsin
Joel Knight	Sandy Springs	Georgia
Ralph Bell	Fall City	Washington
Sharman Dow	Indian Wells	California
Sylvan Melroe	Fargo	North Dakota
Jennifer Wellsman	Oro Valley	Arizona
Markus Egli	ORO VALLEY	Arizona
Darrel Koontz	Petersburg	Indiana
Dan Chilton Chilton	Middleton	Idaho
Ruth Kolb	La Mirada	California
ole syberg	west vancouver	Select a state
David McEwen	Calgary	Montana
Douglas Laird	Colorado Springs	Colorado
Kenneth Springer	Marshallton	Delaware
James Delaney	Fort Wayne	Indiana
Eileen ONeill		California
William Flader	Madison	Wisconsin
Edward Parker	Trussville	Alabama
Donna Peterson	Soperton	Georgia
Ron Smith	Manzanola	Colorado
Ian Glennie		Select a state
James Breuer Breuer	Horseshoe Bend	Idaho
Pat Rumschik	Orchard Park	New York
Jess Hines	Houston	Texas
James Martin	Wimberley	Texas
Lottie Kaehlert	Mesa	Arizona
Marcia Wallace	Sarasota	Florida
Marty Koval	Eagle Point	Oregon
Lisa Atkins	Golden	Colorado
Kurt Kolanko	Kokomo	Indiana

AMERICAN OVERSIGHT

Debra Seely	Oxford	Michigan
Steve Weismantel	Moneta	Virginia
Mac Poe	Houston	Texas
David Boleneus	Spokane	Washington
Janet Kuchler	Atlantic Beach	Florida
Bill and Janice Peacock	Livingston	Texas
Robert Biermann	Rockford	Illinois
Jeremy De Shazo	Wylie	Texas
Peter Humphrey	Scottsville	New York
Phyllis Kalman	Manalapan	New Jersey
Mark Hoffman	Stoughton	Massachusetts
David Vaught	Charlotte	North Carolina
Michael Menne	Largo	Florida
Raymond Brown	Houston	Texas
Richard Wisner	Sun Valley	Nevada
ROBERT PATZOLD	UPLAND	California
RALPH WARMACK	GULFPORT	Florida
Robert Merrell	FARMINGTON	New Hampshire
Benjamin Shafer	Colorado Springs	Colorado
Sharon Garvine	Alameda	California
Bob Wright	Otis Orchards	Washington
Carolyn Bruce	Elyria	Ohio
Jennifer English	Troutdale	Oregon
Suanne Comfort	Kansas City	Missouri
George Griffith	Eastvale	California
Bruce Schlink	Waterford	Michigan
Frank Majchszak	Columbus	Ohio
Gilbert Alfaro	Humble	Texas
geneva lehman	Greene	Maine
Harvey Sietsema	Reno	Nevada
Dale Downer	Des Moines	Iowa
Jennifer Loving	Temple	Texas
norman myers	farwell	Michigan
Joe Fitzgerald	Urbandale	Iowa
Royce Hill	Manitou	Oklahoma
Ken Bollom	Santa Fe	Texas
Heather Anderson	Garden city	New York
Robert Gumm	Minneapolis	Minnesota
Luther Patteson	Lenexa	Kansas
james Gartman Gartman	Graham	North Carolina
Steven Mondel Mondel	Farmingdale	New Jersey
Gene Farr	Port Townsend	Washington
Orville Swenson	Clearwater	Florida
Anthony DeRosa	Bloomington	Illinois
Douglas Snyder	Soddy Daisy	Tennessee
Paula Kurjack	Jonesboro	Georgia
Dale Rush	Salinas	California
Clark Pitcairn	Bryn Athyn	Pennsylvania
Bob Jameson	Portsmoth UK.	Select a state
James Brumfield	Louisville	Colorado
DEBORAH L FREETHY	WAKEFIELD	Massachusetts
Del Reinhart	Yuma	Arizona
john corrigan	lakeland	Florida

AMERICAN OVERSIGHT

Juanita Alexander	Laurens	South Carolina
Lawrence Bell	pine grove	California
Richard Rust	Polson	Montana
JOSEPH C. ROSE	Texarkana	Arkansas
David Gray	Spring Creek	Nevada
Shimon Weiss	Pgh	Pennsylvania
Don Ranck	Paradise	Pennsylvania
Ronald Just	Dodge City	Kansas
Robert Street Street	Chesterfield	Missouri
Dana Allen	LeSueur	Minnesota
Kathleen Null	Gardendale	Texas
Jimme Sweat	Tishomingo	Oklahoma
Pam Thurman	Paragould	Arkansas
jerry dodge	north sandwich	New Hampshire
Richard Gilley	North Richland Hills	Texas
Joe Guenther	Edgewood	Kentucky
Ernie Verhulst	SAINT PETERS	Missouri
Dr Alan L SmithCHRH	Staten Island	New York
Brenda Lindholm	Spring	Texas
Edward Fiertz	PITTSBURGH	Pennsylvania
William Miller	Old Tappan	New Jersey
James Coffin	Lehigh acres	Florida
Alan Atkinson	Quincy	Massachusetts
Jake Johnson	Tustin	California
Gerald Blevens	Lake in the Hills	Illinois
ross lukitsch	west allis	Wisconsin
Beth Ochs	Santa Rosa Beach	Florida
Paul Browne	Las Cruces	New Mexico
Darlene Stanaland	Frisco	Texas
Joseph Smerdel	PLACENTIA	California
Steve Carr	Gloucester	Massachusetts
Joseph Morrow	Philadelphia	Pennsylvania
Elaine Lewis	Detroit	Michigan
David Collins	Alton	Virginia
Jim GrF	MESA	Arizona
Edward Eamsey	Chandler	Arizona
Arthur Cameron	Tyler	Texas
Steve Pinkowski	Upland	California
Rene Freeman	Phoenix	Arizona
James Foxwell	Federalsburg	Maryland
Laura Resener	Nashville	Tennessee
Diane Kraas	Bradenton	Florida
David Chladek	West Concord	Minnesota
Dorothy Thorsen	Clinton	Washington
Holmes Bishop	Buffalo	South Carolina
Jerry Heying	New Hampton	Iowa
Richard Gonzales	Silverdale	Washington
George Holladay	Summerville	South Carolina
Richard Rakestraw	Mayfield	Kentucky
Jeremy Conlin Conlin	Cocolalla	Idaho
Bob Gustaffsen	Lenore	Idaho
Robert White	St. Charles	Missouri
John Wagner	New Boston	Michigan

AMERICAN OVERSIGHT

Wilson Six	Stanton	California
Fred Rola	Reedley	California
Warren Peterson	Albuquerque	New Mexico
Myrna Grasser	Orofino	Idaho
Carol Kite	Chittenango	New York
Mary Seri	Sacramento	California
Duane Stott	Huntsville	Alabama
Don Fleming	OFallon	Missouri
Paul Chase	CINCINNATI	Ohio
Spero Torakis	Fort Lauderdale	Florida
Joanne Tellez Giron	Summerville	South Carolina
leslie deickman	baltimore	Maryland
Grace Coleman	O\'Neill	Select a state
Edward Calame	COMANCHE	Oklahoma
Thomas Anderson	Storrs	Connecticut
Sandra Holstein	Aurora	Colorado
Joanne Fruth	Marana	Arizona
Ralph Kidder	Brownsburg	Indiana
Kurt Thompson	Kelso	Washington
Susan Sloan	Midland	Georgia
Dana Dixon	Centennial	Colorado
Fred Miller	Big Bear Lake	California
Faith Dewaay	Butte	Montana
Robert MacCloskey	Mckinney	Texas
Scott Scarborough	Lynch Station	Virginia
George Gunn	Tallahassee	Florida
Donald Hunter	Sherwood	Oregon
w j Stephenson	kopperl	Texas
L eRoy Nyhus	Hutchinson	Minnesota
Michael and Rebecca Derck	Gilbert	Arizona
Carol Glassel	Shakopee	Minnesota
Charles Simmons	Findlay	Ohio
Patti Yott	Pavilion	New York
Monique Peltier	Hermosa Beach	California
Donald Keuck Sr.	Collins	New York
Chris Maddox	Memphis	Tennessee
Michael Malcolm	Aspen	Colorado
Joann Cooper	El Cajon	California
Dan Holland	Killingworth	Connecticut
Charles Scantlebury	Anchorage	Alaska
Harriet Miller	Goshen	Indiana
Scott Martin	Hinckley	Minnesota
Adrian Kaull	Fond du Lac	Wisconsin
Linad Freeman	Edwardsville	Kansas
John Wilson	Georgetown	Texas
William Hoover Hoover	West Palm Beach	Florida
Robert Dunham Dunham	Lansdale	Pennsylvania
Gary Szucs	Dayton	Ohio
Fred Grillot	Rogersville	Tennessee
mark kytonen	sterling	Alaska
Joseph Schrantz	Granbury	Texas
Dorothy Taylor	Exton	Pennsylvania
susan Harris		Select a state

AMERICAN OVERSIGHT

Gil Higham	Taylorsville	Utah
John & Elizabeth Novinger	Cypress	California
Ed Jazab	Leeds	Massachusetts
Brin Jenkins		Arkansas
Edwin Arnold	Leander	Texas
Donald Horne	Plover	Wisconsin
Eugene Russel	Land O Lakes	Florida
Tom Bandy	Roanoke	Virginia
Hobart Powell	Sanger	California
THOMAS HARDISTER	BROWNSVILLE	Tennessee
Guy Morley	Keizer	Oregon
Howard Spery	Evergreen	Colorado
Nina Falzone	Statesville	North Carolina
Mike Roberts	Portland	Oregon
Terryl Morgan	Santa Rosa	California
Danny Hughes	Winslow	Arkansas
Franque O\'Hara	Union	New Jersey
Robert Kircher	Phoenix	Arizona
Jack Edwards	Salisbury	North Carolina
Dale Miller	Murfreesboro	Tennessee
Cynthia Hager	Brighton	Colorado
Stephen Whelan	NYC	New York
David Moore	Clinton	Massachusetts
Kathleen Powell	Brunswick	Georgia
Buck Boudinier		Select a state
Douglas Shackley	Pleasanton	California
Les Morrow	Lubbock	Texas
Jim Hix Hix	Plano	Texas
Gary Carter	Glencoe	Minnesota
James Wotring Wotring	Clarkston	Washington
daniel trammell	decatur	Georgia
Rick Funk	LANCASTER	Pennsylvania
Frank Adams	Leavenworth	Washington
Gerald Fay	DIGHTON	Kansas
Roy C Holmes	Boston	New York
Tim Lynch	Fort lee	New Jersey
Gary Prater	Magnlia	Texas
King Barnes	Baltimore	Maryland
Jeff Pace	Fruita	Colorado
Janice Gregory		Ohio
Patrick Mealey	MENLO PARK	California
Richard C Savage	Franktown	Colorado
Thomas A GROVE	Imperial	Pennsylvania
robert vaulman	littleton	Colorado
Leonard Murphy	Houston	Texas
Leo Plouffe Plouffe	Pascoag	Rhode Island
Tim Kelly	Buena Vista	Colorado
Don and Carol Glitschka	Lacey,	Washington
Crystal Dancy	King	North Carolina
Bob Grabowski	Naples	Florida
Alice Buxton	New Franklin	Ohio
George Evans	Grass Valley	California
Peggy Moseley	FORT MADISON	Iowa

AMERICAN OVERSIGHT

Beatrice Hill	Denver	Colorado
EDWARD TRIBUNA TRIBUNA	BLUFFTON	South Carolina
Darlene Stepanic	Latrobe	Pennsylvania
Darla Lee	Sparks	Nevada
EDWARD ZEAMBA	CAMARILLO	California
Phyllis Rought	MONTROSE	Pennsylvania
Terryt Tedder	Abbeville	Alabama
David Darflinger	Valdosta	Georgia
Ron Stabb	Coatesville	Pennsylvania
Anthony Rasavage	DuBois	Pennsylvania
Edward & Joeanne Sawyer	Klamath Falls	Oregon
Oliver Hemmers	Henderson	Nevada
Nancy Eiben	Pittsburgh	Pennsylvania
Eric Warnet	Tallahassee	Florida
Tim Fromm	Fulshear	Texas
Stephen Norling	Necedah	Wisconsin
Elmer Melancon	Church Point	Louisiana
Robert Campos	Arleta	California
Michael Lisbony Lisbony	Mesa	Arizona
Jerry & Judy Hatton	Oakland	Oregon
Hugh Smith	Superior	Wisconsin
Robert Salli	West Bend	Wisconsin
Robert Grasel	Reese	Michigan
Scott Jon	Cocoa Beach	Florida
Bob Minton	Bethel	Ohio
Dale Dukellis	Encino	California
Paul Caruana	Oxford	Michigan
David Lindsey	Semmes	Alabama
Kenneth Penner	Chattaroy	Washington
Richard Stosio	Beaverton	Michigan
William Suermann	Philadelphia	Pennsylvania
Natalie Collins	Roanoke	Indiana
Steve Kunkel	Spring Valley	California
Joe Lanteri	Waterbury	Connecticut
EDMOND Young	Arcadia	California
Brady Kreger	Elk River	Minnesota
Thomas Voltz	Melville	New York
Larry Shultz	NorthPort	Florida
Robewrt Whitten	Cupertino	California
Richard Miller	Elizabethtown	Pennsylvania
Esther Myers Myers	Varnville	South Carolina
Joe Patterson	Wellington	Utah
john twigg	barton	Maryland
Neal Mask	Tulsa	Oklahoma
Jerry Brown	Springfield	Virginia
Dale Oestmann	Pine	Arizona
Peter Biggins	Indian Orchard	Massachusetts
Thomas Houghton	Severna Park	Maryland
James Fargo	Locust Grove	Virginia
Theodore Ireland	East Haven	Connecticut
Barbara Hammons	Cudahy	Wisconsin
Jacqueline Lynch	Roanoke	Virginia
Jimmie Styer	Tonasket	Washington

AMERICAN OVERSIGHT

Mark Gehret	Greenwood	Mississippi
Frank Van Nostrand	Phelps	New York
Andrew Visser	Brinnon	Washington
Steve Dunn	Huntingburg	Indiana
VIRGINIA WEIGUM	ST JOSEPH	Missouri
Charles Landess	Evensville	Tennessee
Vernon Pace	Grand Junction	Colorado
Mark Heinold	Verona	Wisconsin
Paul Harmon	The Villages	Florida
Dennis Wellman	Laurens	New York
patrick patterson	Tulsa	Oklahoma
David Jaissle	STERLING HEIGHTS	Michigan
John Sabo	West Farminton	Ohio
Mark Hemmann	Hartford	Connecticut
Dorothy Hollo	Chelsea	Michigan
Walter Murphy	Houston	Texas
CArl Peter	Crystal Lake	Illinois
Robert Bellas	GLEN BURNIE	Maryland
Keith Sampson	Arlington	Texas
Howard Ward Ward	Cedar Bluff	Alabama
Joe Bessler	Villa Hills	Kentucky
Richard Hollo	Chelsea	Michigan
Marlene Heppner	Newcastle	Washington
Paul Cavote		Select a state
David Butte	Magnolia	Texas
James Garcio	Long Beach	California
Richard Holdener	Sun Prairie	Wisconsin
Harvey Pitcher	Aloha	Oregon
JOHN SKELLEY	WILTON	Iowa
Jacob Newkirk	Newhall	California
James Toth	CaRTERET	New Jersey
John Kaufmann	Okemos	Michigan
debbie smith	louisville	Kentucky
William Walter	Oak Ridge North	Texas
joseph matais	portsmouth	Rhode Island
Kenneth Diubek	Brookfield	Illinois
Richard Behnke	Fond Du Lac	Wisconsin
Brian Koski		Michigan
Keith Carter	Austin	Texas
Charles Clinton	Portland	Oregon
William Bruce Higgins	Farmington	New Mexico
David Williams	Hilton	New York
John Detweiler		Select a state
Michael Cannon	North Richland Hills	Texas
Brendan Phair	Pittsfield	Massachusetts
Robert Clitherow	Huntington Beach	California
Gary Guinan	Dallas	Texas
Matthew Esser	Lucedale	Mississippi
Valerie Brown	Henderson	Nevada
Barbara Iwan	Cary	Illinois
Steve Rainey	Clarksville	Tennessee
Kathy Priest-Smith	San Angelo	Texas
Ifeoma Edoziem	Humble	Texas

AMERICAN OVERSIGHT

Kenneth Platt	Wayne	New Jersey
Ron Davidson		Select a state
Lee Eidsvoog	Zimmerman	Minnesota
Ann Stoetzer	Glendale	Arizona
Roger Dede	Sioux Falls	South Dakota
jack collins	roanoke	Indiana
Sand Cuculich	Tampa	Florida
Richard Parkin	Taylor	Michigan
James Marianski	Fort Myers	Florida
Mark Bigott	Kerrville	Texas
Thomas Alford	Lomita	California
Jeffry King	BRISTOL	Pennsylvania
Herbert Wahler	Silver Spring	Maryland
Marc Brittain	Mountain Brook	Alabama
Jarlene Lehm	Enterprise	Utah
Paul Wittke	Knoxville	Tennessee
William Scanlon	Jackson	California
Frank Stevenson	Ponte Vedra	Florida
Joan Grindel	Farmington Hills,	Michigan
Hal Howell	Abilene	Texas
Wayne Jacobson	Blaine	Minnesota
rick meek	foley	Alabama
Sam Sandlin	Sarepta	Louisiana
Alecia Noland	Marietta	Georgia
Joseph Greene	Philomath	Oregon
gerald ludwig	houston	Texas
Ella Antonsen	McKinleyville	California
Sharon Daugherty	Tulsa	Oklahoma
Patrick Minnis	Raleigh	North Carolina
Lynn Reynold		Select a state
Shirley Akins	College Station	Texas
Douglas Fairobent	Lebanon	Ohio
Forrest Cooperrider	Thornville	Ohio
John Donnelly	San Diego	California
Elizabeth Fischer	Norco	California
Judie Hensel	Surprise	Arizona
Steven Pugh	Mobile	Alabama
Kerry Wilson	Moorpark	California
Ron Engle	Richmond	Indiana
Carl Quass	Cocolalla	Idaho
Bernd Fischer	Norco	California
John Woods	Oklahoma City	Oklahoma
Steve and Robyn Schmalz	Santa Fe	New Mexico
Rhoda Miller	Edison	New Jersey
William Tate	New york	New York
Frode Jensen	Grants Pass	Oregon
Robert Bixler	W. Springfield	Massachusetts
Dr. Tfhomas Oellerich, PhD	Athens	Ohio
B Davis	Rexburg	Idaho
Steve Rovenstine Rovenstine	Overland Park	Kansas
Dan Bassham	Mission	Texas
Bruce Langfitt	Walling	Tennessee
Robert Phillips	Flemington	Missouri

AMERICAN OVERSIGHT

Melissa Barrios	Dallas	Texas
Nancy Wainwright	New Haven	West Virginia
Jonnie Zvonek	Wessington	South Dakota
Linda Ehrlich	Burlington	North Carolina
Gregory Wisz	Rockford	Michigan
Don Gould	Geneva	Minnesota
David Fields	Newnan	Georgia
Kelly Kuehl	Commerce	Texas
Lynn carlson	Overland park	Kansas
George Bongert	Oshkosh	Wisconsin
Martin Verdoorn	Bentonville	Arkansas
Sam Malko	Pawtucket	Rhode Island
lorraine Glodis	Spring Hill	Florida
Clyde King	CHERRY VALLEY	California
marjorie spielman	Twin Valley	Minnesota
Beverly Whiting	Erie	Pennsylvania
Charlyn Miller	Ridgeview	West Virginia
Paul Wilson	New Port Richey	Florida
thomas stuth	Hodgkins	Illinois
MARK HIGGS	HOMOSASSA	Florida
john cutting	belgium	Wisconsin
Ronald Mabry	Fort Mill	South Carolina
Robert Aust	Riverside	California
richard zwirblis	RONKONKOMA	New York
eugene hovey	owatonna	Mississippi
Susan Neben	Oroville	California
stephen johnston	tempe	Arizona
Craig Miller	Rocherter	Minnesota
John Cataldi	Columbia	Maryland
Greg Harper	Naples	Florida
Shields Jett	Midlothian	Virginia
Jeffery Johnson	Tucson	Arizona
Jonathan Cutting	Keizer	Oregon
William Weidemoyer	Troy	Montana
Jason Romano	Dearborn	Michigan
LEE WEST	Fort Worth	Texas
Jan Risley Risley	Atascadero	California
Sheryl Schachtner	Carroll	Iowa
Randolph Skora	Redford	Michigan
Bob Joy	Box Elder	South Dakota
Joseph E Hebert Jr	Easy Providence	Rhode Island
Patrick Garbutt	Seminole	Oklahoma
Yvonne Maizland	Elon College	North Carolina
Hugh Anderson	Lubbock	Texas
Robert Krog	Memphis	Tennessee
Wayne Pruitt	Tulsa	Oklahoma
Sandra Rabel	Baltimore	Maryland
Stephen Kaplan	Ferndale	Washington
Louis Glover	Donalsonville	Georgia
john mauro	Arvada	Colorado
Greg Smith	Lancaster	Pennsylvania
Janey Larson Larson	Seguin	Texas
Wayne Rychner	Killdeer	North Dakota

AMERICAN OVERSIGHT

Randy Ashby	Houston	Texas
Al Hotoubek	Redwood City	California
Ed Heberling	Clearfield	Pennsylvania
MICHAEL O\'LEARY	Westminster	Colorado
Stephen Smiley	Van Meter	Iowa
Leeta von Buelow	Dexter	Michigan
ricky bohin	Kimball	West Virginia
Richard Swier	Sarasota	Florida
Virginia Heyler	Missoula	Montana
Mary Lou Kaplan	Ferndale	Washington
Jack Burch	Berryville	Arkansas
Duane Matson	POMPANO BEACH	Florida
Dayton Hanson	Glendale	Arizona
Mark Mielke	Streamwood	Illinois
scott marblr	beaverton	Michigan
Scott Peacock	Jamestown	Tennessee
Kevin Hebert	Sioux Falls	South Dakota
Robert Nims	Midland	Texas
joe ranalli	oakland park	Florida
Graham Beduze	Lafayette	Louisiana
Clydean oltremari	Placitas	New Mexico
Margaret Remy	Meridian	Mississippi
Elizabeth Schauer	Pensacola	Florida
Susan Albright	Springfield	Illinois
Geraldine Stites	Placerville	California
Blaine Clowser	Milford	Nebraska
Brad Smith	Berwick	Pennsylvania
Jim Goegebeur	Royal Oak	Michigan
Gayle Fitzsimmons	Santa cruz	California
richard dicioccio	ossining	New York
DOUGLAS Nulik Nulik	Peck	Kansas
Jerry Bryan	Oceanside	California
Berkley Spencer	Provo	Utah
allan white	chicago	Illinois
Eleanore Rideout	Port Saint Lucie	Florida
William Mason	vilonia	Arkansas
Charles Elliott	Oden	Arkansas
Paul Bottari	Wells	Nevada
Richard Ward	Waterford	Michigan
John Ellingboe	Albertville	Alabama
Todd Kinzel	Soldotna	Alaska
Robert Fitzsimmons	Santa cruz	California
Joe Ursini	Bradenton	Florida
Royce Boon	Arlington	Texas
stephanie peters	gerber	California
Steve Wynn	Kettering	Ohio
Dennis Marshall	Newbury park	California
Pam Adams	Sandy Springs	Georgia
Ruth Emery	Tahlequah	Oklahoma
Mark Shear	Calabasas	California
Janice Tarter	Morrow	Ohio
Sharon Wright	Rockville	Maryland
Chris Bush	New York	New York

AMERICAN OVERSIGHT

James Story	LAS VEGAS	Nevada
James Kuhlenschmidt	Goshen	Indiana
dino fry	redwood city	California
Norman Wakeman	Willow	Alaska
Richard Metz	Middleburg	Florida
Steven McKeehan	Lake Stevens	Washington
Judith Shepard	Dearborn	Michigan
Alma Wayman	West Jordan	Utah
Dennis Ortega	Woodburn	Oregon
David Nearing	Imperial Beach	California
Debra Beckman	Sunrise	Florida
Richard ANSCHUETZ	KENNETH CITY	Florida
Steve Scanlon	Olathe	Kansas
David Hunte	Ft. Myers	Florida
carl efurd	ruidoso downs	New Mexico
Dale Premo Premo	Orrtanna	Pennsylvania
Jack Boone	Pine	Colorado
Mitchell Greene	Winooski	Vermont
Neil Grant	Vernon	Connecticut
Rudolf Scheffrahn	Plantation	Florida
Dean Starke	Calgary	Montana
Fred Scott		Select a state
Roger Baxter	Batavia	Ohio
david chin	ARLINGTON	Texas
DELAUN ROMIG ROMIG	Apple Valley	Minnesota
Pam Carter	McKinney	Texas
Robert Sokolowski	Westfield	Michigan
Robert Grimes	Salisbury	Maryland
Arleigh Wangen	Sargeant	Minnesota
scott frasier	three bridges	New Jersey
Michael McGinnis	Millbury	Massachusetts
William Slater	Libertyville	Illinois
Edward Sullivan	Tulsa	Oklahoma
Susan Luenser	Colorado Springs	Colorado
Dan Chapman	Meriden	Iowa
Justin Curtis	Nipomo	California
Nancy Trocke	Brooklyn Park	Minnesota
Sam Twitty	McLoud	Oklahoma
Carol Kratz	Indianapolis	Indiana
Craig Kamerath	Salt Lake City	Utah
Milt Sanders Sanders	Orem	Utah
Joseph Passalino	Lake Forest	Illinois
Sharon Chaney	Brandywine	Maryland
Florence Krueger	BLUFFTON	South Carolina
Donald Salyer	Newport News	Virginia
Frank Busby	McComb	Mississippi
Tom Walas	Woodland Hills	California
Steve Fitzgerald	Wesley Chapel	Florida
Ervin Tucker	Spokane	Washington
Richard Mullins	Sagle	Idaho
Clay Sanborn	Garland	Texas
Garth Balcom	Mesa	Arizona
Kerry Stone Stone	Ft Lauderdale	Florida

AMERICAN OVERSIGHT

Michael Beamish	Palm Desert	California
Lynn Sliwinski	Ebensburg	Pennsylvania
Karen Meyer	Galena	Ohio
James Hiser	Danville	Illinois
MARVIN WAGNER	Grafton	Wisconsin
Harry Brown	Saint Joseph	Missouri
David Hedstrom	Pleasant Grove	Alabama
Charles Haggard Haggard	Staunton	Virginia
Tom Kees	Madison	Virginia
Shirley Beardsley	Burbank	California
Alvin Bubert	Hamilton	Texas
Bill Moriarty		Nevada
Norma Jean Fritz		Florida
Dave Hill	Bloomington	Minnesota
Bryan Stewart	Charlotte	North Carolina
Larry Osborne	Crowley	Texas
Janet Hunter	Pacifica	California
Jeffrey Hunter	Pacifica	California
Bruce Madewell	Chino Hills	California
Mark Harper	WEBSTER	New York
Thomas Dvorak	St. Charles	Missouri
Gary Carpenter	West Lafayette	Ohio
Steven Hicks	Granbury	Texas
John Bioski	Oxford	Connecticut
George Bohman	Robinson	Illinois
Michael Fecko	Henrico	Virginia
CHARLIE WAX	VICTORVILLE	California
Ronald Osovski	Nebraska City	Nebraska
Dale Kramer	Portland	Michigan
Barry Seegraves	Rockledge	Florida
Michael Covell	Hendersonville	North Carolina
Al Crossen	North Wildwood	New Jersey
Thomas Dunphy	Walnut Creek	California
Al Acevedo	Bonners Ferry	Idaho
Frank Trask	Strafford	New Hampshire
Peter Reitz	Fond du Lac	Wisconsin
Kandace Kremnetz	Hernando	Florida
Dorothy Woodworth	Homosassa	Florida
Ben Dillard	Whittier	North Carolina
Joseph Garruba	Hollis	New Hampshire
Joseph DAmbrosia	Frederick	Maryland
Mk Oconnor	Capegirardeau	Missouri
Lamarr Douglas	Saint Petersburg	Florida
Jim Camp	Jackson	Georgia
James Douglas	Saint Petersburg	Florida
James Walker	Elora	Tennessee
Lynn Kleinvehn	Highlands Ranch	Colorado
Daniel Newhouse		Missouri
Kyle Davenport	Dallas	Texas
john merchant	abilene	Texas
Marsha Ambrose	New York	New York
DAVID LANE	WOODSIDE	New York
Robert Kline	Pelham	New Hampshire

AMERICAN OVERSIGHT

Sharon Aloi Aloi	Atlantic City	New Jersey
Robert Solum	Missoula	Montana
Bruce Scott	Pacific Palisades	California
Frank Santucci	Henderson	Nevada
carol camp	Sun City Center	Florida
Michael Walt	North Saint Paul	Minnesota
John Adams	Riceville	Iowa
Albert Kunz	Ringwood	Illinois
Henry Schoenberger	Elgin	Illinois
jimmy camp	Sun City Center	Florida
Steven Lindner	Chandler	Arizona
Francis Jackson	Grass Valley	Colorado
Richard Gerry	Bellingham	Washington
Joy Truax	Wayzata	Minnesota
c jones		Utah
Donald J Firestone	Northport	Michigan
Neil Mahony	Cathedral City	California
Susan Legere	Austin	Texas
Merrell Crumley	San Angelo	Texas
Mark Kuzawinski	Maine	New York
Laine Stewart	Calverton	Virginia
Linda Blood Blood	Marblehead	Select a state
J. Gary Nelson	Prescott	Arizona
Daniel Lynch	Corona De Tucson	Arizona
Andrew Schultz	Dallas	Texas
Angela Rover	Palm Desert	California
Larry Bunch	Bryan	Texas
Charles Schumacher	St. Helens	Oregon
Ray Smith	Johnstown	Pennsylvania
Ron Gjoraas	Sioux Falls	South Dakota
Robin Decker	DeLand	Florida
Richard Watts	Riverside	California
Richard Klabechek	Anoka	Minnesota
Keith McCoy	Iron Gate	Virginia
Bob Horacek	Southwick	Massachusetts
Russ Erwin	Sacramento	California
Roger Selah	Haddonfield	New Jersey
Philip Apple	Leesburg	Virginia
mary Kopmeier	Fairfield Glade	Tennessee
Richard angborn Pangborn	Hereford	Arizona
James Rader Rader	Indianapolis	Indiana
David Polister	Alamogordo	New Mexico
Marilyn Liesmann	HAZELWOOD	Missouri
Roger Bartlett	Los Alamos	New Mexico
John Keiper	Paw paw	West Virginia
John & Roma Hardy	Spanish Fork	Utah
Oleg Konovalov	Brooklyn	New York
frank shattuck	covington	Louisiana
Jerry Heitmeyer	Cloverdale	Ohio
Patrick Hartnett	Luquillo	Virginia
Marilyn Pierce	Jacksonville	Florida
Dennis Churchill	Greenfield	Massachusetts
Joan Pereira	Franktown	Colorado

AMERICAN OVERSIGHT

Ricardo Hernandez	Harlingen	Texas
Allan Barry	Chester	New York
Bill Shaw	Land o lakes	Florida
Chris Hanie	Midland	Texas
Robert Brock	Commerce	Michigan
Harold Welborn	Penryn	California
Krista Klaus	Dallas	Texas
Jim Nelson	Milford	Michigan
Doug Weber	New Orleans	Louisiana
Bob Shiley	Chicago	Illinois
Mark Willis	Powder Springs	Georgia
Robert Rando	Dallas	Texas
Joel Sportel	Wyoming	Michigan
Daniel Melton	Lake Park	Minnesota
Eldone Truex	ORLANDO	Florida
TIMOTHY YOUNG	AURORA	Indiana
Sanford Small	Lemoore	California
Janet Yoder	Goshen	Indiana
Jeffrey King	East Peoria	Illinois
Robert Rando Dallas	Dallas	Texas
Ronne Proch	Solon	Ohio
Frederick Keady	Northfield	Illinois
MaryAnn Lacorazza	Bridgewater	Connecticut
EDMUND CHAMPLIN	CLARKS SUMMIT	Pennsylvania
Stephen Schatz	Philadelphia	Pennsylvania
Barry Stephens	Buxton	Maine
William Lindqvist	Tiburon	California
robert hansen	mission viejo	California
Hoi Heidt		Select a state
Bruce Nelson	Coon Rapids	Minnesota
carroll plott		Louisiana
Bill Hyatt	LAS Vegas	Nevada
Wayne Price	Addison	Illinois
Frank Watrous	Fairview	Michigan
James Seippel	Cypress	California
Thomas P Lowe	Excelsior	Minnesota
Alvin Schmidt Schmidt	Cherokee Village	Arkansas
Jim Green	Firestone	Colorado
Jeffrey Wurtz	Cupertino	California
Thomas Leiby	GLEN ALLEN	Virginia
Nancy Lavery	Moline	Illinois
BRIAN WEST	GREENCASTLE	Indiana
ROBERT MENEFEE	SMYRNA	Tennessee
Greg Whittaker	Strasburg	Colorado
DEBBIE MENEFEE	SMYRNA	Tennessee
Michael Fitelson	Columbia7	Maryland
Scot Leeger	San Marcos	California
Blair Brooks	Ontario	California
James Demeter	Templeton	California
Lisa Pankratz	Mount Calvary	Wisconsin
Sam Edwards	Scottsville	Virginia
John Fenimore Fenimore	Bear	Delaware
J Althage	Rocky Mount	Missouri

AMERICAN OVERSIGHT

Rodney Kessler	Easton	Pennsylvania
Kenneth Paxton	Gardnerville	Nevada
L. Brent Lee	Hillsborough	North Carolina
Jeffrey Nauss		Select a state
Kathaleen Simmons	Hernando	Mississippi
william hume	Palm Desert	California
Mike Kluczan	Pittsburgh	Pennsylvania
Phil Lense	Pinetop	Arizona
Gary Oakden	Hilton	New York
ronald szczotka	burbank	Illinois
Jonathan Bryer	Greenwich	Connecticut
Twyla Tranfaglia	Fredericksburg	Texas
mike gillam	Vancouver	Washington
Randal Joslyn	Coralville	Iowa
Jeffery Powers	Milford	Ohio
Robert Feller	Freeport	Maine
William Redding	Chico	California
Michael Stoner	Bozeman	Montana
Carol Hess	Trenton	Ohio
Herbert Boester	Lytle	Texas
Barb Anderson Anderson	Lovell	Wyoming
Charlotte A Brock Brock	Gallatin	Tennessee
Bruce Hunnicutt	Gray	Georgia
Linda Moon	Ankeny	Iowa
Philip Zoebisch	Collingswood	New Jersey
Robert Stam	Amery	Wisconsin
Janet Hughes	Trinity	North Carolina
Eugene Kavanagh	Ventura	California
norman housleyu	Hollywood	Florida
John Gross	Bakersfield	California
Margo Jett	Spokane	Washington
Richard Starr	Butler	Pennsylvania
ROBERT IGELMAN	SEATTLE	Washington
James Peddicord	Osceola	Iowa
Jon Stuver	Niles	Michigan
Scott Holcomb	marietta	Georgia
John Lobritz	Monroeville	Pennsylvania
Tom Walklet	Bend	Oregon
Joseph Ke	Orlando	Florida
Wayne Rowe	Grand Forks	North Dakota
Joyce Marr	Palm Beach Gardens	Florida
Judith Gove	Longmont	Colorado
gerald moeller		Select a state
Gene Keechi	Oklahoma City	Oklahoma
Glen Hunt	Phoenix	Arizona
CAROLYN KAZMANN	RICHARDSON	Texas
Susan Faucher	Chula Vista	California
Wanda Murray	Elkton	Virginia
Zachery Smith	West jordan	Utah
Paul Leslie	Winder	Georgia
Dennis Conger	Reedsport	Oregon
Berenice N. Bauer Bauer	Glen Ellyn	Illinois
David Mills	Newberg	Oregon

AMERICAN OVERSIGHT

Roxane Grippon	Englewood	Colorado
Jim Sibley	Pride	Louisiana
Charles Murray	Elkton	Virginia
Richard Mustain	Rochester	Minnesota
Ralph McCullough	Franklin	Georgia
Emanuel Butera	Yardley	Pennsylvania
Robert M. Stuendel	Orlando	Florida
John Griffitt	Wichita	Kansas
cosmos voutsinos	Point Roberts	Washington
Don Carter	Hickory	North Carolina
Robert C Giargiari	Natick	Massachusetts
marvin bowman	prescott	Arizona
Linda Kalbach	Sparks	Georgia
kenneth mateas	aurora	Illinois
JoAnn Goodwin	Carrizozo	New Mexico
Kevin Bennett	Shingletown	California
Paul DesHamais	Kapaa	Hawaii
Rick Yenney	Lakeland	Florida
Duane Marquis	Raymond	Nebraska
Mark Baillargeon	Valatie	New York
George Figueroa	Baldwin	New York
Linda Duggins	Greeneville	Tennessee
R Butchko		Ohio
M. Scott Barone	Surf City	North Carolina
Paul Mraz	Hutchinson	Minnesota
Thomas Randolph	Gordo	Alabama
diane nero	richmomd	Virginia
Harley Jones	Sacramento	California
Thomas Speiman	Greenwich	Connecticut
John Williams	Saint Louis	Missouri
Michael Thibaudeau	Jaffrey	New Hampshire
Timothy Collani	Brick	New Jersey
Nancy Selbman	Petaluma	California
David Larsen	Hardin	Montana
Paul Brown	Winter Haven	Florida
Linda Stewart	Springfield	Illinois
Peter Middleton	Arlington	Massachusetts
Carol Woods	Blanchard	Oklahoma
James Severs	Conway	Arkansas
Jim Schmidt	Wichita	Kansas
Linda Dieringer	Wikieup	Arizona
Shawn Brandt	Rochester	Washington
John Zitkus	Mundelein	Illinois
Ronald Eggert	Newton	Kansas
naomi sublett	hohenwald	Tennessee
Sue Johnson	Green Cove Springs	Florida
Phil Fetzer	New york	New York
Mark Breese	Newport	Washington
Lyle Hartman	Hulett	Wyoming
Rick Faircloth	Hinesville	Georgia
John Schwab		Michigan
Debbie Brandt	Rochester	Washington
Darren Hopper	Quakertown	Pennsylvania

AMERICAN OVERSIGHT

Bill Dallin	Dallas	Texas
Lagean Dunn	Bullard	Texas
Barry Cigich	Hallsville	Texas
Steve Ruf	DePere	Wisconsin
Rhonda Monahan	Mifflinburg	Pennsylvania
Rand Dykman	Holland	Michigan
James flythe	Spotsylvania	Virginia
Claude Aaron	Pleasanton	Texas
Clay Smith Smith	El Paso	Texas
Sharon Tuten	New Ellenton	South Carolina
Donna Eyman	Shelbyville	Tennessee
Dale Grunsky	Conway	South Carolina
Carl Kolpin	Barnum	Minnesota
Guy VanDusen	Sherman	Texas
Clyde Wheeler	Coarsegold	California
Don Rasmusson	Rudolph	Ohio
Delrita Jungnitsch	Las Vegas	Nevada
Henry Sintzenich	Geneva	Florida
David L Light	Thomasville	North Carolina
Alexander Denes	Omaha	Nebraska
Mark Armstrong	Chattanooga	Tennessee
Charles Vion	The Villages	Florida
Michael Noland	Kansas City	Missouri
Brenda Eldredge	Avondale	Arizona
David Lininger	Sioux Falls	South Dakota
John Klovstad	Whitefish	Montana
PAUL deardurff	Bellefontaine	Ohio
Darice Montgomery	Decatur	Texas
Michael Sloane		Select a state
Ed Simmons	Las Vegas	Nevada
Allen Lee	Omaha	Nebraska
Gary Sollner	McAllen	Texas
Lewis James	Clarence Center	New York
Werner Lippe	Miles	Texas
Glenn Marshall	Waxhaw	North Carolina
Edmond Vernacchia	MYRTLE BEACH	South Carolina
Christina Jones	blacklick	Ohio
Ronald Pate	East York	Michigan
Ted Whalen	Marion	Illinois
Darin Tosse	Rochester	Minnesota
Richard Collins	Georgetown	Massachusetts
Edward Stewart	Cincinnati	Ohio
grant gardner	troy	Ohio
Martha Dunn	Woodside	California
Lawrence Sanborn Sanborn	BELLEVUE	Washington
Gregg Rudolph	Apple Valley	Minnesota
michael cox	nutley	New Jersey
Oudrey Wilson	Donie	Texas
Michael Barone	Raleigh	North Carolina
Terri Olsen	Laguna Woods	California
Leonard Ernsbarger	nevada	Missouri
Gary Johnston	Kingston	Tennessee
Dennis Childress	Grapeland	Texas

AMERICAN OVERSIGHT

dave r	sequim	Washington
Robert Koehler	Andover	Illinois
Charles Spiroff	Harrisburg	Pennsylvania
Daisy Volcan	Augusta	Georgia
Dave Rauen	Hamilton	Ohio
Kenneth Ferrell	Clarksville	Tennessee
Philip Kelly	Huntsville	Alabama
mark book	plymouth	Minnesota
Vicki Barrett	Loveland	Colorado
ROY MALLMANN	SUGAR LAND	Texas
Bob HARRISON	Ortonville	Michigan
Hal Fahner		Florida
Charles Hess Hess	Ringwood	New Jersey
James Wilson	Chehalis	Washington
Tom Harlander	Wood River	Illinois
Gregory Fasolt	Manchester	Pennsylvania
Ronald Lewis	White House	Tennessee
Allan Moore	Williamsburg	Ohio
Steven Abraham	Elyria	Ohio
Reece Maggard	Kingston	Tennessee
Thomas Farrell	Monmouth	Oregon
Henry Zarb	Miami	Florida
George Gallagher	Annapolis	Maryland
Stephan Dejean	New York	New York
Grant Mitchell	Englewood	Colorado
Scott Stinson	Centennial	Colorado
Lou Polaski	Bend	Oregon
Bobby Maggard	Whitesburg	Kentucky
Joseph Walz	Massapequa	New York
Muti Aitaoto	Boise	Idaho
Tony McWilliams	Lubbock	Texas
Lori Jenkins	Martinez	California
Paul Pummill	Colorado Springs	Colorado
Robert Graff	FEASTERVILLE TREVOSE	Pennsylvania
John Eliopoulos	Sierra Vista	Arizona
Neil Jordan	Irvine	California
Bill Willis	Martinsville	Indiana
Nicanor Ruiz	Greenacres	Florida
cd r	Knoxville	Tennessee
Robert Pattillo	Old River-Winfree	Texas
Tim Bostick	Palm Bay	Florida
David Brown Brown	Charlottesville	Virginia
Daniel Sauber	Laurel	Maryland
Bruce Rester	Glendale	Oregon
Jeri Schneider	Rio Rancho	New Mexico
K K Shack	St. Petersburg	Florida
JOHN MORRISON	DOUGLAS	Massachusetts
Patty Wirth	Wolf Creek	Montana
Cynthia Dahnert	SAINT AUGUSTINE	Florida
Orvell Kemp	Florissant	Missouri
Mark Cooley	Rio Rancho	New Mexico
Gregg Taylor Taylor	Telephone	Texas
Carmen Svalstad	TRAVERSE CITY	Michigan

AMERICAN OVERSIGHT

Erin Rankin	Faunsdale	Alabama
Russell Cook		Select a state
Tom Stoltz	Smithfield	Rhode Island
Werner Lorenzen	Urbandale	Iowa
paul lauricella	lyndonville	New York
Kenneth Chilton	Lake Saint Louis	Missouri
fred klein	newark	Ohio
Jill Halliburton	Coos Bay	Oregon
Ricky Massey	Wilmington	North Carolina
charles smith	tyrone	Georgia
George Alexander	Longmont	Colorado
Wayne Cowles	Racine	Wisconsin
Bruce Zoeller	Louisville	Kentucky
Larry HESTER	myrtle beach	South Carolina
John Smith	Lake Isabella	California
John Petty	Dallas	Texas
Richard Johnson	Brea	California
Kurt Hayden	KENDALLVILLE	Indiana
Michael Bodeau	Yorba Linda	California
Richard Waide	Billings	Montana
Donald Breyer	Sonoma	California
Carlisle Chewning Jr	Agua Dulce	Texas
Phillip Abney	Farmington	New Mexico
Edwin Johnson	Shell Knob	Missouri
Bao-Li Loza	Paoli	Pennsylvania
Terrence Conaway		Select a state
Adele Watkins	Martinez	California
F. Joseph Bindeman	Mount Clemens	Michigan
Craig Wise	Memphis	Tennessee
Raymond Girouard	Atherton	California
Tom Bauer	Twentynine Palms	California
Robert Grunseich	Pt Jefferson	New York
Michael Rophone		Select a state
MAX ARGO	ATLANTIC	Iowa
Stephen Hatch	St. Augustine	Florida
Lois Johnson	Edison	New Jersey
Walter Geffert	Geneseo	Illinois
Anna Cicur	Arlington	Texas
James Ventura	Poughkeepsie	New York
Milton Schick	Tucson	Arizona
Carlton Giancarli	Binghamton	New York
Sandra Simmons	mendota il	Illinois
Tom Sheahen	Oakland	Maryland
Steve Froslie	Barnesville	Minnesota
RM Soja Soja	Crestview	Florida
James Nurnberger	Coleman	Michigan
Rod Takata	St. Louis Park	Minnesota
Cole Ryan	San Francisco	California
Alfred Grosfield	Big Timber	Montana
Raymond Wilson	Wyandotte	Oklahoma
Bill Christian	Elk Grove	Illinois
Ross Spain	Clovis	California
james de saxton	colorado springs	Colorado

AMERICAN OVERSIGHT

Gordon Wells	Wolcottville	Indiana
Colin Nordstrom	Emeryville	California
David Ellison	Odessa	Texas
Kathy Christian	Elk Grove	Illinois
Mary Dahlheim	Austin	Texas
Bruce Haufler	Austin	Texas
James Scheub	Grand Rapids	Ohio
Joyce Watts	Orange Beach	Alabama
Erlinda McCrea	Merritt Island	Florida
Gerald Petras	Campbell	Ohio
Steve Penrod	San Antonio	Texas
James Muhlenbruch	Austin	Texas
Doug Lyons	Poulsbo	Washington
Richard Yule	Rochester	New York
CLINNON ALEXANDER	DUNNELLON	Florida
Stanley Rydzak	Brookfield	Connecticut
Marlin Winslow	Salt Lake	Utah
John Thomas	Mitchell	Nebraska
Richard Bultemeyer	Fort Wayne	Indiana
Hubert Merworth	Comanche	Texas
Paul Richards	McKinney	Texas
Vincent Candela	Summit	New Jersey
Suzanne Murlowski	St. Paul	Minnesota
John Puffer	Hixson	Tennessee
Philip Murlowski	New Brighton	Minnesota
Chris Rozmajzl	Temecula	California
Edward Weberq	Port Ewen	New York
Roy Shippen	Long Beach	California
Marissa Skaja	Minneapolis	Minnesota
Frank HOLMES	Goleta	California
Larry Lunan	Kingsport	Tennessee
Michael Murlowski	New Brighton	Minnesota
keith fortin	anderson	South Carolina
Janelle Murlowski	Minneapolis	Minnesota
John Beebe	Bayfield	Colorado
Stephen Smith	Louisville	Kentucky
Jack Hearn	VALDOSTA	Georgia
Robert Thomson	Aberdeen	Washington
John Murlowski	Saint Paul	Minnesota
Leszek Sulanowski	Deford	Michigan
Ralph Weaver	Noblesville	Indiana
glenn davis	worcester	Massachusetts
Joe Davidson	Guysville	Ohio
Scott Jacobson	Maplewood	Minnesota
Greg Lewis	Rocester	New York
Constance Nourse	Wake Forest	North Carolina
George Sardella	Bakersfield	California
Howard Harbes Harbes	Richmond	Texas
Charles Carpenter	Woodland Hills	California
Michael Asbury	Fresno	California
S. Milicevich	Shingle Springs	California
John La Fontaine	Wilmington	North Carolina
Richard Hartle	Lancaster	Ohio

AMERICAN OVERSIGHT

Douglas Hall	Arlington	Tennessee
Rick Jablon	Nashville	Tennessee
BRIAN MARIE	JACKSONVILLE	Florida
Nan E Puckett	Greensboro	North Carolina
Bruce Kiekta	Winnipeg	North Dakota
george bernhard	pawcatuck	Connecticut
Pat Tracy	Westerville	Ohio
Casimir Sammanasu	Lincoln	California
Thomas Sash	Plant City	Florida
LaVar Clegg	Scottsdale	Arizona
Janice Knaus	Bennet	Nebraska
David Tintle	CaÃ±on City	Colorado
Darin Hauer	Gilberts	Illinois
John McGill	Midlothian	Virginia
Burr Rubey	Ocala	Florida
Leslie Dearman	TUCSON	Arizona
Gloria Long	Kokomo	Indiana
Daniel Dick	Maricopa	Arizona
Svend-Erik Mortensgaard	DK-7570 Vemb	Select a state
Dave McGuigan	Frazer	Pennsylvania
Ronald Sutton	Orlando	Florida
Jerry Kirkpatrick	Upland	California
Gary Craft	Esperance	New York
Linda Paul	Tulsa	Oklahoma
William Lanahan	Selkirk	New York
Mary Ashbrook	Coloma	Michigan
Mark Snyder	Golden	Colorado
Michael S	Coeur d\'Alene	Idaho
Michael Ashbrook	Coloma	Michigan
Robert Roth	Stilwell	Kansas
Shawn Miller	Lebanon	Pennsylvania
Thomas Dunn	St. Charles	Illinois
James McGeown	Sarasota	Florida
Robert Soule	Princeton	Minnesota
Michael Yard	Goodrich	Michigan
Joseph Quinty	Corona	California
ken Enderle	Goodyear	Arizona
Fred Bowling	Cincinnati	Ohio
Lynnette Huston	Black Canyon City	Arizona
Todd Minchey	Cedar City	Utah
Anthony Smith	Huntington Beach	California
Lindsey Fine Fine	Granite Bay	California
David Edgar	Spruce Pine	Alabama
Tom Frichtel	Borrego Springs	California
James Wheeler	Ingram	Texas
Michael Graetz	Stillwater	Minnesota
Edward J Mitchell Jr	Jeffersonville	Pennsylvania
Marilyn Wilson	Wichita	Kansas
Jim Sickinger	Lowell	Indiana
Jim Hutchinsonon	Lampasas	Texas
Thomas Radziewicz	Belleville	New Jersey
Robert Tatarka	Batavia	New York
Eddie Robinson	Goodlettsville	Tennessee

AMERICAN OVERSIGHT

Jeff Price	Three Forks	Montana
Jo Monaghan	Caldwell	Idaho
Loren Kraus	Salina	Kansas
Laura May	Dallas	Texas
Terry Marshall	Clint	Texas
Chris Sell	Willow Park	Texas
Jimmy Alicorn	Weatherford	Texas
Wally Geesey	Greer	South Carolina
Kermit McKinney	Marietta	Oklahoma
Peter D.		Select a state
Jim Marzonie	Houston	Texas
Dale Shiffer	Eau Claire	Wisconsin
Patrick Carboneau	Seattle	Washington
thomas adair	Lexington	Georgia
David Gonzales	Ventura	California
Jerold Monahan	Cincinnati	Ohio
LARRY HYAK	GALT	California
Bruce Niehm	Ames	Iowa
Robert Cleaver	Mohnton	Pennsylvania
Harold Westra	Pipestone	Minnesota
Richard Batchelor	Jacksonville	Florida
John Botts	Cumming	Iowa
Michael Fulton	LITTLE ROCK	Mississippi
Deborah Wall	Merritt	North Carolina
Aman Singh	New York City	New York
Dan Kessler		Select a state
Merlin` Wood	Augusta	Kansas
Cheryl Moir	Dexter	Michigan
Charles Stone	Fort Pierce	Florida
Daniel Sheldon Sheldon	Fort Lupton	Colorado
Gwendolyn Geer	Dunedin	Florida
Vernon Beighley	Blackduck	Minnesota
Philip Baker	Cleveland	Tennessee
Charlie Guidarelli	South Yarmouth	Massachusetts
Fred Behling	Cape Coral	Florida
Mette McDermott	Medford	Oregon
charles smith	little rock	Arkansas
Jim Anthony	Bedford	Texas
David Livingstone	Dallas	Texas
DAN GILL	SOLANA BEACH	California
Dwight Heller	Lincoln	Kansas
Tony Hays	Mckee	Kentucky
Janine Nevins	long beach	California
Leonard Hale	Kansas city	Missouri
Tom Casey Casey	Clarksville	Virginia
David Rawson	SAINT MARYS	West Virginia
Wendy Youngquist	Aurora	Colorado
Kenneth Tiedeman	Orlando	Florida
Tamara Johnson	Minneapolis	Minnesota
Robert Steckler	Kenner	Louisiana
Joan Harper	West Chester	Pennsylvania
W lee Simmons	Richfield	North Carolina
Richard Becht	Tucson	Arizona

AMERICAN OVERSIGHT

Joe Finneman	Covington	Louisiana
Gene Dwyer	Springfield	Virginia
joe french french, JD, LL.M.	richmond	Kentucky
Lynn Butts	Denver	Colorado
Thomas Wiedmann	Kenneth	Minnesota
Carl Mattes	Levittown	Pennsylvania
Charles Breedlove	Baton Rouge	Louisiana
JEFF BROWN	CANYON	Texas
robert bust	ardmore	Oklahoma
P Wolcken	West Chester	Pennsylvania
Conrad Byron	Deltona	Florida
John Boyce Boyce	Canon City	Colorado
Amy Yurs	Benson	Arizona
Missie Hickey	Mendota Heights	Minnesota
Ken Huge	Frisco	Colorado
Daniel Lewallen	Aurora	Colorado
Terry Hansen	Centerville	Utah
Sally Byrd	Four Oaks	North Carolina
Frank Thurlow	Vista	California
C Murphy	Atlanta	Texas
James Nice	Marysville	Washington
Julie Sharkey	Casper	Wyoming
Darryl Speiser Speiser	Nampa	Idaho
Antoinettte Beamer	Inverness	Florida
Michael G Del Rossi	Lower Gwynedd	Pennsylvania
Scotty Woodward	Lovettsville	Virginia
Twyla Bacon Bacon	LEON	Kansas
Ray Veneklase	Ada	Michigan
Steve Wolf	albuquerque	New Mexico
Jerry Walling	Dallas	Texas
Lindnef Bongaardt	Glen Mills	Pennsylvania
Lew Wallace	Pearl River	New York
Bruce Richardson	Columbus	Oregon
Rich Garber	Boise	Idaho
Robert Duenckel	Colorado Springs	Colorado
Carol Scace	Bothell	Washington
LIZ CARTIER	VALHALLA	New York
Janet Fellhauer	Lad Vegas	Nevada
Charles Walkup Jr	Waxhaw	North Carolina
Barbara Phillips	Prescott	Arizona
Kenneth Long	High Springs	Florida
Christine Caraher	Bohemia	New York
Brian Brotherton	Barberton	Ohio
Gary KELLOGG	OLEAN	New York
William Wright	Titusville	Florida
Linda Devlin	Pittsburgh	Pennsylvania
Dan Scoggins	st.simons island	Georgia
William King	Isom	Kentucky
Terry Jensen	Oreana	Idaho
Charles Shortell	Richmond	Missouri
Dr. Ronald Bartzatt Bartzatt	Omaha	Nebraska
David Niedzielski	Manistee	Michigan
Frank Heilman	Allentown	Pennsylvania

AMERICAN OVERSIGHT

John Melewski	Schanmburg	Illinois
Gregg Dickson	Burlington	North Carolina
John Paterson Jr	Kemah	Texas
Brenda Warneka	Laughlin	Nevada
Richard Taylor	Henderson	Tennessee
Daniel R. Ferry	Pierre	South Dakota
Thomas Leszczynski	Richfield	Wisconsin
Thomas Sullivan	Leesburg	Florida
Marvin Booth	Downing	Wisconsin
Tim Reynolds	Knoxville	Tennessee
Kathy Gibbons	Eatontown	New Jersey
Ruth Pine	Bonners Ferry	Idaho
Dennis Henderson	Fayetteville	Ohio
Frank Stabler	Fairhope	Alabama
Al Peterson	Tabernash	Colorado
Lisa Beach	Gahanna	Ohio
Marcel Matte	Calgary	Select a state
JACK SLOVER	NORCROSS	Georgia
stan kennedy	Garden City	Kansas
Stan Young	Raleigh	North Carolina
Edward Quirk	Oak Harbor	Washington
Richard Depies	Appleton	Wisconsin
Raymond Martini	Oceanside	New York
Edward Novak	La Grange Park	Illinois
Daniel St.Martine	Hollywood	Florida
Thomas Gagnon	Shalimar	Florida
david beck	grand junction	Colorado
Tamara Ritter	Tampa	Florida
Larry Kalmbach	Mahwah	New Jersey
CHUCK KIRKHUFF	TEMPE	Arizona
Don Leedy Leedy	Coldspring	Texas
vern street street	reeds spring	Missouri
Gary Anderson	Fruita	Colorado
Kirk Sampson	Omaha	Nebraska
Denise Sager	Williams	Oregon
Larry McDonald	Davisburg	Michigan
Nick Calley	Niceville	Florida
James Young	Pueblo	Colorado
Pamela Schmidt	Carol Stream	Illinois
David Thomas	Gardnerville	Nevada
Greg Behneke	Evans	Georgia
Kris Rieman	Newell	Iowa
David Smith	Akron	Ohio
Juliw Molnar	San Bernardino County	California
Stephen Hitchman	Cherry Hill	New Jersey
Ralph Shives	Lancaster	New York
Richard Piland	Niwot	Colorado
Calvin Kunzrich	Richland	Washington
Donald Hemm	Canton	North Carolina
James Brewer	Big Water	Utah
Joe Black	San Jose	California
Charles Hickman	MARION	Louisiana
Tom Collins	Bonita Springs, Fl	Florida

AMERICAN OVERSIGHT

Rose Acker	Coon Rapids	Minnesota
Barry Lawrimore	Trinty	North Carolina
Robert Reed	CONYERS	Georgia
Brian Robb Robb	Sterling	Alaska
Don Tilton	Fulton	Missouri
Norman Peters	Suamico	Wisconsin
Fred Beck	Galax	Virginia
Paul Grilli	Streetsboro	Ohio
Mike Prescott	Laytonille	California
Steve Carlock	Lebanon	Maine
Moreland Beans	Whiteside	Tennessee
Kevin Casey	Carlsbad	California
Steve Jehle	St Paul	Minnesota
patrick dullea	san francisco	California
christopher murray	billings	Montana
David Weimer	Waxhaw	North Carolina
VICTOR IMPARATO	BRONX	New York
Keith Lauver Lauver	YORKVILLE	Illinois
Ronald Sundquist	Palmdale	California
maria benton	wewoka	Oklahoma
Edward Clifford	Spring Hill	Florida
Laurie Gatza	Waukesha	Wisconsin
Dushan Mitrovich	Cedar Crest	New Mexico
James Hubbard	Boulder	Colorado
Dennis Mackin	Dunwoody	Georgia
David Humble	Walnut Ridge	Arkansas
Mervin Shreve	St Johns	Florida
peter dober	Livonia	Michigan
Barry Levine	La Jolla	California
Diana Chrislip	Wyandotte	Michigan
Walter Caracciolo	Franklin Square	New York
William Bode	Lynden	Washington
David Wells	Minneapolis	Minnesota
David Whitham	Loveland	Colorado
David Witty Witty	Nyssa	Oregon
Michael Galea	Burton	Michigan
Thomas Hauck	Ocala	Florida
Pat Vaughn	Caldwell	Idaho
Daniel Swartz	Clear Lake	Iowa
norm wendrow	mt pleasant	Michigan
Randall Craig	Marblehead	Massachusetts
David Albert	Belgrade	Montana
Charles lee	Washington	District of Columbia
Brent Gray	Chandler	Arizona
Darren Marinis	Salem	Wisconsin
Doris Caward	Granite Bay	California
Nyal Bender	Vernal	Utah
Gregory Wrightstone	Allison Park	Pennsylvania
Margaret Schweyer		Florida
glenn schantz	little rock	Arkansas
Dustin Rider	Lee\'s Summit	Missouri
Thomas Pinson	Colorado Springs	Colorado
Lauren King	Lexington	South Carolina

AMERICAN OVERSIGHT

Harry Prince Jr	Saco	Maine
Thomas Pinson Pinson	Colorado Springs	Colorado
Orvis Pigg	Suwanee	Georgia
Scott Stolnitz	Friday Harbor	Washington
Paul Scherer	Arvada	Colorado
Michael Goetz	Port Charlotte	Florida
christina norman	mechanicsburg	Pennsylvania
Paul Driessen	Fairfax	Virginia
Marc Morano	Manassas	Virginia
Bonner Cohen		Virginia
Craig Rucker	Berryville	Virginia
Doug Houser	Toms River	New Jersey
Jonathan Houser	Minneapolis	Minnesota

AMERICAN OVERSIGHT

Keep Scott Pruitt and keep EPA reform alive

:s EPA has engaged in bureaucratic overreach far exceeding its lawful authority;

; been used by partisan interests, radical pressure groups and profiteers to thwart business and burden private property rights often with questionable if any benefit to the environment;

; operated in an opaque manner, refusing to share the data and science it relies upon for review avoided realistic cost-benefit analyses of its policies;

; used "sue and settle" legal tactics to short-circuit the regulatory process and divert financial :s to select special interests;

ıt Trump charged EPA Administrator Scott Pruitt with the task of reforming EPA;

strator Pruitt has become the target of partisan attacks aimed at thwarting his efforts at reform;

re, we the undersigned, call upon President Trump to retain Scott Pruitt as EPA Administrator, ontinue the badly needed process of reforming EPA and restoring it to its proper role as a :tive, non-partisan protector of our environment.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Mon 2/12/2018 9:30:58 PM
Subject: February 12 -- E&E News PM is ready

Read today's E&E News PM on the web

AN E&E NEWS PUBLICATION

E&E NEWS PM — Mon., February 12, 2018

READ FULL EDITION

1.ENDANGERED SPECIES:

Citing climate impact, court restores seal protections

A federal appeals court today reinstated protections for Arctic ringed seals, dealing a blow to Alaska oil and gas companies that had argued NOAA Fisheries went beyond its authority in taking into account climate change impacts on the species.

TOP STORIES

2.INTERIOR:
Reorganization gets funding, new focus in budget

3.WATER POLICY:
Trump wants to end EPA dredge-and-fill permitting, vetoes

4.EPA:
Strategic plan stresses 'rule of law,' silent on climate

THIS AFTERNOON'S STORIES

5.SUPERFUND:
Okla. auditor: Pruitt 'acted improperly' on Tar Creek audit

6.AIR POLLUTION:
Shell agrees to La. plant upgrades, $350K penalty

7.COAL ASH:
Co-op restores missing plan info for Wyo. plant

BUDGET

8.OFFSHORE DRILLING:
'No stomach to mess' with revenue sharing — Zinke

9.FEDERAL WORKFORCE:
Unions pledge to fight budget 'onslaught'

10.INFRASTRUCTURE:
Inland shippers would face new fees under Trump plan

11.EPA:
Trump proposes 25% funding cut for vehicles lab

12.NOAA:
President seeks 20% cut, urges return to 'core functions'

13.STATE DEPARTMENT:
Blueprint would scrap climate programs, funds

14.TRANSPORTATION:
White House plan cuts DOT funding by 19%, chops grants

15.AGRICULTURE:
Conservation programs would take big hit in Trump budget

16.COAL:
Budget would spare Appalachian Regional Commission

UPCOMING HEARINGS AND MARKUPS

17.CALENDAR:
Activity for February 12 - February 18, 2018

AMERICAN OVERSIGHT

Get all of the stories in today's E&E News PM, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.eenewspm.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.
To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT E&E NEWS PM – Late-Breaking News

E&E News PM is written and produced by the staff of E&E News. A late afternoon roundup providing coverage of all the breaking and developing policy news from Capitol Hill, around the country and around the world, E&E News PM is a must-read for the key players who need to be ahead of the next day's headlines. E&E News PM publishes daily at 4:30 p.m.

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net

All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/29/2018 9:44:16 AM
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas

AMERICAN OVERSIGHT

infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal

AMERICAN OVERSIGHT

expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like

AMERICAN OVERSIGHT

future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved

AMERICAN OVERSIGHT

Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

AMERICAN OVERSIGHT

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national

AMERICAN OVERSIGHT

emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the

AMERICAN OVERSIGHT

commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that

AMERICAN OVERSIGHT

few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

AMERICAN OVERSIGHT

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

AMERICAN OVERSIGHT

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer

AMERICAN OVERSIGHT

or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided

AMERICAN OVERSIGHT

aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under

AMERICAN OVERSIGHT

the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of

AMERICAN OVERSIGHT

staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

AMERICAN OVERSIGHT

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm

AMERICAN OVERSIGHT

elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

AMERICAN OVERSIGHT

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of

AMERICAN OVERSIGHT

course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the

AMERICAN OVERSIGHT

farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Chancellor, Erin[chancellor.erin@epa.gov]
From: Kundinger, Kelly
Sent: Mon 6/25/2018 4:25:51 PM
Subject: Re: John Meyer

He is getting into town early to run through the route. He said he can be there at 2:30, therefore, I assume he can come 30 minutes sooner if we ask.
Please let me know if you'd like me to give him a call.

Sent from my iPhone

On Jun 25, 2018, at 11:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?
>
> Sent from my iPad

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]
From: Block, Molly
Sent: Fri 1/5/2018 3:11:42 PM
Subject: EPA Morning News Highlights 01.05.18
EPA News Highlights 1.5.18.docx

EPA News Highlights 1.5.18

Washington Examiner: EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions. The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

Columbia County Spotlight: St. Helens Approves Contract for Brownfield Site Study

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city. In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

Reuters: Monsanto Wins Support from 11 U.S. States in California Cancer Dispute

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Politico Morning Energy: Justices to Discuss Energy Cases Today

AMERICAN OVERSIGHT

he Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic. EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations.

National News Highlights 12.4.17

Wall Street Journal: Dow Industrials Cross 25,000 for First Time

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestone in history. The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era.

Reuters: 'Bomb Cyclone' Hits US East Coast Energy, Power Supply

A severe winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for almost 80,000 homes and businesses. The only nuclear plant in Massachusetts was shut just after 2 p.m. because of the failure of a line that connects the reactor to the power grid.

CNN: Major Chip Flaws Affect Billions of Devices

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday. And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems. The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found.

Associated Press: Judges Recommend Rebates for Utility Corporate Tax Savings

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said. The rulings were handed down

AMERICAN OVERSIGHT

following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

(Opinion) The Oklahoman: Why Now is the Time to See Sooner Sensation Trae Young

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing. he clock may be ticking, too, on Trae Young. Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. That timeline has been accelerated. As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

TRUMP TWEETS

Washington Examiner

http://www.washingtonexaminer.com/epa-sets-hard-deadline-for-enforcing-obama-era-ozone-restrictions/article/2645034

EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

By John Siciliano, 1/4/18

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions.

The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

The Trump EPA had tried to delay formally designating the regions as non-attainment zones, which would force some cities and other areas to establish special pollution control plans that critics of the rule have argued would deter development and economic growth.

A court blocked EPA Administrator Scott Pruitt's delay strategy and directed the agency to

AMERICAN OVERSIGHT

enforce the regulations. Since the court order, environmentalists have held the agency to meeting deadlines for designating the non-attainment regions, which is a key part of implementing the regulations.

EPA has missed the deadlines, saying it needs more time to collect data from states.

Thursday's notice ends that data collection period.

In November, the EPA said 2,646 counties, including Indian country in those counties, are meeting the ozone standards, and listed three other counties as unclassifiable. Thursday's notice means the EPA intends to designate all of the remaining areas as non-attainment regions.

In a separate action, EPA also proposes taking a large area that includes Missouri, including St. Louis, and Illinois off the non-attainment list for related rules for controlling soot pollution.

The action is meant to get feedback from stakeholders on the EPA's proposed plan to designate the large bi-state area as meeting the rules based on new pollution data from 2017.

"EPA expects to approve the area's re-designation," the agency said. The proposal becomes effective Friday.

Columbia County Spotlight

http://www.pamplinmedia.com/scs/83-news/383099-271372-st-helens-approves-contract-for-brownfield-site-study

St. Helens Approves Contract for Brownfield Site Study

By Nicole Thill, 1/5/18

City Council votes to approve contract with Maul Foster Alongi to oversee grant-funded program

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city.

The St. Helens City Council voted Wednesday, Jan. 3, to approve a contract with Maul Foster Alongi, placing the environmental engineering and consulting company in charge of project management for brownfield site identification.

In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been

AMERICAN OVERSIGHT

contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

The city approved a work plan in July that outlined the project scope to perform the brownfield assessments. The main purpose of the EPA-funded project will be to identify key areas that are limited in their ability to be redeveloped due to a brownfield designation. The goal will be to conduct six environmental site assessments in phase one, six assessments in phase two, convene a brownfield advisory committee and host two public meetings to determine site prioritization and reuse planning.

Approval of the plan was the first step, however, and the city recently put out a request for proposals to seek an applicant to oversee implementation of the plan. The city issued a request for qualifications in November and recently reviewed the applications it received.

City Administrator John Walsh explained that brownfield site identification is a specialized field, and the city received only three proposals from companies interested in taking on the project management role.

The city has worked with Maul Foster Alongi on previous projects, including the development of the waterfront framework plan that outlines development possibilities for waterfront land the city owns.

Reuters

https://www.reuters.com/article/us-usa-pesticides-monsanto/monsanto-wins-support-from-11-u-s-states-in-california-cancer-dispute-idUSKBN1ES269

Monsanto Wins Support from 11 US States in California Cancer Dispute

By Tom Polansek, 1/3/18

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Missouri, home to Monsanto's headquarters, along with other farm states including Iowa and Indiana, said in court documents on Tuesday that the warnings would be misleading because there is no definite link between glyphosate and cancer.

Midwest businesses would need to include warnings on glyphosate products if California

AMERICAN OVERSIGHT

requires them or stop selling such goods because they may end up in the Golden State, according to the states' filing.

California added glyphosate, the main ingredient in Monsanto's Roundup herbicide, to its list of cancer-causing chemicals in July 2017 and will require products containing the chemical to carry warnings by July 2018.

The state acted after the World Health Organization's International Agency for Research on Cancer concluded in 2015 that glyphosate was "probably carcinogenic."

"The mandate imposes confusing and potentially inconsistent obligations on non-resident businesses, creating a strong incentive to abandon glyphosate markets altogether," the states' filing said.

For more than 40 years, farmers have applied glyphosate to crops, most recently on soybeans that Monsanto genetically engineered to resist the herbicide. Roundup is also sprayed on residential lawns and golf courses.

The controversy in California is a headache for the company as it faces a crisis around another herbicide based on a chemical known as dicamba that has been linked to U.S. crop damage.

Monsanto, which is being acquired by Bayer AG for $63.5 billion, developed the dicamba-based product following an increase in weeds resistant to glyphosate.

The 11 states are supporting a federal lawsuit Monsanto, the National Association of Wheat Growers and other agricultural groups filed in November to stop the state from requiring glyphosate warnings.

Monsanto said Wednesday it had discussed California's mandate with officials in agricultural states as it proceeded with the lawsuit.

AMERICAN OVERSIGHT

California's Office of Environmental Health Hazard Assessment (OEHHA), which is named in the lawsuit, declined to comment. The office previously said it stands by the decision to include glyphosate on the state's list of products known to cause cancer, as required under a rule known as Proposition 65.

"Proposition 65 is 30 years old and for every one of those years there have been strenuous attempts to kill it on the ground that it's different from other states," said David Roe, the rule's primary author.

"They've always failed."

Politico: Morning Energy

https://www.politicopro.com/newsletters/morning-energy/2018/01/zinkes-drilling-plan-lands-with-a-thud-065911 **Justices to Discuss Energy Cases Today**

By Kelsey Tamborrino, 1/5/18

The Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic.

EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations. The Trump administration opposes requiring EPA to produce the study Murray wants and has urged the Supreme Court not to take the case. But EPA Administrator Scott Pruitt said in October that his agency will give greater consideration to coal jobs via some type of study in the future. The case is 17-478, Murray v. Pruitt.

AMERICAN OVERSIGHT

NAAQS implementation: The 9th Circuit ruled in 2016 that EPA wrongly approved part of Arizona's particulate matter clean-up plan that counted already completed actions — such as paving dirt roads — as required "contingency measures" meant to help Maricopa County meet the standard. Arizona argues that similar approvals have happened dozens of times in recent decades, and that the 5th Circuit ruled previously in favor of that scheme. The Trump administration urged the Supreme Court not to get involved, saying the circuit split "does not create any unmanageable practical difficulties." The case is 16-1369, Arizona v. Bahr.

Wall Street Journal

https://www.wsj.com/articles/global-stocks-extend-gains-1515034296

Dow Industrials Cross 25,000 for First Time

By Corrie Driebusch, Michael Wursthorn and Georgi Kantchev, 1/5/18

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestonein history.

The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era. The broad index has more than quadrupled since the bull market began in March 2009, surpassing the tech-fueled rally of the 1990s, according to the research firm Leuthold Group, which excluded dividends from its calculations. The Dow has risen 283% over that same period, according to the WSJ Market Data Group.

Thursday's moves marked the latest feats for a rally that has repeatedly wrong-footed skeptics and sent stock indexes around the world to multiyear highs. The Dow industrials hit five thousand-point milestones last year, the most such records in its 120 years.

Faster economic growth around the globe and improving sentiment from consumers and businesses have helped power this rally in recent weeks. Economic data in the first days of the new year continued to suggest steady expansion in the U.S., China and Europe.

"The turn of the calendar year doesn't change the dynamics of economic growth and earnings growth," said Kate Warne, investment strategist at retail brokerage Edward Jones. "We shouldn't be surprised that markets continue to move higher because fundamentals continue to be positive and investor optimism is actually improving rather than investors becoming more cautious."

The Dow industrials, which heavily weights industrial giants such as Boeing and Caterpillar, gained 152.45 points, or 0.6%, to 25075.13. It took the Dow industrials 23 trading days to reach 25000 from 24000, ahead of the 24-day spans that carried the index to 11000 in 1999 and 21000 in March.

AMERICAN OVERSIGHT

The S&P 500 climbed 10.93 points, or 0.4%, to 2723.99, while the Nasdaq Composite added 12.38 points, or 0.2%, to 7077.91. Each major index closed at fresh records.

Shares of financial firms led markets higher Thursday as a strong private jobs report raised investors' expectations for further interest-rate increases.

Businesses across the country added 250,000 workers in December, according to payroll processor Automatic Data Processing Inc. and forecasting firm Moody's Analytics, topping economists' expectations. The U.S. Bureau of Labor Statistics will release its monthly jobs report on Friday.

Goldman Sachs Group gained $3.54, or 1.4%, to $256.83, contributing about 24 points to the Dow's gain. American Express Co. added 1.65, or 1.7%, to 100.85, while JPMorgan Chase & Co. rose 1.54, or 1.4%, to 109.04.

"Financials had been out of favor for some time, but they've been benefiting from this [tax] stimulus," said Jeff Zipper, a portfolio manager and managing director at U.S. Bank's Private Client Reserve.

He added the firm has been increasing clients' exposure to financial stocks as Republicans passed their tax overhaul, and on expectations that the gap between the two-year and 10-year Treasury note yields will increase after nearing its narrowest level in a decade last month. A wider gap between short- and long-term interest rates tends to boost lenders' profits.

The Dow industrials rose 25% in 2017 as investors bet on solid corporate earnings and a pickup in global economic growth. Analysts and investors say sectors like financials and energy are poised to play a bigger role in pushing markets higher. Recently, the price of oil has risen above $60 a barrel, providing a boost to many of the oil-and-gas companies that languished much of last year.

Shares of Chevron surged in the second half of 2017. The oil producer's stock has risen 21% in the last six months, roughly double its gain for all of last year. Exxon Mobil has climbed nearly 6% over that same period despite finishing last year lower.

"The risk sentiment is absolutely roaring right now," said Richard Benson, co-head of portfolio investments at Millennium Global Investments. "As an investor, it's easy to develop a fear of missing out."

While some investors are excited by the swift pace at which the Dow climbed the latest 1,000 points, many analysts are quick to note that as the blue-chip index rises, the percentage move required to leap to a new milestone becomes significantly easier. For instance, the move to 11000 from 10000 required a gain of 10%, while the rise from to 25000 from 24000 needed a 4.2% increase.

The market's steady climb continues to worry some money managers who question whether

AMERICAN OVERSIGHT

stock valuations have become stretched, even as earnings for S&P 500 companies this year are projected to grow at their best rate in seven years. A recent jump in investor exuberance has also put some analysts and investors on edge.

"If investor optimism gets excessive, and I think it's close to being excessive, I wouldn't be surprised to see" a pullback in the market, said Bruce Bittles, chief investment strategist at Baird.

Reuters

https://www.cnbc.com/2018/01/04/bomb-cyclone-hits-us-east-coast-energy-power-supply.html

'Bomb Cyclone' Hits US East Coast Energy, Power Supply

By Scott DiSavino, Devika Krishna Kumar, 1/4/18

An intense winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for tens of thousands of Americans.

Some 65,000 homes and businesses along the U.S. East Coast are without power, and that number is expected to swell on Thursday as the storm punishes the densely populated U.S. Northeast.

The storm is the product of a rapid and rare sharp drop in barometric pressure known as bombogenesis, or bomb cyclone. Heavy snow pounded the East Coast along a front stretching from Maine as far south as North Carolina early on Thursday, taking out power lines, icing over roadways and closing hundreds of schools.

Prices for heating oil and natural gas in the U.S. Northeast hit their highest levels in years on the back of near-record heating demand. Benchmark U.S. heating oil futures are near their highest in almost three years.

U.S. natural gas demand was expected to remain near record highs this week. Natural gas is the major fuel for residential and commercial heating in the U.S. Northeast and is also widely used by power plants.

On Wednesday, natural gas futures fell 1.6 percent to $3.008 per million British thermal units, but cash prices in New York and New England remain elevated.

"NYMEX Henry Hub prices should rise further to the mid-$3 range, as cash Henry Hub prices already traded above $6. But the market, due to the supposed record-breaking production growth in 2018, still seems to be under-appreciating the potential for cold weather persisting," Citi

AMERICAN OVERSIGHT

analysts said in a note.

New England's cash prices soared last week, and remain near four-year highs at $36.32 per mmBtu. ISO-New England, that region's power grid operator, said on Thursday that its power operators were relying more heavily on generators that burn heating oil, due to heavy natural gas demand from homes and businesses.

"We expect to have sufficient capacity and fuel available and expect to be able to weather the storm without running up against significant emissions limits, but concerns remain the same regarding fuel availability and emissions limits throughout this protracted cold spell and the rest of the winter," the company said in a statement.

There are fears that a significant disruption could lead to a heating oil shortage, as distillate inventories, including heating oil, in the New England and Mid-Atlantic regions are currently at their lowest levels for this time of year since 2015.

This has spurred tankers carrying diesel and heating oil to set out from Europe bound for the United States to address supply worries, reversing a traditional trade route.

Icebreakers have been used in key ports of Boston, New York and Philadelphia to keep shipping lanes clear, though delays are expected, and the Coast Guard said late Wednesday that those ships will remain at shore until the storm passes.

Reliance on heating oil is highest in the Northeast region, with about 21 percent of households using oil for space heating.

So far, most northern U.S. refiners are not reporting problems. Phillips 66 shut a crude and coking unit at its Wood River, Illinois, refinery after a line froze followed by a brief fire, a source told Reuters on Wednesday. It did not currently have a timeline for restarting the units at the Illinois plant, the source said.

Philadelphia Energy Solutions postponed planned work at its 335,000 refinery complex in Philadelphia until after the storm.

Valero's 125,000 bpd refinery in Meraux, Louisiana, restarted most operations after sub-freezing conditions froze instruments earlier this week, according to a report by Energy News Today (ENT).

Valero was forced to cut rates at its Port Arthur, Texas, refinery due to the cold weather, ENT reported, and operations are expected to return to normal by the end of the week.

CNN

http://money.cnn.com/2018/01/03/technology/computer-chip-flaw-security/index.html

AMERICAN OVERSIGHT

Major Chip Flaws Affect Billions of Devices

By Selena Larson, 1/4/18

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday.

And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems.

The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found. Daniel Gruss, a researcher from Graz University of Technology who helped identify the flaw, said it may be difficult to execute an attack, but billions of devices were impacted.

Called Meltdown and Spectre, the flaws exist in processors, a building block of computers that acts as the brain. Modern processors are designed to perform something called "speculative execution." That means they predict what tasks they will be asked to execute and rapidly access multiple areas of memory at the same time.

That data is supposed to be protected and isolated, but researchers discovered that in some cases, the information can be exposed while the processor queues it up.

Researchers say almost every computing system -- desktops, laptops, smartphones, and cloud servers -- is affected by the Spectre bug. Meltdown appears to be specific to Intel (INTC) chips.

"More specifically, all modern processors capable of keeping many instructions in flight are potentially vulnerable. In particular, we have verified Spectre on Intel, AMD, and ARM processors," the researchers said.

Government agencies issued statements warning users about the vulnerabilities.

The U.S. Computer Emergency Readiness Team said that while the flaws "could allow an attacker to obtain access to sensitive information," it's not so far aware of anyone doing so.

The agency urged people to read a detailed statement on the vulnerabilities by the Software Engineering Institute, a U.S.-government funded body that researches cybersecurity problems.

The institute said that "fully removing the vulnerability requires replacing vulnerable [processor] hardware."

It later changed its guidance on Thursday to suggest updating software was enough. The institute didn't say why it had made the change and didn't immediately respond to a request for further

AMERICAN OVERSIGHT

information.

It said the problems affect technology giants including Apple, Google and Microsoft.

The U.S. Computer Emergency Readiness Team recommended that users read advice posted online by Microsoft and software company Mozilla.

The U.K.'s National Cyber Security Center advised organizations and individuals to "continue to protect their systems from threats by installing patches as soon as they become available."

Google (GOOGL) programmer Jann Horn of Project Zero was one of the researchers who discovered the flaws. In a blog post, he said his group alerted chipmakers to the issues in June. Since last fall, security researchers and companies have investigated and updated software systems to address the flaws.

ntel chips are found in everything from personal computers to medical equipment. The company's shares were down 3% on Wednesday.

The company said in a press release that "many types of computing devices — with many different vendors' processors and operating systems — are susceptible to these exploits."

Intel said it is working with other chipmakers, including AMD and ARM Holdings, to solve the issue. ARM said in a statement a small subset of its processors are susceptible to the flaws. AMD said in a statement there is a "near zero risk of exploitation" for one of the security issues, due to architecture differences.

A fix requires both the chip manufacturers and software makers to update their products before pushing it out.

Estimates posted on Linux message boards suggested computer performance could slow down between 5% and 30% once patched, however Intel said users will not see significant performance changes.

Tech website The Register was first to report the processor flaws on Tuesday.

A spokesperson for Microsoft (MSFT) told CNNMoney the company is aware of the issue and is in the process of deploying mitigations to cloud services and has released security updates to protect Windows users.

Google's Cloud Platform has been updated to prevent the vulnerabilities, the company said.

Amazon (AMZN) said in a statement most of its cloud computing machines affected by the flaw are already protected, but it was updating the rest on Wednesday.

Apple (AAPL) revealed Thursday that all its Mac and iOS devices were affected by the flaws, but said that "there are no known exploits impacting customers at this time." The company has

AMERICAN OVERSIGHT

already released some fixes for Meltdown, and will release others for Spectre in subsequent updates.

It's important for all users to update their devices when new updates are released.

Flaws in chips are unusual. Back in 1994, a major error in Intel's Pentium processor caused computers to incorrectly calculate results.

Associated Press

https://www.usnews.com/news/best-states/oklahoma/articles/2018-01-04/oklahoma-utility-regulators-consider-request-for-rate-cut

Judges Recommend Rebates for Utility Corporate Tax Savings

By Tim Talley, 1/4/18

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said.

The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

The new law lowers the highest corporate income tax rate from 35 percent to 21 percent, and Hunter's office has estimated that customer savings could be $100 million a year not including any savings from the utilities' excess accumulated deferred income tax accounts, Deputy Attorney General Dara Derryberry said. The accounts are used to reflect utility companies' past use of tax breaks to defer tax bills.

The five utilities affected by the recommendations are Oklahoma Gas & Electric, Public Service Company of Oklahoma, Oklahoma Natural Gas, CenterPoint Energy and Arkansas Oklahoma Gas.

The judges recommended that the three-member commission, which regulates public utilities in the state, grant Hunter's request that each of the five utilities make any income tax savings they receive from the new law subject to ratepayer rebates, Derryberry said.

The judges instructed the commission's staff to prepare proposed orders by Friday and the commission could consider whether to grant the rebate orders as early as Monday, she said.

AMERICAN OVERSIGHT

"The attorney general is urging swift action by the commission," Derryberry said.

Utility officials have said they were already working with the commission on possible rate changes and shared Hunter's goal to keep rates affordable. OG&E spokesman Brian Alford has said the utility is still trying to determine the impact of the tax bill and will conduct its own rate review regardless of what the commission decides.

Hunter's office has estimated that OG&E's corporate tax savings from the new law will be $51.7 million a year, more than the other four utilities combined.

Hunter's office asked the commission to pass the savings onto consumers last month after President Donald Trump signed the sweeping overhaul of federal tax law.

"These companies will begin seeing major savings after the tax cut is implemented," Hunter said at the time. "Oklahomans who are customers of these companies should immediately retain the benefits."

The Oklahoman

http://newsok.com/why-now-is-the-time-to-see-sooner-sensation-trae-young/article/5578401

Why Now is the Time to See Sooner Sensation Trae Young

By Jenni Carlson, 1/5/18

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing.

But as soon as the Sooner phenom reached the unsuspecting Cowboy on Wednesday night, he crossed over his dribble, right to left. In a flash, he was in the open, and you wondered how he did that.

The crowd inside the Lloyd Noble Center started oohing and aahing long before Young put the ball through the basket.

It was fun for anyone watching.

It was even better in person.

During a week in which we rang in the new year and the Big 12 heralded the start of conference play, there were reminders a plenty that the clock is ticking. Only a couple months of the regular season remain. Three months from now, we'll stand on the precipice of the national

AMERICAN OVERSIGHT

championship game.

The clock may be ticking, too, on Trae Young.

Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. The probable thinking was that his first season would be an adjustment, physically and mentality, and that with experience, development and some more time in the weight room, his skills would really start to shine during his second season.

That timeline has been accelerated.

As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

After OU's Bedlam win Wednesday night, he is averaging 29.4 points and 10.6 assists a game. He leads the country in both categories, something that has never been done before.

Ever.

Not by a freshman. Not by anyone.

Ever.

The website The Ringer compiled a chart of the seven point guards who have won the Wooden Award, which has been given annually to college basketball's best player since its inception in 1977. Comparing Young's numbers to theirs — remember, these are some of the best to ever play college ball — he would rank first in scoring and assists, second in 3-point percentage and third in field goal percentage.

His numbers may well sag during Big 12 play, but what if they don't?

OU opened conference play with TCU and OSU, and both squads are stout defensively. The Frogs and the Cowboys got physical with Young, who had seven turnovers against TCU and six against OSU. Way more than he wanted.

And still, he averaged 33.0 points and 12.0 assists in those two wins.

"The thing about it, he's so consistent at such a high level," Sooner coach Lon Kruger said. "It's not consistent average. He's consistent exceptional."

But for all the eye-popping numbers, it's the way Young plays that is most amazing. If you've never been to watch him in person, go. See. Witness. You'll be glad you did.

I actually wrote those last few sentences a year ago during Young's sensational senior year at Norman North. We headlined it, "THE TRAE YOUNG EXPERIENCE: Why you need to go see

AMERICAN OVERSIGHT

the Norman North point guard before his high school days are done."

At that point, we didn't know where Young would play in college. OU and OSU were among his finalists, but so were Kansas and Texas Tech, Kentucky and Washington. He could've been playing Wednesday night in Rupp Arena instead of Lloyd Noble, and it would've been a lot harder to see him in person.

But since Young picked the Sooners, The Experience stayed in state.

But I'll say now what I said a year ago — don't wait to go see him.

I have to admit that I don't quite understand how Young does what he does. He isn't an athletic marvel.

A year ago when I wrote about him, I termed him "slight and thin."

That hasn't changed.

I stood by him the other day during a post-practice interview scrum, and I'm pretty sure I could get my hands around his biceps, index finger to index finger and thumb to thumb. And I don't have particularly large mitts.

Young shows signs of time spent in the weight room, but strength isn't his superpower. Neither is speed. Or ups. He has all those skills and many more, but what makes him a superstar is his fearlessness. He isn't afraid to use his range or his handles even when the defense or the conventional wisdom says otherwise.

Pull up from 35 feet and shoot with a hand in his face? Sure.

Bounce a pass through a defender's legs? OK.

Turn college basketball on its head?

Why not?

The packed seats Wednesday night at the Lloyd Noble Center — and the already announced sellouts of the TCU and Kansas games later this month — are evidence that people are making an effort to see Young. But I'm imploring you to join them.

You won't regret it.

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

Dow goes from 18,589 on November 9, 2016, to 25,075 today, for a new all-time Record. Jumped 1000 points in last 5 weeks. Record fastest 1000 point move in history. This is all about the Make America Great Again agenda! Jobs, Jobs, Jobs. Six trillion dollars in value created!

6.8K 6.0K 25K

AMERICAN OVERSIGHT

EPA News Highlights 1.5.18

Washington Examiner: EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions
The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions. The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

Columbia County Spotlight: St. Helens Approves Contract for Brownfield Site Study
St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city. In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

Reuters: Monsanto Wins Support from 11 U.S. States in California Cancer Dispute
Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Politico Morning Energy: Justices to Discuss Energy Cases Today
he Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic. EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations.

National News Highlights 12.4.17

Wall Street Journal: Dow Industrials Cross 25,000 for First Time
The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestone in history. The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era.

Reuters: 'Bomb Cyclone' Hits US East Coast Energy, Power Supply
A severe winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for almost 80,000 homes and businesses. The only nuclear plant in Massachusetts was shut just after 2 p.m. because of the failure of a line that connects the reactor to the power grid.

CNN: Major Chip Flaws Affect Billions of Devices
Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday. And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems. The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found.

Associated Press: Judges Recommend Rebates for Utility Corporate Tax Savings
Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said. The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

(Opinion) The Oklahoman: Why Now is the Time to See Sooner Sensation Trae Young

AMERICAN OVERSIGHT

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing. he clock may be ticking, too, on Trae Young. Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. That timeline has been accelerated. As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

TRUMP TWEETS

Washington Examiner

http://www.washingtonexaminer.com/epa-sets-hard-deadline-for-enforcing-obama-era-ozone-restrictions/article/2645034

EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

By John Siciliano, 1/4/18

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions.

The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

The Trump EPA had tried to delay formally designating the regions as non-attainment zones, which would force some cities and other areas to establish special pollution control plans that critics of the rule have argued would deter development and economic growth.

A court blocked EPA Administrator Scott Pruitt's delay strategy and directed the agency to enforce the regulations. Since the court order, environmentalists have held the agency to meeting deadlines for designating the non-attainment regions, which is a key part of implementing the regulations.

EPA has missed the deadlines, saying it needs more time to collect data from states.

Thursday's notice ends that data collection period.

In November, the EPA said 2,646 counties, including Indian country in those counties, are meeting the ozone standards, and listed three other counties as unclassifiable. Thursday's notice means the EPA intends to designate all of the remaining areas as non-attainment regions.

In a separate action, EPA also proposes taking a large area that includes Missouri, including St. Louis, and Illinois off the non-attainment list for related rules for controlling soot pollution.

The action is meant to get feedback from stakeholders on the EPA's proposed plan to designate the large bi-state area as meeting the rules based on new pollution data from 2017.

"EPA expects to approve the area's re-designation," the agency said. The proposal becomes effective Friday.

Columbia County Spotlight

http://www.pamplinmedia.com/scs/83-news/383099-271372-st-helens-approves-contract-for-brownfield-site-study

St. Helens Approves Contract for Brownfield Site Study

By Nicole Thill, 1/5/18

City Council votes to approve contract with Maul Foster Alongi to oversee grant-funded program

AMERICAN OVERSIGHT

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city.

The St. Helens City Council voted Wednesday, Jan. 3, to approve a contract with Maul Foster Alongi, placing the environmental engineering and consulting company in charge of project management for brownfield site identification.

In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

The city approved a work plan in July that outlined the project scope to perform the brownfield assessments. The main purpose of the EPA-funded project will be to identify key areas that are limited in their ability to be redeveloped due to a brownfield designation. The goal will be to conduct six environmental site assessments in phase one, six assessments in phase two, convene a brownfield advisory committee and host two public meetings to determine site prioritization and reuse planning.

Approval of the plan was the first step, however, and the city recently put out a request for proposals to seek an applicant to oversee implementation of the plan. The city issued a request for qualifications in November and recently reviewed the applications it received.

City Administrator John Walsh explained that brownfield site identification is a specialized field, and the city received only three proposals from companies interested in taking on the project management role.

The city has worked with Maul Foster Alongi on previous projects, including the development of the waterfront framework plan that outlines development possibilities for waterfront land the city owns.

Reuters

https://www.reuters.com/article/us-usa-pesticides-monsanto/monsanto-wins-support-from-11-u-s-states-in-california-cancer-dispute-idUSKBN1ES269

Monsanto Wins Support from 11 US States in California Cancer Dispute

By Tom Polansek, 1/3/18

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.
Missouri, home to Monsanto's headquarters, along with other farm states including Iowa and Indiana, said in court documents on Tuesday that the warnings would be misleading because there is no definite link between glyphosate and cancer.

Midwest businesses would need to include warnings on glyphosate products if California requires them or stop selling such goods because they may end up in the Golden State, according to the states' filing.

California added glyphosate, the main ingredient in Monsanto's Roundup herbicide, to its list of cancer-causing chemicals in July 2017 and will require products containing the chemical to carry warnings by July 2018.

The state acted after the World Health Organization's International Agency for Research on Cancer concluded in 2015 that glyphosate was "probably carcinogenic."

"The mandate imposes confusing and potentially inconsistent obligations on non-resident businesses, creating a strong incentive to abandon glyphosate markets altogether," the states' filing said.

For more than 40 years, farmers have applied glyphosate to crops, most recently on soybeans that Monsanto genetically engineered to resist the herbicide. Roundup is also sprayed on residential lawns and golf courses.

AMERICAN OVERSIGHT

The controversy in California is a headache for the company as it faces a crisis around another herbicide based on a chemical known as dicamba that has been linked to U.S. crop damage.

Monsanto, which is being acquired by Bayer AG for $63.5 billion, developed the dicamba-based product following an increase in weeds resistant to glyphosate.

The 11 states are supporting a federal lawsuit Monsanto, the National Association of Wheat Growers and other agricultural groups filed in November to stop the state from requiring glyphosate warnings.

Monsanto said Wednesday it had discussed California's mandate with officials in agricultural states as it proceeded with the lawsuit.

California's Office of Environmental Health Hazard Assessment (OEHHA), which is named in the lawsuit, declined to comment. The office previously said it stands by the decision to include glyphosate on the state's list of products known to cause cancer, as required under a rule known as Proposition 65.

"Proposition 65 is 30 years old and for every one of those years there have been strenuous attempts to kill it on the ground that it's different from other states," said David Roe, the rule's primary author.

"They've always failed."

Politico: Morning Energy

https://www.politicopro.com/newsletters/morning-energy/2018/01/zinkes-drilling-plan-lands-with-a-thud-065911

Justices to Discuss Energy Cases Today

By Kelsey Tamborrino, 1/5/18

The Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic.

EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations. The Trump administration opposes requiring EPA to produce the study Murray wants and has urged the Supreme Court not to take the case. But EPA Administrator Scott Pruitt said in October that his agency will give greater consideration to coal jobs via some type of study in the future. The case is 17-478, Murray v. Pruitt.

NAAQS implementation: The 9th Circuit ruled in 2016 that EPA wrongly approved part of Arizona's particulate matter clean-up plan that counted already completed actions — such as paving dirt roads — as required "contingency measures" meant to help Maricopa County meet the standard. Arizona argues that similar approvals have happened dozens of times in recent decades, and that the 5th Circuit ruled previously in favor of that scheme. The Trump administration urged the Supreme Court not to get involved, saying the circuit split "does not create any unmanageable practical difficulties." The case is 16-1369, Arizona v. Bahr.

Wall Street Journal

https://www.wsj.com/articles/global-stocks-extend-gains-1515034296

Dow Industrials Cross 25,000 for First Time

By Corrie Driebusch, Michael Wursthorn and Georgi Kantchev, 1/5/18

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestonein history.

AMERICAN OVERSIGHT

The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era. The broad index has more than quadrupled since the bull market began in March 2009, surpassing the tech-fueled rally of the 1990s, according to the research firm Leuthold Group, which excluded dividends from its calculations. The Dow has risen 283% over that same period, according to the WSJ Market Data Group.

Thursday's moves marked the latest feats for a rally that has repeatedly wrong-footed skeptics and sent stock indexes around the world to multiyear highs. The Dow industrials hit five thousand-point milestones last year, the most such records in its 120 years.

Faster economic growth around the globe and improving sentiment from consumers and businesses have helped power this rally in recent weeks. Economic data in the first days of the new year continued to suggest steady expansion in the U.S., China and Europe.

"The turn of the calendar year doesn't change the dynamics of economic growth and earnings growth," said Kate Warne, investment strategist at retail brokerage Edward Jones. "We shouldn't be surprised that markets continue to move higher because fundamentals continue to be positive and investor optimism is actually improving rather than investors becoming more cautious."

The Dow industrials, which heavily weights industrial giants such as Boeing and Caterpillar, gained 152.45 points, or 0.6%, to 25075.13. It took the Dow industrials 23 trading days to reach 25000 from 24000, ahead of the 24-day spans that carried the index to 11000 in 1999 and 21000 in March.

The S&P 500 climbed 10.93 points, or 0.4%, to 2723.99, while the Nasdaq Composite added 12.38 points, or 0.2%, to 7077.91. Each major index closed at fresh records.

Shares of financial firms led markets higher Thursday as a strong private jobs report raised investors' expectations for further interest-rate increases.

Businesses across the country added 250,000 workers in December, according to payroll processor Automatic Data Processing Inc. and forecasting firm Moody's Analytics, topping economists' expectations. The U.S. Bureau of Labor Statistics will release its monthly jobs report on Friday.

Goldman Sachs Group gained $3.54, or 1.4%, to $256.83, contributing about 24 points to the Dow's gain. American Express Co. added 1.65, or 1.7%, to 100.85, while JPMorgan Chase & Co. rose 1.54, or 1.4%, to 109.04.

"Financials had been out of favor for some time, but they've been benefiting from this [tax] stimulus," said Jeff Zipper, a portfolio manager and managing director at U.S. Bank's Private Client Reserve.

He added the firm has been increasing clients' exposure to financial stocks as Republicans passed their tax overhaul, and on expectations that the gap between the two-year and 10-year Treasury note yields will increase after nearing its narrowest level in a decade last month. A wider gap between short- and long-term interest rates tends to boost lenders' profits.

The Dow industrials rose 25% in 2017 as investors bet on solid corporate earnings and a pickup in global economic growth. Analysts and investors say sectors like financials and energy are poised to play a bigger role in pushing markets higher. Recently, the price of oil has risen above $60 a barrel, providing a boost to many of the oil-and-gas companies that languished much of last year.

Shares of Chevron surged in the second half of 2017. The oil producer's stock has risen 21% in the last six months, roughly double its gain for all of last year. Exxon Mobil has climbed nearly 6% over that same period despite finishing last year lower.

AMERICAN OVERSIGHT

"The risk sentiment is absolutely roaring right now," said Richard Benson, co-head of portfolio investments at Millennium Global Investments. "As an investor, it's easy to develop a fear of missing out."

While some investors are excited by the swift pace at which the Dow climbed the latest 1,000 points, many analysts are quick to note that as the blue-chip index rises, the percentage move required to leap to a new milestone becomes significantly easier. For instance, the move to 11000 from 10000 required a gain of 10%, while the rise from to 25000 from 24000 needed a 4.2% increase.

The market's steady climb continues to worry some money managers who question whether stock valuations have become stretched, even as earnings for S&P 500 companies this year are projected to grow at their best rate in seven years. A recent jump in investor exuberance has also put some analysts and investors on edge.

"If investor optimism gets excessive, and I think it's close to being excessive, I wouldn't be surprised to see" a pullback in the market, said Bruce Bittles, chief investment strategist at Baird.

Reuters

https://www.cnbc.com/2018/01/04/bomb-cyclone-hits-us-east-coast-energy-power-supply.html

'Bomb Cyclone' Hits US East Coast Energy, Power Supply

By Scott DiSavino, Devika Krishna Kumar, 1/4/18

An intense winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for tens of thousands of Americans.

Some 65,000 homes and businesses along the U.S. East Coast are without power, and that number is expected to swell on Thursday as the storm punishes the densely populated U.S. Northeast.

The storm is the product of a rapid and rare sharp drop in barometric pressure known as bombogenesis, or bomb cyclone. Heavy snow pounded the East Coast along a front stretching from Maine as far south as North Carolina early on Thursday, taking out power lines, icing over roadways and closing hundreds of schools.

Prices for heating oil and natural gas in the U.S. Northeast hit their highest levels in years on the back of near-record heating demand. Benchmark U.S. heating oil futures are near their highest in almost three years.

U.S. natural gas demand was expected to remain near record highs this week. Natural gas is the major fuel for residential and commercial heating in the U.S. Northeast and is also widely used by power plants.

On Wednesday, natural gas futures fell 1.6 percent to $3.008 per million British thermal units, but cash prices in New York and New England remain elevated.

"NYMEX Henry Hub prices should rise further to the mid-$3 range, as cash Henry Hub prices already traded above $6. But the market, due to the supposed record-breaking production growth in 2018, still seems to be under-appreciating the potential for cold weather persisting," Citi analysts said in a note.

New England's cash prices soared last week, and remain near four-year highs at $36.32 per mmBtu. ISO-New England, that region's power grid operator, said on Thursday that its power operators were relying more heavily on generators that burn heating oil, due to heavy natural gas demand from homes and businesses.

"We expect to have sufficient capacity and fuel available and expect to be able to weather the storm without running up against significant emissions limits, but concerns remain the same regarding fuel availability and emissions limits throughout this protracted cold spell and the rest of the winter," the company said in a statement.

There are fears that a significant disruption could lead to a heating oil shortage, as distillate inventories, including

AMERICAN OVERSIGHT

heating oil, in the New England and Mid-Atlantic regions are currently at their lowest levels for this time of year since 2015.

This has spurred tankers carrying diesel and heating oil to set out from Europe bound for the United States to address supply worries, reversing a traditional trade route.

Icebreakers have been used in key ports of Boston, New York and Philadelphia to keep shipping lanes clear, though delays are expected, and the Coast Guard said late Wednesday that those ships will remain at shore until the storm passes.

Reliance on heating oil is highest in the Northeast region, with about 21 percent of households using oil for space heating.

So far, most northern U.S. refiners are not reporting problems. Phillips 66 shut a crude and coking unit at its Wood River, Illinois, refinery after a line froze followed by a brief fire, a source told Reuters on Wednesday. It did not currently have a timeline for restarting the units at the Illinois plant, the source said.

Philadelphia Energy Solutions postponed planned work at its 335,000 refinery complex in Philadelphia until after the storm.

Valero's 125,000 bpd refinery in Meraux, Louisiana, restarted most operations after sub-freezing conditions froze instruments earlier this week, according to a report by Energy News Today (ENT).

Valero was forced to cut rates at its Port Arthur, Texas, refinery due to the cold weather, ENT reported, and operations are expected to return to normal by the end of the week.

CNN

http://money.cnn.com/2018/01/03/technology/computer-chip-flaw-security/index.html

Major Chip Flaws Affect Billions of Devices

By Selena Larson, 1/4/18

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday.

And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems.

The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found. Daniel Gruss, a researcher from Graz University of Technology who helped identify the flaw, said it may be difficult to execute an attack, but billions of devices were impacted.

Called Meltdown and Spectre, the flaws exist in processors, a building block of computers that acts as the brain. Modern processors are designed to perform something called "speculative execution." That means they predict what tasks they will be asked to execute and rapidly access multiple areas of memory at the same time.

That data is supposed to be protected and isolated, but researchers discovered that in some cases, the information can be exposed while the processor queues it up.

Researchers say almost every computing system -- desktops, laptops, smartphones, and cloud servers -- is affected by the Spectre bug. Meltdown appears to be specific to Intel (INTC) chips.

"More specifically, all modern processors capable of keeping many instructions in flight are potentially vulnerable. In

AMERICAN OVERSIGHT

particular, we have verified Spectre on Intel, AMD, and ARM processors," the researchers said.

Government agencies issued statements warning users about the vulnerabilities.

The U.S. Computer Emergency Readiness Team said that while the flaws "could allow an attacker to obtain access to sensitive information," it's not so far aware of anyone doing so.

The agency urged people to read a detailed statement on the vulnerabilities by the Software Engineering Institute, a U.S.-government funded body that researches cybersecurity problems.

The institute said that "fully removing the vulnerability requires replacing vulnerable [processor] hardware."

It later changed its guidance on Thursday to suggest updating software was enough. The institute didn't say why it had made the change and didn't immediately respond to a request for further information.

It said the problems affect technology giants including Apple, Google and Microsoft.

The U.S. Computer Emergency Readiness Team recommended that users read advice posted online by Microsoft and software company Mozilla.

The U.K.'s National Cyber Security Center advised organizations and individuals to "continue to protect their systems from threats by installing patches as soon as they become available."

Google (GOOGL) programmer Jann Horn of Project Zero was one of the researchers who discovered the flaws. In a blog post, he said his group alerted chipmakers to the issues in June. Since last fall, security researchers and companies have investigated and updated software systems to address the flaws.

ntel chips are found in everything from personal computers to medical equipment. The company's shares were down 3% on Wednesday.

The company said in a press release that "many types of computing devices — with many different vendors' processors and operating systems — are susceptible to these exploits."

Intel said it is working with other chipmakers, including AMD and ARM Holdings, to solve the issue. ARM said in a statement a small subset of its processors are susceptible to the flaws. AMD said in a statement there is a "near zero risk of exploitation" for one of the security issues, due to architecture differences.

A fix requires both the chip manufacturers and software makers to update their products before pushing it out.

Estimates posted on Linux message boards suggested computer performance could slow down between 5% and 30% once patched, however Intel said users will not see significant performance changes.

Tech website The Register was first to report the processor flaws on Tuesday.

A spokesperson for Microsoft (MSFT) told CNNMoney the company is aware of the issue and is in the process of deploying mitigations to cloud services and has released security updates to protect Windows users.

Google's Cloud Platform has been updated to prevent the vulnerabilities, the company said.

Amazon (AMZN) said in a statement most of its cloud computing machines affected by the flaw are already protected, but it was updating the rest on Wednesday.

Apple (AAPL) revealed Thursday that all its Mac and iOS devices were affected by the flaws, but said that "there are no

AMERICAN OVERSIGHT

known exploits impacting customers at this time." The company has already released some fixes for Meltdown, and will release others for Spectre in subsequent updates.

It's important for all users to update their devices when new updates are released.

Flaws in chips are unusual. Back in 1994, a major error in Intel's Pentium processor caused computers to incorrectly calculate results.

Associated Press

https://www.usnews.com/news/best-states/oklahoma/articles/2018-01-04/oklahoma-utility-regulators-consider-request-for-rate-cut

Judges Recommend Rebates for Utility Corporate Tax Savings

By Tim Talley, 1/4/18

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said.

The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

The new law lowers the highest corporate income tax rate from 35 percent to 21 percent, and Hunter's office has estimated that customer savings could be $100 million a year not including any savings from the utilities' excess accumulated deferred income tax accounts, Deputy Attorney General Dara Derryberry said. The accounts are used to reflect utility companies' past use of tax breaks to defer tax bills.

The five utilities affected by the recommendations are Oklahoma Gas & Electric, Public Service Company of Oklahoma, Oklahoma Natural Gas, CenterPoint Energy and ArkansasOklahoma Gas.

The judges recommended that the three-member commission, which regulates public utilities in the state, grant Hunter's request that each of the five utilities make any income tax savings they receive from the new law subject to ratepayer rebates, Derryberry said.

The judges instructed the commission's staff to prepare proposed orders by Friday and the commission could consider whether to grant the rebate orders as early as Monday, she said.

"The attorney general is urging swift action by the commission," Derryberry said.

Utility officials have said they were already working with the commission on possible rate changes and shared Hunter's goal to keep rates affordable. OG&E spokesman Brian Alford has said the utility is still trying to determine the impact of the tax bill and will conduct its own rate review regardless of what the commission decides.

Hunter's office has estimated that OG&E's corporate tax savings from the new law will be $51.7 million a year, more than the other four utilities combined.

Hunter's office asked the commission to pass the savings onto consumers last month after President Donald Trump signed the sweeping overhaul of federal tax law.

"These companies will begin seeing major savings after the tax cut is implemented," Hunter said at the time. "Oklahomans who are customers of these companies should immediately retain the benefits."

AMERICAN OVERSIGHT

The Oklahoman

http://newsok.com/why-now-is-the-time-to-see-sooner-sensation-trae-young/article/5578401

Why Now is the Time to See Sooner Sensation Trae Young

By Jenni Carlson, 1/5/18

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing.

But as soon as the Sooner phenom reached the unsuspecting Cowboy on Wednesday night, he crossed over his dribble, right to left. In a flash, he was in the open, and you wondered how he did that.

The crowd inside the Lloyd Noble Center started oohing and aahing long before Young put the ball through the basket.

It was fun for anyone watching.

It was even better in person.

During a week in which we rang in the new year and the Big 12 heralded the start of conference play, there were reminders a plenty that the clock is ticking. Only a couple months of the regular season remain. Three months from now, we'll stand on the precipice of the national championship game.

The clock may be ticking, too, on Trae Young.

Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. The probable thinking was that his first season would be an adjustment, physically and mentality, and that with experience, development and some more time in the weight room, his skills would really start to shine during his second season.

That timeline has been accelerated.

As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

After OU's Bedlam win Wednesday night, he is averaging 29.4 points and 10.6 assists a game. He leads the country in both categories, something that has never been done before.

Ever.

Not by a freshman. Not by anyone.

Ever.

The website The Ringer compiled a chart of the seven point guards who have won the Wooden Award, which has been given annually to college basketball's best player since its inception in 1977. Comparing Young's numbers to theirs — remember, these are some of the best to ever play college ball — he would rank first in scoring and assists, second in 3-point percentage and third in field goal percentage.

His numbers may well sag during Big 12 play, but what if they don't?

OU opened conference play with TCU and OSU, and both squads are stout defensively. The Frogs and the Cowboys got physical with Young, who had seven turnovers against TCU and six against OSU. Way more than he wanted.

And still, he averaged 33.0 points and 12.0 assists in those two wins.

AMERICAN OVERSIGHT

“The thing about it, he's so consistent at such a high level,” Sooner coach Lon Kruger said. “It's not consistent average. He's consistent exceptional.”

But for all the eye-popping numbers, it's the way Young plays that is most amazing. If you've never been to watch him in person, go. See. Witness. You'll be glad you did.

I actually wrote those last few sentences a year ago during Young's sensational senior year at Norman North. We headlined it, “THE TRAE YOUNG EXPERIENCE: Why you need to go see the Norman North point guard before his high school days are done.”

At that point, we didn't know where Young would play in college. OU and OSU were among his finalists, but so were Kansas and Texas Tech, Kentucky and Washington. He could've been playing Wednesday night in Rupp Arena instead of Lloyd Noble, and it would've been a lot harder to see him in person.

But since Young picked the Sooners, The Experience stayed in state.

But I'll say now what I said a year ago — don't wait to go see him.

I have to admit that I don't quite understand how Young does what he does. He isn't an athletic marvel.

A year ago when I wrote about him, I termed him “slight and thin.”

That hasn't changed.

I stood by him the other day during a post-practice interview scrum, and I'm pretty sure I could get my hands around his biceps, index finger to index finger and thumb to thumb. And I don't have particularly large mitts.

Young shows signs of time spent in the weight room, but strength isn't his superpower. Neither is speed. Or ups. He has all those skills and many more, but what makes him a superstar is his fearlessness. He isn't afraid to use his range or his handles even when the defense or the conventional wisdom says otherwise.

Pull up from 35 feet and shoot with a hand in his face? Sure.

Bounce a pass through a defender's legs? OK.

Turn college basketball on its head?

Why not?

The packed seats Wednesday night at the Lloyd Noble Center — and the already announced sellouts of the TCU and Kansas games later this month — are evidence that people are making an effort to see Young. But I'm imploring you to join them.

You won't regret it.

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

Dow goes from 18,589 on November 9, 2016, to 25,075 today, for a new all-time Record. Jumped 1000 points in last 5 weeks. Record fastest 1000 point move in history. This is all about the Make America Great Again agenda! Jobs, Jobs, Jobs. Six trillion dollars in value created!

6.8K 6.0K 25K

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 6/28/2018 9:44:23 AM
Subject: Morning Energy, presented by ExxonMobil: Musical chairs: SCOTUS edition — Gas industry against 'transition fuel' description — Perry's back

By Kelsey Tamborrino | 06/28/2018 05:42 AM EDT

With help from Alex Guillén, Annie Snider, Eric Wolff, Anthony Adragna and Emily Holden

MUSICAL CHAIRS, SCOTUS EDITION: Supreme Court Justice Anthony Kennedy announced his retirement Wednesday — setting the stage for President Donald Trump to install a pick that will likely shift the court to the right for a generation to come. Talk of who will replace Kennedy kicked off about 1.4 seconds after he announced his retirement. The president said he will pick from his list of contenders from last year (so say goodbye to the idea of Justice Scott Pruitt). It's early, but here are a few names ME is keeping an eye on:

— **Brett Kavanaugh**, 53, judge on the D.C. Circuit Court of Appeals since 2006. Kavanaugh — already reportedly a front-runner — has been on Republican SCOTUS short lists since he joined the D.C. Circuit 12 years ago. Thanks to his seat there, Kavanaugh has had his fingers in numerous environmental cases over the years, and is widely seen as critical of many Obama-era EPA rules. (In a tweet , E&E News' Robin Bravender pointed out Kavanaugh's conservative credentials. "A source told me a few years back: 'I would think him a judge that is more open to second-guessing the EPA than nearly anyone.'")

— **Patrick Wyrick**, 37, Oklahoma Supreme Court justice, nominee to the U.S. District Court for the Western District of Oklahoma. Aside from his youth, Wyrick's other claim to fame is a close connection to EPA chief Pruitt. Wyrick's nomination to a federal district court cleared committee earlier this month on a party-line vote, but he drew fire from liberal groups such as the Alliance for Justice and the League of Conservation Voters for his work as Oklahoma's solicitor general while Pruitt was fighting federal regulations as attorney general. Pruitt previously called him "a superb lawyer" and "a dear friend and trusted counselor."

— **Sen. Mike Lee** (R-Utah), 47. Lee chairs the Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining and the Republican Steering Committee. A former clerk for Samuel Alito when he was on the 3rd Circuit Court of Appeals, Lee in recent years made headlines for holding up federal aid to Flint, Mich., saying the state should pay for its lead crisis. Lee also praised the president last year for significantly reducing the size of two national monuments in Utah.

ICYMI: Environmental issues are certainly not left out of the wide-ranging implications of Kennedy's departure, as Pro's Alex Guillén and Annie Snider report. Kennedy for more than a decade has dictated by his votes which streams and wetlands should be protected under the Clean Water Act, and he cast the deciding vote that in 2007 opened the door to EPA climate regulations.

WELCOME TO THURSDAY! I'm your host, Kelsey Tamborrino. Bracewell's Frank Maisano

AMERICAN OVERSIGHT

knew President Richard Nixon was the first to see a triple play while attending a baseball game. It was a 1969 game between the Senators and Tigers, where the Tigers got the play, but still ended up losing 7-3. For today: Three current governors were born in Pennsylvania — more than any other state. Name them. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. New speakers include: Seema Verma, administrator of the Centers for Medicare & Medicaid Services; Scott Gottlieb, commissioner of the Food and Drug Administration; and others. Register today.

CROSS THAT BRIDGE FUEL: Industry leaders are trying to make one simple message clear at this week's World Gas Conference: They're nobody's transition fuel. As natural gas has been touted by some as a cleaner-than-coal bridge fuel to hold things over until renewable sources take over, gas executives this week argued that renewables can't keep up with growing energy demand, Pro's Eric Wolff reports. "Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become de-carbonized itself, gas needs to become green if it wants to be part of a de-carbonized future in Europe."

Others said the vast scale of the power grid would require a fuel like gas for decades, while highlighting how wind and solar can only provide less than 8 percent of the U.S. power supply. Still, executives said they see coal as their chief competition, not renewables. "Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

HE'S BAAACK: Energy Secretary Rick Perry returns to Day Four of the conference for a discussion this afternoon on the role of gas in an integrated Americas. Ahead of his appearance, Perry will join Ray Washburne, president and CEO of the Overseas Private Investment Corporation, to announce a joint initiative for energy investment in the Americas. And when Perry takes the stage, he'll be joined by private-sector representatives and Javier Iguacel, the energy minister of Argentina, where Perry attended the G-20 earlier this month.

Perfect timing: DOE released an updated primer on Natural Gas Liquids on Wednesday, with a renewed focus on NGL's potential in the Appalachian region. The primer, updated with new data from EIA, includes a new section on R&D opportunities related to natural gas and NGL production, conversion and storage. Read it here.

What else? Alaska Sen. Lisa Murkowski will deliver keynote remarks at the conference this morning on "access to sustainable energy in developing economies." Ohio Rep. Bill Johnson will

AMERICAN OVERSIGHT

discuss the small- to mid-scale LNG movement.

ZINKE RESPONDS: Interior Secretary Ryan Zinke spoke out publicly for the first time Wednesday about a POLITICO report exposing a Montana real estate deal involving a nonprofit he launched and developers backed by Halliburton Chairman Dave Lesar. On talk radio program Voices of Montana, Zinke attacked the reports but did not dispute any specific details, as POLITICO's Ben Lefebvre notes . The secretary acknowledged meeting with Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier.

NOT SO FAST: Senate Judiciary Chairman Chuck Grassley's first ever invocation of his chairmanship in response to EPA's Renewable Fuel Standard announcement on Tuesday didn't escape the notice of EPW Chairman John Barrasso. Though noting he didn't want to "get into a thing," Barrasso said, "in terms of the RFS, that's in the jurisdiction of EPW." He added, "I have a great deal of respect for Chairman Grassley. He knows the institution, the committees, jurisdiction probably better than anybody."

DIVIDED PANEL UPHOLDS MURRAY PUNISHMENT OVER BONUS PLANS: An evenly divided federal panel has effectively upheld a judgment against coal producer Murray Energy for a bonus program that an administrative law judge said undermined worker safety. The bonus plans offered miners up to $250 a shift if the crew met certain production quotas, but an ALJ at the Federal Mine Safety and Health Review Commission in 2016 said that motivated miners to avoid reporting safety violations or injuries. She fined Murray $150,000, even more than the Obama administration had asked for. The matter was appealed to the four sitting FMSHRC commissioners, with two saying the ALJ's decision should be upheld and two saying it should be reversed — creating a tie that in effect upheld the ALJ's decision. "We will immediately appeal this split decision and we will prevail," Murray said in a statement.

FIRSTENERGY LOOKING TO DUMP MURRAY CONTRACTS: FirstEnergy Solutions wants a bankruptcy judge to reject a contract the company has with the McElroy mine, owned by Murray Energy. The company has been trying to unload nuclear fuel and coal supply contracts throughout its bankruptcy, but Wednesday's filing was the first time it tried to get out of a Murray contract. The company says a January fire at its Bruce Mansfield coal plant has reduced its need for coal, and it wants out of $35 million worth contracts. Murray and FirstEnergy Corp. CEO Chuck Jones have both lead the charge for a federal bailout of coal and nuclear plants

MOVING AHEAD: Count Sen. Lamar Alexander, who oversees the Appropriations subpanel responsible for the energy and water spending title, in favor of moving ahead quickly with a conference between the House and Senate. "We'll move quickly as soon as the conferees are appointed," he told ME. "There's always issues, but we have a good history of working together." Alexander said he'd already had an informal chat with his House counterpart, Rep. Mike Simpson, and expected the House would name conferees later this week.

FOR YOUR RADAR: FERC Commissioner Neil Chatterjee will discuss "securing America's energy infrastructure" during a discussion at the Bipartisan Policy Center's conference today on

AMERICAN OVERSIGHT

the electric grid. Separately, Eric Lightner, director of DOE's Smart Grid Task Force, will participate in a discussion on "nourishing the research."

DEMOCRATS: BRING BACK THE ICR: Democrats are rallying around a return of an EPA information collection request in the aftermath of reports last week that oil and gas methane emissions are much greater than previously thought. A group of Democrats sent a letter to Pruitt on Wednesday calling on him to reinstate a formal ICR — which would require companies to report detailed technical information about methane emissions from their operations — after he withdrew the Final Methane ICR in March 2017. "With new science showing that emissions are likely considerably higher than previously thought, there is no excuse for delaying or rescinding methane emission controls, or for failing to collect data from methane emitters," the Democrats wrote.

MAIL CALL! CENTER'S REBUTTAL: The Center for Biological Diversity fired back at House Natural Resources Republicans, who last week questioned its relationship with the Japanese government. Defending its moves to protect the Okinawa dugong, an imperiled marine mammal, the center said it collaborated with U.S. and international partners but did not take direction from anyone but its board and executive director. "Neither its dugong campaign, nor any of its conservation work, is controlled in any manner by any other domestic or foreign interest. Nor does the Center formally represent the interest of any party other than itself and the species and places it seeks to protect," the Center's Kierán Suckling writes. If Republicans are "confused ... it is perhaps because they abuse their positions of power so regularly, and are so deeply influenced by powerful corporate donors, that they are unable to conceive of people being motivated by empathy, public interest and respect for the rule of law and democracy." Read the letter here.

ABOUT THAT 'RULE OF LAW': The top Democrats in the House and Senate overseeing the Clean Water Act are worried that Pruitt is not enforcing all violations of the 1972 law. The administrator has recently moved to consolidate key decisions with top political appointees, and last month an EPA staffer publicly acknowledged that the agency is dropping or slow-walking cases where Clean Water Act coverage is not a "slam dunk." In a letter to Pruitt yesterday, House Transportation ranking member Peter DeFazio and Senate Environment and Public Works Committee ranking member Tom Carper raised their concerns, arguing that the moves "call into question this administration's commitment to the rule of law," and asking for key details about enforcement actions currently underway.

REPORT: GHG EMISSIONS TO MISS PARIS TARGET: U.S. greenhouse gas emissions are estimated to drop 12 percent to 20 percent below 2005 levels by 2025 — far lower than the 26 percent to 28 percent that the Obama administration promised in the Paris agreement, according to a new assessment by Rhodium Group. The findings are based on current policies, although the outlook could change with state and local efforts and based on future elections, Rhodium noted. The power sector accounts for most emissions reductions.

Natural gas and renewable power will continue to displace coal, but they also will push nuclear plants into retirement after 2025, meaning there could be an emissions rebound. Transportation is the largest source of greenhouse gases, which could decline as electric vehicles

AMERICAN OVERSIGHT

become more affordable. But "there is little downward pressure on economy-wide emissions post-2025," Rhodium said. Forest and land use remain a "wild card" for U.S. emissions, the group added.

CEQ RELEASES NEUMAYR DISCLOSURE: The Council on Environmental Quality has released its updated financial disclosure for Mary Neumayr, the new nominee to run the White House Council on Environmental Quality. Her disclosure doesn't show any direct energy-related holdings. Neumayr, who has been acting head of CEQ for more than a year, previously his jobs on the Hill and in the Bush administration.

QUICK HITS

— "He lobbied for coal. Now he's In the Trump administration, and watching his words," Bloomberg.

— "OPEC run by unanimous decision, not Saudi Arabia, says Kazempour," S&P Global.

— "Ford beats its own carbon emission reduction goals 7 years early," CNET.

— "Company plans to finish Louisiana oil pipeline by October," Associated Press

— "Interior Department plans to let people kill endangered red wolves," The Washington Post

HAPPENING TODAY

9 a.m. — The Inter-American Dialogue discussion on "Energy Policy in Brazil: What's Next for Upstream, Refining and LNG?" 1155 15th St NW.

10 a.m. — Plug In America and the Senate Auto Caucus host electric vehicle "ride and drive," 1st and C Streets NE.

10 a.m. — United States Energy Association discussion on fossil energy in a sustainable energy future, 1300 Pennsylvania Ave NW.

1:15 p.m. — Bipartisan Policy Center conference on advancing the electrical grid, 529 14th St NW.

4 p.m. — USAID Adaptation Community meeting on managing for climate risk, 1717 H St NW.

6 p.m. — The Competitive Enterprise Institute's annual dinner and reception, 901 Massachusetts Ave NW.

7 p.m. — Sen. Ed Markey holds a "Climate Crisis Action Summit," Belmont, Mass.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/musical-chairs-scotus-edition-266214

Stories from POLITICO Pro

Anthony Kennedy retiring, giving Trump opening to reshape Supreme Court Back

By Josh Gerstein and Louis Nelson | 06/27/2018 02:06 PM EDT

Supreme Court Justice Anthony Kennedy announced on Wednesday that he will retire, unleashing an epic political battle to replace him that could allow President Donald Trump to shift the court to the right for a generation to come.

The departure of the 81-year-old Kennedy from his post after more than three decades has the potential to radically reshape the court on issues such as abortion, affirmative action and gay rights, where Kennedy has served as a swing vote.

"It has been the greatest honor and privilege to serve our nation in the federal judiciary for 43 years, 30 of those years on the Supreme Court," Kennedy said in a statement. He said that he wanted to spend more time with his family and that his decision would be effective July 31.

His exit is expected to create a furious fight in the Senate over his replacement, and it could thrust the often overlooked issue of judicial selection to the forefront in close Senate races in this year's midterms.

Trump told reporters Wednesday that Kennedy, whom he said has "been a great justice of the Supreme Court," had come to the White House earlier in the day to inform him of his retirement plans. Trump said he asked Kennedy for recommendations as to his replacement but did not say how the retiring justice responded.

The president pledged that his pick for Kennedy's successor would come from lists of potential nominees he already circulated, starting during the 2016 election, when he campaigned on a promise to fill the seat formerly held by Justice Antonin Scalia with another conservative judge. The replacement process will "begin immediately," Trump said, adding, "hopefully, we will pick someone who is just as outstanding."

Senate Majority Leader Mitch McConnell (R-Ky.) — who in 2016 refused to allow a vote on then-President Barack Obama's nominee to fill Scalia's seat, saying voters should get a say at the ballot box — said Wednesday that the Senate would vote this fall on Kennedy's replacement,

AMERICAN OVERSIGHT

before lawmakers elected in November's midterms are sworn in.

Senate Republicans lined up in support of filling Kennedy's seat quickly. Sen. Ben Sasse (R-Neb.), a frequent critic of the president who sits on the Senate Judiciary Committee, said in a statement that "the Senate ought to spend August and September confirming the next Justice."

Democrats, though, called McConnell a hypocrite for changing his stance from 2016. Sen. Chris Murphy (D-Conn.) called the majority leader's move "absolute hypocrisy," and Sens. Elizabeth Warren (D-Mass.), Kamala Harris (D-Calif.) and Ed Markey (D-Mass.) all expressed similar sentiments.

"Our Republican colleagues in the Senate should follow the rule they set in 2016, not to consider a Supreme Court justice in an election year," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor. "Anything but that would be the absolute height of hypocrisy."

Nominated to the court by President Ronald Reagan after the Senate rejected the more conservative Robert Bork, Kennedy grew to become the swing vote on the court, voting with its more liberal wing on landmark cases that upheld abortion rights and authoring the court's decisions in multiple cases on gay rights, including 2015's Obergefell v. Hodges, in which the court ruled that same-sex couples have the Constitutional right to marry.

He famously sided with the majority in *Planned Parenthood v. Casey*, a 1992 ruling that affirmed the constitutional right to abortion established in *Roe v. Wade*. Trump, like many conservatives, has voiced a desire to see *Roe* overturned.

But Kennedy has also swung key cases toward the conservatives as well, including notably in Citizens United v. FEC, a 5-4 decision in which the court ruled that government limits on political spending by individuals and organizations constituted a violation of the right to free speech. Of the 17 5-4 decisions handed down by the court in its most recent term, 14 were split along ideological lines, according to Mother Jones. In all 14, Kennedy sided with the court's conservative wing.

Still, Kennedy's retirement came as a blow to many Democrats, and cries of "Oh" and "Oh, my God" punctuated a call between members of the Democratic National Committee's rules and bylaws panel as the news broke Wednesday.

Abortion is likely to loom large in the debate over replacing Kennedy. With just a 51-49 GOP majority in the Senate, Republicans can afford to lose only one vote in a confirmation fight. Two Republican senators, Lisa Murkowski of Alaska and Susan Collins of Maine, are both supporters of abortion rights.

"Because President Trump will nominate the next Supreme Court Justice, a woman's constitutional right to access legal abortion is in dire, immediate danger—along with the fundamental rights of all Americans," said NARAL Pro-Choice America President Ilyse Hogue in a statement on Wednesday.

AMERICAN OVERSIGHT

Kennedy's decision, announced on the court's final day of releasing decisions for the current term, followed a quiet campaign by the Trump White House and its allies to convince Kennedy that it was a suitable time for him to retire and that his replacement would be an esteemed and reputable jurist.

Many court-watchers saw that motivation in Trump's selection last year of Neil Gorsuch, a former Kennedy clerk, to fill the vacancy created by Scalia's death in 2016.

At Trump's maiden speech to Congress last year, he took a moment to stop and chat with Kennedy. Kennedy's son Justin knows Donald Trump Jr. through work in New York real estate. Kennedy's other son, Gregory, worked briefly last year on the Trump transition team, handling financial issues related to NASA.

One Republican with knowledge of the White House's deliberations said two leading contenders to fill the vacancy were former Kennedy clerks Brett Kavanaugh, now a D.C. Circuit Court judge, and Raymond Kethledge, who sits on the U.S. Court of Appeals for the 6th Circuit.

White House legislative affairs director Marc Short said last month that Trump could consider nominating someone he has not yet named publicly if a vacancy arose. The president might pick someone seen as less stridently conservative for Kennedy's seat, since moderate Republican senators are likely to face pressure from the left not to confirm anyone viewed as too polarizing.

Other people mentioned as possible replacements for Kennedy include those who were interviewed by Trump for the seat Gorsuch eventually filled, 3rd Circuit Judge Thomas Hardiman, 11th Circuit Judge William Pryor and 6th Circuit Judge Amul Thapar.

Trump included on previous lists of potential Supreme Court nominees 7th Circuit Judge Amy Barrett, Supreme Court Justice Britt Grant, 11th Circuit Judge Kevin Newsom and Oklahoma Supreme Court Justice Patrick Wyrick. And conservative court-watchers have speculated that former George W. Bush solicitor General Paul Clement, who is the right's go-to litigator at the high court but was not on Trump's latest list, and Sen. Mike Lee of Utah could be candidates for the spot.

Sen. Ted Cruz (R-Texas), speaking Wednesday to Fox News, said he would like to see Lee be the nominee. Asked by a CBS News reporter if he would be interested in an appointment to the Supreme Court, Lee responded, "Of course."

David Siders, Matthew Nussbaum and Eliana Johnson contributed to this report.

To view online click here.

Back

Kennedy retirement tilts court right on climate, water Back

AMERICAN OVERSIGHT

By Annie Snider and Alex Guillén | 06/27/2018 04:08 PM EDT

Justice Anthony Kennedy's retirement will add the environment to the areas on which the Supreme Court will likely shift rightward at a time when major legal battles are wending their way to the justices.

For more than a decade, it has been Kennedy's sole view of which streams and wetlands should be protected under the country's foremost water law that reigned, shaping the cost of new housing developments, the location of coal mines and the health of the nation's waters.

And Kennedy cast the deciding vote in a landmark 2007 case that opened the door for EPA to regulate greenhouse gases. Both rules are among the most contentious actions of the Obama era that the Trump administration is working hard to undo or restrict.

Environmentalists, developers and farmers have been battling over the scope of the Clean Water Act since it was signed into law in 1972. In the turning point 2006 case *Rapanos v. United States,* the court's four conservative justices, led by the late Justice Antonin Scalia, took a limited view of which waterways should be federally protected, saying only that waterways that regularly flow into major rivers, and the wetlands directly next to them, should be covered. The court's liberal wing took an expansive interpretation, and Kennedy found himself in the middle.

Kennedy's stand-alone opinion in *Rapanos,* which argued that any creek, bog or marsh that has a "significant nexus" to downstream navigable waters warranted federal protection, has been broadly viewed by lower courts as the one to follow.

In 2008, the George W. Bush administration's EPA issued guidance hinged to Kennedy's "significant nexus" test, and when the Obama administration issued its 2015 Waters of the United States rule meant to clarify the reach of the 1972 law, it too was pegged to Kennedy's opinion. Expecting that challenges to the rule were likely to reach the Supreme Court, Obama's EPA used the phrase "significant nexus" more than 500 times in the Waters of the U.S. rule.

Even as court battles are raging in district courts over the legality of the Obama-era rule, the Trump administration has begun the process of repealing it and drafting its own, much narrower interpretation of the law pegged to Scalia's opinion. A draft of the proposal was sent to the White House for interagency review two weeks ago.

Legal experts generally considered the Trump administration's rewrite project to be a vanity project, likely to fall flat if it reached the Supreme Court for a review while Kennedy was still on the bench. Now, all bets are off.

Vermont Law School professor Patrick Parenteau said Kennedy was notable among the court's conservatives for the interest he took in learning about the science and complexity of the environmental problems before him.

"Nowhere was this more evident than in his concurring opinion in *Rapanos,* which has become the controlling test for evaluating what waters are protected under the [Clean Water Act],"

AMERICAN OVERSIGHT

Parenteau said by email. "His leaving will doubtless have a major bearing on the outcome of the litigation over the Waters of the U.S. rule."

With many environmental cases often narrowly splitting the court, Kennedy frequently played a key role in the blockbuster environmental cases of recent decades.

Most importantly, Kennedy cast the crucial fifth vote in *Massachusetts v. EPA*, the 2007 case that set the stage for the last decade of political battles over climate change.

He joined the court's four liberal justices to rule that the Clean Air Act gave EPA the authority to regulate greenhouse gases, including carbon dioxide. The Obama administration used that ruling to justify sweeping new rules on cars and later power plants that the Trump administration is now working to undo.

Kennedy, along with Chief Justice John Roberts, also sided with the court's liberal wing in 2014 to uphold EPA's Cross-State Air Pollution Rule, which a lower court had thrown out. The rule, which limits pollution that hurts air quality in downwind states, helped drive utilities to shutter a number of older, dirtier coal-fired power plants rather than pay for new pollution controls.

But Kennedy did not always side with environmental interests. In 2015, he and the four more conservative justices ruled that EPA had wrongly failed to consider the cost of regulating when first deciding to limit mercury emissions from coal plants. Although that ruling did not completely derail the mercury rule, it opened the door for an ongoing effort at EPA to change how costs and benefits are calculated, a move critics argue will make it easier to justify not regulating pollution.

Kennedy also cast the fifth vote in 2016 to block the Clean Power Plan before the D.C. Circuit had even reviewed it, an unprecedented step. Neither the court nor Kennedy ever explained the decision.

Looking forward, the Supreme Court has two environmental cases on its docket this fall, with potentially more on the way: The court has agreed to weigh when habitat can be designated as critical under the Endangered Species Act. The justices will also decide whether Virginia's 36-year-old uranium ban is pre-empted by federal law.

In addition, the Supreme Court will decide whether an American Indian-owned fuel business is exempt from the state of Washington's gas tax.

To view online click here.

Back

Gas industry: We're a destination fuel, not a transition Back

By Eric Wolff | 06/28/2018 05:00 AM EDT

AMERICAN OVERSIGHT

Gas industry officials at the World Gas Conference have a message for renewable energy advocates: We're not your transition fuel.

Natural gas has long been touted as an energy source that can displace coal around the world and serve as a bridge fuel until cleaner power systems that run on renewables like wind and solar can take over. But gas industry executives said renewables alone won't be able to meet global energy needs, and they'll need gas to run power plants when sunlight and wind aren't available.

"I like the expression of gas as a destination fuel and not a transition (fuel)," Patrick Pouyanné, CEO of Total S.A. told the conference this week.

Gas executives argued that renewables can't keep up with growing energy demand, and natural gas will be needed for decades to come. Even European Union countries that have agreed to sharp cuts in greenhouse gas emissions are hoping to build new pipelines and LNG terminals that will keep gas flowing in for several decades, a trend will require capturing and sequestering the carbon dioxide it produces.

"Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become decarbonized itself, gas needs become green if it wants to be part of a decarbonized future in Europe."

Other energy executives said the vast scale of the power grid would require a fuel like gas for decades. Even with their fast growth in recent years, wind and solar only provide less than 8 percent of the U.S. power supply.

"We have to get to a point of not talking about 100 percent renewables, it just cannot happen," Barry Perry, CEO of Fortis, a gas and power company with operations in the U.S. and Canada, told POLITICO. "When we talk about the big grid, you need that base generation to make it all work. ... We can do more renewables over time, but the grid is going to need some of the base generation for a very long time into the future."

Gas executives acknowledged that renewables will continue their fast growth, and they said gas turbines will provide critical ramping services on the power grid as well as keeping the lights on when the wind and solar can't. And with recent studies by the Energy Information Administration, the International Energy Agency, and others suggesting the world energy demand is likely to jump as developing nations electrify, gas will still be required.

"This is a challenge on a scale not faced before by humanity," De la Rey Venter, executive vice president for Shell's Integrated Gas Ventures, told an audience on Tuesday. "Renewable energy will play a major role in meeting this challenge. But renewables alone cannot transform the power sector. Today gas is ideal to handle to variability of the solar and wind."

Executives like Perry and Didier Holleaux, executive vice president for French utility Engie, said they doubted whether renewables could to handle the enormous projected energy demand needed as Asian countries expand their electricity networks and vehicles shrink their dependence on oil-

AMERICAN OVERSIGHT

based fuels. And despite some recent successes of renewables-plus-storage projects in the U.S., they don't believe batteries can compete with natural gas to supply the amount of energy that will be needed.

"In comparison batteries will always be an order of magnitude in cost — 1,000 times more expensive, today it's 2,000 times more expensive," Holleaux said. "Even if you think the cost will decrease, the cost of storing energy in gas is far cheaper."

Gas executives still see coal as their chief competition, not renewables.

"Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

"America has 100 years of gas of proven reserves, Canada has 200 years," he added. "It's an amazingly abundant resource, it is a foundational fuel, not a transitional fuel."

To view online click here.

Back

Exclusive: Zinke linked to real estate deal with Halliburton chairman Back

By Ben Lefebvre and Nick Juliano | 06/19/2018 05:05 AM EDT

WHITEFISH, Mont. — A foundation established by Interior Secretary Ryan Zinke and headed by his wife is playing a key role in a real-estate deal backed by the chairman of Halliburton, the oil-services giant that stands to benefit from any of the Interior Department's decisions to open public lands for oil exploration or change standards for drilling.

A group funded by David Lesar, the Halliburton chairman, is planning a large commercial development on a former industrial site near the center of the Zinkes' hometown of Whitefish, a resort area that has grown increasingly popular with wealthy tourists. The development would include a hotel and retail shops. There also would be a microbrewery — a business first proposed in 2012 by Ryan Zinke and for which he lobbied town officials for half a decade.

The Whitefish city planner, David Taylor, said in an interview that the project's developer suggested to him that the microbrewery would be set aside for Ryan and Lola Zinke to own and operate, though the developer told POLITICO that no final decisions have been made.

Meanwhile, a foundation created by Ryan Zinke is providing crucial assistance. Lola Zinke pledged in writing to allow the Lesar-backed developer to build a parking lot for the project on land that was donated to the foundation to create a Veterans Peace Park for citizens of Whitefish. The 14-acre plot, which has not been significantly developed as a park, is still owned by the foundation. Lola Zinke is its president, a role her husband gave up when he became interior

AMERICAN OVERSIGHT

secretary.

The Zinkes stand to benefit from the project in another way: They own land on the other side of the development, and have long sparred with neighbors about their various plans for it. If the new hotel, retail stores and microbrewery go through, real estate agents say, the Zinke-owned land next door would stand to increase substantially in value.

Lesar, who also served as Halliburton's chief executive until last year, is providing money to back the hotel and retail development, according to business records and officials at Whitefish city government and Halliburton. He also has a longstanding relationship with the Zinkes. In 2014, he and his wife, Sheryl, gave $10,400, the maximum allowed by law, to Zinke's first House campaign. His only other federal contributions that year were to Halliburton's PAC and the campaign of Rep. Liz Cheney, whose father, Dick, ran the company before becoming George W. Bush's vice president.

Ryan Zinke did not respond to a list of specific questions but said in a statement that he "resigned as president and board member" of the foundation "upon becoming secretary."

The foundation's 2018 annual report to the state of Montana, however, lists Ryan Zinke as an officer, with Lola Zinke as president and their daughter as treasurer. Zinke said the report was in error and he would seek to amend it.

In his statement, Zinke declared: "The mission remains to provide a children's sledding park and community open space in a setting that recognizes the contributions of the railroad and the veterans to the community. ... The subject LLC you mention has been in contact with Lola with the intent of expanding their parking requirements on park property. I understand a concept was provided but no formal proposal or documents have been submitted or agreed upon. I also understand by reading the paper is their proposal is supported by the City Council."

He did not respond to questions about the microbrewery, the involvement of Lesar or Lesar's status as chairman of Halliburton.

Lola Zinke did not respond to questions left on her Facebook page or messages left at the family's Montana home. Neither Jennifer Detlefsen, the Zinkes' daughter and the foundation's treasurer, nor the foundation's law firm of Frampton Purdy Law, responded to questions.

In Whitefish, the plan to use land that was donated to the Zinkes' foundation as a public park to further a private development strikes residents as a surprise.

"I've never been clear exactly what his intentions are for the place," said Steve Thompson, who lives near the park and supported Zinke early in his career but has since grown disillusioned with him. He described the current state of the land as "sort of a big puddle, a mudhole puddle."

The involvement of the interior secretary's family in a multimillion-dollar project funded by the chairman of an energy-services giant — revealed here for the first time — is rife with conflicts of interest, ethics experts say, especially since Zinke's job as interior secretary makes him the

AMERICAN OVERSIGHT

custodian of more than 500 million acres of public land and head of a department that sets technical and safety standards for pipelines and drilling.

Halliburton is the largest American oil-services company, drilling wells and building rigs. It stands to benefit from any new oil and gas exploration on public land or offshore — something the Trump administration has promised to promote — and the company has frequent dealings with the Interior Department in its regulatory capacity.

For example, federal disclosures show that Halliburton's in-house lobbyist met repeatedly with Interior officials to discuss the department's policies on hydraulic fracturing, the oil extraction procedure that some studies have linked to groundwater contamination and earthquakes. Under Zinke, the department last year rescinded Obama-era rules that restricted fracking on federal land, a decision that directly benefited Halliburton, one of the world's leading fracking companies.

Marilyn Glynn, who was acting director of the Office of Government Ethics under former President George W. Bush, said the foundation's involvement in a deal backed by the chairman of Halliburton is clearly inappropriate and, at minimum, should force Zinke to recuse himself from any policy decisions affecting Halliburton.

"That Halliburton's chairman would almost be a business partner of Zinke or his wife, he would have to recuse himself from anything involving Halliburton," said Glynn, adding that the relationship clearly crosses ethical lines.

She suggested the Trump administration should set a higher ethical standard.

"In a previous administration, whether Bush or Obama, you'd never run across something like this," she said. "Nobody would be engaging in business deals" with executives whose companies they regulate.

Amy Myers Jaffe, a longtime energy analyst now working at the Council on Foreign Relations, said the Interior Department, in setting specifications for rig equipment and how much methane can leak from pipelines, has the power to make Halliburton's business more or less profitable.

"They spend a tremendous amount on R&D to comply" with government regulations, Jaffe said of oil-service companies. "You wouldn't want Interior to change specifications and make that equipment no longer commercially viable."

She added that Zinke's conflicts could extend to investigations of accidents involving Halliburton's equipment.

"One thing that is most concerning is if Interior would be called upon to investigate the procedures of a service company offshore" in case of an accident, said Jaffe. "A tight relationship [between the interior secretary and the company] would be problematic."

Executive branch officials such as Zinke are subject to conflict-of-interest rules requiring that

AMERICAN OVERSIGHT

they recuse themselves from government decisions involving people with whom they or their close relatives have a financial relationship.

Craig Holman, a specialist in federal ethics laws for the advocacy group Public Citizen, said Lola Zinke's efforts to help the development backed by Lesar would amount to a financial relationship.

"Entering this type of business relationship could very clearly open the doors [of government] to business interests that have stakes before the office holder," Holman said. "Clearly, any substantial development project next to the vacant lot owned by Zinke's foundation would significantly boost the value of the lot. The conflict-of-interest statute would be invoked if even the nonprofit on which Zinke or his spouse serves as an officer, as either paid or unpaid officers, derives a financial benefit."

***

After 23 years as a Navy SEAL, Ryan Zinke retired from the military in 2008 and returned to Whitefish, the mountain city of roughly 6,000 people where he grew up and where his father and grandfather ran a plumbing business.

It was, however, a changed community, increasingly popular with tourists and second homeowners for its pristine isolation and proximity to Glacier National Park.

A city that began as a stopping place for freight trains carrying lumber from the state's thriving timber industry was fast becoming an upscale resort. In 2009, the year after Zinke's retirement, about 17 percent of households were making more than $100,000 a year, according to the U.S. Census Bureau. By 2016, 23 percent of Whitefish households were making that much, adjusted for inflation.

Whitefish is a particular magnet for California tech entrepreneurs and oil barons from Canada and Texas who have built homes valued at more than $1 million each. Lesar is one of them. He currently has a home behind a gate on a private road looping up one of the nearby mountains.

As the then 46-year-old Zinke planned his future, he began laying the groundwork for business and political careers more or less simultaneously, and sometimes on parallel tracks. Launching a nonprofit foundation to build a park in Whitefish was one of the first things he did to reintroduce himself to the community, which helped bolster his credentials for office.

The foundation's first big donation was from BNSF Railway, the nation's largest freight railroad, with more than 32,500 miles of track. The railway is one of the state's biggest landowners, with extensive business before the state government.

Zinke proudly announced that the donated land would be used for what he dubbed "the Great Northern Veterans Peace Park." In announcing the gift, he touted his own career in uniform and described the park as a gift to Whitefish. His intent was to combine the railway land and an adjacent city-owned hill into "a children's winter sledding park in a setting that recognizes the

AMERICAN OVERSIGHT

contributions of the veterans and the railroad to the local community," according to the nonprofit's publicly available IRS forms.

"The theme of this park is to celebrate life — why veterans fight," Zinke told a local newspaper in February 2008.

That same year, he filed paperwork to run for the state Senate.

He won the race and, shortly after taking office, cast the deciding committee vote on a bill that strongly benefited BNSF. The bill would have pumped millions of taxpayer dollars into railroad construction through a publicly funded Montana Rail Authority.

Jeff Mangan, Montana's commissioner of political practices, said the vote, coming so soon after Zinke accepted a donation of land from the railway, would have violated the Legislature's code of conduct if he did not disclose the relationship. "If there's an appearance of conflict of interest, they have a duty to disclose that conflict before a vote," Mangan said. But enforcement of that requirement can be "fairly laid back," he said.

There is no record of Zinke making a formal disclosure of his relationship with BNSF before the vote, and Zinke did not respond to questions on the matter.

Ultimately, then-Gov. Brian Schweitzer vetoed the legislation for the Montana Rail Authority, saying he was concerned "that public money will be targeted to build infrastructure that should be rightly financed by the private sector."

BNSF continued to donate more land to the Veterans Peace Park with adjoining parcels being given to Zinke's foundation in 2010 and 2013.

BNSF spokesman Ross Lane said in an interview, "We would firmly reject that there is any quid pro quo on the donations" for the Veterans Peace Park.

The land remains mostly in a natural state, and is only lightly utilized, except when local children use it for sledding, as they had before Zinke's foundation acquired the land. On a recent spring day, the only inhabitants were a pair of Bufflehead ducks sharing a retaining pond that dominates the property with a discarded inner tube.

Nonetheless, even in an undeveloped state, the land is now valued at more than $500,000, according to the group's 2016 tax returns, the most recent publicly available. The tax returns also show monetary gifts to the foundation, which increased as Zinke's political career advanced.

In 2012, when Zinke launched an unsuccessful bid for lieutenant governor, the foundation took in $30,000, according to tax records. In 2014, when Zinke ran for the House, the foundation again received $30,000 in contributions and saw its cash holdings grow from $118 to $23,743 over the course of the year. The foundation raised $36,000 in 2015, before seeing its contributions fall to $5,000 the following year, the last before he became interior secretary.

AMERICAN OVERSIGHT

The Zinkes reported that they gave the foundation $10,000 in 2012, but the source of the rest of the contributions is undisclosed. That lack of transparency is a common concern when politicians control their own charities, said Melanie Sloan, a senior adviser at government ethics watchdog group American Oversight.

"The main concern is it's another way for donors and corporations to curry favor with politicians," Sloan said. "If he's doing something to benefit those making donations, it's invisible to us. It undermines the whole interest of transparency."

Even as the park continued to lie fallow, Ryan and Lola Zinke turned their attention to pieces of land that they own through various LLCs. In December 2012, while Ryan was preparing to leave the state Senate, the Zinkes announced that they wanted to turn his childhood home into a B&B called the Snowfrog Inn, and also to build a microbrewery on their development land across the street. They planned to call the brewery "Double Tap," which is a Navy SEAL term for two gunshots.

Both proposals required public approvals, which put Zinke — one of the state's rising political stars — in a position of arguing before local politicians. He was steadfast in calling for more commercial development in the face of neighbors' complaints about traffic and noise.

The City Council appointed Zinke to a special steering committee of local residents to explore ways to develop the area where the Zinkes' land was located. The committee included 13 residents of Whitefish, just two of whom lived in the neighborhood, Zinke and one other.

The committee recommended opening the area for greater commercial development. The City Council and mayor endorsed the plan.

While the larger planning process was playing out, Zinke won approval in 2013 for the B&B without a microbrewery across the street, as he had initially proposed. The Snowfrog Inn website states that it is still under construction.

By 2015, Zinke was back before the City Council, this time in his first term as Montana's sole representative in the U.S. House, arguing passionately for the committee plan to expand development, according to a video of the meeting. He cited his microbrewery proposal as the impetus for the changes to the planning process.

"In regards to a brewery, I've asked for a brewery because that's what started this whole process," Zinke declared at a contentious May 4, 2015, council meeting, referring to the changes to the city's planning rules that he had helped orchestrate.

Neighborhood activists continued to raise objections, insisting that Zinke had done little in the 29 months since announcing his microbrewery proposal to assuage their concerns about noise and traffic. But Zinke told them they were outnumbered.

"The same people are going to be against it tomorrow as was at the beginning, but most of the strong majority of the steering committee, which represented every bit of the neighborhoods ...

AMERICAN OVERSIGHT

all came to the same conclusion, that this [planning change] should stand," Zinke said, according to a video of the meeting.

The changes to the planning process did not lead to approval of the microbrewery on the Zinkes' own development parcel, but they opened the doors to a new proposal for a multiuse development on a much larger plot — a former timber-company lot — between the Zinkes' land and the veterans' peace park that they controlled.

The project, known as 95 Karrow, named for the avenue on which the land sits, was launched in September of last year. Two days after the partnership backing the development was established, Lola Zinke, in her capacity as president of the foundation controlling the peace park, signed an official letter of intent to allow the construction of a parking lot for customers of the microbrewery and other businesses on the parkland, which the developers included in their proposal. The letter said the specific terms of the agreement would be worked out by the parties.

Taylor, the Whitefish city planner, told POLITICO that the developers "certainly implied that they were working with [Zinke] to find a place for his microbrewery as well as a shared use agreement for parking on the peace park."

At least two project maps submitted to the city mark off space specifically for a microbrewery adjacent to the parking lot. The letter Lola Zinke signed and submitted to Whitefish City Council states "it is the intent of the GNVPP Foundation to concur with the general design of the parking, micro-brewery, multiple use path, fence and other supporting elements" of the redevelopment project. Attached to that letter is a map with a handwritten notation indicating a "border adjustment" that would appear to carve out the microbrewery site from the rest of the property.

The parking lot is also meant to serve the park if the foundation ever does anything with the rest of the 14-acre parcel it owns.

The developers of the hotel, microbrewery and retail shops are a partnership known as 95 Karrow LLC, which itself is controlled by two individuals and three other entities, according to business registration records filed with Montana's secretary of state. The two individuals are John and Katie Lesar, who are the son and daughter-in-law of Halliburton's chairman, according to a biography his wife, Sheryl, wrote for a local nonprofit, where she serves as a board member.

Two of the other entities, BADF LLC and KCM Enterprises Inc., are linked to Bruce Boody, a local architect who worked with the Zinkes on their B&B proposal, and a local developer named Casey Malmquist, according to Montana business records. The third, Greenstream Resources LLC, lists a Texas address but does not disclose any owners in records filed there. However, the P.O. Box it uses matches the address of another business, First Floor Properties LLC, that lists David Lesar as its "general partner" and other family members among its management.

Both Malmquist and a Halliburton official confirmed that David Lesar is a member of the Greenstream Resources LLC, which is expected to provide a significant portion of the financing for the 95 Karrow project.

AMERICAN OVERSIGHT

Halliburton spokeswoman Emily Mir said the company had no comment on Lesar's involvement in the project, calling it a private investment that Lesar was making outside his role in the company.

Malmquist, who is leading the development project, said that talk of Zinke owning a brewery on the site was premature, as no final decisions have been made on what type of businesses the redevelopment will contain.

"If and when we get to that point, Ryan Zinke, or anyone else that is interested, can purchase a parcel of property, properly located on the development by use and per zoning, and develop a project that is permitted from the standpoint of zoning designations that determine the permitted uses on the development parcel, as well as following the [covenants, conditions, and restrictions] that are yet to be developed for the property," Malmquist said in an email.

***

The Zinkes' mixing of their nonprofit role as stewards of the Great Northern Veterans Peace Park Foundation with their role as landowner and developer echoes other ethical concerns raised about the couple.

In 2012, Ryan Zinke formed a super PAC called Special Operations for America, through which he raised money from donors to attack then-President Barack Obama's reelection campaign for taking credit for the death of Osama bin Laden. Over the following year, the group paid nearly $40,000 to an LLC established by Ryan and Lola Zinke called Continental Divide International for "strategy consulting" and "fundraising consulting" and to reimburse travel expenses.

Only $7,000 of the more than $180,000 the group raised in 2012 went to efforts to influence the election, according to the group's FEC filings.

The super PAC was Zinke's foray into a world of political fundraising that would carry through to his time in the Trump administration. Less than a month after being sworn in as interior secretary, he appeared at a fundraiser in the Virgin Islands for another PAC that has been criticized for spending vastly more on administrative expenses than on campaign activities.

The Virgin Islands GOP PAC has raised $5.7 million since its inception in February 2015. It has spent $76,000 — just 1.3 percent — on congressional candidates, including $3,500 to Zinke's campaign and SEAL PAC, a subsequent group he launched after his election to the House.

Meanwhile, two of Zinke's top aides at Interior, chief of staff Scott Hommell and counselor Vincent DeVito, were previously on the payrolls of Special Operations for America and SEAL PAC, respectively.

Earlier this year, the Interior Department's internal watchdog criticized Zinke for obscuring his personal interest in some ostensibly official duties — an incident that involved another Whitefish resident, Fidelity National Financial Chairman Bill Foley, who was one of Zinke's biggest political donors.

AMERICAN OVERSIGHT

Zinke charged taxpayers more than $12,000 last June for a late-night charter flight from Las Vegas, where he had spoken to a National Hockey League team Foley owns, to Whitefish for meetings at the Western Governors Association that were being held there the following day.

Speaking to the Las Vegas Golden Knights was a favor to a friend and donor. He "first mentioned during his initial ethics briefing in March 2017 that he wanted to speak to a friend's hockey team," according to a report from the IG. He did not mention any specific aspects of his job as interior secretary during the speech, which focused on his time as a Navy SEAL. After Zinke and his staff made plans for the speech, the Interior Department started to schedule an event for him to announce Payment In Lieu of Taxation grants, routine business that is typically handled with a news release.

The IG's investigation found that the charter flight could have been avoided with better scheduling, and that Zinke's prior relationship with Foley should have been disclosed in advance to ethics officials who had reviewed the trip.

Foley, a West Point graduate who grew up in the Texas panhandle, has been a major presence in Whitefish since buying a home there in 2005. That same year, he purchased a majority share in Winter Sports, the company that runs the Whitefish Mountain Resort in the town. He soon bought Glacier Jet Center, a private airport about 20 minutes outside the city.

Foley's development projects, like David Lesar's and the Zinkes', are signs of just how far Whitefish has come since Zinke's childhood. The Pastime Pool Hall and Bar, which Zinke fondly remembered in his autobiography as where his grandfather used to socialize, has been renamed "The Bulldog," although not much else about it has changed. But the city also boasts a crepiere, an artisanal olive oil shop and a camping store that sells "overnight yurts." A new yoga studio stands about a minute's walk down the block from Zinke's boyhood home.

"It's gone from a dirty ski town to pretty bougie," said Cale Knox, a Whitefish native and employee at the Red Caboose coffee shop downtown. In a sign of the times, tech venture capitalist Michael Goguen recently bought the Red Caboose, and there is rumor that it will become a wine bar.

Only a mile away is the open land that Zinke dubbed his Veterans Peace Park. Ten years after the railroad donated the first piece of land, locals are as flummoxed as ever about what will happen to it. The situation has left some residents worried that what was pitched as an attempt to provide a green space dedicated to children and veterans was instead used to build Zinke's political profile.

"It was something to put on his résumé," Whitefish City Council member Richard Hildner said of the park during a visit there. "Now, it just sits here."

To view online click here.

AMERICAN OVERSIGHT

Zinke seeks to explain meeting with Halliburton chairman Back

By Ben Lefebvre | 06/27/2018 04:40 PM EDT

Interior Secretary Ryan Zinke sought Wednesday to explain his role in a real estate deal involving a nonprofit he launched and developers backed by the chairman of Halliburton, a major energy company with extensive business before his department.

In his first public comments on the deal since it was first reported by POLITICO last week, Zinke acknowledged meeting with Halliburton Chairman Dave Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier. The developers all live in or near Whitefish, Mont., the secretary's hometown where the development would be built.

"And then Dave Lesar and his son, who is developing a piece of property next door, they don't understand, when they had the property, actually, the Veterans Peace Park owns the lot next door. So they come and say, 'Hey, what's the background?'" Zinke said on Voices of Montana, a talk radio program broadcast throughout the state, referring to the August 2017 meeting. He added, "We go out to dinner. We talk about the background of the park. What are the neighbors like. What was the vision of the park. Where the boundaries are. Where the water table is, because the water table has changed over time. What the railroad is. So they have the background."

About a month after that meeting, Lola Zinke, the secretary's wife and now president of the foundation, signed a letter of intent to allow the developers to build a parking lot on its land in Whitefish, a move that could increase property values for parcels the Zinkes own nearby and that a city planner said could result in Zinke running a microbrewery on the site. Zinke did not address the microbrewery or his other real estate holdings in Whitefish on the radio program Wednesday.

House Democrats are calling for Interior's inspector general to investigate whether the deal may have violated conflict of interest rules. Zinke's role at Interior places him as one of the chief regulators overseeing oil and gas drilling activities, including those performed by Halliburton, one of the world's largest fracking and offshore drilling services companies. The inspector general's office is looking into the lawmakers' request before determining whether to launch a full investigation, a spokesperson for the internal watchdog told POLITICO Wednesday.

Zinke launched the Great Northern Veterans Peace Park Foundation after receiving his first donation of railroad land from BNSF in 2008. The land remains largely undeveloped, but Zinke told the Montana radio host Wednesday that his foundation has "added 27,000 tons of material. We've redone roads. We groom it."

In the interview, Zinke said he resigned from the park foundation board after joining Interior. He

AMERICAN OVERSIGHT

told POLITICO earlier that he had no involvement in the park's business, though one of the developers in question, Casey Malmquist, said he visited Zinke in Washington, D.C., in August to discuss the development plans. Malmquist also emailed project development maps to Zinke, according to Interior emails.

Zinke attacked reports on the project without disputing any particular details.

"Clearly, I'm not on the board anymore. My wife runs the board. And they make a letter of intent for my wife that, you know what, the community is for this project, the city approves it, it's a good project for Whitefish, we'll share some parking lots with you. That's it. And this nefarious reporter comes to Whitefish — my hometown — lies to the city on record, lies to the developer on record, takes pictures of an inner tube in the park, and promulgates this story that somehow it's about Interior and Halliburton. This is exactly what's wrong with the press, and the president has it right. It's fake news. It's knowing, it's willing, to willingly promulgate fake news."

An Interior spokesperson did not immediately reply to questions. Interior spokeswoman Heather Swift has said in the past that the matter was not a department issue.

POLITICO stands by its reporting.

To view online click here.

Back

EPA pulls methane information request Back

By Alex Guillén | 03/02/2017 04:36 PM EDT

EPA says more than 15,000 oil and gas companies no longer have to report detailed technical information about methane emissions from their operations.

The move was announced via a Federal Register notice that will be published on March 7 but will take immediate effect.

It is the agency's first step away from an Obama-era plan to regulate methane emissions from existing oil and gas operations. EPA in November directed oil and gas operators to respond to an "information collection request" on the topic that the agency estimated would cost companies, which are required by law to respond, about $42 million in total.

"By taking this step, EPA is signaling that we take these concerns seriously and are committed to strengthening our partnership with the states," EPA Administrator Scott Pruitt said in a release. "Today's action will reduce burdens on businesses while we take a closer look at the need for additional information from this industry."

EPA also noted it received a letter on Wednesday from eleven state attorneys general or

AMERICAN OVERSIGHT

governors, including new Oklahoma Attorney General Mike Hunter, asking EPA to drop the "onerous" request.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 4/26/2018 9:44:10 AM
Subject: Morning Energy: Pruitt steps up to the plate — Tester's 'great equalizer' — Bishop still talking NEPA

By Kelsey Tamborrino | 04/26/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT STEPS UP TO THE PLATE: Scott Pruitt makes his eagerly anticipated trip to the Hill this morning, and the stakes couldn't be higher for the embattled EPA administrator. His appearances before the House E&C Committee in the morning and Appropriations panel in the afternoon — ostensibly to defend the Trump administration's proposed cuts to EPA's budget — will give lawmakers their first opportunity to directly question Pruitt since the news broke about his heavy spending, sweetheart condo rental, VIP security and first-class flights. And while both Democrats and Republicans are expected to pull no punches as they weigh Pruitt's behavior, the real audience will be sitting in 1600 Pennsylvania Ave.

Check out this graphic breakdown of Pruitt's problems by POLITICO's Emily Holden, Alex Guillén and your ME host.

— **The administrator has kept a low profile** in the lead-up to today's events — even leaving press out of a Tuesday announcement on his plan to ban secret science — but expect the cameras to be out in force this morning. ME breaks down what to expect today as Pruitt heads for the batter's box. (ME is also taking suggestions for an appropriate walk-up song. One option here.)

THE GAME PLAN: Pruitt will point out he now flies coach when he travels, and shift the blame to staffers for the raises given to two of his close aides, according to a talking points document — dubbed "hot topics" — obtained by The New York Times. He will likely also say officials who were reassigned or demoted after challenging his spending all had performance issues.

— **EPA did not dispute the authenticity** of the Times document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels." You can read Pruitt's full opening statement for the E&C hearing here.

DEMOCRATS WILL SEARCH FOR ANSWERS: The afternoon session is expected to dive into Pruitt's proposed deep cuts to the agency's budget and his deregulatory actions, but that doesn't mean Democrats will ignore the ethics woes dogging the embattled chief. "Administrator Pruitt, you are letting the American people and your agency down," Rep. Betty McCollum, ranking member of the Appropriations subpanel, plans to say. Democrat Nita Lowey, the ranking House appropriator, will question Pruitt on the Antideficiency Act after the Government Accountability Office found EPA illegally failed to notify Congress about the cost of his secure phone booth. Meanwhile, E&C's top Democrat Frank Pallone wouldn't tip his hand: "I just hope

AMERICAN OVERSIGHT

he shows up," he said when ME asked for his plan of attack.

— **House Energy and Commerce Democrats** will hold a news conference at 9 a.m. to once again call for Pruitt's ouster. Kathy Castor and Paul Tonko will attend, alongside representatives from numerous green groups.

REPUBLICANS OFFER SOME ADVICE: "Answer the questions and stay calm," John Shimkus said. "And the time will eventually end." The Illinois Republican didn't let on about his line of questions to Pruitt, but added: "It's not going to all be addressing stewardship issues. There are going to be policy questions."

— **Fellow Oklahoman and member of the Approps committee** Tom Cole expects the "highly charged" hearing to contain some "pretty much straight budget questions" — at least from the Republican side. Cole said he recently spoke to Pruitt on the upcoming hearing and warned him it would be "rugged."

Keep in mind: None of the committee Republicans said they'd been in contact with the White House ahead of the session. Shimkus said the Republicans hadn't huddled ahead of time to develop a game plan as they sometimes do with high-profile hearings. And Democrats are expected to turn out in force — E&C members not on the Environment subpanel will "waive in" to the hearing. They don't need GOP permission to do so, but will have to wait until all subcommittee members participate before asking questions. ME would look here for especially fiery questions or any surprises.

STRIKE 3? Pruitt's critical audience, of course, will be President Donald Trump, who has so far stuck by him, but is expected to judge how Pruitt fares in front of the cameras, POLITICO's Anthony Adragna and Nancy Cook report. So far, Pruitt's support among Trump's conservative backers has kept him on solid ground, despite the growing resentment of a "high maintenance" EPA chief among White House officials. "The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

IN THE OUTFIELD: Environmental group Defend Our Future will hand out first-class boarding passes today at the Pruitt hearing, while Moms Clean Air Force will deliver these report cards. And the League of Conservation Voters and its state parners will launch television ads today urging Sens. Dean Heller and Cory Gardner to hold Pruitt accountable. Watch them here and here.

If you go: The E&C hearing will begin at 10 a.m. in 2323 Rayburn, and the Appropriations hearing at 2 p.m. in 2007 Rayburn. Watch the livestreams here and here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and the American Petroleum Institute's Jeff Stein was the first to name Khartoum, Sudan — the capital city where the Blue and White Niles meet to form the Nile. For today: Name the state where the first officially designated

AMERICAN OVERSIGHT

Democratic floor leader hailed. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

PUBLIC LANDS CRUCIAL FOR TESTER: Democratic Sen. Jon Tester 's bid for reelection could come down to how he handles public lands issues, Pro's Kevin Robillard reports. Close to one-third of the land in Tester's home state of Montana is under federal government ownership, and the Democratic senator hopes to use it to keep on board those who voted Trump — including hunters, hikers, snowmobilers and ranchers. "Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock told Kevin. "It doesn't matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize lands. Bullock emphasized it in his reelection bid in 2016 and New Mexico Sen. Martin Heinrich, who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior west. "There a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation. Read more.

DEMOCRATS CALL FOR SPECIAL COUNSEL: In a letter Wednesday to the U.S. Office of Special Counsel, Pallone and Oversight ranking member Elijah Cummings requested an investigation into whether there is a pattern of problematic personnel practices at EPA. The Democrats point to recent reports of agency officials being reassigned, demoted or requesting new roles, after voicing concerns on Pruitt. "The reassignment or dismissal of employees who questioned Administrator Pruitt's wasteful and potentially unlawful expenditures suggests a troubling pattern of retaliation against EPA employees that may be illegal," they write. Read the letter here.

BISHOP STILL TALKING NEPA: House Natural Resources Chairman Rob Bishop told ME he's been in contact with administration officials "over the last few weeks" about a series of modifications to NEPA that he says "run the gamut." His two overarching goals are to speed the permitting process and to enact categorical exclusions that will limit litigation to allow projects to advance more quickly. "It's one of the consistent problems they recognize," he said of the administration's engagement on NEPA.

Apples to oranges: Controversy over $139,000 spent on doors at Interior is not comparable to spending woes engulfing Pruitt, according to Bishop. "There are some real issues and there are some issues that we play around with," he said. "This is one I think people are playing with." Interior officials said previously that career facilities and security officials recommended the work and that Secretary Ryan Zinke was not aware of it.

AMERICAN OVERSIGHT

THAT DAM BILL: The House passed a heavily watched measure, H.R. 3144 (115), Wednesday that would override a court decision requiring changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon. The measure, from Washington Rep. Cathy McMorris Rodgers, passed by a nearly party-line vote of 225-189, and now heads to the Senate, where some of the region's Democratic senators have made known their opposition. Pro's Annie Snider breaks down more here.

REFINERY WORKERS HIT THE HILL: Close to 100 workers from refineries Monroe Energy, Philadelphia Energy Solutions and PBF Energy will rally for their jobs and Renewable Fuel Standard reform on the Hill today, the United Steelworkers said. The rally begins at 1 p.m. in the "Senate Swamp" — the grass across the drive from the east Senate steps. Texas Sen. Ted Cruz will participate in a press conference with the workers at the same time. Watch the livestream here.

OFF-SHORE UP SUPPORT: While it didn't have quite the same build-up as Pruitt's hearings this morning, the House Natural Resources energy and mineral resources subcommittee will hold a hearing today on offshore energy revenue sharing for Gulf-producing states, with a focus on the Gulf of Mexico Energy Security Act. Democrats intend to call out the oil and gas industry and demand they take responsibility for their role in causing the destruction of Louisiana wetlands, according to a release. Former Sen. Mary Landrieu (D-La.), now a senior policy adviser at Van Ness Feldman, and John Barry, former board member of the Southeast Louisiana Flood Protection Authority — East, will testify, among others. **If you go:** The hearing begins at 10 a.m. in 1324 Longworth.

GET YOUR COMMENTS IN: Comments are due today on EPA's proposed repeal of the Clean Power Plan. The Competitive Enterprise Institute, for one, will file a comment today in support of the proposed repeal, calling the CPP "unlawful." Close to 20 other individuals from free-market groups signed onto the joint comment. Google, meanwhile, submitted its own comment Wednesday "respectfully" urging EPA to forgo the repeal. "Google continues to believe that the Clean Power Plan aligns with overall electricity sector trends and the specific goals of our company," it says. The Natural Resources Defense Council and NRDC Action Fund said it generated 208,000 comments in support of keeping the CPP.

MAIL CALL! IN THE AIR TONIGHT: California Sen. Dianne Feinstein wrote to Transportation Secretary Elaine Chao Wednesday, calling on her to maintain national fuel economy standards set by California under the Clean Air Act. "I ask for your commitment to maintain the Corporate Average Fuel Economy standards at the maximum feasible level, as required by law, and to seek consensus with California so that we can continue to enjoy the success of a coordinated national program to improve fuel economy," Feinstein wrote. Read the letter here.

— **Eighty-seven lawmakers signed onto a letter Wednesday** that calls on Pruitt to reinstate the "once in, always in" policy to "safeguard" from harmful air pollutants. "This is a matter of critical human health and safety," the lawmakers write. Read it here.

GoT RENEWABLES? Rapper Kanye West tweeted about his connection to Trump and their

AMERICAN OVERSIGHT

"dragon energy" on Wednesday. "We are both dragon energy. He is my brother. I love everyone. I don't agree with everything anyone does." Spoiler: It's not an energy company we forgot to tell you about. Bloomberg breaks it down here, but earlier in the day, West described dragon energy as, "Natural born leaders Very instinctive Great foresight." The House Natural Resources account tweeted the exchange telling West to "have your people call our people."

QUICK HITS

— Behind the scenes of Pruitt's Nevada trip, E&E News.

— U.S. mine safety agency website 'hacked,' remains down, S&P Global.

— Exxon Mobil boosts quarterly dividend to 82 cents, Reuters.

— Climate change could make thousands of tropical islands "uninhabitable" in coming decades, new study says, The Washington Post.

— Memo: Park Police officers were forbidden from wearing body cameras, The Hill.

— Perry's son owns an energy investment company. Is that a problem? McClatchy.

HAPPENING TODAY

8:00 a.m. — Water Leaders summit on "Building an Innovative Future for Water Policy and Technology in America," 215 Capitol Visitors Center

8:30 a.m. — George Mason University's Center for Energy Science and Policy symposium on "Energy-Water Nexus," Fairfax, Va.

9:00 a.m. — Colorado State University hosts symposium on "Water in the West," Denver

10:00 a.m. — The U.S. Energy Association forum on "fostering the deployment of CCUS technologies," 1300 Pennsylvania Ave NW

10:00 a.m. — The House Energy and Commerce Committee hearing on EPA's budget request, 2323 Rayburn

10:00 a.m. — House Science Environment and Space subcommittees hearing on "Surveying the Space Weather Landscape," 2318 Rayburn

10:00 a.m. — House Natural Resources Oversight Subcommittee hearing on "Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States," 1324 Longworth

10:00 a.m. — The Center for Strategic and International Studies' Energy and National Security Program discussion on "Challenges to Ukrainian Energy Reform and European Energy

AMERICAN OVERSIGHT

Security," 1616 Rhode Island Avenue NW

11:30 a.m. — The Atlantic Council discussion on "From an Oil Company to an Energy Company," 1030 15th Street NW

1:00 p.m. — Monroe Energy, Philadelphia Energy Solutions and PBF Energy news conference on RINs prices under the Renewable Fuel Standard, Capitol.

1:30 p.m. — Information Technology and Innovation Foundation release on "Closing the Innovation Gap in Grid-Scale Energy Storage," 1101 K Street NW

2:00 p.m. — House Appropriations Interior, Environment, and Related Agencies Subcommittee hearing on EPA's fiscal 2019 budget, 2007 Rayburn

2:00 p.m. — House Natural Resources Committee hearing on H.R. 5317 (115) and H.R. 211 (115), 1324 Longworth

2:00 p.m. — Senate Appropriations Energy and Water Development Subcommittee hearing on the Nuclear Regulatory Commission's proposed budget for FY 2019, 430 Dirksen

2:30 p.m. — The Center for a New American Security discussion on "Geopolitical Risks and Opportunities of the Lower Oil Price Era," 1152 15th Street NW

3:00 p.m. — Rep. Nydia Velázquez discussion on "21st Century Energy Solutions for Puerto Rico," S-115

5:00 p.m. — The Atlantic Council discussion on "Investing in Iraq: Reconstruction and the Role of the Energy Sector," 1030 15th Street NW

6:30 p.m. — Wild & Scenic Film Festival with screenings of feature films that cover topics from climate change to environmental justice, and a panel discussion on women in the outdoors, 1307 L Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-steps-up-to-the-plate-183688

Stories from POLITICO Pro

Pruitt scales back EPA's use of science Back

By Emily Holden and Annie Snider | 04/24/2018 03:17 PM EDT

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the

AMERICAN OVERSIGHT

agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt's persistence in pursuing President Donald Trump's anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency's approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it's going to be reproducible, it's going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we've drawn the proper conclusions or not," Pruitt said.

Text of the proposed rule was not immediately available.

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

AMERICAN OVERSIGHT

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

To view online click here.

Back

Report: Pruitt plans to shift blame for scandals Back

By Emily Holden | 04/25/2018 01:55 PM EDT

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

AMERICAN OVERSIGHT

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President [Donald] Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels."

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA's inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations "in short order."

To view online click here.

Back

'It could be pretty painful' when Pruitt faces Congress Back

By Anthony Adragna and Nancy Cook | 04/25/2018 06:00 PM EDT

When Scott Pruitt returns to Capitol Hill on Thursday, he will find few friends ready to greet him — and an audience of one waiting to determine his fate.

Republicans say they aren't going to give the Environmental Protection Agency chief a free pass on accusations of lavish spending, a sweetheart condo lease and luxe air travel during a pair of high-stakes hearings. Since Pruitt's previous appearance on Capitol Hill in January, he has faced an avalanche of damaging headlines and investigations that have alienated much of the White House and raised questions about his future leading the agency.

President Donald Trump has so far stuck by Pruitt. But the biggest test for the media-obsessed president may be how Pruitt fares in front of the cameras — only three weeks after he drew poor reviews for a combative interview with Fox News' Ed Henry.

House Energy and Commerce Chairman Greg Walden (R-Ore.) said Pruitt will receive a "cordial reception, but he's got some tough questions to answer."

Rep. John Shimkus (R-Ill.), whose subcommittee will be Pruitt's first stop Thursday, said the administrator should expect a "cool" reception from Republicans — who still strongly support his work to pare back EPA rules.

"It could be pretty painful, but when you accept the position of a senior administrator in a federal agency you've got to expect [that]," Shimkus, who chairs the Energy and Commerce Environment Subcommittee, told Politico. "You've just to grin and bear it and get through it."

AMERICAN OVERSIGHT

Pruitt has few allies left in the White House, apart from the president himself. Senior administration aides characterized the hearings as potential make-or-break moments for Pruitt but said it's ultimately up to the president as to whether the White House wants to tolerate Pruitt's bad press.

Trump is largely keeping Pruitt around because he appreciates Pruitt's hard-charging agenda and because the White House does not want to go through another bruising confirmation battle over another Republican to lead EPA, according to senior administration officials and Republicans close to the White House. Already the White House expended great political energy this week on its pick for secretary of state, Mike Pompeo, a former congressman whom the White House views as eminently qualified but who is barely expected to squeak through the Senate confirmation process.

Most important, the president fears that dumping Pruitt would anger conservatives.

"The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

When asked at the White House briefing on Wednesday about Pruitt's spending and potential ethical violations, press secretary Sarah Huckabee Sanders would only say: "We are evaluating these concerns, and we expect the EPA administrator to answer for them."

Pruitt's waning support among White House aides has been months in the making. And at this point, many administration officials say they are tired of the terrible headlines and consider the allegations about Pruitt a nonstop swirl of distractions. It's not just Pruitt's handling of the questions that has irked White House officials but the facts themselves about the way he's led the EPA and run his own staff.

Over the past year, Pruitt has also alienated members of the communications team, National Economic Council, and Cabinet Affairs in various fights over policy like the Paris climate deal, messaging over policy rollouts, and spending decisions at the EPA. Another Republican close to the White House said Pruitt has earned a reputation among White House aides as "high maintenance."

The White House was not involved in helping to prepare Pruitt for the two Hill hearings on Thursday.

Shimkus predicted the toughest questions would come from the other side of the aisle.

"We need to make sure that we understand and recognize the valid, valid concerns that are out there on policy and administrative activity," he said. "But I don't think we'll be gouging his eyes out either — I think we'll have other folks that'll do that."

Some Pruitt supporters say he should be judged on his overall tenure.

AMERICAN OVERSIGHT

"It should be based on his past performance, not necessarily standing in front of a microphone," House Natural Resources Chairman Rob Bishop (R-Utah) said. Bishop's committee does not have jurisdiction over EPA, but he has been a strong supporter of Pruitt's policy goals.

In his opening statement released ahead of the hearing, Pruitt will sidestep any discussion of the latest controversies, instead focusing on policy goals like Superfund cleanups and working more closely with states. "I will focus on key objectives to improve air quality, provide for clean and safe water, revitalize land and prevent contamination, ensure the safety of chemicals in the marketplace, assure compliance with the law, and improve efficiency and effectiveness," Pruitt will say in his prepared remarks.

Democrats are expected to tie the scandals facing Pruitt to his aggressive deregulatory push and proposal to slash EPA's budget by more than a quarter — which they see as just as worrisome as his alleged ethical improprieties. Multiple aides said there's such strong interest in the session that committee Democrats not on the Environment Subcommittee plan to participate, which does not require signoff from the majority.

"There's a confluence of concerns here that I think the Democrats are going to want to get answers to," Rep. Paul Tonko of New York, top Democrat on the panel, told POLITICO. "We were concerned yesterday, we're concerned today and we'll be concerned tomorrow if he's there."

There will be no shortage of things to ask him about, including the more than $105,000 the agency has spent on his first-class flights, lavish spending on a $43,000 soundproof phone booth and round-the-clock security, a cushy $50-per-night condo lease from a Washington lobbyist who personally met with Pruitt to discuss the agency's Chesapeake Bay work, and a trip to Morocco in December on which he spent time promoting liquefied natural gas exports — a topic that isn't part of his agency's portfolio. Pruitt is also facing scrutiny over the significant pay raises the agency gave to a handful of his longtime aides from Oklahoma despite the White House's objections.

Federal watchdogs, the agency's inspector general, congressional investigators and the White House have launched more than a dozen investigations into various aspects of Pruitt's conduct.

But Rep. Joe Barton (R-Texas), the longest-serving member of Energy and Commerce, said Pruitt's ethics issues are "not the purpose of the hearing" and suggested many Republicans would come to the administrator's defense. However, he said the panel's GOP members have not met in advance to plot strategy.

"He's had a lot of death threats. I don't have a problem with his security costs," Barton said Wednesday. "I don't really have a major problem with his telecommunications setup. It's a difficult job to be the EPA administrator when you're a Republican."

Still, signs are increasing of weariness toward Pruitt among congressional Republicans. Three senior Senate Environment and Public Works Committee Republicans, including his staunch ally Sen. Jim Inhofe (R-Okla.), called for hearings into Pruitt's behavior earlier this week. Four

AMERICAN OVERSIGHT

House Republicans have called for his resignation. And EPW Chairman John Barrasso (R-Wyo.) said he has "serious questions" about Pruitt's spending and pledged to send additional oversight letters.

"He'll need to acquit himself well," Sen. John Thune, the No. 3 Republican in the Senate, said when asked about how important the sessions will be for Pruitt's future in the administration.

An aide to Rep. Betty McCollum of Minnesota, top Democrat on the House Appropriations Interior and Environment Subcommittee, where Pruitt will appear Thursday afternoon, told POLITICO their hearing would likely focus more on Pruitt's proposed cuts to nearly a quarter of the agency's budget and regulatory rollbacks.

"I expect the E&C hearing will have a greater focus on the ethical concerns surrounding Pruitt," the aide said.

Some Democrats on Energy and Commerce acknowledge Pruitt has in the past performed well in congressional hearings, which they said could allow him to respond to some of the charges.

"If Mr. Trump is going to look for a good performance, I bet he'll put up a great performance," said Rep. Scott Peters (D-Calif.), another member of the subpanel. "But if he doesn't address the substance of the ethical and environmental challenges, I hope that they would think about finding someone else."

Other Democrats think Pruitt's main goal will be to avoid a major gaffe but they don't see any way he will emerge from the hearing in a significantly strengthened position.

"One or two of these transgressions would be survivable but there are so many scandals that it's really hard for me to imagine that Republicans want to lower the bar this much," said Sen. Brian Schatz (D-Hawaii), an outspoken Pruitt critic. "It is actually beyond me why they're sticking by him."

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers,

AMERICAN OVERSIGHT

snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

AMERICAN OVERSIGHT

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Colorado-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

Interior spent $139K on Zinke office doors Back

By Anthony Adragna | 03/08/2018 05:58 PM EDT

The Interior Department is spending $139,000 for new doors for Secretary Ryan Zinke's office suite, according to records posted online.

The work was recommended by Interior career facilities and security officials, an agency spokeswoman said, not by Zinke.

"The secretary was not aware of this contract but agrees that this is a lot of money for demo, install, materials, and labor," Heather Swift, the spokeswoman, said in a statement.

The award to Maryland-based Conquest Solutions LLC was first reported by the Associated Press. The work involves replacing three sets of double doors, including two that open onto a balcony and leak during rain storms, the AP reported. An existing set of doors to Zinke's office

AMERICAN OVERSIGHT

from a hallway do not have a lock, so the security will be upgraded with the new doors.

Swift said the work is part of a "decade-long modernization of the historic FDR-era building."

"Between regulations that require historic preservation and outdated government procurement rules, the costs for everything from pencils to printing to doors is astronomical. This is a perfect example of why the Secretary believes we need to reform procurement processes."

Housing and Urban Development Secretary Ben Carson drew criticism recently over news that HUD would spend $31,000 on a dining set. That order was subsequently canceled.

To view online click here.

Back

House passes controversial dam bill Back

By Annie Snider | 04/25/2018 04:45 PM EDT

The House passed a controversial measure to override a court decision that required changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon.

The measure, H.R. 3144 (115), from Rep. Cathy McMorris Rodgers (R-Wash.), was passed by a nearly party-line vote of 225-189.

The 9th Circuit Court of Appeals earlier this month upheld a lower court decision requiring that water be spilled over the tops of dams along the Columbia and Snake rivers, including the powerhouse Grand Coulee Dam, the largest power station in the U.S., during periods when young salmon and steelhead migrate to the ocean. The suit was brought by the state of Washington, tribes and conservation groups.

McMorris Rodgers and other Republicans in the region have fought the decision because it would reduce the dams' hydropower output. Their legislation would override the courts and require that dam operations continue as they have historically to maximize power production until an environmental review of the system can be completed.

The legislation is the latest front in a yearslong battle over the nearly 100-year-old hydropower system on the rivers. Conservation groups and tribes with treaty fishing rights want it altered and operated to benefit wildlife, including calling for the removal of four dams along the Snake River.

WHAT'S NEXT: The legislation moves to the Senate, where some of the region's Democratic senators have registered their opposition.

AMERICAN OVERSIGHT

To view online click here.

Back

EPA drops 'once in, always in' policy from key Clean Air Act requirements Back

By Alex Guillén | 01/25/2018 06:11 PM EDT

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				

AMERICAN OVERSIGHT

Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Beach, Christopher
Sent: Sun 6/24/2018 6:16:35 PM
Subject: Re: Touching base regarding Monday

Oh okay. So I'll put all these topics on a pocket card then.

Sent from my iPhone

On Jun 24, 2018, at 10:54 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> It's the same thing
>
> On Jun 24, 2018, at 9:06 AM, Beach, Christopher <beach.christopher@epa.gov> wrote:
>
> > So are there two events – one CCR and then this one?
> >
> > **From:** Bennett, Tate
> > **Sent:** Friday, June 22, 2018 6:17 PM
> > **To:** Beach, Christopher <beach.christopher@epa.gov>
> > **Subject:** Fwd: Touching base regarding Monday
> >
> > 2 pm on Monday!
> >
> > Begin forwarded message:
> >
> > **From:** Michelle Wynn <Michelle.Wynn@deq.ok.gov>
> > **Date:** June 22, 2018 at 5:44:09 PM EDT
> > **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> > **Cc:** "Kundinger, Kelly" <kundinger.kelly@epa.gov>
> > **Subject: RE: Touching base regarding Monday**
> >
> > Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW
> >
> > 2 pm meeting attendees –

AMERICAN OVERSIGHT

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

AMERICAN OVERSIGHT

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.
>
> The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.
>
> Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

AMERICAN OVERSIGHT

Michelle Wynn

DEQ - Legislative Liaison

405-702-7163 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

AMERICAN OVERSIGHT

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

AMERICAN OVERSIGHT

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is [Ex. 6 - Personal Privacy] if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

AMERICAN OVERSIGHT

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement &
Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Beach, Christopher
Sent: Sun 6/24/2018 1:06:46 PM
Subject: RE: Touching base regarding Monday

So are there two events – one CCR and then this one?

From: Bennett, Tate
Sent: Friday, June 22, 2018 6:17 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Subject: Fwd: Touching base regarding Monday

2 pm on Monday!

Begin forwarded message:

From: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Date: June 22, 2018 at 5:44:09 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

AMERICAN OVERSIGHT

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.
>
> The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.
>
> Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.
>
> Michelle Wynn
>
> DEQ - Legislative Liaison
>
> 405-702-7163 Office
>
> Ex. 6 - Personal Privacy
>
> Begin forwarded message:
>
> **From:** Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
> **Date:** June 22, 2018 at 11:33:17 AM CDT

AMERICAN OVERSIGHT

To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]

AMERICAN OVERSIGHT

Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems

AMERICAN OVERSIGHT

in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

AMERICAN OVERSIGHT

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Fri 4/13/2018 2:05:59 PM
Subject: POLITICO's Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 10:00 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals - but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress - just like his boss. Former Trump EPA political appointee Kevin Chmielewski - the subject of letter released Thursday by Democrats - met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass - adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today - he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt - as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general - it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances - a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

- **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

- Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

- A bird's fate sharpens focus on ESA - and on key official, E&E News.

- Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

- The climate stakes of nuclear plant retirements, Axios.

- Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

- Mining company fights 'bad actor' polluter label in Montana, Associated Press.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/13/pruitts-security-blanket-168376

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/13/2018 9:44:44 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals — but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress — just like his boss. Former Trump EPA political appointee Kevin Chmielewski — the subject of letter released Thursday by Democrats — met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today — he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt — as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general — it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances — a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

— **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

— Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

— A bird's fate sharpens focus on ESA — and on key official, E&E News.

— Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

— The climate stakes of nuclear plant retirements, Axios.

— Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

— Mining company fights 'bad actor' polluter label in Montana, Associated Press.

HAPPENING TODAY

8:00 a.m. — The Johns Hopkins University Paul H. Nitze School of Advanced International Studies discussion on "Canadian Natural Gas Energy Frontiers: How Canadian Firms and Governments are Responding," 1619 Massachusetts Avenue NW

9:00 a.m. — House Energy and Commerce Environment Subcommittee hearing on "High Octane Fuels and High Efficiency Vehicles: Challenges and Opportunities," 2123 Rayburn

9:00 a.m. — The University of Chicago's Booth School of Business holds Energy Forward conference, Chicago

11:00 a.m. — House Appropriations Homeland Security Subcommittee hearing on the FY 2019 budget for FEMA, 2359 Rayburn

1:00 p.m. — The National Audubon Society teleconference on the Migratory Bird Treaty Act

CORRECTION: The April 12 edition of Morning Energy misidentified the rank of a Democrat on the Foreign Relations Committee. Sen. Ben Cardin is a senior Democrat on the panel.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and

AMERICAN OVERSIGHT

Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitts-security-blanket-168376

Stories from POLITICO Pro

Former staffer: EPA fired him for refusing to OK first-class flight Back

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel "because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

AMERICAN OVERSIGHT

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Exclusive: EPA removes staffer who OK'd report on Pruitt's security Back

By Emily Holden | 04/10/2018 12:45 PM EDT

EPA removed a career staffer Tuesday who approved an internal report that undermined

AMERICAN OVERSIGHT

Administrator Scott Pruitt's claims that he needed around-the-clock bodyguards and other expensive security protection, according to two former agency employees familiar with the situation.

Mario Caraballo was the deputy associate administrator of EPA's Office of Homeland Security, which in February concluded that an earlier assessment failed to identify credible direct threats against the administrator that would justify his heavy security spending.

Sens. Tom Carper (D-Del.), the ranking member on the Environment and Public Works Committee, and Sheldon Whitehouse (D-R.I.) wrote to Chairman John Barrasso (R-Wyo.) on Tuesday requesting oversight hearings and quoting the report, making public its doubts about the need for the heightened security.

One source with direct knowledge of Caraballo's dismissal said the agency claimed he was let go because of a personnel issue from a previous military job nearly a decade ago that had been resolved then and already been reviewed by EPA several years ago. That source said senior officials also were not happy with the report from Caraballo's office.

"They're trying right now to just keep pressure on the wound," the source said. "They're trying to find out where these leaks are coming from ... They're in full panic mode right now."

EPA Principal Deputy Assistant Administrator Donna Vizian said the agency would not comment on personnel matters. But she added that today's action "was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."

A career EPA staffer who has worked with Caraballo described him as a "standout manager," and a "veteran and dedicated public servant and intelligence official to boot."

The source predicted Caraballo's dismissal would stiffen the resolve of Pruitt's critics within the agency.

"This isn't going to frighten staff, this is going to embolden us to leak more to get these criminals out," the employee said Tuesday. "They need to know we're not intimidated and we're going to blow the whistle on anything even borderline questionable."

In their letter to Barrasso, the two Senate Democrats said the records from the EPA, Secret Service and a terrorism task force fail to justify Pruitt's use of the multimillion-dollar security detail.

Instead, according to the internal EPA memo, the "threats" include protesters attempting to disrupt one of Pruitt's closed-door speeches, a letter from a prisoner, and a postcard that included the greeting: "CLIMATE CHANGE IS REAL!!! We are watching you," Carper and Whitehouse wrote to Environment and Public Works Chairman John Barrasso (R-Wyo.).

The two Democrats demanded oversight hearings into Pruitt's security spending, citing an

AMERICAN OVERSIGHT

internal EPA review, Secret Service threat assessments and a Joint Terrorism Task Force report.

But Barrasso rejected their request, while bashing the two Democrats for releasing "sensitive information."

"I am deeply troubled that members of the committee would publicly release law enforcement sensitive information regarding the safety and security of a cabinet member and his family," Barrasso said in a statement. "This letter selectively quotes non-public documents."

Barrasso added that "any reasonable reading" of those documents supported a conclusion that Pruitt faced a "variety of direct death threats."

To the contrary, Carper and Whitehouse said the Secret Service identified no "reports of behaviors of interest" against Pruitt, and internal EPA reviews dispute "the administrator's claims that the nature of the threats against him justify his expenditures."

Pruitt has drawn widespread scrutiny for demanding a round-the-clock security detail, flying first-class to limit contact with threatening passengers, and having a soundproof booth installed in his office, among other steps — all of which offered far greater protection and privacy than his predecessors received. The Associated Press, citing an unnamed EPA official, said last week Pruitt's "total security costs approached $3 million when pay is added to travel expenses."

EPA has said Pruitt has experienced a sharp increase in threats compared with his immediate predecessor, Obama-era Administrator Gina McCarthy. Among specific incidents, the agency said one person had approached Pruitt in the Atlanta airport while yelling, "Scott Pruitt, you're f---ing up the environment."

In one of the nonpublic documents Carper and Whitehouse cited, the EPA Office of Homeland Security's intelligence team concluded that an earlier threat assessment prepared by Pruitt's security team "***DOES NOT*** employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the administrator," according to a section of the Feb. 14 memo reproduced in the senators' letter (emphasis included). The memo concluded that EPA intelligence officials had "not identified any specific credible direct threat to the EPA administrator," according to the letter.

None of the incidents listed concern air travel, according to the letter.

The senators said the records don't match public statements from EPA and President Donald Trump, who tweeted Saturday that Pruitt's expenses are justified.

One view is "that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the administrator himself or others in the agency," the senators said.

AMERICAN OVERSIGHT

EPA spokesman Jahan Wilcox said Tuesday that "Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within [Office of Enforcement and Compliance Assurance] using information collected from the [Protective Service Detail], EPA's Office of Homeland Security, and Inspector General." He pointed to interviews with EPA's inspector general office discussing an increase in threats compared to the previous administrator's tenure.

Alex Guillen contributed to this report.

To view online click here.

Back

Lobbyist couple had to change the locks on Pruitt Back

By Eliana Johnson | 04/06/2018 03:13 PM EDT

Scott Pruitt was only supposed to be living in the Capitol Hill condominium that has become a focal point of his latest ethics controversy for six weeks last year while he got settled in Washington - but the new Environmental Protection Agency administrator didn't leave when his lease ended.

Instead, he asked the lobbyist couple who became his disgruntled landlords to revise his lease several times, according to two people with knowledge of the situation.

The couple, Vicki and Steve Hart, became so frustrated by their lingering tenant that they eventually pushed him out and changed their locks. After trying to nudge Pruitt out of their home over the course of several months, the Harts finally told Pruitt in July that they had plans to rent his room to another tenant.

"The original arrangement was that he would be there living out of a suitcase ... and it just kept going and going," said one of the people with knowledge of the arrangement.

The condo, in which Pruitt rented a bedroom for $50 a night, has attracted the attention of the EPA's inspector general, which said Thursday it was considering opening an investigation. The agency is already reviewing Pruitt's taxpayer-funded first-class travel, his use of a special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The president has dismissed two Cabinet secretaries in recent weeks — his former secretary of state, Rex Tillerson, and his former secretary of Veterans Affairs, David Shulkin — as well as a senior White House aide, national security adviser H.R. McMaster, making Pruitt the latest in a series of top Trump officials to risk losing their job.

The president denied in a tweet Friday that he had plans to get rid of him: "Do you believe that the Fake News Media is pushing hard on a story that I am going to replace A.G. Jeff Sessions

AMERICAN OVERSIGHT

with EPA Chief Scott Pruitt, who is doing a great job but is TOTALLY under siege? Do people really believe this stuff? So much of the media is dishonest and corrupt!"

The former Oklahoma attorney general, who has played an integral role in Trump's efforts to slash federal regulations, is a favorite of some of Trump's conservative backers. They have encouraged the president to keep him, while chief of staff John Kelly has encouraged Trump to let him go.

Pruitt has been the target of a number of damaging media reports this week, including one Thursday from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Both people familiar with the condo arrangement described Pruitt as a difficult tenant who, intoxicated by his newfound power, paid little attention to the headaches he was causing others.

Prior to Pruitt's arrival in Washington, Steve Hart — an energy lobbyist who, like Pruitt, is a native Oklahoman — had been a friend and supporter of the EPA administrator. He and his wife, a health care lobbyist, viewed the six-week living arrangement as a favor for a friend.

They drew up a lease running from February through April 1, 2017, said the people familiar with it, in order to make sure neither they nor Pruitt ran afoul of ethics rules, which prohibit political appointees from accepting gifts from lobbyists. Under the terms of that lease, Pruitt paid a cut rate of $50 per night to stay in the condominium.

That favor turned into a headache for the couple when Pruitt repeatedly asked to extend his lease. "There were gentle questions regarding, OK, when are you going to leave and what have you ... and they even started sending him ads of places close by that he could rent," said the first person.

"Scott Pruitt is the Kato Kaelin of Capitol Hill. He is the long-term house guest who takes advantage of his hosts and refuses to take a hint about when it's time to leave," the second person said.

A spokesman for Pruitt did not immediately reply to a request for comment.

The Harts eventually told Pruitt, who had to be reminded repeatedly to pay his rent, that they had plans to rent the room to somebody else — and that he needed to find another place to live, according to the people familiar with events. They also informed him in early August that they were changing the locks on their door.

To view online click here.

Back

Former staffer: EPA fired him for refusing to OK first-class flight Back

AMERICAN OVERSIGHT

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel

AMERICAN OVERSIGHT

"because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

AMERICAN OVERSIGHT

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Former Trump EPA official met Oversight Republican staff today Back

By Anthony Adragna | 04/12/2018 04:06 PM EDT

A former Trump EPA political appointee, Kevin Chmielewski, met with House Oversight Committee staff today to discuss his allegations of mismanagement and ethical lapses by Administrator Scott Pruitt, a spokeswoman confirmed.

That comes on the same day as congressional Democrats released a letter after meeting with Chmielewski detailing lavish spending habits, retaliation against aides who questioned Pruitt's actions and other ethically dubious behavior. Chmielewski, formerly EPA's deputy chief of staff for operations who handled many of Pruitt's travel and logistics coordination, told them he was fired after refusing to sign off on first-class travel for one of Pruitt's closest aides.

Oversight Chairman Trey Gowdy (R-S.C.) has been looking into Pruitt's behavior. He sent a

AMERICAN OVERSIGHT

letter Wednesday demanding additional records on the administrator's first-class travel arrangements and Capitol Hill condo agreement with a Washington lobbyist couple.

To view online click here.

Back

Pruitt's security chief goaded spending, employees say Back

By Emily Holden and Alex Guillén | 04/12/2018 08:13 PM EDT

Environmental Protection Agency Administrator Scott Pruitt has had a willing partner in pushing for his massive spending on bodyguards and first-class flights, current and former EPA officials say — the Secret Service veteran who heads his security detail.

Pasquale "Nino" Perrotta played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, and he's boasted of his exploits with women, firearms and luxury watches in a self-published autobiography. Now he's running security for the nation's top environmental regulator like a lavishly funded SWAT team, according to interviews with seven people who have worked with him under both the Trump and Obama administrations.

The current and former staffers say that rather than acting as a restraint on Pruitt, who came into the agency a year ago demanding round-the-clock bodyguards, Perrotta has instead egged him on — indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his exposure to potential threats from fellow passengers. Perrotta has even barred all but a select group of agency employees from entering rooms and corridors near Pruitt's offices, according to Ron Slotkin, a career official who recently retired as director of the EPA's multimedia office.

Perrotta has also accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources.

Slotkin said Perrotta and others around Pruitt strained repeatedly against any restrictions on their activity, including longstanding federal limits on spending and conduct.

"They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now Perrotta's own ethics are drawing scrutiny from members of Congress looking into Pruitt's actions. Five Democratic lawmakers alleged in a letter sent to President Donald Trump on Thursday that EPA issued at least one contract to an employee of Perrotta's private security firm, and that other contracts may have gone to Perrotta's "friends or associates," based on allegations from former agency deputy chief of staff Kevin Chmielewski.

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign aide, has told lawmakers EPA fired him after he refused to retroactively approve first-class travel for one of Pruitt's closest aides, former agency policy chief Samantha Dravis, according to the letter from Democrats including Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island. He also told the lawmakers that Perrotta threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call.

Perrotta did not respond to multiple requests for comment.

Agency spokesman Jahan Wilcox defended EPA's decisions on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." He added that the agency had done similar security sweeps for former President Barack Obama's two EPA administrators, Lisa Jackson and Gina McCarthy.

"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and security decisions are made by EPA's Protective Service Detail," Wilcox said in a statement. "Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."

Pruitt's spending, relationships with industry lobbyists and reputation for excessive secrecy have generated calls for his firing from Democratic lawmakers, some Republicans and even White House staff. But he still has at least a public champion in Trump, who tweeted last weekend that "Scott is doing a great job!"

To the contrary, the current and former agency employees say Pruitt has fostered an atmosphere of chaos, mistrust and disregard for optics — and that Perrotta has been a crucial part of it.

Several said Perrotta's personality and Pruitt's expectations are both probably driving EPA's security spending, adding that other key aides have signed off on the administrator's expenses either willingly or begrudgingly.

"He'll do anything to satisfy his boss," said one departed career staffer.

Perrotta was born to Italian immigrants in New York and has spent his life in law enforcement, including in the Secret Service, where he said he protected presidents and dignitaries and investigated financial and organized crimes, according to "Dual Mission," the autobiography he self-published in 2016.

In the book, he calls himself "completely misunderstood by most," including family, friends and coworkers, in large part because of his "high level of energy." Former and current colleagues have described Perrotta as rigidly loyal but also enthusiastic to push boundaries to get what he wants — an impression his book supports.

He recalls "creatively" finding ways to show probable cause to get warrants, providing financial incentives to police, and making sources of female "friends," "showering them with gifts that I was easily able to afford."

AMERICAN OVERSIGHT

Perrotta said he also let women hold his government-issued firearm in romantic situations. "It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along," he recalled.

He said he liked the finer things, including a Rolex Submariner watch that he wore in his youth. When working for the Secret Service in Bulgaria, he wrote, he dressed "more like a gangster than law enforcement," clad in square-toed, black biker boots and a black, Italian-made turtleneck sweater with a ".380 Sig" gun tucked underneath.

He joined EPA in 2004. That eventually brought him into Pruitt's orbit.

Pruitt, a former Oklahoma attorney general, had built a reputation in conservative Republican circles for his frequent lawsuits against the EPA's Obama-era regulations, putting him at odds with much of the agency's workforce. And his penchant for lavish spending was documented even before he arrived in Washington: An audit in Oklahoma showed that expenses at the attorney general's office surged during his tenure compared with his predecessor's, The Intercept reported Thursday.

When Pruitt arrived at EPA after his confirmation in February 2017, his transition team had already made it clear that he expected around-the-clock security, a former agency employee who was there at the time said.

A week after Pruitt's first day at the agency, top staffers had a meeting on "24/7 security," according to calendars obtained by the watchdog group American Oversight. Chief of staff Ryan Jackson met for half an hour with security officials including Henry Barnet, the director of the criminal enforcement office where Pruitt's security detail is housed.

Perrotta was soon promoted to replace a career staffer who had pushed back on the administrator's desire to use sirens to navigate D.C. traffic. He quickly developed a close relationship with Pruitt.

As head of Pruitt's security detail, Perrotta has been instrumental in decisions for him to fly only first-class, upgrade to a souped-up SUV and have his office swept for bugs, a former Trump administration official said. Perrotta has also overseen Pruitt's 19-person crew of bodyguards, which is three times the size of the team that protected McCarthy — and offers 24/7 protection that exceeds what most Cabinet members receive.

"Mr. Pruitt thinks he's the president of the United States," said the first former career staffer. "He's big on image."

The office sweep for listening devices — which was conducted by a company linked to Perrotta — rankled some career staffers and led to a scuffle between Perrotta and a member of the agency's homeland security office at a meeting last summer, The New York Times reported Thursday.

Despite EPA's argument that Pruitt has received a record number of death threats, an internal

AMERICAN OVERSIGHT

report from the agency's Office of Homeland Security suggests that the threats mainly consist of letters and criticism on social media that don't warrant such blanket protection. (On Tuesday, the agency dismissed a staffer who had signed off on the memo and argued with Perrotta, for what it insists were issues dating back several years.)

But several current and former EPA staffers say they also consider the security fears overblown.

"We never saw any threat, never heard any threat," said Slotkin, the former multimedia director. "If anything, it came from Pruitt, we would hear him speak about it. But there was no evidence that anybody could even get near him."

That included many EPA employees: Slotkin said Perrotta cordoned off Pruitt's suite of offices inside EPA's headquarters at Federal Triangle, posting security guards to keep out anyone who wasn't on an approved list. One restricted area was a chandelier-decorated conference room named after environmentalist Rachel Carson where agency employees had previously been allowed to hold events, Slotkin said.

"He didn't want anybody near him," Slotkin said.

Soon Perrotta was flying with Pruitt and discussing matters that went beyond security, two former employees said.

"It wasn't uncommon that given travel and Nino's proximity, he would always weigh in on matters beyond his scope as security, leveraging his institutional knowledge," one said. "He often would say what he recalled prior administrators doing."

By the spring of last year, Perrotta was regularly attending travel planning meetings with top political staff, including a March 30 international scheduling discussion and an April 10 talk on international travel, according to EPA records.

He and other security agents were closely involved in planning in May for a trip the following month to Italy, where Pruitt visited the Vatican and then attended G-7 environment meetings in Bologna. Perrotta had lived for two years in Rome on Secret Service assignment, where he made many connections, according to his book.

Wilcox said the security arrangements on the Italy trip were not novel. "EPA's Protective Service Detail tried to replicate the same security measures taken when EPA Administrator Gina McCarthy traveled to Italy in 2015," he wrote.

Thursday's congressional letter offered a new detail about Perrotta: The Democratic senators said Chmielewski reported that Perrotta entered into a $30,000 contract with private Italian security personnel for that trip. Records have revealed that expense but did not disclose whether it was for a private detail.

One of the former EPA staffers said Perrotta was friends with those guards. That source described Pruitt's protection while in Italy as extensive, with security agents from EPA and the

AMERICAN OVERSIGHT

U.S. Embassy, in addition to a large group of local agents.

News reports have revealed Pruitt also had a soundproof booth constructed for his office and considered having bulletproof desks installed.

And the spending isn't over. EPA also appears to be planning to purchase bulletproof vests specially designed to blend in underneath regular clothing for his security detail, according to a solicitation issued on Friday. The solicitation calls for 16 white-colored vests of varying sizes manufactured by Velocity Systems, along with corresponding armor made of "special threat enhanced steel" and cummerbunds that provide enhanced protection.

The armor requested is just over a quarter-inch thick and can protect against the type of bullets shot from AK-47 rifles and some AR-15 semi-automatics, according to Velocity Systems' website.

EPA would not confirm to POLITICO whether the armor is for Pruitt's protective detail or for other agents, saying only that all agents in EPA's criminal enforcement division, which includes Pruitt's detail, "are assigned bulletproof vests" and that the effectiveness of the vests expires every five years. But a source familiar with EPA's security operations said the vests are likely for Pruitt's bodyguards because of their unusual specifications and the number requested. Other enforcement agents wouldn't need their vests to be concealed, that source said.

To view online click here.

Back

Senate confirms Wheeler as EPA deputy Back

By Anthony Adragna | 04/12/2018 04:32 PM EDT

The Senate today confirmed lobbyist Andrew Wheeler to be deputy EPA administrator, sending the beleaguered agency a second-in-command as Administrator Scott Pruitt faces an uncertain future amid a torrent of ethics scandals.

Wheeler, a long-time former Senate aide, cleared the chamber by a vote 53-45. Democrats Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana supported him, as did every Republican who voted.

Democrats and the environmental community rallied hard against the nomination, pointing to Wheeler's work as a coal lobbyist and his time working as an aide to the climate change-denying Sen. Jim Inhofe (R-Okla.). And they argued he hasn't undergone sufficient scrutiny in the event he must step in to run the agency indefinitely should the Senate have to launch the uphill battle to confirm a replacement for Pruitt.

Wheeler has worked at the law firm Faegre Baker Daniels since 2009, where his past lobbying

AMERICAN OVERSIGHT

clients included coal producer Murray Energy, Xcel Energy, Bear Head LNG and Energy Fuels Resources. He provided advice and counsel, but not lobbying work, to International Paper, Archer Daniels Midland and General Mills.

WHAT'S NEXT: Wheeler will be sworn in at EPA, where he would be next in line to run the agency in the event of a vacancy.

To view online click here.

Back

Trump pledges to expand ethanol sales Back

By Eric Wolff | 04/12/2018 12:37 PM EDT

President Donald Trump said today the administration would allow year-round sales of 15 percent ethanol blends in gasoline, handing the ethanol industry a big victory.

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters said in response to questions about the biofuel today, adding that "makes a lot of farmers very happy."

Trump's statement endorses a policy change long-sought by ethanol producers and their farm-state allies in Congress to win year-round sales of higher blends of ethanol in all states. The Clean Air Act restricts when the ethanol blends above 10 percent can be sold to exclude the summer months in order to reduce air pollution.

EPA has already begun the groundwork that could lead to a proposed rule for a waiver for the higher ethanol blends. USDA has been pushing for such a waiver in light of news that EPA has been granting exemptions from the Renewable Fuel Standard for at least 25 small refineries, at least twice as many as in previous years.

Granting such a waiver will be vigorously opposed by oil companies, who are expected to challenge change in court.

To view online click here.

Back

Trump orders EPA to review Clean Air Act orders and speed permits Back

By Eric Wolff | 04/12/2018 02:55 PM EDT

President Donald Trump issued an executive order today ordering EPA to ease some of its

AMERICAN OVERSIGHT

procedures around the regulating of six key air pollutants under the Clean Air Act.

"These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy," the order says.

Highlights from the order include:

— EPA must complete reviews of state plans to reduce pollution within 18 months.
— It must complete reviews of project pre-construction permits within a year.
— Review the federal plans imposed on some states under the regional haze program to see if they can be replaced with state plans.
— When considering emissions levels, EPA must take into account pollution from other countries, even in states that are not on U.S. borders. It also must consider whether states have reduced pollution to "background levels."
— Allow states to engage in trading of pollution offsets.

The order also requires EPA to consider rescinding all of its past rules, guidance, and orders from the NAAQS program.

"This memorandum helps ensure that EPA carries out its core mission, while reducing regulatory burdens for domestic manufacturing," EPA Administrator Scott Pruitt said in a statement.

The Clean Air Act requires EPA to conduct reviews every five years of acceptable pollution levels for lead, carbon monoxide, nitrogen oxides, sulfur oxide, particulates and ground-level ozone.

To view online click here.

Back

Interior watchdog: Personnel moves were not properly documented Back

By Ben Lefebvre | 04/11/2018 02:46 PM EDT

The Interior Department's internal watchdog on Wednesday said it could not determine why more than two dozen senior executives were reassigned last year, but a substantial share of the employees forced into new jobs blamed the moves on politics or clashes with agency leadership.

The Inspector General's report shows Interior officials kept no documentation of why the senior executive service employees were reassigned, preventing investigators from reaching a conclusion on whether the personnel moves complied with federal law. Investigators interviewed members of an Executive Resources Board Interior Secretary Ryan Zinke established last year and 31 employees who received reassignment notices but came away with little more than broad

AMERICAN OVERSIGHT

justifications for the reassignments.

"When we asked the ERB members who in the Department leadership ordered the reassignment of senior executives, no one could provide an answer," the IG report stated.

Furthermore, investigators "found no documented evidence — nor were we provided a methodology or record of discussion — that the ERB reviewed the senior executives' qualifications before proposing reassignments."

One of the major purposes of the broader reorganization was to move more staff members out of D.C. and into field offices, Zinke has said.

But of the senior executive staff members originally marked for reassignment, four received proposed reassignments to put them out of the Washington, D.C., area while the same number were supposed to move from a field office to Washington, D.C., "effectively negating the ERB's stated reason to move senior executives to field offices," the report states.

The lack of record-keeping went against recommendations the OMB issued in September 2009, the inspector's report said.

Interior Deputy Secretary David Bernhardt blamed the Obama administration and Senate Democrats for the department's failure to comply with those guidelines.

"While I cannot begin to guess why the recommendation to adopt the guidelines was either rejected or simply ignored between September 9, 2009 and January 20, 2017, I do believe delays in confirming key presidentially nominated, Senate confirmed officers ... means that there are fewer principal officers to carefully evaluate existing practices and drive improvements within the Department," Bernhardt wrote in a reply to the IG's office included with the report.

Joel Clement, a climate scientist who was reassigned to work as an accountant for oil and gas royalties and has since become a top Zinke critic, blasted the report and called for the secretary to step down.

"This report sends up a red flag that indicates a deeper investigation is necessary. I hope that Congress will seek more information from the ERB members at Interior, and consider how and when Interior should do right by the executives who were impacted by discrimination or retaliation," Clement said in a statement. "In the meantime, Secretary Zinke, the only Senate-confirmed employee at Interior when these reassignments took place, should resign."

Interior sent reassignment notices to 35 employees and ultimately moved 27 of them into new jobs between June and October of last year. The IG's office interviewed 31 of those who had received the notices.

Twelve of the senior executives reassigned last year believed their moves may have been related to their prior work assignments, including climate change, energy or conservation, according to the report. Ten blamed political or punitive reasons, and eight cited conflict with department

AMERICAN OVERSIGHT

leadership. Some employees listed more than one reason, and eight others said they had positive feelings about being moved to a new job.

In most of the cases, Interior leadership did not notify an employee's supervisor, the acting bureau director or the assistant secretary the person would be reassigned "until hours before the ERB sent the reassignment notifications," the report states. At least one employee who was told he was being considered for a move was then not notified that the move would be canceled, according to the report.

"He negotiated a lease breakage option on his new lease because of uncertainty after he received notification for a geographic reassignment that the ERB ultimately canceled" the inspector general wrote in its report.

The Inspector General is expected to release the results of its separate investigation into Zinke's use of official travel to attend campaign and fundraising events within the next week.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered" reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill. He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Wed 4/11/2018 11:22:55 AM
Subject: April 11 -- Energywire is ready

Read today's Energywire on the web

SUBSCRIPTION

ENERGYWIRE — Wed., April 11, 2018

READ FULL EDITION

1.POLITICS:
Could oil taxes, striking teachers shift Okla.?
Lawmakers in Oklahoma are facing fallout from a tax hike and a teacher walkout. There could be more turmoil if EPA Administrator Scott Pruitt, who was the state attorney general until early 2017, decides to run for governor.

TOP STORIES

2.NEWSMAKER:
To Perry devotee, Texas market is 'experiment in freedom'

3.SECURITY:
White House departure creates another cyber vacancy

4.SUPERFUND:
Watchdog group sues again on Tar Creek, seeks Inhofe emails

ELECTRICITY

5.SECURITY:
DHS brews a 'Cyber Storm' for critical infrastructure

6.POWER MARKETS:
FirstEnergy's call for help gets little sympathy

7.PEOPLE:
Former oil and gas rep confirmed as Kan. utilities regulator

OIL AND GAS

8.GAS EXPORTS:
Cove Point LNG launches East Coast exports

9.BUSINESS:
Devon sheds 300 more jobs

10.PEOPLE:
Texas oil regulator taps its CFO as new leader

11.TECHNOLOGY:
Oil majors jostle for supercomputing edge

12.OFFSHORE DRILLING:
BP to tap two new blocks in North Sea

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.
ABOUT ENERGYWIRE -- The Transformation of the Energy Sector
Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

AMERICAN OVERSIGHT

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Tue 4/10/2018 2:05:16 PM
Subject: POLITICO's Morning Energy, presented by the American Petroleum Institute: Parsing Pruitt's 'war on lead' — Jackson takes responsibility on raises — Mission impossible? Replacing Pruitt

By Kelsey Tamborrino | 04/10/2018 10:00 AM EDT

With help from Eric Wolff, Annie Snider, Alex Guillén, Anthony Adragna and Ben Lefebvre

PARSING PRUITT'S 'WAR ON LEAD': Amid the wave of recent scandals, EPA Administrator Scott Pruitt and his supporters have touted regulatory rollbacks and a focus on drinking water policy as big victories for the Trump administration. "Record clean Air & Water while saving USA Billions of Dollars," President Donald Trump tweeted over the weekend, in support of the embattled administrator. But details on Pruitt's water plans remain sparse, Pro's Annie Snider reports, leaving critics to wonder how much he can achieve while also seeking to shrink the agency.

It is unclear exactly what air and water "record" Trump was referring to in his tweet, but it is likely too early to make such definitive claims, Annie reports. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. But before Pruitt was engulfed by negative headlines, the EPA chief touted his ambitious goals to update aging infrastructure and eradicate dangerous chemicals from drinking water. He's since leaned into such plans in interviews with conservative media outlets when defending himself against accusations of ethical missteps.

Pruitt brought together high-level officials from across the government earlier this year to launch his "war on lead," and in May is set to convene a nationwide summit of drinking water officials to address chemical contamination. Local drinking water agencies are glad to see Pruitt pay attention, Annie reports, but many still wonder how much he'll be able to get done, with a White House that has indicated Pruitt should be able to accomplish his goals without any new money. Read more.

IT'S TUESDAY! I'm your host Kelsey Tamborrino. QEP Resources' Shane Schulz was first to identify Gilbert Stuart's portrait of George Washington as the one saved by former first lady Dolley Madison during the War of 1812. For today: What are the five countries in Europe that don't have an airport? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

CAUGHT BETWEEN AN EMAIL AND AN INTERVIEW: EPA chief of staff Ryan Jackson says he takes responsibility for the controversial raises given to two of Pruitt's top aides, Pro's Emily Holden reports. The Atlantic reported Monday on the existence of an internal EPA email between Sarah Greenwalt, senior counsel to the administrator who previously worked with Pruitt in Oklahoma, and EPA HR. The email confirms Pruitt knew of and approved Greenwalt's raise, which the Atlantic reports is roiling agency staff and contradicts Pruitt's comment to a Fox News interviewer when he said "I didn't know they got the pay raises until yesterday."

AMERICAN OVERSIGHT

In a response to the report, Jackson distanced Pruitt from the salary decision. "Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday. Read more.

EPA ETHICS OFFICIAL REFERS TO IG: Kevin Minoli, EPA's top ethics official, has sent ethics concerns regarding Pruitt to the Office of Inspector General for further investigation, according to a letter sent Monday and obtained by Buzzfeed. Minoli, a longtime EPA attorney, was responding to the Office of Government Affairs' acting director, David Apol, who on Friday urged him to further review issues like Pruitt's housing, spending and the raises granted to aides. In his response, Minoli writes that he lacks independent investigative authority. "Consequently, in an instance in which the EPA ethics office lacks sufficient evidence to assess fully an ethics matter, we have a long-standing practice of referring it to the" IG, he wrote.

SWAMP THINGS: Senate Minority Leader Chuck Schumer joined his House counterpart Nancy Pelosi in calling for Pruitt's exit on Monday. "President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt." The Environmental Working Group calculated there are now 91 bipartisan members of Congress calling for Pruitt's removal. More here from your ME host.

LUKEWARMLY STAND BY YOUR MAN: A bunch of GOP senators told ME Monday that legitimate questions had been raised about Pruitt's conduct, but none of them would go so far as to call for his resignation. "I know there a lot of questions that are being asked that sound like they need to be responded to," Senate Energy Chairman Lisa Murkowski told ME. "The questions that have come up are legitimate questions to have, so we'll have to wait and see what his answers are to those," Sen. John Boozman said.

But members of Senate leadership largely dodged. Sen. John Cornyn, the chamber's Majority Whip, wouldn't directly weigh in on the scandals: "It's the president's decision not ours." And Sen. John Barrasso, chairman of the EPW Committee, said Pruitt would probably come before his panel again this year, but declined anything more specific. Others defended the embattled EPA chief completely, with Sen. Roger Wicker arguing Pruitt's "vilified because he's doing his job and the left is doing everything they can to make him not succeed."

Sen. Joe Manchin, one of the few Senate Democrats who backed Pruitt's confirmation, said he didn't regret his vote, but added that the administrator should answer questions about his conduct. "He has to be held accountable," Manchin told reporters. Asked if he was surprised Pruitt still had a job, Sen. Brian Schatz told ME: "I'll just say that other secretaries in the same administration have left for less."

MISSION IMPOSSIBLE: With a shrunken Republican majority in the Senate, lawmakers would struggle to confirm any new EPA administrator, POLITICO's Burgess Everett and Anthony Adragna report - let alone someone as aggressive about undoing former President Barack Obama's environmental rules and regulations. "Anything is going to be hard right now at

AMERICAN OVERSIGHT

50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader. Read the full story here.

MORE SUPPORT FOR WHEELER: Republican Sen. Susan Collins, who opposed Pruitt's selection to run EPA, said she intends to back his selection for deputy administrator, Andrew Wheeler. "Unless there is some new adverse information, based on my review of his record I do intend to support him," she told ME. That further clears the path for Wheeler, who has secured the support of at least two moderate Democrats as well.

MOST ENDANGERED: Rivers threatened by oil, gas, agriculture and mining development dominate this year's list of Most Endangered Rivers, the annual rundown by green group American Rivers. Mississippi's Big Sunflower River list is ranked in the top slot, thanks of efforts by the state's congressional delegation to revive a vetoed Army Corps of Engineers flood control project that would have drained tens of thousands of acres of wetlands in the watershed. A rider supporting the project failed to make it into the fiscal 2018 spending bill last month - the last one managed by Mississippi Sen. Thad Cochran before he retired. Read the report here.

** **A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

THE RFS MEETING THAT DIDN'T ROAR: The participants at a White House meeting Monday on the Renewable Fuel Standard know what happened, but hardly anyone else does. One ethanol source told ME that Trump had punted the issue to Congress, but a Growth Energy spokeswoman said, "Our understanding is that they will continue to explore options." Reuters Jarrett Renshaw tweeted that Trump had decided to allow another three months for discussions. Growth, an ethanol trade association, put out a statement saying, "We are encouraged that the White House continues to rebuff Senator [Ted] Cruz's efforts to place a cap on RINs, which would destabilize the RFS and devastate struggling farm communities."

So what now? If Trump has indeed decided not to decide - at least for a while - then all eyes turn to Sen. John Cornyn and Rep. John Shimkus who have been working on a draft legislation that would overhaul the RFS. The Senate has a world of work to do, from approving nominees to run the State Department and the CIA to funding the government in September, so it's not clear how anything could get to the floor before - at the earliest - a lame-duck session after the November election.

CONFIRMED: James Edward Campos was confirmed by voice vote Monday to be director of the Office of Minority Economic Impact at the Energy Department. The Senate also confirmed Theodore Garrish Monday by voice vote to be assistant secretary of Energy for international affairs, and James Reilly to be director of the United States Geological Survey. Read more.

TWEET FOR TAT: Interior press shop's relationship with New Mexico conservationists seems to be ... not great. Nonprofit Trust For Public Land took to the social platform Monday afternoon

AMERICAN OVERSIGHT

to thank BLM and New Mexico lawmakers - Rep. Ben Ray Luján and Sens. Tom Udall and Martin Heinrich - for helping to add 600 acres to the Rio Grande del Norte National Monument. DOI followed up hours later: "Too bad they pulled their quote from a joint press release at the last minute. Guess they aren't all that interested in collaborative conservation. SAD," the official DOI press secretary Twitter account posted. "We're extremely proud of our collaboration with both Democrats and Republicans to ensure everyone has access to public lands," TFPL spokesman Keith Maley said, declining to comment further "on a press release we didn't issue."

A GREENER APPLE: Apple Inc. on Monday said all of its global facilities, which include data centers, Apple stores, and offices, are running on 100 percent renewable electricity. "We're going to keep pushing the boundaries of what is possible with the materials in our products, the way we recycle them, our facilities and our work with suppliers to establish new creative and forward looking sources of renewable energy because we know the future depends on it," CEO Tim Cook said in a statement.

ICYMI: **'CALL YOUR SENATORS':** An ME reader flagged a 30-second ad touting Interior Secretary Ryan Zinke that aired in D.C. last month. The ad prompts viewers to "call your senator" to demand they back Zinke and funding to repair national park infrastructure. But ME is a little skeptical that the TV spot is really about a specific policy, given that a) sources told us the ad only aired in D.C., which doesn't have any local senators to call, b) the footage reserves its longest shot for a smiling Zinke, and c) it aired around the same time a polling firm recently asked people in Iowa what they thought about the former Montana congressman and Navy SEAL. ME's source said American Economic Freedom Alliance paid for the spot. Little is known about the group, but it may have relationships with Vice President Mike Pence, according to the Indianapolis Star.

GREENS NOT FANS OF SCOTT'S SENATE RUN: Florida Gov. Rick Scott announced Monday he's running for Sen. Bill Nelson 's seat - drawing the immediate condemnation of environmentalists who say the two-term governor has refused to acknowledge climate change, among other issues, Pro Florida's Bruce Ritchie reports. They instead accused Scott of "greenwashing" his record in the state. "I think he will try to put everything he can out there to say he is an environmental champion," Frank Jackalone, the Sierra Club's Florida chapter director, told Bruce. "But we look at the bigger record and he is not [an environmental champion]." Read the story.

GREENS: **REJECT POMPEO:** More than 200 environmental groups called on senators today to reject Mike Pompeo's nomination for secretary of State. The letter, organized by the Food & Water Watch, cites Pompeo's history of statements doubting the science behind climate change. Read the letter here.

HARD BLOCK CAFE: Democratic Sens. Jeff Merkley, Ed Markey, Ben Cardin and Michael Bennet will hold a press conference today alongside clean air advocates to discuss EPA's recent announcement that it intends to rollback Obama-era fuel economy standards. Janet McCabe, former acting assistant administrator of EPA's Office of Air and Radiation, will also join the event.

AMERICAN OVERSIGHT

TRUE CRIME: The Atlantic Council's Global Energy Center released a new report today on illicit maritime activity related to the use of hydrocarbons. The report focuses on crimes including the small-scale smuggling of subsidized fuel and the hijacking of oil tankers. Read it here.

QUICK HITS

- The SEC is blunting investor activism over climate, K-Cups and gay rights, The Washington Post.

- State attorney general releases Tar Creek audits, Tulsa World.

- "Kinder Morgan blinked": Cross-Canada pipeline on hold because of opposition, The Seattle Times.

- Biggest U.S. electric grid has plan to keep power plants afloat, Bloomberg.

- Ohio power company has few allies in bailout bid, The Wall Street Journal.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/10/parsing-pruitts-war-on-lead-163864

To change your alert settings, please go to https://secure.politico.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Block, Molly[block.molly@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]
From: Daniell, Kelsi
Sent: Wed 12/20/2017 3:10:06 PM
Subject: EPA Morning News Highlights 12.20.17
EPA Morning News Highlights 12.20.17.docx

EPA Morning News Highlights 12.20.17

-

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

AMERICAN OVERSIGHT

The Californian: Salinas Oil Company Penalized for Environmental Violations

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

AMERICAN OVERSIGHT

Politico: Senators, White House Lay Groundwork for Dreamers Deal

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

AMERICAN OVERSIGHT

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President

AMERICAN OVERSIGHT

Trump's agenda."

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans."

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

The findings contradict the advisory by the World Health Organization's International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is "probably carcinogenic." The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

AMERICAN OVERSIGHT

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement "will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon's economy continues to be a working harbor."

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

AMERICAN OVERSIGHT

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous "potential wildlife receptors," which could give further insight into the effectiveness of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

"This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June," Sallinger said.

The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

AMERICAN OVERSIGHT

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future."

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

AMERICAN OVERSIGHT

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

AMERICAN OVERSIGHT

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to

AMERICAN OVERSIGHT

state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new

AMERICAN OVERSIGHT

approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

AMERICAN OVERSIGHT

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lacy Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways

AMERICAN OVERSIGHT

and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program

AMERICAN OVERSIGHT

administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

AMERICAN OVERSIGHT

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

"No, we'll not be doing DACA … this week," McConnell said. "That's a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it."

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

AMERICAN OVERSIGHT

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation's asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

"Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?" Flake said, summing up the questions from senators. "There's a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support."

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday's meeting with Kelly, as did Senate Majority Whip John Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

"I think what we're trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures," Cornyn said as he left the meeting. "We got a promise to provide it to us and hopefully we'll get that in short order. Maybe even this week."

Republicans' commitment to taking up a DACA deal next month won't spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won't risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

AMERICAN OVERSIGHT

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

AMERICAN OVERSIGHT

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

AMERICAN OVERSIGHT

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The

AMERICAN OVERSIGHT

disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

AMERICAN OVERSIGHT

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, “Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years “have gone to industries lagging behind State growth in employment and annual average pay.” In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

AMERICAN OVERSIGHT

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive "has never been used" and the state Department of Commerce "no longer promotes the program on its website due to lack of interest."

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a "dearth of data." The group also reported there is "insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit."

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, "Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents."

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow "guide" the process.

AMERICAN OVERSIGHT

EPA Morning News Highlights 12.20.17

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis
Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans
The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal
The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

The Californian: Salinas Oil Company Penalized for Environmental Violations
In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek
After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides
EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

Politico: Senators, White House Lay Groundwork for Dreamers Deal
Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a

AMERICAN OVERSIGHT

Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win
After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements
The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity
This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis
By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President Trump's agenda."

AMERICAN OVERSIGHT

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans."

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

The findings contradict the advisory by the World Health Organization's International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is "probably carcinogenic." The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement "will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon's economy continues to be a working harbor."

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

AMERICAN OVERSIGHT

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous "potential wildlife receptors," which could give further insight into the effectiveness of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

"This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June," Sallinger said.
The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future."

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

AMERICAN OVERSIGHT

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years

AMERICAN OVERSIGHT

combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

AMERICAN OVERSIGHT

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lace Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

AMERICAN OVERSIGHT

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

AMERICAN OVERSIGHT

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

"No, we'll not be doing DACA ... this week," McConnell said. "That's a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it."

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation's asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

"Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?" Flake said, summing up the questions from senators. "There's a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support."

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday's meeting with Kelly, as did Senate Majority Whip John Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

"I think what we're trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures," Cornyn said as he left the meeting. "We got a promise to provide it to us and hopefully we'll get that in short order. Maybe even this week."

Republicans' commitment to taking up a DACA deal next month won't spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won't risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

AMERICAN OVERSIGHT

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious

AMERICAN OVERSIGHT

party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted

AMERICAN OVERSIGHT

to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, "Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years "have gone to industries lagging behind State growth in employment and annual average pay." In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. "The industry group decreased employment over the last five years, as overall State employment expanded."

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, "The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent."

Other credits fared worse, or lacked sufficient data to even measure their worth.

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive "has never been used" and the state Department of Commerce "no longer promotes the program on its website due to lack of interest."

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a "dearth of data." The group also reported there is "insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit."

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, "Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents."

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow "guide" the process.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Samuel DeMarco III
Sent: Wed 11/1/2017 7:15:34 PM
Subject: PG Reader: Mismanagement, conflicted leadership blamed for governance problems at PWSA

FYI - Today's paper

Mismanagement, conflicted leadership blamed for governance problems at PWSA

By: By Adam Smeltz / Pittsburgh Post-Gazette

Description: Problems — ranging from lead contamination to inaccurate bills — prompted state Auditor General Eugene DePasquale to investigate.

(Sent from PG Reader)

Link to this article:
http://www.post-gazette.com/local/city/2017/11/01/PWSA-audit-mismanagement-conflicted-leadership-DePasquale/stories/201711010131

Sent from my iPad

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 10/18/2017 10:37:43 AM
Subject: POLITICO Playbook, presented by JPMorgan Chase & Co.: SIX HOURS in the mind of POTUS -- TRUMP to widow of fallen soldier: He knew what he was signing up for -- IVANKA and JARED at Ghibellina -- POLITICO/MORNING CONSULT poll: 46% think media makes up news

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by JPMorgan Chase & Co.

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to today's Audio Briefing | Subscribe on iTunes | Visit the online home of Playbook

Driving the Day

Good Wednesday morning. SIX HOURS IN THE MIND OF THE PRESIDENT ... PRESIDENT DONALD TRUMP took several seemingly contradictory positions about the government continuing cost-sharing reduction payments for Obamacare. CSR payments help insure the poor. The president said he'd stop paying them last week.

-- 1:59 p.m., toward the top of his press conference with Greek Prime Minister Alexis Tsipras: "So when I knocked out the hundreds of millions of dollars a month being paid back to the insurance companies by politicians -- I must tell you -- that wanted me to continue to pay this, I said I'm not going to do it. This is money that goes to the insurance companies to line their pockets, to raise up their stock prices. And they've had a record run. They've had an incredible run, and it's not appropriate."

-- 2:10 p.m., in the middle of his press conference with the Greek prime minister, when asked about the White House's role in a bipartisan deal between Sens. Lamar Alexander and Patty Murray to keep paying CSR payments: **"Yes, we have been involved.** And this is a short-term deal because we think, ultimately, block grants going to the states is going to be the answer. ... Lamar has been working very, very hard with the Democratic -- his colleagues on the other side, and Patty Murray is one of them, in particular. ... The solution will be for about a year or two years, and it will get us over this intermediate hump because we have -- as you probably know, we have -- we either have the votes or we are very close to having the votes. And we will get the votes for having, really, the potential of having great healthcare in our country."

-- 7:37 p.m., during a speech to the Heritage Foundation: "I'm pleased the Democrats have finally responded to my call for them to take responsibility for their Obamacare disaster and work with Republicans to provide much-needed relief to the American

AMERICAN OVERSIGHT

people. While I commend the bipartisan work done by Senators Alexander and Murray -- and I do commend it -- I continue to believe Congress must find a solution to the Obamacare mess instead of providing bailouts to insurance companies."

IF YOU ARE A LAWMAKER, or an observer of Washington, how do you know what the president means when he says three seemingly different things in less than six hours?

THE REALITY ABOUT THE DEAL -- JEN HABERKORN and **ADAM CANCRYN: "Bipartisan Obamacare deal would need Trump lobbying muscle":** "A bipartisan deal in Congress offers a glimmer of stability for the Obamacare insurance markets. But for it to become law, each party will need to declare a victory -- and President Donald Trump will have to agree to prop up a law he just spent months trying to repeal. ... The framework, which got more immediate support from Democrats than Republicans, will need the lobbying muscle of the White House to win over skeptical Republicans in Congress. ...

"But Trump could face another legislative disappointment without a sustained, focused lobbying effort on Capitol Hill, where Republicans are facing a biting political calculus. They're still stinging from spending all of this year in a draining but fruitless effort to repeal and replace Obamacare -- the law that congressional Republicans have been trying to uproot for seven years. Now, they would have to decide whether the state flexibility concessions Alexander got are enough." http://politi.co/2x44J9e

-- WHAT TO MAKE OF ALEXANDER-MURRAY: It's probably not going anywhere -- at least in its current form.

CHOOSE YOUR NEWS -- WSJ, banner headline, A1: **"Bipartisan Health Bill Gains Steam"** http://bit.ly/2aVNXyP ... **WAPO**, A1: **"Latest health-care effort quickly stalls"** http://bit.ly/2zissDg ... **NYT: "DEAL BY SENATORS SEEKS TO RESTORE HEALTH SUBSIDIES** ... TRUMP SUPPORTS PLAN ... Bid to Stabilize Markets -- 2 Years of Aid for Poorer Patients" http://nyti.ms/2yyIyLS

PRESIDENT TRUMP, 344 DAYS POST ELECTION DAY -- @realDonaldTrump at 6:21 a.m.: "Wow, FBI confirms report that James Comey drafted letter exonerating Crooked Hillary Clinton long before investigation was complete. Many.." **at 6:27 a.m.:** "...people not interviewed, including Clinton herself. Comey stated under oath that he didn't do this-obviously a fix? Where is Justice Dept?"

-- FLASHBACK: July 2, 2016, WaPo: **"FBI interviews Hillary Clinton for more than 3 hours in email probe"** http://wapo.st/2grOqzV

TRUMP AND THE GOLD STAR FAMILIES ...

-- "Politics and the fallen: Trump hasn't called all families," by AP's Calvin Woodward and Jonathan Lemire: "President Donald Trump has pulled bereaved military families into a painful political fight of his own making, going so far Tuesday as to cite

AMERICAN OVERSIGHT

the death of his chief of staff's son in Afghanistan to question whether Barack Obama and other presidents did enough to honor the military dead.

"He's boasted that 'I think I've called every family of someone who's died,' though The Associated Press found relatives of two soldiers who died overseas during Trump's presidency who said they never received a call or a letter from him, as well as relatives of a third who did not get a call from him.

"The White House said Trump did telephone on Tuesday the families of four soldiers who were killed in Niger nearly two weeks ago, the issue that had spawned the controversy this week. 'He offered condolences on behalf of a grateful nation and assured them their family's extraordinary sacrifice to the country will never be forgotten,' said a White House statement.

"Contending that Trump's propensity for a political fight has drifted into 'sacred' territory, Democrats and some former government officials have expressed anger at his comments that he, almost alone among presidents, called the families of military members killed in war. They accused him of 'inane cruelty' and a 'sick game.'" http://bit.ly/2x4rREA

-- WHAT HE SAYS WHEN HE CALLS: WPLG, the ABC affiliate in **MIAMI: "Trump to widow of Sgt. La David Johnson: 'He knew what he signed up for'":** "President Donald Trump told U.S. Army Sgt. La David Johnson's widow Tuesday that 'he knew what he signed up for ... but when it happens it hurts anyway,' when he died serving in northwestern Africa, according to Rep. Frederica Wilson, D-Miami Gardens.

"'Yes, he said it,' Wilson said. 'It is so insensitive. He should not have said that. He shouldn't have said that.' The president called about 4:45 p.m. and spoke to Johnson's pregnant widow, Myeshia Johnson, for about five minutes. She is a mother to Johnson's surviving 2-year-old son and 6-year-old daughter. The conversation happened before Johnson's remains arrived at Miami International Airport on a commercial Delta Airlines flight.

"A top advisor later told Local 10 News 'The president's conversations with the families of American heroes who have made the ultimate sacrifice are private.'" http://bit.ly/2hMMAGE ... ***30-second video of Wilson talking about what the President said*** http://bit.ly/2zvnq7j

-- WAPO'S PHIL RUCKER and **DAN LAMOTHE: "Twelve days of silence, then a swipe at Obama: How Trump handled four dead soldiers":** "In his call with Sgt. La David T. Johnson's widow, Myeshia Johnson, Trump told her, 'He knew what was signing up for, but I guess it hurts anyway,' according to the account of Rep. Frederica S. Wilson (D-Fla.), who was riding in a limousine with Johnson when the president called and heard the conversation on speakerphone. Wilson recalled in an interview with The Washington Post that Johnson broke down in tears. 'He made her cry,' Wilson said. The congresswoman said she wanted to take the phone and 'curse him out,' but that the

AMERICAN OVERSIGHT

Army sergeant holding the phone would not let her speak to the president." http://wapo.st/2x4u9nc

****** **A message from JPMorgan Chase & Co.: 30 Years in the Waiting** It's been more than three decades since America reformed its tax system. As the world became more competitive, our tax code remained the same, putting America at a disadvantage when it comes to creating new jobs. Learn how tax reform can jump-start our economy: http://politi.co/2gBVNBD ******

TRUMP'S WHITE HOUSE ...

-- "Internal White House documents allege manufacturing decline increases abortions, infertility, and spousal abuse," by WaPo's Damian Paletta: "White House officials working on trade policy were alarmed last month when a top adviser to President Trump circulated a two-page document that alleged a weakened manufacturing sector leads to an increase in abortion, spousal abuse, divorce and infertility, two people familiar with the matter said.

"The documents, which were obtained by The Washington Post, were prepared and distributed by Peter Navarro, director of the White House Office of Trade and Manufacturing Policy. They were presented without any data or information to back up the assertions, and reveal some of the materials the Trump administration reviewed as it was crafting its trade policy.

"Two administration officials confirmed the authenticity of the documents, which have emerged as the administration has threatened to withdraw from a free trade agreement with South Korea and is taking a hard-line stance against Canada and Mexico in renegotiating the North American Free Trade Agreement." http://wapo.st/2ziJBwl

-- PUBLIC RECORDS: "National Archives warned Trump White House to preserve documents ," by Josh Dawsey and Bryan Bender: "National Archives officials have periodically warned White House lawyers that the Trump administration needs to follow document preservation laws, according to people familiar with the conversations and emails reviewed by POLITICO. The White House legally must preserve all presidential records, which are given to the National Archives after the president leaves office and are used for historical records. The documents that must be preserved include written memos, emails, speeches, record logs and more.

"But National Archives officials have told the White House counsel's office they were concerned that wasn't happening, particularly early in the administration ... Conversations have included John Laster and Gary Stern, two National Archives officials, and the White House counsel's office." http://politi.co/2yrhw9y

NEW POLITICO/MORNING CONSULT POLL -- "Poll: 46 percent think media make up stories about Trump," by Steven Shepard: "Nearly half of voters, 46 percent,

AMERICAN OVERSIGHT

believe the news media fabricate news stories about President Donald Trump and his administration, according to a new POLITICO/Morning Consult poll. Just 37 percent of voters think the media do not fabricate stories, the poll shows, while the remaining 17 percent are undecided.

"More than three-quarters of Republican voters, 76 percent, think the news media invent stories about Trump and his administration, compared with only 11 percent who don't think so. Among Democrats, one-in-five think the media make up stories, but a 65 percent majority think they do not. Forty-four percent of independent voters think the media make up stories about Trump, and 31 percent think they do not. Among the voters who strongly approve of Trump's job performance in the poll, 85 percent believe the media fabricate stories about the president and his administration." http://politi.co/2yv5k5i

FINALLY... A WIN FOR MCCONNELL -- "McCain endorses budget bill in win for GOP tax-reform effort," by WaPo's Elise Viebeck and Damian Paletta: "The White House's push for tax cuts made crucial progress on Tuesday as Senate Republicans rallied behind a budget proposal the party needs to pass to keep alive its hopes of enacting sharp reductions in tax rates later this year.

"Senate Republican leaders earned a series of much-needed victories Tuesday, first with the return of ailing Sen. Thad Cochran (R - Miss.) and later with an announcement from Sen. John McCain (R - Ariz.) that he would back the budget resolution in order to help passage of tax cuts. Senate Republicans are now hopeful they can agree on a final budget resolution later this week, which is a key procedural step to help them pass a tax cut plan later in the year without relying on support from any Democrats." http://wapo.st/2ziJBwI

-- THIS MEANS that the budget will pass, and tax reform will proceed.

ALERT -- TAX REFORM MEETINGS -- THE HOUSE WAYS AND MEANS COMMITTEE has notified its members that it is holding two more extended policy discussions on tax reform next Tuesday from 10 a.m. to 1 p.m. and Wednesday from 9 a.m. to 1 p.m., according to a GOP aide. Committee members are now "meeting regularly and in great detail now to make final decisions in the lead up to the release of the text."

-- TAX SLIPPING TO 2018: MICK MULVANEY to Bloomberg's Kevin Cirilli: "There's still a chance it gets done this year but more likely it goes over into the beginning of next year. We need this reform, we need this tax package sooner, rather than later ... The longer we wait to get tax reform, the longer the benefits take to kick in." https://bloom.bg/2yrTKKV

-- Club for Growth released its first batch of TV and digital ads targeting Democrats to urge them to support tax reform in an initial $600,000 buy. Two 15-second TV ads will begin airing today in the St. Louis media market. ***The ads -- "Tax Code Struggle"***

AMERICAN OVERSIGHT

http://bit.ly/2ywyG57 ... ***"Managing Small Business"*** http://bit.ly/2ySoYve

WHAT THEY'RE READING ON MASSACHUSETTS AVE, N.E. -- "Heritage Foundation considers top White House aide, Cubs co-owner as next leader," by WaPo's Bob Costa, Ashley Parker and John Wagner: "The Heritage Foundation has narrowed its search for a new president down to a shortlist of finalists, a group that includes Todd Ricketts, a co-owner of the Chicago Cubs, and Marc Short, a senior Trump White House official, according to three people familiar with the discussions.

"In addition to Ricketts and Short, Heritage's board of trustees also has expressed interest in Lisa B. Nelson, the chief executive of the American Legislative Exchange Council, and David Trulio, a vice president at Lockheed Martin ... The conservative think tank's trustees, however, remain torn over their decision.

"Kay Coles James -- a Heritage board member who served as the director of the U.S. Office of Personnel Management under President George W. Bush and is close to Heritage founder Edwin J. Feulner -- has been mentioned by several associates as someone who could serve in a temporary capacity if the board cannot settle on a candidate." http://wapo.st/2xPBVWw

-- IT'S HARD TO SEE why Marc Short would take this job. Republicans we talk to in the White House and on the Hill say he's ascendant in the Trump administration.

THE BANNON BEAT -- "Bannon hits up GOP mega-donors exasperated with McConnell: The Breitbart chief barnstorms the country in search of cash to fund his project to primary Republican senators," by Alex Isenstadt: "Over the last several weeks, Bannon has crisscrossed the country meeting with dozens of the party's biggest contributors -- all in the hopes of capitalizing on their anger at McConnell. The populist bomb-thrower wants donors to bankroll primary challenges against Republican incumbents, or short of that, to close their wallets to McConnell-aligned causes.

"Bannon has gone to New York City to talk with venture capitalist John Childs, who plowed nearly $400,000 into McConnell's 2014 reelection. In Colorado, he huddled with Gore-Tex heiress Susan Gore, a major backer of libertarian causes. And Bannon met with casino mogul Sheldon Adelson, the GOP's most prominent donor, for several hours when he swung through Washington this month." http://politi.co/2xOUMku

--"Bannon's army includes candidates backed by the GOP establishment: The former White House strategist has declared war on Mitch McConnell but is endorsing candidates who have also accepted help from the Republican apparatus," by Annie Karni: "Matt Rosendale, the Montana state auditor running for U.S. Senate, recently received the endorsement du jour in Republican politics: Steve Bannon plucked him for the slate of candidates he is backing as part of his war on the GOP establishment. ...

"Bannon's interest in Rosendale -- as well as many of the other candidates on his dance card -- also has some Washington GOP power brokers confused by his definition

AMERICAN OVERSIGHT

of 'anti-establishment.' For months, the [NRSC] has been media training Rosendale ... In addition to any help he gets from Bannon, Rosendale is a client of the consulting firm On Message, one of the most 'establishment' consulting firms in Washington." http://politi.co/2x4gJYa

TRUMP'S WEDNESDAY -- Trump is scheduled to speak via phone with the Iowa Gov. Kim Reynolds. He is also meeting with the Senate Finance Committee and will have lunch with VP Mike Pence.

FOR YOUR RADAR -- "N.F.L. Owners Won't Penalize Players for Kneeling During Anthem," by NYT's Ken Belson and Kevin Draper: "The N.F.L. for now will continue to let players kneel or sit during the national anthem without a penalty, capitulating to demands by the athletes for free expression but potentially further alienating fans who object to the protests and feel they are disrespectful to the flag and the military.

"But, after a meeting Tuesday with union representatives and players, the league did promise to help support some of the causes targeted by the protesting players, including reform of the criminal justice system." http://nyti.ms/2ySrp0Q

THE JUICE ...

-- **SPOTTED** at **GHIBELLINA:** Ivanka and Jared dining solo Tuesday night.

-- MCCLATCHY'S ANITA KUMAR: "The Republican National Committee raised more than $100 million in the first nine months of 2017, marking the first time it has raised that much, that fast, in a non-presidential election year." http://bit.ly/2yxexw8

MONEY IN YOUR EARS -- POLITICO's new Money podcast brings you to the intersection of Washington and Wall Street with the most influential minds on the economy. Every Wednesday, Ben White will help you understand the economic and financial policies that move markets. While money never sleeps, you have to - so let Ben keep you up to speed and turn dollars into sense. The first POLITICO Money podcast, premiering with our launch sponsor, Morgan Stanley, features Treasury Secretary Steven Mnuchin. ***Subscribe here*** http://politi.co/2gmJTit

Playbook Reads

PHOTO DU JOUR: Greek Prime Minister Alexis Tsipras and President Donald Trump hold a joint press conference in the Rose Garden at the White House on Oct. 17. | Drew Angerer/Getty Images

THE BATTLEFIELD -- "Navy SEALs Were Ready if Pakistan Failed to Free Family Held as Hostages," by NYT's Adam Goldman and Eric Schmitt: "A C.I.A. drone was

AMERICAN OVERSIGHT

circling a remote valley in northwest Pakistan last month when it picked up an unusual sight: a young woman and children in a militant camp. To intelligence analysts, she appeared to be an American abducted five years earlier while backpacking in Afghanistan with her Canadian husband. The grainy images were a breakthrough. Military planners mobilized members of the Navy's SEAL Team 6, an elite group of commandos, to mount a rescue ...

"But the operation was called off amid concerns, and days later, the C.I.A. watched in alarm as militants drove the family out of the camp and across Pakistan's lawless tribal lands. The top American diplomat in Pakistan, Ambassador David Hale, turned to his host country ... delivering an urgent message to the Pakistani government: Resolve this, or the United States will. The implication was clear. If the Pakistanis did not act decisively, the United States would set aside its unease and launch a raid deep inside the country to free the family." http://nyti.ms/2yuzi9t

ON RUSSIA ...

-- "Spicer interviewed by Mueller's team," by Annie Karni and Josh Dawsey: "President Donald Trump's former press secretary Sean Spicer met with special counsel Robert Mueller's team on Monday for an interview that lasted much of the day, according to multiple people familiar with the meeting. During his sitdown, Spicer was grilled about the firing of former FBI director James Comey and his statements regarding the firing, as well as about Trump's meetings with Russians officials including one with Foreign Minister Sergei Lavrov in the Oval Office ... Spicer declined to comment." http://politi.co/2yxKULb

-- "Judge tosses libel lawsuit against AP by Russian oligarch tied to Manafort," by Josh Gerstein: "A federal judge has tossed out a libel lawsuit filed against The Associated Press by a Russian oligarch whose business dealings with former Trump campaign chairman Paul Manafort have come under scrutiny by investigators probing Russian influence in the 2016 presidential election. Russian industrialist and investor Oleg Deripaska sued the AP in May, alleging that the news outlet falsely implied that Deripaska was paying Manafort for work aimed at advancing the goals of the Russian government and Russian president Vladimir Putin." http://politi.co/2ywnJjW

-- "Putin's 'chef,' the man behind the troll factory," by CNN's Tim Lister, Jim Sciutto, and Mary Ilyushina: "Yevgeny Prigozhin is a Russian oligarch dubbed 'chef' to President Vladimir Putin by the Russian press. ... U.S. investigators believe it was Prigozhin's company that financed a Russian 'troll factory' that used social media to spread fake news during the 2016 U.S. presidential campaign ... One part of the factory had a particularly intriguing name and mission: a 'Department of Provocations' dedicated to sowing fake news and social divisions in the West ... Prigozhin is one of the Kremlin's inner circle. His company is believed to be a main backer of the St. Petersburg-based 'Internet Research Agency' (IRA), a secretive technology firm." http://cnn.it/2yw4yqh

-- VANITY FAIR'S GABE SHERMAN: "JARED KUSHNER ADDS CHARLES

AMERICAN OVERSIGHT

HARDER TO LEGAL TEAM AS WEST WING PRESSURE MOUNTS": "On Monday evening I was contacted by Charles Harder in his capacity as a legal representative for Kushner. ... (Harder, who has represented Hulk Hogan and Melania Trump, recently severed ties with another client, Harvey Weinstein.)" http://bit.ly/2x56Olt

NYT'S MAGGIE HABERMAN: "Bipartisan Group Plans to Urge Trump to Adjust Policing Policies": "A broad coalition of law enforcement officials and activists is expected to urge President Trump on Wednesday to adjust policies on policing and criminality, the first time such a group has spoken out against the Trump administration. Some of the nation's most prominent prosecutors, police chiefs and criminal justice overhaul advocates -- including Senator Thom Tillis, Republican of North Carolina, as well as representatives from the conservative Koch brothers network -- will gather in Washington for the National Law Enforcement Summit. The former attorney general Eric H. Holder Jr. and Sally Q. Yates, the acting attorney general whom Mr. Trump abruptly fired in the first few days of his presidency, will speak." http://nyti.ms/2zwVKP

TRUMP ADMINISTRATION DEPARTURE LOUNGE -- CNN's Tal Kopan: "Department of Homeland Security press secretary David Lapan, the voice of the department and a longtime colleague of White House chief of staff John Kelly, is leaving the Trump administration ... Lapan [will be] joining the Bipartisan Policy Center as senior director of communications and public affairs at the end of the month." http://cnn.it/2gPpPly

****** **A message from JPMorgan Chase & Co.: Keeping Jobs at Home** America is falling behind when it comes to a tax system that helps spur job growth and expand economic opportunity. A 2017 EY report found that the existing tax structure has put job creators here at home at a disadvantage: updating the outdated tax system could have kept nearly 4,700 companies in the United States. That could mean more products made here in America, more parts sourced from American companies and billions of dollars spent here at home. As JPMorgan Chase Chairman and CEO Jamie Dimon put it, "Reforming the tax code is the single most important thing that Congress could do to jump-start our economy, create jobs, and raise wages for American workers." Learn more: http://politi.co/2wSCuu0 ******

TRUMP INC. -- "The Miami Heat will move its charity golf tournament away from President Trump's course," by WaPo's Dave Fahrenthold: "The Miami Heat basketball team, which has held a charity golf tournament at President Trump's Doral golf course for four straight years, will shift that tournament to another course in 2018, a team spokesman said. The spokesman declined to give a reason for the change. 'We're not getting into it,' the spokesman said. He declined to be quoted by name. The Heat has held the tournament -- called the Heat Scramble or the Heat Golf Classic -- at Trump's Doral golf resort, outside Miami, every year since at least 2014." http://wapo.st/2ghAMfb

PUERTO RICO -- "Warren to call for the cancellation of Puerto Rico's debt," by Colin Wilhelm: "'Puerto Rico is facing a full-scale humanitarian crisis, and every last dollar of aid must go to helping the hurricane victims,' Warren said in a statement

AMERICAN OVERSIGHT

emailed to POLITICO. 'We have an obligation to put the lives of U.S. citizens ahead of Wall Street profits - it's as simple as that. Wall Street vulture funds should not get a single penny more from the devastated island.' Warren's office did not elaborate on how she would propose to eliminate Puerto Rico's massive debt."

HOLLYWOODLAND -- "The Other Brother: Bob Weinstein Was an Abusive Boss," by WSJ's Alexandra Berzon and Ben Fritz: "Over the years, movie producer Bob Weinstein has belittled and bullied employees, shoved an executive's spouse and pressured a subordinate to date him, people who worked for him said. Bob Weinstein hasn't been accused of the kind of severe sexual misconduct that led to the ouster of his brother, Harvey ... Instead ... he was a volatile executive whose behavior, which went on for years at his companies, wouldn't be tolerated in most American corporations. Jeffrey Katzenberg, who ran Walt Disney Co.'s movie studio for some of the time it owned the brothers' former studio Miramax, said it was Bob Weinstein who caused problems for Disney executives." http://on.wsj.com/2yqnszJ

MEDIAWATCH -- FUTURE OF NEWS - "New York Times' Breakthrough 'The Daily' Soars Past 100M Download Mark," by Ken Doctor on The Street: "'The Daily' is becoming a phenomenon, an out-of-the-blue hit that is forcing print-based business leaders to think anew about the revolutionary power of digital audio. Further, as the leading edge of The New York Times' now dozen-strong audio unit, it may provide a growing line of revenue still badly required to overcome print ad loss. ... [W]eekday daily downloads [have been] growing 34% since June. ... Able to obtain ad rates equaling video ad sales, the Times now plans to build a 'franchise' around The Daily's success." http://bit.ly/2ywvNRS

-- Laura Barrón-López is joining the Washington Examiner as a political reporter. She previously covered Congress for the Huffington Post and is an alum of The Hill.

Playbookers

SPOTTED: Former Speaker John Boehner at Nobu in West End ... Sen. Dick Durbin (D-Ill.) walking alone last night into Boxcar Tavern in Eastern Market and immediately heading to the back of the restaurant -- Sen. Heidi Heitkamp (D-N.D.) and Sen. Angus King (I-Maine) later joined him. ... Sen. Ron Johnson (R-Wis.) meeting with DHS nominee Kirstjen Nielsen Tuesday afternoon -- ***pic*** http://bit.ly/2zwY3SI ... Jeff Roe and Sam Nunberg last night at the Yankees-Astros game -- ***pic*** http://bit.ly/2yw0iqV

OUT AND ABOUT - Pool report: "French Ambassador Gérard Araud hosted a reception to celebrate 'The Michelin Guide 2018' for Washington, D.C., Tuesday evening at his residence. Guests toasted the restaurant scene in D.C., including the 11 one-star and three two-star (out of only 25 in the U.S.) restaurants included this year. A special shout out was given to José Andrés, who was in Puerto Rico serving meals to those recovering from the hurricane." ***The list*** http://bit.ly/2yTyZIk ... ***$8.90 on Amazon***

AMERICAN OVERSIGHT

http://amzn.to/2gNLdrq1

SPOTTED: Sen. Sheldon Whitehouse (D-R.I.), Sen. Mark Warner (D-Va.), Secretary Wilbur Ross, Douglas and Heidi Rediker, Gwen and Stuart Holliday, Ashley and Ben Chang, Jonathan Karl, UAE Ambassador Yousef Al Otaiba, Jordanian Ambassador Dina Kawar, Andrea Mitchell, Bret and Amy Baier, Steve Clemons, Margaret Carlson, Juleanna Glover, Lyndon Boozer, Kate Bennett, Mark Landler, Arturo Sarukhán, Tony Podesta, Marie Royce, Kathleen Biden, Jane Harman, Pamela Brown, Richard Chalkey, Eleanor Clift, Virginia Coyne, Ambassador Paula Dobriansky, Susan Eisenhower, Tammy Haddad, Bart Gordon, Tamera Luzzatto, David Leiter, Trevor Potter, Barbara Slavin, Elizabeth Thorp.

WELCOME TO THE WORLD -- Josh Sharp, co-founder of Advoc8 and an RNC alum, and **Melissa Sharp**, senior media planner at National Media and an NRSC alum, on Tuesday welcomed Jacob Alexander "Jake" Sharp, weighing 7 lbs 6 oz and measuring 20 inches long. "Their Election Day due date turned into an 'October surprise.' Mom and baby are healthy and well." ***Pic*** http://politi.co/2xOv0Ne

BIRTHDAY OF THE DAY: Caitlin Conant, executive director of communications at CBS News and a Portman/Rubio alum, celebrating with Alex at Bourbon Steak. **A fun fact about Caitlin:** "I'm one of the few townies. I grew up in Gaithersburg and am a Georgetown Visitation alum (Politico's own Lisa Leonard is one of my best friends from the class of '04). You can still find many of this rare breed at Town Hall for football Sunday afternoons, which I try to join after I wrap up work for 'Face the Nation.'" **Read her Playbook Plus Q&A:** http://politi.co/2gOJ1zT

BIRTHDAYS: Annie LeHardy, a White House press aide, is 25. She's celebrating at a happy hour with friends ... Julia Ioffe ... Politico's Annie Karni and Margaret Stewart ... Steven Greenhouse ... Michael Krempasky, partner at Brunswick Group ... Rep. Dennis Ross (R-Fla.) is 58 (h/t J.P. Freire) ... Rep. Brenda Lawrence (D-Mich.) is 63 ... Makese Motley ... Daniel Scarvalone of Bully Pulpit Interactive ... Colorado State Rep. Dan Pabon is 4-0 ... Jan Simmons ... Troy Appel ... Joshua Sinai ... Babs Chase, VP of civic engagement at JPMorgan Chase ... Bill Evers, research fellow at the Hoover Institution ... Colleen Sullivan ... Valeria Boucas ... Katherine Lyons Hahn ... Kiki Reginato of Hearst Digital Media ... Amazon's Theresa Lepow ... Amanda Robinson ... Rachael Parry ... Jake Loft, client services associate for Targeted Victory (h/ts Lenny Alcivar and Logan Dobson) ... DOT's Marianne McInerney (h/t Rick Ahearn) ...

... Fox News' Jon Decker, celebrating by watching Chris Rock perform at the MGM ... Marion Smith, executive director of Victims of Communism Memorial Foundation ... Jonathan Tasini ... Trisch Smith, EVP and group head at Edelman in D.C. ... Bloomberg's Cas Holloway ... Sarah Cannon ... Steve Whitmer ... Flavia Colgan ... Karen Smith Murphy ... Martha Burk ... Richard Lobo ... former Rep. Chris Shays (R-Conn.) is 72 ... former Sen. Jim Talent (R-Mo.) is 61 ... Mason Wiggins ... Bristol Palin is 27 ... Anne Summers (h/t Teresa Vilmain)

AMERICAN OVERSIGHT

****** **A message from JPMorgan Chase & Co.: Investing in America** The American economy powers the world, but our tax system is holding us back. A 2017 EY report found that reforming the tax system could have brought an additional $195 billion of foreign direct investment into the United States, an increase of 14 percent. That investment can help companies expand, explore new strategies and grow. What does that mean for America? It can help jumpstart our economy, make our country stronger in an increasingly competitive world, and can mean more jobs and higher wages for the American workers. Learn more about what tax reform can mean for our country: http://politi.co/2ghszvf ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Kundinger, Kelly[kundinger.kelly@epa.gov]
From: Michelle Wynn
Sent: Fri 6/22/2018 9:44:09 PM
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

AMERICAN OVERSIGHT

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn

DEQ - Legislative Liaison

405-702-7163 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

AMERICAN OVERSIGHT

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

AMERICAN OVERSIGHT

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you

AMERICAN OVERSIGHT

need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wheeler, Andrew[wheeler.andrew@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Block, Molly
Sent: Fri 5/4/2018 1:11:58 PM
Subject: RE: EPA News Highlights 5.4.18
EPA News Highlights 5.4.18.docx

If you're having issues accessing the word doc. Please try the new one attached.

From: Block, Molly
Sent: Friday, May 4, 2018 8:45 AM
To: Daniell, Kelsi <daniell.kelsi@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Wheeler, Andrew <wheeler.andrew@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: EPA News Highlights 5.4.18

EPA News Highlights 5.4.18

AMERICAN OVERSIGHT

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

AMERICAN OVERSIGHT

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

AMERICAN OVERSIGHT

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

AMERICAN OVERSIGHT

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

AMERICAN OVERSIGHT

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

AMERICAN OVERSIGHT

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

“If you try to deceive the United States, then you will pay a heavy price,” Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. “The indictment unsealed today alleges that Volkswagen’s scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends “a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities.”

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

AMERICAN OVERSIGHT

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

AMERICAN OVERSIGHT

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant

AMERICAN OVERSIGHT

Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

AMERICAN OVERSIGHT

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt

AMERICAN OVERSIGHT

named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1

AMERICAN OVERSIGHT

1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don t exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight, 7:00 P.M., @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies
Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting
EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal
A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech
President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say
Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

AMERICAN OVERSIGHT

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost
Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment
https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies
EPA Tailoring Superfund Agreements for Concerned Companies
By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

AMERICAN OVERSIGHT

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-

AMERICAN OVERSIGHT

aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

AMERICAN OVERSIGHT

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

AMERICAN OVERSIGHT

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

AMERICAN OVERSIGHT

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there

AMERICAN OVERSIGHT

where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

AMERICAN OVERSIGHT

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

AMERICAN OVERSIGHT

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

AMERICAN OVERSIGHT

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don't exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on [illegible] tonight, 7:00 P.M., [illegible].

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

To: Danieli, Kelsi[danieli.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wheeler, Andrew[wheeler.andrew@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Block, Molly
Sent: Fri 5/4/2018 12:44:38 PM
Subject: EPA News Highlights 5.4.18
EPA News Highlights 5.4.18.docx

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one

AMERICAN OVERSIGHT

entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He

AMERICAN OVERSIGHT

often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes

AMERICAN OVERSIGHT

from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court

AMERICAN OVERSIGHT

disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

AMERICAN OVERSIGHT

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

AMERICAN OVERSIGHT

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

AMERICAN OVERSIGHT

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally

AMERICAN OVERSIGHT

oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

AMERICAN OVERSIGHT

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

AMERICAN OVERSIGHT

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

AMERICAN OVERSIGHT

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said

AMERICAN OVERSIGHT

Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don t exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight, 7:00 P.M., @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies
Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting
EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal
A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech
President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say
Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost
Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

AMERICAN OVERSIGHT

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

AMERICAN OVERSIGHT

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not

AMERICAN OVERSIGHT

commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company

AMERICAN OVERSIGHT

spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

AMERICAN OVERSIGHT

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo

AMERICAN OVERSIGHT

and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

AMERICAN OVERSIGHT

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

AMERICAN OVERSIGHT

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don't exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight, 7:00 P.M., @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Block, Molly[block.molly@epa.gov]; Danieli, Kelsi[danieli.kelsi@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Hewitt, James
Sent: Mon 12/11/2017 2:57:29 PM
Subject: EPA News Highlights 12.11.17
EPA News Highlights 12.11.17.docx

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

AMERICAN OVERSIGHT

The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media

AMERICAN OVERSIGHT

and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

AMERICAN OVERSIGHT

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites

EPA names Butte and Anaconda as priority Superfund sites

By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks

AMERICAN OVERSIGHT

as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html

Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

AMERICAN OVERSIGHT

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about $50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about $1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

AMERICAN OVERSIGHT

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

AMERICAN OVERSIGHT

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

AMERICAN OVERSIGHT

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

AMERICAN OVERSIGHT

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

"We are offering you an opportunity to confer with us about the violations," Mr. Czerniak wrote in the letter. "You may have an attorney represent you at this conference."

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has

AMERICAN OVERSIGHT

been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. “Heritage Thermal is one of the city’s largest employers,” he said. “We are all friends and neighbors with those that work there.”

Still, he said, residents want the matter resolved. “Our constituents deserve answers that no one seems to want to provide,” he said.

A spokesman for the E.P.A. declined to comment on the case’s status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it “is committed to continuously enhancing its performance and environmental compliance.”

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. “Something made them slam on the brakes,” she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when

AMERICAN OVERSIGHT

inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found "the highest levels of ambient manganese concentrations in the United States," a complaint issued during the Obama administration said. Health officials warned that the situation represented "a public health hazard and should be mitigated as soon as possible to reduce harmful exposures."

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was

AMERICAN OVERSIGHT

waiting for the court to act. "It would not be appropriate to discuss the open enforcement matters," the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

"It makes me feel like less of a mother," said Ms. Pratt of the pollution problems. "You can't protect your children."

Fighting back tears, she added, "People say to me, 'Why don't you just pick up and move out of here?' Well, I just don't have the money to do that."

Industry Gets a Sympathetic Ear

The memo was marked "Privileged/Confidential/Do Not Release" and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt's top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

AMERICAN OVERSIGHT

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the

AMERICAN OVERSIGHT

tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases

AMERICAN OVERSIGHT

involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release

AMERICAN OVERSIGHT

sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay $2.5 million in civil penalties, some of which will go to Louisiana, and spend $300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

AMERICAN OVERSIGHT

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

AMERICAN OVERSIGHT

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa

Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

Reuters

AMERICAN OVERSIGHT

https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

AMERICAN OVERSIGHT

By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about $615,000. Getting $100 more in business income would force the lawyer to pay $105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first $100 of the spouse's

AMERICAN OVERSIGHT

wages would require $107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be

AMERICAN OVERSIGHT

unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below $500,000 for a married couple.

The deduction then phases out over $100,000 in income, according to a complex formula, disappearing entirely once income reaches $624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to $2,000 but phases it out beginning at $500,000 income for joint filers. The credit shrinks by $50 for every $1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

AMERICAN OVERSIGHT

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, $200,000, as opposed to $100,000, of income above $500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below $500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084

Americans Give Trump Higher Grades on Economy Than Overall

By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

AMERICAN OVERSIGHT

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's $1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

AMERICAN OVERSIGHT

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections,'' said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

AMERICAN OVERSIGHT

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway

AMERICAN OVERSIGHT

tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some
Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall
Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention

EPA targeting Portland Superfund site for 'immediate, intense' attention
By Ericka Cruz Guevarra, 12/10/17

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites

EPA names Butte and Anaconda as priority Superfund sites
By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

AMERICAN OVERSIGHT

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html
Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers
By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about $50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to

AMERICAN OVERSIGHT

cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about $1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not

AMERICAN OVERSIGHT

authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those

AMERICAN OVERSIGHT

episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

"We are offering you an opportunity to confer with us about the violations," Mr. Czerniak wrote in the letter. "You may have an attorney represent you at this conference."

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. "Heritage Thermal is one of the city's largest employers," he said. "We are all friends and neighbors with those that work there."

Still, he said, residents want the matter resolved. "Our constituents deserve answers that no one seems to want to provide," he said.

A spokesman for the E.P.A. declined to comment on the case's status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it "is committed to continuously enhancing its performance and environmental compliance."

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. "Something made them slam on the brakes," she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found "the highest levels of ambient manganese concentrations in the United States," a complaint issued during the Obama administration said. Health officials warned that the situation represented "a public health hazard and should be mitigated as soon as possible to reduce harmful exposures."

AMERICAN OVERSIGHT

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was waiting for the court to act. "It would not be appropriate to discuss the open enforcement matters," the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

"It makes me feel like less of a mother," said Ms. Pratt of the pollution problems. "You can't protect your children."

Fighting back tears, she added, "People say to me, 'Why don't you just pick up and move out of here?' Well, I just don't have the money to do that."

Industry Gets a Sympathetic Ear

The memo was marked "Privileged/Confidential/Do Not Release" and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt's top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

AMERICAN OVERSIGHT

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

AMERICAN OVERSIGHT

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay $2.5 million in civil penalties, some of which will go to Louisiana, and spend $300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

AMERICAN OVERSIGHT

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa

Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

AMERICAN OVERSIGHT

Reuters

https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about $615,000.

AMERICAN OVERSIGHT

Getting $100 more in business income would force the lawyer to pay $105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first $100 of the spouse's wages would require $107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below $500,000 for a married couple.

AMERICAN OVERSIGHT

The deduction then phases out over $100,000 in income, according to a complex formula, disappearing entirely once income reaches $624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to $2,000 but phases it out beginning at $500,000 income for joint filers. The credit shrinks by $50 for every $1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, $200,000, as opposed to $100,000, of income above $500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below $500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084

Americans Give Trump Higher Grades on Economy Than Overall

By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in

AMERICAN OVERSIGHT

November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's $1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections,'' said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Chancellor, Erin
Sent: Fri 6/22/2018 8:04:19 PM
Subject: RE: Touching base regarding Monday
Tar Creek Talkers.docx

Tar Creek talkers attached. I know it's 2 pages BUT the first section (highlights) is the main part for him. John Meyers know all about the site, too. If you need anything else, please let me know.

Thanks,

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

(202) 731-2835 (cell)

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>

AMERICAN OVERSIGHT

Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

Tar Creek (Ottawa County) Superfund Site – June 22, 2018

Highlights – Ongoing Work

- **OU2**: EPA is funding the Oklahoma Department of Environmental Quality (ODEQ) to continue to address lead in residential soils. Outreach efforts identify properties not previously addressed.
- **OU4**: EPA continues to work closely with the Quapaw Tribe of Oklahoma and the ODEQ on the implementation of the Site's remedy. EPA continues to award Cooperative Agreements to both the Quapaw Tribe and the ODEQ to carry out remedial actions at the Site.
    - Institutional controls (ICs): Need ICs on certain properties, which will require amending 25 Code of Federal Regulations (CFR). Region 6, the Quapaw Tribe, and the Bureau of Indian Affairs are all working together on this effort.
    - Rail spur acquisition: BNSF has offered to gift a rail spur to the cities of Miami and Commerce. The cities would like to use the rail spur to transport chat out of the Site.
- **OU5**: Regions 6 and 7 are working with 3 states (OK/MO/KS), 8 Tribes, and the community to characterize sediment and surface water throughout the Spring and Neosho River basins.

Cleanup History

- **OU 1**: Completed – Surface water/groundwater – ROD signed in 1984.
    - Addresses: Surface water degradation by the discharge of acid mine water and the threat of contamination of the Roubidoux Aquifer, the regional water supply, and the downward migration of acid mine water from the overlying Boone Aquifer through abandoned wells connecting the aquifers.
    - Final remedy: Included use of diking and diversion structures to reduce the inflow of surface water to 3 mine shafts at the Site and reduce the outflow of acid mine water from the subsurface to Tar Creek and plugging Roubidoux wells.
    - December 1986: Construction activities finished.
- **OU2**: Ongoing (ODEQ now lead) – Residential areas – ROD signed in 1997.
    - Addresses: Contaminated soil in residential areas. New properties that require sampling assessment and remediation are being addressed by ODEQ through a cooperative agreement with Region 6 (R6). The residential remediation and the education and outreach programs implemented by the Ottawa County Health Department are helping to protect children's health.
    - 1995: EPA began excavating contaminated soil at high-access areas (HAAs) & Site residences.
    - Through 2017: Nearly 3,000 residential properties and HAAs have been remediated.
- **OU3**: Completed – Eagle-Picher Office Complex/abandoned mining chemicals – removal action completed in 2000 – no further action necessary.
    - Addressed: 120 containers of chemicals were removed as part of the removal response action.
- **OU4**: Ongoing – Chat piles, other mine and mill waste, and smelter waste – ROD signed in 2008.
    - Addresses: The undeveloped rural and urban areas of the Site where mine residues, mill residues, and smelter wastes have been placed, deposited, stored, disposed of, or otherwise have come to be located due to mining, milling, smelting, or related operations.
    - Final remedy: Called for a phased approach to address the mining waste over a period of ~30 years, including a residential buyout that was managed by a Trust. The buyout was initiated

AMERICAN OVERSIGHT

in 2009 and completed in 2011. Included residents of Picher, OK, Cardin, OK, and Treece, KS. An April 2010 ESD documented the decision to relocate the residents.

- 2009: Remedial action activities began. Activities include: Remediation of Non-OU2 rural residential yards; Remediation of source materials including a former lead smelter and chat piles/bases; Construction of the Central Mill Repository; Fine injection pilot study; Transition zone soil contamination; and Addressing contamination in water at rural residential wells.
- Completed remedial activities: ~60 chat piles/bases remediated; 309,787 tons of chat sold; 3 residences provided city water after unsafe drinking water wells were plugged/abandoned; ~43,600 tons of chat injected into underground mine caverns during 3 chat disposal pilot projects; 40K tons of mine waste contained in innovative trench/road system; & ~58,065 tons of washed chat fines injected directly into mine caverns eliminating sediment/holding ponds.

- **OU5**: Ongoing – Surface water and sediments – ROD unsigned.
  - Addresses: Characterization of sediment and surface water throughout lower Spring/Neosho River basins, and understanding the potential risks associated with exposures to surface water and sediment through a Human Health Risk Assessment (HHRA) are being conducted.
  - Coordination: Effort is being coordinated with Region 7, 3 states, 8 Tribes, and the community. OU5 includes 7 watersheds covering approximately 437 square miles and 119 river miles.

Site Background

- **Location**: The Site has no clearly defined boundaries, but consists of areas within Ottawa County impacted by historical mining wastes. Site is part of the Tri-State Mining District (TSMD) that consists of historical lead and zinc mining areas comprised of 4 NPL Superfund sites across 3 states: (1) Cherokee County Site, Cherokee County, KS; (2) Orongo-Duenweg Site, Jasper County, MO; (3) Newton County Mine Tailings Site, Newton County, MO; and (4) Tar Creek Site.
- **1979**: Water began flowing to the surface near Commerce, OK from the underground mine working.
- **1980**: Oklahoma Governor established the Tar Creek Task Force, composed of various local, state, and federal agencies, to investigate the effects of mine drainage on the area's surface water.
- **July 1981**: EPA proposed to add the Site to the NPL.
- **September 8, 1983**: Site added to the NPL.

Mining History & Related Impacts

- **History**: Mining operations began in Ottawa County when ore was discovered near Peoria in 1891. Rapid expansion of mining activities occurred during the 1920s, and mining activities reached their peak around 1925. The last record of significant production from Ottawa County occurred in 1970.
- **Chat**: The mill tailings are locally known as chat and primarily consists of fine gravel-sized and coarse sand-sized rock fragments. After the excavated rock was processed and the metal ore extracted, the mining tailings that remained were deposited into piles that were up to 200 feet in height.
  - A 2005 inventory conducted for OU 4 (part of the RI) identified 83 chat piles over 767 acres (estimated volume of 31M cubic yards (CY)); and 243 chat bases/former piles over 2,079 acres (estimated volume of 6.7M CY).
- **Fine tailings ponds**: Ponds containing wastes produced from the flotation milling process and chat

AMERICAN OVERSIGHT

reprocessing operations. Most of the flotation ponds have since evaporated, leaving behind a very fine mining waste sediment that remains on the Site. Fine tailings are either flotation tailings (generated during the extraction or milling process) or washed fine tailings (generated as a byproduct of washing chat for commercial aggregate sale and from chat reprocessing through the mills). Fine tailings generated from milling and washing chat are currently found in 63 ponds over 820 acres, with an estimated volume of 9.1M million CY (washed fine tailings making up approximately 7.2M CY (78%) and floatation tailings making up approximately 1.9M CY (21.3%) (2005 RI inventory).

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Fri 1/19/2018 12:28:15 PM
Subject: January 19 -- Energywire is ready

Read today's Energywire on the web

SUBSCRIPTION

ENERGYWIRE — Fri., January 19, 2018

READ FULL EDITION

1.REGULATION:

FERC's McIntyre says tax cut issues on the table

Chairman Kevin McIntyre said yesterday that the Federal Energy Regulatory Commission is looking into what the agency could do to ensure that rates paid by consumers reflect the large decline in the federal corporate tax rate enacted late last year.

TOP STORIES

2.KEYSTONE XL:

TransCanada heralds 'successful' open season for customers

3.NATURAL GAS:

Report finds 'no silver bullet' to replace Calif.'s underground storage

ELECTRICITY

4.GRID:

Call for conservation helps alleviate crunch in MISO South

5.ELECTRICITY:

New England winters expose fuel security risk

6.FRANCE:

Government seeks to speed up activists' appeals of wind farms

7.RENEWABLES:

Facebook data center spurs wind, solar expansion in N.M.

OIL AND GAS

8.BLM:

Permitting backlog grew slightly last year

9.SUPERFUND:

Okla. AG opposes release of Tar Creek audit

10.MARKETS:

Oil field services could see renewed profits in 2018

11.VENEZUELA:

No sign of end to plummeting crude output — analysts

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

AMERICAN OVERSIGHT

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Thur 12/7/2017 3:03:56 PM
Subject: POLITICO's Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 10:00 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments - 10-11 a.m. and then 2 p.m. onwards - to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies - Vivint and SolarCity - received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

- California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

- Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

- The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

- Patagonia sues over Trump's monuments order. AP.

- Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

- Pipeline explodes in southeastern New Mexico oil patch. AP.

- Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

THAT'S ALL FOR ME!

To view online:
https://www.politico.com/newsletters/morning-energy/2017/12/07/pruitt-heads-to-house-grilling-today-043377

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]
From: Michelle Wynn
Sent: Fri 6/22/2018 4:39:23 PM
Subject: Fwd: Touching base regarding Monday

Tate -
Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn
DEQ - Legislative Liaison
405-702-7163 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney
Department of Environmental Quality
(405) 702-7167 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>

AMERICAN OVERSIGHT

Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

AMERICAN OVERSIGHT

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

AMERICAN OVERSIGHT

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: CQ Budget
Sent: Thur 8/24/2017 10:06:17 AM
Subject: Trump Threatens Shutdown, Again
Morning_Newsletter-46548.txt

By Jennifer Shutt, CQ

Thursday, Aug. 24, 2017

TOP LINES

1. Government Shutdown: President Donald Trump threatened to shut down the government if he doesn't get border wall money in a spending bill.

2. Democrats, Republicans Admonish Trump: A bipartisan group of lawmakers admonished the first-year president over his comments, saying a shutdown wouldn't be a wise choice.

3. McConnell Optimistic on Debt Limit: Senate Majority Leader Mitch McConnell says there is "zero chance" Congress will default on the debt by not raising the debt limit on time.

FULL BRIEFING

1. Trump Threatens Shutdown, Again

President Donald Trump signaled this week that he might veto any spending bill that doesn't include money for his border wall - even if that is the stopgap spending bill that will be needed to keep the government open when the new fiscal year begins on Oct. 1.

Earlier this year on Twitter, Trump threatened what he called a "good" shutdown in September, and he doubled down on those comments Tuesday evening in Arizona, saying, "If we have to close down our government, we're building that wall."

The first test of that will come in late September when Congress is expected to pass a continuing resolution to keep the government funded at current levels for the beginning of fiscal 2018. Using a CR to bridge the gap has been standard practice in recent years and would allow Congress and the White House more time to negotiate a bipartisan

AMERICAN OVERSIGHT

budget agreement that could increase the discretionary spending cap for fiscal 2018 as well as provide time to put together a bipartisan omnibus spending package.

If Trump were to veto the September CR, a partial government shutdown would begin on Oct. 1. But if the president signed the temporary funding measure, the wall funding is likely to be central to negotiations over both a bipartisan budget agreement setting new spending caps as well as the spending bills themselves.

If Democrats and Republicans cannot reach a budget agreement, like they did in 2013 and 2015, Congress would be forced to abide by the $1.065 trillion spending cap set out in 2011. The 2013 and 2015 agreements allowed lawmakers to increase the caps for two years.

Trump's comments Tuesday raise the prospect that even if he signs one CR without wall funds, he may be ready to veto a second CR, especially if it covered the entire fiscal year. The threat implies the potential for a partial government shutdown at some point later this year, most likely in December.

If the threatened veto does happen, Senate Majority Leader Mitch McConnell and House Speaker Paul D. Ryan would have to decide whether to let the government enter a partial shutdown during the first year of unified Republican government, or override Trump's veto. Both choices carry their own political and economic risks.

2. Democrats, Republicans Criticize Trump

Congressional Democrats and some Republicans on Wednesday sharply criticized Trump's shutdown threat.

Senate Democratic Leader Charles E. Schumer of New York said a partial government shutdown "won't accomplish anything;" House Democratic Leader Nancy Pelosi of California said, "Democrats will stand fast against the immoral, ineffective border wall;" and the top Democrat on the House Appropriations Committee, Nita M. Lowey of New York said Trump's comments were "the polar opposite of leadership."

House Speaker **Paul D. Ryan**, R-Wis., said during a conference

AMERICAN OVERSIGHT

Wednesday that he doesn't think a partial government shutdown is necessary. But he said a stopgap spending bill will be needed to keep the government open as Congress and the White House continue working on fiscal 2018 spending bills.

"I don't think a government shutdown is necessary and I don't think most people want to see a government shutdown, ourselves included," Ryan said, taking a milder tone than his Democratic colleagues.

"The fact is, though, given the time of year it is and the rest of the appropriations bills that we have to do, we are going to need more time to complete our appropriations process, particularly in the Senate." Ryan continued. "So that's something that I think we all recognize and understand -- that we are going to need some more time to complete our appropriations process. So, I don't think anyone is interested in having a shutdown."

Ryan went on to reinforce his support for "physical barriers" along the U.S. border with Mexico.

CQ's Kellie Mejdrich reports that Senate Appropriations Chairman Thad Cochran, R-Miss., "is on record as being critical of government shutdowns, which do not advance the good of the country," according to a Senate Appropriations Committee aide for the majority. Senior House appropriator Tom Cole, R-Okla., also criticized Trump's calls for a partial government shutdown. "No, I think it's always a mistake to shut down the government... I would strongly advise against any threat to shut down the government of the United States," Cole said on CNN.

3. Democrats Reject 'Dreamers' for Border Wall Proposal

The White House was already trying to get ahead of the border wall stalemate before Trump made another promise of a partial government shutdown.

Officials have been working to get Trump on board with a plan that would provide deportation relief and work permits for about 800,000 people enrolled in the 2012 Deferred Action for Childhood Arrivals program in exchange for border wall funding and a reduction in legal immigration, according to a McClatchy news service report.

AMERICAN OVERSIGHT

But the proposal has been rejected by numerous Democrats. CQ's Dean DeChiaro reports that Senate Minority Whip Richard J. Durbin of Illinois called the proposal a "nonstarter," Pelosi called it "reprehensible to treat children as bargaining chips," and a senior Democratic aide said Democrats would not support "anything resembling" the proposal.

4. McConnell, Mnuchin Optimistic on Debt Limit

Senate Majority Leader Mitch McConnell and Treasury Secretary Steven Mnuchin are both confident that Congress and the administration will reach an agreement on how to address the debt limit in September, before the country defaults.

"There is zero chance -- no chance -- we won't raise the debt ceiling. No chance. America is not going to default, and we'll get the job done in conjunction with the secretary of the Treasury," McConnell said at a business event with Mnuchin this week.

Mnuchin followed up, saying "This is about having a clean debt ceiling so that we can maintain the best credit, the reserve currency, and be focused on what we should be focusing on -- so many other really important issues for the economy."

Congressional Republicans are divided over whether to pass a clean bill, or to tie the must-pass legislation to changes in future spending. With the deadline quickly approaching and many other bills on the list for September, leaders from both parties will have to reach an agreement quickly if they want to avoid a serious economic problem.

In addition to reaching a bipartisan agreement on the debt limit, Congressional leaders will have to determine whether to move the debt ceiling bill on its own or put it in a package with the continuing resolution. McConnell and Mnuchin's comments came before Trump threatened to veto spending bills that did not include border wall money. Adding the debt limit bill to a package that may or may not get vetoed could be a risky maneuver.

5. Secret Service May Need Additional Funds

The Secret Service is asking Congress to lift the ceiling on how much its agents can be paid in a year to address the amount of overtime the agents have been working.

AMERICAN OVERSIGHT

The Secret Service is not yet asking Congress for additional funds for the current fiscal year or the upcoming fiscal year, but may need to do so. "To be clear, we are not asking Congress for more money," said Secret Service spokeswoman Catherine Milhoan. CQ's Gopal Ratnam reports "the agency is only asking lawmakers to lift the pay cap. She could not say, however, if the service will need additional funding to meet salary obligations."

The Trump family is large, in multiple locations and travels frequently - requiring more security than other first families. Trump also leaves the White House frequently to play golf in Virginia and visit his properties in New York, New Jersey and Florida.

The Secret Service made a similar request of Congress in 2016, when it was providing security for multiple presidential candidates during the primary and general election campaign.

6. McCaskill Writes Mattis About Improper Payments

Defense Secretary James Mattis needs to explain how the Pentagon is working to reduce the number of improper payments to contractors and individuals, according to a letter Sen. Claire McCaskill sent him this week.

"When it comes to defense spending, it's especially important that taxpayer dollars aren't being wasted and instead are being used to strengthen our national security as much as possible," said the Missouri senator, the top Democrat on the Homeland Security and Governmental Affairs Committee and a former state auditor, in a statement to CQ Roll Call. "The Department of Defense needs to lay out what they'll do to identify and reduce improper payments moving forward."

CQ's John M. Donnelly reports that "In May, the Pentagon's inspector general issued a report identifying shortfalls in compliance with five of the six reporting requirements of the Improper Payments Elimination and Recovery Act, or IPERA (PL 111-204), which requires agencies to find payment problems, devise solutions and report on progress."

McCaskill's letter ask that Mattis provide Congress with "an update on DoD's status of implementing OIG's recommendations to reform agency

AMERICAN OVERSIGHT

compliance with IPERA for FY 2017, including whether the stated deadlines in DoD's action plan have been met, are on track for completion, or have been adjusted."

SCHEDULE SHIFT

With Congress in recess for the rest of this month, your Budget Tracker doesn't want to clog your mailbox while you try to enjoy some time at the beach or your favorite summer vacation spot.

That's why your CQ Budget briefing will be published only twice weekly, on Mondays and Thursdays, during the recess. But you can be sure you will hear from us if urgent budget news develops. And your CQ Budget will resume regular daily publication when Congress reconvenes on Sept. 5.

PODCAST PAUSE

We're pretty sure you don't want to listen to a budget podcast from your beach blanket or mountaintop cabin.

So with Congress still in recess, your Budget Tracker Extra podcast will take a brief pause, returning on Sept. 5 with a new host: David Lerman, your faithful Budget Tracker editor. In the meantime, you can catch up on any old episodes -- or listen to your favorites one more time -- by checking iTunes, Stitcher, SoundCloud, or NPR One.

CHART CHECK

Check the status of any appropriations bill by using Budget Tracker's Bill Status Chart. We give you instant bill texts, votes and amendments at your fingertips!

TRACKER TALK

Send comments and questions to your CQ Budget Editor David Lerman. It's free of charge and so much fun!

E-mail: davidlerman@cqrollcall.com or budget@cq.com

Special: Budget Drama

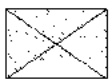
Check out CQ's special page featuring the latest on Congress' spending battles.

AMERICAN OVERSIGHT

CQ ON FACEBOOK

Check out CQ Now's Facebook page for daily intelligence, graphics and more!

.



© 2017 All Rights Reserved, CQ-Roll Call, Inc.

1625 Eye Street, Washington, DC 20006 | 202-650-6500

For feedback, please contact feedback@cqrollcall.com

You are subscribed as bennett.tate@epa.gov
To stop or change your subscription, forward this message to
unsubscribe@cqrollcall.com.
Issue-Id: 181511044:budgettracker:1284

AMERICAN OVERSIGHT

CQ BUDGET

By Jennifer Shutt, CQ

Thursday, Aug. 24, 2017

TOP LINES

1. Government Shutdown: President Donald Trump threatened to shut down the government if he doesn't get border wall money in a spending bill.

2. Democrats, Republicans Admonish Trump: A bipartisan group of lawmakers admonished the first-year president over his comments, saying a shutdown wouldn't be a wise choice.

3. McConnell Optimistic on Debt Limit: Senate Majority Leader Mitch McConnell says there is "zero chance" Congress will default on the debt by not raising the debt limit on time.

FULL BRIEFING

1. Trump Threatens Shutdown, Again

President Donald Trump signaled this week that he might veto any spending bill that doesn't include money for his border wall - even if that is the stopgap spending bill that will be needed to keep the government open when the new fiscal year begins on Oct. 1.

Earlier this year on Twitter, Trump threatened what he called a "good" shutdown in September, and he doubled down on those comments Tuesday evening in Arizona, saying, "If we have to close down our government, we're building that wall."

The first test of that will come in late September when Congress is expected to pass a continuing resolution to keep the government funded at current levels for the beginning of fiscal 2018. Using a CR to bridge the gap has been standard practice in recent years and would allow Congress and the White House more time to negotiate a bipartisan budget agreement that could increase the discretionary spending cap for fiscal 2018 as well as provide time to put together a bipartisan omnibus spending package.

If Trump were to veto the September CR, a partial government shutdown would begin on Oct. 1. But if the president signed the temporary funding measure, the wall funding is likely to be central to negotiations over both a bipartisan budget agreement setting new spending caps as well as the spending bills themselves.

If Democrats and Republicans cannot reach a budget agreement, like they did in 2013 and 2015, Congress would be forced to abide by the $1.065 trillion spending cap set out in 2011. The 2013 and 2015 agreements allowed lawmakers to increase the caps for two years.

Trump's comments Tuesday raise the prospect that even if he signs one CR without wall funds, he may be ready to veto a second CR, especially if it

AMERICAN OVERSIGHT

covered the entire fiscal year. The threat implies the potential for a partial government shutdown at some point later this year, most likely in December.

If the threatened veto does happen, Senate Majority Leader Mitch McConnell and House Speaker Paul D. Ryan would have to decide whether to let the government enter a partial shutdown during the first year of unified Republican government, or override Trump's veto. Both choices carry their own political and economic risks.

2. Democrats, Republicans Criticize Trump

Congressional Democrats and some Republicans on Wednesday sharply criticized Trump's shutdown threat.

Senate Democratic Leader Charles E. Schumer of New York said a partial government shutdown "won't accomplish anything;" House Democratic Leader Nancy Pelosi of California said, "Democrats will stand fast against the immoral, ineffective border wall;" and the top Democrat on the House Appropriations Committee, Nita M. Lowey of New York said Trump's comments were "the polar opposite of leadership."

House Speaker Paul D. Ryan, R-Wis., said during a conference Wednesday that he doesn't think a partial government shutdown is necessary. But he said a stopgap spending bill will be needed to keep the government open as Congress and the White House continue working on fiscal 2018 spending bills.

"I don't think a government shutdown is necessary and I don't think most people want to see a government shutdown, ourselves included," Ryan said, taking a milder tone than his Democratic colleagues.

"The fact is, though, given the time of year it is and the rest of the appropriations bills that we have to do, we are going to need more time to complete our appropriations process, particularly in the Senate," Ryan continued. "So that's something that I think we all recognize and understand -- that we are going to need some more time to complete our appropriations process. So, I don't think anyone is interested in having a shutdown."

Ryan went on to reinforce his support for "physical barriers" along the U.S. border with Mexico.

CQ's Kellie Mejdrich reports that Senate Appropriations Chairman Thad Cochran, R-Miss., "is on record as being critical of government shutdowns, which do not advance the good of the country," according to a Senate Appropriations Committee aide for the majority. Senior House appropriator Tom Cole, R-Okla., also criticized Trump's calls for a partial government shutdown. "No, I think it's always a mistake to shut down the government... I would strongly advise against any threat to shut down the government of the United States," Cole said on CNN.

AMERICAN OVERSIGHT

3. Democrats Reject 'Dreamers' for Border Wall Proposal

The White House was already trying to get ahead of the border wall stalemate before Trump made another promise of a partial government shutdown.

Officials have been working to get Trump on board with a plan that would provide deportation relief and work permits for about 800,000 people enrolled in the 2012 Deferred Action for Childhood Arrivals program in exchange for border wall funding and a reduction in legal immigration, according to a McClatchy news service report.

But the proposal has been rejected by numerous Democrats. CQ's Dean DeChiaro reports that Senate Minority Whip Richard J. Durbin of Illinois called the proposal a "nonstarter," Pelosi called it "reprehensible to treat children as bargaining chips," and a senior Democratic aide said Democrats would not support "anything resembling" the proposal.

4. McConnell, Mnuchin Optimistic on Debt Limit

Senate Majority Leader Mitch McConnell and Treasury Secretary Steven Mnuchin are both confident that Congress and the administration will reach an agreement on how to address the debt limit in September, before the country defaults.

"There is zero chance -- no chance -- we won't raise the debt ceiling. No chance. America is not going to default, and we'll get the job done in conjunction with the secretary of the Treasury," McConnell said at a business event with Mnuchin this week.

Mnuchin followed up, saying "This is about having a clean debt ceiling so that we can maintain the best credit, the reserve currency, and be focused on what we should be focusing on -- so many other really important issues for the economy."

Congressional Republicans are divided over whether to pass a clean bill, or to tie the must-pass legislation to changes in future spending. With the deadline quickly approaching and many other bills on the list for September, leaders from both parties will have to reach an agreement quickly if they want to avoid a serious economic problem.

In addition to reaching a bipartisan agreement on the debt limit, Congressional leaders will have to determine whether to move the debt ceiling bill on its own or put it in a package with the continuing resolution. McConnell and Mnuchin's comments came before Trump threatened to veto spending bills that did not include border wall money. Adding the debt limit bill to a package that may or may not get vetoed could be a risky maneuver.

5. Secret Service May Need Additional Funds

The Secret Service is asking Congress to lift the ceiling on how much its agents can be paid in a year to address the amount of overtime the agents have been working.

The Secret Service is not yet asking Congress for additional funds for the

AMERICAN OVERSIGHT

current fiscal year or the upcoming fiscal year, but may need to do so. "To be clear, we are not asking Congress for more money," said Secret Service spokeswoman Catherine Milhoan. CQ's Gopal Ratnam reports "the agency is only asking lawmakers to lift the pay cap. She could not say, however, if the service will need additional funding to meet salary obligations."

The Trump family is large, in multiple locations and travels frequently - requiring more security than other first families. Trump also leaves the White House frequently to play golf in Virginia and visit his properties in New York, New Jersey and Florida.

The Secret Service made a similar request of Congress in 2016, when it was providing security for multiple presidential candidates during the primary and general election campaign.

6. McCaskill Writes Mattis About Improper Payments

Defense Secretary James Mattis needs to explain how the Pentagon is working to reduce the number of improper payments to contractors and individuals, according to a letter Sen. Claire McCaskill sent him this week.

"When it comes to defense spending, it's especially important that taxpayer dollars aren't being wasted and instead are being used to strengthen our national security as much as possible," said the Missouri senator, the top Democrat on the Homeland Security and Governmental Affairs Committee and a former state auditor, in a statement to CQ Roll Call. "The Department of Defense needs to lay out what they'll do to identify and reduce improper payments moving forward."

CQ's John M. Donnelly reports that "In May, the Pentagon's inspector general issued a report identifying shortfalls in compliance with five of the six reporting requirements of the Improper Payments Elimination and Recovery Act, or IPERA (PL 111-204), which requires agencies to find payment problems, devise solutions and report on progress."

McCaskill's letter ask that Mattis provide Congress with "an update on DoD's status of implementing OIG's recommendations to reform agency compliance with IPERA for FY 2017, including whether the stated deadlines in DoD's action plan have been met, are on track for completion, or have been adjusted."

SCHEDULE SHIFT

With Congress in recess for the rest of this month, your Budget Tracker doesn't want to clog your mailbox while you try to enjoy some time at the beach or your favorite summer vacation spot.

That's why your CQ Budget briefing will be published only twice weekly, on Mondays and Thursdays, during the recess. But you can be sure you will hear from us if urgent budget news develops. And your CQ Budget will resume regular daily publication when Congress reconvenes on Sept. 5.

AMERICAN OVERSIGHT

PODCAST PAUSE

We're pretty sure you don't want to listen to a budget podcast from your beach blanket or mountaintop cabin.

So with Congress still in recess, your Budget Tracker Extra podcast will take a brief pause, returning on Sept. 5 with a new host: David Lerman, your faithful Budget Tracker editor. In the meantime, you can catch up on any old episodes -- or listen to your favorites one more time -- by checking iTunes, Stitcher, SoundCloud, or NPR One.

CHART CHECK

Check the status of any appropriations bill by using Budget Tracker's Bill Status Chart. We give you instant bill texts, votes and amendments at your fingertips!

TRACKER TALK

Send comments and questions to your CQ Budget Editor David Lerman. It's

AMERICAN OVERSIGHT

free of charge and so much fun!

E-mail: davidlerman@cqrollcall.com or budget@cq.com

Special: Budget Drama

Check out CQ's special page featuring the latest on Congress' spending battles.

CQ ON FACEBOOK

Check out CQ Now's Facebook page for daily intelligence, graphics and more!

More Coverage - http://www.cq.com/budgettracker

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]
From: Chancellor, Erin
Sent: Fri 6/22/2018 3:29:18 PM
Subject: RE: Touching base regarding Monday

Will do on Tar Creek!

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

(202) 731-2835 (cell)

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

AMERICAN OVERSIGHT

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

AMERICAN OVERSIGHT

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Nolan, Rich[RNolan@nma.org]
From: Bennett, Tate
Sent: Thur 12/7/2017 2:13:49 PM
Subject: Re: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

On Dec 7, 2017, at 8:12 AM, Nolan, Rich <RNolan@nma.org> wrote:

Sending 5

On Dec 7, 2017, at 7:43 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Usual suspects

On Dec 7, 2017, at 7:40 AM, Nolan, Rich <RNolan@nma.org> wrote:

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's

AMERICAN OVERSIGHT

mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill

AMERICAN OVERSIGHT

Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1

AMERICAN OVERSIGHT

(115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of

AMERICAN OVERSIGHT

extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports. "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

AMERICAN OVERSIGHT

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike

AMERICAN OVERSIGHT

Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

AMERICAN OVERSIGHT

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

AMERICAN OVERSIGHT

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

AMERICAN OVERSIGHT

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

AMERICAN OVERSIGHT

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

AMERICAN OVERSIGHT

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats

AMERICAN OVERSIGHT

cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

AMERICAN OVERSIGHT

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy

AMERICAN OVERSIGHT

bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the

AMERICAN OVERSIGHT

principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't

AMERICAN OVERSIGHT

compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to

AMERICAN OVERSIGHT

be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a

AMERICAN OVERSIGHT

Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

AMERICAN OVERSIGHT

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been

AMERICAN OVERSIGHT

ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to

AMERICAN OVERSIGHT

conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy.

AMERICAN OVERSIGHT

Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It

AMERICAN OVERSIGHT

included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

AMERICAN OVERSIGHT

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

AMERICAN OVERSIGHT

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

AMERICAN OVERSIGHT

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative

AMERICAN OVERSIGHT

federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

AMERICAN OVERSIGHT

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers

AMERICAN OVERSIGHT

was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

AMERICAN OVERSIGHT

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

AMERICAN OVERSIGHT

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

AMERICAN OVERSIGHT

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

---

This email was sent to molan@anna.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 4/26/2018 9:44:10 AM
Subject: Morning Energy: Pruitt steps up to the plate — Tester's 'great equalizer' — Bishop still talking NEPA

By Kelsey Tamborrino | 04/26/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT STEPS UP TO THE PLATE: Scott Pruitt makes his eagerly anticipated trip to the Hill this morning, and the stakes couldn't be higher for the embattled EPA administrator. His appearances before the House E&C Committee in the morning and Appropriations panel in the afternoon — ostensibly to defend the Trump administration's proposed cuts to EPA's budget — will give lawmakers their first opportunity to directly question Pruitt since the news broke about his heavy spending, sweetheart condo rental, VIP security and first-class flights. And while both Democrats and Republicans are expected to pull no punches as they weigh Pruitt's behavior, the real audience will be sitting in 1600 Pennsylvania Ave.

Check out this graphic breakdown of Pruitt's problems by POLITICO's Emily Holden, Alex Guillén and your ME host.

— **The administrator has kept a low profile** in the lead-up to today's events — even leaving press out of a Tuesday announcement on his plan to ban secret science — but expect the cameras to be out in force this morning. ME breaks down what to expect today as Pruitt heads for the batter's box. (ME is also taking suggestions for an appropriate walk-up song. One option here.)

THE GAME PLAN: Pruitt will point out he now flies coach when he travels, and shift the blame to staffers for the raises given to two of his close aides, according to a talking points document — dubbed "hot topics" — obtained by The New York Times. He will likely also say officials who were reassigned or demoted after challenging his spending all had performance issues.

— **EPA did not dispute the authenticity** of the Times document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels." You can read Pruitt's full opening statement for the E&C hearing here.

DEMOCRATS WILL SEARCH FOR ANSWERS: The afternoon session is expected to dive into Pruitt's proposed deep cuts to the agency's budget and his deregulatory actions, but that doesn't mean Democrats will ignore the ethics woes dogging the embattled chief. "Administrator Pruitt, you are letting the American people and your agency down," Rep. Betty McCollum, ranking member of the Appropriations subpanel, plans to say. Democrat Nita Lowey, the ranking House appropriator, will question Pruitt on the Antideficiency Act after the Government Accountability Office found EPA illegally failed to notify Congress about the cost of his secure phone booth. Meanwhile, E&C's top Democrat Frank Pallone wouldn't tip his hand: "I just hope

AMERICAN OVERSIGHT

he shows up," he said when ME asked for his plan of attack.

— **House Energy and Commerce Democrats** will hold a news conference at 9 a.m. to once again call for Pruitt's ouster. Kathy Castor and Paul Tonko will attend, alongside representatives from numerous green groups.

REPUBLICANS OFFER SOME ADVICE: "Answer the questions and stay calm," John Shimkus said. "And the time will eventually end." The Illinois Republican didn't let on about his line of questions to Pruitt, but added: "It's not going to all be addressing stewardship issues. There are going to be policy questions."

— **Fellow Oklahoman and member of the Approps committee** Tom Cole expects the "highly charged" hearing to contain some "pretty much straight budget questions" — at least from the Republican side. Cole said he recently spoke to Pruitt on the upcoming hearing and warned him it would be "rugged."

Keep in mind: None of the committee Republicans said they'd been in contact with the White House ahead of the session. Shimkus said the Republicans hadn't huddled ahead of time to develop a game plan as they sometimes do with high-profile hearings. And Democrats are expected to turn out in force — E&C members not on the Environment subpanel will "waive in" to the hearing. They don't need GOP permission to do so, but will have to wait until all subcommittee members participate before asking questions. ME would look here for especially fiery questions or any surprises.

STRIKE 3? Pruitt's critical audience, of course, will be President Donald Trump, who has so far stuck by him, but is expected to judge how Pruitt fares in front of the cameras, POLITICO's Anthony Adragna and Nancy Cook report. So far, Pruitt's support among Trump's conservative backers has kept him on solid ground, despite the growing resentment of a "high maintenance" EPA chief among White House officials. "The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

IN THE OUTFIELD: Environmental group Defend Our Future will hand out first-class boarding passes today at the Pruitt hearing, while Moms Clean Air Force will deliver these report cards. And the League of Conservation Voters and its state parners will launch television ads today urging Sens. Dean Heller and Cory Gardner to hold Pruitt accountable. Watch them here and here.

If you go: The E&C hearing will begin at 10 a.m. in 2323 Rayburn, and the Appropriations hearing at 2 p.m. in 2007 Rayburn. Watch the livestreams here and here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and the American Petroleum Institute's Jeff Stein was the first to name Khartoum, Sudan — the capital city where the Blue and White Niles meet to form the Nile. For today: Name the state where the first officially designated

AMERICAN OVERSIGHT

Democratic floor leader hailed. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

PUBLIC LANDS CRUCIAL FOR TESTER: Democratic Sen. Jon Tester 's bid for reelection could come down to how he handles public lands issues, Pro's Kevin Robillard reports. Close to one-third of the land in Tester's home state of Montana is under federal government ownership, and the Democratic senator hopes to use it to keep on board those who voted Trump — including hunters, hikers, snowmobilers and ranchers. "Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock told Kevin. "It doesn't matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize lands. Bullock emphasized it in his reelection bid in 2016 and New Mexico Sen. Martin Heinrich, who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior west. "There a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation. Read more.

DEMOCRATS CALL FOR SPECIAL COUNSEL: In a letter Wednesday to the U.S. Office of Special Counsel, Pallone and Oversight ranking member Elijah Cummings requested an investigation into whether there is a pattern of problematic personnel practices at EPA. The Democrats point to recent reports of agency officials being reassigned, demoted or requesting new roles, after voicing concerns on Pruitt. "The reassignment or dismissal of employees who questioned Administrator Pruitt's wasteful and potentially unlawful expenditures suggests a troubling pattern of retaliation against EPA employees that may be illegal," they write. Read the letter here.

BISHOP STILL TALKING NEPA: House Natural Resources Chairman Rob Bishop told ME he's been in contact with administration officials "over the last few weeks" about a series of modifications to NEPA that he says "run the gamut." His two overarching goals are to speed the permitting process and to enact categorical exclusions that will limit litigation to allow projects to advance more quickly. "It's one of the consistent problems they recognize," he said of the administration's engagement on NEPA.

Apples to oranges: Controversy over $139,000 spent on doors at Interior is not comparable to spending woes engulfing Pruitt, according to Bishop. "There are some real issues and there are some issues that we play around with," he said. "This is one I think people are playing with." Interior officials said previously that career facilities and security officials recommended the work and that Secretary Ryan Zinke was not aware of it.

AMERICAN OVERSIGHT

THAT DAM BILL: The House passed a heavily watched measure, H.R. 3144 (115), Wednesday that would override a court decision requiring changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon. The measure, from Washington Rep. Cathy McMorris Rodgers, passed by a nearly party-line vote of 225-189, and now heads to the Senate, where some of the region's Democratic senators have made known their opposition. Pro's Annie Snider breaks down more here.

REFINERY WORKERS HIT THE HILL: Close to 100 workers from refineries Monroe Energy, Philadelphia Energy Solutions and PBF Energy will rally for their jobs and Renewable Fuel Standard reform on the Hill today, the United Steelworkers said. The rally begins at 1 p.m. in the "Senate Swamp" — the grass across the drive from the east Senate steps. Texas Sen. Ted Cruz will participate in a press conference with the workers at the same time. Watch the livestream here.

OFF-SHORE UP SUPPORT: While it didn't have quite the same build-up as Pruitt's hearings this morning, the House Natural Resources energy and mineral resources subcommittee will hold a hearing today on offshore energy revenue sharing for Gulf-producing states, with a focus on the Gulf of Mexico Energy Security Act. Democrats intend to call out the oil and gas industry and demand they take responsibility for their role in causing the destruction of Louisiana wetlands, according to a release. Former Sen. Mary Landrieu (D-La.), now a senior policy adviser at Van Ness Feldman, and John Barry, former board member of the Southeast Louisiana Flood Protection Authority — East, will testify, among others. **If you go:** The hearing begins at 10 a.m. in 1324 Longworth.

GET YOUR COMMENTS IN: Comments are due today on EPA's proposed repeal of the Clean Power Plan. The Competitive Enterprise Institute, for one, will file a comment today in support of the proposed repeal, calling the CPP "unlawful." Close to 20 other individuals from free-market groups signed onto the joint comment. Google, meanwhile, submitted its own comment Wednesday "respectfully" urging EPA to forgo the repeal. "Google continues to believe that the Clean Power Plan aligns with overall electricity sector trends and the specific goals of our company," it says. The Natural Resources Defense Council and NRDC Action Fund said it generated 208,000 comments in support of keeping the CPP.

MAIL CALL! IN THE AIR TONIGHT: California Sen. Dianne Feinstein wrote to Transportation Secretary Elaine Chao Wednesday, calling on her to maintain national fuel economy standards set by California under the Clean Air Act. "I ask for your commitment to maintain the Corporate Average Fuel Economy standards at the maximum feasible level, as required by law, and to seek consensus with California so that we can continue to enjoy the success of a coordinated national program to improve fuel economy," Feinstein wrote. Read the letter here.

— **Eighty-seven lawmakers signed onto a letter Wednesday** that calls on Pruitt to reinstate the "once in, always in" policy to "safeguard" from harmful air pollutants. "This is a matter of critical human health and safety," the lawmakers write. Read it here.

GoT RENEWABLES? Rapper Kanye West tweeted about his connection to Trump and their

AMERICAN OVERSIGHT

"dragon energy" on Wednesday. "We are both dragon energy. He is my brother. I love everyone. I don't agree with everything anyone does." Spoiler: It's not an energy company we forgot to tell you about. Bloomberg breaks it down here, but earlier in the day, West described dragon energy as, "Natural born leaders Very instinctive Great foresight." The House Natural Resources account tweeted the exchange telling West to "have your people call our people."

QUICK HITS

— Behind the scenes of Pruitt's Nevada trip, E&E News.

— U.S. mine safety agency website 'hacked,' remains down, S&P Global.

— Exxon Mobil boosts quarterly dividend to 82 cents, Reuters.

— Climate change could make thousands of tropical islands "uninhabitable" in coming decades, new study says, The Washington Post.

— Memo: Park Police officers were forbidden from wearing body cameras, The Hill.

— Perry's son owns an energy investment company. Is that a problem? McClatchy.

HAPPENING TODAY

8:00 a.m. — Water Leaders summit on "Building an Innovative Future for Water Policy and Technology in America," 215 Capitol Visitors Center

8:30 a.m. — George Mason University's Center for Energy Science and Policy symposium on "Energy-Water Nexus," Fairfax, Va.

9:00 a.m. — Colorado State University hosts symposium on "Water in the West," Denver

10:00 a.m. — The U.S. Energy Association forum on "fostering the deployment of CCUS technologies," 1300 Pennsylvania Ave NW

10:00 a.m. — The House Energy and Commerce Committee hearing on EPA's budget request, 2323 Rayburn

10:00 a.m. — House Science Environment and Space subcommittees hearing on "Surveying the Space Weather Landscape," 2318 Rayburn

10:00 a.m. — House Natural Resources Oversight Subcommittee hearing on "Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States," 1324 Longworth

10:00 a.m. — The Center for Strategic and International Studies' Energy and National Security Program discussion on "Challenges to Ukrainian Energy Reform and European Energy

AMERICAN OVERSIGHT

Security," 1616 Rhode Island Avenue NW

11:30 a.m. — The Atlantic Council discussion on "From an Oil Company to an Energy Company," 1030 15th Street NW

1:00 p.m. — Monroe Energy, Philadelphia Energy Solutions and PBF Energy news conference on RINs prices under the Renewable Fuel Standard, Capitol.

1:30 p.m. — Information Technology and Innovation Foundation release on "Closing the Innovation Gap in Grid-Scale Energy Storage," 1101 K Street NW

2:00 p.m. — House Appropriations Interior, Environment, and Related Agencies Subcommittee hearing on EPA's fiscal 2019 budget, 2007 Rayburn

2:00 p.m. — House Natural Resources Committee hearing on H.R. 5317 (115) and H.R. 211 (115), 1324 Longworth

2:00 p.m. — Senate Appropriations Energy and Water Development Subcommittee hearing on the Nuclear Regulatory Commission's proposed budget for FY 2019, 430 Dirksen

2:30 p.m. — The Center for a New American Security discussion on "Geopolitical Risks and Opportunities of the Lower Oil Price Era," 1152 15th Street NW

3:00 p.m. — Rep. Nydia Velázquez discussion on "21st Century Energy Solutions for Puerto Rico," S-115

5:00 p.m. — The Atlantic Council discussion on "Investing in Iraq: Reconstruction and the Role of the Energy Sector," 1030 15th Street NW

6:30 p.m. — Wild & Scenic Film Festival with screenings of feature films that cover topics from climate change to environmental justice, and a panel discussion on women in the outdoors, 1307 L Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-steps-up-to-the-plate-183688

Stories from POLITICO Pro

Pruitt scales back EPA's use of science Back

By Emily Holden and Annie Snider | 04/24/2018 03:17 PM EDT

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the

AMERICAN OVERSIGHT

agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt's persistence in pursuing President Donald Trump's anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency's approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it's going to be reproducible, it's going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we've drawn the proper conclusions or not," Pruitt said.

Text of the proposed rule was not immediately available.

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

AMERICAN OVERSIGHT

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

To view online click here.

Back

Report: Pruitt plans to shift blame for scandals Back

By Emily Holden | 04/25/2018 01:55 PM EDT

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

AMERICAN OVERSIGHT

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President [Donald] Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels."

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA's inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations "in short order."

To view online click here.

Back

'It could be pretty painful' when Pruitt faces Congress Back

By Anthony Adragna and Nancy Cook | 04/25/2018 06:00 PM EDT

When Scott Pruitt returns to Capitol Hill on Thursday, he will find few friends ready to greet him — and an audience of one waiting to determine his fate.

Republicans say they aren't going to give the Environmental Protection Agency chief a free pass on accusations of lavish spending, a sweetheart condo lease and luxe air travel during a pair of high-stakes hearings. Since Pruitt's previous appearance on Capitol Hill in January, he has faced an avalanche of damaging headlines and investigations that have alienated much of the White House and raised questions about his future leading the agency.

President Donald Trump has so far stuck by Pruitt. But the biggest test for the media-obsessed president may be how Pruitt fares in front of the cameras — only three weeks after he drew poor reviews for a combative interview with Fox News' Ed Henry.

House Energy and Commerce Chairman Greg Walden (R-Ore.) said Pruitt will receive a "cordial reception, but he's got some tough questions to answer."

Rep. John Shimkus (R-Ill.), whose subcommittee will be Pruitt's first stop Thursday, said the administrator should expect a "cool" reception from Republicans — who still strongly support his work to pare back EPA rules.

"It could be pretty painful, but when you accept the position of a senior administrator in a federal agency you've got to expect [that]," Shimkus, who chairs the Energy and Commerce Environment Subcommittee, told Politico. "You've just to grin and bear it and get through it."

AMERICAN OVERSIGHT

Pruitt has few allies left in the White House, apart from the president himself. Senior administration aides characterized the hearings as potential make-or-break moments for Pruitt but said it's ultimately up to the president as to whether the White House wants to tolerate Pruitt's bad press.

Trump is largely keeping Pruitt around because he appreciates Pruitt's hard-charging agenda and because the White House does not want to go through another bruising confirmation battle over another Republican to lead EPA, according to senior administration officials and Republicans close to the White House. Already the White House expended great political energy this week on its pick for secretary of state, Mike Pompeo, a former congressman whom the White House views as eminently qualified but who is barely expected to squeak through the Senate confirmation process.

Most important, the president fears that dumping Pruitt would anger conservatives.

"The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

When asked at the White House briefing on Wednesday about Pruitt's spending and potential ethical violations, press secretary Sarah Huckabee Sanders would only say: "We are evaluating these concerns, and we expect the EPA administrator to answer for them."

Pruitt's waning support among White House aides has been months in the making. And at this point, many administration officials say they are tired of the terrible headlines and consider the allegations about Pruitt a nonstop swirl of distractions. It's not just Pruitt's handling of the questions that has irked White House officials but the facts themselves about the way he's led the EPA and run his own staff.

Over the past year, Pruitt has also alienated members of the communications team, National Economic Council, and Cabinet Affairs in various fights over policy like the Paris climate deal, messaging over policy rollouts, and spending decisions at the EPA. Another Republican close to the White House said Pruitt has earned a reputation among White House aides as "high maintenance."

The White House was not involved in helping to prepare Pruitt for the two Hill hearings on Thursday.

Shimkus predicted the toughest questions would come from the other side of the aisle.

"We need to make sure that we understand and recognize the valid, valid concerns that are out there on policy and administrative activity," he said. "But I don't think we'll be gouging his eyes out either — I think we'll have other folks that'll do that."

Some Pruitt supporters say he should be judged on his overall tenure.

AMERICAN OVERSIGHT

"It should be based on his past performance, not necessarily standing in front of a microphone," House Natural Resources Chairman Rob Bishop (R-Utah) said. Bishop's committee does not have jurisdiction over EPA, but he has been a strong supporter of Pruitt's policy goals.

In his opening statement released ahead of the hearing, Pruitt will sidestep any discussion of the latest controversies, instead focusing on policy goals like Superfund cleanups and working more closely with states. "I will focus on key objectives to improve air quality, provide for clean and safe water, revitalize land and prevent contamination, ensure the safety of chemicals in the marketplace, assure compliance with the law, and improve efficiency and effectiveness," Pruitt will say in his prepared remarks.

Democrats are expected to tie the scandals facing Pruitt to his aggressive deregulatory push and proposal to slash EPA's budget by more than a quarter — which they see as just as worrisome as his alleged ethical improprieties. Multiple aides said there's such strong interest in the session that committee Democrats not on the Environment Subcommittee plan to participate, which does not require signoff from the majority.

"There's a confluence of concerns here that I think the Democrats are going to want to get answers to," Rep. Paul Tonko of New York, top Democrat on the panel, told POLITICO. "We were concerned yesterday, we're concerned today and we'll be concerned tomorrow if he's there."

There will be no shortage of things to ask him about, including the more than $105,000 the agency has spent on his first-class flights, lavish spending on a $43,000 soundproof phone booth and round-the-clock security, a cushy $50-per-night condo lease from a Washington lobbyist who personally met with Pruitt to discuss the agency's Chesapeake Bay work, and a trip to Morocco in December on which he spent time promoting liquefied natural gas exports — a topic that isn't part of his agency's portfolio. Pruitt is also facing scrutiny over the significant pay raises the agency gave to a handful of his longtime aides from Oklahoma despite the White House's objections.

Federal watchdogs, the agency's inspector general, congressional investigators and the White House have launched more than a dozen investigations into various aspects of Pruitt's conduct.

But Rep. Joe Barton (R-Texas), the longest-serving member of Energy and Commerce, said Pruitt's ethics issues are "not the purpose of the hearing" and suggested many Republicans would come to the administrator's defense. However, he said the panel's GOP members have not met in advance to plot strategy.

"He's had a lot of death threats. I don't have a problem with his security costs," Barton said Wednesday. "I don't really have a major problem with his telecommunications setup. It's a difficult job to be the EPA administrator when you're a Republican."

Still, signs are increasing of weariness toward Pruitt among congressional Republicans. Three senior Senate Environment and Public Works Committee Republicans, including his staunch ally Sen. Jim Inhofe (R-Okla.), called for hearings into Pruitt's behavior earlier this week. Four

AMERICAN OVERSIGHT

House Republicans have called for his resignation. And EPW Chairman John Barrasso (R-Wyo.) said he has "serious questions" about Pruitt's spending and pledged to send additional oversight letters.

"He'll need to acquit himself well," Sen. John Thune, the No. 3 Republican in the Senate, said when asked about how important the sessions will be for Pruitt's future in the administration.

An aide to Rep. Betty McCollum of Minnesota, top Democrat on the House Appropriations Interior and Environment Subcommittee, where Pruitt will appear Thursday afternoon, told POLITICO their hearing would likely focus more on Pruitt's proposed cuts to nearly a quarter of the agency's budget and regulatory rollbacks.

"I expect the E&C hearing will have a greater focus on the ethical concerns surrounding Pruitt," the aide said.

Some Democrats on Energy and Commerce acknowledge Pruitt has in the past performed well in congressional hearings, which they said could allow him to respond to some of the charges.

"If Mr. Trump is going to look for a good performance, I bet he'll put up a great performance," said Rep. Scott Peters (D-Calif.), another member of the subpanel. "But if he doesn't address the substance of the ethical and environmental challenges, I hope that they would think about finding someone else."

Other Democrats think Pruitt's main goal will be to avoid a major gaffe but they don't see any way he will emerge from the hearing in a significantly strengthened position.

"One or two of these transgressions would be survivable but there are so many scandals that it's really hard for me to imagine that Republicans want to lower the bar this much," said Sen. Brian Schatz (D-Hawaii), an outspoken Pruitt critic. "It is actually beyond me why they're sticking by him."

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers,

AMERICAN OVERSIGHT

snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

AMERICAN OVERSIGHT

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Colorado-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

Interior spent $139K on Zinke office doors Back

By Anthony Adragna | 03/08/2018 05:58 PM EDT

The Interior Department is spending $139,000 for new doors for Secretary Ryan Zinke's office suite, according to records posted online.

The work was recommended by Interior career facilities and security officials, an agency spokeswoman said, not by Zinke.

"The secretary was not aware of this contract but agrees that this is a lot of money for demo, install, materials, and labor," Heather Swift, the spokeswoman, said in a statement.

The award to Maryland-based Conquest Solutions LLC was first reported by the Associated Press. The work involves replacing three sets of double doors, including two that open onto a balcony and leak during rain storms, the AP reported. An existing set of doors to Zinke's office

AMERICAN OVERSIGHT

from a hallway do not have a lock, so the security will be upgraded with the new doors.

Swift said the work is part of a "decade-long modernization of the historic FDR-era building."

"Between regulations that require historic preservation and outdated government procurement rules, the costs for everything from pencils to printing to doors is astronomical. This is a perfect example of why the Secretary believes we need to reform procurement processes."

Housing and Urban Development Secretary Ben Carson drew criticism recently over news that HUD would spend $31,000 on a dining set. That order was subsequently canceled.

To view online click here.

Back

House passes controversial dam bill Back

By Annie Snider | 04/25/2018 04:45 PM EDT

The House passed a controversial measure to override a court decision that required changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon.

The measure, H.R. 3144 (115), from Rep. Cathy McMorris Rodgers (R-Wash.), was passed by a nearly party-line vote of 225-189.

The 9th Circuit Court of Appeals earlier this month upheld a lower court decision requiring that water be spilled over the tops of dams along the Columbia and Snake rivers, including the powerhouse Grand Coulee Dam, the largest power station in the U.S., during periods when young salmon and steelhead migrate to the ocean. The suit was brought by the state of Washington, tribes and conservation groups.

McMorris Rodgers and other Republicans in the region have fought the decision because it would reduce the dams' hydropower output. Their legislation would override the courts and require that dam operations continue as they have historically to maximize power production until an environmental review of the system can be completed.

The legislation is the latest front in a yearslong battle over the nearly 100-year-old hydropower system on the rivers. Conservation groups and tribes with treaty fishing rights want it altered and operated to benefit wildlife, including calling for the removal of four dams along the Snake River.

WHAT'S NEXT: The legislation moves to the Senate, where some of the region's Democratic senators have registered their opposition.

AMERICAN OVERSIGHT

To view online click here.

Back

EPA drops 'once in, always in' policy from key Clean Air Act requirements Back

By Alex Guillén | 01/25/2018 06:11 PM EDT

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				

AMERICAN OVERSIGHT

Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 12/7/2017 10:45:23 AM
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

AMERICAN OVERSIGHT

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

AMERICAN OVERSIGHT

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

AMERICAN OVERSIGHT

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

AMERICAN OVERSIGHT

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

AMERICAN OVERSIGHT

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association

AMERICAN OVERSIGHT

President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

AMERICAN OVERSIGHT

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring

AMERICAN OVERSIGHT

federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for

AMERICAN OVERSIGHT

indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now

AMERICAN OVERSIGHT

Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be

AMERICAN OVERSIGHT

commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

AMERICAN OVERSIGHT

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a

AMERICAN OVERSIGHT

dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 7/6/2018 9:44:33 AM
Subject: Morning Energy: Pruitt finally strikes out — EPA blocks formaldehyde warnings, sources say — Pruitt probe continues on

By Kelsey Tamborrino | 07/06/2018 05:42 AM EDT

With help from Emily Holden and Anthony Adragna

PRUITT FINALLY STRIKES OUT: Today marks Scott Pruitt's last day as EPA administrator after his resignation Thursday afternoon. Though he was only head of the EPA for 500 days, his tenure was marred by a seemingly endless stream of scandals into his ethics, finances and management. Pruitt's many issues have generated headlines for the past several months, and it was those "unrelenting attacks" on him and his family that he blamed in his resignation letter.

President Donald Trump announced Pruitt's exit in a tweet in which he commended the EPA chief for doing an "outstanding job" at EPA. Trump announced that Pruitt's deputy, Andrew Wheeler, will become acting administrator of the EPA until a permanent replacement can be found.

SO, WHAT HAPPENED? For weeks the White House has maintained it was concerned with the numerous allegations of wrongdoing by Pruitt, all the while affirming Trump still had faith in the administrator, particularly for his deregulatory zeal. But one Republican close to the White House said Thursday that Trump's support for Pruitt finally dropped when he realized Wheeler could easily carry out the same regulatory rollback — sans the scandals.

For Trump's part, he told reporters aboard Air Force One there was "no final straw," but said the decision had been in the works for "a couple of days." POLITICO's Anthony Adragna, Alex Guillén and Emily Holden report that among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of the few hold-outs left defending Pruitt.

The Washington Post reports Pruitt was also drawing scrutiny from the Office of Management and Budget. Officials told the Post OMB had determined that a $43,000 soundproof phone booth installed for Pruitt was a violation of federal law, though the report has not yet been published.

But the news still dismayed prominent GOP donor Doug Deason, who told POLITICO late Thursday that he was "so disappointed in the President's failure to support Scott against the angry attacks from the loony left." Deason added: "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

Inside the EPA, the general mood Thursday was one of joy, according to both career staffers and political appointees. "A lot of people are relieved it's going to stop," one EPA employee said. There were "a lot of jokes about, 'Like, what do we do with the tactical pants now?' A lot of sharing funny tweets we've seen out there. There was one that was like, 'For sale: Barely used secure phone booth. Very motivated seller.'"

AMERICAN OVERSIGHT

WHAT'S IT MEAN? The change-up at the EPA won't mark a large difference in the Trump administration's approach to environmental policy, and many of the investigations into Pruitt will continue on. But Wheeler, a longtime Washington lobbyist and former Hill staffer, is expected to steer the ship more smoothly. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment," said GOP Sen. Jim Inhofe , for whom Wheeler formerly worked. "What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source told Pro's Eric Wolff over email.

In contrast to Pruitt, Eric and Alex write: "Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued."

Career EPA staffers were enthused but wary of Wheeler, who is known around the agency as friendly and competent, a skilled lawyer who knows how to bulletproof regulatory rollbacks, while avoiding the kind of controversy that has propelled Pruitt into the limelight. Wheeler is also expected to engage more with career staffers, rather than relying solely on a tight circle of political appointees, as Pruitt did. "Will this be a turn for the better or more of the same? ... I'd say we're not optimistic for much better," one person said. "You can't fix stupid by replacing Pruitt."

"[T]he proverbial fox hasn't left the henhouse," said Denise M. Morrison, acting head of AFGE Council 238, which represents about 9,000 EPA workers across the country. "Pruitt's blatant disregard for regulations mustn't be the standard for his former coal lobbyist successor at EPA, Deputy Administrator Andrew Wheeler."

The president said Wheeler was "very much an early Trump supporter," although some were quick to point out that Wheeler called Trump a "bully" in a Facebook post during the presidential primaries. In a statement to ME, Wheeler said he made those comments during his time on the Marco Rubio campaign. But Wheeler said that when he attended a Trump speech in June 2016, Trump gave "the most comprehensive energy speech by a presidential candidate" he'd ever heard. "I then joined the Trump campaign and worked on environmental policy for him," Wheeler added.

WHAT COMES NEXT? If Trump were to soon nominate a permanent replacement for Pruitt, the nominee will certainly face an uphill battle in the Senate, where a contentious agenda is already heating up in the lead-up until midterm elections. Senators on both sides of the aisle have condemned Pruitt's actions, and issues like the Renewable Fuel Standard would be front-and-center in any eventual hearing.

And, even with Pruitt gone, EPA will continue to be forced to release public records detailing how he has managed his agency. One longtime EPA employee said Pruitt's resignation was overdue and hoped that a criminal investigation would take place — and that he would be indicted. "Congress has seriously abdicated any pretense of oversight," the source said. "How many Benghazi hearings?"

AMERICAN OVERSIGHT

Read up! POLITICO's profile on Wheeler here | The complete guide to Pruitt's scandals here | Pruitt's full resignation letter here | How Pruitt blew it here | Pruitt's EPA tenure, in photos | Wheeler's email to staff here

For fun: The Bird, a restaurant in Shaw, has been offering up drink specials whenever a member of the Trump administration is fired. So it should come as no surprise, the restaurant offered $4 happy hour drinks last night, including its "Pruitt Blew It" cocktail special, which features herbs and blueberries. See it here.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. Andeavor's Stephen Brown was first to correctly name the Marion Star, the newspaper for which Warren G. Harding was publisher before he was elected president. For today: Name the first sitting House speaker to lose reelection to his House seat. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.
Join POLITICO at 8:15 a.m. on July 11 at Washington Court Hotel for a dynamic conversation on the role of government and its implications for AI growth in national public safety, privacy and civil rights. RSVP here.

MORE FROM THE SUPPRESSED STUDY BEAT: A draft health assessment of one of the most commonly used chemicals in the country is being suppressed by the Trump administration's EPA, current and former agency officials told POLITICO. The assessment details that most Americans inhale enough formaldehyde vapor in the course of their daily lives to put them at risk of developing leukemia and other ailments, Pro's Annie Snider reports. EPA scientists completed the formaldehyde assessment just before Trump took office, the officials tell Annie, arguing that top Pruitt advisers are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals. "They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System.

Pruitt told a Senate hearing earlier this year that he believed the draft assessment was complete — but five months later, it has yet to see the light of day. Meanwhile, internal documents show , a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings. "As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, a representative of the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. Pruitt appointed White to EPA's influential Science Advisory Board last fall.

AMERICAN OVERSIGHT

And while Pruitt may be gone from the agency, his replacement also has a history with the chemical, Annie notes. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, Inhofe, sought to delay an earlier iteration of the formaldehyde assessment. Read the story here.

IN THE MEANTIME: Aides on the House Oversight Committee say they'll continue their investigation into Pruitt, despite his exit, with Committee Democrats releasing new transcripts from interviews with some of Pruitt's aides on Thursday. Three aides acknowledged removing many meetings from Pruitt's calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after his arrest on alleged sexual abuse charges. "I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," chief of staff Ryan Jackson told committee staff.

TRUMP HITS TESTER IN MONTANA: At a Montana rally for GOP Senate candidate Matt Rosendale, Trump took aim at Democratic Sen. Jon Tester, up for reelection in November in a state with particular interest in public lands and conservation policy. "It's time to retire liberal Democrat Jon Tester," Trump declared to the crowd. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters." POLITICO's Matt Nussbaum points out, however, Trump's attacks don't seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — an attempt to show the state's Trump-friendly voters that the senator can work with the president. Read more.

BUNDLED UP: It worked so well with the first so-called minibus, House Republicans are expected to bring another spending bundle to the floor this month, according to a notice posted Thursday by the Rules Committee. This time around the 2019 funding package will combine the Interior-Environment H.R. 6147 (115) and Financial Services H.R. 6258 (115) spending bills. Both bills "are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels," Pro Budget and Appropriations' Sarah Ferris reports. The package is slated for floor action the week of July 16.

STUDY LOOKS AT TRUMP COAL PLAN CONSEQUENCES: The Trump administration's plan to prop up economically struggling coal and nuclear power plants would result in 353 to 815 premature deaths in 2019-20 due to the additional emissions of sulfur dioxide and nitrogen oxides, according to a new study from Resources for the Future, an independent, nonprofit research institution in Washington. The paper also calculated that each year the policy is in effect would cause 1 death for the 2 to 4.5 coal-mine jobs that it supports. The administration's plan, which it says is being pursued in the interest of national security and is detailed in a draft DOE paper, would delay the retirement of plants that have announced they will close by the end of 2020. Such a policy would support 790 coal-mine jobs, the study found, "though it would be likely to reduce economy-wide employment." Read the report here.

EERE GETS ACTING ASSISTANT SECRETARY: While the president's permanent pick for DOE's energy efficiency and renewable energy office awaits confirmation, Pro's Darius Dixon

AMERICAN OVERSIGHT

reports Cathy Tripodi will take on the role of acting assistant secretary for EERE. Dan Simmons was nominated for the permanent role last month by the White House. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an adviser to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email.

Tripodi joined DOE in January 2017 and has been the director of the department's Lab Operations Board, which coordinates research and mission objectives between the agency headquarters and its far-flung national laboratories.

EU EXTENDS RUSSIA SANCTIONS: The EU extended sanctions against Russia for another six months on Thursday over Moscow's actions in Ukraine, POLITICO Europe's Magdaline Duncan reports. The sanctions target, in part, Russia's energy sector by limiting access to EU markets for three energy companies. EU leaders have said that the sanctions will be lifted once all sides in Ukraine commit to the cease-fire agreed in the Minsk accords.

PUERTO RICO GOVERNOR TAKES IT TO COURT: Puerto Rico Gov. Ricardo Rosselló announced Thursday his government would go to court to challenge the authority of the island territory's federal oversight board to impose policies on the commonwealth, Pro Financial Services' Colin Wilhelm reports. The oversight board in question was established by Congress to address Puerto Rico's debt and has mandated cuts to pensions and government spending in its most recent recovery plan.

— **Separately, the Puerto Rico Electric Power Authority** said this week that 99.9 percent of power has been restored in the aftermath of Hurricane Maria — 10 months after the hurricane destroyed Puerto Rico's grid.

QUICK HITS

— "Americans already living EPA rollbacks under Pruitt," The Associated Press.

— "Doubts grow Aramco IPO will ever happen," The Wall Street Journal.

— "PHMSA agrees to provide public notice of hearings," E&E News.

— "Iran to Trump: Oil will cost $100 per barrel, and it is your fault," Reuters.

HAPPENING TODAY

crickets

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/07/pruitt-finally-strikes-out-272028

AMERICAN OVERSIGHT

Stories from POLITICO Pro

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former

AMERICAN OVERSIGHT

treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his

AMERICAN OVERSIGHT

political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

AMERICAN OVERSIGHT

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic

AMERICAN OVERSIGHT

of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a

AMERICAN OVERSIGHT

dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

AMERICAN OVERSIGHT

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

AMERICAN OVERSIGHT

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican

AMERICAN OVERSIGHT

administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

AMERICAN OVERSIGHT

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Trump: Pruitt didn't want to be a 'distraction' Back

By Stephanie Murray | 07/05/2018 06:27 PM EDT

Environmental Protection Agency head Scott Pruitt abruptly left his Cabinet-level position in the administration because he didn't want to be a "distraction," President Donald Trump told reporters on Thursday afternoon.

"He'll go on to great things and he's going to have a wonderful life, I hope," Trump said on Air Force One, according to a pool report. "But he felt that he did not want to be a distraction for an administration that he has a lot of faith in."

Pruitt is the latest high-ranking official to exit the Trump administration. The former EPA chief had been embroiled in a laundry list of ethics scandals during his tenure. Among them: Pruitt allegedly asked staffers to carry out errands and find his wife a job, and he installed a $43,000 soundproof booth in his office and made other unusual security demands.

In his resignation letter, Pruitt praised the president and said "unrelenting attacks" have taken a toll on him and his family. Most recently, a woman confronted Pruitt in a restaurant and urged him to resign. The confrontation was caught on video and spread widely on the Internet.

AMERICAN OVERSIGHT

There was no final straw that triggered Pruitt's resignation, and the choice was "very much up to him," Trump said during the gaggle on Air Force One. According to the president, the resignation had been in the works for a couple of days.

"Scott Pruitt did an outstanding job inside of the EPA. We've gotten rid of record-breaking regulations, and it's been really good," Trump said. "His deputy has been with me actually a long time. He was very much an early Trump supporter. He was with us on the campaign. He is a very environmental person. He's a big believer, and he's going to do a fantastic job."

Pruitt initially supported former Florida Gov. Jeb Bush, a rival of Trump's during the 2016 campaign for the GOP presidential nomination. New acting EPA chief Andrew Wheeler, who has been serving as Pruitt's deputy and was previously a coal lobbyist, initially served as a volunteer consultant on the campaign of another rival, Sen. Marco Rubio (R-Fla.).

To view online click here.

Back

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such

AMERICAN OVERSIGHT

great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

AMERICAN OVERSIGHT

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that

AMERICAN OVERSIGHT

Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The

AMERICAN OVERSIGHT

National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

Ethanol producers hoping for better treatment from new EPA chief Back

By Eric Wolff | 07/05/2018 05:31 PM EDT

Ethanol producers hope Andrew Wheeler, who will be taking the reigns at EPA as of Friday night, will be more corn-friendly in his management of the the Renewable Fuel Standard than soon-to-depart Administrator Scott Pruitt.

"President Trump made the right decision," said Iowa Sen. Chuck Grassley, who had been

AMERICAN OVERSIGHT

infuriated by Pruitt's actions on the RFS, in a statement on Pruitt's resignation. "Fewer things are more important for government officials than maintaining public trust. Administrator Pruitt, through his own actions, lost that trust. I hope Acting Administrator Wheeler views this as an opportunity to restore this Administration's standing with farmers and the biofuels industry."

Pruitt antagonized ethanol producers and Midwestern farmers with repeated efforts to ease RFS requirements on refiners at what corn farmers perceived as their expense. Before joining EPA, Wheeler was a lobbyist whose clients included ethanol producer trade association Growth Energy.

"That sound you hear is a collective sigh of relief coming from the Midwest," said Bob Dinneen, CEO of the Renewable Fuels Association. "We look forward to working with Acting Administrator Andy Wheeler, whose long career focusing on policies that recognize economic growth and environmental protection are not mutually exclusive is not undermined by an unmistakable anti-ethanol, anti-farmer bias."

Wheeler has a reputation in D.C. as a smooth operator with deep relationships on the Hill.

"What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source said over email. "With Andy I think there will be less free-lancing and more a focus on working with career folks at EPA.... Quite frankly, less free lancing will serve the interests of all stakeholders."

To view online click here.

Back

Pruitt's replacement 'should scare anyone who breathes' Back

By Eric Wolff and Alex Guillén | 05/04/2018 05:49 PM EDT

The man taking the reins at the Environmental Protection Agency following the resignation of Scott Pruitt is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation. He is set to take the job Monday.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details

AMERICAN OVERSIGHT

and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued.

"I have no doubt that Andy will continue on with our great and lasting EPA agenda," Trump tweeted in announcing Pruitt's resignation. "We have made tremendous progress and the future of the EPA is very bright!"

Wheeler, who shares many of Pruitt's anti-regulatory views, is expected to "stay the course" with many of Pruitt's policies, according to one EPA source.

Republicans and other allies quickly praised Wheeler as a steady hand for an agency in turmoil.

Wheeler is the "perfect choice" for acting administrator, said Inhofe.

"Andrew worked for me for 14 years, has an impeccable reputation and has the experience to be a strong leader at the EPA," Inhofe added. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment."

"I have confidence that Andrew Wheeler will be a good partner at #EPA, and I look forward to working with him on the" Renewable Fuel Standard, tweeted Sen. Joni Ernst (R-Iowa), who in recent months had expressed public anger over moves by Pruitt that upset the ethanol industry.

"Wheeler knows how to make the trains run on time at the agency and will be more inclined to work with career folks," said one refining industry source. "Andy also has strong relationships on the Hill from his work there, and that will work to the agency's benefit as well."

Environmentalists were glad to see Pruitt go, but many quickly acknowledged that Wheeler will be a formidable adversary to their agenda.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," Jeremy Symons, vice president for political affairs at the Environmental Defense Fund, said in May before Pruitt's resignation. "That should scare anyone who breathes."

"Andrew Wheeler is equally unqualified to serve as the nation's chief environmental steward," said Ana Unruh Cohen of the Natural Resources Defense Council. "Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's."

It is not clear how long Wheeler may be left leading EPA on an acting basis, as Senate Republicans have questioned whether any nominee could win confirmation this year amid the upcoming midterm elections and the GOP's razor-thin majority in the chamber.

AMERICAN OVERSIGHT

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, has been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

Wheeler, in contrast, came to the agency steeped in its work.

He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and former liberal Democrat Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's efforts to make changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt in May of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter

AMERICAN OVERSIGHT

adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's s agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA.

Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden, Anthony Adragna and Ben Lefebvre contributed to this report.

To view online click here.

Back

Environmentalists: Pruitt's replacement 'should scare anyone who breathes' Back

AMERICAN OVERSIGHT

By Eric Wolff | 05/05/2018 06:43 AM EDT

The man taking the reins at the Environmental Protection Agency after Scott Pruitt's downfall is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump are pursuing.

That presents a paradox for environmental groups, who would welcome Pruitt's departure but fear his replacement would be a much more formidable opponent.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," said Jeremy Symons, vice president for political affairs at the Environmental Defense Fund. "That should scare anyone who breathes."

Symons noted that many of Pruitt's aggressive deregulatory efforts have run into trouble in federal courts.

"The problem with the Pruitt approach is it's like a sugar high," said Jeff Navin, a Democratic lobbyist and former Energy Department staffer who has shared lobbying clients with Wheeler. "It feels really, really good for a moment, but if you're not following rules and procedure, not laying down substance for the decision you're making, you're not going to last very long."

Another person who has worked with Wheeler said: "He's like Mike Pence is to Trump. ... He's behind the scenes. He'll get a lot done and doesn't need to be in the news."

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, have been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

AMERICAN OVERSIGHT

Wheeler, in contrast, came to the agency steeped in its work. He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and liberal former Democratic Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's work on making changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt this week of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get

AMERICAN OVERSIGHT

involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

That's the worry of environmental groups, which note the years Wheeler spent working with Inhofe, who calls human-caused global warming a "hoax," and Murray, a fierce opponent of EPA's climate regulations.

Wheeler's "entire professional career, most of it has been devoted to resisting attempts to improve the quality of our air and our water and the safety of our communities," said Sierra Club Executive Director Michael Brune. "He fought against safeguards to limit mercury poisoning. He fought against protections to limit the amount of ozone in our skies. He fought against air pollution from neighboring states. He's a climate denier. So, sadly, he fits in well with EPA leadership."

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA. Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden and Anthony Adragna contributed to this report.

To view online click here.

Back

Full text: Pruitt's resignation letter Back

AMERICAN OVERSIGHT

07/05/2018 04:17 PM EDT

The full text of Scott Pruitt's resignation letter:

Mr. President, it has been an honor to serve you in the Cabinet as Administrator of the EPA. Truly, your confidence in me has blessed me personally and enabled me to advance your agenda beyond what anyone anticipated at the beginning of your Administration. Your courage, steadfastness and resolute commitment to get results for the American people, both with regard to improved environmental outcomes as well as historical regulatory reform, is in fact occurring at an unprecedented pace and I thank you for the opportunity to serve you and the American people in helping achieve those ends.

That is why is hard for me to advise you I am stepping down as Administrator of the EPA effective as of July 6. It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring. However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us.

My desire in service to you has always been to bless you as you make important decisions for the American people. I believe you are serving as President today because of God's providence. I believe that same providence brought me into your service. I pray as I have served you that I have blessed you and enabled you to effectively lead the American people. Thank you again Mr. President for the honor of serving you and I wish you Godspeed in all that you put your hand to.

Your Faithful Friend,
Scott Pruitt

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

AMERICAN OVERSIGHT

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

AMERICAN OVERSIGHT

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

AMERICAN OVERSIGHT

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto

AMERICAN OVERSIGHT

emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

AMERICAN OVERSIGHT

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Sources: EPA blocks warnings on cancer-causing chemical Back

By Annie Snider | 07/06/2018 05:02 AM EDT

The Trump administration is suppressing an EPA report that warns that most Americans inhale enough formaldehyde vapor in the course of daily life to put them at risk of developing leukemia and other ailments, a current and a former agency official told POLITICO.

AMERICAN OVERSIGHT

The warnings are contained in a draft health assessment EPA scientists completed just before Donald Trump became president, according to the officials. They said top advisers to departing Administrator Scott Pruitt are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals.

Andrew Wheeler, the No. 2 official at EPA who takes over for Pruitt on Monday, also has a history with the chemical. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, then-Chairman Jim Inhofe (R-Okla.), sought to delay an earlier iteration of the formaldehyde assessment.

Formaldehyde is one of the most commonly used chemicals in the country. Americans are exposed to it through wood composites in cabinets and furniture, as well as air pollution from major refineries. The new assessment would give greater weight to warnings about the chemical's risks and could lead to stricter regulations from EPA or class-action lawsuits targeting its manufacturers, as frequently occurs after these types of studies are released.

"They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System. Industry has long faulted the IRIS program, the agency's only independent scientific division evaluating the health risks of toxic chemicals, whose assessments often form the basis for federal and state regulations.

The current official and former official requested anonymity out of fear for their jobs and the impact that speaking out could have on the IRIS program.

Interfering with the formaldehyde study is one of several steps Trump's EPA has taken to side with the businesses the agency is supposed to regulate and undermine the agency's approach to science, critics say. Public health advocates also expressed alarm after Pruitt replaced academic scientists with industry advocates on the agency's influential science advisory boards and sought to limit the types of human health research EPA can rely on in rulemakings.

The officials said Trump appointees have required that career officials receive their permission before beginning the required internal review of the formaldehyde study and have canceled key briefings that would have advanced it. That interference came after EPA career scientists revised the study once already last year to insulate it from political controversy, they said.

In a statement, EPA denied that the assessment was being held back.

"EPA continues to discuss this assessment with our Agency program partners and have no further updates to provide at this time," EPA spokeswoman Kelsi Daniell said. "Assessments of this type are often the result of needs for particular rulemakings and undergo an extensive intra-agency and interagency process."

But as far back as January, Pruitt told a Senate panel that he believed the draft assessment was complete.

AMERICAN OVERSIGHT

Five months later, it has yet to see the light of day. Meanwhile, internal documents show, a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings.

"As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, who leads the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. The panel represents companies including Exxon Mobil and Koch Industries subsidiary Georgia-Pacific Chemicals LLC that could face higher costs from stricter regulations or lawsuits.

Nearly a million jobs "depend on the use of formaldehyde," White's letter argued.

The holdup is attracting attention on Capitol Hill, where Democrats have already expressed alarm, arguing that the Trump administration has allowed politics to interfere in EPA's scientific assessments of threats such as toxic pollution and climate change.

The agency must "move past politics and focus on its job of protecting human health" by releasing the formaldehyde study, Sen. Ed Markey (D-Mass.) said in a statement to POLITICO.

"Because formaldehyde can be found in everything from wood products to women's hair straighteners, the public health risks are substantial," Markey said. "Delaying the EPA's latest assessment of the health risks of formaldehyde only further endangers the health of Americans."

Public health advocates have similarly expressed fears that the Trump administration has allowed EPA to be captured by the industries it regulates. The revelations about the formaldehyde study come after Pruitt removed academic scientists from the agency's influential science advisory boards and in many cases replaced them with industry advocates, and after he proposed a policy to limit the agency's use of human health data while offering a carve-out for confidential industry studies.

"At every corner, you see the agency trying to either minimize the role of science or manipulate the role of science or just ignore the work of scientists in doing the critical work to ensure that human health and the environment is protected," said Jennifer McPartland, a senior scientist with the Environmental Defense Fund's health program.

POLITICO also reported in May that Trump administration officials, including EPA chief of staff Ryan Jackson, sought to delay an HHS study finding that nonstick chemicals pose health dangers at a lower level than EPA has said is safe.

Insiders anticipate few major policy changes under Wheeler, who is widely expected to continue Pruitt's deregulatory agenda and is well-versed in chemicals issues. He began his career in EPA's chemical safety office, and after leaving Inhofe's staff lobbied for a refrigerants manufacturer that was recently acquired by one of the country's major chemical manufacturers, Chemours Co.,

AMERICAN OVERSIGHT

a DuPont spin-off.

Decades' worth of research has linked formaldehyde to nose and throat cancer and respiratory problems, and newer research has suggested the connection to leukemia — controversial conclusions that would gain significant credence if EPA formally adopts them. The new assessment affirms those links to leukemia, nose and throat cancer and other ailments, according to the current and former officials familiar with its findings.

The new assessment could lead EPA to impose stricter regulations of chemicals refineries or wood products and could spur class-action lawsuits from cancer patients attempting to hold companies responsible for their illnesses.

The agency officials said the political aides blocking the assessment include Jackson and Richard Yamada, a former staffer for House Science Chairman Lamar Smith (R-Texas) who is now a top official in EPA's Office of Research and Development. And they said Nancy Beck, who criticized the IRIS program in her previous job as a top chemical industry expert, is now helping to stymie the program's assessments in her new post as head of EPA's chemical safety office. Jackson, Yamada and Beck did not respond to requests for comment.

The EPA spokeswoman disputed the accusations and said Yamada and Jackson have in fact requested briefings on the assessment.

The current EPA official told POLITICO that political appointees have managed to avoid creating written evidence of their interference with the formaldehyde assessment by refusing to send emails or create other records that could eventually become public, instead using what the official described as "a children's game of telephone."

By blocking the report at the first step of the IRIS review process, political appointees are keeping it from being reviewed by the National Academies of Sciences, an independent panel of the country's top scientists that must weigh in on all such risk assessments. EPA has already paid the academies $500,000 for that review, the highest level of scrutiny a scientific study can receive, but the work cannot start until Pruitt's aides send the study.

"If the administration was really keen on protecting public health, why wouldn't they send this to the National Academy and give it a really good review?" the former EPA official asked. "If it survives that review, then there's a public health problem that needs to be dealt with, and if it doesn't survive the review, then they can point the finger at IRIS and say, 'You're dead.'"

The former official said there would be only one reason not to ask the country's top experts whether they agree with the analysis: "You don't want the answer."

Public health advocates say the administration's attacks on science have had especially significant implications for the IRIS program. The small office of about 35 experts pores through the huge body of existing research on chemicals, including industry-backed studies aimed at proving the substances safe, to independently assess their risks. While purely scientific, the program's reviews are looked to by regulators not just at EPA, but also in the states and around

AMERICAN OVERSIGHT

the world, often paving the way for new or more stringent regulations.

But industry has long targeted the program, arguing it uses an opaque process to decide which studies to rely on and which research to give credence to when findings conflict.

The American Chemistry Council, Beck's former employer, spent more than $7 million last year lobbying EPA and Congress on issues including IRIS, formaldehyde and the policy to limit EPA's use of human health research. Chemicals manufacturers, including Hexion Inc., one of the country's largest manufacturers of formaldehyde, have also spent tens of thousands of dollars on lobbying related to the program this year.

A National Academies panel agreed with some of industry's criticisms of the IRIS program in a blistering review of an earlier iteration of the formaldehyde assessment that recommended major changes to how IRIS decides how much weight to give conflicting studies, although it did not attack the substance of its findings about the health effects of formaldehyde. Critics of the IRIS program have pointed to that review frequently as they have sought to kill it, including in an appropriations battle this spring. The EPA spokeswoman also pointed to that assessment in her statement. "The National Academy of Science and Congress in legislative reports have for years been highly critical of EPA's previous assessments involving formaldehyde," she said.

But EPA has overhauled the program since then, hiring a new director for IRIS and a new head of the National Center for Environmental Assessment, in which it is housed. The changes have received high marks from the National Academies in two more recent reviews, one in 2014 and one this past April. The latest formaldehyde assessment is expected to demonstrate further progress implementing the academies' recommendations, potentially undermining industry critiques of the overall IRIS program if it were to be released.

Although efforts to kill EPA's independent scientific arbiter have so far failed, EPA officials and public health advocates say the program has been significantly hobbled under an administration with close ties to the chemicals industry.

White, the top staffer for the American Chemistry Council's Formaldehyde Panel, wrote EPA three times between September 2017 and January 2018, urging the agency to incorporate industry-funded research that found no link between formaldehyde and leukemia, and arguing that the studies shifted the scientific consensus away from the conclusion that it does. In November, Pruitt appointed her to the agency's influential Science Advisory Board.

Less than a week after the council's Jan. 24 meeting with EPA, Pruitt himself confirmed that the report had been complete for months. During a Senate hearing at the end of January, Markey asked Pruitt for an update on the formaldehyde assessment, saying it was his understanding "that the EPA has finalized its conclusion that formaldehyde causes leukemia and other cancers and that [the] completed new assessment is ready to be released for public review, but is being held up."

"You know, my understanding is similar to yours," Pruitt replied, promising to follow up.

AMERICAN OVERSIGHT

Markey reminded Pruitt of the exchange in a May 17 letter. In a response Thursday, the agency's principal deputy assistant administrator for science, Jennifer Orme-Zavaleta, said EPA "continues to discuss the formaldehyde assessment internally and has no further updates to provide at this time."

To view online click here.

Back

Trump unleashes in Montana Back

By Matthew Nussbaum | 07/05/2018 07:53 PM EDT

President Donald Trump went on offense on Thursday at a campaign-style rally in Montana, deriding the state's Democratic senator but also launching attacks against the Justice Department, the media, Hillary Clinton, Sen. Elizabeth Warren, the "Me Too" movement and more.

He previewed themes he will highlight as he works to unseat Democratic senators in the midterm elections, while returning to many of his favorite 2016 attacks.

"It's time to retire liberal Democrat Jon Tester," Trump declared to a raucous crowd during the hourlong address in Great Falls, Montana. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters."

Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions.

"You wouldn't think he'd play very well out here. How did he get elected?" Trump wondered aloud. "You can right your wrong in November."

He also returned to scathing attacks on the news media just one week after a gunman killed five journalists at a Maryland newspaper.

He derided the press as "fake news," "bad people" and "so damn dishonest."

"They're fake," he said, pointing at the press area in the arena. "These are really bad people."

In a winding speech, Trump also accused the Justice Department of corruption, bragged about his 2016 election win, spoke about his upcoming meeting with Russian President Vladimir Putin and declared that Rep. Maxine Waters, a frequent Trump critic, has an IQ in the "60s."

He repeated, falsely, that he was the first Republican candidate to win Wisconsin since 1952 and repeated his unfounded conspiracy theory that there was extensive voter fraud during the 2016 election. He also mocked Warren at length, deriding Massachusetts Democratic senator as "Pocahontas" and saying he would get her to take a DNA test if she runs against him in 2020 —

AMERICAN OVERSIGHT

though he added derisively he would do it carefully because of the "Me Too era."

Warren hit back in a tweet, saying the Trump administration is "conducting DNA tests" on children separated from their families at the border.

The nearly hourlong address was the type of unscripted speech in which Trump delights, riling his base beneath banners reading "Promises Made, Promises Kept."

Trump carried the state by 20 points in 2016, but Republicans face a tough fight to unseat Tester in the state in 2018. Tester is facing off against Republican nominee Matt Rosendale, the state auditor and a former member of the Montana Legislature.

Tester, the top Democrat on the Senate Veterans Affairs Committee, has been on the receiving end of personal barbs from Trump after he played a crucial role in sinking Trump's nominee for Veterans Affairs secretary, White House physician Ronny Jackson.

Trump spoke at length about the Jackson debacle, accusing Tester of "shameful, dishonest attacks on a great man."

The attacks were similar to those Trump made against Tester in the midst of the controversy.

"Allegations made by Senator Jon Tester against Admiral/Doctor Ron Jackson are proving false," Trump tweeted in April as damaging reports about Jackson were emerging. "The Secret Service is unable to confirm (in fact they deny) any of the phony Democrat charges which have absolutely devastated the wonderful Jackson family. Tester should resign."

"Tester should lose race in Montana. Very dishonest and sick!" Trump added on Twitter.

The invective does not seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read: "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — a clear attempt to show the state's Trump-friendly voters that the senator can work with the president.

Trump is scheduled to travel to his golf club in Bedminster, New Jersey, after the rally. He told reporters he will meet over the weekend with Vice President Mike Pence and staff ahead of Monday's planned announcement of his Supreme Court nominee to fill the seat vacated by Justice Anthony Kennedy.

To view online click here.

Back

House readies Financial Services, Interior-Environment spending bills for floor Back

By Sarah Ferris | 07/05/2018 02:41 PM EDT

AMERICAN OVERSIGHT

House GOP leaders are planning to bring another spending bundle to the floor this month, according to a notice posted today by the Rules Committee.

The House's next funding package will wrap together its fiscal 2019 Interior-Environment, H.R. 6147 (115), and Financial Services, H.R. 6258 (115), spending bills. It is slated for floor action the week of July 16, one week after Congress returns from its July Fourth recess.

It would be the House's second so-called minibus of the fiscal year, after approving a three-bill bundle, H.R. 5895 (115), last month, which included Energy-Water, Military Construction-VA and Legislative Branch. The House also passed a bipartisan Defense spending bill (H.R. 6157 (115)) just before leaving for recess.

Both the Interior-Environment and Financial Services bills are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels. The Environmental Protection Agency, for instance, would be cut by $100 million, while the Internal Revenue Service would see an increase of $186 million.

Unlike the Senate's version of those two bills, the House bills include partisan riders, such as a full repeal of the Obama-era Waters of the United States rule.

If the second minibus succeeds, the House will have passed six out of 12 spending bills. The end of the fiscal year is Sept. 30.

To view online click here.

Back

Perry's 'national security' push for grid draws skepticism on the Hill Back

By Darius Dixon | 06/19/2018 04:21 PM EDT

The Trump administration is having a hard time winning over skeptics to its claim that the retirement of coal-fired and nuclear power plants poses a national security threat.

For more than a year, Energy Secretary Rick Perry has argued that letting those struggling generators shut down would threaten the power grid's ability to bounce back from an attack or severe storm. Although he's failed to persuade federal power regulators to prop up the plants, Perry is pushing that argument with the National Security Council in an effort to head off new closures.

Some congressional Republicans said though they are sensitive to the national security concerns and woes of the coal industry, they doubted the grid faces the dire situation that Perry has predicted, and they are wary of intervening in the energy markets.

AMERICAN OVERSIGHT

"I'm a Navy guy. I want our country secure," said Rep. Pete Olson (R-Texas). "But their arguments haven't been about security. It's been about propping up coal and nuclear power."

Olson authored the legislative language that was added to the 2015 FAST Act and expanded Perry's ability to intervene in grid operations during an emergency. But he said the Energy Department's arguments, contained in paper that leaked earlier this month, failed to convince him that shutting down money-losing plants presented a threat to national security.

"A crisis to me means the power is going out. But to support some jobs in some parts of the country, eh, that's not what the bill is designed to do," he said. "Our bill was just to deal with crisis, not to deal with this."

His comments echoed the sentiments of Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), who told the committee last week she had "concerns" about DOE interfering in the power markets.

Coal-fired power plant closures slowed in 2017, but they are expected to accelerate next year with 12.5 gigawatts of capacity expected to shut down, according to Bloomberg New Energy Finance. That figure is near the record retirements of 15 GW set in 2015. Energy experts and even a Perry-directed DOE analysis last year put blame for the plants' demise on stagnant power demand and the rise of natural gas and renewables.

But the draft DOE paper that recently leaked showed that the agency has considered using its authority under the Federal Power Act's 202(c) provision to "temporarily delay retirement of fuel-secure electric generation resources" while threats to natural gas and electric infrastructure are assessed. And it also considered using the Defense Production Act to require power purchases from endangered plants in an effort to put off shutdowns for two years.

President Donald Trump has repeatedly told Perry to step in to help the plants, including earlier this month when he directed Perry to take "immediate steps" to staunch coal and nuclear plant retirements. He called on the former Texas governor to hold a news conference to announce a plan.

It's not the only issue where the Trump administration has invoked "national security" to defend a controversial action. Trump has threatened to use a trade law that leverages national security to impose tariffs on imported vehicles, the same law the administration used to to put tariffs on steel and aluminum.

"Let's face it, there's an awful lot of stuff being lumped into national security," former Obama Energy Secretary Ernest Moniz told POLITICO. "How this works out, I don't know. But I do know we need to ... do appropriate analyses when called for that do not have national security being used willy-nilly to accomplish all kinds of goals that are not necessarily the right ones."

Moniz acknowledged Perry had wide latitude under the law to declare a grid emergency, but he said that didn't absolve the administration from needing to prove there's a real crisis on the power grid.

AMERICAN OVERSIGHT

"Reliability and resilience are public goods. We just haven't seen any analysis that suggests that this is a pathway that's needed to address that," he said.

Jason Bordoff, who served as Obama's senior National Security Council aide for energy and climate, said he fears the current fight could drag the real threat of cybersecurity into the political fray.

"The bigger risk would be a very legitimate issue of the cyber vulnerability of the grid becomes politicized because it gets wrapped up in this policy objective to save the coal industry as well as nuclear," said Bordoff, who is now director for the Center on Global Energy Policy at Columbia University.

Even Rep. Joe Barton, a longtime stalwart Perry ally, said he was skeptical of DOE's insistence that the grid was facing a national security threat from the plant closures.

"They're scrounging around for a way to keep some of these nuclear plants and coal plants viable and they're using that particular argument," the Texas Republican said. "To me, it's not persuasive, but I understand what they're trying to do."

There are real national security threats against the electric grid from electromagnetic pulses, physical attacks and cyber intrusions, Barton said, adding that "in most cases, it's a mistake to use a national security argument to keep a plant in operation that normal market forces would probably close."

Other Perry allies weren't sure how effective the Trump administration's strategy would be. GOP lobbyist Mike McKenna, who helped run Trump's DOE transition team, said the agency laid out the "single best set of arguments for preserving coal and nuclear generation." Still, he said, the options laid out in the DOE document probably would not achieve the protection that coal and nuclear advocates are seeking. And the national security arguments didn't seem to be gaining much traction.

"The national security angle has its advantages and its limits — not the least of those is that not too many people can and do make the argument that national security is really impaired by the closure of coal power plants," he said in an email. "It would probably be better if advocates focused on the potential over-reliance on one source (natural gas) in both electricity generation, and, if utilities get their way, in transportation fuels."

FERC shot down a regulation from Perry aimed at protecting the coal and nuclear generators earlier this year, and FERC commissioners told a Senate hearing last week that the grid faced no imminent threat, drawing praise from industry groups.

Deputy Energy Secretary Dan Brouillette argued that national security has always been DOE's focus, and he said that the agency's critics aren't seeing the whole picture from their industry's silos. "That's what they get paid to do. But that's not what the secretary gets paid to do and we're going to approach this with a broader view," he told POLITICO.

AMERICAN OVERSIGHT

And he shrugged off comments from FERC commissioners that the electricity markets they oversee were operating efficiently and offered the best way to address security concerns.

"Is the market a factor here at the end of the day? Yes, it is. But we're not in this to have an economics classroom debate about theories of markets," he said. "The markets, in some respects, are not designed to produce a national security outcome."

Brouillette also said the White House had not given it a deadline, and there was no decision yet on whether to invoke any authorities.

"There has been no decision and we're [not] just working backwards," he said. "If we get to the point where there's a proposal or a proposed solution to a problem that we find, then perhaps Congress has a role. But at this point, we're nowhere near that stage."

For FERC and its supporters, countering the DOE claim that national security is at stake may take more than technical arguments. Sarah Ladislaw, who directs the Center for Strategic and International Studies' energy and national security program, said many of the rebuttals from FERC commissioners so far were akin to "bringing a spoon to a knife fight."

"The idea that market efficiency is supposed to trump national security is exactly the reason why national security provisions exist. They're there to protect things that may not make economic sense. ... I think it's an entirely different game from a legal perspective," Ladislaw said. "It's really hard to prove that a national security measure is bogus."

Oregon Sen. Ron Wyden said he would stick to the economic arguments and pointed out the high potential cost of DOE's proposal, even as the administration sought to change the conversation.

"Around here, if you can trod out national security for just about anything ... the leverage goes to you," he said. But, he added, "I'm pounding the ratepayer issue [because] that's the one issue that I think puts a stake right in the guts of their argument."

And other Democrats are fuming that the agency is even considering the use of its rarely tapped emergency authorities.

"It's about abuse of power. You can't just start claiming a national security justification that clearly has nothing to do with national security, and that's a very dangerous road to go down," said Sen. Martin Heinrich (D-N.M.).

To view online click here.

Back

DOE names Tripodi as acting EERE chief Back

AMERICAN OVERSIGHT

By Darius Dixon | 07/05/2018 03:24 PM EDT

Cathy Tripodi has been named the Energy Department's acting assistant secretary for energy efficiency and renewable energy while the Trump administration's permanent pick awaits confirmation, according to an email obtained by POLITICO.

Dan Simmons, who had been EERE's top political appointee for more than a year, was nominated last month by the White House to officially fill the job. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an advisor to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email to EERE staff today.

Tripodi joined DOE in January 2017 and has been the director of DOE's Lab Operations Board, which aims to coordinate research and mission objectives between the agency headquarters and its far-flung national laboratories. She has been named as principal deputy assistant secretary in EERE and will serve in the job temporarily, while also retaining her position as Lab Operations Board director.

After working as a policy adviser to then-FERC Chairman Pat Wood in the mid-2000s, she held a number of positions in state government, including business affairs director for North Carolina and energy director in Indiana.

Greenwire reported Tripodi's appointment earlier today.

WHAT'S NEXT: Simmons had a nomination hearing late last month before the Senate Energy and Natural Resources Committee, but no confirmation vote has been scheduled.

To view online click here.

Back

Puerto Rico governor to challenge federal board in court Back

By Colin Wilhelm | 07/05/2018 10:48 AM EDT

Puerto Rico Gov. Ricardo Rosselló said today his government will go to court to challenge the authority of the U.S. territory's federal oversight board to impose policies on the commonwealth.

The board, established by Congress to address Puerto Rico's debt, mandated cuts to pensions and government spending in its most recent recovery plan. Proposed changes to labor laws, in part to make it easier to hire and fire employees, have also become a hotly contested issue.

Rosselló said in a release that he would challenge the board's ability to do anything more than make recommendations.

AMERICAN OVERSIGHT

In a statement issued this morning, the board said it would "vigorously defend" its authority.

The lawsuit runs contrary to statements by the author of the debt-relief law that created the board. In an amicus brief submitted last Friday in a separate case, Rep. Rob Bishop (R-Utah) said Puerto Rico must comply with the plan laid out by the federal board.

In his release today, Rosselló said lawyers for his government would request an injunction to halt the board's actions, which he characterized as usurping the power of local elected officials, while the case plays out in court.

The governor has intermittently worked alongside and clashed with the board since he took office at the beginning of last year. His stance today is similar to one he took with the board in court over similar battle lines last year, only for the fight to be put on hold as hurricanes devastated the island.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: E&E News
Sent: Wed 4/11/2018 11:22:07 AM
Subject: April 11 -- Energywire is ready

Read today's Energywire on the web

SUBSCRIPTION

ENERGYWIRE — Wed., April 11, 2018

READ FULL EDITION

1.POLITICS:
Could oil taxes, striking teachers shift Okla.?
Lawmakers in Oklahoma are facing fallout from a tax hike and a teacher walkout. There could be more turmoil if EPA Administrator Scott Pruitt, who was the state attorney general until early 2017, decides to run for governor.

TOP STORIES

2.NEWSMAKER:
To Perry devotee, Texas market is 'experiment in freedom'

3.SECURITY:
White House departure creates another cyber vacancy

4.SUPERFUND:
Watchdog group sues again on Tar Creek, seeks Inhofe emails

ELECTRICITY

5.SECURITY:
DHS brews a 'Cyber Storm' for critical infrastructure

6.POWER MARKETS:
FirstEnergy's call for help gets little sympathy

7.PEOPLE:
Former oil and gas rep confirmed as Kan. utilities regulator

OIL AND GAS

8.GAS EXPORTS:
Cove Point LNG launches East Coast exports

9.BUSINESS:
Devon sheds 300 more jobs

10.PEOPLE:
Texas oil regulator taps its CFO as new leader

11.TECHNOLOGY:
Oil majors jostle for supercomputing edge

12.OFFSHORE DRILLING:
BP to tap two new blocks in North Sea

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.
ABOUT ENERGYWIRE -- The Transformation of the Energy Sector
Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

AMERICAN OVERSIGHT

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/5/2018 12:38:31 PM
Subject: July 05 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 05, 2018 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Florida

WATER
Southwest Florida WMD/Guidance and Minimum Levels for Lakes
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop to consider amendments to regulations under FAC 40D-8 regarding proposed guidance and minimum levels for lakes Allen, Harvey, and Virginia in Hillsborough County. The workshop is scheduled for July 16, 2018, in Lutz. Contact: Donna Campbell; SWFWMD; 352-796-7211

—Florida Publication Date: 07/02/2018.

Regulatory Update

Michigan

OIL AND GAS INDUSTRY
Oil and Gas Operations/Injection Wells
Michigan OIL AND GAS INDUSTRY

Final rule of the Department of Environmental Quality, Oil, Gas, and Mineral Division, amends and adopts regulations under MAC 324 to establish requirements for protection of underground sources of drinking water for injection well drilling and operations. The rule also revises single well bond amounts to require companies to submit a financial assurance for any new well adequate to cover current anticipated plugging costs. In addition, the rule addresses minor surface location changes and permit extensions. The rule is issued in anticipation of the state receiving Class II primacy under the federal Safe Drinking Water Act, Section 1425. The rule is effective June 7, 2018. Contact: Adam Wygant; DEQ, Oil, Gas, and Minerals Division; 517-897-4828; wyganta@michigan.gov

AMERICAN OVERSIGHT

—Michigan Publication Date: 07/01/2018. Citations: R 324.103 (amended); R 324.201 (amended); R 324.206 (amended); R 324.208 (amended); R 324.212 (amended); R 324.703 (amended); R 324.704 (amended); R 324.801 (amended); R 324.802 (amended); R 324.803 (amended); R 324.804 (amended); R 324.805 (amended); R 324.806 (amended); R 324.807 (amended); R 324.808 (amended); R 324.809 (new); R 324.810 (new); R 324.811 (new); R 324.812 (new); R 324.813 (new); R 324.814 (new); R 324.815 (new); R 324.816 (new); R 324.1002 (amended)

Regulatory Update

WATER
Public Water Supplies/Lead Action Level
Michigan WATER

Final rule of the Department of Environmental Quality, Drinking Water and Municipal Assistance Division, amends regulations under MAC 325 to reduce the 90th percentile lead level exceedance standard to 0.012 milligram/liter, effective Jan. 1, 2025. The rule also requires water suppliers to examine customers' entire water systems to determine the source of lead if test results exceed 0.010 milligram/liter. In addition, the rule requires collection of two compliance samples per site, establishes deadlines for lead service line replacement based on the size of the population served, and increases water quality parameter monitoring. Finally, the rule requires community supplies serving a population of 50,000 or more to establish a water system advisory council, requires distribution system materials inventories to be updated and submitted to the department, and limits the ability of municipal water supplies to reduce monitoring. The rule is effective June 14, 2018. Contact: Suzann Ruch; DEQ; Drinking Water and Municipal Assistance Division; 517-284-6544; DEQ-LCR-Comments@michigan.gov

—Michigan Publication Date: 07/01/2018. Citations: R 325.10102 (amended); R 325.10105 (amended); R 325.10108 (amended); R 325.10401a (amended); R 325.10405 (amended); R 325.10410 (amended); R 325.10413 (amended); R 325.10420 (amended); R 325.10604f (amended); R 325.10710a (amended); R 325.10710b (amended); R 325.10710d (amended); R 325.11506 (amended); R 325.11604 (amended); R 325.11606 (amended)

Regulatory Update

Nevada

MINING
Mining Facilities and Operations/Permit Notification
Nevada MINING

Notice announces the intention of the State Environmental Commission to amend regulations under NAC 445A and 519A regarding notice of intent to issue permits for mining facilities and mining operations or exploration projects. The rule would update the process for public notification of permitting decisions to allow the agency to post application denial and permit notices online. A comment due date is not specified. Contact: Valerie King; SEC; 775-687-9374

—Nevada Publication Date: 07/01/2018. Citations: NAC 445A.402 (amended); NAC 519A.185 (amended)

Regulatory Update

AMERICAN OVERSIGHT

OCCUPATIONAL SAFETY AND HEALTH
Historic Power Boilers
Nevada OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Business and Industry, Division of Industrial Relations, to amend and adopt regulations under NAC 455C to define and establish requirements for design, testing, and operation of historic power boilers. The rule would require prior authorization from the Mechanical Compliance Section before operation of a historic power boiler and specify application requirements, including reports of the maximum allowable working pressure calculations and ultrasonic testing. The rule also would specify a process for determining whether publications adopted by reference should be updated following revision. In addition, the rule would specify the maximum allowable working pressure and the minimum safety factor calculations and require maintenance of an operational log. Finally, the rule would address inspections, repairs, and alterations. A comment due date is not specified. Contact: DIR, Mechanical Compliance Section; 775-688-3750

—Nevada Publication Date: 07/01/2018. Citations: NAC 455C (amended); NAC 455C.064 (amended); NAC 455C.156 (amended); NAC 455C.182 (amended); NAC 455C.184 (amended); NAC 455C.232 (amended); NAC 455C.234 (amended); NAC 455C.270 (amended); NAC 455C.278 (amended)

Regulatory Update

New Jersey

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Protection Practice and Procedure
New Jersey GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Protection readopts with amendments regulations under NJAC 7:1D to update provisions concerning general practice and procedure. The rule updates language for gender neutrality and corrects department addresses. The rule is effective July 2, 2018. Contact: DEP; 609-777-3373

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:1D-2.4 (amended); NJAC 7:1D-2.7 (amended)

Regulatory Update

SOLID WASTE
Electronic Waste Management
New Jersey SOLID WASTE

Notice of the Department of Environmental Protection, Office of Legal Affairs, announces action on a rulemaking petition to amend regulations under NJAC 7:26A-13 regarding electronic waste management to implement 2017 legislation. The petitioner, the Consumer Technology Association, requests that the department clarify how it will obtain, verify, and use data to

AMERICAN OVERSIGHT

calculate and enforce manufacturers' market share in weight obligations; provide criteria for any convenience requirements, such as the number of permanent collection sites required per county; and allow manufacturers or their designated organizations to audit recyclers and collectors to ensure the accuracy of data reported. The petitioner also requests that the department provide procedures and time frames for calculating market share in weight obligations for upcoming program years and determining compliance and to provide guidance on when manufacturers may apply additional covered electronic device collection and recycling pounds toward their market share in weight obligations. The department has determined to refer the petition for further deliberation. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:26A-13

Regulatory Update

TOXIC SUBSTANCES
Fireworks/Sparkling Devices and Novelties
New Jersey TOXIC SUBSTANCES

Proposed rule of the Department of Community Affairs, Division of Fire Safety, would amend regulations under NJAC 5:70 to update the definition of "fireworks" to exclude "sparkling devices and novelties" and define such devices separately. The rule also would set forth requirements for storage and retail sales to the public of sparkling devices and novelties in any temporary or permanent structure when the pyrotechnic content exceeds 125 pounds. Comments are due Aug. 31, 2018. Contact: Geraldine Callahan; DCA, Division of Fire Safety; 609-633-6106; Geraldine.Callahan@dca.nj.gov

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 5:70-2.7 (amended); NJAC 5:70-3.2 (amended)

Regulatory Update

WATER
List of Water Quality Limited Waters
New Jersey WATER

Notice of the Department of Environmental Protection, Division of Water Monitoring and Standards, requests water quality data and information to be considered in the development of the 2020 list of Section 303(d) water quality limited waters. The notice addresses data quality requirements and specifies repositories for data submission. The notice also includes the biennial deadlines for data submittal for lists through the 2030 list. Submissions are due Sept. 30, 2018. Contact: Jack Pflaumer; DEP, Bureau of Environmental Analysis, Restoration, and Standards; 609-633-1441; Jack.Pflaumer@dep.nj.gov

—New Jersey Publication Date: 07/02/2018.

Regulatory Update

WATER
Sale of Water from the Manasquan Reservoir Water Supply System
New Jersey WATER

AMERICAN OVERSIGHT

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Manasquan Reservoir water supply system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-4.3 (amended); NJAC 7:11-4.4 (amended); NJAC 7:11-4.5 (amended); NJAC 7:11-4.6 (amended)

Regulatory Update

WATER
Sale of Water from the Raritan Basin System
New Jersey WATER

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Raritan Basin system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-2.3 (amended); NJAC 7:11-2.4 (new); NJAC 7:11-2.5 (new); NJAC 7:11-2.6 (new)

Regulatory Update

North Carolina

WATER
Water Treatment Facility Operators/Applicants, Facility Classification
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Water Treatment Facility Operators Certification Board, would amend regulations under 15A NCAC 18D to update provisions concerning qualifications of applicants and classification of public water systems. The rule would require owners of public water facilities to notify the board of vacancies that result in noncompliance with public water systems provisions within 10 days and make editorial and technical revisions. A hearing is scheduled for Aug. 7, 2018, in Raleigh. Comments are due Aug. 31, 2018. Contact: Jay Frick; DEQ; 919-707-9102

—North Carolina Publication Date: 07/02/2018. Citations: 15A NCAC 18D .0206 (amended)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT

AMERICAN OVERSIGHT

HAZARDOUS WASTE MANAGEMENT
Hazardous Recyclable Materials/Contaminated Wipes and Apparel
Ohio HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Ohio EPA would amend regulations under OAC 3745-51 to revise hazardous recyclable materials requirements by conditionally excluding certain contaminated wipes and apparel from state and federal standards. The rule would exclude rags, mops, drop cloths, and apparel made of certain materials that are laundered and intended for reuse and are not already excluded under the Solvent Wipes Rule. The rule also would update and clarify storage and transportation requirements for such materials and update citations to federal standards. A hearing is scheduled for July 31, 2018, in Columbus. Comments are due July 31, 2018. Contact: Jacquelyn Keller; Ohio EPA, Division of Hazardous Waste; 614-644-2924; Jacquelyn.Keller@epa.ohio.gov

—Ohio Publication Date: 07/02/2018. Citations: OAC 3745-51-06 (amended)

Regulatory Update

Oregon

OCCUPATIONAL SAFETY AND HEALTH
Outdoor Production Pesticide Applications
Oregon OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Consumer and Business Services, Occupational Safety and Health Division, adopts regulations under OAR 437-004 to establish restrictions associated with outdoor production pesticide applications for workers or others who are adjacent to pesticides being applied in outdoor production areas. The rule specifies that if drift makes contact with labor housing areas, including enclosed agricultural structures within an application exclusion zone, employers must ensure that it is cleaned up with a minimum of employee or housing occupant exposure. The rule is effective Jan. 1, 2019. Contact: Heather Case; DCBS, Occupational Safety and Health Division; 503-947-7449; heather.case@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 437-004-6405 (new); OAR 437-004-6406 (new)

Regulatory Update

WATER
Nonmotorized In-Stream Placer Mining Authorizations
Oregon WATER

Final rule of the Department of State Lands adopts regulations under OAR 141-089 to specify that nonmotorized in-stream placer mining authorizations within indigenous anadromous salmonid habitat will expire on Dec. 31 of each calendar year. The rule also specifies that such authorizations are nontransferrable. The rule is effective July 1, 2018. Contact: Anne Friend; DSL; 503-986-5245; anne.m.friend@state.or.us

AMERICAN OVERSIGHT

—Oregon Publication Date: 07/01/2018. Citations: OAR 141-089-0827 (new)

Regulatory Update

WATER
Watershed Enhancement Technical Assistance Grants
Oregon WATER

Final rule of the Watershed Enhancement Board adopts and repeals regulations under OAR 695-030 to revise administrative rules for technical assistance grants. The rule establishes eligibility and application requirements and specifies evaluation criteria for technical design and engineering, resource assessment and planning, and organizational technical assistance grant applications. The rule also establishes procedures for technical review, funding decisions, and staff funding recommendations for grant applications that require the board to make a funding decision and grant applications seeking grant funds that have been delegated by the board to the executive director. In addition, the rule addresses the waiver and periodic review of rules and grant agreement conditions. The rule is effective June 28, 2018. Contact: Eric Hartstein; WEB; 503-986-0029; eric.hartstein@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 695-030-0005 (new); OAR 695-030-0015 (new); OAR 695-030-0025 (new); OAR 695-030-0035 (new); OAR 695-030-0045 (new); OAR 695-030-0050 (repealed); OAR 695-030-0055 (new); OAR 695-030-0060 (repealed); OAR 695-030-0065 (new); OAR 695-030-0075 (new); OAR 695-030-0085 (new); OAR 695-030-0095 (new); OAR 695-030-0100 (repealed)

Regulatory Update

Rhode Island

OCCUPATIONAL SAFETY AND HEALTH
Boilers and Pressure Vessel Inspection
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Training would amend regulations under 260-RICR-30-10-2 to incorporate by reference the 2017 American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors. The rule also would revise fee requirements for certificate inspection by the state inspector, existing power boilers, and GR-1 inspection of boilers and pressure vessels. A hearing is scheduled for July 20, 2018, in Cranston. Comments are due July 30, 2018. Contact: Sean Fontes; DLT; 401-462-8890; sean.fontes@dlt.ri.gov

—Rhode Island Publication Date: 07/01/2018. Citations: 260-RICR-30-10-2 (amended)

Regulatory Update

Utah

AMERICAN OVERSIGHT

AIR
Definitions/PM-2.5 Precursors
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise regulations under R307-101 to update the definition of PM-2.5 precursor to reflect federal standards. The rule would add ammonia as a precursor to fine particulate matter (PM-2.5), except where a demonstration satisfying 40 CFR 51.1006(a)(3) has determined otherwise. The rule also would specify that ammonia is exempted in the Logan PM-2.5 nonattainment area. The changes clarify that ammonia precursor exemptions are exempt upon EPA approval. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-101-2 (amended)

Regulatory Update

AIR
Nonattainment Area New Source Review
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise the nonattainment new source review (NNSR) permitting program to allow for control of fine particulate matter (PM-2.5). The rule would clarify lowest achievable emission rate requirements and applicable offset requirements and update definitions. The rule also would exempt ammonia as a PM-2.5 precursor in the Logan nonattainment area where a demonstration supporting that conclusion has been submitted to the EPA. The changes specify which portion of the rule supplements permitting requirements; clarify the EPA's role in approving demonstrations; and address potential increases of nitrogen oxides, sulfur dioxide, and PM-2.5 precursors. The changes also require that emission offsets be surplus, permanent, quantifiable, and federally enforceable; clarify that offsets may not be traded between pollutants except under specified conditions; and clarify one-to-one ratio requirements. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-403

Regulatory Update

AIR
State Implementation Plan/Control Measures Area and Point Sources
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, would amend regulations under R307-110 regarding Section IX, Part H, of the state implementation plan (SIP) concerning control measures for area and point sources and emission limits and operating practices. The rule would change the amendment date to Sept. 5, 2018, to match the anticipated Air Quality Board approval date of amendments to that portion of the SIP. Comments are due Aug. 15, 2018. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-110-17 (amended)

AMERICAN OVERSIGHT

Regulatory Update

Washington

AIR
Agricultural Burning
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-430 to update agricultural burning standards. The rule would address inadequacies that were raised in an October 2016 letter by the State Auditor's Office and relocate provisions under the agricultural burning fee schedule and permit fee distribution standards. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-430 (amended)

Regulatory Update

AIR
Kraft Pulping Mills, Sulfite Pulping Mills, and Primary Aluminum Plants
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-405, -410, and -415 to update air quality standards for kraft pulping mills, sulfite pulping mills, and primary aluminum plants. The rule would conform with revisions to general air pollution source requirements under WAC 173-400 that were made in response to the EPA's June 12, 2015, startup, shutdown, or malfunction state implementation plan call final rule. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-410 (amended); WAC 173-415 (amended); WAC 173-405 (amended)

Regulatory Update

AIR
Southwest Clean Air Agency/Asbestos Standards
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 476-040 through 80 to update requirements for asbestos surveys, notification, emission control, and disposal. The rule clarifies and updates inspection and sampling procedures, adds an alternative procedure, and adds inspection reporting requirements. The rule also reduces the notification period for asbestos removal and demolition to 10 calendar days, adds procedures for abandoned asbestos-

AMERICAN OVERSIGHT

containing materials, and adds state of emergency procedures for public disasters. In addition, the rule requires asbestos-containing materials to be stored in leak tight containers, adds waste tracking requirements, and increases the notification period for fire training burns to 10 calendar days. The rule is effective July 14, 2018. Contact: Gerald Strawn; SWCAA; 360-574-3058; gerry@swclearnair.org

—Washington Publication Date: 07/04/2018. Citations: Uncodified

Regulatory Update

OIL AND GAS INDUSTRY
Utilities and Transportation Commission
Washington OIL AND GAS INDUSTRY

Final rule of the Utilities and Transportation Commission amends regulations under WAC 480-14 through -120 (nonconsecutive) to revise standards for solid waste and refuse collection companies, hazardous liquids pipelines, and gas companies. The rule updates the incorporation by reference of federal standards and other adopted publications. The rule is effective July 20, 2018. Contact: Gregory Kopta; UTC; 360-664-1355

—Washington Publication Date: 07/04/2018. Citations: WAC 480-14-999 (amended); WAC 480-15-999 (amended); WAC 480-30-999 (amended); WAC 480-31-999 (amended); WAC 480-70-201 (amended); WAC 480-70-999 (amended); WAC 480-73-999 (amended); WAC 480-75-999 (amended); WAC 480-90-999 (amended); WAC 480-93-999 (amended); WAC 480-100-999 (amended); WAC 480-108-999 (amended); WAC 480-109-999 (amended); WAC 480-120-999 (amended)

Regulatory Update

West Virginia

GENERAL ENVIRONMENT AND SAFETY
Exchange of Information Agreement/Tax and Environmental Protection Departments
West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would repeal regulations under 110 WVCSR 50A to remove obsolete provisions concerning the exchange of information agreement between the Tax Department and the Department of Environmental Protection. The provisions would be consolidated under 110 WVCSR 50C in a concurrent proposed rule. Comments are due July 27, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50A-1 (repealed); 110-50A-2 (repealed); 110-50A-3 (repealed)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Interagency Exchange of Information Agreement

AMERICAN OVERSIGHT

West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would adopt regulations under 110 WVCSR 50C to authorize the exchange of certain information under a written interagency agreement between the Tax Department and other state agencies. The rule would address the sharing of confidential taxpayer information for purposes of premium collection, tax collection, or licensure requirements. The rule also would consolidate existing provisions for such agreements with individual agencies, including the Department of Environmental Protection under 110 WVCSR 50A, which is proposed for repeal concurrently. Comments are due July 26, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50C-1 (new); 110-50C-2 (new); 110-50C-3 (new); 110-50C-4 (new); 110-50C-5 (new)

Regulatory Update

Privacy Policy | Terms of Service | Manage Your Email | Contact Us

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc.
EHS State Regulatory Alert

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/15/2018 8:13:53 PM
Subject: Afternoon Energy, presented by the National Rural Electric Cooperative Association: Top ethics office eyes Pruitt action — EPA in waiting — Democrats tell Interior to stop rushing ANWR review

By Garrett Ross and David Beavers | 06/15/2018 04:12 PM EDT

TOP ETHICS OFFICE EYES PRUITT ACTION: The federal government's top ethics official suggested today he is considering a "formal corrective action proceeding" regarding allegations of improper behavior by EPA Administrator Scott Pruitt, and he urged EPA's in-house watchdog to expand its ongoing investigations to review the latest allegations about Pruitt, including that he used EPA resources to find a job for his wife.

The Office of Government Ethics will look into the findings of that probe to decide how to proceed, acting Director David Apol wrote in a letter to EPA Inspector General Arthur Elkins. "We ask you to complete your report, as soon as possible, so that we can decide whether to begin a formal corrective action proceeding in order to make a formal recommendation to the President," Apol wrote.

President Donald Trump said earlier today that he was "not happy about certain things" with his embattled administrator, although he praised the "fantastic job" Pruitt is doing at EPA. Trump did not elaborate on what made him unhappy.

PRUITT'S SCANDALS DU JOUR: Tickets to the Rose Bowl are among college football's hottest every season. Finding them at a reasonable price can be even tougher. Third-party sites can be a slog and the tickets hugely expensive. But according to Rep. Elijah Cummings (D-Md.), Pruitt bypassed the hassles by enlisting an aide to contact an Oklahoma energy consultant to hook him up with tickets at face value.

Cummings, ranking member of the House Oversight Committee, in a letter Friday alleged that Renzi Stone — the founder of marketing and communications firm Saxum, which represents clients in the oil and gas industry — helped Pruitt land some prime seats just days before the game through his role as a member of the University of Oklahoma Board of Regents.

Stone took to Twitter and acknowledged helping Pruitt: "Each year mid-Dec people call for OU bowl tickets. Scott Pruitt, my friend since 2001, asked through an aide if he could buy Rose Bowl tix. I made connection to OU ticket office. He bought them. That's it. I'll respond to Rep. Cummings ... we don't do any work for clients at EPA."

EPA spokesman Jahan Wilcox defended the arrangement in a statement: "It seems Representative Cummings is misconstruing the facts. Renzi Stone, a friend of Administrator Pruitt and regent to the University of Oklahoma, simply connected Pruitt to the athletic department. Pruitt purchased the tickets at face value from the OU athletic department. To report otherwise, is false." Read more here.

— Pruitt also sought to carve out opportunities for his daughter, McKenna, asking aides to

AMERICAN OVERSIGHT

help her land a White House internship, according to The New York Times. The request was one of many that former top aide Kevin Chmielewski said got dumped on EPA staffers that had nothing to do with the actual agency's work. Read more here.

Welcome to Afternoon Energy! We're your hosts Garrett Ross and David Beavers. Send suggestions, news and tips to gross@politico.com, dbeavers@politico.com, mdaily@politico.com and njuliano@politico.com, and keep up with us on Twitter at @garrett_ross, @davidabeavers, @dailym1, @nickjuliano, @Morning_Energy and @POLITICOPro.

POLITICO will be reporting from inside the World Gas Conference June 25-29. Sign up now for our pop-up conference newsletter to receive on-the-ground insights and information every afternoon from POLITICO Pro Energy Editor Matt Daily.

** **A message from the National Rural Electric Cooperative Association:** America's electric cooperatives directly employ 71,000 workers and create thousands of other jobs in their communities. For example, every 20 electric cooperative jobs in Arkansas generate an additional 35 indirect or induced jobs in the state. Learn more: https://bit.ly/2kLKp7Z **

WE'RE WAITING ON YOU: EPA is waiting for word from the White House before making any concrete moves on increasing sales of E15 fuel and reallocating small refiners' biofuel volumes, an agency official told POLITICO's Eric Wolff today. "Until we get direction from the White House with regard to all of those issues or any one of those issues, we are on hold as far as progressing them through the regulatory process because we're not going to get out front of the White House on an issue that they've weighed in so heavily," the official said.

The comment comes after Pruitt's rocky tour of the Midwest this week to quell concerns with farmers that he is keeping Trump's campaign promise to protect ethanol, an effort the official said was successful. "It was very tense when we walked in the door," the official said. "In the two meetings, we met with an number of farmers, one in Kansas, one in South Dakota. The lingering feeling was that of great appreciation for the administrators attention and willingness to talk to farmers."

During the tour, Pruitt sought to highlight his plan to rewrite the Obama administration's Waters of the U.S. rule, which has long been criticized by agricultural interests as massive expansion of federal regulatory power. EPA sent that proposed rule to the White House for interagency review on Friday. Read more from Eric here.

DEMOCRATS TO INTERIOR: STOP RUSHING ANWR REVIEW: Sen. Maria Cantwell (D-Wash.), the Energy and Natural Resources Committee's top Democrat, and 29 colleagues sent a letter to Interior Secretary Ryan Zinke complaining the department was rushing its review of oil and gas drilling in the Arctic, Pro's Ben Lefebvre reports. "Given the long history of the efforts to recognize the international importance of the Refuge and to protect its unique wildlife and wilderness values, we are concerned that the Department of the Interior will now seek to expedite the planning and environmental review process for an oil and gas program in the Refuge," the senators wrote.

AMERICAN OVERSIGHT

The letter adds to complaints that Interior is minimizing the extent to which it is minimizing public input. Interior scheduled the latest public meeting on the drilling proposal for a Friday evening and said it would only allow public comment from speakers drawn by a random lottery — a break from past practices of allowing everyone a turn to speak. The review is expected to be completed by early next year, and the comment period closes July 19. Read more here.

— Sen. Lisa Murkowski penned an op-ed in The Seattle Times in response to an earlier piece from former President Barack Obama's Interior Secretary Sally Jewell, touting the potential for safe drilling in the Arctic National Wildlife Refuge, a major priority for the Alaska Republican. "Alaskans are committed to developing our resources responsibly," Murkowski writes. "We have shown the world how to do that." Murkowski successfully pushed for inclusion of language in the GOP tax bill negotiations last fall to open up ANWR for oil and gas exploration. Read the op-ed here.

— Meanwhile, in Washington, indigenous leaders and environmental groups are protesting at 4 p.m. outside the final public hearing on the environmental impact review process for ANWR exploration, Kelsey Tamborrino reported in today's ME.

WOTUS REWRITE: In a statement this morning, EPA announced the agency and the Army Corps of Engineers will send their proposed rewrite of the Obama-era Waters of the U.S. rule to the White House for interagency review, Pro's Annie Snider reports. The proposed rule is expected to define a much narrower set of waters and wetlands for protection under the Clean Water Act, following a directive from Trump for the agency to shape its rewrite off an opinion by the late, conservative Supreme Court Justice Antonin Scalia. Once it receives the rule, OMB will coordinate interagency review, although it is unclear how long that process will take. Pruitt has said he intends to have the full repeal and rewrite process completed this year. Read more from Annie here.

SOLAR TARIFFS UPHELD: A federal court today rejected a request from several Canadian solar equipment manufacturers to strike down the Trump administration's 30 percent tariff on solar panels, Eric reports. "We conclude that the President's actions here were lawful and that accordingly, appellants have not established a probability of success on the merits as required for a preliminary injunction," the U.S. Court of Appeals for the Federal Circuit said in its ruling. The Solar Energy Industries Association has said the tariffs have cost thousands of jobs in the industry, though installations continue to keep pace with previous years.

AT&T GOES GREEN: While breaking ground today on a wind energy center with NextEra Energy Resources, AT&T announced it would expand its renewable energy program. The telecommunications giant has agreed to a new power purchase agreement with a subsidiary of NextEra to deliver 300 megawatts of renewable energy from two wind farm projects in Texas, bringing the company's total investments in wind power to 820 MW.

OP-ED CORNER: More bad press on the opinion pages for Pruitt today, including from the conservative National Review.

AMERICAN OVERSIGHT

— **"We advised federal officials on ethics for years. Scott Pruitt shocks us."** by Virginia Canter and Norman Eisen in The Washington Post. Canter and Eisen directly advised two presidents and worked in the Obama, George W. Bush and Clinton administrations. "This conduct flagrantly violates the prohibitions on using public office for private gain. Pruitt long ago exceeded the seriousness of the travel transgressions that led to the ouster of Tom Price at the Department of Health and Services or David Shulkin at the Department of Veterans Affairs." Read it here.

— **"Pruitt, Carson Trapped by the Trappings of Power"** by Jonah Goldberg in the National Review. "But Pruitt has also behaved like a jackass, abusing his authority in petty and silly ways, as if to prove that he's a really big deal." Read it here.

LOBBYING WATCH: Novelis, an Atlanta-based aluminum products manufacturer, hired Energy Department veteran Sarah Blackwood, now with an eponymous government relations firm, to lobby on Corporate Average Fuel Economy standards and trade issues, per a disclosure filing.

— **In a separate filing**, Broward County, Fla., hired a pair at Thorn Run Partners, as subcontractors to Van Scoyoc Associates, to lobby on a slew of issues including hurricane recovery, National Flood Insurance Program reauthorization, the Water Resources Development Act and conservation, per a filing.

QUICK HITS:

— Two rare cargoes of Venezuela Santa Barbara crude oil imported into U.S. Gulf Coast in June, Platts.

— Exxon doubles down on oil, Bloomberg.

— The most depressing energy chart of the year, Vox.

— Samsung targets 100 percent renewable energy use by 2020, Engadget.

WIDE WORLD OF POLITICS:

— Trump amps up China trade war with tariffs on high-tech imports

— Shrinking map boosts Democrats in battle for the Senate

— Trump crushes hopes for compromise DACA plan

** **A message from the National Rural Electric Cooperative Association:** America's electric cooperatives provide 71,000 direct jobs and invest $12 billion annually in local economies. Electric co-ops work directly with business and community leaders to create thousands of new jobs and couple investment from other sources to support hospitals, libraries and public safety. Learn more: https://bit.ly/2kLKp7Z **

AMERICAN OVERSIGHT

To view online:
https://subscriber.politicopro.com/newsletters/afternoon-energy/2018/06/top-ethics-office-eyes-pruitt-action-253020

Stories from POLITICO Pro

Trump: Pruitt has done 'fantastic job,' but 'I'm not happy about certain things' Back

By Anthony Adragna | 06/15/2018 09:36 AM EDT

President Donald Trump offered a mix of praise and frustration for his embattled EPA administrator Friday amid new questions over whether Scott Pruitt misused his office.

"I'm looking at Scott and Scott's done a fantastic job at EPA, but ... I'm not happy about certain things, I'll be honest," Trump told reporters during impromptu remarks on the White House lawn Friday morning. "I'm not happy about certain things, but he's done a fantastic job running the EPA, which is very overriding."

Trump did not specify what about Pruitt was making him unhappy. The administrator is facing at least a dozen investigations over his travel expenses, sweetheart condo deal and allegations that he used EPA aides to conduct personal business for him.

The latest allegation came earlier Friday in a letter from Rep. Elijah Cummings (D-Md.), ranking member of the House Oversight Committee: Pruitt asked an aide to contact an Oklahoma energy consultant to help him get tickets to last year's sold-out Rose Bowl game.

Renzi Stone, the founder of marketing and communications firm Saxum, which represents clients in the oil and gas industry, helped Pruitt in his role as a member of the University of Oklahoma Board of Regents. He said Friday that he and Pruitt have been friends for 17 years, and that he does not lobby EPA. Millan Hupp, Pruitt's former scheduler at EPA, told Oversight committee staff that Pruitt had sought Stone's help, according to a partial interview transcript reproduced in his letter.

Cummings asked Stone for copies of communications with Pruitt related to his purchase of the Rose Bowl tickets. Pruitt was able to purchase the seats under a special allotment from the University of Oklahoma at face value just five days before the sold-out game. Around that time, tickets on the resale market were going for as much as seven times what Pruitt paid, the New York Times reported Friday.

"Federal ethics rules prohibit government employees from accepting gifts, such as tickets to sporting events, unless they pay 'market value,'" Cummings wrote. "Moreover, a government employee may not accept a gift provided 'because of the employee's official position.'"

Stone acknowledged helping Pruitt.

AMERICAN OVERSIGHT

"Each year mid-Dec people call for OU bowl tickets. Scott Pruitt, my friend since 2001, asked through an aide if he could buy Rose Bowl tix. I made connection to OU ticket office," Stone wrote on Twitter. "He bought them. That's it. I'll respond to Rep. Cummings...we don't do any work for clients at EPA."

EPA spokesman Jahan Wilcox defended the arrangement.

"It seems Representative Cummings is misconstruing the facts," Wilcox said in a statement. "Renzi Stone, a friend of Administrator Pruitt and regent to the University of Oklahoma, simply connected Pruitt to the athletic department. Pruitt purchased the tickets at face value from the OU athletic department. To report otherwise, is false."

The Times also reported Friday that Pruitt had multiple aides help secure his daughter a White House internship last summer and leaned on the former speaker of the Virginia House of Delegates, William Howell, for a letter of recommendation for his daughter to law school in that commonwealth.

The Office of Special Counsel has launched a new investigation into how Pruitt handled his aides and whether he used his office for political reasons, according to the Times. That independent investigative agency did not respond to request for comment.

To view online click here.

Back

EPA official: No move on E15, small refinery waivers without White House OK Back

By Eric Wolff | 06/15/2018 01:38 PM EDT

EPA won't seek to increase sales of E15 fuel or reallocate small refiners' biofuel volumes without the go-ahead from the White House, according to an agency official.

"Until we get direction from the White House with regard to all of those issues or any one of those issues, we are on hold as far as progressing them through the regulatory process because we're not going to get out front of the White House on an issue that they've weighed in so heavily," the official told POLITICO on Friday.

EPA Administrator Scott Pruitt toured the Midwest this week, drawing a protest and holding tense conversations with farmers, who have complained he was not living up to President Donald Trump's campaign promises to protect ethanol. The White House has also held several meetings on the biofuel program that has caused a sharp rift between refiners, who say the cost of complying with the Renewable Fuel Standard is too high, and the ethanol industry, which contends EPA as undercutting the law.

Trump has promised to increase sales of E15 fuel, but he blocked a deal last week that would

AMERICAN OVERSIGHT

have altered the RFS after agricultural interests complained it would hurt ethanol makers.

Iowa Sen. Chuck Grassley has been pushing EPA to reallocate the ethanol requirements that EPA has waived through Pruitt's aggressive issuing of exemptions to small refiners for previous years' blending mandates. But the official said pushing the responsibility for blending that ethanol to other larger refiners now would be impossible.

"You cannot retroactively reallocate through regulatory action — that's general administrative law — without some direction from Congress," the official said.

However, the agency, which is working to issue its renewable volume obligations for the 2019 compliance year by a November deadline, is considering ways to process exemptions and reallocations going forward.

"Prospectively going forward, to ensure the final decision on petitions are made prior to final decision on RVO rule — that is the very element of the regulatory actions we're considering," the official said.

The official also pushed back on the idea that Pruitt is "some rogue actor" when it comes to issuing the exemptions, noting that the Department of Energy has a statutory role in in the decisions, and the White House and USDA have been involved in the discussions on altering the program.

The official said Pruitt managed to assuage farmers' anger over the RFS on his tour of the Midwest this week.

"It was very tense when we walked in the door," the official said. "In the two meetings, we met with an number of farmers, one in Kansas, one in South Dakota. The lingering feeling was that of great appreciation for the administrators attention and willingness to talk to farmers."

During the tour, Pruitt sought to highlight his plan to rewrite of the Obama administration's Waters of the U.S. rule, which has long been criticized by agricultural interests as massive expansion of federal regulatory power. EPA sent that proposed rule to the White House for interagency review on Friday.

Dusty Johnson, who is the Republican nominee for South Dakota's lone House seat, said farmers appreciate some of Pruitt's actions, including his decision to freeze the Obama WOTUS rule, but he said he expected more from EPA.

"I don't think anything has changed," Johnson said. "There were lots of comments to me from producers after the meaning. They said, 'Well, show me. All of the rhetoric is good. We need to see progress.' I think there is a decided sense that until EPA starts doing he right things, corn country is not going to be satisfied with Administrator Pruitt."

To view online click here.

AMERICAN OVERSIGHT

Back

Democrats tell Interior to not rush ANWR drilling review Back

By Ben Lefebvre | 06/15/2018 01:30 PM EDT

Sen. Maria Cantwell, the top Democrat on the Energy and Natural Resources Committee, and 29 colleagues sent a letter to Interior Secretary Ryan Zinke complaining the department was rushing its review of oil and gas drilling in the Arctic.

The letter adds to complaints that the department is minimizing the extent to which the public can comment on the review. Interior scheduled the latest public meeting on the drilling proposal for a Friday evening and said it would only allow public comment from speakers drawn by a random lottery — a break from past practices of allowing everyone a turn to speak.

"Given the long history of the efforts to recognize the international importance of the Refuge and to protect its unique wildlife and wilderness values, we are concerned that the Department of the Interior will now seek to expedite the planning and environmental review process for an oil and gas program in the Refuge," the senators wrote. The letter was signed by all Democrats and Sen. Bernie Sanders (I-Vt.).

Congress "did not waive or supersede any of the environmental laws that apply to the Coastal Plain" when it opened part of the Arctic National Wilderness Refuge to drilling, the senators wrote, referring to language included in last year's tax cut law.

Interior expects to finish its environmental review early next year.

WHAT'S NEXT: The BLM hearing begins at 4:30 p.m. today, and the public comment period for Interior's plan ends July 19.

To view online click here.

Back

EPA, Army send WOTUS rewrite to White House Back

By Annie Snider | 06/15/2018 10:01 AM EDT

EPA and the Army will today send their proposed rewrite of the Obama administration's Waters of the U.S. rule to the White House for interagency review, the agency said in a statement.

The proposed rule is expected to define a much narrower set of waters and wetlands for protection under the Clean Water Act than has historically been the case. President Donald Trump signed an executive order in February 2017 directing the agencies to base their rewrite on

AMERICAN OVERSIGHT

the late Supreme Court Justice Antonin Scalia's opinion in a key case in which the justices split 4-1-4.

"Today, we are taking an important step toward issuing a new WOTUS definition and answering President Trump's call to ensure that our waters are kept free from pollution, while promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of the federal government and the states under the statutory framework of the Clean Water Act," EPA Administrator Scott Pruitt said in a statement.

EPA has put separate rules in place to keep the Obama-era regulation on hold while it proceeds with efforts to repeal and rewrite it, and the ultimate outcome will likely be decided by the courts.

WHAT'S NEXT: OMB will coordinate interagency review of the proposed new definition of waters protected under the Clean Water Act, although it is unclear how long that process will take. A supplement to the proposed repeal rule has been sitting at the White House for review since April 11. Pruitt has said he intends to have the full repeal and rewrite process wrapped up by the end of the year.

To view online click here.

Back

Appeals Court: Trump's solar tariffs 'lawful' Back

By Eric Wolff | 06/15/2018 10:54 AM EDT

The U.S. Court of Appeals for the Federal Circuit today slapped down a request from Canadian solar equipment manufacturers to block the Trump administration's tariffs on solar panels.

"We conclude that the President's actions here were lawful and that accordingly, appellants have not established a probability of success on the merits as required for a preliminary injunction," the court said in its ruling.

The U.S. Court of International Trade had earlier ruled against an injunction request from Silfab Solar Inc., Heliene Inc., Canadian Solar (USA) Inc. and Canadian Solar Solutions Inc. to halt the 30-percent solar tariff the Trump administration imposed on nearly all foreign imports of solar panels.

The Solar Energy Industries Association, a trade group, has said the tariffs have cost thousands of jobs in the industry, but solar installations have proceeded so far at near the same rate as last year. The industry added 2.5 GW of new capacity in the first quarter of this year, according to GTM Research.

To view online click here.

AMERICAN OVERSIGHT

Back

Trump amps up China trade war with tariffs on high-tech imports Back

By Megan Cassella | 06/15/2018 08:21 AM EDT

President Donald Trump took another aggressive step in his trade war with China on Friday, announcing that 25 percent tariffs will start taking effect in July on Chinese technology imports.

The penalties on $50 billion in goods — primarily targeting products containing "industrially significant technologies," like aerospace, robotics and automobiles — drew a swift rebuke from the Chinese government. Beijing promised that retaliation in equal measure against U.S. goods would take effect on the same day the U.S. duties kick in and called for other nations to take part.

"We call on all countries to take joint actions, resolutely put an end to this outdated and regressive behavior and firmly defend the common interests of humankind," the Chinese commerce ministry said, according to a translated statement.

The White House said the tariffs, the first of which are set to begin on July 6, are aimed at cracking down on Chinese policies that force U.S. companies to hand over valuable technology and data to operate in the Chinese market. But the move also marks a significant escalation of tensions between the world's two largest economies and threatens to derail ongoing talks between the two countries, including plans for Beijing to purchase more U.S. agricultural and energy products.

The Chinese commerce ministry on Friday declared invalid any previous trade agreements reached during negotiations.

Trump said Friday that while Chinese President Xi Jinping is his "friend," the actions were necessary to "straighten out" the U.S.-China trade relationship and protect U.S. intellectual property and technology industries.

"We're going to protect those secrets," he said on "Fox and Friends." "You know those are the crown jewels of our country. ... We have the great brain power right in this country."

The new penalties will fall on more than 800 products worth roughly $34 billion on sectors including industrial machinery and information and communications technology, the Office of the U.S. Trade Representative said in a separate statement Friday. That list includes industrial products but avoided commonly purchased goods, like cellphones and televisions, in what USTR said was an effort to minimize direct effects on U.S. consumers.

The administration also highlighted an additional 284 products worth roughly $16 billion that were not on an original list of items proposed for tariffs, which was released in April. Those new

AMERICAN OVERSIGHT

items will have to undergo a public comment and review process before facing tariffs.

The U.S. also said it will pursue additional duties if China engages in retaliatory measures.

Beijing made clear that it will retaliate dollar-for-dollar against the United States as soon as tariffs take effect. To that end, nearly 550 U.S. exports to China, totaling $34 billion, will be hit with 25 percent tariffs on July 6, the Chinese Ministry of Finance said in a statement released on Friday afternoon, East Coast time — or early Saturday morning in Beijing. Those products will come primarily from the agricultural, automobile and aquatic industries, the statement said.

It also compiled its own $16 billion list of 114 products — including chemicals, energy and medical equipment — that will be imposed at a later date, likely after Trump makes a final decision to move forward on the second set of U.S duties.

U.S. Trade Representative Robert Lighthizer characterized the move Friday as something "that's been in train for a while."

"It's thorough, it's moderate, it's appropriate," he said in an interview on Fox Business. "Our hope is it doesn't lead to a rash reaction from China. We're just trying to get back to even."

He added that the U.S. hopes the action leads to further negotiations with China and "to China changing its policies, at least with respect to us, and opening up their market."

Beijing first said weeks ago that it was likely to target agricultural products like soybeans — a crop crucial to Trump's political base in the U.S. heartland — as well as cars and aircraft.

U.S. farm groups quickly voiced concerns that Trump's move against China on Friday could deeply harm an industry that has struggled in recent years amid stubbornly low commodity prices.

"For American farmers this isn't theoretical anymore, it's downright scary," Brian Kuehl, executive director of the advocacy group Farmers for Free Trade, said in a statement Friday. "It's no longer a negotiating tactic, it's a tax on their livelihoods."

Some lawmakers and business groups added their voices to the chorus of opposition, warning that while China's intellectual property practices need to be addressed, tariffs are not the right approach.

"Tariffs will harm American and Chinese businesses and consumers, and will put economic growth in both countries at risk," Senate Finance Chairman Orrin Hatch (R-Utah) said in a statement. "Ill-conceived trade actions that weaken the American economy, alienate allies, and invite retaliation against American businesses, farmers and ranchers, undermine our nation's ability to successfully confront China's unfair trade policies."

But Senate Minority Leader Chuck Schumer backed Trump's strategy. "The president's actions on China are on the money," the New York Democrat said in a statement. "China is our real

AMERICAN OVERSIGHT

trade enemy, and their theft of intellectual property and their refusal to let our companies compete fairly threatens millions of future American jobs."

Sen. Marco Rubio (R-Fla.) also strongly supported the tariffs, calling them an "EXCELLENT move."

The White House had previously paused its rollout of the duties as the two countries pursued trade talks, but Trump appeared to lose patience last month and ordered his administration to finalize the list of targeted goods. The action appeared to be a clear statement that he wasn't happy about the direction of talks with Beijing.

The Trump administration is planning still more trade actions against China, including a set of investment restrictions and export controls that are also aimed at curbing Chinese acquisition of "industrially significant" technology.

The White House has said those restrictions will be announced by June 30. Lighthizer said Friday the goal is to stop China from forcing U.S. companies to hand over valuable technology and data, calling technology America's "biggest advantage."

Victoria Guida, Sabrina Rodriguez and Doug Palmer contributed to this report.

To view online click here.

Back

Shrinking map boosts Democrats in battle for the Senate Back

By Burgess Everett and James Arkin | 06/15/2018 05:03 AM EDT

The Senate battleground map has shrunk dramatically in recent weeks — a net plus for Democrats but not enough to change their status as heavy underdogs to win the chamber in November.

Democratic incumbents look increasingly safe in four Rust Belt states President Trump carried in 2016 — Ohio, Michigan, Pennsylvania and Wisconsin, where Republicans are locked in a bitter primary until August. Both parties agree a core universe of states are truly in play: Republicans are targeting Democratic incumbents in Missouri, Indiana, Florida and North Dakota, while Democrats are contesting GOP-held seats in Nevada, Arizona and Tennessee. There is disagreement on how competitive West Virginia and Montana are.

Democrats headed into the election cycle facing a nightmarish map, with 10 incumbents trying to hang on in states that Trump won. While the party is still mostly on defense, the narrower field improves an otherwise grim outlook. Winning the Senate remains a long shot, but is possible if everything breaks Democrats' way: They need to net two seats to take back the majority, which means protecting essentially all of their incumbents.

AMERICAN OVERSIGHT

"If you look at it ... from 30,000 feet up, you'd say, 'Oh they don't have a chance.' When we started there were 10 states we looked at to hold," Senate Minority Leader Chuck Schumer (D-N.Y.) said in a recent interview. Now, he said, "there are only four that are really close."

Opportunities to snag GOP-held seats are so scarce that Democrats could easily see multiple incumbents lose if the Trump backlash turns out to be weak. But for now, Senate Majority Leader Mitch McConnell (R-Ky.) agrees the Senate is in play and has not been bullish on knocking off senators like Sherrod Brown (D-Ohio) and Bob Casey (D-Pa.), who have both opened up double-digit leads, according to polls released this week. So far, there are no suggestions Sen. Debbie Stabenow (D-Mich.) faces any kind of trouble.

One big clue on which states are truly in play came this week when the Democratic Senate Majority PAC placed fall ad reservations in Florida, West Virginia, Montana, Missouri, Indiana, North Dakota, Tennessee, Nevada and Arizona. For now, the group decided Brown, Casey, Stabenow and Sen. Tammy Baldwin (D-Wis.) don't need extra help.

Steven Law, who runs the McConnell-aligned Senate Leadership Fund, said that Democrats' "target list is a lot like ours."

"There were a few states they left off that we think could be competitive," said Law, whose group has not yet placed its reservations. "But right now, we think the field of battle is already probably about 80 percent defined, and I think both sides see the battle lines as they are."

Law also called Democrats' $80 million reservation "pretty formidable" and said he remains concerned about the party's fundraising disparity; Democratic incumbents have significantly outraised their challengers. "If Democrats stay ahead in the fundraising war, there's a very real possibility they could gain the majority in the Senate," the NRSC wrote in a fundraising email this week.

Yet Republicans say things are far less rosy than Schumer makes it seem and are looking to add to their paper-thin majority ahead of a brutal 2020 map. They are laboring to target Sens. Joe Manchin (D-W.Va.) and Jon Tester (D-Mont.); Manchin is polling well and Tester faces an opponent Democrats view as weak in state Auditor Matt Rosendale.

"Chuck Schumer wants this to be a narrow map. They want to make it about just a handful of states when the reality is, it's a very big map," said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.).

Republicans point to improvements in the generic ballot and a strong economy as signs that they may face a better political environment than was expected months ago, particularly in states where Trump's approval rating remains much higher than it is nationally.

But Democrats scoff at that optimism.

"We take nothing for granted," said Democratic Senatorial Campaign Committee Chairman

AMERICAN OVERSIGHT

Chris Van Hollen (D-Md.). "But we believe that we have narrowed the number of states from 10 to a lower number."

Both DSCC and NRSC have held off on placing their fall reservations, though the NRSC placed a small buy in North Dakota starting in August and running through Election Day, according to data from Advertising Analytics. With no presidential campaign to crowd out the airwaves, both parties are waiting as long as possible before planting their battle flags.

"Are there enough resources to go around? And what's the environment going to be like? Because in some of those states you need a decent environment," said Sen. John Thune (R-S.D.), a member of GOP leadership. "There's a lot of things that have to come together."

Florida could end up being a boondoggle for Democrats, and Republicans point to Florida Gov. Rick Scott's deep pockets as critical to opening up the rest of the map. Scott's campaign has spent more than $10 million on ads since his April launch, and groups supporting his bid have spent millions more. Senate Majority PAC responded by spending $2.2 million late last month, but Republicans hope to force Democrats to invest enough in Florida to stretch them thin elsewhere. It can cost as much as $2 million to run ads in the states pricey media markets.

"My own prediction is that, come mid-September, national Democrats are going to hand Bill Nelson a canteen and a pistol and leave him for dead," Law said.

J.B. Poersch, executive director of the Democratic Senate Majority PAC, said that Scott carries "political baggage" and that for national Republicans, "the thing they like most about Scott is his money."

"2018 is going to be a much better year in Florida than 2010 or 2014. If Rick Scott thinks he can buy the election, it ain't happening," Schumer said.

In Tennessee, Democrats are upbeat about former Gov. Phil Bredesen, who won every county in the state when he last ran in 2006 and remains popular. Republicans argue Bredesen will go the way of other Democratic retreads, like Ted Strickland and Evan Bayh in 2016, both of whom lost by sizable margins. Trump visited Tennessee late last month to boost Rep. Marsha Blackburn and attack Bredesen, though Republicans acknowledge they will need a more sustained effort to drag down Bredesen's favorability.

Some Republicans say the party should be more focused on winning seats in the heartland, and Wisconsin may be their best bet after Sen. Ron Johnson's (R-Wis.) surprise win in 2016. Johnson is urging state Sen. Leah Vukmir or Kevin Nicholson to drop out of the August primary once polls show who is stronger against Baldwin, to avoid a protracted primary that would hobble the ultimate victor going into the general election.

The state party has run radio ads for Vukmir after she won its endorsement last month, and several internal polls show momentum in her favor.

"We need to settle on a candidate. There may be movement here that makes it so obvious,"

AMERICAN OVERSIGHT

Johnson said. "If there's an accumulation of information, I would hope some candidate would say: It's not my time and withdraw and then move forward."

There's less chatter about prioritizing beating Stabenow, Casey or Brown. Thune called those "sleeper" races.

Republicans are more intensely focused on states that Trump won handily, as well as protecting Sen. Dean Heller (R-Nev.), whom Schumer says is in "huge amounts of trouble." And Democrats share Republicans' belief that Nelson and Sens. Claire McCaskill of Missouri, Joe Donnelly of Indiana and Heidi Heitkamp of North Dakota remain vulnerable.

Heitkamp said she is "doing well" but views herself as an underdog against Rep. Kevin Cramer (R-N.D.).

"Anything other than an uphill climb is wrong. This is a state that identifies pretty heavily Republican," Heitkamp said.

Republicans still think West Virginia and Montana can turn in their favor despite favorable numbers and dynamics for Manchin and Tester.

If two Democratic incumbents lose, the party essentially loses its path to the majority. But since Democrats started out the cycle with Republicans eyeing a filibuster-proof majority in 2019, they are feeling better than they have in months.

"We're in the fight," said Sen. Elizabeth Warren (D-Mass.). "We've got a real chance of taking back the Senate."

To view online click here.

Back

Trump crushes hopes for compromise DACA plan Back

By Rachael Bade and Nolan D. McCaskill | 06/15/2018 09:22 AM EDT

President Donald Trump on Friday said he would not sign a carefully crafted GOP bill addressing the predicament of Dreamers, news that caught House Republicans by surprise and left the legislation on life support.

Ironically, the proposal — the product of weeks of negotiations between centrist Republicans and conservatives — mirrored Trump's own framework to increase security, curb legal immigration and shield Dreamers from deportation.

Not only that, top White House officials, including immigration hawk Stephen Miller, were working behind the scenes to whip support for the document. And the White House had drafted a

AMERICAN OVERSIGHT

policy statement saying the president would sign the bill.

But Trump heard conservative criticism of the proposal on TV, according to senior Republicans, and swatted the proposal down.

"I'm looking at both of them," Trump told "Fox & Friends" in an interview Friday morning from the White House lawn. "I certainly wouldn't sign the more moderate one."

Hours later, the president added to the confusion with a tweet that demanded provisions that the compromise bill seemingly includes. "Any Immigration Bill MUST HAVE full funding for the Wall, end Catch & Release, Visa Lottery and Chain, and go to Merit Based Immigration. Go for it!" he wrote.

In another headspinning turn, House Republicans on Friday afternoon began circulating a draft statement of administration policy that said the president would sign the compromise bill.

"The Border Security and Immigration Reform Act of 2018 would support the Administration's goal of securing the border, closing legal loopholes, moving to a system of merit-based immigration, and protecting those who were illegally brought to the United States as children," read the statement obtained by POLITICO. "If the bill were presented to the president, his advisors would recommend that he sign it into law."

The upshot, at least as of Friday afternoon, was that the president dealt a potentially fatal blow to the bill. House Majority Whip Steve Scalise even threatened to withdraw his support for the package. His office told Breitbart that the Louisiana Republican, who wants to be speaker someday, would not whip support for any immigration bill the president opposed.

After the morning interview, GOP leaders and White House aides scrambled to get Trump back on message. Senior Republicans were predicting that Trump would not only walk back his comments but fully endorse the compromise bill. His comments on TV, they said, left him enough wiggle room to say he was dissing a Democratic proposal that did not include his wall or an immigration crackdown — not the GOP DACA bill.

But as the day wore on, that definitive statement never came, and conservatives applauded the president's position. Some senior Republicans began speculating whether they could have a vote on the bill at all if Trump didn't overtly embrace the legislation.

"He's correctly judging the American people's opinion on this subject; we're not there yet," said Rep. Scott Perry (R-Pa.). Asked what more he needed in the compromise bill, Perry seemed aghast: "Enforcement! Enforcement! We can't keep on having these half-measures that don't fix the problem."

To be sure, the GOP bill released Thursday was already facing an uphill battle. Democrats oppose the measure, saying it's too tailored to the wishes of immigration hard-liners. But now, Trump has given a group of conservatives who were already wary of the compromise a powerful reason to vote "no": He simply doesn't like it.

AMERICAN OVERSIGHT

The comments come after Ryan and other members of the House leadership team told reporters that they'd described their bill to the president and he was "excited" about it. Ryan has stressed to reporters that he has been working "hand in glove" with the administration in writing the bill.

Indeed, senior White House policy adviser Miller came to Capitol Hill earlier this week to encourage wary conservatives fearful of backlash from the base to support the plan. And GOP leaders in meetings talked about the possibility of Trump as well as the White House helping them whip support.

"I spoke with the president yesterday about the details of the bill, and clearly Stephen Miller and others in the administration have been directly involved with the discussion we've been having and they like what's in the bill," House Majority Whip Steve Scalise (R-La.) told reporters on Thursday. "The president really likes the fact that it fully funds the wall."

Instead, Trump has put GOP leaders in a corner where they'll have to ask Republicans to vote against their own president to back a controversial bill on the topic that divides the party most.

That's why Scalise's whip team decided against counting votes on Friday, as they'd planned. They knew Republicans weren't going to say "yes" given Trump's recent remarks.

Many Republicans said Friday they were seeking more information.

"We're waiting for some clarification on what that really means," said Rep. Tom Cole (R-Okla.). "We don't know."

Rep. Mario Diaz-Balart (R-Fla.), who helped craft the compromise bill, said he was told that Trump "will sign it."

"I think once he has a chance to digest it, he will sign it," Diaz-Balart said, though he declined to say who told him that, and cautioned that it would have to be verified with the White House. Diaz-Balart admitted Republicans "have a big problem" if Congress backs a compromise package and he vetoes it. "We need the president to look at it, and look at in detail... But I am hoping we can get his support."

Trump's remarks are a rebuke to Ryan and his team, who've spent hours huddled in the speaker's office trying to hash out an immigration bill that moderate Republicans from districts with big Latino populations and conservatives could back. Both sides have given ground in the talks: Moderates begrudgingly accepted strict enforcement measures, while conservatives for the first time were open to providing citizenship for Dreamers.

What's more, the GOP plan reflected Trump's own "four pillars" proposal that includes a pathway to citizenship, an end to the diversity visa lottery program, curbs on family migration and $25 billion for the border wall. It would also increase border security and interior enforcement.

AMERICAN OVERSIGHT

House Freedom Caucus Chairman Mark Meadows (R-N.C.) warned of this scenario as recently as Thursday, arguing that nobody speaks for the president except the president himself. And the president, he said, has not weighed in.

Meadows on Friday rejected other theories that Trump didn't know what he was talking about, arguing it is "not accurate" to say Trump was referring to a Democratic bill.

"Really right now we're trying to make sure that whatever immigration bill that gets passed deals with the DACA issue and secures the border," Meadows said. "Those conversations will continue."

The news is a huge blow to moderate Republicans who this spring forced the immigration matter to the forefront. Banding with Democrats, they threatened to take over the floor, circumvent their own party and pass legislation to shield Dreamers from deportation — unless Republicans could agree on their own plan to address the Obama-era Deferred Action for Childhood Arrivals program.

That set off the intense negotiating sessions that led to the compromise bill released Thursday.

The 293-page proposal also includes a provision that would keep families together at the U.S.-Mexico border. The Trump administration has been under fire for a controversial policy separating migrant children, including babies, from their parents. Though his administration controls the policy, Trump has tried to blame Democrats and use it as a bargaining chip to get his border wall from progressives.

"That's the law, and that's what the Democrats gave us," Trump said. "And we're willing to change it today if they wanna get in and negotiate. But they just don't wanna negotiate. They're afraid of security for our country. They're afraid of a wall."

As for the compromise bill, he added: "I need a bill that gives this country tremendous border security. I have to have that. We have to have the wall. We don't have the wall, there's no bill."

It's unclear whether Trump was aware that the House bill includes tens of billions of dollars for the wall.

John Bresnahan contributed to this report.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

AMERICAN OVERSIGHT

You received this POLITICO Pro content because your customized settings include: Afternoon Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: EPA Press Office
Sent: Fri 3/23/2018 3:30:02 PM
Subject: EPA's Weekly Report for 3/23/18

EPA Administrator Scott Pruitt continues to advance President Trump's environmental agenda

No Images? Click here

EPA'S WEEKLY REPORT

This week Environmental Protection Agency (EPA) Administrator Scott Pruitt sat down with more than a dozen reporters across all mediums to discuss the important work the Agency is doing to ensure regulatory certainty for America's farmers, ranchers, and businesses during National Agriculture Week. Pruitt also advanced the Trump Administration's infrastructure agenda with a push to eradicate lead from drinking water and convene a national leadership summit on PFAS to update America's crumbling water infrastructure.

NATIONAL NEWS ...

In an exclusive interview with the Daily Caller, **EPA Administrator Scott Pruitt laid out his plans to end the use of "secret science" to craft Agency regulations.** "Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations. EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public."

EPA Administrator Pruitt sat down with AgDay **to talk about issues impacting farmers and ranchers including EPA's efforts to provide certainty by redefining "Waters of the U.S."** According to Pruitt, a substitute or replacement definition will be issued sometime this year, a definition that will recognize private property ownership and the roles of states, and will answer the question of what exactly is a water of the United States. 'We're going to get that right going forward, and the definition is going to provide clarity, objective measurements by which we know where federal jurisdiction begins and ends,' he said."

OP-ED ...

In the Washington Times, **EPA Administrator Pruitt outlined the Agency's efforts to overhaul the permitting process to "rebuild and revitalize our nation's crumbling infrastructure."** "The president's ambitious proposal calls for the U.S. Environmental Protection Agency to play a leading role in the administration's efforts ... America's infrastructure was once the envy of the world. The president's proposal will restore our roads, bridges and waterways to greatness and create a safer, stronger America. Through regulatory reforms and targeted investments, EPA will spearhead the much-needed repairs to infrastructure in a way that provides tangible environmental benefits to all Americans."

AMERICAN OVERSIGHT

REGIONAL NEWS ...

The Detroit News reported that eradicating lead from drinking water is one of EPA Administrator Pruitt's top priorities. "'I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively,' Pruitt said. Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure."

While speaking with the New York Post, Pruitt called for a local, state, and federal response to the lead crisis in New York City and across the country. "EPA Administrator Scott Pruitt called for a 'coordinated' response between New York State and City officials to address the ongoing lead crisis."

In an interview with Newark Star-Ledger, Pruitt discussed efforts to make cleaning up Superfund sites a priority to advance the Agency's core mission. "The Environmental Protection Agency plans to step up efforts to get companies who dumped toxic waste at New Jersey's Superfund sites to pay to clean them up, Administrator Scott Pruitt said. Pruitt on Monday blamed a lack of urgency... New Jersey has 114 designated Superfund sites, the most in the nation, included three of Pruitt's 21 highest-priority locations."

Pruitt reiterated his commitment to prioritizing the Superfund program to clean up America's most contaminated sites, including Tar Creek, in an interview with the Tulsa World. "Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. 'It is really unacceptable,' Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there."

At this week's regional roundtable, the Albuquerque Journal reported on progress the Trump Administration is making on claim stemming from the 2015 Gold King Mine spill. "Environmental Protection Agency Administrator Scott Pruitt said Monday that the federal government is close to finishing its assessment of roughly 400 claims for financial damages stemming from the 2015 Gold King Mine spill, which dumped toxic chemicals into waters in New Mexico, Colorado and Utah, and final recommendations could be ready by the end of the month."

RADIO ...

This week, Administrator Pruitt joined WZFG 1100 AM The Flag – North Dakota to talk about his first year accomplishments, including repeal and replacement of both "Waters of the U.S." rule and Clean Power Plan.

Administrator Pruitt also joined the Lars Larson Show, based in Portland, Ore., and discussed how he's working to get the EPA back to basics and provide regulatory certainty for all Americans.

On the St. Louis, Missouri's own Mark Reardon Show, Administrator Pruitt talked a little

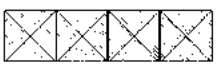
AMERICAN OVERSIGHT

about baseball and a lot about the good work the Agency is doing to improve environmental outcomes across the country.

Scott Voorhees on 1110 KFAF–Omaha had Administrator Pruitt on his show Wednesday to talk about what's to come at the EPA this year, including a continued focused on Superfund clean-up and regulatory transparency.

TWEETS ...

FRONT PAGES ...



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/2/2018 9:44:17 AM
Subject: Morning Energy: Pruitt probe heats up — When FERC met PJM — Biofuels group challenges EPA small refiner waiver

By Kelsey Tamborrino | 05/02/2018 05:43 AM EDT

With help from Alex Guillén, Tim Starks and Eric Wolff

EPA Administrator Scott Pruitt is trying to keep a low profile since last week's double dose of congressional hearings, where he blamed his staff for some of the swirling critiques he's confronting. EPA doesn't release Pruitt's public calendar ahead of time — or even where he is currently — so his whereabouts are a bit of a mystery. But Playbook reported this weekend the administrator took an early flight Saturday toward Charlotte — notably, not in first class. But that doesn't mean Washington has stopped thinking about his travels and travails.

The hits keep coming: Hours after news emerged that two close Pruitt aides were departing, the New York Times reported that Pruitt is seeking to establish a legal defense fund, which he is expected to operate privately, with no EPA affiliation. And the Times reported more on the lobbying done by J. Steven Hart, whose wife rented the infamous $50-a-night condo to Pruitt. An email provided by congressional investigators detailed how Hart asked Pruitt for help getting "three people recommended by the lobbying firm's client, Smithfield Foods, appointed to the E.P.A.'s prestigious Science Advisory Board."

The Smotkin gun: On top of that, The Washington Post reported that Pruitt's controversial LNG-promoting trip to Morocco last year was planned partly by former Comcast lobbyist and Pruitt friend, Richard Smotkin, who accompanied the administrator and his entourage at multiple stops. As he aided the EPA chief's visit, Smotkin was on the verge of securing a $40,000 monthly contract with the Moroccan government. As the Post notes in the story , federal laws "prohibit public officials from using government resources to financially benefit friends, relatives or other people with whom they have personal connections." Late Tuesday, two Democratic members of the Senate EPW Committee called on their Republican colleagues to invite Pruitt back before the panel to answer questions on the trip. "Enough is enough," Sens. Tom Carper and Sheldon Whitehouse said in a statement. "Administrator Pruitt needs to explain this trip, as well as the flood of scandal he has brought to the EPA."

Hometown glory: And it seems that Pruitt explored establishing an EPA office is his hometown of Tulsa, Okla., Democrats alleged in a new letter that surfaced Tuesday, Pro's Alex Guillén reports. House Science ranking member Eddie Bernice Johnson, Don Beyer and Suzanne Bonamici sent letters to EPA and the General Services Administration , where they laid out how Pruitt requested a conference room, secure parking space and a Secure Compartmented Information Facility for a Tulsa office. Keep in mind: Oklahoma is part of EPA's Region 6, which has headquarters in Dallas, about 240 miles from Tulsa. In a statement to ME, EPA spokesman Jahan Wilcox said that since 2012, there's been an EPA office in Tulsa for two employees for when they need to work remotely. "This location is not practical or usable for Administrator Pruitt's business and he has never used this office," Wilcox said. Read more from

AMERICAN OVERSIGHT

Pro's Alex here.

Oversight foresight: Democrats' allegation comes as House Oversight Committee staff meets with Pasquale "Nino" Perrotta, the former head of Pruitt's security team, today. Perrotta and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, both made for the EPA exit on Tuesday. A notable detail about that: Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe, Alex and Anthony Adragna report. An IG spokeswoman declined to comment how that would affect the inquiry or whether the investigators had yet spoken to him.

IT'S WEDNESDAY, MAY 2! I'm your host Kelsey Tamborrino. Congrats to Entergy's Rob Hall, who was first to identify Ulysses S. Grant as the president who first brought a *professional* baseball team to the White House — the Cincinnati Red Stockings in 1869. However, as some of you pointed out, Andrew Jackson welcomed the Washington Nationals and Brooklyn Atlantics, two amateur clubs, in 1865. Today's question is for ME geography fans: Name the eight countries that 0 degrees longitude passes through. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

WHEN FERC MET PJM: FERC Commissioner Robert Powelson will deliver a keynote address today on energy and environmental developments in the PJM region, during a workshop hosted by the Great Plains Institute and Duke University's Nicholas Institute for Environmental Policy Solutions. PJM will follow up the workshop with its own meeting Thursday of state energy and environmental regulators focusing again on policy developments in PJM wholesale markets. The meeting is especially timely as the regional transmission organization is as much in the news lately as an opponent of DOE's plans to subsidize coal and nuclear plants in danger of retirement, and more recently for a plan to reward power plants who provide fuel security in the form of fuel on site.

— After Powelson's keynote this morning, Adam Keech, the executive director of PJM market operations will present on recent developments at the RTO. A panel of state leaders will follow with reactions to PJM proposals on state-level developments and an industry panel will explore trends in the electricity industry. Lastly, a third panel today will look into "timely environmental issues," like the new tax credit for carbon capture and storage projects and Virginia's move to join the Regional Greenhouse Gas Initiative. **If you go:** Today's workshop begins at 9 a.m. at 1000 H Street NW.

TODAY: NEW INDUSTRIAL THREATS: The firm Tenable is revealing today that it discovered a major vulnerability in multinational energy giant Schneider Electric's applications that are widely used in manufacturing facilities, power production plants and public utilities. "If exploited, the vulnerability could give cybercriminals complete control of the underlying

AMERICAN OVERSIGHT

system," according to the company. "In a worst case scenario, attackers could use the vulnerability to disrupt or even cripple plant operations." Tenable said Schneider Electric issued a patch earlier this month. The discovery comes after technicians earlier this year found frightening industrial malware on Schneider Electric software. The announcement follows recent warnings from Homeland Security and the FBI about Russians targeting U.S. critical infrastructure.

WARREN, SANDERS: PICK A BETTER ADVISER: A pair of senators want President Donald Trump to select a new Homeland Security adviser who believes in the science of climate change, knocking the previous adviser for his comments on the science. In a letter, Sens. Elizabeth Warren and Bernie Sanders highlighted last year's devastation caused by Hurricanes Harvey, Maria and Irma, arguing that whoever takes over the role would be responsible for overseeing the White House's response to natural disasters.

"Unfortunately, catastrophic hurricanes like Harvey, Maria, and Irma are likely to become more common as climate change causes hurricanes to become more intense, carry more rain, and cause worse flooding due to sea level rise and warmer water temperatures," they write, highlighting how the White House's previous adviser Tom Bossert, who resigned in April, hedged on the science after last year's historic hurricane season. At the time, Bossert said the administration does "continue to take seriously the climate change — not the cause of it, but the things we observe." Warren and Sanders write that it's "critical" the president selects an adviser who takes "seriously both the causes and observable results of human-induced climate change." Read it here.

A QUOTA SYSTEM? Every country given an exemption to Trump's contentious steel and aluminum tariffs will face an import quota and other restrictions, White House trade adviser Peter Navarro said Tuesday during a meeting of steel industry executives. The tariffs have been hit with widespread backlash among the business community — including oil and natural gas pipeline organizations. Read more from POLITICO's Megan Cassella.

BIOFUELS GROUP CHALLENGES EPA SMALL REFINER WAIVERS: The Advanced Biofuels Association, which represents advanced biofuels makers, is suing EPA for allowing several small refiners to duck their obligations under the Renewable Fuel Standard, Michael McAdams, head of the association, tells ME. Ethanol producers of all stripes are furious with EPA for its expanded use of the waiver, which the producers say is reducing ethanol blending and violates Trump's promises to corn states to protect the program. Reuters first reported the lawsuit.

Refiners already playing defense: The petitioner's statement in the case appears to reflect "a fundamental misunderstanding of the hardship exemption. EPA's current actions are fully consistent with the Clean Air Act," said Scott Segal, an attorney with the firm of Bracewell who works with refiners. "The small refinery exemption provision is well established."

BLANKENSHIP DOUBLES DOWN: West Virginia GOP Senate hopeful Don Blankenship's campaign seemingly responded to outcry concerning its recent ad that called Senate Majority Leader Mitch McConnell "Cocaine Mitch." ME told you about the ad, which was taken down ,

AMERICAN OVERSIGHT

Tuesday morning. But it later reappeared on Blankenship's Facebook page, with a lengthy explanation for the phrase. McConnell's father-in-law "founded and owns a large Chinese shipping company" that "was implicated recently in smuggling cocaine from Colombia to Europe, hidden aboard a company ship carrying foreign coal was $7 million dollars of cocaine and that is why we've deemed him 'Cocaine Mitch,'" the description reads. Read it here.

— **Fox News hosted a nationally televised debate on Tuesday** for the top three West Virginia Republican candidates: Blankenship, state Attorney General Patrick Morrisey and Rep. Evan Jenkins. During the debate, Jenkins touted his Trump endorsement and Blankenship defended his actions tied to the 2010 Upper Big Branch mine disaster that killed 29 people. The former Massey Energy CEO was also asked if he accepted responsibility for the deaths of the miners: "I am accepting the responsibility to do everything I can to keep it from happening again," he said. Read the recap from Fox here.

THE MORE YOU KNOW: CNN White House reporter Betsy Klein tweeted on Tuesday that she participated in a tour of the underground basement of the Lincoln Memorial, led by none other than Interior Secretary Ryan Zinke. "The Secretary is the only person who can give a tour here, & does so a couple times a [week]," Klein tweeted. See the pictures here.

MR. BIG SKY STATE: Amid a swirling presidential feud with vulnerable Montana Sen. Jon Tester, White House legislative affairs director Marc Short called into a local talk radio station, where he noted Trump could head to the state "very soon." Trump "is very excited," Short said on "Montana Talks" on Tuesday. "We were just having a meeting about that earlier this morning, about trying to find a time ... but I hope that your listeners will look forward to seeing him sometime very soon." Home to Zinke, ME readers will recall that close to one-third of the land in Montana is under federal government ownership. That could become a key sticking point in Tester's race for reelection, especially while he fends off escalating attacks from the president.

MAIL CALL! Carper, the top Democrat on the EPW Committee, sent a letter to Transportation Secretary Elaine Chao and Pruitt, calling on them to stop their effort to undo emissions standards — the subject of a lawsuit Tuesday by California and other entities. "I urge you to immediately disavow this proposal and instead work to negotiate a 'win-win' solution on federal fuel economy and tailpipe emissions standards that can be supported by both the automobile industry and the State of California," Carper writes. Read it here.

PERRY'S IN ALASKA: Energy Secretary Rick Perry shared a video on Twitter of him arriving in Alaska on Tuesday. "Excited to tour Alaska's energy infrastructure with Sen. @LisaMurkowski. Can't wait to see #NewEnergyRealism at work," he wrote, referring to a term he recently discussed at CERAWeek in Houston.

MT. TRUMPMORE: The Hill reports Tuesday on "Project Trumpmore" — an effort by a Finnish climate group to raise $500,000 to carve Trump's face into an arctic iceberg. It's an attempt by the group, which is called the Melting Ice Association, to prove global warming exists by carving a 115-foot ice sculpture of Trump's face. "We want to build the monument for all of us, so we can see how long the sculpture lasts before melting. Often people only believe something when they see it with their own eyes," said Nicolas Prieto, the group's chairman, in a

AMERICAN OVERSIGHT

statement.

MOVER, SHAKER: Alaska's congressional delegation announced Tuesday that John Torgerson will become interim federal co-chair of the Denali Commission. Joel Neimeyer left the vacancy earlier in April, prompting the delegation to send a letter to Commerce Secretary Wilbur Ross requesting an interim federal co-chair as the administration vets a replacement.

SPOTTED: House Natural Resources Chairman Rob Bishop was hiking Utah's National Zion Park, when he posed for a pic with a group of third graders. See it here.

VIRGINIA STANDS FIRM ON COAL ASH: Virginia went on record Tuesday to declare it would not change its program for regulating coal ash, regardless of any changes made by the EPA to the federal rule. Democratic Gov. Ralph Northam said in a statement that Virginia's Department of Environmental Quality will instead "maintain its stringent program" for the waste after EPA announced in March that it was redoing the rules. The commonwealth also submitted comments to EPA on the proposal here.

QUICK HITS

— Dominion's long-term plan includes more solar, natural gas, Associated Press.

— Statoil about to become Equinor with growing renewable focus, Chron.

— West Virginia reaches $2.65M settlement with Volkswagen, Associated Press.

— Tesla feels the weight of solar panels, The Wall Street Journal.

— U.S. to fund batteries that store power for days, not hours, Bloomberg.

HAPPENING TODAY

9 a.m. — Great Plains Institute & Nicholas Institute for Environmental Policy Solutions workshop on "Energy and Environmental Developments in the PJM Region," 1000 H Street

10 a.m. — The Atlantic Council discussion on Russia's energy strategy, 1030 15th Street NW

Noon — Johns Hopkins University School of Advanced International Studies discussion on China's environmental policy, 1740 Massachusetts Ave NW

1 p.m. — The National Academy of Science's Committee public meeting on the disposal of surplus plutonium in the Waste Isolation Pilot Plant in New Mexico, 500 Fifth Street NW

CORRECTION: The May 1 edition Morning Energy misspelled the name of the director of the Solar Energy Technologies Office. It is Charlie Gay.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/pruitt-probe-heats-up-199683

Stories from POLITICO Pro

Pruitt's security, Superfund chief leave as probe heats up Back

By Alex Guillén and Anthony Adragna | 05/01/2018 10:53 AM EDT

Two top aides to Environmental Protection Agency leader Scott Pruitt have decided to leave the EPA as congressional scrutiny of his spending, secrecy and lobbyist ties intensifies.

The departures of Pasquale "Nino" Perrotta, a career EPA employee who headed Pruitt's security team, and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, come days after Pruitt dismayed much of his staff by blaming aides for furors involving his massive spending on bodyguards, first-class flights, a $43,000 soundproof phone booth and a biometric door lock.

Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe. An IG spokeswoman declined to comment Tuesday on how Perrotta's departure would affect the inquiry or whether the investigators had yet spoken to him.

And Perrotta appears poised to add to Pruitt's problems: Staff of the House Oversight Committee plans to interview Perrotta on Wednesday, a committee aide told POLITICO.

Perrotta, who could not immediately be reached for comment, told ABC News he had resigned from the agency on Monday.

Separately, EPA confirmed to POLITICO that Kelly is leaving the agency after attracting controversy over his past, including being banned for life from the banking industry by the FDIC. Agency staff did not provide details on the timing of his departure.

"Kell Kelly's service at EPA will be sorely missed," Pruitt said in a statement. Axios first reported Kelly's departure.

Kelly, a longtime friend of the administrator's, was previously the head of Tulsa-based SpiritBank, which gave Pruitt multiple home mortgages over the years. It also lent him the money to purchase a stake in a minor league baseball team that Pruitt ran before being elected Oklahoma attorney general.

Kelly was also barred from ever working again in the banking industry as part of a settlement last year with the Federal Deposit Insurance Corp. over unspecified alleged loan law violations. Kelly last month defended the loan in question, saying there was "nothing untoward about it."

AMERICAN OVERSIGHT

Pruitt has said Kelly's banking problems are unrelated to his EPA work, but told lawmakers last week that he would "encourage" Kelly to share details of the FDIC deal with Congress.

Democrats last week asked EPA's inspector general to review Kelly's hiring at EPA, as well as the Superfund Task Force he ran — and one of those Democrats, Virginia Rep. Don Beyer, said Tuesday that "Scott Pruitt should be the next to go."

"The exodus of Pruitt's closest aides shows just how toxic his reign at EPA has become," Beyer said in a statement. He added, "Albert Kelly was never qualified to run Superfund, his banking ban was a huge red flag, and his resignation is a positive development."

Pruitt has so far held onto President Donald Trump's public support, despite the multitude of investigations he faces in the executive branch and on Capitol Hill. He also continues to face a steady drip-drip-drip of new revelations about his running of the agency, including a Washington Post story Tuesday reporting that a former Comcast lobbyist, Richard Smotkin, helped arrange key parts of a multi-day trip that Pruitt took to Morocco late last year.

House Democrats also tossed a new allegation into the pile Tuesday, alleging in a letter that Pruitt — who supports Trump's calls for sharp cuts in the agency's budget — has floated the "financially unjustified" idea of putting a regional EPA office in his hometown of Tulsa, Okla.

Meanwhile, the House Oversight Committee is in the process of scheduling other interviews with senior EPA officials, the committee aide said. The agency provided more than 1,000 pages of documents Friday. "At this point, EPA is complying with our requests," the aide said.

Besides being involved in issues such as Pruitt's security spending, Perrotta also might be able to shed light on still-unexplained details about the EPA chief's controversial $50-a-night Capitol Hill condo rental from the wife of a prominent energy lobbyist. In one reported incident last year, Pruitt's bodyguards had to break down the condo's door one afternoon because they feared he was unconscious. EPA has said Pruitt was resting after feeling ill.

Perrotta told ABC he resigned for personal reasons. "All of this press is taking a toll on my family. I decided to move on and it's been an honor to serve," he told ABC. Perrotta said he will "fully cooperate and answer any and all questions" from Congress.

Perrotta, a former Secret Service agent who worked in various capacities at EPA since 2004, is connected to several allegations made against Pruitt in recent months, including that he steered a bug-sweeping contract to a colleague at an outside security firm he founded. There is "no truth" to that accusation, he said.

In the interview with ABC, Perrotta also denied allegations made by former EPA scheduling staffer Kevin Chmielewski that he threatened to come to his home and take his EPA parking pass after Chmielewski was dismissed earlier this year.

Multiple sources told POLITICO last month that Perrotta has been a driving force behind the

AMERICAN OVERSIGHT

rapidly increased security spending for Pruitt.

Perrotta did not answer phone calls from POLITICO on Tuesday morning, and EPA spokespeople did not immediately respond to questions about his resignation.

At last week's House hearings, Pruitt said his security detail had made decisions about some of the controversies besetting him, including the use of first-class flights to stay away from passengers who could pose a threat. For example, Pruitt said, he had asked his staff for "access to secure communication," and "out of that came a $43,000 expenditure that I did not approve."

Despite all the torrents of bad news, Pruitt got at least grudging support Tuesday from one Republican critic — Iowa Sen. Chuck Grassley, who accuses the EPA administrator of undermining a federal ethanol program vital to Midwestern corn growers.

Pruitt still shouldn't resign, Grassley said, citing his support for President Donald Trump's deregulatory agenda.

"Even though I think he's screwing the family farmer ... I still think almost everything else he's done as EPA director is the right thing to do," Grassley said. And he added, "with the Democrats filibustering everything, we don't have time, with all the legislation and judges we have to get through, we don't have time to get through another confirmation in the United States Senate."

To view online click here.

Back

Democrats say Pruitt asked for new EPA office in Oklahoma hometown Back

By Alex Guillén | 05/01/2018 05:33 PM EDT

Three House Democrats today said EPA Administrator Scott Pruitt floated the idea of putting a new regional agency office in his hometown of Tulsa, Okla., last year.

In a letter to Pruitt, Rep. Eddie Bernice Johnson (D-Texas), the House Science Committee's ranking member, along with Reps. Suzanne Bonamici (D-Ore.) and Don Beyer (D-Va.) wrote that Ryan Jackson, Pruitt's chief of staff, asked EPA to look into opening a Tulsa office on Jan. 31, 2017, weeks before Pruitt was confirmed by the Senate. Jackson at the time was still staff director for the Senate Environment and Public Works Committee, and he used his Senate email account, according to the letter.

"Establishing a new EPA office in Tulsa may be personally convenient for you, but it seems ethically questionable, professionally unnecessary and financially unjustified," the three lawmakers wrote.

EPA did not immediately replay to a request for comment.

AMERICAN OVERSIGHT

Oklahoma is part of EPA's Region 6, which has headquarters in Dallas, about 240 miles from Tulsa. Approximately 700 people work in Region 6, though not all are based in Dallas.

Jackson's email said the office space would need to include a conference room, secure parking, round-the-clock security and a room for secure communications, according to the lawmakers' letter. EPA staff passed the request to the General Service Administration, although no Tulsa office was ever established.

The Democrats also wrote to GSA Administrator Emily Murphy.

WHAT'S NEXT: The lawmakers asked EPA to turn over documents and communications regarding the Tulsa office proposal by May 16.

To view online click here.

Back

Pruitt's security, Superfund chief leave as probe heats up Back

By Alex Guillén and Anthony Adragna | 05/01/2018 10:48 AM EDT

Two top aides to Environmental Protection Agency leader Scott Pruitt have decided to leave the EPA as congressional scrutiny of his spending, secrecy and lobbyist ties intensifies.

The departures of Pasquale "Nino" Perrotta, a career EPA employee who headed Pruitt's security team, and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, come days after Pruitt dismayed much of his staff by blaming aides for furors involving his massive spending on bodyguards, first-class flights, a $43,000 soundproof phone booth and a biometric door lock.

Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe. An IG spokeswoman declined to comment Tuesday on how Perrotta's departure would affect the inquiry or whether the investigators had yet spoken to him.

But Perrotta appears poised to add to Pruitt's problems: Staff of the House Oversight Committee plans to interview Perrotta on Wednesday, a committee aide told POLITICO.

Perrotta, who could not immediately be reached for comment, told ABC News he had resigned from the agency on Monday.

Separately, EPA confirmed to POLITICO that Kelly is leaving the agency after attracting controversy over his past, including being banned for life from the banking industry by the FDIC. Agency staff did not provide details on the timing of his departure.

AMERICAN OVERSIGHT

"Kell Kelly's service at EPA will be sorely missed," Pruitt said in a statement. Axios first reported Kelly's departure.

Kelly, a longtime friend of the administrator's, was previously the head of Tulsa-based SpiritBank, which gave Pruitt multiple home mortgages over the years. It also lent him the money to purchase a stake in a minor league baseball team that Pruitt ran before being elected Oklahoma attorney general.

Kelly was also barred from ever working again in the banking industry as part of a settlement last year with the Federal Deposit Insurance Corp. over unspecified alleged loan law violations. Kelly last month defended the loan in question, saying there was "nothing untoward about it."

Pruitt has said Kelly's banking problems are unrelated to his EPA work, but told lawmakers last week that he would "encourage" Kelly to share details of the FDIC deal with Congress.

Democrats last week asked EPA's inspector general to review Kelly's hiring at EPA, as well as the Superfund Task Force he ran — and one of those Democrats, Virginia Rep. Don Beyer, said Tuesday that "Scott Pruitt should be the next to go."

"The exodus of Pruitt's closest aides shows just how toxic his reign at EPA has become," Beyer said in a statement. He added, "Albert Kelly was never qualified to run Superfund, his banking ban was a huge red flag, and his resignation is a positive development."

Pruitt has so far held onto President Donald Trump's public support, despite the multitude of investigations he faces in the executive branch and on Capitol Hill. He also continues to face a steady drip-drip-drip of new revelations about his running of the agency, including a Washington Post story Tuesday reporting that a former Comcast lobbyist, Richard Smotkin, helped arrange key parts of a multi-day trip that Pruitt took to Morocco late last year.

House Democrats also tossed a new allegation into the pile Tuesday, alleging in a letter that Pruitt — who supports Trump's calls for sharp cuts in the agency's budget — has floated the "financially unjustified" idea of putting a regional EPA office in his hometown of Tulsa, Okla.

Meanwhile, the House Oversight Committee is in the process of scheduling other interviews with senior EPA officials, the committee aide said. The agency provided more than 1,000 pages of documents Friday. "At this point, EPA is complying with our requests," the aide said.

Besides being involved in issues such as Pruitt's security spending, Perrotta also might be able to shed light on still-unexplained details about the EPA chief's controversial $50-a-night Capitol Hill condo rental from the wife of a prominent energy lobbyist. In one reported incident last year, Pruitt's bodyguards had to break down the condo's door one afternoon because they feared he was unconscious. EPA has said Pruitt was resting after feeling ill.

Perrotta told ABC he resigned for personal reasons. "All of this press is taking a toll on my family. I decided to move on and it's been an honor to serve," he told ABC. Perrotta said he will

AMERICAN OVERSIGHT

"fully cooperate and answer any and all questions" from Congress.

Perrotta, a former Secret Service agent who worked in various capacities at EPA since 2004, is connected to several allegations made against Pruitt in recent months, including that he steered a bug-sweeping contract to a colleague at an outside security firm he founded. There is "no truth" to that accusation, he said.

In the interview with ABC, Perrotta also denied allegations made by former EPA scheduling staffer Kevin Chmielewski that he threatened to come to his home and take his EPA parking pass after Chmielewski was dismissed earlier this year.

Multiple sources told POLITICO last month that Perrotta has been a driving force behind the rapidly increased security spending for Pruitt.

Perrotta did not answer phone calls from POLITICO on Tuesday morning, and EPA spokespeople did not immediately respond to questions about his resignation.

At last week's House hearings, Pruitt said his security detail had made decisions about some of the controversies besetting him, including the use of first-class flights to stay away from passengers who could pose a threat. For example, Pruitt said, he had asked his staff for "access to secure communication," and "out of that came a $43,000 expenditure that I did not approve."

Despite all the torrents of bad news, Pruitt got at least grudging support Tuesday from one Republican critic — Iowa Sen. Chuck Grassley, who accuses the EPA administrator of undermining a federal ethanol program vital to Midwestern corn growers.

Pruitt still shouldn't resign, Grassley said, citing his support for Trump's deregulatory agenda.

"Even though I think he's screwing the family farmer ... I still think almost everything else he's done as EPA director is the right thing to do," Grassley said. And he added, "with the Democrats filibustering everything, we don't have time, with all the legislation and judges we have to get through, we don't have time to get through another confirmation in the United States Senate."

To view online click here.

Back

U.S. pins yet another cyberattack on Russia Back

By Tim Starks | 04/16/2018 01:01 PM EDT

The U.S. on Monday accused Russia of yet another global cyberattack, pinning a mounting assault on networks on the Kremlin.

The announcement, made jointly with the United Kingdom, is the latest in a growing string of

AMERICAN OVERSIGHT

cases where Western governments have pointed a finger at Moscow for high-profile digital malfeasance — a significant shift in digital deterrence strategy. For years, governments withheld from publicly blaming other nation-states for online attacks, fearful of misidentifying the perpetrator and of having their own digital behavior exposed in retaliation.

But Monday's move is the fifth time in recent years that the U.S. government has called out the Kremlin for its digital behavior, either through agency statements or criminal indictments.

Ciaran Martin, head of the British National Cyber Security Centre, called the joint accusation evidence of "a significant moment in the transatlantic fight back against Russian aggression in cyberspace," during a call with reporters.

The newly disclosed attacks targeted "network infrastructure devices" — routers, switches and firewalls, officials said. They are meant to gain access to government and critical infrastructure targets, they added.

"It is a tremendous weapon in the hands of an adversary," said Rob Joyce, White House cybersecurity coordinator, during the call.

U.S. and U.K. officials briefing reporters said the attacks could be used for espionage or intellectual property theft or for laying the groundwork for destructive attacks should tensions escalate. But they said they had no insight into the scope of how successful the attacks have been.

"Once you own the router, you own the traffic that's traversing the router," said Jeanette Manfra, the Homeland Security Department's assistant secretary for cybersecurity and communications.

One of the way the attackers are hijacking routers is via a recently revealed flaw in networking software made by the tech conglomerate Cisco, Manfra explained.

Cisco researchers had said they believed Russian government hackers might be using the vulnerability to try and access critical infrastructure.

The flaw was also exploited in an attack that targeted Iranian networks, leaving behind the image of a U.S. flag and a warning: "Don't mess with our elections." Researchers have suggested the assault was a false flag operation designed to make it look like the U.S. was responsible.

Monday's action adds to a growing list of cyber campaigns the U.S. government has pinned on Russia.

In its waning days, the Obama administration publicly blamed Russia for hacking Democratic targets during the 2016 election, and for using social media platforms to spread misinformation meant to sow discontent during the presidential race.

And despite President Donald Trump's regular equivocation about Russia's involvement in the election hacking, his administration has continued blaming Moscow for other major

AMERICAN OVERSIGHT

cyberattacks.

In March of 2017, the Justice Department took the landmark step of indicting two Russian spies for hacking into tech giant Yahoo and stealing data on 500 million users.

In February, the U.S. joined with its intelligence allies to blame the Kremlin for orchestrating the 2017 NotPetya malware outbreak, which disrupted operations at Ukraine's central bank, the main airport in Kiev and the Chernobyl nuclear power plant. The White House called it "the most destructive and costly cyberattack in history."

And just last month, the U.S. issued a detailed report, describing a wide-reaching Russian campaign to infiltrate networks operating critical infrastructure around the world, including U.S. and European nuclear power plants and the electricity grid.

Joyce said the White House got involved in the latest joint alert "to give it the gravitas and attention of the whole of U.S. government."

He added the U.S. response could include a range of activities, such as a report published Monday afternoon detailing how to defend against the attack, a new round of sanctions, indictments or offensive cyber retaliation.

The Trump administration has already sanctioned Russia for its ongoing digital actions, including the election hacking and the NotPetya attack, issuing a new round of penalties in March targeting 24 Russian entities and individuals.

To view online click here.

Back

Trump's homeland security adviser resigns, raising questions on Bolton's second day Back

By Eric Geller | 04/10/2018 10:45 AM EDT

White House homeland security adviser Tom Bossert resigned on Tuesday, depriving the Trump administration of a key voice on counterterrorism and cybersecurity just one day into John Bolton's regime.

Bolton, the former Bush-era diplomat known for his hawkish stances, was installed Monday as President Donald Trump's national security adviser. By Tuesday, the White House said Bossert would be leaving his position.

According to one senior administration official, Bossert resigned at Bolton's behest, although others cautioned that Bolton was not the driving force behind Bossert's exit.

"The president is grateful for Tom's commitment to the safety and security of our great country,"

AMERICAN OVERSIGHT

press secretary Sarah Huckabee Sanders said in a statement.

The move may rankle Bolton's critics, who have expressed concerns about his aggressive views on various issues, from cyberwar to the ongoing conflicts in the Middle East.

Bossert has long been seen — particularly in the cybersecurity world — as an even-keeled voice within the administration that commanded respect among both digital security experts and industry leaders. Before joining the Trump White House, Bossert was a cyber-focused fellow for the Atlantic Council, a think tank.

"Bossert brought a deep understanding on cyber to a role that has typically been filled by someone who was new to the issue," said Rob Knake, an Obama-era director of cyber policy at the National Security Council and now a cyber fellow at the Council on Foreign Relations.

"Definitely a loss if his replacement is drawn from the pool of talent that is exclusively focused on terrorism," he added.

The White House said Rob Joyce, the White House's top cyber adviser, will temporarily take over as homeland security adviser in an acting capacity. Joyce is also currently acting as deputy homeland security adviser.

Since Inauguration Day, Bossert has served as the public face of the administration's response to several notable incidents.

Following the devastating storms in Texas, Puerto Rico and Florida last year, Bossert frequently briefed reporters on the status of the administration's recovery efforts.

He also oversaw the cybersecurity unit at the NSC, helping to develop Trump's cyber executive order, issued in May of last year, that vowed a new focus on protecting government networks and strengthening international and private-sector partnerships.

In that capacity, Bossert also announced that the U.S. had determined that the North Korean government was behind last year's massively disruptive WannaCry malware attack, which seized networks in over 150 countries.

In a Q&A Sunday night at the Cipher Brief Annual Threat Conference at Sea Island, Ga., Bossert also highlighted an increase in global airline security "by a factor of five" as a major accomplishment of his tenure.

"Tom led the White House's efforts to protect the homeland from terrorist threats, strengthen our cyber defenses, and respond to an unprecedented series of natural disasters," Sanders said.

DHS Secretary Kirstjen Nielsen, who also served in the Trump White House as chief of staff John Kelly's deputy, praised Bossert for providing "wise counsel to the President on Homeland security issues."

AMERICAN OVERSIGHT

Bossert's departure is the second in recent days for the NSC. The committee's spokesman, Michael Anton, said on Sunday he plans to leave the administration. Anton had regularly served as one of the president's earliest and sharpest defenders of his "America First" foreign policy.

The ongoing churn on the national security staff — Bolton is Trump's third national security adviser — "will likely further slow current work as the remaining staff go through the transition," said Michael Daniel, former President Barack Obama's top cyber adviser.

Bossert himself has pushed back against the narrative that the regular staff turnover is creating a chaotic White House.

"You won't believe this, but this White House seems to function just about the same as every other White House," said Bossert, who also served in the George W. Bush White House, during his Sunday night talk. "At the end of the day, the only thing that creates instability or the perception of it is, A, the coverage, and B, the turnover."

But Bossert's exit may especially sting for cyber policy specialists.

Many cyberwar experts have been wary that Bolton will push a more aggressive stance in the digital realm, advocating for more retaliatory online strikes.

While it's long been agreed that the U.S. government needs a more clearly articulated policy governing online attacks, the government has hesitated to dive headlong into what Bolton calls "a retaliatory cyber campaign," concerned about blowback on American businesses and infrastructure, the lack of global rules for online warfare and the debatable effectiveness of digital assaults in the first place.

Tuesday's revelation may exacerbate that fear, depending on whom Bolton chooses to replace Bossert, who has hinted at a more assertive offensive cyberspace policy, but in much less bellicose terms than Bolton.

"To the extent that Bolton views our cyber capabilities as [a] tool with no limitations and no downside risk, that would be very problematic," said a former senior White House national security official, who spoke anonymously to candidly share thoughts. "We still don't understand how a lot of concepts from the physical world operate in cyberspace."

Bossert also departs at a key moment in the administration's fight against the Islamic State in Iraq and Syria, particularly as Trump has pressed his military leaders to pull out of Syria.

Bossert warned on Sunday that ISIS was morphing into "ISIS 2.0," becoming a long-term insurgency "that's spreading itself, coordinating itself, and not seeking the 'demand a caliphate now' mentality."

Eliana Johnson and Josh Meyer contributed to this report.

To view online click here.

AMERICAN OVERSIGHT

Back

Trump trade adviser: All countries exempted from steel tariffs will face quotas Back

By Megan Cassella | 05/01/2018 06:02 PM EDT

Every country granted an exemption from President Donald Trump's tariffs on steel and aluminum imports will face an import quota and other restrictions, White House trade adviser Peter Navarro said Tuesday.

"The guiding principle of this administration, from the president down to his team, is that any country or entity like the European Union, which is exempt from the tariffs, will have a quota and other restrictions," he said at a meeting of steel industry executives hosted by the American Iron and Steel Institute and the Steel Manufacturers Association.

Navarro added such measures "are necessary to defend the aluminum and steel industries from imports in defense of our national security."

The line earned Navarro applause from the steel executives and manufacturers, who support Trump's steps to restrict the imports under a little-used trade law known as Section 232. Just hours before, Trump had decided to grant Canada, Mexico and the European Union an additional 30 days to work out deals to avoid the penalties — a move that John Ferriola, the CEO of Nucor Corp., earlier labeled "disappointing."

But the continued focus on quotas and other restrictions is unlikely to be well-received by Canada, Mexico and the EU, which have repeatedly stated that they expect a full exemption from the duties.

Without an extension from Trump, those nations and others that have worked out preliminary deals with the administration would have been hit with tariffs of 25 percent on steel exports to the U.S. and 10 percent on aluminum at midnight.

"Frankly, we're disappointed," Ferriola, who also serves as chairman of AISI, said at a press conference before Navarro's remarks. "We were hoping for the actions to be taken yesterday."

The additional 30-day delay, he added, "is giving these countries that have been dumping into our country another month to get their steel into our country before their tariffs or quotas go into effect."

Still, he and Navarro both noted that this extension is the last, and agreements must be worked out by the new deadline of June 1, or the tariffs will go into effect.

For Canada, Mexico and the EU, Navarro's emphasis that any country escaping the tariffs would face quotas and other restrictions — a line he repeated twice and that he said was the reason he

AMERICAN OVERSIGHT

allowed media access — signals the administration's intention to telegraph its hardball approach.

But Canada and Mexico, which each send more than half their steel production each year into the United States, have repeatedly said that they expect a full exemption from the duties and will not pay a tariff or agree to a quota.

Ferriola said it's possible that Canada and Mexico could make adequate changes via the updated NAFTA agreement, which is currently being negotiated, in a manner that would "serve the same purpose" as the tariffs.

For the EU, however, no such negotiations are underway, and it remains unclear what can be worked out in the next 30 days. The 28 nations that make up the bloc serve as the largest single supplier of steel to the U.S., sending $6.2 billion across the Atlantic last year.

The European Commission has already criticized Trump for simply delaying the duties, rather than canceling them outright.

"The U.S. decision prolongs market uncertainty, which is already affecting business decisions," the Commission said in a statement.

The White House on Tuesday defended the president's decision to provide more time, saying the negotiations had been extended because "we've seen some progress."

"I'm not going to get ahead of what that may look like, but we have 30 days to continue in those negotiations, and hopeful that we can get something that works for everybody," White House press secretary Sarah Huckabee Sanders said at a briefing.

To view online click here.

Back

Trump targets Sen. Jon Tester on immigration Back

By Brent D. Griffiths | 04/30/2018 07:49 PM EDT

President Donald Trump continued his attacks against Sen. Jon Tester on Monday, accusing the Montana Democrat of being soft on immigration as news reports indicate that a group of immigrants has been stalled from entering the U.S. along the border with Mexico.

"The migrant 'caravan' that is openly defying our border shows how weak & ineffective U.S. immigration laws are," the president wrote on Twitter on Monday evening. "Yet Democrats like Jon Tester continue to support the open borders agenda — Tester even voted to protect Sanctuary Cities."

Trump has slammed reports throughout April about a group of Central American immigrants

AMERICAN OVERSIGHT

seeking asylum in the U.S. The Washington Post reported on Monday that 220 migrants were stuck waiting outside a U.S. border crossing as officials told them there was not enough available space to process them.

As for Tester, the president has fumed over the senator's role in derailing White House physician Ronny Jackson from becoming Veterans Affairs secretary. Some Republicans were hesitant about Jackson's nomination because of his lack of experience, but Tester and Senate Democrats brought to light new allegations about Jackson's conduct, including whether he was too liberal with prescribing medicine to White House staff and whether or not he crashed a government vehicle while intoxicated.

Montana's U.S. Senate race is viewed a key opportunity for Republicans this fall. Trump has called on Tester, the ranking Democrat on the Veterans' Affairs Committee, to resign and has vowed that Montanans would not look kindly on their senior senator's actions in publicizing questions about Jackson. A spokeswoman for Tester did not immediately respond to a request for comment about the president's Monday tweet.

After running for president on a strict platform against illegal immigration, Trump has sought to portray Democrats as weak on the issue. He and many in the GOP have tried to restrict state and local governments from passing so-called sanctuary laws. During a broader immigration debate in February, Tester and 44 other senators in the Democratic Caucus voted against a proposal to punish states that pass such laws.

"We need lawmakers who will put America First," Trump concluded in his Monday tweet.

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers, snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

AMERICAN OVERSIGHT

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

AMERICAN OVERSIGHT

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Whitefish, Mont.-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

'Disgraceful': Trump super PAC unloads on Tester in new ad Back

By Alex Isenstadt | 05/01/2018 07:51 PM EDT

President Donald Trump's political operation is intensifying its offensive against Sen. Jon Tester (D-Mont.), launching a new TV ad labeling him "disgraceful" and "dishonest" for his role in taking down a Trump Cabinet pick.

"In Montana, we value integrity and support our president," says the ad from the pro-Trump America First Action super PAC. "But Jon Tester spread false information about a respected Navy admiral, helping D.C. Democrats derail President Trump's Veterans Affairs nominee."

The spot goes on to say that Tester, one of the most vulnerable Democratic incumbents up for re-election in 2018, "betrayed our trust, our veterans and our president," concluding that "it's time for him to go."

Trump has vowed to exact revenge on Tester for helping to sink Rear Adm. Ronny Jackson, who'd been Trump's choice to run the Veterans Affairs Department. The president, eager to go after a Democratic incumbent confronting a treacherous re-election bid, has accused Tester of spreading false information about Jackson's background in an effort to destroy the nomination.

During an interview with "Fox and Friends" last week, the president said Tester should "have a

AMERICAN OVERSIGHT

big price to pay" with voters in his conservative state.

"I watch what Jon Tester, of Montana — a state that I won by, like, over 20 points, you know, really, they love me and I love them," Trump added. "And I want to tell you that Jon Tester, I think this is going to cause him a lot of problems in his state."

Later, during a campaign-style rally in Michigan on Saturday evening, the president went after Tester again, saying that he knew of damaging information about him.

"I know things about Tester that I could say, too," Trump told the crowd. "And if I said them, he'd never be elected again."

America First Action, which is the principal pro-Trump super PAC, is spending around $344,000 to air the commercial on Fox News and broadcast stations throughout the state.

To view online click here.

Back

California and other states sue EPA over auto emissions rollbacks Back

By Alex Guillén and Anthony Adragna | 05/01/2018 01:53 PM EDT

California and more than a dozen other states are suing EPA over Administrator Scott Pruitt's recent decision to roll back greenhouse gas emissions standards for cars.

"My message to the EPA and Administrator Pruitt is simple: Do your job. Regulate carbon pollution from vehicles," California Attorney General Xavier Becerra said at a press conference Tuesday. "We are not looking to pick a fight with the Trump administration, but we are ready for one."

The lawsuit comes just days after sources said the Department of Transportation is planning to propose freezing fuel economy standards at model year 2020 levels. That could pave the way to a lower EPA greenhouse gas standard as well as an effort to block California from enforcing its own more stringent greenhouse gas standards.

"This move by Pruitt with the help and encouragement of Trump is not going to make America great. It's going to make America second-rate," said California Gov. Jerry Brown. "This is a science-based attack that we make on these characters in Washington."

Pruitt told lawmakers last week that he did not plan to go after California's ability to enforce its standards, and said he was looking to work with the state on the program. Democratic lawmakers are now calling those statements into question.

The lawsuit was filed in the U.S. Court of Appeals for the District of Columbia Circuit by

AMERICAN OVERSIGHT

California, Connecticut, Delaware, Illinois, Iowa, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington, Massachusetts, Pennsylvania and Virginia, as well as the District of Columbia.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Fri 6/15/2018 8:08:57 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov*.

Highlights

Leading the News

Trump Pick for Environment Council Faces Easier Confirmation Path
By *Abby Smith*
Democratic senators and environmentalists agree that President Donald Trump's new pick to chair the White House environment shop is a step in a better—or at least more tolerable—direction.

EPA's Pruitt Got Rose Bowl Tickets. Democrats Want to Know How (1)
By Terrence Dopp (Bloomberg) and Jennifer A. Dlouhy (Bloomberg)
Environmental Protection Agency Administrator Scott Pruitt obtained tickets to the Rose Bowl with the help of a firm that does public affairs and communications work for energy companies—and a top congressional Democrat wants to know the details.

Trump Happy With Pruitt's Performance, But Not His Scandals (1)
By *Jennifer A. Dlouhy*
President Donald Trump says Scott Pruitt's done "a fantastic job" but that he's "not happy" about some of the EPA administrator's actions, amid numerous ethics probes that have cast doubt on Pruitt's continued tenure at the agency.

Stormy Sailing Expected When Marine Fuel Standard Changes

AMERICAN OVERSIGHT

By *Alan Kovski*

A surge in demand is coming for diesel and related fuels as shipping companies close in on a deadline to reduce sulfur emissions.

AMERICAN OVERSIGHT

Today's News

Trump Solar Tariffs Shine on After Court Challenge

By *Brian Flood*

A group of Canadian manufacturers lost their bid to temporarily escape the blanket "safeguard" tariffs the Trump administration imposed on imported solar power products.

Trump's Tariffs Are a 'Glancing Blow' for Wind Power, Batteries

By *Brian Eckhouse* and *Jim Efstathiou Jr.*

President Donald Trump's tariffs on $50 billion in Chinese imports include duties on components for wind turbines, nuclear reactors and batteries—but they are unlikely to cripple any of those industries.

Conservatives May Withhold Support in Farm Bill Revote

By *Teaganne Finn*

Conservative lawmakers remain non-committal a week before the deadline to revive the House farm bill after its May defeat over an unrelated immigration bill and tighter eligibility rules for federal food assistance.

U.S. 'Hashing Out' Details of Coal-Nuclear Rescue Plan: Perry

By *Alex Nussbaum* and *Jonathan Gilbert*

The Energy Department is still working on a proposed Trump administration plan to stem closures of U.S. coal and nuclear plants, Energy Secretary Rick Perry said from the Group of 20 summit in Bariloche, Argentina.

Sensient Colors Strikes Deal With EPA to Clean Up St. Louis Site (1)

By *Sylvia Carignan*

Sensient Colors LLC, a food and cosmetic dye company, is agreeing to clean up contamination and pay penalties for environmental violations stemming from its Missouri operations.

EPA Calls for Cleanups at 26 Sites Near Colorado's Gold King Mine

By *Tripp Baltz*

AMERICAN OVERSIGHT

Cleanup actions costing nearly $10 million have been proposed by the EPA for 26 sites in the Colorado Superfund district where Gold King Mine—the source of a large wastewater release in 2015—is located.

AMERICAN OVERSIGHT

Smelly Hog Farm Lawsuit Limits Unite Critics on Left, Right in N.C.

By *Andrew M. Ballard*

North Carolina lawmakers are looking to further restrict damage awards stemming from lawsuits against smelly hog farms.

AMERICAN OVERSIGHT

Another Problem for Pruitt: Deadline in Tar Creek Audit Suit

By *Peter Hayes*

The EPA faces a June 19 deadline to tell a federal court if it will release information about Administrator Scott Pruitt's refusal to release the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund.

New York Chemical Disclosure Rule Vexes Companies, May Fail Public

By *Pat Rizzuto*

New York state's regulation requiring cleaning product manufacturers to publicly disclose the chemicals in their products could fail to achieve its goals, said a senior director at Seventh Generation Inc.

Northeast Carbon Allowance Prices Up Slightly at Latest Auction

By *Gerald B. Silverman*

The cost for electric power companies to comply with the Northeast's carbon trading program rose by 6 percent in the latest auction of carbon allowances by the Regional Greenhouse Gas Initiative.

Shut Spigot at Foxconn's Flat Screen Plant Could Challenge Operation

By *Stephen Joyce*

Foxconn's proposed $10 billion manufacturing facility in southern Wisconsin could be in jeopardy after a state agency granted an environmental group's request for a hearing about a state-approved water permit.

Exxon Doubles Down on Oil

By Kevin Crowley

In the late 19th century, inventors including Thomas Edison created electric lighting that all but ended demand for kerosene, then the biggest product made from petroleum. Oil magnate John D. Rockefeller, the forefather of Exxon Mobil Corp., was unmoved, seeing any price dip as a chance to buy up competitors.

Ontario Premier-Elect to End Carbon Plan in Challenge to Trudeau

By Greg Quinn

Ontario's Progressive Conservatives will scrap the province's cap-and-trade program and pull out of the carbon-trading market with Quebec and California in

AMERICAN OVERSIGHT

its first act of government.

Ontario Scraps Carbon-Reduction Plan as It Expands Elsewhere

AMERICAN OVERSIGHT

By *Greg Quinn* and *Jim Efstathiou Jr.*

Ontario will scrap its cap-and-trade program and pull out of the carbon-trading market with Quebec and California, even as pollution pricing expands in other regions of the world.

AMERICAN OVERSIGHT

Cambridge University Sees Need for Yield From Fossil-Fuel Assets

By Mathew Carr and Anna Hirtenstein

Cambridge University can't immediately divest from fossil-fuel assets held by the school's 3 billion-pound ($4 billion) endowment because it needs the yield to finance its academic program.

AMERICAN OVERSIGHT

Sweden Seeking EU-wide Ban on Chemical Paraffins

By *Marcus Hoy*

A chemical commonly used in electrical cable insulation as a plasticizer and flame retardant would be banned across the European Union if regulators agree to a proposal by Sweden.

China's Silk Road to Back $3.9 Billion Solar Project, ACWA Says

By Anna Hirtenstein and Vinicy Chan

China's Silk Road Fund Co Ltd. is investing in the world's largest solar thermal plant that's under development in Dubai, an executive at the company promoting the project said.

Coping With Eskom's Cuts: South Africans Brace for Power Outages

By *Marcia Klein* (Bloomberg Environment), *Ntando Thukwana* (Bloomberg), and *Paul Burkhardt* (Bloomberg)

What happens when a country's largest utility can't pay its bills? That's what South Africans are finding out as state-owned utility, Eskom, struggles to keep power stations running while workers protesting over stagnant wages hamper block access to its facilities.

Eskom Says Implementation of Stage 1 Power Cuts Lifted

By Hilton Shone

South Africa's state-owned power utility has halted rolling power cuts announced June 15.

Wellington Pushes ESG 2.0 Focusing on Alpha More Than Altruism

By Charles Stein

About 30 analysts and portfolio managers at Wellington Management get together every couple of weeks to discuss climate change.

Thursday Night Wrapup

Daniel Simmons Tapped to Head Energy Department Renewables Office

By *Rebecca Kern*

Daniel Simmons, current acting head of the Energy Department's Energy

AMERICAN OVERSIGHT

Efficiency and Renewable Energy Office, was tapped by the White House to become assistant secretary for solar and wind development.

Farmworkers Get Updated Pesticide Training With New EPA Guidance

AMERICAN OVERSIGHT

By *Ayanna Alexander*

Farmworkers will get updated training on handling pesticides after the EPA June 14 released long-sought updates to the requirements.

AMERICAN OVERSIGHT

EPA Adopting New Policies for Lead Paint After Whistleblower Case

By *Adam Allington*

The Environmental Protection Agency released new guidelines designed to help prevent exposing children and pregnant women to lead dust during repairs or renovations of older housing.

Climate Impacts Need to be Considered in Oil, Gas Lease: Court

By *Alan Kovski*

Federal agencies leasing properties for oil and gas drilling must analyze the foreseeable impacts of greenhouse gases—not only from the lease sites but from downstream activities such as automotive fuel combustion and from cumulative emissions of any sources, a court ruled.

Avangrid Confident on Approval of New England Hydropower Project (1)

By *Adrianne Appel*

Avangrid Inc. says it is confident it can overcome environmentalists' opposition and receive Massachusetts' approval early next year for a project that would deliver hydropower to Bay State residents for about 20 years.

Heavy-Duty Vehicle Rules in Canada Target Next Decade's Emissions

By *James Munson*

Buses, trucks, and vans will have to be sleeker, smarter, and more efficient to meet new carbon emissions rules in Canada.

Canada Court Dismisses Ciba Appeal Over Mine Waste Patent

By *James Munson*

Canada's top court decided not to hear a patent case involving two global wastewater treatment companies June 14, depriving one of the firms of its last chance to reinstate a patent used in mining.

Industry Voices Concern as Norway Adopts EU Ship Recycling Rule

By *Marcus Hoy*

The Norwegian shipping industry objected to some elements of the European Union's approach to ship recycling after the government announced it will adopt the EU Ship Recycling Regulation.

AMERICAN OVERSIGHT

Blowback Over Japanese Plan to Reuse Tainted Soil From Fukushima

By *Brian Yap*

Japan's plan to reuse soil contaminated with radiation from the Fukushima-

AMERICAN OVERSIGHT

Daiichi nuclear power plant accident for agriculture is sparking something of its own nuclear reaction.

AMERICAN OVERSIGHT

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/6/2018 9:43:21 AM
Subject: Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 05:41 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively — appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

— **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

— Even with the continued spray of scandals, CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

— **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement — the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

— Another new letter to the IG emerged Thursday from Carper, who raised questions last week — before Pruitt's scandal saga hit fever-pitch — about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering

AMERICAN OVERSIGHT

Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

— **The Renewable Fuels Association submitted FOIA requests** to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

AMERICAN OVERSIGHT

QUICK HITS

— U.S. companies on edge over tariff threat to supply chains, Financial Times.

— Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

— Conservative allies rally in bid to save embattled EPA head, Bloomberg.

— Documents show Shell grappled with climate change years ago, E&E News.

— How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

— This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

HAPPENING TODAY

8:00 a.m. — The Business Network for Offshore Wind holds International Offshore Wind Partnering Forum, Princeton, N.J.

9:00 a.m. — The Henry L. Stimson Center seminar on "Solving the Unsolvable: Nuclear Waste Solutions for the New Millennium," 1211 Connecticut Avenue NW

9:30 a.m. — The National Capital Region Water Resources Symposium on water management in urban environments, 4340 Connecticut Ave NW

10:00 a.m. — The Millennium Challenge Corporation discussion on work in the water, sanitation and irrigation sector, 1099 14th Street NW

12:30 p.m. — Young Professionals in Energy DC afternoon tour of Covanta's Energy-from-Waste facility, Alexandria, Va.

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-watch-what-comes-next-160332

Stories from POLITICO Pro

Pruitt fell behind on payments for his $50-a-night condo rental Back

By Eliana Johnson and Andrew Restuccia | 04/05/2018 05:21 PM EDT

AMERICAN OVERSIGHT

Environmental Protection Agency chief Scott Pruitt was at times slow to pay the rent on his $50-per-night lease in a Capitol Hill condo, according to two people with knowledge of the situation — forcing his lobbyist landlord to pester him for payment.

Pruitt's living arrangement is the latest ethical issue to come under scrutiny by the EPA's inspector general's office, which said Thursday it's considering opening an investigation into Pruitt's lease arrangement — a move that would add to reviews of Pruitt's taxpayer-funded first-class travel, his use of special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The EPA head was renting the condo from health care lobbyist Vicki Hart, whose husband, J. Steven Hart, is an energy lobbyist.

The cavalcade of problems has raised questions about Pruitt's future in the Trump administration.

Though President Donald Trump told reporters "I do, I do," when asked Thursday whether he had confidence in Pruitt, an administration official said the president has begun asking friends and advisers what he should do about the EPA chief.

On his way back from an event in West Virginia, Trump said he was considering how to respond to reports about Pruitt's activities. "I have to look at them," Trump said. "I'll make that determination."

But the president said repeatedly that he thinks Pruitt has done "a fantastic job."

"I think he's a fantastic person," Trump added. "I just left coal and energy country. They love Scott Pruitt. They feel very strongly about Scott Pruitt, and they love Scott Pruitt."

Trump's conservative outside advisers have been mounting a defense of the EPA chief, urging the president not to succumb to what they argue is an unfair pile-on by the media.

White House officials, conscious of how quickly the president's mind can change about defending or dismissing top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job. "I can't speak to the future of Scott Pruitt," White House spokesman Hogan Gidley said Thursday. "If the president has confidence in somebody, they stay."

But behind the scenes, White House officials are frustrated with the way Pruitt has handled the crisis. While in many cases, the president has unilaterally dismissed Cabinet members and senior advisers against the advice of his top aides, Pruitt's situation is a rare instance in which the president has remained loyal longer than other members of the White House staff, who are eager to see Pruitt gone.

West Wing frustration with Pruitt spiked after a Fox News interview on Wednesday that one White House official called a "disaster."

AMERICAN OVERSIGHT

Trump, who watched the interview, was said to be unhappy with Pruitt's performance, the aide said, adding that the EPA chief appeared to be unprepared for tough questions from Fox News correspondent Ed Henry.

Pruitt, for his part, has gotten conflicting messages from the White House.

During a phone call on Monday, Trump encouraged Pruitt to defend himself after the EPA chief complained that the press was out to get him, according to a person familiar with the conversation — which Pruitt interpreted as a green light from Trump to do a series of media interviews in a bid to tamp down the scandals engulfing him.

But Kelly and other White House officials have found Pruitt's efforts at a response to be lackluster and counterproductive. Kelly called Pruitt after Wednesday's Fox News interview to discourage him from doing more press.

In a separate phone call on Tuesday, Kelly pressed Pruitt about whether more damaging revelations were coming, the White House official confirmed. The Daily Beast first reported Kelly's comments. It is unclear how Pruitt responded, but the next day, The Atlantic broke the news that Pruitt circumvented the White House to grant raises to two employees.

And late Thursday, Pruitt faced a new batch of damaging reports, including one from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Pruitt's lease agreement, first reported last week by Bloomberg News, has become a point of contention because political appointees sign an ethics pledge prohibiting them from accepting gifts from lobbyists — which would cover cut-rate lodging.

A lease agreement covering February through April 2017 indicated Pruitt's rent was "payable on the 1st day of each month, in installments of $500 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy," according to a memo obtained by the Campaign Legal Center.

Had Pruitt stayed in the condo every night in a given month, he would have owed $1,500 — but canceled checks reviewed by Bloomberg show Pruitt made a payment of $1,700 on Sept. 1, suggesting he eventually paid his back rent.

A spokesman for Pruitt declined to comment.

The uncertainty about Pruitt's fate comes in the wake of Trump's successive dismissals last month of Secretary of State Rex Tillerson, national security adviser H.R. McMaster and Veterans Affairs secretary David Shulkin.

His situation may more closely resemble that of former "Apprentice" contestant Omarosa Manigault, who was fired in December of last year despite the president's initial objections after

AMERICAN OVERSIGHT

Kelly convinced him that her abuse of a White House car service, among other things, was a scandal in the making.

Pruitt was among a handful of Cabinet-level officials slapped on the wrist last month by Kelly, who called him into the White House to drill home the notion that — legality aside — "optics matter." CNN first reported on the meeting.

Pruitt has made clear he wants to keep fighting. He pushed back on allegations in the interview with Fox News on Wednesday. In the interview, Pruitt described his housing arrangement as "an Airbnb situation" and said EPA ethics officials had signed off on it.

An EPA ethics official clarified later Wednesday that he had concluded only that the $50-per-night lease did not constitute an improper gift but did not investigate whether Pruitt's arrangement ran afoul of other ethics rules.

Asked by Fox whether renting a room from a Washington lobbyist was inconsistent with Trump's promise to drain the swamp, Pruitt replied: "I don't even think that that's even remotely fair to ask that question."

To view online click here.

Back

Trump: Pruitt's 'done an incredible job' Back

By Kelsey Tamborrino | 04/05/2018 05:17 PM EDT

President Donald Trump today praised Scott Pruitt but said he would look into reports of ethics questions that have been raised about the EPA administrator.

"I think he's done an incredible job," Trump said of Pruitt, according to a pool report. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job."

Pruitt has come under scrutiny for a slew of reports concerning a $50-per-night condo he rented from a lobbyist last year, as well as previous questions surrounding his travel costs and security spending. When asked about the reports today, Trump suggested he had not read all the details.

"I have to look at them," Trump told reporters aboard Air Force One. "I'll make that determination. But he's a good man."

The president was returning from an event in White Sulphur Springs, W.Va., on the recent tax cuts, where he said the residents were in support of Pruitt.

"You know, I just left coal and energy country," Trump said. "They love Scott Pruitt. They feel very strongly about Scott Pruitt."

AMERICAN OVERSIGHT

To view online click here.

Back

Third Republican calls on Pruitt to resign Back

By Alex Guillén | 04/05/2018 03:34 PM EDT

Rep. Elise Stefanik (R-N.Y.) today called on EPA Administrator Scott Pruitt to resign, becoming at least the third Republican to do so even as more conservative lawmakers come to Pruitt's defense.

"I'm going to make news today," Stefanik said at a town hall meeting in South Glens Falls, about 45 miles north of Albany, according to The Saratogian. "I think Scott Pruitt should resign. I fundamentally disagree with how Pruitt has handled the EPA."

Reps. Carlos Curbelo and Ileana Ros-Lehtinen, both Florida Republicans, earlier this week called for Pruitt's ouster, as have a number of Democrats. Pruitt is facing increased scrutiny for ethics issues including the $50-per-night rent he paid to rent space in a condo from a lobbyist last year.

Meanwhile, conservative Republicans like Sens. Rand Paul (R-Ky.) and Ted Cruz (R-Texas) have come to Pruitt's defense today.

"Why do Obama and his media cronies want so badly to drive @EPAScottPruitt out of office?" tweeted Cruz.

Pruitt "is likely the bravest and most conservative member of Trump's cabinet," tweeted Paul. "We need him to help @realDonaldTrump drain the regulatory swamp."

To view online click here.

Back

Democrats ask EPA IG to expand probe into hiring authority to cover aides' raises Back

By Alex Guillén | 04/05/2018 05:10 PM EDT

Two Senate Democrats today asked EPA's inspector general to expand an existing investigation into Administrator Scott Pruitt's use of a special hiring authority to look into allegations that two aides brought with him from Oklahoma received large raises via that authority.

The Atlantic first reported this week that Sarah Greenwalt and Millan Hupp were both denied

AMERICAN OVERSIGHT

large raises by the White House, but that they later received them via special authority that allows Pruitt to make hires via the Safe Drinking Water Act.

Pruitt said Wednesday on Fox News that he had no knowledge of the raises, and was looking into the matter.

In a letter to EPA's IG, Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.) write that if Pruitt's statement to Fox News is accurate, then one or more EPA officials acted without his knowledge. "This could indicate a serious breakdown of internal controls on the appropriate use of this authority," they wrote. "If Pruitt's statements were false, then the SDWA hiring authority may have been intentionally abused under the direction of the Administrator to award large raises to favored aides."

EPA's IG in January announced an investigation into whether Pruitt used the SDWA hiring authority to shield political appointees from the Trump administration's ethics pledge.

To view online click here.

Back

EPA inspector general reviewing allegations around Pruitt rental Back

By Alex Guillén | 04/05/2018 09:04 AM EDT

EPA's inspector general is reviewing requests to investigate Administrator Scott Pruitt's $50-a-night lease agreement, a spokesman confirmed today — an initial step before determining whether to launch a formal probe.

Democrats from the House and Senate this week called on the IG to review Pruitt's rental of a room in a condo co-owned by the wife of a lobbyist with energy clients.

There are already three other IG investigations underway into Pruitt's specific activities at EPA. The IG is also investigating his travel, his use of a special Safe Drinking Water Act hiring authority and his spending on a soundproof phone booth for his office.

WHAT'S NEXT: It is unclear how long the IG will review the allegations before determining whether to open an investigation into the apartment lease. IG probes often take months to complete.

To view online click here.

Back

Top Pruitt policy aide Samantha Dravis resigns Back

AMERICAN OVERSIGHT

By Emily Holden and Daniel Lippman | 04/05/2018 09:05 AM EDT

Samantha Dravis, senior counsel and associate administrator of EPA's Office of Policy, submitted her resignation early last week, according to a source familiar with her plans.

People close to the situation said she had been planning to leave for some time, and that her decision is not because of a series of recent negative headlines for Administrator Scott Pruitt, including news that he rented a $50-a-night condo from a lobbyist and clarification from an ethics official late last night that he didn't have all the facts when he suggested the deal might not violate rules.

Dravis is one of Pruitt's top aides and she had been tasked with numerous new responsibilities, including a regulatory reform task force, and the offices for environmental reviews and environmental justice.

Dravis, who previously was policy director and general counsel of the Republican Attorneys General Association, will pursue opportunities in the private sector.

To view online click here.

Back

Trump in West Virginia promises review of emergency authority for power plants Back

By Eric Wolff | 04/05/2018 03:30 PM EDT

President Donald Trump told a crowd in West Virginia today that he'd review the use of emergency authority to prop up coal and nuclear power plants.

Trump said he would review the use of Section 202c of the Federal Power Act, a provision that can be used to keep power plants running that are in danger of retiring. The president was at an event in White Sulphur Springs, W. Va., promoting last year's tax cuts.

"We'll be looking at that 202. You know what a 202 is? We'll be looking at that," he told the crowd. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back."

FirstEnergy Solutions, an Ohio utility company, submitted an unusual request to the Department of Energy last week — days before the company filed for bankruptcy protection — asking that DOE use its authority to provide four-year contracts to as many as 85 coal and nuclear power plants in the PJM Interconnection, a power market consisting of 13 mid-Atlantic and rust belt states.

DOE rejected a request from FES, a subsidiary of the regulated utility FirstEnergy Corp., to use

AMERICAN OVERSIGHT

that authority last year, and FERC rejected a rule proposed by Energy Secretary Rick Perry that would have benefited FES in January.

Alex Guillén contributed to this report

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering up anything, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in the interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-led study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, which offered the most expensive of all four bids. At $2.1 million, Stone's bid was nearly four times that of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract

AMERICAN OVERSIGHT

remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, whose bid was also the least expensive of the three received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of

AMERICAN OVERSIGHT

the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In the interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at

AMERICAN OVERSIGHT

the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the former president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan

AMERICAN OVERSIGHT

Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Joplin Globe columnist Wally Kennedy, who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/29/2018 9:44:16 AM
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas

AMERICAN OVERSIGHT

infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal

AMERICAN OVERSIGHT

expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like

AMERICAN OVERSIGHT

future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved

AMERICAN OVERSIGHT

Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

AMERICAN OVERSIGHT

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national

AMERICAN OVERSIGHT

emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the

AMERICAN OVERSIGHT

commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that

AMERICAN OVERSIGHT

few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

AMERICAN OVERSIGHT

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

AMERICAN OVERSIGHT

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer

AMERICAN OVERSIGHT

or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided

AMERICAN OVERSIGHT

aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under

AMERICAN OVERSIGHT

the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of

AMERICAN OVERSIGHT

staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

AMERICAN OVERSIGHT

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm

AMERICAN OVERSIGHT

elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

AMERICAN OVERSIGHT

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of

AMERICAN OVERSIGHT

course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the

AMERICAN OVERSIGHT

farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 6/28/2018 9:44:23 AM
Subject: Morning Energy, presented by ExxonMobil: Musical chairs: SCOTUS edition — Gas industry against 'transition fuel' description — Perry's back

By Kelsey Tamborrino | 06/28/2018 05:42 AM EDT

With help from Alex Guillén, Annie Snider, Eric Wolff, Anthony Adragna and Emily Holden

MUSICAL CHAIRS, SCOTUS EDITION: Supreme Court Justice Anthony Kennedy announced his retirement Wednesday — setting the stage for President Donald Trump to install a pick that will likely shift the court to the right for a generation to come. Talk of who will replace Kennedy kicked off about 1.4 seconds after he announced his retirement. The president said he will pick from his list of contenders from last year (so say goodbye to the idea of Justice Scott Pruitt). It's early, but here are a few names ME is keeping an eye on:

— **Brett Kavanaugh**, 53, judge on the D.C. Circuit Court of Appeals since 2006. Kavanaugh — already reportedly a front-runner — has been on Republican SCOTUS short lists since he joined the D.C. Circuit 12 years ago. Thanks to his seat there, Kavanaugh has had his fingers in numerous environmental cases over the years, and is widely seen as critical of many Obama-era EPA rules. (In a tweet , E&E News' Robin Bravender pointed out Kavanaugh's conservative credentials. "A source told me a few years back: 'I would think him a judge that is more open to second-guessing the EPA than nearly anyone.'")

— **Patrick Wyrick**, 37, Oklahoma Supreme Court justice, nominee to the U.S. District Court for the Western District of Oklahoma. Aside from his youth, Wyrick's other claim to fame is a close connection to EPA chief Pruitt. Wyrick's nomination to a federal district court cleared committee earlier this month on a party-line vote, but he drew fire from liberal groups such as the Alliance for Justice and the League of Conservation Voters for his work as Oklahoma's solicitor general while Pruitt was fighting federal regulations as attorney general. Pruitt previously called him "a superb lawyer" and "a dear friend and trusted counselor."

— **Sen. Mike Lee** (R-Utah), 47. Lee chairs the Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining and the Republican Steering Committee. A former clerk for Samuel Alito when he was on the 3rd Circuit Court of Appeals, Lee in recent years made headlines for holding up federal aid to Flint, Mich., saying the state should pay for its lead crisis. Lee also praised the president last year for significantly reducing the size of two national monuments in Utah.

ICYMI: Environmental issues are certainly not left out of the wide-ranging implications of Kennedy's departure, as Pro's Alex Guillén and Annie Snider report. Kennedy for more than a decade has dictated by his votes which streams and wetlands should be protected under the Clean Water Act, and he cast the deciding vote that in 2007 opened the door to EPA climate regulations.

WELCOME TO THURSDAY! I'm your host, Kelsey Tamborrino. Bracewell's Frank Maisano

AMERICAN OVERSIGHT

knew President Richard Nixon was the first to see a triple play while attending a baseball game. It was a 1969 game between the Senators and Tigers, where the Tigers got the play, but still ended up losing 7-3. For today: Three current governors were born in Pennsylvania — more than any other state. Name them. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. New speakers include: Seema Verma, administrator of the Centers for Medicare & Medicaid Services; Scott Gottlieb, commissioner of the Food and Drug Administration; and others. Register today.

CROSS THAT BRIDGE FUEL: Industry leaders are trying to make one simple message clear at this week's World Gas Conference: They're nobody's transition fuel. As natural gas has been touted by some as a cleaner-than-coal bridge fuel to hold things over until renewable sources take over, gas executives this week argued that renewables can't keep up with growing energy demand, Pro's Eric Wolff reports. "Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become de-carbonized itself, gas needs to become green if it wants to be part of a de-carbonized future in Europe."

Others said the vast scale of the power grid would require a fuel like gas for decades, while highlighting how wind and solar can only provide less than 8 percent of the U.S. power supply. Still, executives said they see coal as their chief competition, not renewables. "Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

HE'S BAAACK: Energy Secretary Rick Perry returns to Day Four of the conference for a discussion this afternoon on the role of gas in an integrated Americas. Ahead of his appearance, Perry will join Ray Washburne, president and CEO of the Overseas Private Investment Corporation, to announce a joint initiative for energy investment in the Americas. And when Perry takes the stage, he'll be joined by private-sector representatives and Javier Iguacel, the energy minister of Argentina, where Perry attended the G-20 earlier this month.

Perfect timing: DOE released an updated primer on Natural Gas Liquids on Wednesday, with a renewed focus on NGL's potential in the Appalachian region. The primer, updated with new data from EIA, includes a new section on R&D opportunities related to natural gas and NGL production, conversion and storage. Read it here.

What else? Alaska Sen. Lisa Murkowski will deliver keynote remarks at the conference this morning on "access to sustainable energy in developing economies." Ohio Rep. Bill Johnson will

AMERICAN OVERSIGHT

discuss the small- to mid-scale LNG movement.

ZINKE RESPONDS: Interior Secretary Ryan Zinke spoke out publicly for the first time Wednesday about a POLITICO report exposing a Montana real estate deal involving a nonprofit he launched and developers backed by Halliburton Chairman Dave Lesar. On talk radio program Voices of Montana, Zinke attacked the reports but did not dispute any specific details, as POLITICO's Ben Lefebvre notes . The secretary acknowledged meeting with Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier.

NOT SO FAST: Senate Judiciary Chairman Chuck Grassley's first ever invocation of his chairmanship in response to EPA's Renewable Fuel Standard announcement on Tuesday didn't escape the notice of EPW Chairman John Barrasso. Though noting he didn't want to "get into a thing," Barrasso said, "in terms of the RFS, that's in the jurisdiction of EPW." He added, "I have a great deal of respect for Chairman Grassley. He knows the institution, the committees, jurisdiction probably better than anybody."

DIVIDED PANEL UPHOLDS MURRAY PUNISHMENT OVER BONUS PLANS: An evenly divided federal panel has effectively upheld a judgment against coal producer Murray Energy for a bonus program that an administrative law judge said undermined worker safety. The bonus plans offered miners up to $250 a shift if the crew met certain production quotas, but an ALJ at the Federal Mine Safety and Health Review Commission in 2016 said that motivated miners to avoid reporting safety violations or injuries. She fined Murray $150,000, even more than the Obama administration had asked for. The matter was appealed to the four sitting FMSHRC commissioners, with two saying the ALJ's decision should be upheld and two saying it should be reversed — creating a tie that in effect upheld the ALJ's decision. "We will immediately appeal this split decision and we will prevail," Murray said in a statement.

FIRSTENERGY LOOKING TO DUMP MURRAY CONTRACTS: FirstEnergy Solutions wants a bankruptcy judge to reject a contract the company has with the McElroy mine, owned by Murray Energy. The company has been trying to unload nuclear fuel and coal supply contracts throughout its bankruptcy, but Wednesday's filing was the first time it tried to get out of a Murray contract. The company says a January fire at its Bruce Mansfield coal plant has reduced its need for coal, and it wants out of $35 million worth contracts. Murray and FirstEnergy Corp. CEO Chuck Jones have both lead the charge for a federal bailout of coal and nuclear plants

MOVING AHEAD: Count Sen. Lamar Alexander, who oversees the Appropriations subpanel responsible for the energy and water spending title, in favor of moving ahead quickly with a conference between the House and Senate. "We'll move quickly as soon as the conferees are appointed," he told ME. "There's always issues, but we have a good history of working together." Alexander said he'd already had an informal chat with his House counterpart, Rep. Mike Simpson, and expected the House would name conferees later this week.

FOR YOUR RADAR: FERC Commissioner Neil Chatterjee will discuss "securing America's energy infrastructure" during a discussion at the Bipartisan Policy Center's conference today on

AMERICAN OVERSIGHT

the electric grid. Separately, Eric Lightner, director of DOE's Smart Grid Task Force, will participate in a discussion on "nourishing the research."

DEMOCRATS: BRING BACK THE ICR: Democrats are rallying around a return of an EPA information collection request in the aftermath of reports last week that oil and gas methane emissions are much greater than previously thought. A group of Democrats sent a letter to Pruitt on Wednesday calling on him to reinstate a formal ICR — which would require companies to report detailed technical information about methane emissions from their operations — after he withdrew the Final Methane ICR in March 2017. "With new science showing that emissions are likely considerably higher than previously thought, there is no excuse for delaying or rescinding methane emission controls, or for failing to collect data from methane emitters," the Democrats wrote.

MAIL CALL! CENTER'S REBUTTAL: The Center for Biological Diversity fired back at House Natural Resources Republicans, who last week questioned its relationship with the Japanese government. Defending its moves to protect the Okinawa dugong, an imperiled marine mammal, the center said it collaborated with U.S. and international partners but did not take direction from anyone but its board and executive director. "Neither its dugong campaign, nor any of its conservation work, is controlled in any manner by any other domestic or foreign interest. Nor does the Center formally represent the interest of any party other than itself and the species and places it seeks to protect," the Center's Kierán Suckling writes. If Republicans are "confused ... it is perhaps because they abuse their positions of power so regularly, and are so deeply influenced by powerful corporate donors, that they are unable to conceive of people being motivated by empathy, public interest and respect for the rule of law and democracy." Read the letter here.

ABOUT THAT 'RULE OF LAW': The top Democrats in the House and Senate overseeing the Clean Water Act are worried that Pruitt is not enforcing all violations of the 1972 law. The administrator has recently moved to consolidate key decisions with top political appointees, and last month an EPA staffer publicly acknowledged that the agency is dropping or slow-walking cases where Clean Water Act coverage is not a "slam dunk." In a letter to Pruitt yesterday, House Transportation ranking member Peter DeFazio and Senate Environment and Public Works Committee ranking member Tom Carper raised their concerns, arguing that the moves "call into question this administration's commitment to the rule of law," and asking for key details about enforcement actions currently underway.

REPORT: GHG EMISSIONS TO MISS PARIS TARGET: U.S. greenhouse gas emissions are estimated to drop 12 percent to 20 percent below 2005 levels by 2025 — far lower than the 26 percent to 28 percent that the Obama administration promised in the Paris agreement, according to a new assessment by Rhodium Group. The findings are based on current policies, although the outlook could change with state and local efforts and based on future elections, Rhodium noted. The power sector accounts for most emissions reductions.

Natural gas and renewable power will continue to displace coal, but they also will push nuclear plants into retirement after 2025, meaning there could be an emissions rebound. Transportation is the largest source of greenhouse gases, which could decline as electric vehicles

AMERICAN OVERSIGHT

become more affordable. But "there is little downward pressure on economy-wide emissions post-2025," Rhodium said. Forest and land use remain a "wild card" for U.S. emissions, the group added.

CEQ RELEASES NEUMAYR DISCLOSURE: The Council on Environmental Quality has released its updated financial disclosure for Mary Neumayr, the new nominee to run the White House Council on Environmental Quality. Her disclosure doesn't show any direct energy-related holdings. Neumayr, who has been acting head of CEQ for more than a year, previously his jobs on the Hill and in the Bush administration.

QUICK HITS

— "He lobbied for coal. Now he's In the Trump administration, and watching his words," Bloomberg.

— "OPEC run by unanimous decision, not Saudi Arabia, says Kazempour," S&P Global.

— "Ford beats its own carbon emission reduction goals 7 years early," CNET.

— "Company plans to finish Louisiana oil pipeline by October," Associated Press

— "Interior Department plans to let people kill endangered red wolves," The Washington Post

HAPPENING TODAY

9 a.m. — The Inter-American Dialogue discussion on "Energy Policy in Brazil: What's Next for Upstream, Refining and LNG?" 1155 15th St NW.

10 a.m. — Plug In America and the Senate Auto Caucus host electric vehicle "ride and drive," 1st and C Streets NE.

10 a.m. — United States Energy Association discussion on fossil energy in a sustainable energy future, 1300 Pennsylvania Ave NW.

1:15 p.m. — Bipartisan Policy Center conference on advancing the electrical grid, 529 14th St NW.

4 p.m. — USAID Adaptation Community meeting on managing for climate risk, 1717 H St NW.

6 p.m. — The Competitive Enterprise Institute's annual dinner and reception, 901 Massachusetts Ave NW.

7 p.m. — Sen. Ed Markey holds a "Climate Crisis Action Summit," Belmont, Mass.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/musical-chairs-scotus-edition-266214

Stories from POLITICO Pro

Anthony Kennedy retiring, giving Trump opening to reshape Supreme Court Back

By Josh Gerstein and Louis Nelson | 06/27/2018 02:06 PM EDT

Supreme Court Justice Anthony Kennedy announced on Wednesday that he will retire, unleashing an epic political battle to replace him that could allow President Donald Trump to shift the court to the right for a generation to come.

The departure of the 81-year-old Kennedy from his post after more than three decades has the potential to radically reshape the court on issues such as abortion, affirmative action and gay rights, where Kennedy has served as a swing vote.

"It has been the greatest honor and privilege to serve our nation in the federal judiciary for 43 years, 30 of those years on the Supreme Court," Kennedy said in a statement. He said that he wanted to spend more time with his family and that his decision would be effective July 31.

His exit is expected to create a furious fight in the Senate over his replacement, and it could thrust the often overlooked issue of judicial selection to the forefront in close Senate races in this year's midterms.

Trump told reporters Wednesday that Kennedy, whom he said has "been a great justice of the Supreme Court," had come to the White House earlier in the day to inform him of his retirement plans. Trump said he asked Kennedy for recommendations as to his replacement but did not say how the retiring justice responded.

The president pledged that his pick for Kennedy's successor would come from lists of potential nominees he already circulated, starting during the 2016 election, when he campaigned on a promise to fill the seat formerly held by Justice Antonin Scalia with another conservative judge. The replacement process will "begin immediately," Trump said, adding, "hopefully, we will pick someone who is just as outstanding."

Senate Majority Leader Mitch McConnell (R-Ky.) — who in 2016 refused to allow a vote on then-President Barack Obama's nominee to fill Scalia's seat, saying voters should get a say at the ballot box — said Wednesday that the Senate would vote this fall on Kennedy's replacement,

AMERICAN OVERSIGHT

before lawmakers elected in November's midterms are sworn in.

Senate Republicans lined up in support of filling Kennedy's seat quickly. Sen. Ben Sasse (R-Neb.), a frequent critic of the president who sits on the Senate Judiciary Committee, said in a statement that "the Senate ought to spend August and September confirming the next Justice."

Democrats, though, called McConnell a hypocrite for changing his stance from 2016. Sen. Chris Murphy (D-Conn.) called the majority leader's move "absolute hypocrisy," and Sens. Elizabeth Warren (D-Mass.), Kamala Harris (D-Calif.) and Ed Markey (D-Mass.) all expressed similar sentiments.

"Our Republican colleagues in the Senate should follow the rule they set in 2016, not to consider a Supreme Court justice in an election year," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor. "Anything but that would be the absolute height of hypocrisy."

Nominated to the court by President Ronald Reagan after the Senate rejected the more conservative Robert Bork, Kennedy grew to become the swing vote on the court, voting with its more liberal wing on landmark cases that upheld abortion rights and authoring the court's decisions in multiple cases on gay rights, including 2015's Obergefell v. Hodges, in which the court ruled that same-sex couples have the Constitutional right to marry.

He famously sided with the majority in *Planned Parenthood v. Casey*, a 1992 ruling that affirmed the constitutional right to abortion established in *Roe v. Wade*. Trump, like many conservatives, has voiced a desire to see *Roe* overturned.

But Kennedy has also swung key cases toward the conservatives as well, including notably in Citizens United v. FEC, a 5-4 decision in which the court ruled that government limits on political spending by individuals and organizations constituted a violation of the right to free speech. Of the 17 5-4 decisions handed down by the court in its most recent term, 14 were split along ideological lines, according to Mother Jones. In all 14, Kennedy sided with the court's conservative wing.

Still, Kennedy's retirement came as a blow to many Democrats, and cries of "Oh" and "Oh, my God" punctuated a call between members of the Democratic National Committee's rules and bylaws panel as the news broke Wednesday.

Abortion is likely to loom large in the debate over replacing Kennedy. With just a 51-49 GOP majority in the Senate, Republicans can afford to lose only one vote in a confirmation fight. Two Republican senators, Lisa Murkowski of Alaska and Susan Collins of Maine, are both supporters of abortion rights.

"Because President Trump will nominate the next Supreme Court Justice, a woman's constitutional right to access legal abortion is in dire, immediate danger—along with the fundamental rights of all Americans," said NARAL Pro-Choice America President Ilyse Hogue in a statement on Wednesday.

AMERICAN OVERSIGHT

Kennedy's decision, announced on the court's final day of releasing decisions for the current term, followed a quiet campaign by the Trump White House and its allies to convince Kennedy that it was a suitable time for him to retire and that his replacement would be an esteemed and reputable jurist.

Many court-watchers saw that motivation in Trump's selection last year of Neil Gorsuch, a former Kennedy clerk, to fill the vacancy created by Scalia's death in 2016.

At Trump's maiden speech to Congress last year, he took a moment to stop and chat with Kennedy. Kennedy's son Justin knows Donald Trump Jr. through work in New York real estate. Kennedy's other son, Gregory, worked briefly last year on the Trump transition team, handling financial issues related to NASA.

One Republican with knowledge of the White House's deliberations said two leading contenders to fill the vacancy were former Kennedy clerks Brett Kavanaugh, now a D.C. Circuit Court judge, and Raymond Kethledge, who sits on the U.S. Court of Appeals for the 6th Circuit.

White House legislative affairs director Marc Short said last month that Trump could consider nominating someone he has not yet named publicly if a vacancy arose. The president might pick someone seen as less stridently conservative for Kennedy's seat, since moderate Republican senators are likely to face pressure from the left not to confirm anyone viewed as too polarizing.

Other people mentioned as possible replacements for Kennedy include those who were interviewed by Trump for the seat Gorsuch eventually filled, 3rd Circuit Judge Thomas Hardiman, 11th Circuit Judge William Pryor and 6th Circuit Judge Amul Thapar.

Trump included on previous lists of potential Supreme Court nominees 7th Circuit Judge Amy Barrett, Supreme Court Justice Britt Grant, 11th Circuit Judge Kevin Newsom and Oklahoma Supreme Court Justice Patrick Wyrick. And conservative court-watchers have speculated that former George W. Bush solicitor General Paul Clement, who is the right's go-to litigator at the high court but was not on Trump's latest list, and Sen. Mike Lee of Utah could be candidates for the spot.

Sen. Ted Cruz (R-Texas), speaking Wednesday to Fox News, said he would like to see Lee be the nominee. Asked by a CBS News reporter if he would be interested in an appointment to the Supreme Court, Lee responded, "Of course."

David Siders, Matthew Nussbaum and Eliana Johnson contributed to this report.

To view online click here.

Back

Kennedy retirement tilts court right on climate, water Back

AMERICAN OVERSIGHT

By Annie Snider and Alex Guillén | 06/27/2018 04:08 PM EDT

Justice Anthony Kennedy's retirement will add the environment to the areas on which the Supreme Court will likely shift rightward at a time when major legal battles are wending their way to the justices.

For more than a decade, it has been Kennedy's sole view of which streams and wetlands should be protected under the country's foremost water law that reigned, shaping the cost of new housing developments, the location of coal mines and the health of the nation's waters.

And Kennedy cast the deciding vote in a landmark 2007 case that opened the door for EPA to regulate greenhouse gases. Both rules are among the most contentious actions of the Obama era that the Trump administration is working hard to undo or restrict.

Environmentalists, developers and farmers have been battling over the scope of the Clean Water Act since it was signed into law in 1972. In the turning point 2006 case *Rapanos v. United States,* the court's four conservative justices, led by the late Justice Antonin Scalia, took a limited view of which waterways should be federally protected, saying only that waterways that regularly flow into major rivers, and the wetlands directly next to them, should be covered. The court's liberal wing took an expansive interpretation, and Kennedy found himself in the middle.

Kennedy's stand-alone opinion in *Rapanos,* which argued that any creek, bog or marsh that has a "significant nexus" to downstream navigable waters warranted federal protection, has been broadly viewed by lower courts as the one to follow.

In 2008, the George W. Bush administration's EPA issued guidance hinged to Kennedy's "significant nexus" test, and when the Obama administration issued its 2015 Waters of the United States rule meant to clarify the reach of the 1972 law, it too was pegged to Kennedy's opinion. Expecting that challenges to the rule were likely to reach the Supreme Court, Obama's EPA used the phrase "significant nexus" more than 500 times in the Waters of the U.S. rule.

Even as court battles are raging in district courts over the legality of the Obama-era rule, the Trump administration has begun the process of repealing it and drafting its own, much narrower interpretation of the law pegged to Scalia's opinion. A draft of the proposal was sent to the White House for interagency review two weeks ago.

Legal experts generally considered the Trump administration's rewrite project to be a vanity project, likely to fall flat if it reached the Supreme Court for a review while Kennedy was still on the bench. Now, all bets are off.

Vermont Law School professor Patrick Parenteau said Kennedy was notable among the court's conservatives for the interest he took in learning about the science and complexity of the environmental problems before him.

"Nowhere was this more evident than in his concurring opinion in *Rapanos,* which has become the controlling test for evaluating what waters are protected under the [Clean Water Act],"

AMERICAN OVERSIGHT

Parenteau said by email. "His leaving will doubtless have a major bearing on the outcome of the litigation over the Waters of the U.S. rule."

With many environmental cases often narrowly splitting the court, Kennedy frequently played a key role in the blockbuster environmental cases of recent decades.

Most importantly, Kennedy cast the crucial fifth vote in *Massachusetts v. EPA*, the 2007 case that set the stage for the last decade of political battles over climate change.

He joined the court's four liberal justices to rule that the Clean Air Act gave EPA the authority to regulate greenhouse gases, including carbon dioxide. The Obama administration used that ruling to justify sweeping new rules on cars and later power plants that the Trump administration is now working to undo.

Kennedy, along with Chief Justice John Roberts, also sided with the court's liberal wing in 2014 to uphold EPA's Cross-State Air Pollution Rule, which a lower court had thrown out. The rule, which limits pollution that hurts air quality in downwind states, helped drive utilities to shutter a number of older, dirtier coal-fired power plants rather than pay for new pollution controls.

But Kennedy did not always side with environmental interests. In 2015, he and the four more conservative justices ruled that EPA had wrongly failed to consider the cost of regulating when first deciding to limit mercury emissions from coal plants. Although that ruling did not completely derail the mercury rule, it opened the door for an ongoing effort at EPA to change how costs and benefits are calculated, a move critics argue will make it easier to justify not regulating pollution.

Kennedy also cast the fifth vote in 2016 to block the Clean Power Plan before the D.C. Circuit had even reviewed it, an unprecedented step. Neither the court nor Kennedy ever explained the decision.

Looking forward, the Supreme Court has two environmental cases on its docket this fall, with potentially more on the way: The court has agreed to weigh when habitat can be designated as critical under the Endangered Species Act. The justices will also decide whether Virginia's 36-year-old uranium ban is pre-empted by federal law.

In addition, the Supreme Court will decide whether an American Indian-owned fuel business is exempt from the state of Washington's gas tax.

To view online click here.

Back

Gas industry: We're a destination fuel, not a transition Back

By Eric Wolff | 06/28/2018 05:00 AM EDT

AMERICAN OVERSIGHT

Gas industry officials at the World Gas Conference have a message for renewable energy advocates: We're not your transition fuel.

Natural gas has long been touted as an energy source that can displace coal around the world and serve as a bridge fuel until cleaner power systems that run on renewables like wind and solar can take over. But gas industry executives said renewables alone won't be able to meet global energy needs, and they'll need gas to run power plants when sunlight and wind aren't available.

"I like the expression of gas as a destination fuel and not a transition (fuel)," Patrick Pouyanné, CEO of Total S.A. told the conference this week.

Gas executives argued that renewables can't keep up with growing energy demand, and natural gas will be needed for decades to come. Even European Union countries that have agreed to sharp cuts in greenhouse gas emissions are hoping to build new pipelines and LNG terminals that will keep gas flowing in for several decades, a trend will require capturing and sequestering the carbon dioxide it produces.

"Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become decarbonized itself, gas needs become green if it wants to be part of a decarbonized future in Europe."

Other energy executives said the vast scale of the power grid would require a fuel like gas for decades. Even with their fast growth in recent years, wind and solar only provide less than 8 percent of the U.S. power supply.

"We have to get to a point of not talking about 100 percent renewables, it just cannot happen," Barry Perry, CEO of Fortis, a gas and power company with operations in the U.S. and Canada, told POLITICO. "When we talk about the big grid, you need that base generation to make it all work. ... We can do more renewables over time, but the grid is going to need some of the base generation for a very long time into the future."

Gas executives acknowledged that renewables will continue their fast growth, and they said gas turbines will provide critical ramping services on the power grid as well as keeping the lights on when the wind and solar can't. And with recent studies by the Energy Information Administration, the International Energy Agency, and others suggesting the world energy demand is likely to jump as developing nations electrify, gas will still be required.

"This is a challenge on a scale not faced before by humanity," De la Rey Venter, executive vice president for Shell's Integrated Gas Ventures, told an audience on Tuesday. "Renewable energy will play a major role in meeting this challenge. But renewables alone cannot transform the power sector. Today gas is ideal to handle to variability of the solar and wind."

Executives like Perry and Didier Holleaux, executive vice president for French utility Engie, said they doubted whether renewables could to handle the enormous projected energy demand needed as Asian countries expand their electricity networks and vehicles shrink their dependence on oil-

AMERICAN OVERSIGHT

based fuels. And despite some recent successes of renewables-plus-storage projects in the U.S., they don't believe batteries can compete with natural gas to supply the amount of energy that will be needed.

"In comparison batteries will always be an order of magnitude in cost — 1,000 times more expensive, today it's 2,000 times more expensive," Holleaux said. "Even if you think the cost will decrease, the cost of storing energy in gas is far cheaper."

Gas executives still see coal as their chief competition, not renewables.

"Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

"America has 100 years of gas of proven reserves, Canada has 200 years," he added. "It's an amazingly abundant resource, it is a foundational fuel, not a transitional fuel."

To view online click here.

Back

Exclusive: Zinke linked to real estate deal with Halliburton chairman Back

By Ben Lefebvre and Nick Juliano | 06/19/2018 05:05 AM EDT

WHITEFISH, Mont. — A foundation established by Interior Secretary Ryan Zinke and headed by his wife is playing a key role in a real-estate deal backed by the chairman of Halliburton, the oil-services giant that stands to benefit from any of the Interior Department's decisions to open public lands for oil exploration or change standards for drilling.

A group funded by David Lesar, the Halliburton chairman, is planning a large commercial development on a former industrial site near the center of the Zinkes' hometown of Whitefish, a resort area that has grown increasingly popular with wealthy tourists. The development would include a hotel and retail shops. There also would be a microbrewery — a business first proposed in 2012 by Ryan Zinke and for which he lobbied town officials for half a decade.

The Whitefish city planner, David Taylor, said in an interview that the project's developer suggested to him that the microbrewery would be set aside for Ryan and Lola Zinke to own and operate, though the developer told POLITICO that no final decisions have been made.

Meanwhile, a foundation created by Ryan Zinke is providing crucial assistance. Lola Zinke pledged in writing to allow the Lesar-backed developer to build a parking lot for the project on land that was donated to the foundation to create a Veterans Peace Park for citizens of Whitefish. The 14-acre plot, which has not been significantly developed as a park, is still owned by the foundation. Lola Zinke is its president, a role her husband gave up when he became interior

AMERICAN OVERSIGHT

secretary.

The Zinkes stand to benefit from the project in another way: They own land on the other side of the development, and have long sparred with neighbors about their various plans for it. If the new hotel, retail stores and microbrewery go through, real estate agents say, the Zinke-owned land next door would stand to increase substantially in value.

Lesar, who also served as Halliburton's chief executive until last year, is providing money to back the hotel and retail development, according to business records and officials at Whitefish city government and Halliburton. He also has a longstanding relationship with the Zinkes. In 2014, he and his wife, Sheryl, gave $10,400, the maximum allowed by law, to Zinke's first House campaign. His only other federal contributions that year were to Halliburton's PAC and the campaign of Rep. Liz Cheney, whose father, Dick, ran the company before becoming George W. Bush's vice president.

Ryan Zinke did not respond to a list of specific questions but said in a statement that he "resigned as president and board member" of the foundation "upon becoming secretary."

The foundation's 2018 annual report to the state of Montana, however, lists Ryan Zinke as an officer, with Lola Zinke as president and their daughter as treasurer. Zinke said the report was in error and he would seek to amend it.

In his statement, Zinke declared: "The mission remains to provide a children's sledding park and community open space in a setting that recognizes the contributions of the railroad and the veterans to the community. ... The subject LLC you mention has been in contact with Lola with the intent of expanding their parking requirements on park property. I understand a concept was provided but no formal proposal or documents have been submitted or agreed upon. I also understand by reading the paper is their proposal is supported by the City Council."

He did not respond to questions about the microbrewery, the involvement of Lesar or Lesar's status as chairman of Halliburton.

Lola Zinke did not respond to questions left on her Facebook page or messages left at the family's Montana home. Neither Jennifer Detlefsen, the Zinkes' daughter and the foundation's treasurer, nor the foundation's law firm of Frampton Purdy Law, responded to questions.

In Whitefish, the plan to use land that was donated to the Zinkes' foundation as a public park to further a private development strikes residents as a surprise.

"I've never been clear exactly what his intentions are for the place," said Steve Thompson, who lives near the park and supported Zinke early in his career but has since grown disillusioned with him. He described the current state of the land as "sort of a big puddle, a mudhole puddle."

The involvement of the interior secretary's family in a multimillion-dollar project funded by the chairman of an energy-services giant — revealed here for the first time — is rife with conflicts of interest, ethics experts say, especially since Zinke's job as interior secretary makes him the

AMERICAN OVERSIGHT

custodian of more than 500 million acres of public land and head of a department that sets technical and safety standards for pipelines and drilling.

Halliburton is the largest American oil-services company, drilling wells and building rigs. It stands to benefit from any new oil and gas exploration on public land or offshore — something the Trump administration has promised to promote — and the company has frequent dealings with the Interior Department in its regulatory capacity.

For example, federal disclosures show that Halliburton's in-house lobbyist met repeatedly with Interior officials to discuss the department's policies on hydraulic fracturing, the oil extraction procedure that some studies have linked to groundwater contamination and earthquakes. Under Zinke, the department last year rescinded Obama-era rules that restricted fracking on federal land, a decision that directly benefited Halliburton, one of the world's leading fracking companies.

Marilyn Glynn, who was acting director of the Office of Government Ethics under former President George W. Bush, said the foundation's involvement in a deal backed by the chairman of Halliburton is clearly inappropriate and, at minimum, should force Zinke to recuse himself from any policy decisions affecting Halliburton.

"That Halliburton's chairman would almost be a business partner of Zinke or his wife, he would have to recuse himself from anything involving Halliburton," said Glynn, adding that the relationship clearly crosses ethical lines.

She suggested the Trump administration should set a higher ethical standard.

"In a previous administration, whether Bush or Obama, you'd never run across something like this," she said. "Nobody would be engaging in business deals" with executives whose companies they regulate.

Amy Myers Jaffe, a longtime energy analyst now working at the Council on Foreign Relations, said the Interior Department, in setting specifications for rig equipment and how much methane can leak from pipelines, has the power to make Halliburton's business more or less profitable.

"They spend a tremendous amount on R&D to comply" with government regulations, Jaffe said of oil-service companies. "You wouldn't want Interior to change specifications and make that equipment no longer commercially viable."

She added that Zinke's conflicts could extend to investigations of accidents involving Halliburton's equipment.

"One thing that is most concerning is if Interior would be called upon to investigate the procedures of a service company offshore" in case of an accident, said Jaffe. "A tight relationship [between the interior secretary and the company] would be problematic."

Executive branch officials such as Zinke are subject to conflict-of-interest rules requiring that

AMERICAN OVERSIGHT

they recuse themselves from government decisions involving people with whom they or their close relatives have a financial relationship.

Craig Holman, a specialist in federal ethics laws for the advocacy group Public Citizen, said Lola Zinke's efforts to help the development backed by Lesar would amount to a financial relationship.

"Entering this type of business relationship could very clearly open the doors [of government] to business interests that have stakes before the office holder," Holman said. "Clearly, any substantial development project next to the vacant lot owned by Zinke's foundation would significantly boost the value of the lot. The conflict-of-interest statute would be invoked if even the nonprofit on which Zinke or his spouse serves as an officer, as either paid or unpaid officers, derives a financial benefit."

***

After 23 years as a Navy SEAL, Ryan Zinke retired from the military in 2008 and returned to Whitefish, the mountain city of roughly 6,000 people where he grew up and where his father and grandfather ran a plumbing business.

It was, however, a changed community, increasingly popular with tourists and second homeowners for its pristine isolation and proximity to Glacier National Park.

A city that began as a stopping place for freight trains carrying lumber from the state's thriving timber industry was fast becoming an upscale resort. In 2009, the year after Zinke's retirement, about 17 percent of households were making more than $100,000 a year, according to the U.S. Census Bureau. By 2016, 23 percent of Whitefish households were making that much, adjusted for inflation.

Whitefish is a particular magnet for California tech entrepreneurs and oil barons from Canada and Texas who have built homes valued at more than $1 million each. Lesar is one of them. He currently has a home behind a gate on a private road looping up one of the nearby mountains.

As the then 46-year-old Zinke planned his future, he began laying the groundwork for business and political careers more or less simultaneously, and sometimes on parallel tracks. Launching a nonprofit foundation to build a park in Whitefish was one of the first things he did to reintroduce himself to the community, which helped bolster his credentials for office.

The foundation's first big donation was from BNSF Railway, the nation's largest freight railroad, with more than 32,500 miles of track. The railway is one of the state's biggest landowners, with extensive business before the state government.

Zinke proudly announced that the donated land would be used for what he dubbed "the Great Northern Veterans Peace Park." In announcing the gift, he touted his own career in uniform and described the park as a gift to Whitefish. His intent was to combine the railway land and an adjacent city-owned hill into "a children's winter sledding park in a setting that recognizes the

AMERICAN OVERSIGHT

contributions of the veterans and the railroad to the local community," according to the nonprofit's publicly available IRS forms.

"The theme of this park is to celebrate life — why veterans fight," Zinke told a local newspaper in February 2008.

That same year, he filed paperwork to run for the state Senate.

He won the race and, shortly after taking office, cast the deciding committee vote on a bill that strongly benefited BNSF. The bill would have pumped millions of taxpayer dollars into railroad construction through a publicly funded Montana Rail Authority.

Jeff Mangan, Montana's commissioner of political practices, said the vote, coming so soon after Zinke accepted a donation of land from the railway, would have violated the Legislature's code of conduct if he did not disclose the relationship. "If there's an appearance of conflict of interest, they have a duty to disclose that conflict before a vote," Mangan said. But enforcement of that requirement can be "fairly laid back," he said.

There is no record of Zinke making a formal disclosure of his relationship with BNSF before the vote, and Zinke did not respond to questions on the matter.

Ultimately, then-Gov. Brian Schweitzer vetoed the legislation for the Montana Rail Authority, saying he was concerned "that public money will be targeted to build infrastructure that should be rightly financed by the private sector."

BNSF continued to donate more land to the Veterans Peace Park with adjoining parcels being given to Zinke's foundation in 2010 and 2013.

BNSF spokesman Ross Lane said in an interview, "We would firmly reject that there is any quid pro quo on the donations" for the Veterans Peace Park.

The land remains mostly in a natural state, and is only lightly utilized, except when local children use it for sledding, as they had before Zinke's foundation acquired the land. On a recent spring day, the only inhabitants were a pair of Bufflehead ducks sharing a retaining pond that dominates the property with a discarded inner tube.

Nonetheless, even in an undeveloped state, the land is now valued at more than $500,000, according to the group's 2016 tax returns, the most recent publicly available. The tax returns also show monetary gifts to the foundation, which increased as Zinke's political career advanced.

In 2012, when Zinke launched an unsuccessful bid for lieutenant governor, the foundation took in $30,000, according to tax records. In 2014, when Zinke ran for the House, the foundation again received $30,000 in contributions and saw its cash holdings grow from $118 to $23,743 over the course of the year. The foundation raised $36,000 in 2015, before seeing its contributions fall to $5,000 the following year, the last before he became interior secretary.

AMERICAN OVERSIGHT

The Zinkes reported that they gave the foundation $10,000 in 2012, but the source of the rest of the contributions is undisclosed. That lack of transparency is a common concern when politicians control their own charities, said Melanie Sloan, a senior adviser at government ethics watchdog group American Oversight.

"The main concern is it's another way for donors and corporations to curry favor with politicians," Sloan said. "If he's doing something to benefit those making donations, it's invisible to us. It undermines the whole interest of transparency."

Even as the park continued to lie fallow, Ryan and Lola Zinke turned their attention to pieces of land that they own through various LLCs. In December 2012, while Ryan was preparing to leave the state Senate, the Zinkes announced that they wanted to turn his childhood home into a B&B called the Snowfrog Inn, and also to build a microbrewery on their development land across the street. They planned to call the brewery "Double Tap," which is a Navy SEAL term for two gunshots.

Both proposals required public approvals, which put Zinke — one of the state's rising political stars — in a position of arguing before local politicians. He was steadfast in calling for more commercial development in the face of neighbors' complaints about traffic and noise.

The City Council appointed Zinke to a special steering committee of local residents to explore ways to develop the area where the Zinkes' land was located. The committee included 13 residents of Whitefish, just two of whom lived in the neighborhood, Zinke and one other.

The committee recommended opening the area for greater commercial development. The City Council and mayor endorsed the plan.

While the larger planning process was playing out, Zinke won approval in 2013 for the B&B without a microbrewery across the street, as he had initially proposed. The Snowfrog Inn website states that it is still under construction.

By 2015, Zinke was back before the City Council, this time in his first term as Montana's sole representative in the U.S. House, arguing passionately for the committee plan to expand development, according to a video of the meeting. He cited his microbrewery proposal as the impetus for the changes to the planning process.

"In regards to a brewery, I've asked for a brewery because that's what started this whole process," Zinke declared at a contentious May 4, 2015, council meeting, referring to the changes to the city's planning rules that he had helped orchestrate.

Neighborhood activists continued to raise objections, insisting that Zinke had done little in the 29 months since announcing his microbrewery proposal to assuage their concerns about noise and traffic. But Zinke told them they were outnumbered.

"The same people are going to be against it tomorrow as was at the beginning, but most of the strong majority of the steering committee, which represented every bit of the neighborhoods ...

AMERICAN OVERSIGHT

all came to the same conclusion, that this [planning change] should stand," Zinke said, according to a video of the meeting.

The changes to the planning process did not lead to approval of the microbrewery on the Zinkes' own development parcel, but they opened the doors to a new proposal for a multiuse development on a much larger plot — a former timber-company lot — between the Zinkes' land and the veterans' peace park that they controlled.

The project, known as 95 Karrow, named for the avenue on which the land sits, was launched in September of last year. Two days after the partnership backing the development was established, Lola Zinke, in her capacity as president of the foundation controlling the peace park, signed an official letter of intent to allow the construction of a parking lot for customers of the microbrewery and other businesses on the parkland, which the developers included in their proposal. The letter said the specific terms of the agreement would be worked out by the parties.

Taylor, the Whitefish city planner, told POLITICO that the developers "certainly implied that they were working with [Zinke] to find a place for his microbrewery as well as a shared use agreement for parking on the peace park."

At least two project maps submitted to the city mark off space specifically for a microbrewery adjacent to the parking lot. The letter Lola Zinke signed and submitted to Whitefish City Council states "it is the intent of the GNVPP Foundation to concur with the general design of the parking, micro-brewery, multiple use path, fence and other supporting elements" of the redevelopment project. Attached to that letter is a map with a handwritten notation indicating a "border adjustment" that would appear to carve out the microbrewery site from the rest of the property.

The parking lot is also meant to serve the park if the foundation ever does anything with the rest of the 14-acre parcel it owns.

The developers of the hotel, microbrewery and retail shops are a partnership known as 95 Karrow LLC, which itself is controlled by two individuals and three other entities, according to business registration records filed with Montana's secretary of state. The two individuals are John and Katie Lesar, who are the son and daughter-in-law of Halliburton's chairman, according to a biography his wife, Sheryl, wrote for a local nonprofit, where she serves as a board member.

Two of the other entities, BADF LLC and KCM Enterprises Inc., are linked to Bruce Boody, a local architect who worked with the Zinkes on their B&B proposal, and a local developer named Casey Malmquist, according to Montana business records. The third, Greenstream Resources LLC, lists a Texas address but does not disclose any owners in records filed there. However, the P.O. Box it uses matches the address of another business, First Floor Properties LLC, that lists David Lesar as its "general partner" and other family members among its management.

Both Malmquist and a Halliburton official confirmed that David Lesar is a member of the Greenstream Resources LLC, which is expected to provide a significant portion of the financing for the 95 Karrow project.

AMERICAN OVERSIGHT

Halliburton spokeswoman Emily Mir said the company had no comment on Lesar's involvement in the project, calling it a private investment that Lesar was making outside his role in the company.

Malmquist, who is leading the development project, said that talk of Zinke owning a brewery on the site was premature, as no final decisions have been made on what type of businesses the redevelopment will contain.

"If and when we get to that point, Ryan Zinke, or anyone else that is interested, can purchase a parcel of property, properly located on the development by use and per zoning, and develop a project that is permitted from the standpoint of zoning designations that determine the permitted uses on the development parcel, as well as following the [covenants, conditions, and restrictions] that are yet to be developed for the property," Malmquist said in an email.

***

The Zinkes' mixing of their nonprofit role as stewards of the Great Northern Veterans Peace Park Foundation with their role as landowner and developer echoes other ethical concerns raised about the couple.

In 2012, Ryan Zinke formed a super PAC called Special Operations for America, through which he raised money from donors to attack then-President Barack Obama's reelection campaign for taking credit for the death of Osama bin Laden. Over the following year, the group paid nearly $40,000 to an LLC established by Ryan and Lola Zinke called Continental Divide International for "strategy consulting" and "fundraising consulting" and to reimburse travel expenses.

Only $7,000 of the more than $180,000 the group raised in 2012 went to efforts to influence the election, according to the group's FEC filings.

The super PAC was Zinke's foray into a world of political fundraising that would carry through to his time in the Trump administration. Less than a month after being sworn in as interior secretary, he appeared at a fundraiser in the Virgin Islands for another PAC that has been criticized for spending vastly more on administrative expenses than on campaign activities.

The Virgin Islands GOP PAC has raised $5.7 million since its inception in February 2015. It has spent $76,000 — just 1.3 percent — on congressional candidates, including $3,500 to Zinke's campaign and SEAL PAC, a subsequent group he launched after his election to the House.

Meanwhile, two of Zinke's top aides at Interior, chief of staff Scott Hommell and counselor Vincent DeVito, were previously on the payrolls of Special Operations for America and SEAL PAC, respectively.

Earlier this year, the Interior Department's internal watchdog criticized Zinke for obscuring his personal interest in some ostensibly official duties — an incident that involved another Whitefish resident, Fidelity National Financial Chairman Bill Foley, who was one of Zinke's biggest political donors.

AMERICAN OVERSIGHT

Zinke charged taxpayers more than $12,000 last June for a late-night charter flight from Las Vegas, where he had spoken to a National Hockey League team Foley owns, to Whitefish for meetings at the Western Governors Association that were being held there the following day.

Speaking to the Las Vegas Golden Knights was a favor to a friend and donor. He "first mentioned during his initial ethics briefing in March 2017 that he wanted to speak to a friend's hockey team," according to a report from the IG. He did not mention any specific aspects of his job as interior secretary during the speech, which focused on his time as a Navy SEAL. After Zinke and his staff made plans for the speech, the Interior Department started to schedule an event for him to announce Payment In Lieu of Taxation grants, routine business that is typically handled with a news release.

The IG's investigation found that the charter flight could have been avoided with better scheduling, and that Zinke's prior relationship with Foley should have been disclosed in advance to ethics officials who had reviewed the trip.

Foley, a West Point graduate who grew up in the Texas panhandle, has been a major presence in Whitefish since buying a home there in 2005. That same year, he purchased a majority share in Winter Sports, the company that runs the Whitefish Mountain Resort in the town. He soon bought Glacier Jet Center, a private airport about 20 minutes outside the city.

Foley's development projects, like David Lesar's and the Zinkes', are signs of just how far Whitefish has come since Zinke's childhood. The Pastime Pool Hall and Bar, which Zinke fondly remembered in his autobiography as where his grandfather used to socialize, has been renamed "The Bulldog," although not much else about it has changed. But the city also boasts a crepiere, an artisanal olive oil shop and a camping store that sells "overnight yurts." A new yoga studio stands about a minute's walk down the block from Zinke's boyhood home.

"It's gone from a dirty ski town to pretty bougie," said Cale Knox, a Whitefish native and employee at the Red Caboose coffee shop downtown. In a sign of the times, tech venture capitalist Michael Goguen recently bought the Red Caboose, and there is rumor that it will become a wine bar.

Only a mile away is the open land that Zinke dubbed his Veterans Peace Park. Ten years after the railroad donated the first piece of land, locals are as flummoxed as ever about what will happen to it. The situation has left some residents worried that what was pitched as an attempt to provide a green space dedicated to children and veterans was instead used to build Zinke's political profile.

"It was something to put on his résumé," Whitefish City Council member Richard Hildner said of the park during a visit there. "Now, it just sits here."

To view online click here.

AMERICAN OVERSIGHT

Back

Zinke seeks to explain meeting with Halliburton chairman Back

By Ben Lefebvre | 06/27/2018 04:40 PM EDT

Interior Secretary Ryan Zinke sought Wednesday to explain his role in a real estate deal involving a nonprofit he launched and developers backed by the chairman of Halliburton, a major energy company with extensive business before his department.

In his first public comments on the deal since it was first reported by POLITICO last week, Zinke acknowledged meeting with Halliburton Chairman Dave Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier. The developers all live in or near Whitefish, Mont., the secretary's hometown where the development would be built.

"And then Dave Lesar and his son, who is developing a piece of property next door, they don't understand, when they had the property, actually, the Veterans Peace Park owns the lot next door. So they come and say, 'Hey, what's the background?'" Zinke said on Voices of Montana, a talk radio program broadcast throughout the state, referring to the August 2017 meeting. He added, "We go out to dinner. We talk about the background of the park. What are the neighbors like. What was the vision of the park. Where the boundaries are. Where the water table is, because the water table has changed over time. What the railroad is. So they have the background."

About a month after that meeting, Lola Zinke, the secretary's wife and now president of the foundation, signed a letter of intent to allow the developers to build a parking lot on its land in Whitefish, a move that could increase property values for parcels the Zinkes own nearby and that a city planner said could result in Zinke running a microbrewery on the site. Zinke did not address the microbrewery or his other real estate holdings in Whitefish on the radio program Wednesday.

House Democrats are calling for Interior's inspector general to investigate whether the deal may have violated conflict of interest rules. Zinke's role at Interior places him as one of the chief regulators overseeing oil and gas drilling activities, including those performed by Halliburton, one of the world's largest fracking and offshore drilling services companies. The inspector general's office is looking into the lawmakers' request before determining whether to launch a full investigation, a spokesperson for the internal watchdog told POLITICO Wednesday.

Zinke launched the Great Northern Veterans Peace Park Foundation after receiving his first donation of railroad land from BNSF in 2008. The land remains largely undeveloped, but Zinke told the Montana radio host Wednesday that his foundation has "added 27,000 tons of material. We've redone roads. We groom it."

In the interview, Zinke said he resigned from the park foundation board after joining Interior. He

AMERICAN OVERSIGHT

told POLITICO earlier that he had no involvement in the park's business, though one of the developers in question, Casey Malmquist, said he visited Zinke in Washington, D.C., in August to discuss the development plans. Malmquist also emailed project development maps to Zinke, according to Interior emails.

Zinke attacked reports on the project without disputing any particular details.

"Clearly, I'm not on the board anymore. My wife runs the board. And they make a letter of intent for my wife that, you know what, the community is for this project, the city approves it, it's a good project for Whitefish, we'll share some parking lots with you. That's it. And this nefarious reporter comes to Whitefish — my hometown — lies to the city on record, lies to the developer on record, takes pictures of an inner tube in the park, and promulgates this story that somehow it's about Interior and Halliburton. This is exactly what's wrong with the press, and the president has it right. It's fake news. It's knowing, it's willing, to willingly promulgate fake news."

An Interior spokesperson did not immediately reply to questions. Interior spokeswoman Heather Swift has said in the past that the matter was not a department issue.

POLITICO stands by its reporting.

To view online click here.

Back

EPA pulls methane information request Back

By Alex Guillén | 03/02/2017 04:36 PM EDT

EPA says more than 15,000 oil and gas companies no longer have to report detailed technical information about methane emissions from their operations.

The move was announced via a Federal Register notice that will be published on March 7 but will take immediate effect.

It is the agency's first step away from an Obama-era plan to regulate methane emissions from existing oil and gas operations. EPA in November directed oil and gas operators to respond to an "information collection request" on the topic that the agency estimated would cost companies, which are required by law to respond, about $42 million in total.

"By taking this step, EPA is signaling that we take these concerns seriously and are committed to strengthening our partnership with the states," EPA Administrator Scott Pruitt said in a release. "Today's action will reduce burdens on businesses while we take a closer look at the need for additional information from this industry."

EPA also noted it received a letter on Wednesday from eleven state attorneys general or

AMERICAN OVERSIGHT

governors, including new Oklahoma Attorney General Mike Hunter, asking EPA to drop the "onerous" request.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Wed 6/20/2018 8:00:15 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov*.

Highlights

Leading the News

CDC Finds Fluorochemicals May Pose Risk at Levels Lower than EPA

By *Pat Rizzuto*

Exposure to two fluorochemicals increasingly detected in drinking water across the U.S. may pose health risks at exposure levels lower than those recommended by the EPA, according to information the Centers for Disease Control and Prevention released.

Trump's Superfund Nominee Makes Climate Pledge

By *Sylvia Carignan*

Plans to clean up some of the most contaminated sites in the U.S. will be more sensitive to severe weather risks and the effects of climate change, the White House's nominee to lead the EPA's Superfund cleanups promised senators June 20.

Pruitt's Ethics Allegations Dog Nominees for EPA Posts at Hearing

By *Sylvia Carignan*

Members of a Senate panel pressed two nominees for EPA posts, including Superfund program chief, for assurances they wouldn't fall prey to unethical behavior.

AMERICAN OVERSIGHT

Puerto Rican Grid Upgrades, Response Plan Urged by Energy Agency

By *Rebecca Kern*

An Energy Department report recommends updating the agency's response plans for future electricity-grid emergencies and replacing transmission towers with updated equipment as ways to make Puerto Rico's grid more resilient.

AMERICAN OVERSIGHT

Today's News

Taxpayer Groups Warm to Coolant Deal, Splitting Conservatives (Corrected)

By *Abby Smith*

A global deal to limit climate-warming coolants has its newest backers: a team of conservative taxpayer advocacy groups.

Low-Income Residents Forgotten in Climate Resilience Plans: Study

By *Ayanna Alexander*

Growing threats from climate change are putting city dwellers—particularly in low-income areas—at a higher risk of being affected.

Exxon Still Isn't Complying With Climate Subpoenas, N.Y. Says

By *Erik Larson*

Exxon Mobil Corp. is refusing to turn over documents crucial to New York's investigation into whether the oil giant's public statements about climate change misled investors, the state's top lawyer said.

Senate GOP Ally of Pruitt's Says Concerns Allayed After Meeting (1)

By *Ari Natter*

EPA Administrator Scott Pruitt's longtime friend and political ally on Capitol Hill is walking back his criticism of the embattled agency leader after the two met June 19 evening.

EPA Is Said to Propose Redistributing Waived Biofuel Quotas

By Mario Parker

The EPA is set to propose reallocating waived biofuel requirements from exempted refineries as part of a slate of renewable fuel quotas, according to a person briefed on the plans who asked not to be named before a formal announcement.

Syngenta Eyes 'A World With Less Pesticides'

By *Stephen Gardner*

AMERICAN OVERSIGHT

Pesticide giant Syngenta AG has a vision to improve the efficiency of farming to a degree that some agricultural land can be handed back to nature, a company official told Bloomberg Environment.

AMERICAN OVERSIGHT

Puerto Rico Signs Law to Overhaul Storm-Battered Energy Utility

By Yalixa Rivera

Puerto Rico Gov. Ricardo Rossello signed into law June 20 a bill that clears the way for the partial privatization of the island's bankrupt electric company, which has been plagued by aging infrastructure and mismanagement that left millions in the dark after Hurricane Maria.

AMERICAN OVERSIGHT

TransCanada Keystone XL May Be One Oil Pipeline Too Many

By *Robert Tuttle*

TransCanada Corp.'s Keystone XL may be one pipeline too many for Canada, at least for now.

Solar Prices Nosedive After China Pullback Floods Global Market

By *Christopher Martin*

Solar panels were already getting cheaper this year, and then China pulled the plug this month on about 20 gigawatts of domestic installations. The result was a glut of global inventories, and now prices are plunging even faster.

OPEC Told by Climate Czar to Pivot from Oil or Prepare to Suffer

By *Jonathan Tirone*

The world's biggest crude exporters need to support the transition away from oil or prepare for growing climate-induced destabilization that could wreck their markets, the United Nation's top environment official said.

Protectionism to Incentivize Countries to Adopt Carbon Pricing

By Mathew Carr

Protectionist politics is increasing the likelihood that more nations will adopt carbon pricing to help safeguard their industry from regions with limited climate policies, according to Equinor ASA's chief economist.

Oil and Gas Environmental Analysis Trimmed in Bill Panel OKs

By *Alan Kovski*

Federal obligations for environmental impact analyses in oil and gas fields would be reduced in some circumstances by a bill approved by the House Natural Resources Committee, the occasion for another round of argument over the National Environmental Policy Act.

Occidental Gets a $350 Million Edge as Permian Pipelines Fill Up

By *Ryan Collins* and *Kevin Crowley*

As many of its rivals struggle to move oil from the Permian Basin to the Gulf Coast in search of higher prices, Occidental Petroleum Corp. is sitting pretty at a time when pipeline space is at a premium.

AMERICAN OVERSIGHT

Carmakers Seen Wasting Billions on Electric, Autonomous Cars

By David Welch

Automakers are in a pickle. If they don't invest in electric cars and self-driving technology, investors shun them. If they do, they risk burning billions of dollars on cars that won't make money, according to a new study from consulting firm AlixPartners.

Petrobras Recovery Clouded by Candidates Attacking Fuel Prices

By *Vinicius Andrade* and *Sabrina Valle*

The political backlash to rising fuel prices in Brazil has wiped out nearly half of Petrobras' market value and delivered investors a harsh reminder of the perils facing government-controlled oil companies in an election year.

EPA: No Decision Yet on Tar Creek Audit Suit

By *Peter Hayes*

The EPA hasn't decided whether to release information about Administrator Scott Pruitt's refusal to make the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund public.

Daimler Faces German Shareholder Suit Over Diesel Emissions

By *Stephanie Bodoni*

Daimler AG was sued by a shareholder over whether the carmaker misled investors about the severity of the diesel emissions scandal that has enveloped most of the German auto industry.

Copperbelt Energy of Zambia Eyes $250 Million Power Investment

By *Kamlesh Bhuckory*

Copperbelt Energy Corp.—the Zambian electricity supplier with customers including Glencore Plc's copper mines—may invest as much as $250 million in solar projects and transmission lines in the neighboring Democratic Republic of Congo, Chief Executive Officer Owen Silavwe said.

Anglo American Gets Authorization to Prospect for Copper in Amazon

By *Michael Kepp*

Anglo American PLC received authorization to prospect for copper in two

AMERICAN OVERSIGHT

Amazon states in northern Brazil along rivers that flow through nearby Indian lands.

Icahn Expected to Speed Push for Sandridge Sale After Board Win

AMERICAN OVERSIGHT

By *Scott Deveau* and *Alex Nussbaum*

Carl Icahn's takeover of SandRidge Energy Inc.'s board means the shale gas explorer's days are likely numbered.

AMERICAN OVERSIGHT

Mobile Phone Apps Emerge as Latest Threat to Electric Utilities

By *Rachel Morison*

Utilities need to be more like technology companies to survive.

AMERICAN OVERSIGHT

Engie Gets $139 Million Tax Bill as EU Bans Luxembourg Pact

By *Stephanie Bodoni*

French energy utility Engie SA faces a 120 million-euro ($139 million) tax bill after the European Union said it benefited from an unfair fiscal arrangement with Luxembourg.

Shale Giant Says Permian Oil Faces Shut Ins on Pipe Shortage

By *Javier Blas*

The biggest U.S. shale region will have to shut wells within four months because there aren't enough pipelines to get the oil to customers, the head of one of the industry's largest producers said.

Tuesday Night Wrapup

Nova Chemicals Makes Plea to Reduce Patent Charge Lost to Dow

By *James Munson*

A global petrochemical company owned by the emirate of Abu Dhabi made a pitch to reduce a C$645 million ($485.5 million) patent charge by more than half in a Canadian court.

Exelon, First Solar Bankroll Campaign to Push a U.S. Carbon Tax

By Jennifer A. Dlouhy

Major energy companies, including the largest U.S. nuclear power generator, are putting millions of dollars into a new political campaign to push for a tax on carbon dioxide emissions—a measure President Donald Trump has said he opposes.

Natural Gas Export Boom Brings Challenges for Top Energy Regulator

By *Stephen Cunningham*

The top U.S. energy regulator is hiring private contractors for the first time to help clear a growing backlog of LNG export applications.

EPA Stands Pat on Chemical Spill Regulations, Despite Suit

By *David Schultz*

AMERICAN OVERSIGHT

The status quo will likely remain for companies that store chemicals in above-ground tanks.

AMERICAN OVERSIGHT

Japan's New Ivory Trade Rules Lack Adequate Teeth, Critics Say (Corrected)

By Brian Yap

Japanese businesses that sell ivory products, such as print-stamp seals used in contract work, will have stricter registration requirements and other obligations under new regulations, but loopholes weaken the revised ivory trade rule, critics say.

AMERICAN OVERSIGHT

House GOP Budget Plan Calls for More Strategic Oil Reserve Sales

By *Ari Natter*

House Republicans are calling for an additional sale of 100 million barrels of oil from the Strategic Petroleum Reserve.

One Amendment Could Help a Vulnerable Republican's Re-election

By *Katherine Scott*

A House Republican facing a tough re-election contest has a lot on the line as Senate leaders consider when to schedule a vote on a bill that would order the Army Corps of Engineers to expedite $78 million worth of work in one Iowa district.

EPA Sued For Permitting More Air Pollution Near National Parks

By *Amena H. Saiyid*

The EPA is facing a lawsuit for allowing factories and power plants that are expanding or constructing new facilities near national parks and wilderness areas to emit more pollution.

White House Weighs Long-Sought Environmental Review Changes

By *Alan Kovski*

The White House Council on Environmental Quality is ready to consider fundamental revisions to the implementing regulations of the National Environmental Policy Act, a law that has been the centerpiece of countless legal fights.

GOP Chairman Bows to Pressure, Will Hold Hearing on EPA's Pruitt (1)

By *Dean Scott*

The chairman of the Senate environment panel bowed to pressure from Democratic and Republican critics alike June 19, agreeing to hold a hearing in August on embattled EPA head Scott Pruitt.

AMERICAN OVERSIGHT

Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: EPA Press Office
Sent: Tue 3/20/2018 8:05:00 PM
Subject: Pruitt Says New Push On Superfund Sites Can Bring Accountability To Tar Creek Cleanup

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provice clarity and accountability to Tar Creek, for decades one of the oldest, largest and most complex toxic sites in the nation.

No Images? Click here

Tulsa World

Pruitt Says New Push On Superfund Sites Can Bring Accountability To Tar Creek Cleanup

Jim Meyers
March 20, 2018
http://www.tulsaworld.com/homepagelatest/pruitt-says-new-push-on-superfund-sites-can-bring-accountability/article_4a3e4982-569e-5023-8141-392ebe629a65.html

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to Tar Creek, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

He blamed inconsistency, even within EPA's 10 regions, as well as a lack of attention and focus for slowing outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

...

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

AMERICAN OVERSIGHT

As part of that process, Tar Creek landed on a list Pruitt says he will use going forward to keep the emphasis on the program.

"To me there are some very fundamental, significant things we can do to provide clarity to citizens there. I think it has started to take root over the last several months," he said, adding that some of those steps could come "in the near term."

To Read The Full Article Click Here

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004
Unsubscribe

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered" reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill. He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/13/2018 9:44:45 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals — but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress — just like his boss. Former Trump EPA political appointee Kevin Chmielewski — the subject of letter released Thursday by Democrats — met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today — he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt — as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general — it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances — a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

— **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

— Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

— A bird's fate sharpens focus on ESA — and on key official, E&E News.

— Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

— The climate stakes of nuclear plant retirements, Axios.

— Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

— Mining company fights 'bad actor' polluter label in Montana, Associated Press.

HAPPENING TODAY

8:00 a.m. — The Johns Hopkins University Paul H. Nitze School of Advanced International Studies discussion on "Canadian Natural Gas Energy Frontiers: How Canadian Firms and Governments are Responding," 1619 Massachusetts Avenue NW

9:00 a.m. — House Energy and Commerce Environment Subcommittee hearing on "High Octane Fuels and High Efficiency Vehicles: Challenges and Opportunities," 2123 Rayburn

9:00 a.m. — The University of Chicago's Booth School of Business holds Energy Forward conference, Chicago

11:00 a.m. — House Appropriations Homeland Security Subcommittee hearing on the FY 2019 budget for FEMA, 2359 Rayburn

1:00 p.m. — The National Audubon Society teleconference on the Migratory Bird Treaty Act

CORRECTION: The April 12 edition of Morning Energy misidentified the rank of a Democrat on the Foreign Relations Committee. Sen. Ben Cardin is a senior Democrat on the panel.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and

AMERICAN OVERSIGHT

Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitts-security-blanket-168376

Stories from POLITICO Pro

Former staffer: EPA fired him for refusing to OK first-class flight Back

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel "because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

AMERICAN OVERSIGHT

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Exclusive: EPA removes staffer who OK'd report on Pruitt's security Back

By Emily Holden | 04/10/2018 12:45 PM EDT

EPA removed a career staffer Tuesday who approved an internal report that undermined

AMERICAN OVERSIGHT

Administrator Scott Pruitt's claims that he needed around-the-clock bodyguards and other expensive security protection, according to two former agency employees familiar with the situation.

Mario Caraballo was the deputy associate administrator of EPA's Office of Homeland Security, which in February concluded that an earlier assessment failed to identify credible direct threats against the administrator that would justify his heavy security spending.

Sens. Tom Carper (D-Del.), the ranking member on the Environment and Public Works Committee, and Sheldon Whitehouse (D-R.I.) wrote to Chairman John Barrasso (R-Wyo.) on Tuesday requesting oversight hearings and quoting the report, making public its doubts about the need for the heightened security.

One source with direct knowledge of Caraballo's dismissal said the agency claimed he was let go because of a personnel issue from a previous military job nearly a decade ago that had been resolved then and already been reviewed by EPA several years ago. That source said senior officials also were not happy with the report from Caraballo's office.

"They're trying right now to just keep pressure on the wound," the source said. "They're trying to find out where these leaks are coming from ... They're in full panic mode right now."

EPA Principal Deputy Assistant Administrator Donna Vizian said the agency would not comment on personnel matters. But she added that today's action "was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."

A career EPA staffer who has worked with Caraballo described him as a "standout manager," and a "veteran and dedicated public servant and intelligence official to boot."

The source predicted Caraballo's dismissal would stiffen the resolve of Pruitt's critics within the agency.

"This isn't going to frighten staff, this is going to embolden us to leak more to get these criminals out," the employee said Tuesday. "They need to know we're not intimidated and we're going to blow the whistle on anything even borderline questionable."

In their letter to Barrasso, the two Senate Democrats said the records from the EPA, Secret Service and a terrorism task force fail to justify Pruitt's use of the multimillion-dollar security detail.

Instead, according to the internal EPA memo, the "threats" include protesters attempting to disrupt one of Pruitt's closed-door speeches, a letter from a prisoner, and a postcard that included the greeting: "CLIMATE CHANGE IS REAL!!! We are watching you," Carper and Whitehouse wrote to Environment and Public Works Chairman John Barrasso (R-Wyo.).

The two Democrats demanded oversight hearings into Pruitt's security spending, citing an

AMERICAN OVERSIGHT

internal EPA review, Secret Service threat assessments and a Joint Terrorism Task Force report.

But Barrasso rejected their request, while bashing the two Democrats for releasing "sensitive information."

"I am deeply troubled that members of the committee would publicly release law enforcement sensitive information regarding the safety and security of a cabinet member and his family," Barrasso said in a statement. "This letter selectively quotes non-public documents."

Barrasso added that "any reasonable reading" of those documents supported a conclusion that Pruitt faced a "variety of direct death threats."

To the contrary, Carper and Whitehouse said the Secret Service identified no "reports of behaviors of interest" against Pruitt, and internal EPA reviews dispute "the administrator's claims that the nature of the threats against him justify his expenditures."

Pruitt has drawn widespread scrutiny for demanding a round-the-clock security detail, flying first-class to limit contact with threatening passengers, and having a soundproof booth installed in his office, among other steps — all of which offered far greater protection and privacy than his predecessors received. The Associated Press, citing an unnamed EPA official, said last week Pruitt's "total security costs approached $3 million when pay is added to travel expenses."

EPA has said Pruitt has experienced a sharp increase in threats compared with his immediate predecessor, Obama-era Administrator Gina McCarthy. Among specific incidents, the agency said one person had approached Pruitt in the Atlanta airport while yelling, "Scott Pruitt, you're f---ing up the environment."

In one of the nonpublic documents Carper and Whitehouse cited, the EPA Office of Homeland Security's intelligence team concluded that an earlier threat assessment prepared by Pruitt's security team "***DOES NOT*** employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the administrator," according to a section of the Feb. 14 memo reproduced in the senators' letter (emphasis included). The memo concluded that EPA intelligence officials had "not identified any specific credible direct threat to the EPA administrator," according to the letter.

None of the incidents listed concern air travel, according to the letter.

The senators said the records don't match public statements from EPA and President Donald Trump, who tweeted Saturday that Pruitt's expenses are justified.

One view is "that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the administrator himself or others in the agency," the senators said.

AMERICAN OVERSIGHT

EPA spokesman Jahan Wilcox said Tuesday that "Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within [Office of Enforcement and Compliance Assurance] using information collected from the [Protective Service Detail], EPA's Office of Homeland Security, and Inspector General." He pointed to interviews with EPA's inspector general office discussing an increase in threats compared to the previous administrator's tenure.

Alex Guillen contributed to this report.

To view online click here.

Back

Lobbyist couple had to change the locks on Pruitt Back

By Eliana Johnson | 04/06/2018 03:13 PM EDT

Scott Pruitt was only supposed to be living in the Capitol Hill condominium that has become a focal point of his latest ethics controversy for six weeks last year while he got settled in Washington - but the new Environmental Protection Agency administrator didn't leave when his lease ended.

Instead, he asked the lobbyist couple who became his disgruntled landlords to revise his lease several times, according to two people with knowledge of the situation.

The couple, Vicki and Steve Hart, became so frustrated by their lingering tenant that they eventually pushed him out and changed their locks. After trying to nudge Pruitt out of their home over the course of several months, the Harts finally told Pruitt in July that they had plans to rent his room to another tenant.

"The original arrangement was that he would be there living out of a suitcase ... and it just kept going and going," said one of the people with knowledge of the arrangement.

The condo, in which Pruitt rented a bedroom for $50 a night, has attracted the attention of the EPA's inspector general, which said Thursday it was considering opening an investigation. The agency is already reviewing Pruitt's taxpayer-funded first-class travel, his use of a special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The president has dismissed two Cabinet secretaries in recent weeks — his former secretary of state, Rex Tillerson, and his former secretary of Veterans Affairs, David Shulkin — as well as a senior White House aide, national security adviser H.R. McMaster, making Pruitt the latest in a series of top Trump officials to risk losing their job.

The president denied in a tweet Friday that he had plans to get rid of him: "Do you believe that the Fake News Media is pushing hard on a story that I am going to replace A.G. Jeff Sessions

AMERICAN OVERSIGHT

with EPA Chief Scott Pruitt, who is doing a great job but is TOTALLY under siege? Do people really believe this stuff? So much of the media is dishonest and corrupt!"

The former Oklahoma attorney general, who has played an integral role in Trump's efforts to slash federal regulations, is a favorite of some of Trump's conservative backers. They have encouraged the president to keep him, while chief of staff John Kelly has encouraged Trump to let him go.

Pruitt has been the target of a number of damaging media reports this week, including one Thursday from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Both people familiar with the condo arrangement described Pruitt as a difficult tenant who, intoxicated by his newfound power, paid little attention to the headaches he was causing others.

Prior to Pruitt's arrival in Washington, Steve Hart — an energy lobbyist who, like Pruitt, is a native Oklahoman — had been a friend and supporter of the EPA administrator. He and his wife, a health care lobbyist, viewed the six-week living arrangement as a favor for a friend.

They drew up a lease running from February through April 1, 2017, said the people familiar with it, in order to make sure neither they nor Pruitt ran afoul of ethics rules, which prohibit political appointees from accepting gifts from lobbyists. Under the terms of that lease, Pruitt paid a cut rate of $50 per night to stay in the condominium.

That favor turned into a headache for the couple when Pruitt repeatedly asked to extend his lease. "There were gentle questions regarding, OK, when are you going to leave and what have you ... and they even started sending him ads of places close by that he could rent," said the first person.

"Scott Pruitt is the Kato Kaelin of Capitol Hill. He is the long-term house guest who takes advantage of his hosts and refuses to take a hint about when it's time to leave," the second person said.

A spokesman for Pruitt did not immediately reply to a request for comment.

The Harts eventually told Pruitt, who had to be reminded repeatedly to pay his rent, that they had plans to rent the room to somebody else — and that he needed to find another place to live, according to the people familiar with events. They also informed him in early August that they were changing the locks on their door.

To view online click here.

Back

Former staffer: EPA fired him for refusing to OK first-class flight Back

AMERICAN OVERSIGHT

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel

AMERICAN OVERSIGHT

"because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

AMERICAN OVERSIGHT

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Former Trump EPA official met Oversight Republican staff today Back

By Anthony Adragna | 04/12/2018 04:06 PM EDT

A former Trump EPA political appointee, Kevin Chmielewski, met with House Oversight Committee staff today to discuss his allegations of mismanagement and ethical lapses by Administrator Scott Pruitt, a spokeswoman confirmed.

That comes on the same day as congressional Democrats released a letter after meeting with Chmielewski detailing lavish spending habits, retaliation against aides who questioned Pruitt's actions and other ethically dubious behavior. Chmielewski, formerly EPA's deputy chief of staff for operations who handled many of Pruitt's travel and logistics coordination, told them he was fired after refusing to sign off on first-class travel for one of Pruitt's closest aides.

Oversight Chairman Trey Gowdy (R-S.C.) has been looking into Pruitt's behavior. He sent a

AMERICAN OVERSIGHT

letter Wednesday demanding additional records on the administrator's first-class travel arrangements and Capitol Hill condo agreement with a Washington lobbyist couple.

To view online click here.

Back

Pruitt's security chief goaded spending, employees say Back

By Emily Holden and Alex Guillén | 04/12/2018 08:13 PM EDT

Environmental Protection Agency Administrator Scott Pruitt has had a willing partner in pushing for his massive spending on bodyguards and first-class flights, current and former EPA officials say — the Secret Service veteran who heads his security detail.

Pasquale "Nino" Perrotta played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, and he's boasted of his exploits with women, firearms and luxury watches in a self-published autobiography. Now he's running security for the nation's top environmental regulator like a lavishly funded SWAT team, according to interviews with seven people who have worked with him under both the Trump and Obama administrations.

The current and former staffers say that rather than acting as a restraint on Pruitt, who came into the agency a year ago demanding round-the-clock bodyguards, Perrotta has instead egged him on — indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his exposure to potential threats from fellow passengers. Perrotta has even barred all but a select group of agency employees from entering rooms and corridors near Pruitt's offices, according to Ron Slotkin, a career official who recently retired as director of the EPA's multimedia office.

Perrotta has also accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources.

Slotkin said Perrotta and others around Pruitt strained repeatedly against any restrictions on their activity, including longstanding federal limits on spending and conduct.

"They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now Perrotta's own ethics are drawing scrutiny from members of Congress looking into Pruitt's actions. Five Democratic lawmakers alleged in a letter sent to President Donald Trump on Thursday that EPA issued at least one contract to an employee of Perrotta's private security firm, and that other contracts may have gone to Perrotta's "friends or associates," based on allegations from former agency deputy chief of staff Kevin Chmielewski.

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign aide, has told lawmakers EPA fired him after he refused to retroactively approve first-class travel for one of Pruitt's closest aides, former agency policy chief Samantha Dravis, according to the letter from Democrats including Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island. He also told the lawmakers that Perrotta threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call.

Perrotta did not respond to multiple requests for comment.

Agency spokesman Jahan Wilcox defended EPA's decisions on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." He added that the agency had done similar security sweeps for former President Barack Obama's two EPA administrators, Lisa Jackson and Gina McCarthy.

"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and security decisions are made by EPA's Protective Service Detail," Wilcox said in a statement. "Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."

Pruitt's spending, relationships with industry lobbyists and reputation for excessive secrecy have generated calls for his firing from Democratic lawmakers, some Republicans and even White House staff. But he still has at least a public champion in Trump, who tweeted last weekend that "Scott is doing a great job!"

To the contrary, the current and former agency employees say Pruitt has fostered an atmosphere of chaos, mistrust and disregard for optics — and that Perrotta has been a crucial part of it.

Several said Perrotta's personality and Pruitt's expectations are both probably driving EPA's security spending, adding that other key aides have signed off on the administrator's expenses either willingly or begrudgingly.

"He'll do anything to satisfy his boss," said one departed career staffer.

Perrotta was born to Italian immigrants in New York and has spent his life in law enforcement, including in the Secret Service, where he said he protected presidents and dignitaries and investigated financial and organized crimes, according to "Dual Mission," the autobiography he self-published in 2016.

In the book, he calls himself "completely misunderstood by most," including family, friends and coworkers, in large part because of his "high level of energy." Former and current colleagues have described Perrotta as rigidly loyal but also enthusiastic to push boundaries to get what he wants — an impression his book supports.

He recalls "creatively" finding ways to show probable cause to get warrants, providing financial incentives to police, and making sources of female "friends," "showering them with gifts that I was easily able to afford."

AMERICAN OVERSIGHT

Perrotta said he also let women hold his government-issued firearm in romantic situations. "It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along," he recalled.

He said he liked the finer things, including a Rolex Submariner watch that he wore in his youth. When working for the Secret Service in Bulgaria, he wrote, he dressed "more like a gangster than law enforcement," clad in square-toed, black biker boots and a black, Italian-made turtleneck sweater with a ".380 Sig" gun tucked underneath.

He joined EPA in 2004. That eventually brought him into Pruitt's orbit.

Pruitt, a former Oklahoma attorney general, had built a reputation in conservative Republican circles for his frequent lawsuits against the EPA's Obama-era regulations, putting him at odds with much of the agency's workforce. And his penchant for lavish spending was documented even before he arrived in Washington: An audit in Oklahoma showed that expenses at the attorney general's office surged during his tenure compared with his predecessor's, The Intercept reported Thursday.

When Pruitt arrived at EPA after his confirmation in February 2017, his transition team had already made it clear that he expected around-the-clock security, a former agency employee who was there at the time said.

A week after Pruitt's first day at the agency, top staffers had a meeting on "24/7 security," according to calendars obtained by the watchdog group American Oversight. Chief of staff Ryan Jackson met for half an hour with security officials including Henry Barnet, the director of the criminal enforcement office where Pruitt's security detail is housed.

Perrotta was soon promoted to replace a career staffer who had pushed back on the administrator's desire to use sirens to navigate D.C. traffic. He quickly developed a close relationship with Pruitt.

As head of Pruitt's security detail, Perrotta has been instrumental in decisions for him to fly only first-class, upgrade to a souped-up SUV and have his office swept for bugs, a former Trump administration official said. Perrotta has also overseen Pruitt's 19-person crew of bodyguards, which is three times the size of the team that protected McCarthy — and offers 24/7 protection that exceeds what most Cabinet members receive.

"Mr. Pruitt thinks he's the president of the United States," said the first former career staffer. "He's big on image."

The office sweep for listening devices — which was conducted by a company linked to Perrotta — rankled some career staffers and led to a scuffle between Perrotta and a member of the agency's homeland security office at a meeting last summer, The New York Times reported Thursday.

Despite EPA's argument that Pruitt has received a record number of death threats, an internal

AMERICAN OVERSIGHT

report from the agency's Office of Homeland Security suggests that the threats mainly consist of letters and criticism on social media that don't warrant such blanket protection. (On Tuesday, the agency dismissed a staffer who had signed off on the memo and argued with Perrotta, for what it insists were issues dating back several years.)

But several current and former EPA staffers say they also consider the security fears overblown.

"We never saw any threat, never heard any threat," said Slotkin, the former multimedia director. "If anything, it came from Pruitt, we would hear him speak about it. But there was no evidence that anybody could even get near him."

That included many EPA employees: Slotkin said Perrotta cordoned off Pruitt's suite of offices inside EPA's headquarters at Federal Triangle, posting security guards to keep out anyone who wasn't on an approved list. One restricted area was a chandelier-decorated conference room named after environmentalist Rachel Carson where agency employees had previously been allowed to hold events, Slotkin said.

"He didn't want anybody near him," Slotkin said.

Soon Perrotta was flying with Pruitt and discussing matters that went beyond security, two former employees said.

"It wasn't uncommon that given travel and Nino's proximity, he would always weigh in on matters beyond his scope as security, leveraging his institutional knowledge," one said. "He often would say what he recalled prior administrators doing."

By the spring of last year, Perrotta was regularly attending travel planning meetings with top political staff, including a March 30 international scheduling discussion and an April 10 talk on international travel, according to EPA records.

He and other security agents were closely involved in planning in May for a trip the following month to Italy, where Pruitt visited the Vatican and then attended G-7 environment meetings in Bologna. Perrotta had lived for two years in Rome on Secret Service assignment, where he made many connections, according to his book.

Wilcox said the security arrangements on the Italy trip were not novel. "EPA's Protective Service Detail tried to replicate the same security measures taken when EPA Administrator Gina McCarthy traveled to Italy in 2015," he wrote.

Thursday's congressional letter offered a new detail about Perrotta: The Democratic senators said Chmielewski reported that Perrotta entered into a $30,000 contract with private Italian security personnel for that trip. Records have revealed that expense but did not disclose whether it was for a private detail.

One of the former EPA staffers said Perrotta was friends with those guards. That source described Pruitt's protection while in Italy as extensive, with security agents from EPA and the

AMERICAN OVERSIGHT

U.S. Embassy, in addition to a large group of local agents.

News reports have revealed Pruitt also had a soundproof booth constructed for his office and considered having bulletproof desks installed.

And the spending isn't over. EPA also appears to be planning to purchase bulletproof vests specially designed to blend in underneath regular clothing for his security detail, according to a solicitation issued on Friday. The solicitation calls for 16 white-colored vests of varying sizes manufactured by Velocity Systems, along with corresponding armor made of "special threat enhanced steel" and cummerbunds that provide enhanced protection.

The armor requested is just over a quarter-inch thick and can protect against the type of bullets shot from AK-47 rifles and some AR-15 semi-automatics, according to Velocity Systems' website.

EPA would not confirm to POLITICO whether the armor is for Pruitt's protective detail or for other agents, saying only that all agents in EPA's criminal enforcement division, which includes Pruitt's detail, "are assigned bulletproof vests" and that the effectiveness of the vests expires every five years. But a source familiar with EPA's security operations said the vests are likely for Pruitt's bodyguards because of their unusual specifications and the number requested. Other enforcement agents wouldn't need their vests to be concealed, that source said.

To view online click here.

Back

Senate confirms Wheeler as EPA deputy Back

By Anthony Adragna | 04/12/2018 04:32 PM EDT

The Senate today confirmed lobbyist Andrew Wheeler to be deputy EPA administrator, sending the beleaguered agency a second-in-command as Administrator Scott Pruitt faces an uncertain future amid a torrent of ethics scandals.

Wheeler, a long-time former Senate aide, cleared the chamber by a vote 53-45. Democrats Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana supported him, as did every Republican who voted.

Democrats and the environmental community rallied hard against the nomination, pointing to Wheeler's work as a coal lobbyist and his time working as an aide to the climate change-denying Sen. Jim Inhofe (R-Okla.). And they argued he hasn't undergone sufficient scrutiny in the event he must step in to run the agency indefinitely should the Senate have to launch the uphill battle to confirm a replacement for Pruitt.

Wheeler has worked at the law firm Faegre Baker Daniels since 2009, where his past lobbying

AMERICAN OVERSIGHT

clients included coal producer Murray Energy, Xcel Energy, Bear Head LNG and Energy Fuels Resources. He provided advice and counsel, but not lobbying work, to International Paper, Archer Daniels Midland and General Mills.

WHAT'S NEXT: Wheeler will be sworn in at EPA, where he would be next in line to run the agency in the event of a vacancy.

To view online click here.

Back

Trump pledges to expand ethanol sales Back

By Eric Wolff | 04/12/2018 12:37 PM EDT

President Donald Trump said today the administration would allow year-round sales of 15 percent ethanol blends in gasoline, handing the ethanol industry a big victory.

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters said in response to questions about the biofuel today, adding that "makes a lot of farmers very happy."

Trump's statement endorses a policy change long-sought by ethanol producers and their farm-state allies in Congress to win year-round sales of higher blends of ethanol in all states. The Clean Air Act restricts when the ethanol blends above 10 percent can be sold to exclude the summer months in order to reduce air pollution.

EPA has already begun the groundwork that could lead to a proposed rule for a waiver for the higher ethanol blends. USDA has been pushing for such a waiver in light of news that EPA has been granting exemptions from the Renewable Fuel Standard for at least 25 small refineries, at least twice as many as in previous years.

Granting such a waiver will be vigorously opposed by oil companies, who are expected to challenge change in court.

To view online click here.

Back

Trump orders EPA to review Clean Air Act orders and speed permits Back

By Eric Wolff | 04/12/2018 02:55 PM EDT

President Donald Trump issued an executive order today ordering EPA to ease some of its

AMERICAN OVERSIGHT

procedures around the regulating of six key air pollutants under the Clean Air Act.

"These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy," the order says.

Highlights from the order include:

— EPA must complete reviews of state plans to reduce pollution within 18 months.
— It must complete reviews of project pre-construction permits within a year.
— Review the federal plans imposed on some states under the regional haze program to see if they can be replaced with state plans.
— When considering emissions levels, EPA must take into account pollution from other countries, even in states that are not on U.S. borders. It also must consider whether states have reduced pollution to "background levels."
— Allow states to engage in trading of pollution offsets.

The order also requires EPA to consider rescinding all of its past rules, guidance, and orders from the NAAQS program.

"This memorandum helps ensure that EPA carries out its core mission, while reducing regulatory burdens for domestic manufacturing," EPA Administrator Scott Pruitt said in a statement.

The Clean Air Act requires EPA to conduct reviews every five years of acceptable pollution levels for lead, carbon monoxide, nitrogen oxides, sulfur oxide, particulates and ground-level ozone.

To view online click here.

Back

Interior watchdog: Personnel moves were not properly documented Back

By Ben Lefebvre | 04/11/2018 02:46 PM EDT

The Interior Department's internal watchdog on Wednesday said it could not determine why more than two dozen senior executives were reassigned last year, but a substantial share of the employees forced into new jobs blamed the moves on politics or clashes with agency leadership.

The Inspector General's report shows Interior officials kept no documentation of why the senior executive service employees were reassigned, preventing investigators from reaching a conclusion on whether the personnel moves complied with federal law. Investigators interviewed members of an Executive Resources Board Interior Secretary Ryan Zinke established last year and 31 employees who received reassignment notices but came away with little more than broad

AMERICAN OVERSIGHT

justifications for the reassignments.

"When we asked the ERB members who in the Department leadership ordered the reassignment of senior executives, no one could provide an answer," the IG report stated.

Furthermore, investigators "found no documented evidence — nor were we provided a methodology or record of discussion — that the ERB reviewed the senior executives' qualifications before proposing reassignments."

One of the major purposes of the broader reorganization was to move more staff members out of D.C. and into field offices, Zinke has said.

But of the senior executive staff members originally marked for reassignment, four received proposed reassignments to put them out of the Washington, D.C., area while the same number were supposed to move from a field office to Washington, D.C., "effectively negating the ERB's stated reason to move senior executives to field offices," the report states.

The lack of record-keeping went against recommendations the OMB issued in September 2009, the inspector's report said.

Interior Deputy Secretary David Bernhardt blamed the Obama administration and Senate Democrats for the department's failure to comply with those guidelines.

"While I cannot begin to guess why the recommendation to adopt the guidelines was either rejected or simply ignored between September 9, 2009 and January 20, 2017, I do believe delays in confirming key presidentially nominated, Senate confirmed officers ... means that there are fewer principal officers to carefully evaluate existing practices and drive improvements within the Department," Bernhardt wrote in a reply to the IG's office included with the report.

Joel Clement, a climate scientist who was reassigned to work as an accountant for oil and gas royalties and has since become a top Zinke critic, blasted the report and called for the secretary to step down.

"This report sends up a red flag that indicates a deeper investigation is necessary. I hope that Congress will seek more information from the ERB members at Interior, and consider how and when Interior should do right by the executives who were impacted by discrimination or retaliation," Clement said in a statement. "In the meantime, Secretary Zinke, the only Senate-confirmed employee at Interior when these reassignments took place, should resign."

Interior sent reassignment notices to 35 employees and ultimately moved 27 of them into new jobs between June and October of last year. The IG's office interviewed 31 of those who had received the notices.

Twelve of the senior executives reassigned last year believed their moves may have been related to their prior work assignments, including climate change, energy or conservation, according to the report. Ten blamed political or punitive reasons, and eight cited conflict with department

AMERICAN OVERSIGHT

leadership. Some employees listed more than one reason, and eight others said they had positive feelings about being moved to a new job.

In most of the cases, Interior leadership did not notify an employee's supervisor, the acting bureau director or the assistant secretary the person would be reassigned "until hours before the ERB sent the reassignment notifications," the report states. At least one employee who was told he was being considered for a move was then not notified that the move would be canceled, according to the report.

"He negotiated a lease breakage option on his new lease because of uncertainty after he received notification for a geographic reassignment that the ERB ultimately canceled" the inspector general wrote in its report.

The Inspector General is expected to release the results of its separate investigation into Zinke's use of official travel to attend campaign and fundraising events within the next week.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 7/6/2018 2:04:40 PM
Subject: POLITICO's Morning Score, presented by AARP: Four takeaways from Trump's Montana rally — Hawley attacks McCaskill over SCOTUS — FEC goes five years without a general counsel

By Zach Montellaro | 07/06/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today.

PRESIDENT DONALD TRUMP WAS BACK doing his favorite activity Thursday night: rallying in front of his supporters. He made the trek to Great Falls, Mont., where he promoted the Republican Senate nominee, state auditor Matt Rosendale, and bashed Democratic incumbent Jon Tester. And while the rally hit all the marks you'd expect a Trump rally to hit — attacking the media ("fake news, bad people!") and Hillary Clinton (inspiring a "lock her up" chant), mocking criticism of his foreign policy and jabbing at potential 2020 candidates — there are four important takeaways for the race in Montana:

— **The main line of attack on Tester** will be that he doesn't represent the values of Montana and doesn't adequately support the president. "So Jon Tester says one thing when he's in Montana — I will tell you, I'm testament to it — he does the exact opposite when he goes to Washington," Trump said during the rally. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi, and the new leader of the Democrat[ic] Party, Maxine Waters!" He also complained that Tester says "such nice things about me" but never votes to support him, citing issues like the Affordable Care Act, estate tax, abortion rights, immigration and Supreme Court Justice Neil Gorsuch's confirmation. "We need Matt Rosendale in the Senate to continue our fight," the president said. "This November, I need you to get your friends, get your colleagues, get your neighbors and get your ass out to vote!"

— **For Trump, the Montana Senate race is somewhat personal.** He's publicly fumed at Tester after the senator helped sink the nomination of Ronny Jackson, the former White House doctor, to lead the Department of Veterans Affairs. Trump said he felt "guilty" about bringing Jackson into the world of politics, and blamed Tester for things that "were horrible and were untrue." Trump admitted in an aside that Tester's role was "probably why I'm here" rallying Thursday. "I won Montana by so many points I don't have to come here," he said.

— **The broad GOP midterm messaging will revolve around security,** if the president has his way. "If you want to protect your family, and your community then you have no choice," he said. "You have to vote for Matt. You have to vote for Republicans." And while Trump also touted how strong the economy was, the crowd (and Trump himself) seemed most animated when talking about protecting ICE and the administration's immigration policy, inspiring another "build the wall" chant.

— **Expect to see more of Donald Trump Jr.** on the campaign trail, both in Montana and across the map. The president's eldest child served as the warm up act for his father, saying that as a

AMERICAN OVERSIGHT

hunter and an outdoorsman he has fallen in love with the state. "I get asked to do a lot of the political events, but when they ask, 'Will you go out to Montana,' how do you say no?" he said at the beginning of the rally. Read my colleagues James Arkin and Maggie Severns' story on Don Jr.'s expanded political role from a couple of weeks ago.

For his part, Tester largely conceded the spotlight. He greeted Trump Thursday morning with a full page ad in several Montana newspapers "thanking him for signing 16 bills the Democrat sponsored or co-sponsored," per The Associated Press. His camp also pointed out that the president praised two pieces of legislation spearheaded by Tester: the VA Accountability and Whistleblower Protection Act, which he called "landmark" legislation, and the VA MISSION Act. Here's how the Great Falls Tribune covered the rally.

Happy Friday! As always, you can email me at zmontellaro@politico.com or DM me at @ZachMontellaro.

You can email the rest of the great Campaign Pro team at sbland@politico.com, jarkin@politico.com, mseverns@politico.com, eschneider@politico.com and dstrauss@politico.com. Follow us on Twitter: @PoliticoScott, @JamesArkin, @MaggieSeverns, @ec_schneider and @DanielStrauss4.

Days until the 2018 election: 123.

Upcoming election dates — July 17: Alabama primary runoffs. — **July 24:** Georgia primary runoffs.

Upcoming primary filing deadlines — **Delaware:** July 10. — **Louisiana:** July 20.

SCOTUS ON THE BALLOT — Josh Hawley, Missouri attorney general and the GOP's Senate nominee, is preparing to attack Sen. Claire McCaskill (D-Mo.) over the Supreme Court. From POLITICO's Burgess Everett in Marshfield, Mo.: "'She's been wrong on every single court nominee since she has been running for the Senate or in the Senate. So I'm not surprised in the least,' Josh Hawley, Missouri's attorney general, said in an interview, sitting in a pick-up truck with the AC blasting after marching in a July 4 parade. 'It is,' he added, 'the defining issue of this campaign.'

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year. Unlike a trio of other red-state Democrats on the ballot ... McCaskill opposed Neil Gorsuch last year."

FUNDRAISING FORCE — Alexandria Ocasio-Cortez has already become a bonafide fundraiser for other progressives. An interesting nugget from POLITICO New York's Laura Nahmias' piece on Ocasio-Cortez crashing the Democratic primaries: "In Kansas, where Ocasio-Cortez and Bernie Sanders endorsed Brent Welder in a crowded Democratic primary, the campaign saw an 'unprecedented level of interest...from national and local press,' Welder's campaign manager Shawn Borich told POLITICO. In addition to gaining more volunteers, the

AMERICAN OVERSIGHT

Welder campaign raised $50,000 online from 2000 donations in the week since Ocasio-Cortez tweeted her support — nearly double what it raised the week before in Welder's bid to take on GOP Rep. Kevin Yoder."

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

NOT WORRIED! — A lot of Democratic incumbents who are facing an insurgent challenger got a second look. Rep. Richard Neal (D-Mass.), who's facing attorney Tahirah Amatul-Wadud in September for Massachusetts' 1st District, insists that he's not worried. From the Springfield Republican's Shannon Young: "Neal told The Republican this week that he believes it's hard to glean a prediction of the Massachusetts primary's outcome from the New York results given the differences between the two districts. 'When you look at what happened in that congressional district there were a lot of moving parts,' Neal said following a Monday event in Wilbraham. 'Every congressional district in America is different, and I think that needs to be acknowledged.'"

— **And to further pump the brakes,** Democrats are saying that the moderate wing has (largely) been winning out over progressives. From NPR's Kelsey Snell and Scott Detrow: "In interviews with more than a dozen Democrats running in Pennsylvania, Illinois, Texas, California, Nebraska and Washington State, as well as party strategists, campaign managers and elected Democrats, NPR found that pragmatism is winning out over progressivism in the key races that will decide control of Congress."

ANYONE HOME? — The FEC has now gone five years without a "duly appointed" general counsel. The Center for Public Integrity's Dave Levinthal and Suhauna Hussain dig in on why the job remains unfilled and how it's been hurting the agency: "[Thursday] marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts -- a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling. ...

"It's a situation, several former leading FEC lawyers contend, that continues to keep the ideologically divided and oft-gridlocked agency from fully executing is mission. Notably, it 'hurts the morale of the staff and the credibility of the agency,' said Larry Noble, a former FEC general counsel from 1987 to 2000."

FIRST IN SCORE — 2020 WATCH — Sen. Tammy Baldwin (D-Wis.) and Sen. Bernie Sanders (I-Vt.) will jointly host a rally in Eau Claire, Wis., on July 14.

ALL ABOUT THE MONEY — POLITICO California's Carla Marinucci and Jeremy White: "California Republicans are banking on a ballot measure this fall that the embattled state party believes can stave off a Democratic wave in November — and perhaps even spark a GOP revival

AMERICAN OVERSIGHT

in the run-up to 2020. Carl DeMaio, a former San Diego city council member, announced this week he's raised more than $1.1 million online for his campaign to repeal the 12-cent-a-gallon gas tax backed by Gov. Jerry Brown — and polls suggest it may be heading for a November victory. ...

"The repeal effort — known as Proposition 6 on the November ballot — has also attracted backing from state and national Republican leaders, including House Speaker Paul Ryan and Majority Leader Kevin McCarthy. They are counting on it to energize enough voters to save a handful of endangered California GOP House members — which could prevent the House from flipping [to Democrats]."

MORE EARLY FUNDRAISING NUMBERS — CA-39: Democrat Gil Cisneros announced he raised $479,000 and has $715,000 on hand.

IL-06: Democrat Sean Casten announced that he raised just under $790,000 earlier this week.

— OH-01: Democrat Aftab Pureval raised $885,000 and has more than $1 million cash on hand, via the Cincinnati Enquirer.

ON THE AIRWAVES — Ads from Demand Justice, a Democratic group working against President Donald Trump's eventual Supreme Court nominee, are out, via CNN's Dan Merica. The ads say a vote for Trump's pick is a vote against abortion rights. POLITICO's Burgess Everett reported earlier this week that the group planned to spend $5 million.

— In Ohio's 12th District, Democrat Danny O'Connor released a new television ad about a Trump voter who backs him in the special election. "I voted for John Kasich the last 3 times, I voted for Trump because I didn't like the way things were going in Washington, and now I'm supporting Danny O'Connor," says voter Shannon Ward in the ad. "John Kasich and Danny O'Connor both don't worry about the labels of Democrat or Republican, they're going to get things done either way."

— Democrats have now outspent Republicans on Obamacare for the first time. HuffPost's Amanda Terkel: "Affordable Care Act supporters have spent $13,950,400 on pro-Obamacare ads this cycle (through June 30), just more than the $13,441,570 spent on anti-Obamacare ads. It's the first time total spending on pro-Obamacare ads has surpassed anti-Obamacare ads in an election cycle."

LABOR PROBLEMS — A right-to-work group is threatening states that are still collecting union dues from non-union public employees in the wake of *Janus v. AFSCME*. The Cleveland Plain Dealer's Jeremy Pelzer: "A 'right-to-work' advocacy group has threatened to launch a class-action suit against Ohio and 19 other states if they don't immediately stop deducting union dues from non-union public employees' paychecks following a recent U.S. Supreme Court ruling. ... In a July 2 letter to Ohio Treasurer Josh Mandel, National Right to Work Legal Defense Foundation Vice President Raymond LaJeunesse stated that unless there's an 'immediate cessation' of union-due collections from state workers who aren't [union members], the group will file a civil-rights lawsuit on behalf of any non-union workers who request the group's help."

AMERICAN OVERSIGHT

Ohio's largest public employee union said it will make sure non-members aren't paying dues.

CODA — "Do you know what Rapini means in Italian? Broccoli rabe. When you Google my name, you get recipes for broccoli rabe." -- Connecticut GOP Senate candidate Dominic Rapini to the Connecticut Post.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/07/06/four-takeaways-from-trumps-montana-rally-272418

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 7/6/2018 2:04:40 PM
Subject: POLITICO's Morning Score, presented by AARP: Four takeaways from Trump's Montana rally — Hawley attacks McCaskill over SCOTUS — FEC goes five years without a general counsel

By Zach Montellaro | 07/06/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today.

PRESIDENT DONALD TRUMP WAS BACK doing his favorite activity Thursday night: rallying in front of his supporters. He made the trek to Great Falls, Mont., where he promoted the Republican Senate nominee, state auditor Matt Rosendale, and bashed Democratic incumbent Jon Tester. And while the rally hit all the marks you'd expect a Trump rally to hit — attacking the media ("fake news, bad people!") and Hillary Clinton (inspiring a "lock her up" chant), mocking criticism of his foreign policy and jabbing at potential 2020 candidates — there are four important takeaways for the race in Montana:

— **The main line of attack on Tester** will be that he doesn't represent the values of Montana and doesn't adequately support the president. "So Jon Tester says one thing when he's in Montana — I will tell you, I'm testament to it — he does the exact opposite when he goes to Washington," Trump said during the rally. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi, and the new leader of the Democrat[ic] Party, Maxine Waters!" He also complained that Tester says "such nice things about me" but never votes to support him, citing issues like the Affordable Care Act, estate tax, abortion rights, immigration and Supreme Court Justice Neil Gorsuch's confirmation. "We need Matt Rosendale in the Senate to continue our fight," the president said. "This November, I need you to get your friends, get your colleagues, get your neighbors and get your ass out to vote!"

— **For Trump, the Montana Senate race is somewhat personal.** He's publicly fumed at Tester after the senator helped sink the nomination of Ronny Jackson, the former White House doctor, to lead the Department of Veterans Affairs. Trump said he felt "guilty" about bringing Jackson into the world of politics, and blamed Tester for things that "were horrible and were untrue." Trump admitted in an aside that Tester's role was "probably why I'm here" rallying Thursday. "I won Montana by so many points I don't have to come here," he said.

— **The broad GOP midterm messaging will revolve around security,** if the president has his way. "If you want to protect your family, and your community then you have no choice," he said. "You have to vote for Matt. You have to vote for Republicans." And while Trump also touted how strong the economy was, the crowd (and Trump himself) seemed most animated when talking about protecting ICE and the administration's immigration policy, inspiring another "build the wall" chant.

— **Expect to see more of Donald Trump Jr.** on the campaign trail, both in Montana and across the map. The president's eldest child served as the warm up act for his father, saying that as a

AMERICAN OVERSIGHT

hunter and an outdoorsman he has fallen in love with the state. "I get asked to do a lot of the political events, but when they ask, 'Will you go out to Montana,' how do you say no?" he said at the beginning of the rally. Read my colleagues James Arkin and Maggie Severns' story on Don Jr.'s expanded political role from a couple of weeks ago.

For his part, Tester largely conceded the spotlight. He greeted Trump Thursday morning with a full page ad in several Montana newspapers "thanking him for signing 16 bills the Democrat sponsored or co-sponsored," per The Associated Press. His camp also pointed out that the president praised two pieces of legislation spearheaded by Tester: the VA Accountability and Whistleblower Protection Act, which he called "landmark" legislation, and the VA MISSION Act. Here's how the Great Falls Tribune covered the rally.

Happy Friday! As always, you can email me at zmontellaro@politico.com or DM me at @ZachMontellaro.

You can email the rest of the great Campaign Pro team at sbland@politico.com, jarkin@politico.com, mseverns@politico.com, eschneider@politico.com and dstrauss@politico.com. Follow us on Twitter: @PoliticoScott, @JamesArkin, @MaggieSeverns, @ec_schneider and @DanielStrauss4.

Days until the 2018 election: 123.

Upcoming election dates — July 17: Alabama primary runoffs. — **July 24:** Georgia primary runoffs.

Upcoming primary filing deadlines — **Delaware:** July 10. — **Louisiana:** July 20.

SCOTUS ON THE BALLOT — Josh Hawley, Missouri attorney general and the GOP's Senate nominee, is preparing to attack Sen. Claire McCaskill (D-Mo.) over the Supreme Court. From POLITICO's Burgess Everett in Marshfield, Mo.: "'She's been wrong on every single court nominee since she has been running for the Senate or in the Senate. So I'm not surprised in the least,' Josh Hawley, Missouri's attorney general, said in an interview, sitting in a pick-up truck with the AC blasting after marching in a July 4 parade. 'It is,' he added, 'the defining issue of this campaign.'

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year. Unlike a trio of other red-state Democrats on the ballot ... McCaskill opposed Neil Gorsuch last year."

FUNDRAISING FORCE — Alexandria Ocasio-Cortez has already become a bonafide fundraiser for other progressives. An interesting nugget from POLITICO New York's Laura Nahmias' piece on Ocasio-Cortez crashing the Democratic primaries: "In Kansas, where Ocasio-Cortez and Bernie Sanders endorsed Brent Welder in a crowded Democratic primary, the campaign saw an 'unprecedented level of interest...from national and local press,' Welder's campaign manager Shawn Borich told POLITICO. In addition to gaining more volunteers, the

AMERICAN OVERSIGHT

Welder campaign raised $50,000 online from 2000 donations in the week since Ocasio-Cortez tweeted her support — nearly double what it raised the week before in Welder's bid to take on GOP Rep. Kevin Yoder."

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

NOT WORRIED! — A lot of Democratic incumbents who are facing an insurgent challenger got a second look. Rep. Richard Neal (D-Mass.), who's facing attorney Tahirah Amatul-Wadud in September for Massachusetts' 1st District, insists that he's not worried. From the Springfield Republican's Shannon Young: "Neal told The Republican this week that he believes it's hard to glean a prediction of the Massachusetts primary's outcome from the New York results given the differences between the two districts. 'When you look at what happened in that congressional district there were a lot of moving parts,' Neal said following a Monday event in Wilbraham. 'Every congressional district in America is different, and I think that needs to be acknowledged.'"

— **And to further pump the brakes,** Democrats are saying that the moderate wing has (largely) been winning out over progressives. From NPR's Kelsey Snell and Scott Detrow: "In interviews with more than a dozen Democrats running in Pennsylvania, Illinois, Texas, California, Nebraska and Washington State, as well as party strategists, campaign managers and elected Democrats, NPR found that pragmatism is winning out over progressivism in the key races that will decide control of Congress."

ANYONE HOME? — The FEC has now gone five years without a "duly appointed" general counsel. The Center for Public Integrity's Dave Levinthal and Suhauna Hussain dig in on why the job remains unfilled and how it's been hurting the agency: "[Thursday] marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts -- a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling. ...

"It's a situation, several former leading FEC lawyers contend, that continues to keep the ideologically divided and oft-gridlocked agency from fully executing is mission. Notably, it 'hurts the morale of the staff and the credibility of the agency,' said Larry Noble, a former FEC general counsel from 1987 to 2000."

FIRST IN SCORE — 2020 WATCH — Sen. Tammy Baldwin (D-Wis.) and Sen. Bernie Sanders (I-Vt.) will jointly host a rally in Eau Claire, Wis., on July 14.

ALL ABOUT THE MONEY — POLITICO California's Carla Marinucci and Jeremy White: "California Republicans are banking on a ballot measure this fall that the embattled state party believes can stave off a Democratic wave in November — and perhaps even spark a GOP revival

AMERICAN OVERSIGHT

in the run-up to 2020. Carl DeMaio, a former San Diego city council member, announced this week he's raised more than $1.1 million online for his campaign to repeal the 12-cent-a-gallon gas tax backed by Gov. Jerry Brown — and polls suggest it may be heading for a November victory. ...

"The repeal effort — known as Proposition 6 on the November ballot — has also attracted backing from state and national Republican leaders, including House Speaker Paul Ryan and Majority Leader Kevin McCarthy. They are counting on it to energize enough voters to save a handful of endangered California GOP House members — which could prevent the House from flipping [to Democrats]."

MORE EARLY FUNDRAISING NUMBERS — CA-39: Democrat Gil Cisneros announced he raised $479,000 and has $715,000 on hand.

IL-06: Democrat Sean Casten announced that he raised just under $790,000 earlier this week.

— OH-01: Democrat Aftab Pureval raised $885,000 and has more than $1 million cash on hand, via the Cincinnati Enquirer.

ON THE AIRWAVES — Ads from Demand Justice, a Democratic group working against President Donald Trump's eventual Supreme Court nominee, are out, via CNN's Dan Merica. The ads say a vote for Trump's pick is a vote against abortion rights. POLITICO's Burgess Everett reported earlier this week that the group planned to spend $5 million.

— In Ohio's 12th District, Democrat Danny O'Connor released a new television ad about a Trump voter who backs him in the special election. "I voted for John Kasich the last 3 times, I voted for Trump because I didn't like the way things were going in Washington, and now I'm supporting Danny O'Connor," says voter Shannon Ward in the ad. "John Kasich and Danny O'Connor both don't worry about the labels of Democrat or Republican, they're going to get things done either way."

— Democrats have now outspent Republicans on Obamacare for the first time. HuffPost's Amanda Terkel: "Affordable Care Act supporters have spent $13,950,400 on pro-Obamacare ads this cycle (through June 30), just more than the $13,441,570 spent on anti-Obamacare ads. It's the first time total spending on pro-Obamacare ads has surpassed anti-Obamacare ads in an election cycle."

LABOR PROBLEMS — A right-to-work group is threatening states that are still collecting union dues from non-union public employees in the wake of *Janus v. AFSCME*. The Cleveland Plain Dealer's Jeremy Pelzer : "A 'right-to-work' advocacy group has threatened to launch a class-action suit against Ohio and 19 other states if they don't immediately stop deducting union dues from non-union public employees' paychecks following a recent U.S. Supreme Court ruling. ... In a July 2 letter to Ohio Treasurer Josh Mandel, National Right to Work Legal Defense Foundation Vice President Raymond LaJeunesse stated that unless there's an 'immediate cessation' of union-due collections from state workers who aren't [union members], the group will file a civil-rights lawsuit on behalf of any non-union workers who request the group's help."

AMERICAN OVERSIGHT

Ohio's largest public employee union said it will make sure non-members aren't paying dues.

CODA — "Do you know what Rapini means in Italian? Broccoli rabe. When you Google my name, you get recipes for broccoli rabe." -- Connecticut GOP Senate candidate Dominic Rapini to the Connecticut Post.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/07/06/four-takeaways-from-trumps-montana-rally-272418

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: The Washington Post
Sent: Fri 7/6/2018 12:29:12 PM
Subject: The Health 202: Here are the key health-care questions I'll be watching in the months ahead

[redacted]

Analysis on Washington's health-care debate. Not on the list? Sign up here.

Your health policy appointment

☒ Share ☒ Share ☒ Tips/Feedback

Here are the key health-care questions I'll be watching in the months ahead

BY PAIGE WINFIELD CUNNINGHAM
with Paulina Firozi and Colby Itkowitz

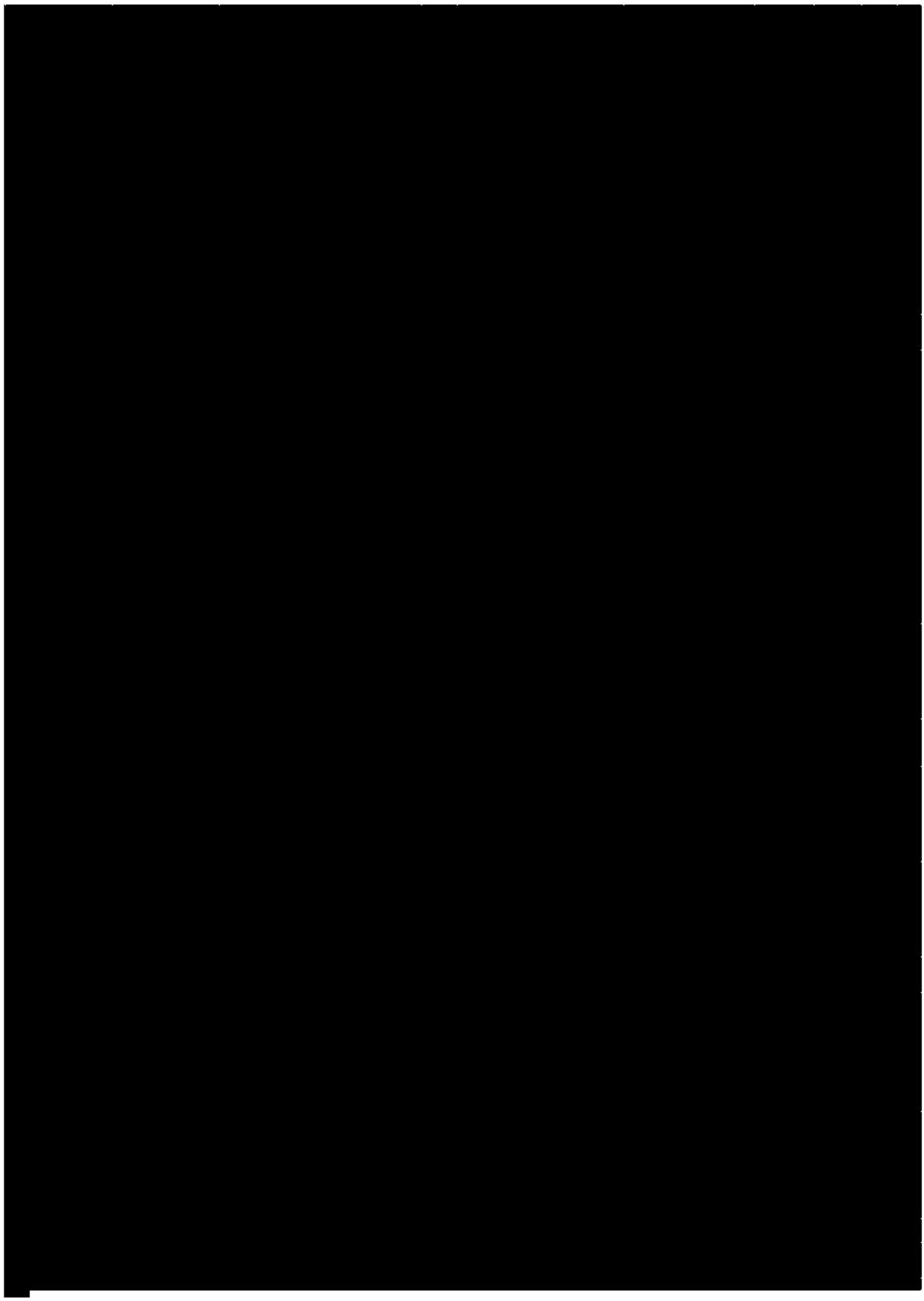
THE PROGNOSIS

(iStock)

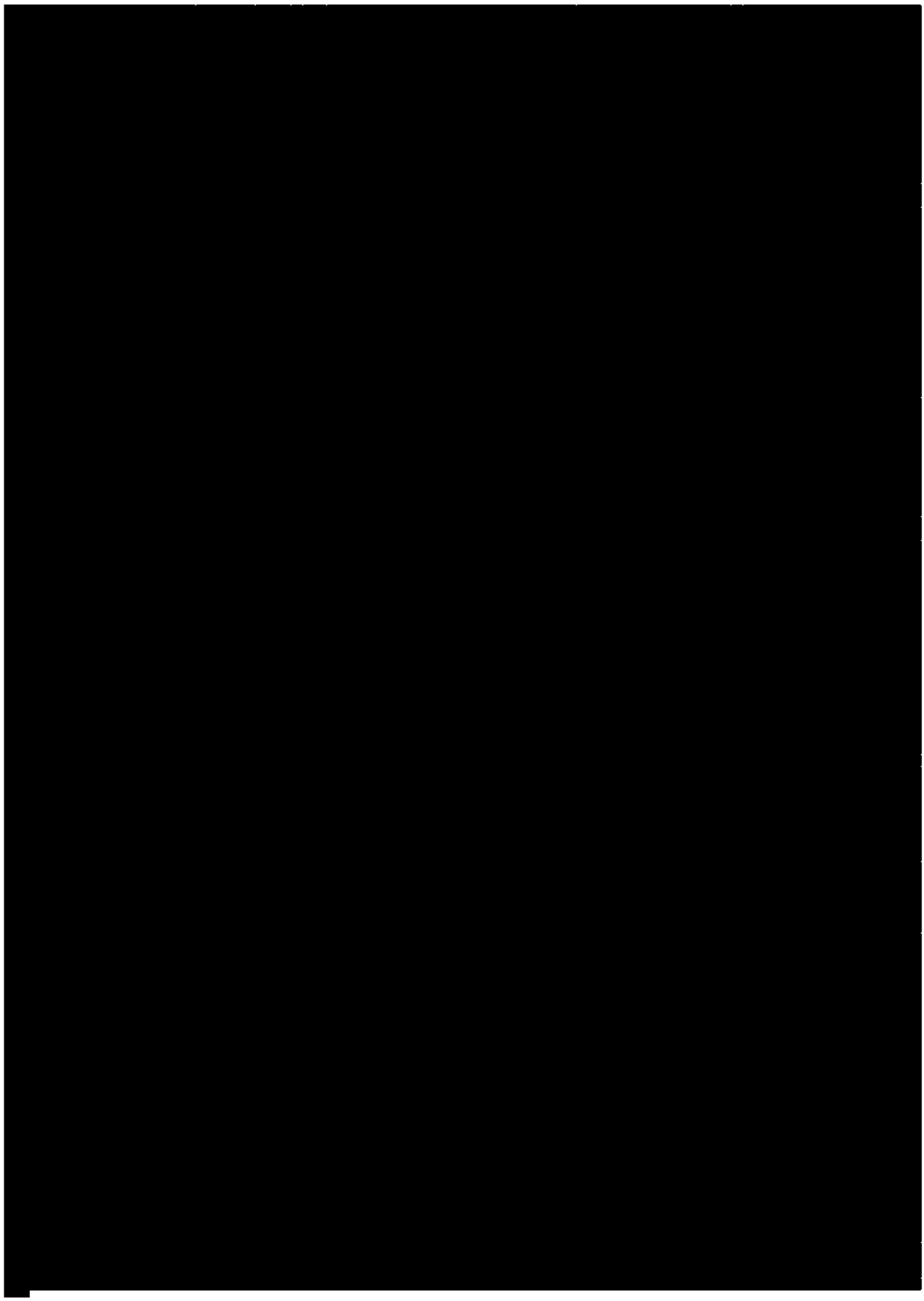
A year and a half into the Trump presidency, Republicans haven't managed to dramatically remake the U.S. health-care system as they promised. That said, there's a whole bucket of smaller ways their rule is reshaping the way government health-care programs work and the coverage and care that is available to Americans.

We've covered many of these efforts in The Health 202 — from all the drama over cost-sharing subsidies to Medicaid work requirements to the

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

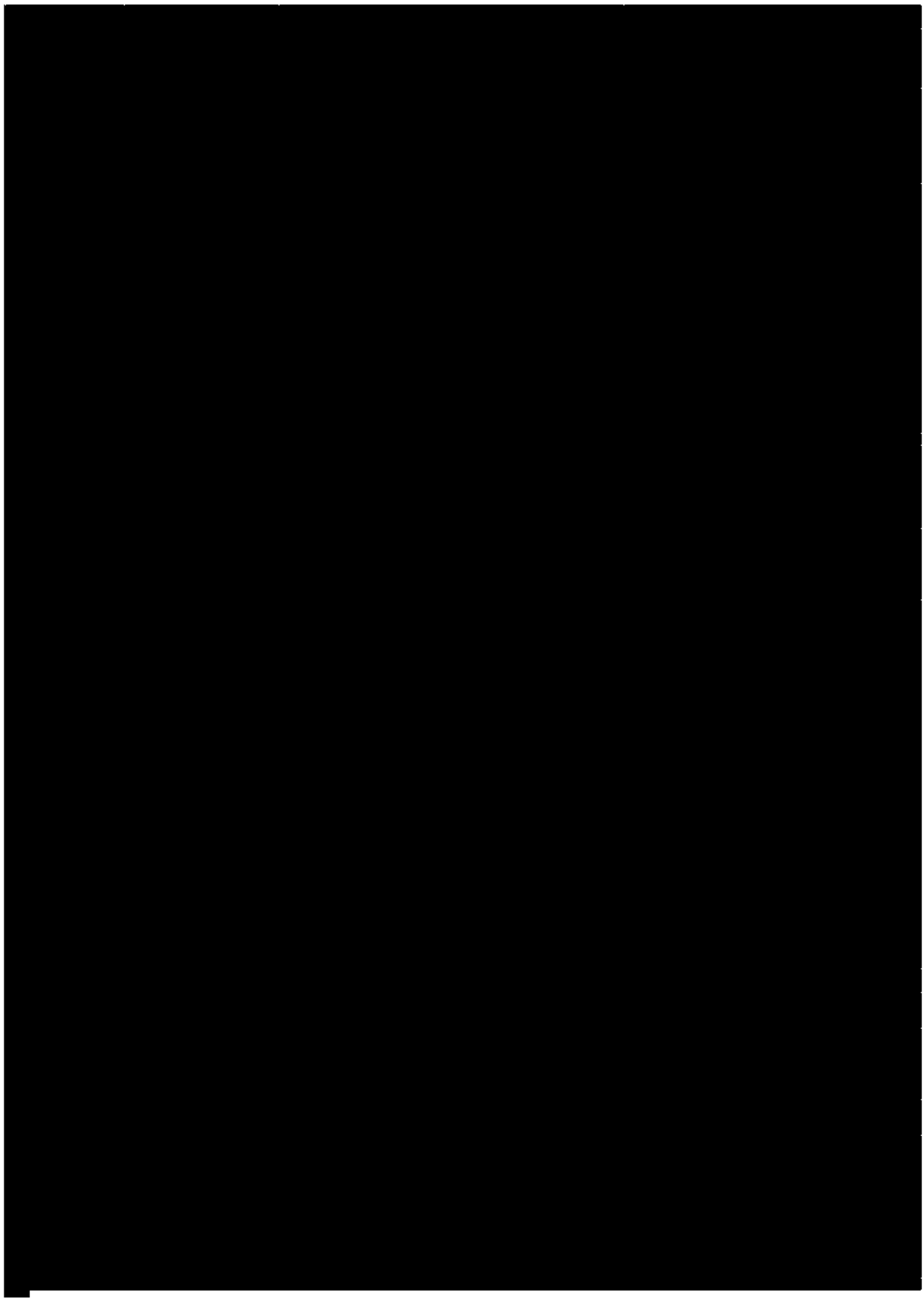
[redacted]

SIGN UP NOW

AGENCY ALERT

AHH, OOF, OUCH

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

[redacted]

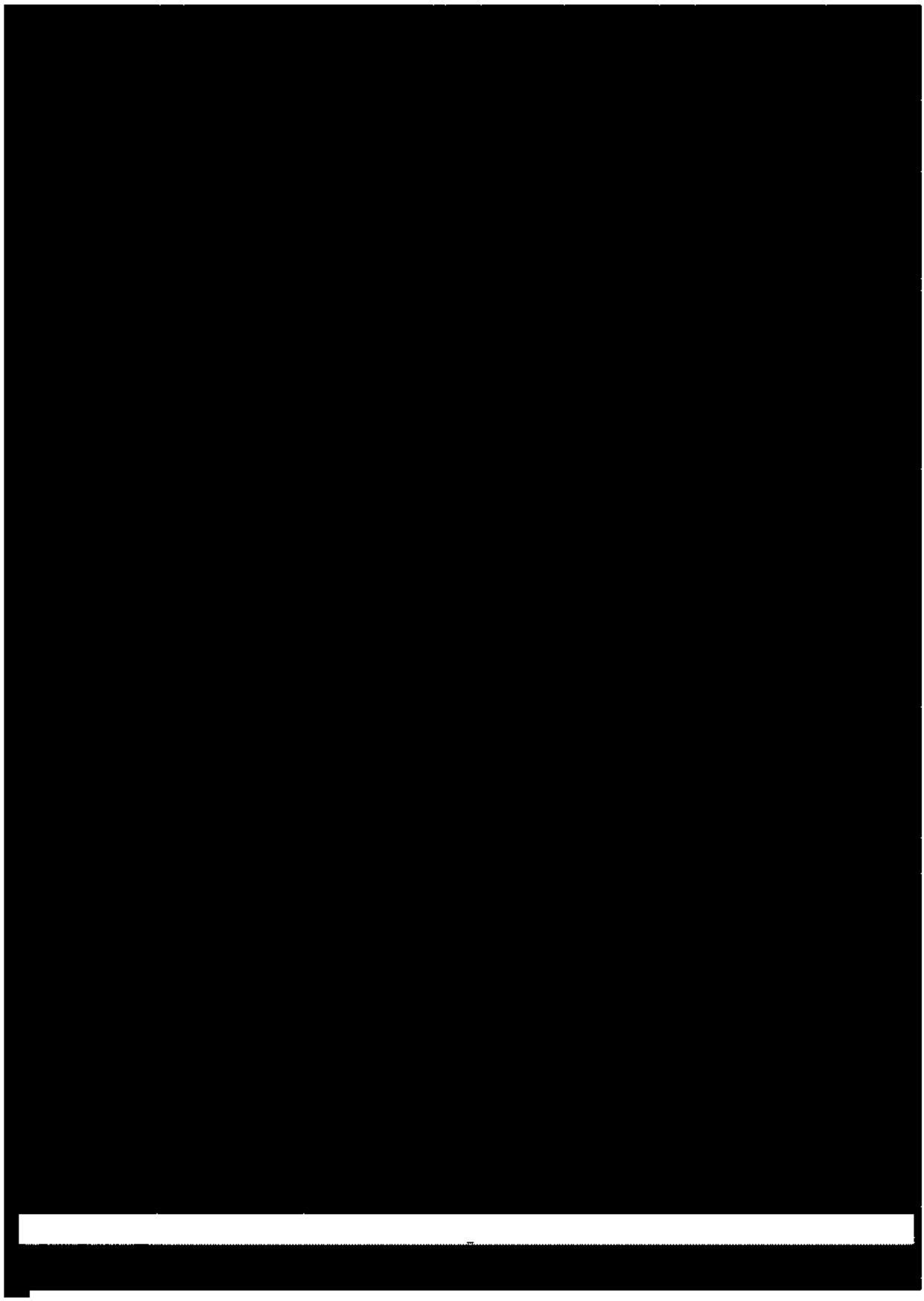
TRUMP TEMPERATURE

[redacted]

HEALTH ON THE HILL

[redacted]

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

[redacted]

OPIOID OPTICS

[redacted]

AMERICAN OVERSIGHT

[redacted]

Illinois seeks to expand Obamacare coverage of opioid addiction treatment, prevention

Insurers on the state's Obamacare exchange will be required to cover more services for opioid addiction starting in 2020, if the state has its way.
Chicago Tribune • Read more »

[redacted]

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

AMERICAN OVERSIGHT

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

AMERICAN OVERSIGHT

STATE SCAN

BRAINWAVES

DAYBOOK

AMERICAN OVERSIGHT

Watch Trump's Montana rally in 3 minutes

-

Trump's Montana rally in 3 minutes

At his Montana rally, Trump joked about Sen. Elizabeth Warren (D-Mass.) and the #MeToo movement:

-

Trump jokes about Sen. Warren and the #MeToo movement

A giant blimp depicting Trump in a diaper is will greet Trump when he visits London:

-

British protesters inflate mocking Trump blimp

Share The Health 202:
Trouble reading? Click here to view in your browser.
You received this email because you signed up for The Health 202 or because it is included in your subscription.
Manage my email newsletters and alerts | Unsubscribe from The Health 202
Privacy Policy | Help
©2018 The Washington Post | 1301 K St NW, Washington DC 20071

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Fri 7/6/2018 12:04:23 PM
Subject: POLITICO Huddle, presented by Wells Fargo: DEMS CHEER PRUITT'S EXIT -- Court fight seizes McCaskill's Senate race -- SCHUMER'S SCOTUS STRUGGLE -- More OSU wrestlers contradict Jim Jordan

07/06/2018 08:01 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

CABINET TURNOVER ADDS TO SENATE WORKLOAD -- The Senate can add yet another high-profile confirmation battle to its to-do list. With EPA Administrator Scott Pruitt's resignation, the chamber will eventually have to confirm his replacement, in addition to VA secretary nominee Robert Wilkie and President Donald Trump's soon-to-be-announced replacement for retiring Supreme Court Justice Anthony Kennedy. Trump announced Pruitt's months-in-the-making exit via Twitter, praising the embattled EPA chief for doing "an outstanding job," despite the unprecedented series of scandals and investigations surrounding his run atop the agency. Deputy EPA Administrator Andrew Wheeler, who was confirmed by the Senate 53-45 in April, will lead the agency in an acting capacity beginning Monday.

"Pruitt's critics were mainly jubilant -- though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda," Anthony Adragna, Alex Guillén and Emily Holden report. Sen. Bernie Sanders (I-Vt.) responded to the news by calling Pruitt "the worst EPA administrator in the history of the agency." Even Sen. Tom Carper (D-Del.), the top Democrat on the Environment and Public Works Committee, cheered Pruitt's exit. "Thank God he's gone," Carper said. "This is a day to celebrate." Unless you're a Senate Republican.

"A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer," they write. "Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn." Much more: https://politi.co/2KP2vEH

Related: Full text of Pruitt's resignation letter: https://politi.co/2zdSM6l; "How Scott Pruitt blew it," by Alex Guillén and Andrew Restuccia: https://politi.co/2IWMul4; and "Environmentalists: Pruitt's replacement 'should scare anyone who breathes,'" from Eric Wolff: https://politi.co/2KAsCQK

FLASHBACK -- Burgess and Anthony Adragna reported in April that confirming a new EPA chief might be, well, impossible. "There's no question that GOP senators are growing tired of defending Pruitt," they wrote at the time. "But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations." From April 9: https://politi.co/2GQ2Cuu

AMERICAN OVERSIGHT

SCHUMER'S SCOTUS CHALLENGE -- With the president set to announce his second Supreme Court nominee on Monday, Senate Minority Leader Chuck Schumer (D-N.Y.) has a seemingly impossible task ahead of him: keeping his caucus united. Sens. Joe Manchin (D-W.Va.), Heidi Heitkamp (D-N.D.) and Joe Donnelly (D-Ind.) are most likely to defect. The trio of red-state senators is up for reelection this year and supported the president's first Supreme Court pick, Neil Gorsuch. "Keeping them in the Democratic fold -- in the face of withering pressure from a liberal base that expects nothing less -- amounts to the biggest challenge of Schumer's 18-month tenure as Democratic leader," Elana reports.

With 24 Democratic seats up this year, including 10 in states Trump won in 2016, the caucus is rarely unified on an issue. No Democrat voted for Republicans' tax cuts in December, but Obamacare repeal is the last issue Senate Democrats stuck together through in an all-consuming fight. Schumer "has preferred to take a hands-off approach to his moderate members, rather than twisting arms on big votes," Elana notes. "Yet it's far from clear that will work this time. ... After taking some heat from the left during this year's bruising immigration and CIA confirmation battles, Schumer is emphasizing unity to his party's agitated activists." More: https://politi.co/2IWiIDe

Schumer and Trump spoke briefly by phone Tuesday. He urged the president to tap Merrick Garland, President Barack Obama's nominee, to unite the country and warned that nominating a jurist hostile to Roe v. Wade and Obamacare would be "cataclysmic." Senate Majority Leader Mitch McConnell's (R-Ky.) team found that laughable, as evidenced by a gif it posted on Twitter of Michael Jordan laughing. From the Washington Post: https://wapo.st/2IYkjs5

Related reads: "Trump pushing for another reality-show reveal of Supreme Court pick," via Andrew Restuccia: https://politi.co/2zg8ttU; "Kethledge gets 11th hour push as potential consensus pick for Supreme Court," per Christopher Cadelago, Eliana Johnson and Josh Gerstein: https://politi.co/2NteLcN; and "Brett Kavanaugh, Supreme Court Front-Runner, Once Argued Broad Grounds for Impeachment," by The New York Times' Mark Landler and Matt Apuzzo: https://nyti.ms/2u96d1G

HAPPY FRIDAY! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this July 6.

** **A message from Wells Fargo:** Buying a home for the first time can be both exciting and overwhelming. For Homeownership Month this June, Wells Fargo Home Mortgage leader Liz Bryant shares a few ways to simplify the process: https://stories.wf.com/ **

THURSDAY'S MOST CLICKED: Rachael and Bres' interview with Rep. Jim Jordan (R-Ohio), who rejected claims from former Ohio State University wrestlers that he knew about ongoing sexual abuse from the team doctor when he coached there, was the winner.

TWO MORE WRESTLERS CLAIM JORDAN KNEW OF ABUSE -- A fourth former Ohio State University wrestler told NBC News that Jordan participated in conversations about team doctor Richard Strauss' sexual abuse. Shawn Dailey said he was groped a half-dozen times by

AMERICAN OVERSIGHT

Strauss in the mid-1990s when Jordan was an assistant coach. He said he was too embarrassed to report it directly to Jordan but maintains he was aware at the time. "Dailey spoke out two days after NBC News reported that three former wrestlers who were coached by Jordan ... accused the GOP congressman of turning a blind eye to Strauss' alleged abuse and then lying about it," Corky Siemaszko reports. "Jordan denied knowing anything about the abuse and continues to do so." More: https://nbcnews.to/2NsfH0N

A fifth former wrestler, former UFC world champion Mark Coleman, told The Wall Street Journal that Jordan knew of the abuse but didn't respond to allegations. "There's no way unless he's got dementia or something that he's got no recollection of what was going on at Ohio State," Coleman said. A spokesman for House Speaker Paul Ryan (R-Wis.) said the allegations are "serious" but that Ryan would let the investigation play out. Trump told reporters he didn't believe the former wrestlers "at all." "I believe Jim Jordan 100 percent," Trump added. More: https://on.wsj.com/2tZ8GN0

SCOTUS TAKES CENTER STAGE IN MISSOURI -- Sen. Claire McCaskill (D-Mo.) will likely oppose the president's Supreme Court pick. And her GOP opponent for reelection is unsurprised. "She's been wrong on every single court nominee since she has been running for the Senate or in the Senate," said Josh Hawley, the state attorney general and former constitutional lawyer who once clerked for Chief Justice John Roberts. The high court, Hawley insists, "is the defining issue of this campaign."

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year," Burgess reports from Marshfield. McCaskill voted against Neil Gorsuch, and Republicans and Democrats expect the same result this time around. A "no" vote, however, would play right into the hands of Hawley, who wants to paint her as a member of the "resistance." "The timing of Justice Anthony Kennedy's retirement could not have worked out better for Hawley, who is being vastly outraised and outspent by McCaskill and her Democratic allies," Burgess adds. "Missouri has morphed ... into a reliable Republican vote at the presidential level, though its Senate contests are often competitive." More: https://politi.co/2KEtRhu

TRUMP ATTACKS TESTER, ET AL. -- Sen. Jon Tester's (D-Mont.) welcome wagon didn't insulate himself from sharp attacks during the president's rally in Great Falls. Tester welcomed Trump to the state by purchasing a full-page ad in a dozen-plus newspapers thanking him for signing bills he sponsored or co-sponsored. The president's response? "It's time to retire liberal Democrat Jon Tester," he told the crowd at a rally to boost state Auditor Matt Rosendale. "Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions," Matthew Nussbaum reports.

"How did he get elected?" Trump wondered aloud. "You can right your wrong in November." In a campaign-style speech that included attacks on President George H.W. Bush and Sen. John McCain (R-Ariz.), the president also made time to go after Rep. Maxine Waters (D-Calif.) and Sen. Elizabeth Warren (D-Mass.). He claimed Waters' IQ is in the "60s" and suggested he would

AMERICAN OVERSIGHT

get ancestry kit for "Pocahontas," his derisive nickname for Warren, while sarcastically invoking the #MeToo era. Warren advised Trump to "focus on fixing the lives you're destroying" by separating migrant families at the southern border. More: https://politi.co/2zhFCoU

Speaking of migrant families, HHS says under 3,000 children are still separated from their parents at the border. Dan Diamond's report: https://politi.co/2tYUVxI

RYAN TO CAMPAIGN FOR WISCONSIN SENATE CANDIDATE -- House Speaker Paul Ryan will appear at a rally for Republican Wisconsin Senate candidate Leah Vukmir today. Ryan endorsed Vukmir, a state senator, last week. "Vukmir is among five Republicans seeking a spot on the November ballot, but analysts consider Marine Corps veteran Kevin Nicholson her most formidable GOP opponent," the Washington Examiner's Susan Ferrechio reports. "Nicholson has the backing of the conservative group Club for Growth as well as Sen. Ted Cruz, R-Texas. Either candidate will have a difficult time winning in November. The Cook Political Report rates Sen. Tammy Baldwin's (D-Wis.) seat "likely Democrat." More: https://washex.am/2tYhoeb

TODAY IN CONGRESS -- The House and Senate are out.

THURSDAY'S TRIVIA WINNER -- Casey Burgat was first to correctly guess that there were 59 members at the beginning of the 1st Congress in 1789.

TODAY'S TRIVIA -- From Casey: Harvard has famously produced the most presidents, with five future commanders in chief receiving undergraduate degrees and three others earning advanced degrees from the college. But who was the first future president to graduate from a non-private school, and what was the college? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

**** A message from Wells Fargo:** Retired U.S. Army veteran Dominic Perrotte and his family of Hampton, Virginia, were recently awarded the deed to their mortgage-free home at the White House Correspondents' Association Brunch by Wells Fargo and the Military Warriors Support Foundation. Wells Fargo is proud to support the foundation's Homes4WoundedHeroes program by donating homes for veterans, with more than 350 homes donated to veterans in all 50 states and more than $100 million donated to military community causes since 2012.
A Pittsburgh native, Dominic served in Afghanistan and Iraq and received a Purple Heart after being injured in combat. The foundation also provided Dominic and his family with three years of family and financial mentoring to help them prepare for long-term homeownership.
Learn more about Wells Fargo's work to support the military community: https://stories.wf.com/
**

To view online:
https://www.politico.com/newsletters/huddle/2018/07/06/dems-cheer-pruitts-exit-court-fight-seizes-mccaskills-senate-race-schumers-scotus-struggle-more-osu-wrestlers-contradict-jim-jordan-283765

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Fri 7/6/2018 12:04:23 PM
Subject: POLITICO Huddle, presented by Wells Fargo: DEMS CHEER PRUITT'S EXIT -- Court fight seizes McCaskill's Senate race -- SCHUMER'S SCOTUS STRUGGLE -- More OSU wrestlers contradict Jim Jordan

07/06/2018 08:01 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

CABINET TURNOVER ADDS TO SENATE WORKLOAD -- The Senate can add yet another high-profile confirmation battle to its to-do list. With EPA Administrator Scott Pruitt's resignation, the chamber will eventually have to confirm his replacement, in addition to VA secretary nominee Robert Wilkie and President Donald Trump's soon-to-be-announced replacement for retiring Supreme Court Justice Anthony Kennedy. Trump announced Pruitt's months-in-the-making exit via Twitter, praising the embattled EPA chief for doing "an outstanding job," despite the unprecedented series of scandals and investigations surrounding his run atop the agency. Deputy EPA Administrator Andrew Wheeler, who was confirmed by the Senate 53-45 in April, will lead the agency in an acting capacity beginning Monday.

"Pruitt's critics were mainly jubilant -- though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda," Anthony Adragna, Alex Guillén and Emily Holden report. Sen. Bernie Sanders (I-Vt.) responded to the news by calling Pruitt "the worst EPA administrator in the history of the agency." Even Sen. Tom Carper (D-Del.), the top Democrat on the Environment and Public Works Committee, cheered Pruitt's exit. "Thank God he's gone," Carper said. "This is a day to celebrate." Unless you're a Senate Republican.

"A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer," they write. "Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn." Much more: https://politi.co/2KP2vEH

Related: Full text of Pruitt's resignation letter: https://politi.co/2zdSM6l; "How Scott Pruitt blew it," by Alex Guillén and Andrew Restuccia: https://politi.co/2IWMul4; and "Environmentalists: Pruitt's replacement 'should scare anyone who breathes,'" from Eric Wolff: https://politi.co/2KAsCQK

FLASHBACK -- Burgess and Anthony Adragna reported in April that confirming a new EPA chief might be, well, impossible. "There's no question that GOP senators are growing tired of defending Pruitt," they wrote at the time. "But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations." From April 9: https://politi.co/2GQ2Cuu

AMERICAN OVERSIGHT

SCHUMER'S SCOTUS CHALLENGE -- With the president set to announce his second Supreme Court nominee on Monday, Senate Minority Leader Chuck Schumer (D-N.Y.) has a seemingly impossible task ahead of him: keeping his caucus united. Sens. Joe Manchin (D-W.Va.), Heidi Heitkamp (D-N.D.) and Joe Donnelly (D-Ind.) are most likely to defect. The trio of red-state senators is up for reelection this year and supported the president's first Supreme Court pick, Neil Gorsuch. "Keeping them in the Democratic fold -- in the face of withering pressure from a liberal base that expects nothing less -- amounts to the biggest challenge of Schumer's 18-month tenure as Democratic leader," Elana reports.

With 24 Democratic seats up this year, including 10 in states Trump won in 2016, the caucus is rarely unified on an issue. No Democrat voted for Republicans' tax cuts in December, but Obamacare repeal is the last issue Senate Democrats stuck together through in an all-consuming fight. Schumer "has preferred to take a hands-off approach to his moderate members, rather than twisting arms on big votes," Elana notes. "Yet it's far from clear that will work this time. ... After taking some heat from the left during this year's bruising immigration and CIA confirmation battles, Schumer is emphasizing unity to his party's agitated activists." More: https://politi.co/2IWiIDe

Schumer and Trump spoke briefly by phone Tuesday. He urged the president to tap Merrick Garland, President Barack Obama's nominee, to unite the country and warned that nominating a jurist hostile to Roe v. Wade and Obamacare would be "cataclysmic." Senate Majority Leader Mitch McConnell's (R-Ky.) team found that laughable, as evidenced by a gif it posted on Twitter of Michael Jordan laughing. From the Washington Post: https://wapo.st/2IYkjs5

Related reads: "Trump pushing for another reality-show reveal of Supreme Court pick," via Andrew Restuccia: https://politi.co/2zg8ttU; "Kethledge gets 11th hour push as potential consensus pick for Supreme Court," per Christopher Cadelago, Eliana Johnson and Josh Gerstein: https://politi.co/2NteLcN; and "Brett Kavanaugh, Supreme Court Front-Runner, Once Argued Broad Grounds for Impeachment," by The New York Times' Mark Landler and Matt Apuzzo: https://nyti.ms/2u96d1G

HAPPY FRIDAY! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this July 6.

** **A message from Wells Fargo:** Buying a home for the first time can be both exciting and overwhelming. For Homeownership Month this June, Wells Fargo Home Mortgage leader Liz Bryant shares a few ways to simplify the process: https://stories.wf.com/ **

THURSDAY'S MOST CLICKED: Rachael and Bres' interview with Rep. Jim Jordan (R-Ohio), who rejected claims from former Ohio State University wrestlers that he knew about ongoing sexual abuse from the team doctor when he coached there, was the winner.

TWO MORE WRESTLERS CLAIM JORDAN KNEW OF ABUSE -- A fourth former Ohio State University wrestler told NBC News that Jordan participated in conversations about team doctor Richard Strauss' sexual abuse. Shawn Dailey said he was groped a half-dozen times by

AMERICAN OVERSIGHT

Strauss in the mid-1990s when Jordan was an assistant coach. He said he was too embarrassed to report it directly to Jordan but maintains he was aware at the time. "Dailey spoke out two days after NBC News reported that three former wrestlers who were coached by Jordan ... accused the GOP congressman of turning a blind eye to Strauss' alleged abuse and then lying about it," Corky Siemaszko reports. "Jordan denied knowing anything about the abuse and continues to do so." More: https://nbcnews.to/2NsfH0N

A fifth former wrestler, former UFC world champion Mark Coleman, told The Wall Street Journal that Jordan knew of the abuse but didn't respond to allegations. "There's no way unless he's got dementia or something that he's got no recollection of what was going on at Ohio State," Coleman said. A spokesman for House Speaker Paul Ryan (R-Wis.) said the allegations are "serious" but that Ryan would let the investigation play out. Trump told reporters he didn't believe the former wrestlers "at all." "I believe Jim Jordan 100 percent," Trump added. More: https://on.wsj.com/2tZ8GN0

SCOTUS TAKES CENTER STAGE IN MISSOURI -- Sen. Claire McCaskill (D-Mo.) will likely oppose the president's Supreme Court pick. And her GOP opponent for reelection is unsurprised. "She's been wrong on every single court nominee since she has been running for the Senate or in the Senate," said Josh Hawley, the state attorney general and former constitutional lawyer who once clerked for Chief Justice John Roberts. The high court, Hawley insists, "is the defining issue of this campaign."

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year," Burgess reports from Marshfield. McCaskill voted against Neil Gorsuch, and Republicans and Democrats expect the same result this time around. A "no" vote, however, would play right into the hands of Hawley, who wants to paint her as a member of the "resistance." "The timing of Justice Anthony Kennedy's retirement could not have worked out better for Hawley, who is being vastly outraised and outspent by McCaskill and her Democratic allies," Burgess adds. "Missouri has morphed ... into a reliable Republican vote at the presidential level, though its Senate contests are often competitive." More: https://politi.co/2KEtRhu

TRUMP ATTACKS TESTER, ET AL. -- Sen. Jon Tester's (D-Mont.) welcome wagon didn't insulate himself from sharp attacks during the president's rally in Great Falls. Tester welcomed Trump to the state by purchasing a full-page ad in a dozen-plus newspapers thanking him for signing bills he sponsored or co-sponsored. The president's response? "It's time to retire liberal Democrat Jon Tester," he told the crowd at a rally to boost state Auditor Matt Rosendale. "Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions," Matthew Nussbaum reports.

"How did he get elected?" Trump wondered aloud. "You can right your wrong in November." In a campaign-style speech that included attacks on President George H.W. Bush and Sen. John McCain (R-Ariz.), the president also made time to go after Rep. Maxine Waters (D-Calif.) and Sen. Elizabeth Warren (D-Mass.). He claimed Waters' IQ is in the "60s" and suggested he would

AMERICAN OVERSIGHT

get ancestry kit for "Pocahontas," his derisive nickname for Warren, while sarcastically invoking the #MeToo era. Warren advised Trump to "focus on fixing the lives you're destroying" by separating migrant families at the southern border. More: https://politi.co/2zhFCoU

Speaking of migrant families, HHS says under 3,000 children are still separated from their parents at the border. Dan Diamond's report: https://politi.co/2tYUVxI

RYAN TO CAMPAIGN FOR WISCONSIN SENATE CANDIDATE -- House Speaker Paul Ryan will appear at a rally for Republican Wisconsin Senate candidate Leah Vukmir today. Ryan endorsed Vukmir, a state senator, last week. "Vukmir is among five Republicans seeking a spot on the November ballot, but analysts consider Marine Corps veteran Kevin Nicholson her most formidable GOP opponent," the Washington Examiner's Susan Ferrechio reports. "Nicholson has the backing of the conservative group Club for Growth as well as Sen. Ted Cruz, R-Texas. Either candidate will have a difficult time winning in November. The Cook Political Report rates Sen. Tammy Baldwin's (D-Wis.) seat "likely Democrat." More: https://washex.am/2tYhoeb

TODAY IN CONGRESS -- The House and Senate are out.

THURSDAY'S TRIVIA WINNER -- Casey Burgat was first to correctly guess that there were 59 members at the beginning of the 1st Congress in 1789.

TODAY'S TRIVIA -- From Casey: Harvard has famously produced the most presidents, with five future commanders in chief receiving undergraduate degrees and three others earning advanced degrees from the college. But who was the first future president to graduate from a non-private school, and what was the college? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

**** A message from Wells Fargo:** Retired U.S. Army veteran Dominic Perrotte and his family of Hampton, Virginia, were recently awarded the deed to their mortgage-free home at the White House Correspondents' Association Brunch by Wells Fargo and the Military Warriors Support Foundation. Wells Fargo is proud to support the foundation's Homes4WoundedHeroes program by donating homes for veterans, with more than 350 homes donated to veterans in all 50 states and more than $100 million donated to military community causes since 2012.
A Pittsburgh native, Dominic served in Afghanistan and Iraq and received a Purple Heart after being injured in combat. The foundation also provided Dominic and his family with three years of family and financial mentoring to help them prepare for long-term homeownership.
Learn more about Wells Fargo's work to support the military community: https://stories.wf.com/
**

To view online:
https://www.politico.com/newsletters/huddle/2018/07/06/dems-cheer-pruitts-exit-court-fight-seizes-mccaskills-senate-race-schumers-scotus-struggle-more-osu-wrestlers-contradict-jim-jordan-283765

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/5/2018 4:23:05 PM
Subject: Playbook Power Briefing, presented by the U.S. Chamber of Commerce: Trade wars escalate as duties on some Chinese goods take effect at midnight

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the U.S. Chamber of Commerce

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and AKELA LACY (alacy@politico.com; @akela_lacy)

TRADE WARS -- DOUG PALMER: "New duties on Chinese goods take effect at midnight": "An additional 25 percent tariff on about $34 billion worth of Chinese goods will be imposed as of midnight, the Office of the U.S. Trade Representative confirmed Thursday.

"A USTR spokeswoman said U.S. Customs and Border Protection has been instructed to begin collecting the duties, which President Donald Trump ordered earlier this year after a USTR Section 301 investigation blamed China for the loss of U.S. valuable intellectual property, either through forced technology transfers or outright theft. ...

"The Trump administration is also preparing to hit another $16 billion worth of Chinese exports with additional duties once it completes a public comment period. That could be as early as August. Beijing has also prepared a list of another $16 billion worth of U.S. goods that it will hit with duties in response to that." https://politi.co/2ze2xBx

-- SABRINA RODRIGUEZ: "Mexico imposes retaliatory tariffs on dozens of U.S. goods": "Mexico on Thursday began imposing its second stage of retaliatory tariffs on dozens of U.S. goods in response to President Donald Trump's duties on Mexican steel and aluminum exports to the United States. The tariffs complete Mexico's two-part retaliation on almost $3 billion worth of U.S. products. The Mexican government, which first announced its retaliation list last month, started the action on June 5 by eliminating preferential tariffs established under NAFTA on a number of products, including pork, potatoes and whiskey. The Mexican government confirmed on Thursday that the increased tariffs are going into effect.

"Most of Mexico's retaliatory tariffs will be imposed on U.S. agricultural exports, such as apples, cranberries and various cheeses. Mexico is also targeting a number of American steel products. The majority of products on the list will face tariffs between 15 and 25 percent." https://politi.co/2Nu9hP1

-- SCMP'S AMANDA LEE: "China tries to ease retaliation fears with pledges to

AMERICAN OVERSIGHT

help foreign businesses weather trade war": "Asked on Thursday whether China would target U.S.-funded businesses in China to counter U.S. restrictions on Chinese products, Chinese Ministry of Commerce spokesman Gao Feng said it was not part of Beijing's plan and, instead, China might compensate foreign businesses for losses from a trade war. ...

"The comments come a day before Washington and Beijing plan to implement tariffs against each others' goods in an escalating trade conflict that has rippled out to financial markets.

"Gao said China would not bow to threats or blackmail and would have to fight back if the U.S. went ahead and imposed the tariffs. ... Gao also said U.S. business interests would suffer from the first set of tariffs, with about $20 billion of the targeted goods, or 59 percent, produced by foreign firms, including U.S. ones." https://politi.co/2IUU9Xk

SUPREME COURT REPORT -- NBC'S PETER ALEXANDER and **DARTUNORRO CLARK: "Trump narrows Supreme Court short list, top 3 contenders emerge":** "President Donald Trump has narrowed his list of contenders to replace retiring Supreme Court Justice Anthony Kennedy to three serious candidates, a source familiar with the selection process told NBC News on Thursday.

"Those candidates are appeals court judges Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett, the source, who was not authorized to speak publicly, said. Kavanaugh, 53, and Kethledge, 51, are both former law clerks to Kennedy, as was Neil Gorsuch, Trump's first Supreme Court nominee, who succeeded Antonin Scalia. Kavanaugh, also a veteran of George W. Bush's White House, currently serves on the U.S. Court of Appeals for the District of Columbia." https://nbcnews.to/2u8jqaV ... ***Roger Meyers in National Review on Kethledge's views on immigration law*** http://bit.ly/2tYs38T

****** **A message from the U.S. Chamber of Commerce:** There are no winners in a global trade war. Here's a breakdown of the states and industries hardest hit by retaliatory tariffs on American exports. www.TheWrongApproach.com. ******

Good Thursday afternoon. WHAT'S ON THE PRESIDENT'S MIND -- @realDonaldTrump at 10:08 a.m.: 'Congress must pass smart, fast and reasonable Immigration Laws now. Law Enforcement at the Border is doing a great job, but the laws they are forced to work with are insane. When people, with or without children, enter our Country, they must be told to leave without our....."

... at 10:16 a.m.: "....Country being forced to endure a long and costly trial. Tell the people 'OUT,' and they must leave, just as they would if they were standing on your front lawn. Hiring thousands of 'judges' does not work and is not acceptable -- only Country in the World that does this!"

... at 10:17 a.m.: "Congress - FIX OUR INSANE IMMIGRATION LAWS NOW!"

AMERICAN OVERSIGHT

2018 WATCH -- "Montana Sen. Tester 'welcomes' Trump by touting passed bills," by AP's Matt Voltz: "U.S. Sen. Jon Tester gave President Donald Trump a tongue-in-cheek welcome to Montana Thursday by taking out a full-page ad in more than a dozen newspapers thanking him for signing 16 bills the Democrat sponsored or co-sponsored.

"Trump was scheduled to hold a rally in Great Falls on Thursday to campaign for Tester's Republican challenger, State Auditor Matt Rosendale. The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his Veterans Affairs nominee, White House physician Ronny Jackson.

"[Tester's ad] ran in the Great Falls Tribune and in newspapers across rural northern and eastern Montana ... 'Welcome to Montana, and thank you President Trump for supporting Jon's legislation to help veterans and first responders, hold the VA accountable, and get rid of waste, fraud and abuse in the federal government,' the ad read." https://bit.ly/2J0pJTo

THE INVESTIGATIONS ...

-- "Inside the Online Campaign to Whitewash the History of Donald Trump's Russian Business Associates," by The Daily Beast's Lachlan Markay and Dean Sterling Jones: "Spokespeople for online reputation management companies in the two countries confirmed that they had been paid to write articles attempting to whitewash Trump's ties to Felix Sater, a Russian-born businessman who, with former Russian trade minister Tevfik Arif, collaborated with the Trump Organization on numerous real estate deals from New York to the former Soviet Union.

"The campaign appears designed to influence Google search results pertaining to Trump's relationship with Sater, Arif, and the Bayrock Group, a New York real estate firm that collaborated with Trump on a series of real estate deals, and recruited Russian investors for potential Trump deals in Moscow. ...

"Sater—who once had an office at New York's Trump Tower, Trump Organization business cards, and claims to have worked as a senior adviser to Trump—has recently emerged as a key figure in the federal investigation led by special counsel Robert Mueller into Russian meddling in the 2016 presidential election." https://thebea.st/2iTih3g

-- AP'S GARANCE BURKE and **STEPHEN BRAUN: "Sanctioned Russian oligarch linked to Cohen has vast U.S. ties":** "Working closely with an American cousin who heads the New York investment management firm Columbus Nova, [Viktor] Vekselberg backed a $1.6 million lobbying campaign to aid Russian interests in Washington. ...His cousin Andrew Intrater served as CEO of a Vekselberg company on that project, and the two men have collaborated on numerous other investments involving Vekselberg's extensive holdings.

AMERICAN OVERSIGHT

"Now, Intrater's investment firm is wrestling with the fallout from financial sanctions the U.S. Treasury Department lodged in April against Vekselberg, one of a group of oligarchs tied to Russian President Vladimir Putin. ... Vekselberg also has cemented tech deals using a Kremlin-funded foundation — raising national security concerns years before special counsel Robert Mueller began probing contacts between Donald Trump's presidential campaign and Russian intermediaries. His opaque corporate structure, which includes an array of hard-to-trace shell companies, has fallen under Mueller's scrutiny, according to several media reports.

"Vekselberg hired Trump's lawyer Michael Cohen as a consultant in January 2017, just months after Cohen paid off the adult film actress known as Stormy Daniels, who has alleged she had an affair with Trump." https://bit.ly/2zeRfgg

ON THE WORLD STAGE -- "Saudis Lower Most Oil Pricing as Iran Taunts Trump on Tweets," by Bloomberg's Anthony DiPaola: "Saudi Arabia cut pricing for most of its oil grades as the world's biggest crude exporter is increasing production to assure buyers there is sufficient supply following U.S. President Donald Trump's demands that OPEC do more to stabilize oil markets. ...

"Iran's OPEC governor, Hossein Kazempour Ardebili, had earlier on Thursday urged Trump to stop tweeting about oil, saying his missives were backfiring and driving prices higher." https://bloom.bg/2tX37yC

FOR YOUR RADAR -- "Five years ago, the FEC's top lawyer resigned. No permanent replacement has yet been named." by The Center for Public Integrity's Dave Levinthal and Suhauna Hussain: "[T]oday marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts — a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling." https://bit.ly/2KUMdas

THURSDAY LISTEN -- "Does the city of the future know too much about you?" by Ben White: "In this week's POLITICO Money podcast, POLITICO's Nancy Scola takes you on a virtual tour of Quayside, the futuristic smart neighborhood that Google plans to build in Toronto." https://apple.co/2nUA2Dc ... ***Nancy's magazine story*** https://politi.co/2KmclZP

COMING ATTRACTIONS - "Hillary Clinton joins star-studded lineup for Ozy Fest in Central Park," by N.Y. Daily News' Spencer Dukoff: "Clinton will be interviewed by Laurene Powell Jobs, president and founder of the Emerson Collective, a nonprofit organization that advocates for progressive causes. ... [She] joins a lineup that already includes newsmakers like comedians Michelle Wolf and Chelsea Handler, actress Laverne Cox, Sen. Kirsten Gillibrand, writer Malcolm Gladwell, sportscaster Jemele Hill, billionaire Tom Steyer, author Salman Rushdie and more." https://nydn.us/2KC3bhF

AFTERNOON READ -- "Instead of a Ban, Transgender Military Recruits Hit

AMERICAN OVERSIGHT

Endless Red Tape," by NYT's Dave Philipps: "Nicholas Bade showed up at an Air Force recruiting office on an icy morning in January, determined to be one of the first transgender recruits to enlist in the military. ... [H]e expected to be called for basic training in a month, maybe two at the most.

"Six months later, he's still waiting. And so are nearly all other transgender recruits who have tried to join up since a federal court ordered the Trump administration not to ban them from the military. ... Since then, scores have applied — but it appears almost none are being accepted. ... The applicants are being stalled or turned away at a time when some branches of the military face a shortage of recruits, and when recruiters have been ordered to work Saturdays to try to make up the shortfall.

"[Transgender groups] initially hailed the court injunctions last fall as victories. But their optimism has melted as months have passed with so few recruits actually being allowed to enlist. ... [S]ome are beginning to question whether the delays are evidence of a concerted effort to keep transgender recruits out, despite the court rulings." https://nyti.ms/2Ntdwu8

MEDIAWATCH -- Megan Heckerman is heading to the New York Times as a talent and inclusion partner for its newsroom. She most recently was an HR business partner at Politico.

TRANSITIONS -- Elisa Massimino is now a senior fellow at the Carr Center for Human Rights Policy at the Kennedy School of Government. She previously was president of Human Rights First. ... **Caleb Hull** is heading to Targeted Victory as director of content. He most recently was senior editor at IJR.

ENGAGED - Cogan Schneier, social media editor at NRECA and a Politico alum, got engaged to **Mike Rooney,** an account manager at software company Tableau. "He proposed on the beach yesterday at my family home in Cape Cod after a round of golf. Friends and family were waiting back at the house with a surprise party." ***Instapics*** http://bit.ly/2KLz1ry

WEEKEND WEDDING -- Lissette Flores, a supervisory community development specialist at HUD and a CBPP alum, married **Amilcar Guzman,** director of data and evaluation at Casa de Maryland and national president of the alumni association of the Congressional Hispanic Caucus Institute. ***Wedding pics*** http://bit.ly/2tUabvG ... http://bit.ly/2z6vBuU ... ***NYT announcement*** https://nyti.ms/2IPY3aH

WELCOME TO THE WORLD - KERRY ALUMNI: Jamesine Rogers Gibson, Western states senior climate analyst at the Union of Concerned Scientists and a John Kerry and EPA alum, and **Bennett Gibson,** senior recruiter at Google and an Apple and Yahoo alum, welcomed Emma Gibson.

****** **A message from the U.S. Chamber of Commerce:** Trade works. Tariffs don't. See how hard your state will be hit by retaliatory tariffs on American exports at

AMERICAN OVERSIGHT

www.TheWrongApproach.com. ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/5/2018 4:23:05 PM
Subject: Playbook Power Briefing, presented by the U.S. Chamber of Commerce: Trade wars escalate as duties on some Chinese goods take effect at midnight

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the U.S. Chamber of Commerce

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and AKELA LACY (alacy@politico.com; @akela_lacy)

TRADE WARS -- DOUG PALMER: "New duties on Chinese goods take effect at midnight": "An additional 25 percent tariff on about $34 billion worth of Chinese goods will be imposed as of midnight, the Office of the U.S. Trade Representative confirmed Thursday.

"A USTR spokeswoman said U.S. Customs and Border Protection has been instructed to begin collecting the duties, which President Donald Trump ordered earlier this year after a USTR Section 301 investigation blamed China for the loss of U.S. valuable intellectual property, either through forced technology transfers or outright theft. ...

"The Trump administration is also preparing to hit another $16 billion worth of Chinese exports with additional duties once it completes a public comment period. That could be as early as August. Beijing has also prepared a list of another $16 billion worth of U.S. goods that it will hit with duties in response to that." https://politi.co/2ze2xBx

-- SABRINA RODRIGUEZ: "Mexico imposes retaliatory tariffs on dozens of U.S. goods": "Mexico on Thursday began imposing its second stage of retaliatory tariffs on dozens of U.S. goods in response to President Donald Trump's duties on Mexican steel and aluminum exports to the United States. The tariffs complete Mexico's two-part retaliation on almost $3 billion worth of U.S. products. The Mexican government, which first announced its retaliation list last month, started the action on June 5 by eliminating preferential tariffs established under NAFTA on a number of products, including pork, potatoes and whiskey. The Mexican government confirmed on Thursday that the increased tariffs are going into effect.

"Most of Mexico's retaliatory tariffs will be imposed on U.S. agricultural exports, such as apples, cranberries and various cheeses. Mexico is also targeting a number of American steel products. The majority of products on the list will face tariffs between 15 and 25 percent." https://politi.co/2Nu9hP1

-- SCMP'S AMANDA LEE: "China tries to ease retaliation fears with pledges to

AMERICAN OVERSIGHT

help foreign businesses weather trade war": "Asked on Thursday whether China would target U.S.-funded businesses in China to counter U.S. restrictions on Chinese products, Chinese Ministry of Commerce spokesman Gao Feng said it was not part of Beijing's plan and, instead, China might compensate foreign businesses for losses from a trade war. ...

"The comments come a day before Washington and Beijing plan to implement tariffs against each others' goods in an escalating trade conflict that has rippled out to financial markets.

"Gao said China would not bow to threats or blackmail and would have to fight back if the U.S. went ahead and imposed the tariffs. ... Gao also said U.S. business interests would suffer from the first set of tariffs, with about $20 billion of the targeted goods, or 59 percent, produced by foreign firms, including U.S. ones." https://politi.co/2IUU9Xk

SUPREME COURT REPORT -- NBC'S PETER ALEXANDER and **DARTUNORRO CLARK: "Trump narrows Supreme Court short list, top 3 contenders emerge":** "President Donald Trump has narrowed his list of contenders to replace retiring Supreme Court Justice Anthony Kennedy to three serious candidates, a source familiar with the selection process told NBC News on Thursday.

"Those candidates are appeals court judges Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett, the source, who was not authorized to speak publicly, said. Kavanaugh, 53, and Kethledge, 51, are both former law clerks to Kennedy, as was Neil Gorsuch, Trump's first Supreme Court nominee, who succeeded Antonin Scalia. Kavanaugh, also a veteran of George W. Bush's White House, currently serves on the U.S. Court of Appeals for the District of Columbia." https://nbcnews.to/2u8jqaV ... ***Roger Meyers in National Review on Kethledge's views on immigration law*** http://bit.ly/2tYs38T

****** **A message from the U.S. Chamber of Commerce:** There are no winners in a global trade war. Here's a breakdown of the states and industries hardest hit by retaliatory tariffs on American exports. www.TheWrongApproach.com. ******

Good Thursday afternoon. WHAT'S ON THE PRESIDENT'S MIND -- @realDonaldTrump at 10:08 a.m.: 'Congress must pass smart, fast and reasonable Immigration Laws now. Law Enforcement at the Border is doing a great job, but the laws they are forced to work with are insane. When people, with or without children, enter our Country, they must be told to leave without our....."

... at 10:16 a.m.: "....Country being forced to endure a long and costly trial. Tell the people 'OUT,' and they must leave, just as they would if they were standing on your front lawn. Hiring thousands of 'judges' does not work and is not acceptable -- only Country in the World that does this!"

... at 10:17 a.m.: "Congress - FIX OUR INSANE IMMIGRATION LAWS NOW!"

AMERICAN OVERSIGHT

2018 WATCH -- "Montana Sen. Tester 'welcomes' Trump by touting passed bills," by AP's Matt Voltz: "U.S. Sen. Jon Tester gave President Donald Trump a tongue-in-cheek welcome to Montana Thursday by taking out a full-page ad in more than a dozen newspapers thanking him for signing 16 bills the Democrat sponsored or co-sponsored.

"Trump was scheduled to hold a rally in Great Falls on Thursday to campaign for Tester's Republican challenger, State Auditor Matt Rosendale. The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his Veterans Affairs nominee, White House physician Ronny Jackson.

"[Tester's ad] ran in the Great Falls Tribune and in newspapers across rural northern and eastern Montana ... 'Welcome to Montana, and thank you President Trump for supporting Jon's legislation to help veterans and first responders, hold the VA accountable, and get rid of waste, fraud and abuse in the federal government,' the ad read." https://bit.ly/2J0pJTo

THE INVESTIGATIONS ...

-- "Inside the Online Campaign to Whitewash the History of Donald Trump's Russian Business Associates," by The Daily Beast's Lachlan Markay and Dean Sterling Jones: "Spokespeople for online reputation management companies in the two countries confirmed that they had been paid to write articles attempting to whitewash Trump's ties to Felix Sater, a Russian-born businessman who, with former Russian trade minister Tevfik Arif, collaborated with the Trump Organization on numerous real estate deals from New York to the former Soviet Union.

"The campaign appears designed to influence Google search results pertaining to Trump's relationship with Sater, Arif, and the Bayrock Group, a New York real estate firm that collaborated with Trump on a series of real estate deals, and recruited Russian investors for potential Trump deals in Moscow. ...

"Sater—who once had an office at New York's Trump Tower, Trump Organization business cards, and claims to have worked as a senior adviser to Trump—has recently emerged as a key figure in the federal investigation led by special counsel Robert Mueller into Russian meddling in the 2016 presidential election." https://thebea.st/2iTih3g

-- AP'S GARANCE BURKE and **STEPHEN BRAUN: "Sanctioned Russian oligarch linked to Cohen has vast U.S. ties":** "Working closely with an American cousin who heads the New York investment management firm Columbus Nova, [Viktor] Vekselberg backed a $1.6 million lobbying campaign to aid Russian interests in Washington. ...His cousin Andrew Intrater served as CEO of a Vekselberg company on that project, and the two men have collaborated on numerous other investments involving Vekselberg's extensive holdings.

AMERICAN OVERSIGHT

"Now, Intrater's investment firm is wrestling with the fallout from financial sanctions the U.S. Treasury Department lodged in April against Vekselberg, one of a group of oligarchs tied to Russian President Vladimir Putin. ... Vekselberg also has cemented tech deals using a Kremlin-funded foundation — raising national security concerns years before special counsel Robert Mueller began probing contacts between Donald Trump's presidential campaign and Russian intermediaries. His opaque corporate structure, which includes an array of hard-to-trace shell companies, has fallen under Mueller's scrutiny, according to several media reports.

"Vekselberg hired Trump's lawyer Michael Cohen as a consultant in January 2017, just months after Cohen paid off the adult film actress known as Stormy Daniels, who has alleged she had an affair with Trump." https://bit.ly/2zeRfgg

ON THE WORLD STAGE -- "Saudis Lower Most Oil Pricing as Iran Taunts Trump on Tweets," by Bloomberg's Anthony DiPaola: "Saudi Arabia cut pricing for most of its oil grades as the world's biggest crude exporter is increasing production to assure buyers there is sufficient supply following U.S. President Donald Trump's demands that OPEC do more to stabilize oil markets. ...

"Iran's OPEC governor, Hossein Kazempour Ardebili, had earlier on Thursday urged Trump to stop tweeting about oil, saying his missives were backfiring and driving prices higher." https://bloom.bg/2tX37yC

FOR YOUR RADAR -- "Five years ago, the FEC's top lawyer resigned. No permanent replacement has yet been named." by The Center for Public Integrity's Dave Levinthal and Suhauna Hussain: "[T]oday marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts — a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling." https://bit.ly/2KUMdas

THURSDAY LISTEN -- "Does the city of the future know too much about you?" by Ben White: "In this week's POLITICO Money podcast, POLITICO's Nancy Scola takes you on a virtual tour of Quayside, the futuristic smart neighborhood that Google plans to build in Toronto." https://apple.co/2nUA2Dc ... ***Nancy's magazine story*** https://politi.co/2KmclZP

COMING ATTRACTIONS - "Hillary Clinton joins star-studded lineup for Ozy Fest in Central Park," by N.Y. Daily News' Spencer Dukoff: "Clinton will be interviewed by Laurene Powell Jobs, president and founder of the Emerson Collective, a nonprofit organization that advocates for progressive causes. ... [She] joins a lineup that already includes newsmakers like comedians Michelle Wolf and Chelsea Handler, actress Laverne Cox, Sen. Kirsten Gillibrand, writer Malcolm Gladwell, sportscaster Jemele Hill, billionaire Tom Steyer, author Salman Rushdie and more." https://nydn.us/2KC3bhF

AFTERNOON READ -- "Instead of a Ban, Transgender Military Recruits Hit

AMERICAN OVERSIGHT

Endless Red Tape," by NYT's Dave Philipps: "Nicholas Bade showed up at an Air Force recruiting office on an icy morning in January, determined to be one of the first transgender recruits to enlist in the military. ... [H]e expected to be called for basic training in a month, maybe two at the most.

"Six months later, he's still waiting. And so are nearly all other transgender recruits who have tried to join up since a federal court ordered the Trump administration not to ban them from the military. ... Since then, scores have applied — but it appears almost none are being accepted. ... The applicants are being stalled or turned away at a time when some branches of the military face a shortage of recruits, and when recruiters have been ordered to work Saturdays to try to make up the shortfall.

"[Transgender groups] initially hailed the court injunctions last fall as victories. But their optimism has melted as months have passed with so few recruits actually being allowed to enlist. ... [S]ome are beginning to question whether the delays are evidence of a concerted effort to keep transgender recruits out, despite the court rulings." https://nyti.ms/2Ntdwu8

MEDIAWATCH -- Megan Heckerman is heading to the New York Times as a talent and inclusion partner for its newsroom. She most recently was an HR business partner at Politico.

TRANSITIONS -- Elisa Massimino is now a senior fellow at the Carr Center for Human Rights Policy at the Kennedy School of Government. She previously was president of Human Rights First. ... **Caleb Hull** is heading to Targeted Victory as director of content. He most recently was senior editor at IJR.

ENGAGED - Cogan Schneier, social media editor at NRECA and a Politico alum, got engaged to **Mike Rooney,** an account manager at software company Tableau. "He proposed on the beach yesterday at my family home in Cape Cod after a round of golf. Friends and family were waiting back at the house with a surprise party." ***Instapics*** http://bit.ly/2KLz1ry

WEEKEND WEDDING -- Lissette Flores, a supervisory community development specialist at HUD and a CBPP alum, married **Amilcar Guzman,** director of data and evaluation at Casa de Maryland and national president of the alumni association of the Congressional Hispanic Caucus Institute. ***Wedding pics*** http://bit.ly/2tUabvG ... http://bit.ly/2z6vBuU ... ***NYT announcement*** https://nyti.ms/2IPY3aH

WELCOME TO THE WORLD - KERRY ALUMNI: Jamesine Rogers Gibson, Western states senior climate analyst at the Union of Concerned Scientists and a John Kerry and EPA alum, and **Bennett Gibson,** senior recruiter at Google and an Apple and Yahoo alum, welcomed Emma Gibson.

****** **A message from the U.S. Chamber of Commerce:** Trade works. Tariffs don't. See how hard your state will be hit by retaliatory tariffs on American exports at

AMERICAN OVERSIGHT

www.TheWrongApproach.com. ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/5/2018 12:37:56 PM
Subject: July 05 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 05, 2018 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Florida

WATER
Southwest Florida WMD/Guidance and Minimum Levels for Lakes
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop to consider amendments to regulations under FAC 40D-8 regarding proposed guidance and minimum levels for lakes Allen, Harvey, and Virginia in Hillsborough County. The workshop is scheduled for July 16, 2018, in Lutz. Contact: Donna Campbell; SWFWMD; 352-796-7211

—Florida Publication Date: 07/02/2018.

Regulatory Update

Michigan

OIL AND GAS INDUSTRY
Oil and Gas Operations/Injection Wells
Michigan OIL AND GAS INDUSTRY

Final rule of the Department of Environmental Quality, Oil, Gas, and Mineral Division, amends and adopts regulations under MAC 324 to establish requirements for protection of underground sources of drinking water for injection well drilling and operations. The rule also revises single well bond amounts to require companies to submit a financial assurance for any new well adequate to cover current anticipated plugging costs. In addition, the rule addresses minor surface location changes and permit extensions. The rule is issued in anticipation of the state receiving Class II primacy under the federal Safe Drinking Water Act, Section 1425. The rule is effective June 7, 2018. Contact: Adam Wygant; DEQ, Oil, Gas, and Minerals Division; 517-897-4828; wyganta@michigan.gov

AMERICAN OVERSIGHT

—Michigan Publication Date: 07/01/2018. Citations: R 324.103 (amended); R 324.201 (amended); R 324.206 (amended); R 324.208 (amended); R 324.212 (amended); R 324.703 (amended); R 324.704 (amended); R 324.801 (amended); R 324.802 (amended); R 324.803 (amended); R 324.804 (amended); R 324.805 (amended); R 324.806 (amended); R 324.807 (amended); R 324.808 (amended); R 324.809 (new); R 324.810 (new); R 324.811 (new); R 324.812 (new); R 324.813 (new); R 324.814 (new); R 324.815 (new); R 324.816 (new); R 324.1002 (amended)

Regulatory Update

WATER
Public Water Supplies/Lead Action Level
Michigan WATER

Final rule of the Department of Environmental Quality, Drinking Water and Municipal Assistance Division, amends regulations under MAC 325 to reduce the 90th percentile lead level exceedance standard to 0.012 milligram/liter, effective Jan. 1, 2025. The rule also requires water suppliers to examine customers' entire water systems to determine the source of lead if test results exceed 0.010 milligram/liter. In addition, the rule requires collection of two compliance samples per site, establishes deadlines for lead service line replacement based on the size of the population served, and increases water quality parameter monitoring. Finally, the rule requires community supplies serving a population of 50,000 or more to establish a water system advisory council, requires distribution system materials inventories to be updated and submitted to the department, and limits the ability of municipal water supplies to reduce monitoring. The rule is effective June 14, 2018. Contact: Suzann Ruch; DEQ; Drinking Water and Municipal Assistance Division; 517-284-6544; DEQ-LCR-Comments@michigan.gov

—Michigan Publication Date: 07/01/2018. Citations: R 325.10102 (amended); R 325.10105 (amended); R 325.10108 (amended); R 325.10401a (amended); R 325.10405 (amended); R 325.10410 (amended); R 325.10413 (amended); R 325.10420 (amended); R 325.10604f (amended); R 325.10710a (amended); R 325.10710b (amended); R 325.10710d (amended); R 325.11506 (amended); R 325.11604 (amended); R 325.11606 (amended)

Regulatory Update

Nevada

MINING
Mining Facilities and Operations/Permit Notification
Nevada MINING

Notice announces the intention of the State Environmental Commission to amend regulations under NAC 445A and 519A regarding notice of intent to issue permits for mining facilities and mining operations or exploration projects. The rule would update the process for public notification of permitting decisions to allow the agency to post application denial and permit notices online. A comment due date is not specified. Contact: Valerie King; SEC; 775-687-9374

—Nevada Publication Date: 07/01/2018. Citations: NAC 445A.402 (amended); NAC 519A.185 (amended)

Regulatory Update

AMERICAN OVERSIGHT

OCCUPATIONAL SAFETY AND HEALTH
Historic Power Boilers
Nevada OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Business and Industry, Division of Industrial Relations, to amend and adopt regulations under NAC 455C to define and establish requirements for design, testing, and operation of historic power boilers. The rule would require prior authorization from the Mechanical Compliance Section before operation of a historic power boiler and specify application requirements, including reports of the maximum allowable working pressure calculations and ultrasonic testing. The rule also would specify a process for determining whether publications adopted by reference should be updated following revision. In addition, the rule would specify the maximum allowable working pressure and the minimum safety factor calculations and require maintenance of an operational log. Finally, the rule would address inspections, repairs, and alterations. A comment due date is not specified. Contact: DIR, Mechanical Compliance Section; 775-688-3750

—Nevada Publication Date: 07/01/2018. Citations: NAC 455C (amended); NAC 455C.064 (amended); NAC 455C.156 (amended); NAC 455C.182 (amended); NAC 455C.184 (amended); NAC 455C.232 (amended); NAC 455C.234 (amended); NAC 455C.270 (amended); NAC 455C.278 (amended)

Regulatory Update

New Jersey

GENERAL ENVIRONMENT AND SAFETY
Department of Environmental Protection Practice and Procedure
New Jersey GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Protection readopts with amendments regulations under NJAC 7:1D to update provisions concerning general practice and procedure. The rule updates language for gender neutrality and corrects department addresses. The rule is effective July 2, 2018. Contact: DEP; 609-777-3373

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:1D-2.4 (amended); NJAC 7:1D-2.7 (amended)

Regulatory Update

SOLID WASTE
Electronic Waste Management
New Jersey SOLID WASTE

Notice of the Department of Environmental Protection, Office of Legal Affairs, announces action on a rulemaking petition to amend regulations under NJAC 7:26A-13 regarding electronic waste management to implement 2017 legislation. The petitioner, the Consumer Technology Association, requests that the department clarify how it will obtain, verify, and use data to

AMERICAN OVERSIGHT

calculate and enforce manufacturers' market share in weight obligations; provide criteria for any convenience requirements, such as the number of permanent collection sites required per county; and allow manufacturers or their designated organizations to audit recyclers and collectors to ensure the accuracy of data reported. The petitioner also requests that the department provide procedures and time frames for calculating market share in weight obligations for upcoming program years and determining compliance and to provide guidance on when manufacturers may apply additional covered electronic device collection and recycling pounds toward their market share in weight obligations. The department has determined to refer the petition for further deliberation. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:26A-13

Regulatory Update

TOXIC SUBSTANCES
Fireworks/Sparkling Devices and Novelties
New Jersey TOXIC SUBSTANCES

Proposed rule of the Department of Community Affairs, Division of Fire Safety, would amend regulations under NJAC 5:70 to update the definition of "fireworks" to exclude "sparkling devices and novelties" and define such devices separately. The rule also would set forth requirements for storage and retail sales to the public of sparkling devices and novelties in any temporary or permanent structure when the pyrotechnic content exceeds 125 pounds. Comments are due Aug. 31, 2018. Contact: Geraldine Callahan; DCA, Division of Fire Safety; 609-633-6106; Geraldine.Callahan@dca.nj.gov

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 5:70-2.7 (amended); NJAC 5:70-3.2 (amended)

Regulatory Update

WATER
List of Water Quality Limited Waters
New Jersey WATER

Notice of the Department of Environmental Protection, Division of Water Monitoring and Standards, requests water quality data and information to be considered in the development of the 2020 list of Section 303(d) water quality limited waters. The notice addresses data quality requirements and specifies repositories for data submission. The notice also includes the biennial deadlines for data submittal for lists through the 2030 list. Submissions are due Sept. 30, 2018. Contact: Jack Pflaumer; DEP, Bureau of Environmental Analysis, Restoration, and Standards; 609-633-1441; Jack.Pflaumer@dep.nj.gov

—New Jersey Publication Date: 07/02/2018.

Regulatory Update

WATER
Sale of Water from the Manasquan Reservoir Water Supply System
New Jersey WATER

AMERICAN OVERSIGHT

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Manasquan Reservoir water supply system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-4.3 (amended); NJAC 7:11-4.4 (amended); NJAC 7:11-4.5 (amended); NJAC 7:11-4.6 (amended)

Regulatory Update

WATER
Sale of Water from the Raritan Basin System
New Jersey WATER

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Raritan Basin system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-2.3 (amended); NJAC 7:11-2.4 (new); NJAC 7:11-2.5 (new); NJAC 7:11-2.6 (new)

Regulatory Update

North Carolina

WATER
Water Treatment Facility Operators/Applicants, Facility Classification
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Water Treatment Facility Operators Certification Board, would amend regulations under 15A NCAC 18D to update provisions concerning qualifications of applicants and classification of public water systems. The rule would require owners of public water facilities to notify the board of vacancies that result in noncompliance with public water systems provisions within 10 days and make editorial and technical revisions. A hearing is scheduled for Aug. 7, 2018, in Raleigh. Comments are due Aug. 31, 2018. Contact: Jay Frick; DEQ; 919-707-9102

—North Carolina Publication Date: 07/02/2018. Citations: 15A NCAC 18D .0206 (amended)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT

AMERICAN OVERSIGHT

HAZARDOUS WASTE MANAGEMENT
Hazardous Recyclable Materials/Contaminated Wipes and Apparel
Ohio HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Ohio EPA would amend regulations under OAC 3745-51 to revise hazardous recyclable materials requirements by conditionally excluding certain contaminated wipes and apparel from state and federal standards. The rule would exclude rags, mops, drop cloths, and apparel made of certain materials that are laundered and intended for reuse and are not already excluded under the Solvent Wipes Rule. The rule also would update and clarify storage and transportation requirements for such materials and update citations to federal standards. A hearing is scheduled for July 31, 2018, in Columbus. Comments are due July 31, 2018. Contact: Jacquelyn Keller; Ohio EPA, Division of Hazardous Waste; 614-644-2924; Jacquelyn.Keller@epa.ohio.gov

—Ohio Publication Date: 07/02/2018. Citations: OAC 3745-51-06 (amended)

Regulatory Update

Oregon

OCCUPATIONAL SAFETY AND HEALTH
Outdoor Production Pesticide Applications
Oregon OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Consumer and Business Services, Occupational Safety and Health Division, adopts regulations under OAR 437-004 to establish restrictions associated with outdoor production pesticide applications for workers or others who are adjacent to pesticides being applied in outdoor production areas. The rule specifies that if drift makes contact with labor housing areas, including enclosed agricultural structures within an application exclusion zone, employers must ensure that it is cleaned up with a minimum of employee or housing occupant exposure. The rule is effective Jan. 1, 2019. Contact: Heather Case; DCBS, Occupational Safety and Health Division; 503-947-7449; heather.case@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 437-004-6405 (new); OAR 437-004-6406 (new)

Regulatory Update

WATER
Nonmotorized In-Stream Placer Mining Authorizations
Oregon WATER

Final rule of the Department of State Lands adopts regulations under OAR 141-089 to specify that nonmotorized in-stream placer mining authorizations within indigenous anadromous salmonid habitat will expire on Dec. 31 of each calendar year. The rule also specifies that such authorizations are nontransferrable. The rule is effective July 1, 2018. Contact: Anne Friend; DSL; 503-986-5245; anne.m.friend@state.or.us

AMERICAN OVERSIGHT

—Oregon Publication Date: 07/01/2018. Citations: OAR 141-089-0827 (new)

Regulatory Update

WATER
Watershed Enhancement Technical Assistance Grants
Oregon WATER

Final rule of the Watershed Enhancement Board adopts and repeals regulations under OAR 695-030 to revise administrative rules for technical assistance grants. The rule establishes eligibility and application requirements and specifies evaluation criteria for technical design and engineering, resource assessment and planning, and organizational technical assistance grant applications. The rule also establishes procedures for technical review, funding decisions, and staff funding recommendations for grant applications that require the board to make a funding decision and grant applications seeking grant funds that have been delegated by the board to the executive director. In addition, the rule addresses the waiver and periodic review of rules and grant agreement conditions. The rule is effective June 28, 2018. Contact: Eric Hartstein; WEB; 503-986-0029; eric.hartstein@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 695-030-0005 (new); OAR 695-030-0015 (new); OAR 695-030-0025 (new); OAR 695-030-0035 (new); OAR 695-030-0045 (new); OAR 695-030-0050 (repealed); OAR 695-030-0055 (new); OAR 695-030-0060 (repealed); OAR 695-030-0065 (new); OAR 695-030-0075 (new); OAR 695-030-0085 (new); OAR 695-030-0095 (new); OAR 695-030-0100 (repealed)

Regulatory Update

Rhode Island

OCCUPATIONAL SAFETY AND HEALTH
Boilers and Pressure Vessel Inspection
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Training would amend regulations under 260-RICR-30-10-2 to incorporate by reference the 2017 American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors. The rule also would revise fee requirements for certificate inspection by the state inspector, existing power boilers, and GR-1 inspection of boilers and pressure vessels. A hearing is scheduled for July 20, 2018, in Cranston. Comments are due July 30, 2018. Contact: Sean Fontes; DLT; 401-462-8890; sean.fontes@dlt.ri.gov

—Rhode Island Publication Date: 07/01/2018. Citations: 260-RICR-30-10-2 (amended)

Regulatory Update

Utah

AMERICAN OVERSIGHT

AIR
Definitions/PM-2.5 Precursors
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise regulations under R307-101 to update the definition of PM-2.5 precursor to reflect federal standards. The rule would add ammonia as a precursor to fine particulate matter (PM-2.5), except where a demonstration satisfying 40 CFR 51.1006(a)(3) has determined otherwise. The rule also would specify that ammonia is exempted in the Logan PM-2.5 nonattainment area. The changes clarify that ammonia precursor exemptions are exempt upon EPA approval. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-101-2 (amended)

Regulatory Update

AIR
Nonattainment Area New Source Review
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise the nonattainment new source review (NNSR) permitting program to allow for control of fine particulate matter (PM-2.5). The rule would clarify lowest achievable emission rate requirements and applicable offset requirements and update definitions. The rule also would exempt ammonia as a PM-2.5 precursor in the Logan nonattainment area where a demonstration supporting that conclusion has been submitted to the EPA. The changes specify which portion of the rule supplements permitting requirements; clarify the EPA's role in approving demonstrations; and address potential increases of nitrogen oxides, sulfur dioxide, and PM-2.5 precursors. The changes also require that emission offsets be surplus, permanent, quantifiable, and federally enforceable; clarify that offsets may not be traded between pollutants except under specified conditions; and clarify one-to-one ratio requirements. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-403

Regulatory Update

AIR
State Implementation Plan/Control Measures Area and Point Sources
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, would amend regulations under R307-110 regarding Section IX, Part H, of the state implementation plan (SIP) concerning control measures for area and point sources and emission limits and operating practices. The rule would change the amendment date to Sept. 5, 2018, to match the anticipated Air Quality Board approval date of amendments to that portion of the SIP. Comments are due Aug. 15, 2018. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-110-17 (amended)

AMERICAN OVERSIGHT

Regulatory Update

Washington

AIR
Agricultural Burning
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-430 to update agricultural burning standards. The rule would address inadequacies that were raised in an October 2016 letter by the State Auditor's Office and relocate provisions under the agricultural burning fee schedule and permit fee distribution standards. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-430 (amended)

Regulatory Update

AIR
Kraft Pulping Mills, Sulfite Pulping Mills, and Primary Aluminum Plants
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-405, -410, and -415 to update air quality standards for kraft pulping mills, sulfite pulping mills, and primary aluminum plants. The rule would conform with revisions to general air pollution source requirements under WAC 173-400 that were made in response to the EPA's June 12, 2015, startup, shutdown, or malfunction state implementation plan call final rule. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-410 (amended); WAC 173-415 (amended); WAC 173-405 (amended)

Regulatory Update

AIR
Southwest Clean Air Agency/Asbestos Standards
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 476-040 through 80 to update requirements for asbestos surveys, notification, emission control, and disposal. The rule clarifies and updates inspection and sampling procedures, adds an alternative procedure, and adds inspection reporting requirements. The rule also reduces the notification period for asbestos removal and demolition to 10 calendar days, adds procedures for abandoned asbestos-

AMERICAN OVERSIGHT

containing materials, and adds state of emergency procedures for public disasters. In addition, the rule requires asbestos-containing materials to be stored in leak tight containers, adds waste tracking requirements, and increases the notification period for fire training burns to 10 calendar days. The rule is effective July 14, 2018. Contact: Gerald Strawn; SWCAA; 360-574-3058; gerry@swclearnair.org

—Washington Publication Date: 07/04/2018. Citations: Uncodified

Regulatory Update

OIL AND GAS INDUSTRY
Utilities and Transportation Commission
Washington OIL AND GAS INDUSTRY

Final rule of the Utilities and Transportation Commission amends regulations under WAC 480-14 through -120 (nonconsecutive) to revise standards for solid waste and refuse collection companies, hazardous liquids pipelines, and gas companies. The rule updates the incorporation by reference of federal standards and other adopted publications. The rule is effective July 20, 2018. Contact: Gregory Kopta; UTC; 360-664-1355

—Washington Publication Date: 07/04/2018. Citations: WAC 480-14-999 (amended); WAC 480-15-999 (amended); WAC 480-30-999 (amended); WAC 480-31-999 (amended); WAC 480-70-201 (amended); WAC 480-70-999 (amended); WAC 480-73-999 (amended); WAC 480-75-999 (amended); WAC 480-90-999 (amended); WAC 480-93-999 (amended); WAC 480-100-999 (amended); WAC 480-108-999 (amended); WAC 480-109-999 (amended); WAC 480-120-999 (amended)

Regulatory Update

West Virginia

GENERAL ENVIRONMENT AND SAFETY
Exchange of Information Agreement/Tax and Environmental Protection Departments
West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would repeal regulations under 110 WVCSR 50A to remove obsolete provisions concerning the exchange of information agreement between the Tax Department and the Department of Environmental Protection. The provisions would be consolidated under 110 WVCSR 50C in a concurrent proposed rule. Comments are due July 27, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50A-1 (repealed); 110-50A-2 (repealed); 110-50A-3 (repealed)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Interagency Exchange of Information Agreement

AMERICAN OVERSIGHT

West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would adopt regulations under 110 WVCSR 50C to authorize the exchange of certain information under a written interagency agreement between the Tax Department and other state agencies. The rule would address the sharing of confidential taxpayer information for purposes of premium collection, tax collection, or licensure requirements. The rule also would consolidate existing provisions for such agreements with individual agencies, including the Department of Environmental Protection under 110 WVCSR 50A, which is proposed for repeal concurrently. Comments are due July 26, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50C-1 (new); 110-50C-2 (new); 110-50C-3 (new); 110-50C-4 (new); 110-50C-5 (new)

Regulatory Update

Privacy Policy | Terms of Service | Manage Your Email | Contact Us

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc.
EHS State Regulatory Alert

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Thur 7/5/2018 11:57:07 AM
Subject: POLITICO Huddle: JIM JORDAN SPEAKS -- Trump narrows SCOTUS shortlist -- OCASIO-CORTEZ PLAYS KINGMAKER -- K Street eyes Dem staffers

07/05/2018 07:55 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

JIM JORDAN RESPONDS TO EXPLOSIVE REPORT -- House Freedom Caucus co-founder Jim Jordan (R-Ohio) is denying allegations that he ignored sexual abuse when he coached wrestling at Ohio State University. "I never knew about any type of abuse," he told POLITICO in an interview. "If I did, I would have done something about it. And look, if there are people who are abused, then that's terrible and we want justice to happen." The allegations could threaten the political career of one of the most powerful House Republicans. As Rachael and Bres report, Jordan "commands the loyalty of several dozen conservative Republicans who often band together to demand concessions for their votes, bending leadership to their will." Jordan has also considered a run to succeed Paul Ryan (R-Wis.) as speaker. More: https://politi.co/2lWN7bv

The backstory: Ohio State began investigating accusations in April that team doctor Richard Strauss, who died in 2005, molested student-athletes. "Three former wrestlers told NBC News that it was common knowledge that Strauss showered regularly with the students and inappropriately touched them during appointments, and said it would have been impossible for Jordan to be unaware," Corky Siemaszko reports. Mike DiSabato, a former wrestler, accused Jordan of lying. Dunyasha Yetts, another former wrestler, says he and others told Jordan and then-head coach Russ Hellickson about the doctor several times. NBC News' original report: https://nbcnews.to/2MRaQFn

DiSabato has emailed Jordan's office about the issue. But a source in Jordan's office tells CNN the messages were vaguely threatening and received no response from the congressman because he felt he was being bullied. The source says the office will contact Capitol Hill police about the emails. "The investigative team looking into the allegations of sexual abuse said Tuesday they had reached out to Jordan by email and phone asking for interviews," CNN's Sunlen Serfaty and Clare Foran report. "Jordan's office said Wednesday it has still not found any communications from the investigators. The chief of staff reached out to investigators Tuesday to clarify whether there were any but has yet to hear back." More: https://cnn.it/2u6S30T

AND THEN THERE WERE THREE -- President Donald Trump's shortlist of potential Supreme Court nominees to replace Justice Anthony Kennedy is down to three, The Wall Street Journal reports: Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett. "Mr. Trump ... has been taking advice from lawmakers and trusted confidants as he settles on a nominee who could set a new direction for a high court split between conservative and liberal factions that have dueled for years," The Wall Street Journal's Peter Nicholas and Louise Radnofsky report. "Since Justice Kennedy was often a swing vote, Mr. Trump's selection could tip the balance when it comes to some of the most divisive issues the court faces: abortion rights, health care

AMERICAN OVERSIGHT

and the limits of executive power, among them."

Trump interviewed the three finalists and Amul Thapar on Monday. He also interviewed Sen. Mike Lee (R-Utah), a longshot, to say the least, by phone for the post on Monday and Thomas Hardiman and Joan Larsen by phone on Tuesday. An aide to Sen. Tom Cotton (R-Ark.) says the senator spoke to the president earlier this week to give a candid assessment of the candidates' strengths and drawbacks. The aide says Cotton didn't promote any particular person. Trump could make his decision as soon as today but isn't expected to announce it until Monday. More: https://on.wsj.com/2KHkYTR

Grass-roots groups on the left are ready to oppose the nominee as soon as it's named. "The campaign promises to replicate some of the headline-grabbing demonstration tactics that helped defeat the GOP's Obamacare repeal effort last year, sending protesters to in-state Senate offices starting on Monday after Trump taps his nominee for the high court," Elana reports. "Its focus is outside Washington, part of an effort to ramp up local media and public attention on swing-vote senators in the Supreme Court fight." More on how the left plans to respond to the president's pick: https://politi.co/2KJTVaq

Related: "'It looks all-American': Trump wants the whole package in Supreme Court nominee," by Annie Karni and Eliana Johnson: https://politi.co/2MPUGMF; "Trump's Supreme Court search unleashes fierce politicking," from Eliana Johnson: https://politi.co/2lT53DL; and "Two Judges Exemplify the Choice Trump Faces in a Supreme Court Pick," via The New York Times' Adam Liptak: https://nyti.ms/2KQZUqL

GOOD MORNING! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this Thursday, July 5.

TUESDAY'S MOST CLICKED: Heather and Burgess' profile of Rep. Kyrsten Sinema, the Democratic Arizona Senate candidate who says she won't vote for Chuck Schumer (D-N.Y.) as Senate Democratic leader, if elected, was the winner.

SENATE INTEL BACKS IC ON RUSSIAN MEDDLING -- The Senate Intelligence Committee agrees with the intelligence community's assessment that Russia interfered in the 2016 presidential election to boost Donald Trump over Hillary Clinton. "An unclassified report that reveals Russia meddled in far more extensive ways than previously known is yet another strong rebuke to Trump and many of his allies who continue to cast doubt on findings from the intelligence community that Moscow carried out an operation to help his candidacy and hurt Hillary Clinton," Martin Matishak writes. "[T]he Senate describes activity that goes far beyond the intelligence community's initial January 2017 assessments of Russian elements' attempts to divide Americans."

Committee leaders Richard Burr (R-N.C.) and Mark Warner (D-Va.) released the panel's findings Tuesday, ahead of the president's planned meeting with Russian President Vladimir Putin on July 16 in Helsinki, Finland. "Even though Trump has said he believes Putin's assurances that Moscow didn't interfere with the vote, Trump has said he'll bring up election meddling during the meeting," Matishak adds. Much more: https://politi.co/2KNu1iF; and the

AMERICAN OVERSIGHT

report: http://bit.ly/2tTZhq4

TESTER WELCOMES TRUMP TO MONTANA -- Sen. Jon Tester (D-Mont.) is welcoming the president to his state with a full-page ad in more than a dozen newspapers thanking him for signing 16 bills he either sponsored or co-sponsored. Trump will campaign tonight in Great Falls to boost State Auditor Matt Rosendale. "The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his first Veterans Affairs nominee, White House physician Ronny Jackson," The Associated Press reports. "Tester's ad ... [seeks] to undermine the president's efforts to boost Rosendale by pointing out that he and the president agree on several issues." More: https://abcn.ws/2MPd7Ru

HOYER HOSPITALIZED -- House Minority Whip Steny Hoyer (D-Md.) was admitted Tuesday to the George Washington University Hospital, where he was diagnosed with pneumonia. "He is being treated with antibiotics and resting, and is expected to make a full recovery quickly," Hoyer spokeswoman Katie Grant said in a statement Wednesday. "Before checking into the hospital, Hoyer was coming off an extensive weekend of campaigning with Democratic incumbents and swing-district candidates in Wisconsin and Illinois," Heather reports. "Hoyer also squeezed in a few policy events, including visiting a community health center in Chicago." His office says the 79-year-old has taken 25 campaign trips this cycle. More: https://politi.co/2lTcFWN

FROM LONGSHOT TO KINGMAKER? -- A month ago, Alexandria Ocasio-Cortez was widely viewed as a longshot progressive challenger to House Democratic Caucus Chairman Joe Crowley (D-N.Y.). Now she's a political sensation and international phenomenon. "Almost as soon as she was declared the winner ... Ocasio-Cortez made clear her ambition isn't limited to the confines of the Queens and Bronx-based House district she's almost certain to win in November," Laura Nahmias reports. "She's used her sudden fame as a platform to endorse and promote fellow insurgents across the country in their primary challenges against Democratic incumbents. And in the process, she's building a national following that stands to make her an influential House progressive the moment she is sworn in."

Most political newcomers would focus on the general election or ingratiate themselves with elected officials. But the 28-year-old first-time candidate "has chosen an almost unheard-of path by spending her political capital on raising the profiles of other progressive Democrats in New York and elsewhere who face long odds in their own primary and general election races," Nahmias adds. "It's a risky strategy for someone who hasn't even won her own seat yet -- and an approach that's guaranteed to alienate many in her own party." Much more: https://politi.co/2NqY812

Related read: "Alexandria Ocasio-Cortez Is Driving New Energy And Money To Progressive Candidates," by HuffPost's Daniel Marans and Kevin Robillard: http://bit.ly/2NqHsXC

BLACK WOMEN PAN PELOSI, SCHUMER -- Nearly 200 black women and allies expressed their "profound indignation and deep disappointment" with what they contend is House Minority Leader Nancy Pelosi (D-Calif.) and Senate Minority Leader Chuck Schumer's (D-N.Y.) "recent failure to protect" Rep. Maxine Waters (D-Calif.) "from unwarranted attacks

AMERICAN OVERSIGHT

from the Trump Administration and others in the GOP." The leaders' criticisms, they say, "mischaracterizes her call to action for peaceful democratic assembly and the exercise of her constitutional rights to free speech in support of defenseless immigrant children and their families."

"Waters last month urged opponents of President Donald Trump to protest members of his Cabinet wherever they encounter them," Rebecca Morin writes. "Pelosi and Schumer have distanced themselves from the comments." In a statement Wednesday, Pelosi's office called Waters "a valued leader whose passionate call for family reunification should be heard without any threats to her safety." As for Trump, her office accused him of sullying "the bully pulpit with reckless disregard" and urged him to stop attacking Waters, other lawmakers and the media. Trump has tweeted that Waters is "crazy," has an "extraordinarily low IQ" and is the co-face of the Democratic Party with Pelosi. More: https://politi.co/2u904m4

Related: Another Democratic candidate says she won't support Pelosi for speaker: http://bit.ly/2IW9XZP

PENCE TO FUNDRAISE FOR YODER -- Vice President Mike Pence will head to the Kansas City area next week to raise money for Rep. Kevin Yoder (R-Kan.), who won't attend Wednesday's fundraiser. His campaign says he'll be in Washington for House Appropriations Committee work. "Yoder ... faces a tough re-election fight in Kansas' 3rd District, which Democrat Hillary Clinton narrowly won in 2016," The Kansas City Star's Bryan Lowry and Lindsay Wise report. "Keeping the seat could help determine whether Republicans can maintain control of the House next year." According to a copy of the invitation, cost to attend the luncheon with Pence is $1,000, and for $5,400, couples can take a picture with the VP. More: http://bit.ly/2Ky8miH

K STREET SEES DEM SUCCESS IN MIDTERMS -- On K Street, Democrats are in demand again. "Corporate America couldn't hire Republican lobbyists fast enough after President Donald Trump's election gave the GOP unified control of Washington," Theodoric Meyer reports. But with Democrats projected to make gains in the House this November, including potentially regaining a majority in the chamber, companies and trade groups are trying to get a head start on hiring congressional staffers with influential Democrats. "Lobbyists are helping their clients meet with the Democrats who would become committee chairs if the party does win back the chamber," Meyer continues. "And trade groups are talking to members about what to expect from a Democratic takeover." Much more: https://politi.co/2KwIYtm

LAWMAKERS WIN DEMOCRACY AWARDS -- The Congressional Management Foundation has announced the winners of its inaugural Democracy Awards recognizing non-legislative achievement in operations and constituent service. Winners include Sen. John Boozman (R-Ark.) and Rep. Raúl Grijalva (D-Ariz.) for constituent service, Sen. Ron Wyden (D-Ore.) and Rep. Cathy McMorris Rodgers (R-Wash.) for innovation, Reps. Dave Reichert (R-Wash.) and Susan Davis (D-Calif.) for workplace environment and Reps. Rob Wittman (R-Va.) and Seth Moulton for transparency and accountability. "Each of these individuals has made and upheld a significant commitment as a public servant to do what is best for their constituents," said Bradford Fitch, president and CEO of CMF.

AMERICAN OVERSIGHT

CMF also honored Rep. Steny Hoyer (D-Md.) and Sen. Rob Portman (R-Ohio) with Lifetime Achievement Awards. "There was remarkable consensus among the reviewers that these two Members of Congress demonstrate outstanding values and a commitment to the institution of Congress," Fitch said. Finalists for the Lifetime Achievement Award for congressional staffers included Theresa Gullo, assistant director for budget analysis at the CBO; Chuck Kleeschulte, a senior professional member of the Senate Energy and Natural Resources Committee; Janet Qureshi, director of case management for Rep. Kevin Brady (R-Texas); and Tracee Sutton, legislative director for Sen. Heidi Heitkamp (D-N.D.). The winner, however, is Judy Schneider, a 42-year veteran of the Congressional Research Service. All finalists and winners will be honored at an awards ceremony in Washington, D.C., next Friday. The news release: https://politi.co/2KBN1Ve

TODAY IN CONGRESS -- The House and Senate are out.

TUESDAY'S TRIVIA WINNER -- Harry Kazenoff was first to correctly guess that Calvin Coolidge is the president who was born on the Fourth of July, and John Adams, Thomas Jefferson and James Monroe are the presidents who died on it.

TODAY'S TRIVIA -- From Harry: The number of House members was capped in 1913 to 435. How many members were there at the beginning of the 1st Congress in 1789? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

To view online:
https://www.politico.com/newsletters/huddle/2018/07/05/jim-jordan-speaks-trump-narrows-scotus-shortlist-ocasio-cortez-plays-kingmaker-k-street-eyes-dem-staffers-283176

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Thur 7/5/2018 11:57:07 AM
Subject: POLITICO Huddle: JIM JORDAN SPEAKS -- Trump narrows SCOTUS shortlist -- OCASIO-CORTEZ PLAYS KINGMAKER -- K Street eyes Dem staffers

07/05/2018 07:55 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

JIM JORDAN RESPONDS TO EXPLOSIVE REPORT -- House Freedom Caucus co-founder Jim Jordan (R-Ohio) is denying allegations that he ignored sexual abuse when he coached wrestling at Ohio State University. "I never knew about any type of abuse," he told POLITICO in an interview. "If I did, I would have done something about it. And look, if there are people who are abused, then that's terrible and we want justice to happen." The allegations could threaten the political career of one of the most powerful House Republicans. As Rachael and Bres report, Jordan "commands the loyalty of several dozen conservative Republicans who often band together to demand concessions for their votes, bending leadership to their will." Jordan has also considered a run to succeed Paul Ryan (R-Wis.) as speaker. More: https://politi.co/2lWN7bv

The backstory: Ohio State began investigating accusations in April that team doctor Richard Strauss, who died in 2005, molested student-athletes. "Three former wrestlers told NBC News that it was common knowledge that Strauss showered regularly with the students and inappropriately touched them during appointments, and said it would have been impossible for Jordan to be unaware," Corky Siemaszko reports. Mike DiSabato, a former wrestler, accused Jordan of lying. Dunyasha Yetts, another former wrestler, says he and others told Jordan and then-head coach Russ Hellickson about the doctor several times. NBC News' original report: https://nbcnews.to/2MRaQFn

DiSabato has emailed Jordan's office about the issue. But a source in Jordan's office tells CNN the messages were vaguely threatening and received no response from the congressman because he felt he was being bullied. The source says the office will contact Capitol Hill police about the emails. "The investigative team looking into the allegations of sexual abuse said Tuesday they had reached out to Jordan by email and phone asking for interviews," CNN's Sunlen Serfaty and Clare Foran report. "Jordan's office said Wednesday it has still not found any communications from the investigators. The chief of staff reached out to investigators Tuesday to clarify whether there were any but has yet to hear back." More: https://cnn.it/2u6S30T

AND THEN THERE WERE THREE -- President Donald Trump's shortlist of potential Supreme Court nominees to replace Justice Anthony Kennedy is down to three, The Wall Street Journal reports: Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett. "Mr. Trump ... has been taking advice from lawmakers and trusted confidants as he settles on a nominee who could set a new direction for a high court split between conservative and liberal factions that have dueled for years," The Wall Street Journal's Peter Nicholas and Louise Radnofsky report. "Since Justice Kennedy was often a swing vote, Mr. Trump's selection could tip the balance when it comes to some of the most divisive issues the court faces: abortion rights, health care

AMERICAN OVERSIGHT

and the limits of executive power, among them."

Trump interviewed the three finalists and Amul Thapar on Monday. He also interviewed Sen. Mike Lee (R-Utah), a longshot, to say the least, by phone for the post on Monday and Thomas Hardiman and Joan Larsen by phone on Tuesday. An aide to Sen. Tom Cotton (R-Ark.) says the senator spoke to the president earlier this week to give a candid assessment of the candidates' strengths and drawbacks. The aide says Cotton didn't promote any particular person. Trump could make his decision as soon as today but isn't expected to announce it until Monday. More: https://on.wsj.com/2KHkYTR

Grass-roots groups on the left are ready to oppose the nominee as soon as it's named. "The campaign promises to replicate some of the headline-grabbing demonstration tactics that helped defeat the GOP's Obamacare repeal effort last year, sending protesters to in-state Senate offices starting on Monday after Trump taps his nominee for the high court," Elana reports. "Its focus is outside Washington, part of an effort to ramp up local media and public attention on swing-vote senators in the Supreme Court fight." More on how the left plans to respond to the president's pick: https://politi.co/2KJTVaq

Related: "'It looks all-American': Trump wants the whole package in Supreme Court nominee," by Annie Karni and Eliana Johnson: https://politi.co/2MPUGMF; "Trump's Supreme Court search unleashes fierce politicking," from Eliana Johnson: https://politi.co/2lT53DL; and "Two Judges Exemplify the Choice Trump Faces in a Supreme Court Pick," via The New York Times' Adam Liptak: https://nyti.ms/2KQZUqL

GOOD MORNING! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this Thursday, July 5.

TUESDAY'S MOST CLICKED: Heather and Burgess' profile of Rep. Kyrsten Sinema, the Democratic Arizona Senate candidate who says she won't vote for Chuck Schumer (D-N.Y.) as Senate Democratic leader, if elected, was the winner.

SENATE INTEL BACKS IC ON RUSSIAN MEDDLING -- The Senate Intelligence Committee agrees with the intelligence community's assessment that Russia interfered in the 2016 presidential election to boost Donald Trump over Hillary Clinton. "An unclassified report that reveals Russia meddled in far more extensive ways than previously known is yet another strong rebuke to Trump and many of his allies who continue to cast doubt on findings from the intelligence community that Moscow carried out an operation to help his candidacy and hurt Hillary Clinton," Martin Matishak writes. "[T]he Senate describes activity that goes far beyond the intelligence community's initial January 2017 assessments of Russian elements' attempts to divide Americans."

Committee leaders Richard Burr (R-N.C.) and Mark Warner (D-Va.) released the panel's findings Tuesday, ahead of the president's planned meeting with Russian President Vladimir Putin on July 16 in Helsinki, Finland. "Even though Trump has said he believes Putin's assurances that Moscow didn't interfere with the vote, Trump has said he'll bring up election meddling during the meeting," Matishak adds. Much more: https://politi.co/2KNu1iF; and the

AMERICAN OVERSIGHT

report: http://bit.ly/2tTZhq4

TESTER WELCOMES TRUMP TO MONTANA -- Sen. Jon Tester (D-Mont.) is welcoming the president to his state with a full-page ad in more than a dozen newspapers thanking him for signing 16 bills he either sponsored or co-sponsored. Trump will campaign tonight in Great Falls to boost State Auditor Matt Rosendale. "The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his first Veterans Affairs nominee, White House physician Ronny Jackson," The Associated Press reports. "Tester's ad ... [seeks] to undermine the president's efforts to boost Rosendale by pointing out that he and the president agree on several issues." More: https://abcn.ws/2MPd7Ru

HOYER HOSPITALIZED -- House Minority Whip Steny Hoyer (D-Md.) was admitted Tuesday to the George Washington University Hospital, where he was diagnosed with pneumonia. "He is being treated with antibiotics and resting, and is expected to make a full recovery quickly," Hoyer spokeswoman Katie Grant said in a statement Wednesday. "Before checking into the hospital, Hoyer was coming off an extensive weekend of campaigning with Democratic incumbents and swing-district candidates in Wisconsin and Illinois," Heather reports. "Hoyer also squeezed in a few policy events, including visiting a community health center in Chicago." His office says the 79-year-old has taken 25 campaign trips this cycle. More: https://politi.co/2lTcFWN

FROM LONGSHOT TO KINGMAKER? -- A month ago, Alexandria Ocasio-Cortez was widely viewed as a longshot progressive challenger to House Democratic Caucus Chairman Joe Crowley (D-N.Y.). Now she's a political sensation and international phenomenon. "Almost as soon as she was declared the winner ... Ocasio-Cortez made clear her ambition isn't limited to the confines of the Queens and Bronx-based House district she's almost certain to win in November," Laura Nahmias reports. "She's used her sudden fame as a platform to endorse and promote fellow insurgents across the country in their primary challenges against Democratic incumbents. And in the process, she's building a national following that stands to make her an influential House progressive the moment she is sworn in."

Most political newcomers would focus on the general election or ingratiate themselves with elected officials. But the 28-year-old first-time candidate "has chosen an almost unheard-of path by spending her political capital on raising the profiles of other progressive Democrats in New York and elsewhere who face long odds in their own primary and general election races," Nahmias adds. "It's a risky strategy for someone who hasn't even won her own seat yet -- and an approach that's guaranteed to alienate many in her own party." Much more: https://politi.co/2NqY812

Related read: "Alexandria Ocasio-Cortez Is Driving New Energy And Money To Progressive Candidates," by HuffPost's Daniel Marans and Kevin Robillard: http://bit.ly/2NqHsXC

BLACK WOMEN PAN PELOSI, SCHUMER -- Nearly 200 black women and allies expressed their "profound indignation and deep disappointment" with what they contend is House Minority Leader Nancy Pelosi (D-Calif.) and Senate Minority Leader Chuck Schumer's (D-N.Y.) "recent failure to protect" Rep. Maxine Waters (D-Calif.) "from unwarranted attacks

AMERICAN OVERSIGHT

from the Trump Administration and others in the GOP." The leaders' criticisms, they say, "mischaracterizes her call to action for peaceful democratic assembly and the exercise of her constitutional rights to free speech in support of defenseless immigrant children and their families."

"Waters last month urged opponents of President Donald Trump to protest members of his Cabinet wherever they encounter them," Rebecca Morin writes. "Pelosi and Schumer have distanced themselves from the comments." In a statement Wednesday, Pelosi's office called Waters "a valued leader whose passionate call for family reunification should be heard without any threats to her safety." As for Trump, her office accused him of sullying "the bully pulpit with reckless disregard" and urged him to stop attacking Waters, other lawmakers and the media. Trump has tweeted that Waters is "crazy," has an "extraordinarily low IQ" and is the co-face of the Democratic Party with Pelosi. More: https://politi.co/2u904m4

Related: Another Democratic candidate says she won't support Pelosi for speaker: http://bit.ly/2IW9XZP

PENCE TO FUNDRAISE FOR YODER -- Vice President Mike Pence will head to the Kansas City area next week to raise money for Rep. Kevin Yoder (R-Kan.), who won't attend Wednesday's fundraiser. His campaign says he'll be in Washington for House Appropriations Committee work. "Yoder ... faces a tough re-election fight in Kansas' 3rd District, which Democrat Hillary Clinton narrowly won in 2016," The Kansas City Star's Bryan Lowry and Lindsay Wise report. "Keeping the seat could help determine whether Republicans can maintain control of the House next year." According to a copy of the invitation, cost to attend the luncheon with Pence is $1,000, and for $5,400, couples can take a picture with the VP. More: http://bit.ly/2Ky8miH

K STREET SEES DEM SUCCESS IN MIDTERMS -- On K Street, Democrats are in demand again. "Corporate America couldn't hire Republican lobbyists fast enough after President Donald Trump's election gave the GOP unified control of Washington," Theodoric Meyer reports. But with Democrats projected to make gains in the House this November, including potentially regaining a majority in the chamber, companies and trade groups are trying to get a head start on hiring congressional staffers with influential Democrats. "Lobbyists are helping their clients meet with the Democrats who would become committee chairs if the party does win back the chamber," Meyer continues. "And trade groups are talking to members about what to expect from a Democratic takeover." Much more: https://politi.co/2KwIYtm

LAWMAKERS WIN DEMOCRACY AWARDS -- The Congressional Management Foundation has announced the winners of its inaugural Democracy Awards recognizing non-legislative achievement in operations and constituent service. Winners include Sen. John Boozman (R-Ark.) and Rep. Raúl Grijalva (D-Ariz.) for constituent service, Sen. Ron Wyden (D-Ore.) and Rep. Cathy McMorris Rodgers (R-Wash.) for innovation, Reps. Dave Reichert (R-Wash.) and Susan Davis (D-Calif.) for workplace environment and Reps. Rob Wittman (R-Va.) and Seth Moulton for transparency and accountability. "Each of these individuals has made and upheld a significant commitment as a public servant to do what is best for their constituents," said Bradford Fitch, president and CEO of CMF.

AMERICAN OVERSIGHT

CMF also honored Rep. Steny Hoyer (D-Md.) and Sen. Rob Portman (R-Ohio) with Lifetime Achievement Awards. "There was remarkable consensus among the reviewers that these two Members of Congress demonstrate outstanding values and a commitment to the institution of Congress," Fitch said. Finalists for the Lifetime Achievement Award for congressional staffers included Theresa Gullo, assistant director for budget analysis at the CBO; Chuck Kleeschulte, a senior professional member of the Senate Energy and Natural Resources Committee; Janet Qureshi, director of case management for Rep. Kevin Brady (R-Texas); and Tracee Sutton, legislative director for Sen. Heidi Heitkamp (D-N.D.). The winner, however, is Judy Schneider, a 42-year veteran of the Congressional Research Service. All finalists and winners will be honored at an awards ceremony in Washington, D.C., next Friday. The news release: https://politi.co/2KBN1Ve

TODAY IN CONGRESS -- The House and Senate are out.

TUESDAY'S TRIVIA WINNER -- Harry Kazenoff was first to correctly guess that Calvin Coolidge is the president who was born on the Fourth of July, and John Adams, Thomas Jefferson and James Monroe are the presidents who died on it.

TODAY'S TRIVIA -- From Harry: The number of House members was capped in 1913 to 435. How many members were there at the beginning of the 1st Congress in 1789? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

To view online:
https://www.politico.com/newsletters/huddle/2018/07/05/jim-jordan-speaks-trump-narrows-scotus-shortlist-ocasio-cortez-plays-kingmaker-k-street-eyes-dem-staffers-283176

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Matt Murray, WSJ
Sent: Thur 7/5/2018 11:32:22 AM
Subject: The 10-Point: A Guide to the Day's Top News

Trouble viewing this email? View in web browser ›

Today's guide to the WSJ
Good Morning. Welcome to your daily guide to the news from the editors of The Wall Street Journal.

— Matt Murray, Editor in Chief

1.

Tariff Fight: Stocks in Europe and U.S. futures rose Thursday as investors shrugged off a looming deadline for the implementation of trade restrictions between the U.S. and China. Beijing is expected to counter with corresponding tariffs on U.S. imports immediately after U.S. tariffs take effect. The U.S. plans to roll out tariffs of 25% on $50 billion of Chinese products in two steps:

$34 billion

The amount of Chinese imports on which the U.S. is set to impose tariffs Friday in its first round against Beijing. Another round, on $16 billion of Chinese goods, will get industry comment at a public hearing July 24.

U.S. exports of sport-utility vehicles, as well as soybeans and other cash crops, are among the goods that will be hit by the Chinese tariffs. The trade war is melting profits for American cheese overseas. About $1 billion in U.S. dairy products are threatened by tariffs from China and Mexico.

AMERICAN OVERSIGHT

Follow the story: Subscribe to our Markets newsletter, and visit WSJ.com today for updates.

LEAVE THIS BOX EMPTY

2.

Trump Winnows List of Potential Court Picks: President Trump's search for a Supreme Court justice to succeed Anthony Kennedy is focusing on a trio of federal judges:

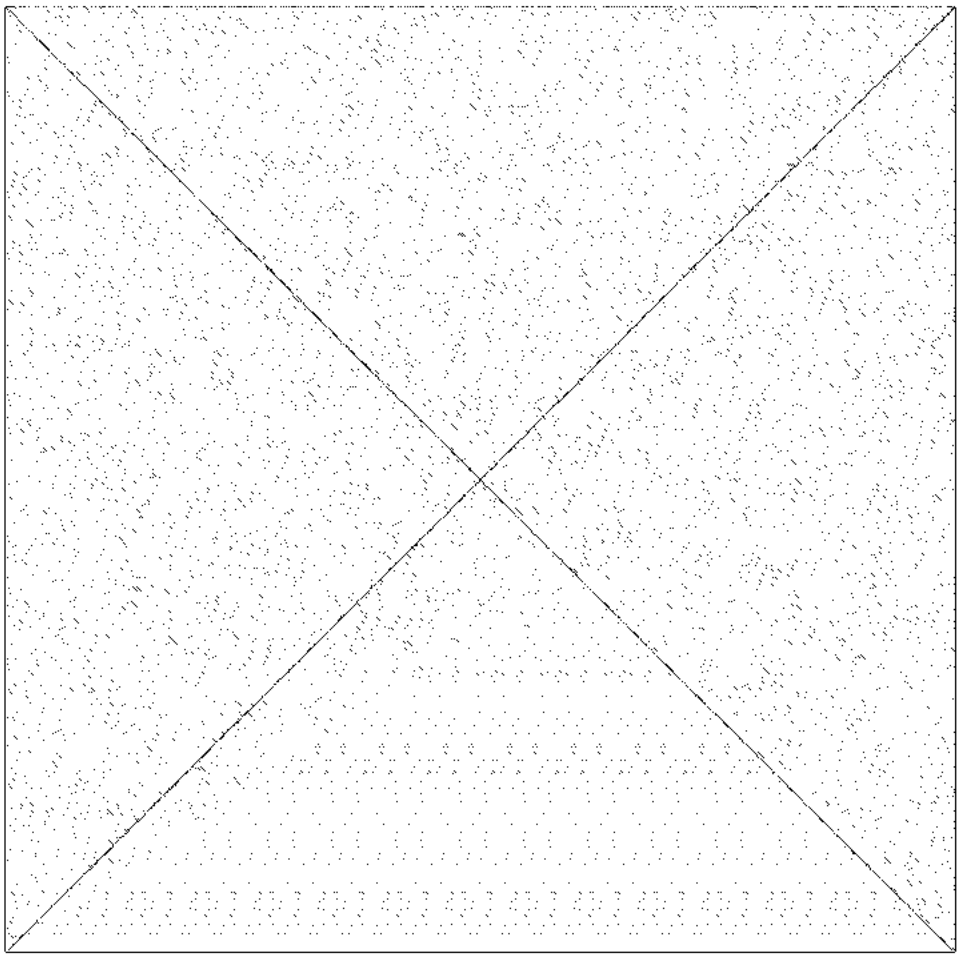
- Brett Kavanaugh of Maryland, of the D.C. Circuit
- Raymond Kethledge of Michigan, of the Sixth Circuit
- Amy Coney Barrett of Indiana, of the Seventh Circuit

A decision is expected this week in anticipation of an announcement on Monday, **the Journal reports. Some want to see the president follow the model used in picking Neil Gorsuch for the court in 2017, a process that leaned heavily on judicial writings in the belief that is the best way to predict a judge's behavior on the bench.**

3.

In This Economy, Quitters Are Winning

AMERICAN OVERSIGHT



A strong U.S. economy is spurring more to job-hop. Workers are choosing to leave their jobs at the **fastest rate since the internet boom 17 years ago and getting rewarded for it with bigger paychecks and/or more satisfying work, Journal reporters David Harrison and Eric Morath write. Having a job opening to fill is one thing. Convincing someone to fill it is quite another, Heard on the Street columnist Justin Lahart says.**

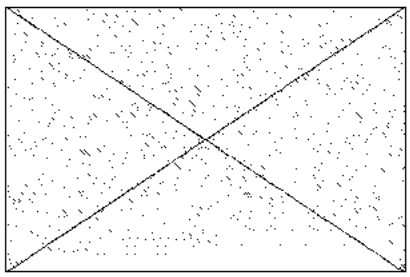
From David Harrison:

More and more Americans are quitting their jobs looking for better opportunities and that's good news for the economy.

david.harrison@wsj.com

AMERICAN OVERSIGHT

4.



Some investors are bolting from hedge-fund manager David Einhorn. Investors called him King David, and didn't mind the all-nighters in Vegas and on the New York City club scene—until Mr. Einhorn's Greenlight Capital fell into a slump. It lost billions, and is now losing investors, The Journal's Gregory Zuckerman **writes**.

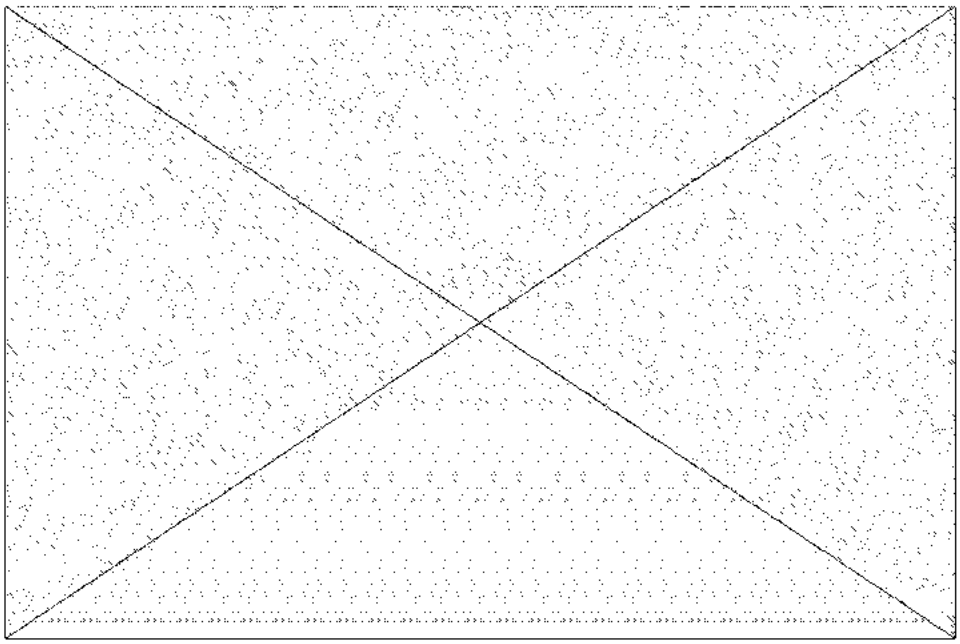
Share this email with a friend.
Forward

Forwarded this email by a friend?
Sign Up Here

5.

Rescuers in Thailand Race to Free Youth Soccer Team

AMERICAN OVERSIGHT



It's a drama that is keeping the world on edge. Twelve boys and their soccer coach were found alive Monday after spending 10 days underground in a flooded cave complex in Thailand. Rescuers are **racing to drain an escape route ahead of worsening weather. A Thai government spokesman called for caution over time pressures to extract the boys. Others involved in the operation suggested an extraction could be imminent.**

6.

Defiance in Poland After Supreme Court Overhaul. Malgorzata Gersdorf, the head of the country's Supreme Court, defied a judicial overhaul on Wednesday, showing up to work despite a government order calling for the retirement of 27 of the court's 82 judges, herself included. The overhaul has put the nationalist government on a **collision course with the European Union.**

7.

What We're Following

Pompeo Visits North Korea: Secretary of State Mike Pompeo will leave Thursday for North Korea to engage in the **first high-level talks on eliminating Pyongyang's nuclear weapons and programs since the Singapore summit in June, U.S. officials said.**

AMERICAN OVERSIGHT

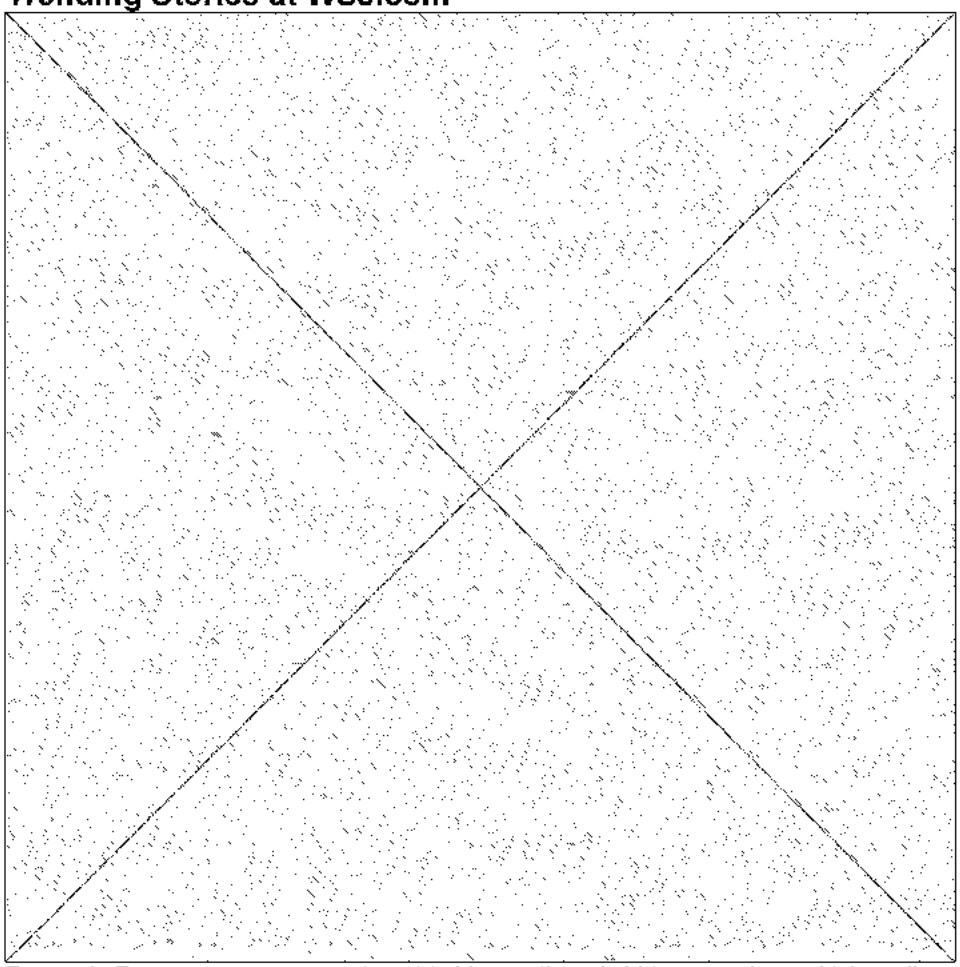
China's ZTE Replaces Executives: The telecom giant named a slate of new top executives, including a **new chief executive, as it presses ahead with its U.S.-mandated leadership purge.**

Fed Minutes: More details of **policy makers' outlook for the second half of the year are on tap later today when the Federal Reserve releases the minutes of its June meeting, ahead of the Labor Department's monthly employment report Friday.**

Trump Heads to Montana: The president will **host a campaign rally in Big Sky Country today in an effort to corral his supporters behind Matt Rosendale, the Republican state auditor who hopes to quash Democratic Sen. Jon Tester's hopes for a third term.**

8.

Trending Stories at WSJ.com



Fernando Ferrer wore messages taped to his mouth and shirt so people wouldn't spoil World Cup results before he could see the matches. PHOTO: FERNANDO FERRER

AMERICAN OVERSIGHT

- A lot of soccer fans end up finding out who wins in the World Cup before they can watch the games. Fans are going to extreme lengths to avoid spoilers. (**Read**)

- **An email inbox is a vault of secrets. In recent years, millions of users have been giving out the combination. (Read)**

- **Remember when phone calls meant people wanted to talk to you? When your phone rings these days, it's often a robocall. Here's how to get fewer of them. (Read)**

9.

What Else We're Reading

- China National Petroleum Corp. plans to help complete a refinery in Rio de Janeiro that already cost Brazil's state-controlled oil company Petrobras $14 billion before it was halted amid a widespread graft investigation. (**Bloomberg**)
- **Long before Viktor Vekselberg was tied to a scandal over the president and a porn star, the Russian oligarch had been positioning himself to extend his influence in the U.S. (AP)**

10.

Today's Question and Answer

Responding to Tuesday's question on how you planned to spend the Fourth of July, and whether you would **play Wiffle ball**, **Dave Whisner** of Arizona wrote: "Almost. I'll be playing pickleball, which some say is America's fastest growing sport....The game has been described as like playing ping-pong while standing on the table." **Christen Varley** of Ohio shared: "My daughter and I planned to finally rescue our badminton net from my brother's garage where it has been for 5 years. He has informed me he got rid of it a couple years ago. So Independence Day is ruined....I still have the rackets and shuttlecocks!" And **Tony and Mary Beth Mediavilla** of Florida said: "My wife and I will spend Fourth of July the same as any other Wednesday—as volunteers at our local Sarasota Medical Hospital!"

Question for tomorrow's 10-Point: Going back to **our story**

AMERICAN OVERSIGHT

above, are you finding it easier to job-hop? Why or why not? Email us your comments, which we may edit before publication, to 10point@wsj.com, and make sure to include your name and location.

The 10-Point was the name given to the news column that runs on the front page of The Wall Street Journal.

Today's 10-Point was compiled and edited by Jessica Menton (@JessicaMenton; jessica.menton@wsj.com) in New York.

Access WSJ.com and our mobile apps. Subscribe

LEAVE THIS BOX EMPTY

Unsubscribe | Newsletters & Alerts | Contact Us | Privacy Policy | Cookie Policy

Dow Jones & Company, Inc. 4300 U.S. Route 1 North Monmouth Junction, NJ 08852

You are currently subscribed as bowman.liz@epa.gov. For further assistance, please contact Customer Service at support@wsj.com or 1-877-891-2182.

Copyright 2018 Dow Jones & Company, Inc. | All Rights Reserved.

Unsubscribe

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Wed 6/20/2018 8:00:08 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov*.

Highlights

Leading the News

CDC Finds Fluorochemicals May Pose Risk at Levels Lower than EPA

By *Pat Rizzuto*

Exposure to two fluorochemicals increasingly detected in drinking water across the U.S. may pose health risks at exposure levels lower than those recommended by the EPA, according to information the Centers for Disease Control and Prevention released.

Trump's Superfund Nominee Makes Climate Pledge

By *Sylvia Carignan*

Plans to clean up some of the most contaminated sites in the U.S. will be more sensitive to severe weather risks and the effects of climate change, the White House's nominee to lead the EPA's Superfund cleanups promised senators June 20.

Pruitt's Ethics Allegations Dog Nominees for EPA Posts at Hearing

By *Sylvia Carignan*

Members of a Senate panel pressed two nominees for EPA posts, including Superfund program chief, for assurances they wouldn't fall prey to unethical behavior.

AMERICAN OVERSIGHT

Puerto Rican Grid Upgrades, Response Plan Urged by Energy Agency

By *Rebecca Kern*

An Energy Department report recommends updating the agency's response plans for future electricity-grid emergencies and replacing transmission towers with updated equipment as ways to make Puerto Rico's grid more resilient.

AMERICAN OVERSIGHT

Today's News

Taxpayer Groups Warm to Coolant Deal, Splitting Conservatives (Corrected)

By *Abby Smith*

A global deal to limit climate-warming coolants has its newest backers: a team of conservative taxpayer advocacy groups.

Low-Income Residents Forgotten in Climate Resilience Plans: Study

By *Ayanna Alexander*

Growing threats from climate change are putting city dwellers—particularly in low-income areas—at a higher risk of being affected.

Exxon Still Isn't Complying With Climate Subpoenas, N.Y. Says

By *Erik Larson*

Exxon Mobil Corp. is refusing to turn over documents crucial to New York's investigation into whether the oil giant's public statements about climate change misled investors, the state's top lawyer said.

Senate GOP Ally of Pruitt's Says Concerns Allayed After Meeting (1)

By *Ari Natter*

EPA Administrator Scott Pruitt's longtime friend and political ally on Capitol Hill is walking back his criticism of the embattled agency leader after the two met June 19 evening.

EPA Is Said to Propose Redistributing Waived Biofuel Quotas

By Mario Parker

The EPA is set to propose reallocating waived biofuel requirements from exempted refineries as part of a slate of renewable fuel quotas, according to a person briefed on the plans who asked not to be named before a formal announcement.

Syngenta Eyes 'A World With Less Pesticides'

By *Stephen Gardner*

AMERICAN OVERSIGHT

Pesticide giant Syngenta AG has a vision to improve the efficiency of farming to a degree that some agricultural land can be handed back to nature, a company official told Bloomberg Environment.

AMERICAN OVERSIGHT

Puerto Rico Signs Law to Overhaul Storm-Battered Energy Utility

By Yalixa Rivera

Puerto Rico Gov. Ricardo Rossello signed into law June 20 a bill that clears the way for the partial privatization of the island's bankrupt electric company, which has been plagued by aging infrastructure and mismanagement that left millions in the dark after Hurricane Maria.

AMERICAN OVERSIGHT

TransCanada Keystone XL May Be One Oil Pipeline Too Many

By *Robert Tuttle*

TransCanada Corp.'s Keystone XL may be one pipeline too many for Canada, at least for now.

Solar Prices Nosedive After China Pullback Floods Global Market

By *Christopher Martin*

Solar panels were already getting cheaper this year, and then China pulled the plug this month on about 20 gigawatts of domestic installations. The result was a glut of global inventories, and now prices are plunging even faster.

OPEC Told by Climate Czar to Pivot from Oil or Prepare to Suffer

By *Jonathan Tirone*

The world's biggest crude exporters need to support the transition away from oil or prepare for growing climate-induced destabilization that could wreck their markets, the United Nation's top environment official said.

Protectionism to Incentivize Countries to Adopt Carbon Pricing

By Mathew Carr

Protectionist politics is increasing the likelihood that more nations will adopt carbon pricing to help safeguard their industry from regions with limited climate policies, according to Equinor ASA's chief economist.

Oil and Gas Environmental Analysis Trimmed in Bill Panel OKs

By *Alan Kovski*

Federal obligations for environmental impact analyses in oil and gas fields would be reduced in some circumstances by a bill approved by the House Natural Resources Committee, the occasion for another round of argument over the National Environmental Policy Act.

Occidental Gets a $350 Million Edge as Permian Pipelines Fill Up

By *Ryan Collins* and *Kevin Crowley*

As many of its rivals struggle to move oil from the Permian Basin to the Gulf Coast in search of higher prices, Occidental Petroleum Corp. is sitting pretty at a time when pipeline space is at a premium.

AMERICAN OVERSIGHT

Carmakers Seen Wasting Billions on Electric, Autonomous Cars

By David Welch

Automakers are in a pickle. If they don't invest in electric cars and self-driving technology, investors shun them. If they do, they risk burning billions of dollars on cars that won't make money, according to a new study from consulting firm AlixPartners.

Petrobras Recovery Clouded by Candidates Attacking Fuel Prices

By *Vinicius Andrade* and *Sabrina Valle*

The political backlash to rising fuel prices in Brazil has wiped out nearly half of Petrobras' market value and delivered investors a harsh reminder of the perils facing government-controlled oil companies in an election year.

EPA: No Decision Yet on Tar Creek Audit Suit

By *Peter Hayes*

The EPA hasn't decided whether to release information about Administrator Scott Pruitt's refusal to make the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund public.

Daimler Faces German Shareholder Suit Over Diesel Emissions

By *Stephanie Bodoni*

Daimler AG was sued by a shareholder over whether the carmaker misled investors about the severity of the diesel emissions scandal that has enveloped most of the German auto industry.

Copperbelt Energy of Zambia Eyes $250 Million Power Investment

By *Kamlesh Bhuckory*

Copperbelt Energy Corp.—the Zambian electricity supplier with customers including Glencore Plc's copper mines—may invest as much as $250 million in solar projects and transmission lines in the neighboring Democratic Republic of Congo, Chief Executive Officer Owen Silavwe said.

Anglo American Gets Authorization to Prospect for Copper in Amazon

By *Michael Kepp*

Anglo American PLC received authorization to prospect for copper in two

AMERICAN OVERSIGHT

Amazon states in northern Brazil along rivers that flow through nearby Indian lands.

Icahn Expected to Speed Push for Sandridge Sale After Board Win

AMERICAN OVERSIGHT

By *Scott Deveau* and *Alex Nussbaum*

Carl Icahn's takeover of SandRidge Energy Inc.'s board means the shale gas explorer's days are likely numbered.

AMERICAN OVERSIGHT

Mobile Phone Apps Emerge as Latest Threat to Electric Utilities

By *Rachel Morison*

Utilities need to be more like technology companies to survive.

AMERICAN OVERSIGHT

Engie Gets $139 Million Tax Bill as EU Bans Luxembourg Pact

By *Stephanie Bodoni*

French energy utility Engie SA faces a 120 million-euro ($139 million) tax bill after the European Union said it benefited from an unfair fiscal arrangement with Luxembourg.

Shale Giant Says Permian Oil Faces Shut Ins on Pipe Shortage

By *Javier Blas*

The biggest U.S. shale region will have to shut wells within four months because there aren't enough pipelines to get the oil to customers, the head of one of the industry's largest producers said.

Tuesday Night Wrapup

Nova Chemicals Makes Plea to Reduce Patent Charge Lost to Dow

By *James Munson*

A global petrochemical company owned by the emirate of Abu Dhabi made a pitch to reduce a C$645 million ($485.5 million) patent charge by more than half in a Canadian court.

Exelon, First Solar Bankroll Campaign to Push a U.S. Carbon Tax

By Jennifer A. Dlouhy

Major energy companies, including the largest U.S. nuclear power generator, are putting millions of dollars into a new political campaign to push for a tax on carbon dioxide emissions—a measure President Donald Trump has said he opposes.

Natural Gas Export Boom Brings Challenges for Top Energy Regulator

By *Stephen Cunningham*

The top U.S. energy regulator is hiring private contractors for the first time to help clear a growing backlog of LNG export applications.

EPA Stands Pat on Chemical Spill Regulations, Despite Suit

By *David Schultz*

AMERICAN OVERSIGHT

The status quo will likely remain for companies that store chemicals in above-ground tanks.

AMERICAN OVERSIGHT

Japan's New Ivory Trade Rules Lack Adequate Teeth, Critics Say (Corrected)

By Brian Yap

Japanese businesses that sell ivory products, such as print-stamp seals used in contract work, will have stricter registration requirements and other obligations under new regulations, but loopholes weaken the revised ivory trade rule, critics say.

AMERICAN OVERSIGHT

House GOP Budget Plan Calls for More Strategic Oil Reserve Sales

By *Ari Natter*

House Republicans are calling for an additional sale of 100 million barrels of oil from the Strategic Petroleum Reserve.

One Amendment Could Help a Vulnerable Republican's Re-election

By *Katherine Scott*

A House Republican facing a tough re-election contest has a lot on the line as Senate leaders consider when to schedule a vote on a bill that would order the Army Corps of Engineers to expedite $78 million worth of work in one Iowa district.

EPA Sued For Permitting More Air Pollution Near National Parks

By *Amena H. Saiyid*

The EPA is facing a lawsuit for allowing factories and power plants that are expanding or constructing new facilities near national parks and wilderness areas to emit more pollution.

White House Weighs Long-Sought Environmental Review Changes

By *Alan Kovski*

The White House Council on Environmental Quality is ready to consider fundamental revisions to the implementing regulations of the National Environmental Policy Act, a law that has been the centerpiece of countless legal fights.

GOP Chairman Bows to Pressure, Will Hold Hearing on EPA's Pruitt (1)

By *Dean Scott*

The chairman of the Senate environment panel bowed to pressure from Democratic and Republican critics alike June 19, agreeing to hold a hearing in August on embattled EPA head Scott Pruitt.

AMERICAN OVERSIGHT

Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/18/2018 2:12:27 PM
Subject: POLITICO's Morning Score, presented by AARP: Trump takes center stage in North Dakota Senate race — U.S. Chamber boosts Donovan in NY-11 TV ad — Elsewhere on the whistlestop tour

By Zach Montellaro | 06/18/2018 10:00 AM EDT

With Daniel Strauss

THE WHITE HOUSE IS TRYING TO HEAL a wound opened up with Rep. Kevin Cramer (R-N.D.), one of the GOP's best hopes at picking off an endangered Democrat in the Senate.

Cramer tweeted that the president will host a campaign rally with him in Fargo on June 27. The announcement came on Friday, the same day Cramer visited the White House for a meeting between Secretary of Commerce Wilbur Ross and a group of North Dakota farmers.

The plans came after a week of unusual public sniping between the White House and a Senate nominee in a top target state. Cramer expressed frustration that the president is being too kind to his opponent, incumbent Sen. Heidi Heitkamp (D-N.D.), telling The Washington Post last week that because she's a woman the president might not "want to be that aggressive." He has also lashed out at White House legislative affairs director Marc Short (who, by the way, told colleagues he plans to leave the White House soon, via POLITICO's Nancy Cook).

But if Cramer is frustrated, he may have Heitkamp to blame more than Trump. The president did make an initial tweet endorsing Cramer, but Heitkamp has given the tweetstorm-friendly Trump relatively few targets compared to some of her fellow Senate Democrats. She has voted with the president more than 50 percent of the time, according to a tracker from FiveThirtyEight. This includes major votes in contested confirmation battles, like for Supreme Court Justice Neil Gorsuch and CIA Director Gina Haspel.

And until the attacks on Heitkamp ramp up (and we're sure they will at the rally — bets on nicknames, anyone?), North Dakota Democrats have been all too happy to rub it in Cramer's nose. Heitkamp's campaign released an ad touting her voting record last week. "I voted over half the time with President Trump," she said in the ad. "And that made a lot of people in Washington mad, but when I agree with him, I vote with him." The state Democratic Party has also sent out videos mocking Cramer while highlighting the president praising Heitkamp.

FIRST IN SCORE — U.S. Chamber boosts Donovan in NY-11 TV ad: The U.S. Chamber of Commerce is out with a TV ad supporting Rep. Dan Donovan in his GOP primary bid against former Rep. Michael Grimm. "Why did President Donald Trump endorse Dan Donovan? Because Dan Donovan is a true conservative," the TV ad's narrator says, flashing a picture of the pair. "He's the ally President Trump needs in Washington." **Watch the ad here.**

Good Monday morning. I'm Zach Montellaro, and I'm very excited to be your new, permanent host for Morning Score. Email me your tips, musings and introductions to zmontellaro@politico.com, and follow me on Twitter at @ZachMontellaro. Today I had help

AMERICAN OVERSIGHT

from Daniel Strauss (dstrauss@politico.com; @DanielStrauss4).

You can email the rest of the great Campaign Pro team at sbland@politico.com, eschneider@politico.com,, mseverns@politico.com and jarkin@politico.com. Follow us on Twitter: @PoliticoScott, @ec_schneider, @MaggieSeverns and @JamesArkin.

Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman and Playbook Florida author Marc Caputo for a special Playbook Elections event in the battleground state of Florida to discuss the 2018 midterm cycle and issues shaping the races. Part of the POLITICO-AARP Deciders series, this event will feature exclusive interviews with Debbie Mucarsel-Powell, David Richardson and Donna Shalala about their candidacies and campaign efforts to address the issues that matter most to voters. The event will take place Friday, June 29 at InterContinental Miami. Doors will open at 8 a.m. RSVP here.

Days until the 2018 election: 141.

Upcoming election dates — June 26: Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — New Hampshire: June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

ELSEWHERE ON THE WHISTLESTOP TOUR — The president will headline a fundraiser on behalf of Sen. Dean Heller (R-Nev.) on Saturday in Las Vegas, CNN's Rebecca Berg reports: "Tickets start at $15,000 per couple for a photo reception with the President, according to an invite obtained by CNN from a state Republican source, while donors of at least $50,000 can attend a "private roundtable" with the President. Trump is also slated to address the Nevada State Republican Convention, the source said."

— ClearPath Action Fund announced it is planning to spend $500,000 to support Heller. The support will include a new digital buy praising Heller as a "clean energy champion."

— **The NRSC** launched a new digital ad praising Heller's work with veterans. The buy backing it is five figures.

FROM THE BADGER STATE — Wisconsin Democrats are flush with cash and hoping to stage a comeback in the state this year to pave the way for 2020. POLITICO's David Siders reports from Oshkosh, Wisc.: "[T]wo years after [Trump's] stunning victory in the state, shell-shocked Democrats are beginning to pick up the pieces, pouring money and resources into the state in a test run for a rematch with Trump in 2020. Interviews with nearly two dozen local

AMERICAN OVERSIGHT

party officials, candidates and operatives here describe an ongoing effort marked by unprecedented organizing and millions of dollars from out-of-state donors — a reflection of the party's urgency in reshaping the 2020 landscape in the upper Midwest, a Democratic bulwark that Trump toppled in 2016. ...

"Already, more than $7 million has been committed this year toward efforts to reclaim Wisconsin. In recent months, billionaire Democrat Tom Steyer's NextGen America has designated $2.5 million to register and turn out young voters. Eric Holder's National Democratic Redistricting Committee has spent $675,000 on the midterm elections so far. The Democratic Governors Association has reserved about $4 million in air time in preparation for a top-of-the-ticket brawl with Gov. Scott Walker in the fall."

EXPANDING THE BATTLEFIELD — The DCCC named 10 more candidates to its "Red to Blue" program, the top targets across the country. The program now has 53 candidates. **The new 10:** Josh Harder (CA-10), Katie Hill (CA-25), Katie Porter (CA-45), Mike Levin (CA-49), Cindy Axne (IA-03), Scott Wallace (PA-01), Susan Wild (PA-07), Abigail Spanberger (VA-07), Jennifer Wexton (VA-10) and Dan Kohl (WI-06). All but Kohl have already won their primaries, and he's running unopposed.

— The Congressional Progressive Caucus PAC also endorsed five more candidates: Hill, Gil Cisneros (CA-39), Porter, Deb Haaland (NM-01) and Madeleine Dean (PA-04).

COMING TO AN AD NEAR YOU — If you live in a Republican-held swing district, chances are you'll see an ad from your incumbent representative touting their leadership on the opioid crisis. POLITICO's Brianna Ehley and Jennifer Haberkorn : "House leadership will bring more than 70 such bills to the floor by the end of the month, many sponsored by the most vulnerable members of the GOP conference. The schedule allows lawmakers to show they're trying to combat a public health emergency that claims 115 lives per day and is a top concern of midterm voters. But it's a cumbersome, piecemeal approach involving hours of votes on narrow bills that Democrats complain don't go far enough and are being rushed through the legislative mill."

FUNDRAISING CIRCUIT — Donald Trump Jr. will headline a fundraiser in Montana for Republican Senate nominee Matt Rosendale, Campaign Pro's James Arkin reports: "The fundraiser is hosted by Rosendale, Montana's state auditor, along with Sen. Steve Daines and Rep. Greg Gianforte , according to the invitation. The event will benefit Rosendale's joint fundraising committee with the state Republican Party. Immediately following the June 22 fundraiser, Trump Jr. will give the keynote speech at the Montana Republican Party's platform convention dinner, where Rosendale, Daines and Gianforte will all be speaking." The invitation.

NEW INTERNAL IN MO-SEN — A fresh internal poll from Senate Majority PAC has Sen. Claire McCaskill (D-Mo.) leading Republican state Attorney General Josh Hawley 47 percent to 41 percent. The poll was conducted by Global Strategy Group. It was a live telephone poll of likely midterm voters and was in the field June 11-13. An April survey from SMP had her lead at 2 percent, while an internal from Hawley's camp at the end of April had him up one.

AMERICAN OVERSIGHT

— FIRST IN SCORE: Missouri Rising Action is up with a new digital ad bashing McCaskill over her use of a private plane (which was reported last week) featuring late night host Seth Meyers cracking a joke at her expense. See the ad.

WORTH NOTING — The president will meet with House Republicans Tuesday evening to talk about where he stands on legislation that would protect DREAMers, POLITICO's Rachel Bade reports.

2020 ALREADY? — The DNC announced that it will hold its 2020 national convention July 13-16, ahead of that year's summer Olympics. The announcement from the committee notes the move will allow "the nominee more time to use general election funds and travel across the country." CNN's Dan Merica (who broke the news) notes that it comes about two weeks earlier in the calendar than the 2016 convention and that it will be the earliest held by either party in more than two decades. Campaign Pro's own Daniel Strauss reported that cities including Atlanta, Birmingham, Denver, Houston, Miami Beach, Milwaukee, New York and San Francisco are in the mix to host.

— One of the Dems that could be on that stage? New Jersey Sen. Cory Booker. CNN's Eric Bradner interviewed the junior senator from the Garden State (while they were riding the Acela) and Booker was fairly candid: "I'm not going to play coy. I'm sure after the midterm elections, I'll give it a look. ... But to me, my momentum, my energy, my focus is 2018 and making sure I get re-elected in 2020." He also reflected on the stain of a his political career — "of all the titles that I sincerely seek in my life, more than anything else is ... to be a husband, and a father. And I've made tremendous sacrifices" — and how his party can return from the political wilderness: "My party has got to focus on not being anti-Trump. It's not about what you're against in life. It's what you're for."

— Plus, Cambridge Analytica is still kicking in Trumpworld, and has begun doing early 2020 work. The AP's Jeff Horowitz reports that a new firm called Data Propria, which is run by ex-Cambridge staffers, has quietly been working on the president's reelection efforts. Matt Oczkowski, the Cambridge exec who is leading the new company, "denied a link to the Trump campaign, but acknowledged that his new firm has agreed to do 2018 campaign work for the Republican National Committee. ...

"The AP learned of Data Propria's role in Trump's re-election effort as a result of conversations held with political contacts and prospective clients in recent weeks by Oczkowski. In one such conversation, which took place in a public place and was overheard by two AP reporters, Oczkowski said he and Trump's 2020 campaign manager, Brad Parscale, were 'doing the president's work for 2020.'" Oczkowski told that AP that whatever was overheard about 2020 was speculative, but the AP reported that a source has confirmed that 2020 work has already begun.

STAFFING UP — Dayton press secretary joins Ellison campaign for MN attorney general: Sam Fettig, who has served as press secretary and senior communications adviser to Minnesota Gov. Mark Dayton, is joining Rep. Keith Ellison's campaign for attorney general as communications director.

AMERICAN OVERSIGHT

CODA — QUOTE OF THE DAY: "It's sort of a weird experience. I wrote to one of my sons - I said the good part of a funeral is you get the eulogies," Rep. Mark Sanford (R-S.C.) on talking to his colleagues after losing his primary, to Rolling Stone.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/18/trump-takes-center-stage-in-north-dakota-senate-race-257310

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/18/2018 2:12:19 PM
Subject: POLITICO's Morning Score, presented by AARP: Trump takes center stage in North Dakota Senate race — U.S. Chamber boosts Donovan in NY-11 TV ad — Elsewhere on the whistlestop tour

By Zach Montellaro | 06/18/2018 10:00 AM EDT

With Daniel Strauss

THE WHITE HOUSE IS TRYING TO HEAL a wound opened up with Rep. Kevin Cramer (R-N.D.), one of the GOP's best hopes at picking off an endangered Democrat in the Senate.

Cramer tweeted that the president will host a campaign rally with him in Fargo on June 27. The announcement came on Friday, the same day Cramer visited the White House for a meeting between Secretary of Commerce Wilbur Ross and a group of North Dakota farmers.

The plans came after a week of unusual public sniping between the White House and a Senate nominee in a top target state. Cramer expressed frustration that the president is being too kind to his opponent, incumbent Sen. Heidi Heitkamp (D-N.D.), telling The Washington Post last week that because she's a woman the president might not "want to be that aggressive." He has also lashed out at White House legislative affairs director Marc Short (who, by the way, told colleagues he plans to leave the White House soon, via POLITICO's Nancy Cook).

But if Cramer is frustrated, he may have Heitkamp to blame more than Trump. The president did make an initial tweet endorsing Cramer, but Heitkamp has given the tweetstorm-friendly Trump relatively few targets compared to some of her fellow Senate Democrats. She has voted with the president more than 50 percent of the time, according to a tracker from FiveThirtyEight. This includes major votes in contested confirmation battles, like for Supreme Court Justice Neil Gorsuch and CIA Director Gina Haspel.

And until the attacks on Heitkamp ramp up (and we're sure they will at the rally — bets on nicknames, anyone?), North Dakota Democrats have been all too happy to rub it in Cramer's nose. Heitkamp's campaign released an ad touting her voting record last week. "I voted over half the time with President Trump," she said in the ad. "And that made a lot of people in Washington mad, but when I agree with him, I vote with him." The state Democratic Party has also sent out videos mocking Cramer while highlighting the president praising Heitkamp.

FIRST IN SCORE — U.S. Chamber boosts Donovan in NY-11 TV ad: The U.S. Chamber of Commerce is out with a TV ad supporting Rep. Dan Donovan in his GOP primary bid against former Rep. Michael Grimm. "Why did President Donald Trump endorse Dan Donovan? Because Dan Donovan is a true conservative," the TV ad's narrator says, flashing a picture of the pair. "He's the ally President Trump needs in Washington." **Watch the ad here.**

Good Monday morning. I'm Zach Montellaro, and I'm very excited to be your new, permanent host for Morning Score. Email me your tips, musings and introductions to zmontellaro@politico.com, and follow me on Twitter at @ZachMontellaro. Today I had help

AMERICAN OVERSIGHT

from Daniel Strauss (dstrauss@politico.com; @DanielStrauss4).

You can email the rest of the great Campaign Pro team at sbland@politico.com, eschneider@politico.com,, mseverns@politico.com and jarkin@politico.com. Follow us on Twitter: @PoliticoScott, @ec_schneider, @MaggieSeverns and @JamesArkin.

Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman and Playbook Florida author Marc Caputo for a special Playbook Elections event in the battleground state of Florida to discuss the 2018 midterm cycle and issues shaping the races. Part of the POLITICO-AARP Deciders series, this event will feature exclusive interviews with Debbie Mucarsel-Powell, David Richardson and Donna Shalala about their candidacies and campaign efforts to address the issues that matter most to voters. The event will take place Friday, June 29 at InterContinental Miami. Doors will open at 8 a.m. RSVP here.

Days until the 2018 election: 141.

Upcoming election dates — June 26: Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — New Hampshire: June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

ELSEWHERE ON THE WHISTLESTOP TOUR — The president will headline a fundraiser on behalf of Sen. Dean Heller (R-Nev.) on Saturday in Las Vegas, CNN's Rebecca Berg reports: "Tickets start at $15,000 per couple for a photo reception with the President, according to an invite obtained by CNN from a state Republican source, while donors of at least $50,000 can attend a "private roundtable" with the President. Trump is also slated to address the Nevada State Republican Convention, the source said."

— ClearPath Action Fund announced it is planning to spend $500,000 to support Heller. The support will include a new digital buy praising Heller as a "clean energy champion."

— **The NRSC** launched a new digital ad praising Heller's work with veterans. The buy backing it is five figures.

FROM THE BADGER STATE — Wisconsin Democrats are flush with cash and hoping to stage a comeback in the state this year to pave the way for 2020. POLITICO's David Siders reports from Oshkosh, Wisc.: "[T]wo years after [Trump's] stunning victory in the state, shell-shocked Democrats are beginning to pick up the pieces, pouring money and resources into the state in a test run for a rematch with Trump in 2020. Interviews with nearly two dozen local

AMERICAN OVERSIGHT

party officials, candidates and operatives here describe an ongoing effort marked by unprecedented organizing and millions of dollars from out-of-state donors — a reflection of the party's urgency in reshaping the 2020 landscape in the upper Midwest, a Democratic bulwark that Trump toppled in 2016. ...

"Already, more than $7 million has been committed this year toward efforts to reclaim Wisconsin. In recent months, billionaire Democrat Tom Steyer's NextGen America has designated $2.5 million to register and turn out young voters. Eric Holder's National Democratic Redistricting Committee has spent $675,000 on the midterm elections so far. The Democratic Governors Association has reserved about $4 million in air time in preparation for a top-of-the-ticket brawl with Gov. Scott Walker in the fall."

EXPANDING THE BATTLEFIELD — The DCCC named 10 more candidates to its "Red to Blue" program, the top targets across the country. The program now has 53 candidates. **The new 10:** Josh Harder (CA-10), Katie Hill (CA-25), Katie Porter (CA-45), Mike Levin (CA-49), Cindy Axne (IA-03), Scott Wallace (PA-01), Susan Wild (PA-07), Abigail Spanberger (VA-07), Jennifer Wexton (VA-10) and Dan Kohl (WI-06). All but Kohl have already won their primaries, and he's running unopposed.

— The Congressional Progressive Caucus PAC also endorsed five more candidates: Hill, Gil Cisneros (CA-39), Porter, Deb Haaland (NM-01) and Madeleine Dean (PA-04).

COMING TO AN AD NEAR YOU — If you live in a Republican-held swing district, chances are you'll see an ad from your incumbent representative touting their leadership on the opioid crisis. POLITICO's Brianna Ehley and Jennifer Haberkorn : "House leadership will bring more than 70 such bills to the floor by the end of the month, many sponsored by the most vulnerable members of the GOP conference. The schedule allows lawmakers to show they're trying to combat a public health emergency that claims 115 lives per day and is a top concern of midterm voters. But it's a cumbersome, piecemeal approach involving hours of votes on narrow bills that Democrats complain don't go far enough and are being rushed through the legislative mill."

FUNDRAISING CIRCUIT — Donald Trump Jr. will headline a fundraiser in Montana for Republican Senate nominee Matt Rosendale, Campaign Pro's James Arkin reports: "The fundraiser is hosted by Rosendale, Montana's state auditor, along with Sen. Steve Daines and Rep. Greg Gianforte , according to the invitation. The event will benefit Rosendale's joint fundraising committee with the state Republican Party. Immediately following the June 22 fundraiser, Trump Jr. will give the keynote speech at the Montana Republican Party's platform convention dinner, where Rosendale, Daines and Gianforte will all be speaking." The invitation.

NEW INTERNAL IN MO-SEN — A fresh internal poll from Senate Majority PAC has Sen. Claire McCaskill (D-Mo.) leading Republican state Attorney General Josh Hawley 47 percent to 41 percent. The poll was conducted by Global Strategy Group. It was a live telephone poll of likely midterm voters and was in the field June 11-13. An April survey from SMP had her lead at 2 percent, while an internal from Hawley's camp at the end of April had him up one.

AMERICAN OVERSIGHT

— FIRST IN SCORE: Missouri Rising Action is up with a new digital ad bashing McCaskill over her use of a private plane (which was reported last week) featuring late night host Seth Meyers cracking a joke at her expense. See the ad.

WORTH NOTING — The president will meet with House Republicans Tuesday evening to talk about where he stands on legislation that would protect DREAMers, POLITICO's Rachel Bade reports.

2020 ALREADY? — The DNC announced that it will hold its 2020 national convention July 13-16, ahead of that year's summer Olympics. The announcement from the committee notes the move will allow "the nominee more time to use general election funds and travel across the country." CNN's Dan Merica (who broke the news) notes that it comes about two weeks earlier in the calendar than the 2016 convention and that it will be the earliest held by either party in more than two decades. Campaign Pro's own Daniel Strauss reported that cities including Atlanta, Birmingham, Denver, Houston, Miami Beach, Milwaukee, New York and San Francisco are in the mix to host.

— One of the Dems that could be on that stage? New Jersey Sen. Cory Booker. CNN's Eric Bradner interviewed the junior senator from the Garden State (while they were riding the Acela) and Booker was fairly candid: "I'm not going to play coy. I'm sure after the midterm elections, I'll give it a look. ... But to me, my momentum, my energy, my focus is 2018 and making sure I get re-elected in 2020." He also reflected on the stain of a his political career — "of all the titles that I sincerely seek in my life, more than anything else is ... to be a husband, and a father. And I've made tremendous sacrifices" — and how his party can return from the political wilderness: "My party has got to focus on not being anti-Trump. It's not about what you're against in life. It's what you're for."

— Plus, Cambridge Analytica is still kicking in Trumpworld, and has begun doing early 2020 work. The AP's Jeff Horowitz reports that a new firm called Data Propria, which is run by ex-Cambridge staffers, has quietly been working on the president's reelection efforts. Matt Oczkowski, the Cambridge exec who is leading the new company, "denied a link to the Trump campaign, but acknowledged that his new firm has agreed to do 2018 campaign work for the Republican National Committee. ...

"The AP learned of Data Propria's role in Trump's re-election effort as a result of conversations held with political contacts and prospective clients in recent weeks by Oczkowski. In one such conversation, which took place in a public place and was overheard by two AP reporters, Oczkowski said he and Trump's 2020 campaign manager, Brad Parscale, were 'doing the president's work for 2020.'" Oczkowski told that AP that whatever was overheard about 2020 was speculative, but the AP reported that a source has confirmed that 2020 work has already begun.

STAFFING UP — Dayton press secretary joins Ellison campaign for MN attorney general: Sam Fettig, who has served as press secretary and senior communications adviser to Minnesota Gov. Mark Dayton, is joining Rep. Keith Ellison's campaign for attorney general as communications director.

AMERICAN OVERSIGHT

CODA — QUOTE OF THE DAY: "It's sort of a weird experience. I wrote to one of my sons - I said the good part of a funeral is you get the eulogies," Rep. Mark Sanford (R-S.C.) on talking to his colleagues after losing his primary, to Rolling Stone.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/18/trump-takes-center-stage-in-north-dakota-senate-race-257310

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Fri 6/15/2018 8:08:58 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov*.

Highlights

Leading the News

Trump Pick for Environment Council Faces Easier Confirmation Path
By *Abby Smith*
Democratic senators and environmentalists agree that President Donald Trump's new pick to chair the White House environment shop is a step in a better—or at least more tolerable—direction.

EPA's Pruitt Got Rose Bowl Tickets. Democrats Want to Know How (1)
By Terrence Dopp (Bloomberg) and Jennifer A. Dlouhy (Bloomberg)
Environmental Protection Agency Administrator Scott Pruitt obtained tickets to the Rose Bowl with the help of a firm that does public affairs and communications work for energy companies—and a top congressional Democrat wants to know the details.

Trump Happy With Pruitt's Performance, But Not His Scandals (1)
By *Jennifer A. Dlouhy*
President Donald Trump says Scott Pruitt's done "a fantastic job" but that he's "not happy" about some of the EPA administrator's actions, amid numerous ethics probes that have cast doubt on Pruitt's continued tenure at the agency.

Stormy Sailing Expected When Marine Fuel Standard Changes

AMERICAN OVERSIGHT

By *Alan Kovski*

A surge in demand is coming for diesel and related fuels as shipping companies close in on a deadline to reduce sulfur emissions.

AMERICAN OVERSIGHT

Today's News

Trump Solar Tariffs Shine on After Court Challenge

By *Brian Flood*

A group of Canadian manufacturers lost their bid to temporarily escape the blanket "safeguard" tariffs the Trump administration imposed on imported solar power products.

Trump's Tariffs Are a 'Glancing Blow' for Wind Power, Batteries

By *Brian Eckhouse* and *Jim Efstathiou Jr.*

President Donald Trump's tariffs on $50 billion in Chinese imports include duties on components for wind turbines, nuclear reactors and batteries—but they are unlikely to cripple any of those industries.

Conservatives May Withhold Support in Farm Bill Revote

By *Teaganne Finn*

Conservative lawmakers remain non-committal a week before the deadline to revive the House farm bill after its May defeat over an unrelated immigration bill and tighter eligibility rules for federal food assistance.

U.S. 'Hashing Out' Details of Coal-Nuclear Rescue Plan: Perry

By *Alex Nussbaum* and *Jonathan Gilbert*

The Energy Department is still working on a proposed Trump administration plan to stem closures of U.S. coal and nuclear plants, Energy Secretary Rick Perry said from the Group of 20 summit in Bariloche, Argentina.

Sensient Colors Strikes Deal With EPA to Clean Up St. Louis Site (1)

By *Sylvia Carignan*

Sensient Colors LLC, a food and cosmetic dye company, is agreeing to clean up contamination and pay penalties for environmental violations stemming from its Missouri operations.

EPA Calls for Cleanups at 26 Sites Near Colorado's Gold King Mine

By *Tripp Baltz*

AMERICAN OVERSIGHT

Cleanup actions costing nearly $10 million have been proposed by the EPA for 26 sites in the Colorado Superfund district where Gold King Mine—the source of a large wastewater release in 2015—is located.

AMERICAN OVERSIGHT

Smelly Hog Farm Lawsuit Limits Unite Critics on Left, Right in N.C.

By *Andrew M. Ballard*

North Carolina lawmakers are looking to further restrict damage awards stemming from lawsuits against smelly hog farms.

AMERICAN OVERSIGHT

Another Problem for Pruitt: Deadline in Tar Creek Audit Suit

By *Peter Hayes*

The EPA faces a June 19 deadline to tell a federal court if it will release information about Administrator Scott Pruitt's refusal to release the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund.

New York Chemical Disclosure Rule Vexes Companies, May Fail Public

By *Pat Rizzuto*

New York state's regulation requiring cleaning product manufacturers to publicly disclose the chemicals in their products could fail to achieve its goals, said a senior director at Seventh Generation Inc.

Northeast Carbon Allowance Prices Up Slightly at Latest Auction

By *Gerald B. Silverman*

The cost for electric power companies to comply with the Northeast's carbon trading program rose by 6 percent in the latest auction of carbon allowances by the Regional Greenhouse Gas Initiative.

Shut Spigot at Foxconn's Flat Screen Plant Could Challenge Operation

By *Stephen Joyce*

Foxconn's proposed $10 billion manufacturing facility in southern Wisconsin could be in jeopardy after a state agency granted an environmental group's request for a hearing about a state-approved water permit.

Exxon Doubles Down on Oil

By Kevin Crowley

In the late 19th century, inventors including Thomas Edison created electric lighting that all but ended demand for kerosene, then the biggest product made from petroleum. Oil magnate John D. Rockefeller, the forefather of Exxon Mobil Corp., was unmoved, seeing any price dip as a chance to buy up competitors.

Ontario Premier-Elect to End Carbon Plan in Challenge to Trudeau

By Greg Quinn

Ontario's Progressive Conservatives will scrap the province's cap-and-trade program and pull out of the carbon-trading market with Quebec and California in

AMERICAN OVERSIGHT

its first act of government.

Ontario Scraps Carbon-Reduction Plan as It Expands Elsewhere

AMERICAN OVERSIGHT

By *Greg Quinn* and *Jim Efstathiou Jr.*

Ontario will scrap its cap-and-trade program and pull out of the carbon-trading market with Quebec and California, even as pollution pricing expands in other regions of the world.

AMERICAN OVERSIGHT

Cambridge University Sees Need for Yield From Fossil-Fuel Assets

By Mathew Carr and Anna Hirtenstein

Cambridge University can't immediately divest from fossil-fuel assets held by the school's 3 billion-pound ($4 billion) endowment because it needs the yield to finance its academic program.

AMERICAN OVERSIGHT

Sweden Seeking EU-wide Ban on Chemical Paraffins

By *Marcus Hoy*

A chemical commonly used in electrical cable insulation as a plasticizer and flame retardant would be banned across the European Union if regulators agree to a proposal by Sweden.

China's Silk Road to Back $3.9 Billion Solar Project, ACWA Says

By Anna Hirtenstein and Vinicy Chan

China's Silk Road Fund Co Ltd. is investing in the world's largest solar thermal plant that's under development in Dubai, an executive at the company promoting the project said.

Coping With Eskom's Cuts: South Africans Brace for Power Outages

By *Marcia Klein* (Bloomberg Environment), *Ntando Thukwana* (Bloomberg), and *Paul Burkhardt* (Bloomberg)

What happens when a country's largest utility can't pay its bills? That's what South Africans are finding out as state-owned utility, Eskom, struggles to keep power stations running while workers protesting over stagnant wages hamper block access to its facilities.

Eskom Says Implementation of Stage 1 Power Cuts Lifted

By Hilton Shone

South Africa's state-owned power utility has halted rolling power cuts announced June 15.

Wellington Pushes ESG 2.0 Focusing on Alpha More Than Altruism

By Charles Stein

About 30 analysts and portfolio managers at Wellington Management get together every couple of weeks to discuss climate change.

Thursday Night Wrapup

Daniel Simmons Tapped to Head Energy Department Renewables Office

By *Rebecca Kern*

Daniel Simmons, current acting head of the Energy Department's Energy

AMERICAN OVERSIGHT

Efficiency and Renewable Energy Office, was tapped by the White House to become assistant secretary for solar and wind development.

Farmworkers Get Updated Pesticide Training With New EPA Guidance

AMERICAN OVERSIGHT

By *Ayanna Alexander*

Farmworkers will get updated training on handling pesticides after the EPA June 14 released long-sought updates to the requirements.

AMERICAN OVERSIGHT

EPA Adopting New Policies for Lead Paint After Whistleblower Case

By *Adam Allington*

The Environmental Protection Agency released new guidelines designed to help prevent exposing children and pregnant women to lead dust during repairs or renovations of older housing.

Climate Impacts Need to be Considered in Oil, Gas Lease: Court

By *Alan Kovski*

Federal agencies leasing properties for oil and gas drilling must analyze the foreseeable impacts of greenhouse gases—not only from the lease sites but from downstream activities such as automotive fuel combustion and from cumulative emissions of any sources, a court ruled.

Avangrid Confident on Approval of New England Hydropower Project (1)

By *Adrianne Appel*

Avangrid Inc. says it is confident it can overcome environmentalists' opposition and receive Massachusetts' approval early next year for a project that would deliver hydropower to Bay State residents for about 20 years.

Heavy-Duty Vehicle Rules in Canada Target Next Decade's Emissions

By *James Munson*

Buses, trucks, and vans will have to be sleeker, smarter, and more efficient to meet new carbon emissions rules in Canada.

Canada Court Dismisses Ciba Appeal Over Mine Waste Patent

By *James Munson*

Canada's top court decided not to hear a patent case involving two global wastewater treatment companies June 14, depriving one of the firms of its last chance to reinstate a patent used in mining.

Industry Voices Concern as Norway Adopts EU Ship Recycling Rule

By *Marcus Hoy*

The Norwegian shipping industry objected to some elements of the European Union's approach to ship recycling after the government announced it will adopt the EU Ship Recycling Regulation.

AMERICAN OVERSIGHT

Blowback Over Japanese Plan to Reuse Tainted Soil From Fukushima

By *Brian Yap*

Japan's plan to reuse soil contaminated with radiation from the Fukushima-

AMERICAN OVERSIGHT

Daiichi nuclear power plant accident for agriculture is sparking something of its own nuclear reaction.

AMERICAN OVERSIGHT

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Thur 6/14/2018 2:07:17 PM
Subject: POLITICO's Morning Score: Anti-Trump candidates retreat — NDRC affiliate supports challenges in three districts — Senate GOP shuns Stewart

By Daniel Strauss | 06/14/2018 10:00 AM EDT

With Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

LAST STAND — "This is the new Republican Party" by POLITICO's Edward-Isaac Dovere: "Put a blond combover on the elephant. Take down the pictures of Abraham Lincoln and Ronald Reagan. It's over. It's Donald Trump's GOP. The anti-Trump candidates are fleeing, and the ones who stick around are getting trampled.

"The chill has gone out among whoever's left: there's no more speaking up, and if there is, it's just for the sake of a speech, a protest quote that quickly disappears. They chalk it up to party loyalty, or staying unified for the midterms. They say they still believe in the principles, but they don't tend to do more than say the words. Then, when the microphones are off, they confide. They complain. They nurse fantasies that there's a reckoning coming, that maybe this will all end with the Republican Party nominating someone like Eisenhower. Or at least like Paul Ryan.

"And each time they watch another of their own go down, they wince, try to move on. Don't look back. Try to forget. 'This business is a lot like being a professional fighter: Over the course of it, you get a lot of shots to the head, and sooner or later, you're knocked out,' said Rep. Tom Cole (R-Okla.), mourning fellow Rep. Mark Sanford's loss in Tuesday's primary." **Full story.**

THE CAVALRY — "Cole: GOP members 'racing' to help Roby in primary" by Campaign Pro's Scott Bland and Jennifer Scholtes: "Rep. Tom Cole (R-Okla.) said in an interview that House Republicans are marshaling behind Rep. Martha Roby (R-Ala.) ahead of her primary runoff against ex-Rep. Bobby Bright, the Democrat-turned-Republican Roby defeated in 2010. 'It was announced today at the Republican political conference ... that a fundraiser was being done for her, members are being encouraged to participate, and so a lot of members are racing to her defense,' Cole said, noting that he had donated to Roby. 'If you know Martha Roby, you like Martha Roby.'" **Full story.**

NDRC GETS IN — "NDRC affiliate challenges House districts in 3 states" by Campaign Pro's Maggie Severns: "The National Redistricting Foundation, a 501(c)(3) group affiliated with the National Democratic Redistricting Committee, is supporting challenges to congressional maps in Alabama, Georgia and Louisiana, seeking to create additional majority-minority congressional districts for African-American voters in each state. The suits, filed by groups of citizens in each state, challenge redistricting bills that passed in each state in 2011. They allege

AMERICAN OVERSIGHT

the laws violate Section 2 of the Voting Rights Act. ... Read the complaints for Alabama, Georgia and Louisiana." **Full story.**

MCCONNELL GROUPS ACTIVATED — "McConnell-aligned groups launching ads in three states" by Campaign Pro's James Arkin: "Republican outside groups allied with Majority Leader Mitch McConnell are launching new ads in three top Senate races, according to Advertising Analytics. One Nation, a nonprofit organization, is airing ads in Missouri and Arizona starting Thursday, while Senate Leadership Fund, an affiliated super PAC, is launching its first ad of the cycle in Indiana.

"In Arizona, One Nation is putting at least $505,000 behind ads, according to data from Advertising Analytics. It is the first spending there this cycle from a group allied with Senate GOP leadership. The advertising will address border security, according to contracts filed with local TV stations, though it's not clear which candidate it will be about. ... In Missouri, One Nation has previously spent $1.4 million on an ad praising Republican Attorney General Josh Hawley but has booked new ad reservations starting Thursday that take the group's total spending over $2 million, per Advertising Analytics." **Full story.**

PERSONNEL NEWS — Morning Score is getting a new author: Zach Montellaro, who has been on the POLITICO Playbook team for over a year, is taking over your favorite morning newsletter next week! Send him tips and ideas — or just commiserate about the struggling New York Mets — at zmontellaro@politico.com. And you can follow him on Twitter at @zachmontellaro.

Days until the 2018 election: 145

Upcoming election dates — **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — **New Hampshire:** June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

FIRST IN SCORE — EMILY's List backs Bush in CO-03: EMILY's List announced Thursday that it's endorsing state Rep. Diane Mitsch Bush in her primary bid to take on GOP Rep. Scott Tipton, per a statement from the group.

NEW THIS MORNING — WEB WARS — CLF attacks Pelosi in new digital ad: The Congressional Leadership Fund released a new digital ad attacking Nancy Pelosi as "Negative Nancy," using her comments about the economy. "Hip hip hurray, unemployment is down," the

AMERICAN OVERSIGHT

clip says. **Watch the ad here.**

NO LOVE LOST — "Senate GOP shuns Stewart in Virginia" by POLITICO's Burgess Everett: "President Donald Trump may be excited about Corey Stewart's primary win in the Virginia Senate race, but Senate Republicans certainly aren't. The Senate GOP's campaign arm hasn't endorsed Stewart, who has made defending Confederate monuments a central plank of his political career. And its chairman said that the committee has 'no plans' to spend any money on Stewart in his race against Democratic Sen. Tim Kaine (D-Va.).

"'At the senatorial committee we're focusing on Missouri, Indiana, North Dakota, Montana, West Virginia and Florida. There are great races around the country. [Virginia] is not the map,' said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.). 'We have a big map this year, and what I've laid out in races that I've talked about, Virginia's not on it.' Other Republicans expressed ignorance of Stewart. 'No idea who he is. Not at all,' added Sen. Tim Scott (R-S.C.).

"The feeling is mutual. Stewart held a press conference outside the NRSC in May to rail against party leaders for not supporting his campaign." **Full story.**

BIG SPENDING — "RAGA reserves $4.7M of TV time in three battleground states" by Campaign Pro's Daniel Strauss: "The Republican Attorneys General Association is reserving $4.7 million in TV advertising time in a trio of battleground states for the general election. RAGA, the umbrella organization for Republican attorneys general, is reserving advertising in Arizona, Nevada and Ohio. The organization is investing $1.4 million each in Ohio and Nevada each and $1.9 million in Arizona. They are the group's first fall TV reservations of 2018. ...

"The $1.9 million in Arizona is meant to boost Attorney General Mark Brnovich. In Ohio, RAGA is spending in support of state Auditor Dave Yost, the attorney general nominee there. And in Nevada, the group is spending to boost Wes Duncan, who won the GOP nomination on Tuesday and will compete against Democratic state Sen. Aaron Ford." **Full story.**

POLL NUMBERS — "Ohio Quinnipiac poll: Brown comfortably ahead, Cordray locked in tight race with DeWine" by Daniel and James: "A new Quinnipiac University poll of Ohio found Democratic Sen. Sherrod Brown with a comfortable lead for reelection but former Consumer Financial Protection Bureau Director Richard Cordray and Ohio Attorney General Mike DeWine locked in a much tighter race. Brown leads Rep. Jim Renacci 51 percent to 34 percent in the Senate race, according to the poll, including a sizable 21-point advantage among independent voters. ...

"Cordray, the Democratic nominee, had 42 percent to DeWine's 40 percent in the governor's race. Thirty-two percent of those surveyed said they had a favorable opinion of Cordray while 15 percent said they had an unfavorable opinion. Another 51 percent said they hadn't heard enough about him. Meanwhile, 39 percent said they had a favorable opinion of DeWine while 31 percent said they had an unfavorable view of him. Another 27 percent said they hadn't heard of the Ohio attorney general and Republican nominee for governor." **Full story.**

AMERICAN OVERSIGHT

— "Cuomo ahead of Nixon by 35 points in latest Siena poll" by Politico New York's Bill Mahoney: "Gov. Andrew Cuomo is much more popular among New York Democrats than his celebrated primary challenger Cynthia Nixon, according to a Siena College Research Institute poll released Wednesday. Cuomo led Nixon 61-26 overall in the poll, and he came out on top in each of the 23 demographic categories broken out in the poll." **Full story.**

FIRST IN SCORE: ON THE AIRWAVES — Senate Majority PAC is launching a new ad in Montana attacking state Auditor Matt Rosendale: The 30-second ad goes after Rosendale for his Maryland roots and attempts to paint him as a carpetbagger. "Matt Rosendale likes to dress up as a Montanan, but he's really an East Coast millionaire developer," a narrator says. SMP is spending $600,000 on the ad. Watch it here.

— Rep. Jacky Rosen releases Spanish-language ad ahead of World Cup: The new 30-second Spanish-language TV ad will run on Telemundo in Las Vegas starting Thursday, the first day of the 2018 FIFA World Cup. "This is our moment of pride, when our teams leave everything on the field," a narrator says, speaking in Spanish. "And here in Nevada, we will do the same. Jacky Rosen is the Democratic Congresswoman who is not afraid to stand up to Trump. Fighting for a path for Dreamers toward a secure future. And against Trump's dirty game of separating mothers from their children." Watch the ad here.

CODA — QUOTE OF THE DAY: "It's becoming a cultish thing, isn't it?" — Sen. Bob Corker on the Republican Party's loyalty to President Donald Trump, according to The Washington Post.

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/14/anti-trump-candidates-retreat-250774

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-D-001473

ED_001863D_00001903-00004

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Thur 6/14/2018 2:07:17 PM
Subject: POLITICO's Morning Score: Anti-Trump candidates retreat — NDRC affiliate supports challenges in three districts — Senate GOP shuns Stewart

By Daniel Strauss | 06/14/2018 10:00 AM EDT

With Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

LAST STAND — "This is the new Republican Party" by POLITICO's Edward-Isaac Dovere: "Put a blond combover on the elephant. Take down the pictures of Abraham Lincoln and Ronald Reagan. It's over. It's Donald Trump's GOP. The anti-Trump candidates are fleeing, and the ones who stick around are getting trampled.

"The chill has gone out among whoever's left: there's no more speaking up, and if there is, it's just for the sake of a speech, a protest quote that quickly disappears. They chalk it up to party loyalty, or staying unified for the midterms. They say they still believe in the principles, but they don't tend to do more than say the words. Then, when the microphones are off, they confide. They complain. They nurse fantasies that there's a reckoning coming, that maybe this will all end with the Republican Party nominating someone like Eisenhower. Or at least like Paul Ryan.

"And each time they watch another of their own go down, they wince, try to move on. Don't look back. Try to forget. 'This business is a lot like being a professional fighter: Over the course of it, you get a lot of shots to the head, and sooner or later, you're knocked out,' said Rep. Tom Cole (R-Okla.), mourning fellow Rep. Mark Sanford's loss in Tuesday's primary." **Full story.**

THE CAVALRY — "Cole: GOP members 'racing' to help Roby in primary" by Campaign Pro's Scott Bland and Jennifer Scholtes: "Rep. Tom Cole (R-Okla.) said in an interview that House Republicans are marshaling behind Rep. Martha Roby (R-Ala.) ahead of her primary runoff against ex-Rep. Bobby Bright, the Democrat-turned-Republican Roby defeated in 2010. 'It was announced today at the Republican political conference ... that a fundraiser was being done for her, members are being encouraged to participate, and so a lot of members are racing to her defense,' Cole said, noting that he had donated to Roby. 'If you know Martha Roby, you like Martha Roby.'" **Full story.**

NDRC GETS IN — "NDRC affiliate challenges House districts in 3 states" by Campaign Pro's Maggie Severns: "The National Redistricting Foundation, a 501(c)(3) group affiliated with the National Democratic Redistricting Committee, is supporting challenges to congressional maps in Alabama, Georgia and Louisiana, seeking to create additional majority-minority congressional districts for African-American voters in each state. The suits, filed by groups of citizens in each state, challenge redistricting bills that passed in each state in 2011. They allege

AMERICAN OVERSIGHT

the laws violate Section 2 of the Voting Rights Act. ... Read the complaints for Alabama, Georgia and Louisiana." **Full story.**

MCCONNELL GROUPS ACTIVATED — "McConnell-aligned groups launching ads in three states" by Campaign Pro's James Arkin: "Republican outside groups allied with Majority Leader Mitch McConnell are launching new ads in three top Senate races, according to Advertising Analytics. One Nation, a nonprofit organization, is airing ads in Missouri and Arizona starting Thursday, while Senate Leadership Fund, an affiliated super PAC, is launching its first ad of the cycle in Indiana.

"In Arizona, One Nation is putting at least $505,000 behind ads, according to data from Advertising Analytics. It is the first spending there this cycle from a group allied with Senate GOP leadership. The advertising will address border security, according to contracts filed with local TV stations, though it's not clear which candidate it will be about. ... In Missouri, One Nation has previously spent $1.4 million on an ad praising Republican Attorney General Josh Hawley but has booked new ad reservations starting Thursday that take the group's total spending over $2 million, per Advertising Analytics." **Full story.**

PERSONNEL NEWS — Morning Score is getting a new author: Zach Montellaro, who has been on the POLITICO Playbook team for over a year, is taking over your favorite morning newsletter next week! Send him tips and ideas — or just commiserate about the struggling New York Mets — at zmontellaro@politico.com. And you can follow him on Twitter at @zachmontellaro.

Days until the 2018 election: 145

Upcoming election dates — **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — **New Hampshire:** June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

FIRST IN SCORE — EMILY's List backs Bush in CO-03: EMILY's List announced Thursday that it's endorsing state Rep. Diane Mitsch Bush in her primary bid to take on GOP Rep. Scott Tipton, per a statement from the group.

NEW THIS MORNING — WEB WARS — CLF attacks Pelosi in new digital ad: The Congressional Leadership Fund released a new digital ad attacking Nancy Pelosi as "Negative Nancy," using her comments about the economy. "Hip hip hurray, unemployment is down," the

AMERICAN OVERSIGHT

clip says. **Watch the ad here.**

NO LOVE LOST — "Senate GOP shuns Stewart in Virginia" by POLITICO's Burgess Everett: "President Donald Trump may be excited about Corey Stewart's primary win in the Virginia Senate race, but Senate Republicans certainly aren't. The Senate GOP's campaign arm hasn't endorsed Stewart, who has made defending Confederate monuments a central plank of his political career. And its chairman said that the committee has 'no plans' to spend any money on Stewart in his race against Democratic Sen. Tim Kaine (D-Va.).

"'At the senatorial committee we're focusing on Missouri, Indiana, North Dakota, Montana, West Virginia and Florida. There are great races around the country. [Virginia] is not the map,' said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.). 'We have a big map this year, and what I've laid out in races that I've talked about, Virginia's not on it.' Other Republicans expressed ignorance of Stewart. 'No idea who he is. Not at all,' added Sen. Tim Scott (R-S.C.).

"The feeling is mutual. Stewart held a press conference outside the NRSC in May to rail against party leaders for not supporting his campaign." **Full story.**

BIG SPENDING — "RAGA reserves $4.7M of TV time in three battleground states" by Campaign Pro's Daniel Strauss: "The Republican Attorneys General Association is reserving $4.7 million in TV advertising time in a trio of battleground states for the general election. RAGA, the umbrella organization for Republican attorneys general, is reserving advertising in Arizona, Nevada and Ohio. The organization is investing $1.4 million each in Ohio and Nevada each and $1.9 million in Arizona. They are the group's first fall TV reservations of 2018. ...

"The $1.9 million in Arizona is meant to boost Attorney General Mark Brnovich. In Ohio, RAGA is spending in support of state Auditor Dave Yost, the attorney general nominee there. And in Nevada, the group is spending to boost Wes Duncan, who won the GOP nomination on Tuesday and will compete against Democratic state Sen. Aaron Ford." **Full story.**

POLL NUMBERS — "Ohio Quinnipiac poll: Brown comfortably ahead, Cordray locked in tight race with DeWine" by Daniel and James: "A new Quinnipiac University poll of Ohio found Democratic Sen. Sherrod Brown with a comfortable lead for reelection but former Consumer Financial Protection Bureau Director Richard Cordray and Ohio Attorney General Mike DeWine locked in a much tighter race. Brown leads Rep. Jim Renacci 51 percent to 34 percent in the Senate race, according to the poll, including a sizable 21-point advantage among independent voters. ...

"Cordray, the Democratic nominee, had 42 percent to DeWine's 40 percent in the governor's race. Thirty-two percent of those surveyed said they had a favorable opinion of Cordray while 15 percent said they had an unfavorable opinion. Another 51 percent said they hadn't heard enough about him. Meanwhile, 39 percent said they had a favorable opinion of DeWine while 31 percent said they had an unfavorable view of him. Another 27 percent said they hadn't heard of the Ohio attorney general and Republican nominee for governor." **Full story.**

AMERICAN OVERSIGHT

— "Cuomo ahead of Nixon by 35 points in latest Siena poll" by Politico New York's Bill Mahoney: "Gov. Andrew Cuomo is much more popular among New York Democrats than his celebrated primary challenger Cynthia Nixon, according to a Siena College Research Institute poll released Wednesday. Cuomo led Nixon 61-26 overall in the poll, and he came out on top in each of the 23 demographic categories broken out in the poll." **Full story.**

FIRST IN SCORE: ON THE AIRWAVES — Senate Majority PAC is launching a new ad in Montana attacking state Auditor Matt Rosendale: The 30-second ad goes after Rosendale for his Maryland roots and attempts to paint him as a carpetbagger. "Matt Rosendale likes to dress up as a Montanan, but he's really an East Coast millionaire developer," a narrator says. SMP is spending $600,000 on the ad. Watch it here.

— Rep. Jacky Rosen releases Spanish-language ad ahead of World Cup: The new 30-second Spanish-language TV ad will run on Telemundo in Las Vegas starting Thursday, the first day of the 2018 FIFA World Cup. "This is our moment of pride, when our teams leave everything on the field," a narrator says, speaking in Spanish. "And here in Nevada, we will do the same. Jacky Rosen is the Democratic Congresswoman who is not afraid to stand up to Trump. Fighting for a path for Dreamers toward a secure future. And against Trump's dirty game of separating mothers from their children." Watch the ad here.

CODA — QUOTE OF THE DAY: "It's becoming a cultish thing, isn't it?" — Sen. Bob Corker on the Republican Party's loyalty to President Donald Trump, according to The Washington Post.

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/14/anti-trump-candidates-retreat-250774

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 6/8/2018 2:06:29 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Donald Trump's megadonor road show — Consultants urge candidates to avoid using 'single payer' in ads — CLF releases TV ads in OH-12 special

By Elena Schneider | 06/08/2018 10:00 AM EDT

With Zach Montellaro, James Arkin and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

2020 WATCH — "Donald Trump's megadonor road show," by Campaign Pro's Maggie Severns: "[Paul] Singer amicably chatted with the president and a dozen other high-dollar donors during a fundraiser for Trump's reelection campaign, according to a person in the room. And he gave $300,000 — the maximum amount an individual can give — to the Republican Party this spring shortly before the event. It was a sign of success for a months-long charm offensive by the president and his allies toward establishment Republicans who were wary of him during the 2016 campaign.

— **"The president** — who claimed in 2016 that he was self-funding his campaign so he couldn't be 'controlled' by donors, even though he ultimately raised most of his funds from outsiders — has developed a new ease with the donor class and is spending significant time away from the White House fundraising from them. Trump has attended eight events for the political groups supporting him in 2018, an uptick from the five he attended the previous year, and he has crisscrossed the country to Los Angeles, Dallas and Columbus, Ohio." **Full story.**

MESSAGING MANTRA —"The 2 words you can't say in a Democratic ad: 'Single payer,'" by POLITICO's Jennifer Haberkorn: "Democratic voters want single payer health care. But don't expect to hear Democratic candidates talk about it — at least not in those words. To avoid divisive intraparty fights that drive candidates left — only to be attacked by Republicans for favoring socialized medicine — the Democratic Congressional Campaign Committee warned aspirants last year about the political liabilities of endorsing 'single payer,' according to sources familiar with the advice. An influential progressive group even urged candidates to discard the often-misunderstood phrase and embrace 'Medicare for all' to draw strong connections with the popular seniors' health program. A third of the way through the 2018 primaries, Democrats have largely prevented the Bernie Sanders-led groundswell of single payer support from swamping the contests." **Full story.**

RACE CALLED — CA-49: Democrat Mike Levin advanced to the general election, after The Associated Press called the race Thursday night. Levin will face Republican Diane Harkey in the open race to replace GOP Rep. Darrell Issa in Southern California.

AMERICAN OVERSIGHT

NEW THIS MORNING — ON THE AIRWAVES — CLF releases TV ads in OH-12 special: The Congressional Leadership Fund launched two TV ads in the House special election in Ohio, part of an initial $250,000 buy that will run simultaneously on broadcast and cable. The first ad focuses on Republican Troy Balderson's support for the "middle class tax cuts," and attacks Democrat Danny O'Connor for "standing with" Nancy Pelosi. The second ad centers on the opioid crisis. CLF is also launching a field program to boost Balderson, opening an office in Franklin County and planning to knock on 500,000 doors by August 7. **Watch the first ad here. Watch the second ad here.**

— Tester attacks Rosendale in new TV ad: "Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics. The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican 'Maryland Matt' — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002." **View the ad here. Full story.**

— Republican Braun releases first general election ad in Indiana Senate race: "Republican Mike Braun's campaign released its first general election ad today, a biography spot highlighting his business record and outsider message." **You can view it here. Full story.**

Days until the 2018 election: 151.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In

AMERICAN OVERSIGHT

addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

How can Washington help the financial well-being of future American retirees? POLITICO convened leading thinkers and policymakers to identify some solutions. Read the full report. *Presented by Prudential*

AWKWARD — "Why hasn't Bernie Sanders endorsed his son's run for Congress?" by The Boston Globe's James Pindell and Matt Viser: "[W]hile he's busy endorsing politicians across the country who share his liberal values, closer to home Sanders is taking a noncommittal stand when it comes to his own flesh and blood. Sanders has refrained from endorsing Levi Sanders in his only son's campaign for the Democratic nomination for a New Hampshire congressional seat. ... It is especially strange because Levi has been a constant presence in his father's political life, from sitting on his lap as a 2-year-old during Sanders' first run for public office, to following him around the country during the senator's 2016 presidential campaign." **Full story.**

POST MORTEM — "House Majority PAC details anti-lockout effort in California," by Campaign Pro's Scott Bland: "A new memo from House Majority PAC, the Democratic super PAC, outlines the steps the group took to help Democrats avoid top-two lockouts in congressional districts carried by Hillary Clinton in 2016 during this week's California primaries." **Read the memo here. Full story.**

WEB WARS — Kelli Ward releases digital attack ad against McSally in Arizona primary: "Former Arizona state Sen. Kelli Ward released a new digital ad Thursday calling retiring Sen. Jeff Flake an 'embarrassment' and saying Rep. Martha McSally is 'even worse.'" **See the ad here. Full story.**

AGREE TO DISAGREE — "Campaign committee chairmen spar over Trump effect, use of hacked materials in midterms," by Campaign Pro's James Arkin: "The four lawmakers running the House and Senate campaign committees took diverging views at an event hosted by NBC and The Wall Street Journal on the effect President Donald Trump would have in their battleground races this November." **Full story.**

ICYMI — "Michigan Democrat Bets Governor's Race on Universal Health Care" by Bloomberg's Sahil Kapur: "A Democrat running for governor in Michigan is supporting a tax increase to pay for a statewide government-run health-care system, going further than his party's candidates in other parts of the country who are also calling for expanded coverage. Abdul El-Sayed, a physician and former Detroit health director running in a three-candidate Aug. 7 primary, said he'll unveil a detailed plan Wednesday that seeks to place residents with private

AMERICAN OVERSIGHT

health insurance or Medicaid into a single-payer system run by Michigan." **Full story.**

POLLING PROBLEMS — "More than 53 percent of adults live in wireless-only households," by POLITICO's Steven Shepard: "A new government report out today shows the share of Americans living in wireless-only households continued to increase in the second half of last year. The share of U.S. adults living in households where the only telephone is wireless rose to 53.3 percent from July to December 2017, according to the report from the National Center for Health Statistics, a branch of the Centers for Disease Control and Prevention. That is up from 52 percent in the first half of 2017, and an increase from 50.5 percent in the second half of 2016." **Full story.**

GETTING THE NOD — JStreetPAC endorses 6 House candidates: JStreetPAC, a pro-Israel liberal group, announced that it endorsed 6 Democratic challengers, including Ammar Campa-Najjar (CA-50), Gil Cisneros (CA-39), Abby Finkenauer (IA-1), Katie Hill (CA-25), Katie Porter (CA-45) and Susan Wild (PA-7).

CODA — QUOTE OF THE DAY: "[Steve] Bannon has blown up and is no longer a factor, but post facto, Uihlein is the answer." — Dan K. Eberhart, a major Republican donor, told The New York Times about the Uihleins, another conservative mega-giving pair. (Flashback!) Severns profiled them in March for POLITICO.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations: MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker: Which programs should you be targeting?
- Station Ranker: Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/08/donald-trumps-megadonor-road-show-246294

To change your alert settings, please go to https://secure.politico.com/settings

AMERICAN OVERSIGHT

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 6/8/2018 2:06:24 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Donald Trump's megadonor road show — Consultants urge candidates to avoid using 'single payer' in ads — CLF releases TV ads in OH-12 special

By Elena Schneider | 06/08/2018 10:00 AM EDT

With Zach Montellaro, James Arkin and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

2020 WATCH — "Donald Trump's megadonor road show," by Campaign Pro's Maggie Severns: "[Paul] Singer amicably chatted with the president and a dozen other high-dollar donors during a fundraiser for Trump's reelection campaign, according to a person in the room. And he gave $300,000 — the maximum amount an individual can give — to the Republican Party this spring shortly before the event. It was a sign of success for a months-long charm offensive by the president and his allies toward establishment Republicans who were wary of him during the 2016 campaign.

— "The president — who claimed in 2016 that he was self-funding his campaign so he couldn't be 'controlled' by donors, even though he ultimately raised most of his funds from outsiders — has developed a new ease with the donor class and is spending significant time away from the White House fundraising from them. Trump has attended eight events for the political groups supporting him in 2018, an uptick from the five he attended the previous year, and he has crisscrossed the country to Los Angeles, Dallas and Columbus, Ohio." **Full story.**

MESSAGING MANTRA —"The 2 words you can't say in a Democratic ad: 'Single payer,'" by POLITICO's Jennifer Haberkorn: "Democratic voters want single payer health care. But don't expect to hear Democratic candidates talk about it — at least not in those words. To avoid divisive intraparty fights that drive candidates left — only to be attacked by Republicans for favoring socialized medicine — the Democratic Congressional Campaign Committee warned aspirants last year about the political liabilities of endorsing 'single payer,' according to sources familiar with the advice. An influential progressive group even urged candidates to discard the often-misunderstood phrase and embrace 'Medicare for all' to draw strong connections with the popular seniors' health program. A third of the way through the 2018 primaries, Democrats have largely prevented the Bernie Sanders-led groundswell of single payer support from swamping the contests." **Full story.**

RACE CALLED — CA-49: Democrat Mike Levin advanced to the general election, after The Associated Press called the race Thursday night. Levin will face Republican Diane Harkey in the open race to replace GOP Rep. Darrell Issa in Southern California.

AMERICAN OVERSIGHT

NEW THIS MORNING — ON THE AIRWAVES — CLF releases TV ads in OH-12 special: The Congressional Leadership Fund launched two TV ads in the House special election in Ohio, part of an initial $250,000 buy that will run simultaneously on broadcast and cable. The first ad focuses on Republican Troy Balderson's support for the "middle class tax cuts," and attacks Democrat Danny O'Connor for "standing with" Nancy Pelosi. The second ad centers on the opioid crisis. CLF is also launching a field program to boost Balderson, opening an office in Franklin County and planning to knock on 500,000 doors by August 7. **Watch the first ad here. Watch the second ad here.**

— Tester attacks Rosendale in new TV ad: "Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics. The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican 'Maryland Matt' — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002." **View the ad here. Full story.**

— Republican Braun releases first general election ad in Indiana Senate race: "Republican Mike Braun's campaign released its first general election ad today, a biography spot highlighting his business record and outsider message." **You can view it here. Full story.**

Days until the 2018 election: 151.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In

AMERICAN OVERSIGHT

addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

How can Washington help the financial well-being of future American retirees? POLITICO convened leading thinkers and policymakers to identify some solutions. Read the full report. *Presented by Prudential*

AWKWARD — "Why hasn't Bernie Sanders endorsed his son's run for Congress?" by The Boston Globe's James Pindell and Matt Viser: "[W]hile he's busy endorsing politicians across the country who share his liberal values, closer to home Sanders is taking a noncommittal stand when it comes to his own flesh and blood. Sanders has refrained from endorsing Levi Sanders in his only son's campaign for the Democratic nomination for a New Hampshire congressional seat. ... It is especially strange because Levi has been a constant presence in his father's political life, from sitting on his lap as a 2-year-old during Sanders' first run for public office, to following him around the country during the senator's 2016 presidential campaign." **Full story.**

POST MORTEM — "House Majority PAC details anti-lockout effort in California," by Campaign Pro's Scott Bland: "A new memo from House Majority PAC, the Democratic super PAC, outlines the steps the group took to help Democrats avoid top-two lockouts in congressional districts carried by Hillary Clinton in 2016 during this week's California primaries." **Read the memo here. Full story.**

WEB WARS — Kelli Ward releases digital attack ad against McSally in Arizona primary: "Former Arizona state Sen. Kelli Ward released a new digital ad Thursday calling retiring Sen. Jeff Flake an 'embarrassment' and saying Rep. Martha McSally is 'even worse.'" **See the ad here. Full story.**

AGREE TO DISAGREE — "Campaign committee chairmen spar over Trump effect, use of hacked materials in midterms," by Campaign Pro's James Arkin: "The four lawmakers running the House and Senate campaign committees took diverging views at an event hosted by NBC and The Wall Street Journal on the effect President Donald Trump would have in their battleground races this November." **Full story.**

ICYMI — "Michigan Democrat Bets Governor's Race on Universal Health Care" by Bloomberg's Sahil Kapur: "A Democrat running for governor in Michigan is supporting a tax increase to pay for a statewide government-run health-care system, going further than his party's candidates in other parts of the country who are also calling for expanded coverage. Abdul El-Sayed, a physician and former Detroit health director running in a three-candidate Aug. 7 primary, said he'll unveil a detailed plan Wednesday that seeks to place residents with private

AMERICAN OVERSIGHT

health insurance or Medicaid into a single-payer system run by Michigan." **Full story.**

POLLING PROBLEMS — "More than 53 percent of adults live in wireless-only households," by POLITICO's Steven Shepard: "A new government report out today shows the share of Americans living in wireless-only households continued to increase in the second half of last year. The share of U.S. adults living in households where the only telephone is wireless rose to 53.3 percent from July to December 2017, according to the report from the National Center for Health Statistics, a branch of the Centers for Disease Control and Prevention. That is up from 52 percent in the first half of 2017, and an increase from 50.5 percent in the second half of 2016." **Full story.**

GETTING THE NOD — JStreetPAC endorses 6 House candidates: JStreetPAC, a pro-Israel liberal group, announced that it endorsed 6 Democratic challengers, including Ammar Campa-Najjar (CA-50), Gil Cisneros (CA-39), Abby Finkenauer (IA-1), Katie Hill (CA-25), Katie Porter (CA-45) and Susan Wild (PA-7).

CODA — QUOTE OF THE DAY: "[Steve] Bannon has blown up and is no longer a factor, but post facto, Uihlein is the answer." — Dan K. Eberhart, a major Republican donor, told The New York Times about the Uihleins, another conservative mega-giving pair. (Flashback!) Severns profiled them in March for POLITICO.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations: MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker: Which programs should you be targeting?
- Station Ranker: Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/08/donald-trumps-megadonor-road-show-246294

To change your alert settings, please go to https://secure.politico.com/settings

AMERICAN OVERSIGHT

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered" reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill. He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pulse
Sent: Wed 6/6/2018 2:07:06 PM
Subject: POLITICO Pulse, presented by PhRMA: Alex Azar faces House committee to discuss HHS policies, strategy — Immigration officials change tune on visas for foreign doctors — Why is Medicare's trust fund running out of money faster than before?

View online version

06/06/2018 10:00 AM EDT

By DAN DIAMOND (ddiamond@politico.com; @ddiamond)

Results from last night's primaries are still arriving this morning, and immigration officials will accede to medical groups' requests after young doctors' visas were stalled.

But first: The HHS secretary is sitting down to explain his strategy to Congress.

ALEX AZAR ON THE HILL — The HHS secretary is testifying in front of the House Committee on Education and the Workforce this morning, in a hearing on his agency's policies and priorities.

What Republicans want to discuss. Chairwoman Virginia Foxx will use her opening statement to address antipoverty initiatives and the opioid epidemic, according to remarks shared with PULSE. She'll also ask about the Trump administration's push to encourage short-term health plans and other alternatives to ACA coverage.

"[W]e hope Secretary Azar can provide some update today on the status of his Department's efforts to reverse the damage of Obamacare and improve access to healthcare for millions of working families," Foxx will say.

Where Democrats will seek to take the conversation. According to plans shared with PULSE, they'll ask Azar:

— About efforts to "sabotage" the ACA through repealing the individual mandate and other moves

— Why the president has repeatedly sought cuts to Medicare and Medicaid after promising to protect the programs during his 2016 campaign

— If the administration is trying to undermine access to care for vulnerable populations, such as rolling back LGBT-friendly policies and making changes to the Title X family planning program

Advocates say they want answers on HHS immigration policies. The agency's Office of Refugee Resettlement will likely also be scrutinized this morning. The administration has separated undocumented children from their parents at the border, a

AMERICAN OVERSIGHT

policy that's drawn widespread news coverage and raised comment and concern.

The agency "has refused to answer basic questions [like]... how will HHS work to reunite children with their parents as quickly as possible?" Equity Forward's Mary Alice Carter writes in a new memo.

It will be a shorter hearing than usual. Democrats are grumbling that Azar only agreed to appear for two hours, which means members will have three minutes for questions and not their usual five minutes.

It also will be the first time that Azar — or any HHS official in the Trump administration — appears in front of the committee, which has less health care jurisdiction than House Energy and Commerce or Ways and Means.

HHS Secretary Alex Azar faces the House Education & Workforce committee today. | AP Photo

WITH JUST WEEKS TO SPARE, IMMIGRATION OFFICIALS CHANGE TUNE ON VISAS FOR FOREIGN DOCTORS — U.S. Citizenship and Immigration Services will process stalled or denied H-1B visa applications from international medical graduates, sources with knowledge of the decision tell PULSE. The agency is expected to soon announce a formal fix.

Physician groups had raised concerns that USCIS had been slow-walking or denying visa applications from foreign doctors over technical questions related to wage data. "We are hoping this is just in time to prevent significant delays in medical residents and fellows starting programs in July," Matthew Shick of the Association of American Medical Colleges told PULSE.

About 3,000 medical residents and fellows train in the United States on H-1B visas, and AAMC estimates that about 1,000 were affected by the wage index questions.

... The news was cheered by Ohio Sen. Rob Portman, one of the lawmakers pressuring USCIS to find a fix.

"Senator Portman heard from various medical colleges in Ohio about the burden this was putting on them regarding filling critical specialty positions, and he is pleased that USCIS has made the common-sense decision to start processing applications," spokesperson Kevin Smith told PULSE.

**** A message from PhRMA: New analysis from IHS Markit shows providing access to discounted medicine prices at the pharmacy could save seniors with diabetes more than $350 annually.** Sharing negotiated rebates could also save Medicare nearly $1,000 annually for every senior taking diabetes medication, reducing total health care spending by approximately $20B over the next 10 years. https://letstalkaboutmedicare.org/ ******

AMERICAN OVERSIGHT

DEMS: SENATE SHOULD DO HEALTH LEGISLATION IN AUGUST — Senate Democratic leaders on Tuesday said they're happy to stay in town in August — to enact legislation reduce health care costs and prescription drug prices, POLITICO's Jennifer Haberkorn reports.

"We Democrats welcome this additional time because It gives us the opportunity to address an issue that's on the top of the mind of so many of the American people and one that Republicans have badly mishandled up to this point: health care," Minority Leader Chuck Schumer said Tuesday. He promised to ask for votes to "require our Republican colleagues to do something about it." It feeds into Democrats' broader narrative that Republicans are responsible for rising health care premiums.

Specifically, Democrats want to: allow people to buy into Medicare at age 55; increase ACA tax credits; create a national reinsurance program; "ensure people with pre-existing conditions don't get denied [care] due to the expansion of junk insurance plans"; and lower prescription drug costs.

WELCOME TO A SUPER-SIZED WEDNESDAY PULSE — Where we're still reeling from yesterday's big news: IHOP is changing its name , and the new one (IHOb) doesn't appear to be pancake-related. So what could it be possibly b? Give your b-b-b-best guess to ddiamond@politico.com.

With help from Rachana Pradhan (@RachanaDixit), Paul Demko (@PaulDemko), Victoria Colliver (@vcolliver), David Pittman (@David_Pittman) and Jennifer Haberkorn (@JenHab).

WHAT WE LEARNED FROM LAST NIGHT'S PRIMARIES

Health care is likely to be on the ballot this fall in the Montana Senate race and California governor's contest, after last night's primaries resulted in candidates with health care backgrounds.

CALIFORNIA — The front runner for the state's gubernatorial runoff will be a single-payer supporter. As expected, Lt. Gov. Gavin Newsom secured enough votes to assure him one of two spots on the November ballot. The former mayor of San Francisco helped implement the city's near-universal coverage ordinance, but the Democrat has cautioned that statewide single-payer make take years to enact.

Republican businessman John Cox, who was backed by President Trump and opposes single-payer health care, took the second slot. Cox's second-place finish could make Newsom a shoe-in in November.

Many of the state's contested House primaries were too close to call this morning. We're watching the California 45th, where a Democratic field is vying to take on GOP Rep. Mimi Walters. The front runner is Katie Porter, who has strongly embraced single payer and has the backing of national progressive groups.

AMERICAN OVERSIGHT

MONTANA — State auditor and insurance commissioner Matt Rosendale will take on Democratic Sen. Jon Tester in November. Rosendale, an ardent opponent of Obamacare, is hoping to make the health law a point of contrast with Tester. He was responsible for approving rate hikes and welcomed a health sharing ministry into the state during his tenure — points that Democrats could use to neutralize rising health care premiums under Obamacare.

NEW MEXICO — Rep. Michelle Lujan Grisham clinched the Democratic nomination for governor after she faced criticism from rivals over how she profited from New Mexico's high-risk pool, one of the few programs for the seriously ill that remains open even after Obamacare made such programs virtually obsolete. Lujan Grisham was co-owner of the company that operates the high-risk pool -- the Delta Consulting Group -- until last June. She will go on to face GOP Rep. Steve Pearce in the general election.

IOWA — Bernie Sanders-backed Pete D'Alessandro, an advocate for single-payer health care, placed third in the Democratic race to take on GOP Rep. David Young in the Iowa 3rd. More.

ON THE HILL

Senate Finance Committee opioid markup may slide to next week. The panel, which originally planned to mark up its opioid bills this week, is now expected to take up the measures next week, sources tell POLITICO's Brianna Ehley. A date has not been set.

Business groups urge support of bipartisan HSA bill. Ahead of today's Ways and Means Health Subcommittee hearing, a coalition of business groups urged members to embrace the Bipartisan HSA Improvement Act (H.R. 5138), which would make a bunch of largely technical changes aimed at improving coverage and expanding availability. For example, it would make it easier for HSAs to cover services related to chronic disease prevention.

"As the workplace transforms to meet new trends and HSAs grow in the marketplace, we urge you to support legislation that can pass this year and begin helping Americans with HSAs," reads the letter, which was signed by the U.S. Chamber of Commerce, the Business Roundtable, the ERISA Industry Committee and the American Benefits Council, among others. Read the letter.

Among the witnesses due to testify are America's Health Insurance Plans CEO Matt Eyles and New York University's Sherry Glied, who was an HHS assistant secretary in the Obama administration.

Drama teed up around health care cybersecurity today. An HHS initiative to protect

AMERICAN OVERSIGHT

the nation from health care cyberattacks will get attention on the Hill today, as the House Energy and Commerce Health subcommittee will look at the reauthorization of the Pandemic and All-Hazards Act. The act includes a section on the Healthcare Cybersecurity and Communications Integration Center designating it the lead with the department for cybersecurity incidents.

However, the center's been under scrutiny since last year, with HCCIC facing allegations of ethical improprieties by its former leadership, plus broad turnover of cybersecurity leadership in the department.

INSIDE THE HUMPHREY BUILDING

CMS says Obama-era safety efforts averted deaths, avoided costs. Hospital safety efforts begun under the Obama administration helped save 8,000 lives and almost $3 billion in health costs between 2014 and 2016, according to federal data released yesterday.

CMS in 2011 launched the Partnership for Patients campaign to improve care at the bedside, disseminate best practices and support initiatives like the agency's Hospital Improvement Innovation Networks. Meanwhile, the Affordable Care Act put in place penalties for hospital-acquired conditions, and private insurers and hospital systems also have ramped up quality improvement efforts in recent years.

Combined with previous studies, researchers concluded that hospitals saved nearly $23 billion in costs, avoided nearly 2.5 million hospital-acquired conditions and averted 95,000 deaths by improving patient safety between 2010 and 2016.

"Today's results show that this is a tremendous accomplishment by America's hospitals in delivering high-quality, affordable healthcare," CMS Administrator Seema Verma said in a statement. More for Pros.

Why is Medicare's trust fund running out of money faster than before? The program's trustees on Tuesday afternoon said that Medicare will run out of money in 2026, three years earlier than previously projected.

The trustees cited a decline in revenues from payroll and Social Security taxes and higher payments than expected to hospitals and private Medicare plans last year. But lawmakers had their own — widely ranging — perspectives on what the report revealed.

— Republicans: This is evidence that entitlement reforms are necessary. "Medicare has long needed reforms to ensure a strong fiscal future," House E&C Chairman Greg Walden and health subcommittee chairman Michael Burgess said in a joint statement. "It is important Congress works together, and we stand ready to find ways to put the program on more fiscally sound footing."

AMERICAN OVERSIGHT

— Democrats: Blame Trump's tax cuts for Medicare's weaker position. "This deterioration in Medicare's finances is a direct result of President Trump and Congressional Republicans selling America's seniors down the river so that they could shower tax cuts on the ultra-rich and big corporations," ranking E&C member Frank Pallone said in a statement.

AROUND THE NATION

San Francisco: Flavored tobacco ban headed to victory. The tobacco industry vastly outspent its opponents in trying overturn the city's ban on flavored tobacco, but San Franciscans were siding with public health advocates in passing the most restrictive ordinance on these products in the country. The ban would extend not only to nicotine vaping liquids with such flavors as chicken-and-waffles and cotton candy, but to menthol cigarettes and even flavored hookah tobacco. More for Pros.

"There's a reason Big Tobacco panicked, pouring millions into fighting to keep flavored tobacco on store shelves in San Francisco," said Jim Knox, managing director of the American Cancer Society Cancer Action Network California. "As a national public health leader, what happens in San Francisco—often doesn't stay in San Francisco. This could start a trend that will make a big dent in the tobacco industry's profits while keeping kids from a lifetime addiction."

California: Legislators' health agenda focuses on undocumented coverage, more premium help. The state's most controversial health legislation of the year — a plan to set rates for hospitals, doctors and insurers — failed to advance before a key legislative deadline, but the legislature is pressing ahead with bills extending Medicaid coverage to undocumented immigrants and boosting premium subsidies, among other issues, POLITICO's Victoria Colliver reports.

Many of the remaining high-profile health care bills share a common theme: They would push back against the Trump administration's efforts to curtail Obamacare coverage. More for Pros.

Most states don't have laws to address kids being left in hot cars. That's according to a new National Safety Council report, which notes that only eight states consider felony charges for a parent or caregiver who intentionally leaves a child in a hot car. The council also is introducing model legislation. See the report.

More than 37 children per year die from heatstroke after being left in a vehicle, according to the council.

AROUND TOWN

AMERICAN OVERSIGHT

NIHCM to rename most prestigious award in honor of Uwe Reinhardt. The Uwe E. Reinhardt Outstanding Leadership Award will honor the famed economist and Princeton professor, who served as a NIHCM adviser for 21 years before passing away last fall, NIHCM's Nancy Chockley announced last night.

The award has only been given out three times — to Dartmouth's Jack Wennberg, WellPoint founder Leonard Schaeffer and Reinhardt himself in 2013. A fourth honoree will be named in November at NIHCM's 25th anniversary dinner, NIHCM's Katie McDonald told PULSE.

WHAT WE'RE READING

By Victoria Colliver

Rural hospitals are in trouble, and some entrepreneurs are pitching a legally murky strategy to save them, Barbara Feder Ostrov writes for KHN/The Atlantic. More.

In a story also co-published with The Atlantic, ProPublica Illinois' Duaa Eldeib investigates how hundreds of children in Illinois languished in psychiatric hospitals even after they were cleared for release. More.

A physician whose young daughter is diagnosed with rare, degenerative disorder describes his frustrations with a drug company's compassionate use policy and concerns about the federal right-to-try process in STAT. More.

In NEJM, Michael Millenson explores the responsibilities and possibilities of "big data" in health care. More.

NPR's Richard Harris went to the American Society of Clinical Oncology meeting in Chicago and found oncologists focusing less on the newest treatments, and more on all the therapies that aren't working for patients. More.

A possible change to the "public charge" rules could harm access to care for safety-net immigrants, Billy Wynne and Dawn Joyce write at CHCF's blog. More.

** **A message from PhRMA:** For more than 10 years, Medicare has provided prescription drug coverage for seniors. Competition continues to keep premiums low, but seniors are facing higher out-of-pocket spending. Insurers negotiate significant discounts for medicines in Part D. Giving seniors 80% of those discounts at the pharmacy counter could save a senior with diabetes more than $350 per year on their health care costs. The change could also save Medicare nearly $1,000 per year for every senior taking diabetes medication. How? By helping patients afford the drugs they

AMERICAN OVERSIGHT

need to stay healthy and stay out of the hospital. **Seniors share the cost. They should share the savings.** https://letstalkaboutmedicare.org/ **
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Wed 6/6/2018 2:03:56 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: California House races still uncalled, but Democrats positioned to avoid lockouts — Roby to runoff in AL-02 — Rosendale wins GOP nod to take on Tester

By Elena Schneider and Scott Bland | 06/06/2018 10:00 AM EDT

With Zach Montellaro and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

CALIFORNIA — As of (very) early Wednesday morning, Democrats were in position to avoid lockouts in key House races — but only just, in some cases, and there are still plenty of votes to count. (None of them have been called by the Associated Press yet.) **See live results here.**

— **CA-10:** Democrat Josh Harder is in position to take on GOP Rep. Jeff Denham, with about 1.5 points between Harder and another Republican challenging for the second-place spot.

— **CA-25:** Democrat Katie Hill is just ahead of Democrat Bryan Caforio in the race to take on GOP Rep. Steve Knight.

— **CA-39:** Republican Young Kim has advanced to November and appears set to face Democrat Gil Cisneros, who has a cushion in second place.

— **CA-45:** Democrat Katie Porter leads Democrat Dave Min for the second general election slot against GOP Rep. Mimi Walters.

— **CA-48:** Democrats Harley Rouda and Hans Keirstead are neck and neck for the second slot behind GOP Rep. Dana Rohrabacher, with Republican Scott Baugh about a point behind the two Democrats.

— **CA-49:** Democrat Mike Levin is currently in second, with two Democrats behind him, and Republican Diane Harkey has advanced to the general election.

— **BEHIND THE SCENES — "Republican super PAC secretly promoted candidates in California," by POLITICO's Alex Isenstadt and Elena Schneider:** "A House GOP leadership-backed super PAC secretly picked favorites in three high-profile California primaries to be decided Tuesday that could help to decide control of the chamber. Republican leadership typically stays out of contested primaries where incumbents are not seeking reelection. But in April, Congressional Leadership Fund, a group closely aligned with House Speaker Paul Ryan, funneled about $1.5 million to American Future Fund, an Iowa-based outside Republican

AMERICAN OVERSIGHT

organization, according to a CLF official." **Full story.**

ROBY TO RUNOFF — "Republican primary voters in Alabama will have to decide which is worse: a vote against Donald Trump, or a vote for Nancy Pelosi," Campaign Pro's Elena Schneider and Daniel Strauss report. "That will be the key question in a July primary runoff involving GOP Rep. Martha Roby ... She will face former Rep. Bobby Bright, an ex-Democrat, in a head-to-head race for the Republican nomination in July. Roby spurned Trump in 2016, promising not to vote for him and calling for him to quit the presidential race after the Access Hollywood tape ... Roby's rejection of the president hurt, siphoning votes to a write-in candidate in the 2016 general election and drawing four Republican opponents into this year's primary. ... But Bright has his own baggage: a vote for Pelosi as speaker of the House from 2009, at the beginning of Bright's one and only term in Congress as a Democrat. Roby attacked Bright over the vote when she beat him in a general election eight years ago, and the charge can only be more potent in a Republican primary." **Full story.**

ROSENDALE TO FACE TESTER — Montana state Auditor Matt Rosendale took about 34 percent of the primary vote on his way to the GOP nomination to face Democratic Sen. Jon Tester in the fall. **James Arkin has a preview of the race.**

MENENDEZ GETS A MESSAGE — Democratic primary voters served Sen. Robert Menendez a showing of political weakness Tuesday night, giving him just 62 percent of the primary vote ahead of his bid for another term. **More here from POLITICO New Jersey's Matt Friedman.**

GUV RACES — Alabama Gov. Kay Ivey navigated her Republican primary and avoided a runoff with 56 percent of the vote, and will face Democrat Walt Maddox in November. **In California**, Democratic Lt. Gov. Gavin Newsom will face GOP businessman John Cox, as Antonio Villaraigosa failed to make it a top-two Democratic battle. **Iowa** Democratic businessman Fred Hubbell won the nomination to take on GOP Gov. Kim Reynolds, and congressional colleagues Michelle Lujan Grisham (D) and Steve Pearce (R) will go head to head for the governorship **in New Mexico**. Another colleague, Rep. Kristi Noem, convincingly won the Republican nomination for governor of **South Dakota**.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

MORE HOUSE BATTLEGROUNDS — Democratic women ran away with the battleground nominations in Iowa, with state Rep. Abby Finkenauer getting the nod in IA-01 against GOP Rep. Rod Blum and businesswoman Cindy Axne winning in GOP Rep. David Young's IA-03.

— In New Jersey, Democratic state Sen. Jeff Van Drew will face Republican Seth Grossman for open NJ-02, while Democrat Mikie Sherrill will go up against Republican Jay Webber in open

AMERICAN OVERSIGHT

NJ-11. Former Obama State Department official Tom Malinowski won the Democratic primary in GOP Rep. Leonard Lance's NJ-07.

See all the June 5 election results here: ALABAMA | CALIFORNIA | IOWA | MISSISSIPPI | MONTANA | NEW JERSEY | NEW MEXICO | SOUTH DAKOTA

Days until the 2018 election: 153.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12. **— New Hampshire:** June 15. **— Rhode Island:** June 27.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

BIG MONEY ALERT — "David Koch leaving business, political network," by Campaign Pro's Maggie Severns: "Billionaire David Koch is retiring from his family's business and political network, citing health issues. Koch's departure was announced in a letter sent by his brother, Charles Koch, to Koch Industries employees on Tuesday. ... David Koch is leaving both Koch Industries and his role as chairman of the Americans for Prosperity Foundation, the charity arm of the sprawling Koch network." **Full story.**

— "PAC readies pro-Whitmer ads in Michigan," by Campaign Pro's Daniel Strauss: "A Democratic 527 group supporting Democrat Gretchen Whitmer in the Michigan gubernatorial race is planning to start airing ads in the next few weeks, according to multiple Democrats with knowledge of the group's plans.

AMERICAN OVERSIGHT

The outside group, Build A Better Michigan, was set up by Mark Burton, a longtime top aide to Whitmer. The aim of the TV ad blitz is to also increase Whitmer's name recognition ahead of the August primary, when Whitmer will face opponents including entrepreneur Shri Thanedar and physician Abdul El-Sayed.". **Full story.**

— "Vice President Pence expected at mid-June Schuette fundraiser," by the Detroit News' Jonathan Oosting: "Pence is set to attend the June 15 event at the Townsend Hotel in Birmingham, Schuette strategist John Sellek confirmed Tuesday. The fundraiser will start at noon.The vice president first backed Schuette for Michigan governor in November, when his new political action committee announced it would donate the maximum $6,800 to the Midland Republican's campaign." **Full story.**

MINNESOTA SHAKEUP — "Ellison launches bid for Minnesota attorney general," by POLITICO's Isaac Dovere: "Democratic Rep. Keith Ellison jumped into the race for Minnesota attorney general today, the final day candidates were allowed to file. Ellison won't leave Congress immediately, but he will not run for reelection. He will also remain deputy chairman of the DNC during his campaign." **Full story.**

ON THE AIRWAVES — DGA knocks Pearce: The Democratic Governors Association is releasing a new 30-second ad dinging Rep. Steve Pearce in the New Mexico governor's race. The DGA is promoting the ad online digitally. **Watch the ad here**.

POLLING DATA — "Pro-Vukmir PAC poll shows her leading Wisconsin GOP primary," via Campaign Pro's James Arkin: "A new internal poll from a super PAC backing state Sen. Leah Vukmir shows her leading Marine veteran and businessman Kevin Nicholson in the Wisconsin GOP Senate primary. The Tarrance Group survey on behalf of Wisconsin Next PAC, an outside group backing Vukmir, had Vukmir at 36 percent support among primary voters, compared to 29 percent for Nicholson, with 35 percent undecided." **Full story.**

GETTING THE NOD — AFP backs Freitas in Virginia GOP Senate primary: "Americans for Prosperity, the main arm of the Koch brothers' outside group network, is backing state Del. Nick Freitas in next week's Virginia Senate GOP primary. Freitas, a veteran and second-term delegate, is running in the primary against two conservative firebrands: Corey Stewart, a former member of the Prince William Board of County Supervisors who lost the GOP gubernatorial primary last year, and minister E.W. Jackson, who was the party's lieutenant governor nominee in 2013." **Full story.**

— Blue Dog PAC endorse 5 House challengers: The Democratic Blue Dog Coalition added five House challengers to its roster of endorsed Democratic candidates, including Mel Hall (IN-02), Chris Hunter (FL-12), Kathy Manning (NC-13), Matt Reel (TN-07) and Clarke Tucker (AR-02).

CODA — QUOTE OF THE DAY: "My name was left off the polling registry today on Los Angeles." — A tweet from actor Henry Winkler, who was one of over 118,000 voters who were accidentally left off the voting rolls in Los Angeles on Tuesday, sparking concern during

AMERICAN OVERSIGHT

California's primaries.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/06/california-house-races-still-uncalled-but-democrats-positioned-to-avoid-lockouts-243676

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Wed 6/6/2018 2:03:56 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: California House races still uncalled, but Democrats positioned to avoid lockouts — Roby to runoff in AL-02 — Rosendale wins GOP nod to take on Tester

By Elena Schneider and Scott Bland | 06/06/2018 10:00 AM EDT

With Zach Montellaro and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

CALIFORNIA — As of (very) early Wednesday morning, Democrats were in position to avoid lockouts in key House races — but only just, in some cases, and there are still plenty of votes to count. (None of them have been called by the Associated Press yet.) **See live results here.**

— **CA-10:** Democrat Josh Harder is in position to take on GOP Rep. Jeff Denham, with about 1.5 points between Harder and another Republican challenging for the second-place spot.

— **CA-25:** Democrat Katie Hill is just ahead of Democrat Bryan Caforio in the race to take on GOP Rep. Steve Knight.

— **CA-39:** Republican Young Kim has advanced to November and appears set to face Democrat Gil Cisneros, who has a cushion in second place.

— **CA-45:** Democrat Katie Porter leads Democrat Dave Min for the second general election slot against GOP Rep. Mimi Walters.

— **CA-48:** Democrats Harley Rouda and Hans Keirstead are neck and neck for the second slot behind GOP Rep. Dana Rohrabacher, with Republican Scott Baugh about a point behind the two Democrats.

— **CA-49:** Democrat Mike Levin is currently in second, with two Democrats behind him, and Republican Diane Harkey has advanced to the general election.

— **BEHIND THE SCENES — "Republican super PAC secretly promoted candidates in California," by POLITICO's Alex Isenstadt and Elena Schneider:** "A House GOP leadership-backed super PAC secretly picked favorites in three high-profile California primaries to be decided Tuesday that could help to decide control of the chamber. Republican leadership typically stays out of contested primaries where incumbents are not seeking reelection. But in April, Congressional Leadership Fund, a group closely aligned with House Speaker Paul Ryan, funneled about $1.5 million to American Future Fund, an Iowa-based outside Republican

AMERICAN OVERSIGHT

organization, according to a CLF official." **Full story.**

ROBY TO RUNOFF — "Republican primary voters in Alabama will have to decide which is worse: a vote against Donald Trump, or a vote for Nancy Pelosi," Campaign Pro's Elena Schneider and Daniel Strauss report. "That will be the key question in a July primary runoff involving GOP Rep. Martha Roby ... She will face former Rep. Bobby Bright, an ex-Democrat, in a head-to-head race for the Republican nomination in July. Roby spurned Trump in 2016, promising not to vote for him and calling for him to quit the presidential race after the Access Hollywood tape ... Roby's rejection of the president hurt, siphoning votes to a write-in candidate in the 2016 general election and drawing four Republican opponents into this year's primary. ... But Bright has his own baggage: a vote for Pelosi as speaker of the House from 2009, at the beginning of Bright's one and only term in Congress as a Democrat. Roby attacked Bright over the vote when she beat him in a general election eight years ago, and the charge can only be more potent in a Republican primary." **Full story.**

ROSENDALE TO FACE TESTER — Montana state Auditor Matt Rosendale took about 34 percent of the primary vote on his way to the GOP nomination to face Democratic Sen. Jon Tester in the fall. **James Arkin has a preview of the race.**

MENENDEZ GETS A MESSAGE — Democratic primary voters served Sen. Robert Menendez a showing of political weakness Tuesday night, giving him just 62 percent of the primary vote ahead of his bid for another term. **More here from POLITICO New Jersey's Matt Friedman.**

GUV RACES — Alabama Gov. Kay Ivey navigated her Republican primary and avoided a runoff with 56 percent of the vote, and will face Democrat Walt Maddox in November. **In California**, Democratic Lt. Gov. Gavin Newsom will face GOP businessman John Cox, as Antonio Villaraigosa failed to make it a top-two Democratic battle. **Iowa** Democratic businessman Fred Hubbell won the nomination to take on GOP Gov. Kim Reynolds, and congressional colleagues Michelle Lujan Grisham (D) and Steve Pearce (R) will go head to head for the governorship **in New Mexico**. Another colleague, Rep. Kristi Noem, convincingly won the Republican nomination for governor of **South Dakota**.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

MORE HOUSE BATTLEGROUNDS — Democratic women ran away with the battleground nominations in Iowa, with state Rep. Abby Finkenauer getting the nod in IA-01 against GOP Rep. Rod Blum and businesswoman Cindy Axne winning in GOP Rep. David Young's IA-03.

— In New Jersey, Democratic state Sen. Jeff Van Drew will face Republican Seth Grossman for open NJ-02, while Democrat Mikie Sherrill will go up against Republican Jay Webber in open

AMERICAN OVERSIGHT

NJ-11. Former Obama State Department official Tom Malinowski won the Democratic primary in GOP Rep. Leonard Lance's NJ-07.

See all the June 5 election results here: ALABAMA | CALIFORNIA | IOWA | MISSISSIPPI | MONTANA | NEW JERSEY | NEW MEXICO | SOUTH DAKOTA

Days until the 2018 election: 153.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12. **— New Hampshire:** June 15. **— Rhode Island:** June 27.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

BIG MONEY ALERT — "David Koch leaving business, political network," by Campaign Pro's Maggie Severns: "Billionaire David Koch is retiring from his family's business and political network, citing health issues. Koch's departure was announced in a letter sent by his brother, Charles Koch, to Koch Industries employees on Tuesday. ... David Koch is leaving both Koch Industries and his role as chairman of the Americans for Prosperity Foundation, the charity arm of the sprawling Koch network." **Full story.**

— "PAC readies pro-Whitmer ads in Michigan," by Campaign Pro's Daniel Strauss: "A Democratic 527 group supporting Democrat Gretchen Whitmer in the Michigan gubernatorial race is planning to start airing ads in the next few weeks, according to multiple Democrats with knowledge of the group's plans.

AMERICAN OVERSIGHT

The outside group, Build A Better Michigan, was set up by Mark Burton, a longtime top aide to Whitmer. The aim of the TV ad blitz is to also increase Whitmer's name recognition ahead of the August primary, when Whitmer will face opponents including entrepreneur Shri Thanedar and physician Abdul El-Sayed.". **Full story.**

— "Vice President Pence expected at mid-June Schuette fundraiser," by the Detroit News' Jonathan Oosting: "Pence is set to attend the June 15 event at the Townsend Hotel in Birmingham, Schuette strategist John Sellek confirmed Tuesday. The fundraiser will start at noon.The vice president first backed Schuette for Michigan governor in November, when his new political action committee announced it would donate the maximum $6,800 to the Midland Republican's campaign." **Full story.**

MINNESOTA SHAKEUP — "Ellison launches bid for Minnesota attorney general," by POLITICO's Isaac Dovere: "Democratic Rep. Keith Ellison jumped into the race for Minnesota attorney general today, the final day candidates were allowed to file. Ellison won't leave Congress immediately, but he will not run for reelection. He will also remain deputy chairman of the DNC during his campaign." **Full story.**

ON THE AIRWAVES — DGA knocks Pearce: The Democratic Governors Association is releasing a new 30-second ad dinging Rep. Steve Pearce in the New Mexico governor's race. The DGA is promoting the ad online digitally. **Watch the ad here**.

POLLING DATA — "Pro-Vukmir PAC poll shows her leading Wisconsin GOP primary," via Campaign Pro's James Arkin: "A new internal poll from a super PAC backing state Sen. Leah Vukmir shows her leading Marine veteran and businessman Kevin Nicholson in the Wisconsin GOP Senate primary. The Tarrance Group survey on behalf of Wisconsin Next PAC, an outside group backing Vukmir, had Vukmir at 36 percent support among primary voters, compared to 29 percent for Nicholson, with 35 percent undecided." **Full story.**

GETTING THE NOD — AFP backs Freitas in Virginia GOP Senate primary: "Americans for Prosperity, the main arm of the Koch brothers' outside group network, is backing state Del. Nick Freitas in next week's Virginia Senate GOP primary. Freitas, a veteran and second-term delegate, is running in the primary against two conservative firebrands: Corey Stewart, a former member of the Prince William Board of County Supervisors who lost the GOP gubernatorial primary last year, and minister E.W. Jackson, who was the party's lieutenant governor nominee in 2013." **Full story.**

— Blue Dog PAC endorse 5 House challengers: The Democratic Blue Dog Coalition added five House challengers to its roster of endorsed Democratic candidates, including Mel Hall (IN-02), Chris Hunter (FL-12), Kathy Manning (NC-13), Matt Reel (TN-07) and Clarke Tucker (AR-02).

CODA — QUOTE OF THE DAY: "My name was left off the polling registry today on Los Angeles." — A tweet from actor Henry Winkler, who was one of over 118,000 voters who were accidentally left off the voting rolls in Los Angeles on Tuesday, sparking concern during

AMERICAN OVERSIGHT

California's primaries.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/06/california-house-races-still-uncalled-but-democrats-positioned-to-avoid-lockouts-243676

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Wed 6/6/2018 11:54:20 AM
Subject: POLITICO Huddle, presented by the American Clinical Laboratory Association: DEMS DODGE LOCKOUT IN CALIFORNIA — Manchin embraces MAGA — GOP SCRAMBLES FOR DACA DEAL — Minibus hits roadblock in the House

06/06/2018 07:52 AM EDT

By Heather Caygle (hcaygle@politico.com and @heatherscope)

DEMS DON'T WHIFF IN GOLDEN STATE — After weeks of hand wringing and millions of rescue-mission dollars spent, Democrats are on track to avoid lockouts in a number of key battleground House districts in California. "With the votes still being tallied early Wednesday, Democratic candidates were in second place" in three critical Southern California districts seen as key to winning back the House, Elena Schneider and James Arkin report this morning. Key state-by-state results: https://politi.co/2xIP0RW

Top takeaways from Super Tuesday: 1. Bruised feelings but no lockouts in California ... 2. Trump scores symbolic victory as Republican advances in Golden State gubernatorial race ... 3. California Lt. Gov. Gavin Newsom expected to cruise to governorship ... 4. New Jersey voters send Sen. Bob Menendez a message ... 5. Another good night for Democratic women ... 6. Bernie Sanders' sputtering revolution ... 7. Roby pays after Trump diss. **David Siders, Natasha Korecki, Carla Marinucci and Steven Shepard with much more:** https://politi.co/2Jf49jf

It's not over yet: Votes are still being counted - and current tallies are very close in a number of key House races in California. Track live election results here.

Other election coverage not to miss: Alabama GOP Rep. Martha Roby forced into runoff against former Democrat, via Elena and Daniel Strauss; Feinstein romps to victory in Senate primary, the AP reports; Montana state Auditor Matt Rosendale will face Democratic Sen. Jon Tester, via Scott Bland.

MANCHIN: MAYBE MAGA AIN'T SO BAD — Sen. Joe Manchin really likes President Donald Trump - so much so, the vulnerable West Virginia Democrat hasn't ruled out endorsing him in the 2020 election. Yes, really. More than any other Democrat in Congress, Manchin has positioned himself as a vocal ally of the president, Burgess reports from Ranson, W. Va. "I'm open to supporting the person who I think is best for my country and my state," Manchin told Burgess this week from the driver's seat of his Grand Cherokee. "If his policies are best, I'll be right there."

But Manchin, whose state Trump won by more than 40 points, is a top target for Republicans this fall. "If Joe Manchin says that he votes with the president 50-60 percent of the time? In my book that's a failure," said Manchin's opponent, state Attorney General Patrick Morrisey.

And what about all that hugging? "The president recently mocked Manchin in front of the Senate GOP caucus as trying to hug him all the time — only a slight exaggeration, by Manchin's

AMERICAN OVERSIGHT

telling. 'We just kind of do the man-bump type thing. That's it. And I think he's pulling me as much as I'm pulling him,' Manchin said in describing his physical embraces with the president." Much more from the Mountain State: https://politi.co/2JmexBu

GOP SCRAMBLES FOR DACA DEAL — Republican negotiators are scrambling to reach a DACA deal that would head off an immigration showdown on the House floor. With two Democratic holdouts relenting Tuesday, GOP moderates are now within three signatures of forcing a vote if they can't reach an agreement with Republican hardliners first. The outstanding issue is whether both sides can agree to some sort of legal status for Dreamers. "We want clear, concrete protections for Dreamers and a bridge into the legal immigration system. That's not negotiable," centrist Rep. Carlos Curbelo (R-Fla.) told Huddle while declining to say if he would accept a deal that didn't offer Dreamers a pathway to citizenship.

What's next: Negotiators for both sides will meet with Speaker Paul Ryan (R-Wis.) and other GOP leaders today to continue talks with a full Republican Conference meeting tomorrow. Bres and yours truly: https://politi.co/2M2a1tP

Related read: "I'm not writing one penny to any of them" until DACA is resolved, Florida GOP megadonor Mike Fernandez tells Natasha Korecki.

** **A message from the American Clinical Laboratory Association:** Millions of seniors who depend on lab tests to manage their health are facing reductions in access to Medicare lab testing because of HHS' flawed implementation of the Protecting Access to Medicare Act (PAMA). HHS is putting the nation's most vulnerable seniors at risk. It's time for Congress to act. Learn More. **

ALRIGHT WEDNESDAY, WE'RE DOING THIS. Welcome to June 6 and thanks for reading POLITICO's Huddle, the play-by-play guide to all things Capitol Hill. I'm Heather, your former Huddle host back on the mic for one day only as Nolan is enjoying a little vacay time. Since y'all haven't had me around in a while, here's a cute pic of my pup Biggie Smalls on vacation herself last week.

MINIBUS HITS A ROADBLOCK — House Democratic leaders are urging their members to vote against a normally noncontroversial spending package (known around here as a "minibus") slated for a vote later this week, Sarah Ferris reports. The Democratic plan "threatens to put a chokehold on the GOP's spending strategy this year," she writes. "They're attempting a redo of last year's spending strategy, which forced House GOP leaders into painful negotiations with their divided caucus to put up the 218 votes for spending bills themselves." More: https://politi.co/2JeSbGn

McCABE WANTS IMMUNITY FOR SENATE TESTIMONY — Former FBI Deputy Director Andrew McCabe says he will have "no choice" but to invoke the Fifth Amendment if he is forced to testify before the Senate Judiciary Committee next week about the FBI's 2016 probe into Hillary Clinton without "suitable legal protection," his lawyer said in a letter to the panel. Because McCabe is subject to a referral for criminal prosecution stemming from the inspector general's conclusion that he had lied to investigators, immunity would be required in order to

AMERICAN OVERSIGHT

secure his testimony, Elana reports. More: https://politi.co/2Jf94AJ

BYE-BYE RECESS — After weeks of speculation, Senate Majority Leader Mitch McConnell (R-Ky.) announced Tuesday he was canceling three weeks of the August break. McConnell blamed it on Democratic "obstruction" preventing the quick approval of Trump's judicial and executive branch nominees. But the cancellation has the added bonus of keeping several vulnerable Democratic senators in Washington instead of back home campaigning. "There are 10 Democrats up for reelection in states that Trump won, and just one Senate Republican, Dean Heller of Nevada, who is trying to get re-elected in a state won by Hillary Clinton," Burgess and Elana report.

You've got mail: Senate Minority Leader Chuck Schumer (D-N.Y.) will send McConnell a letter today requesting the Senate use its newfound work time in August to vote on Democratic-backed health care proposals, Elana reports.

Trump weighs in: "Mitch McConnell announced he will cancel the Senate's August Recess. Great, maybe the Democrats will finally get something done other than their acceptance of High Crime and High Taxes. We need Border Security!" the president tweeted at midnight.

The House is unlikely to follow suit, though, according to multiple sources. One key reason? Republican leaders in the House basically have the opposite problem: They have a number of vulnerable members who need to spend that month campaigning in their districts if the GOP wants to avoid a wipeout this fall.

SIGNED, SEALED, DELIVERED — Democratic Rep. Keith Ellison made it official Tuesday, jumping in the Minnesota attorney general's race on the last day candidates could file. Ellison isn't resigning from Congress but won't run for reelection. He also plans to remain deputy chairman of the DNC. Ellison first toyed with entering the race last year, Edward-Isaac Dovere reports, and enters a crowded primary field with high name recognition.

REVOLVING DOOR — Dan Holler, a prolific tweeter and founding staffer for Heritage's lobbying arm, is leaving the organization to join Sen. Marco Rubio's office as deputy chief of staff, Roll Call reports. "The new gig will reunite him with his recent Heritage Action boss Michael Needham, who left in April to become Rubio's chief of staff," writes Kate Ackley.

SADLER OUT AT WHITE HOUSE — Kelly Sadler is no longer at the White House as of Tuesday, nearly a month after the communications aide made a crass comment about Sen. John McCain's health. "The White House had been strategizing an exit for Sadler for the last two weeks, a senior administration official said," CNN's Noah Gray, Kevin Liptak and Pamela Brown reported . It's unclear if Sadler left the administration all together or was relocated somewhere else. Sadler, who came under fire for saying McCain's opposition to Trump's CIA nominee didn't matter because McCain was "dying anyway," never publicly apologized.

TODAY IN CONGRESS — The House meets at 10 a.m. with first votes around 1:30 p.m. and last votes (on amendments to a water resources bill) around 9:30 p.m. tonight. **The Senate** gavels in at 10 a.m. with a confirmation vote on judicial nominee Annemarie Carney Axon at 11 a.m.

AMERICAN OVERSIGHT

AROUND THE HILL — Reps. Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Ruben Gallego (D-Ariz.), Adriano Espaillat (D-N.Y.) and **Darren Soto (D-Fla.)** hold a press conference at 9:30 a.m. in the House triangle on hurricane recovery efforts in Puerto Rico and updated mortality numbers.

Speaker Paul Ryan (R-Wis.), House Majority Whip Steve Scalise (R-La.), GOP Conference Chair Cathy McMorris Rodgers (R-Wash.) and **Rep. Rob Woodall (R-Ga.)** take questions from reporters at 10 a.m. in HC-8.

House Democratic Caucus Chairman Joe Crowley (D-N.Y.) and **Rep. Joaquin Castro (D-Texas)** hold a press conference at 1 p.m. in HVC Studio A.

Rep. Carolyn Maloney (D-N.Y.) and actress **Alyssa Milano** will hold a press conference on the equal rights amendment at 1 p.m. in the House triangle. A forum on the amendment will follow at 3 p.m. in 2247 Rayburn.

TUESDAY'S TRIVIA WINNER — Arik Wolk was the first to guess that George H.W. Bush was first to visit six of the seven continents as president.

TODAY'S TRIVIA — Myles Ambrose with today's question: Twenty of the first 21 vice presidents have a bust in the gallery of the Senate chamber. Who is missing and why? The first person to correctly answer gets a shout out in tomorrow's Huddle. And don't forget, send suggestions for trivia questions my way: hcaygle@politico.com

GET HUDDLE emailed to your phone each morning.

** **A message from the American Clinical Laboratory Association:** Millions of seniors depend on lab tests to manage their health. Yet steep cuts by HHS to vital lab services put seniors on Medicare at great risk. By reducing access to vital lab tests for heart disease, diabetes, cancer, and many other conditions, other health care costs are sure to increase. Worst of all, these cuts will hit the most vulnerable seniors -- like those in nursing homes or in rural areas -- the hardest. HHS has deliberately ignored the law and Congressional intent, which will reduce access to lab testing for America's seniors. Congress must act now to restore the true intent of the Protecting Access to Medicare Act (PAMA) and protect seniors from HHS' penny-wise and pound-foolish approach. Learn More. **

To view online:
https://www.politico.com/newsletters/huddle/2018/06/06/manchin-embraces-maga-dems-dodge-lockout-in-california-gop-scrambles-for-daca-deal-minibus-hits-roadblock-in-house-278911

To change your alert settings, please go to https://secure.politico.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington,

AMERICAN OVERSIGHT

VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Wed 6/6/2018 11:54:20 AM
Subject: POLITICO Huddle, presented by the American Clinical Laboratory Association: DEMS DODGE LOCKOUT IN CALIFORNIA — Manchin embraces MAGA — GOP SCRAMBLES FOR DACA DEAL — Minibus hits roadblock in the House

06/06/2018 07:52 AM EDT

By Heather Caygle (hcaygle@politico.com and @heatherscope)

DEMS DON'T WHIFF IN GOLDEN STATE — After weeks of hand wringing and millions of rescue-mission dollars spent, Democrats are on track to avoid lockouts in a number of key battleground House districts in California. "With the votes still being tallied early Wednesday, Democratic candidates were in second place" in three critical Southern California districts seen as key to winning back the House, Elena Schneider and James Arkin report this morning. Key state-by-state results: https://politi.co/2xIP0RW

Top takeaways from Super Tuesday: 1. Bruised feelings but no lockouts in California ... 2. Trump scores symbolic victory as Republican advances in Golden State gubernatorial race ... 3. California Lt. Gov. Gavin Newsom expected to cruise to governorship ... 4. New Jersey voters send Sen. Bob Menendez a message ... 5. Another good night for Democratic women ... 6. Bernie Sanders' sputtering revolution ... 7. Roby pays after Trump diss. **David Siders, Natasha Korecki, Carla Marinucci and Steven Shepard with much more:** https://politi.co/2Jf49jf

It's not over yet: Votes are still being counted - and current tallies are very close in a number of key House races in California. Track live election results here.

Other election coverage not to miss: Alabama GOP Rep. Martha Roby forced into runoff against former Democrat, via Elena and Daniel Strauss; Feinstein romps to victory in Senate primary, the AP reports; Montana state Auditor Matt Rosendale will face Democratic Sen. Jon Tester, via Scott Bland.

MANCHIN: MAYBE MAGA AIN'T SO BAD — Sen. Joe Manchin really likes President Donald Trump - so much so, the vulnerable West Virginia Democrat hasn't ruled out endorsing him in the 2020 election. Yes, really. More than any other Democrat in Congress, Manchin has positioned himself as a vocal ally of the president, Burgess reports from Ranson, W. Va. "I'm open to supporting the person who I think is best for my country and my state," Manchin told Burgess this week from the driver's seat of his Grand Cherokee. "If his policies are best, I'll be right there."

But Manchin, whose state Trump won by more than 40 points, is a top target for Republicans this fall. "If Joe Manchin says that he votes with the president 50-60 percent of the time? In my book that's a failure," said Manchin's opponent, state Attorney General Patrick Morrisey.

And what about all that hugging? "The president recently mocked Manchin in front of the Senate GOP caucus as trying to hug him all the time — only a slight exaggeration, by Manchin's

AMERICAN OVERSIGHT

telling. 'We just kind of do the man-bump type thing. That's it. And I think he's pulling me as much as I'm pulling him,' Manchin said in describing his physical embraces with the president." Much more from the Mountain State: https://politi.co/2JmexBu

GOP SCRAMBLES FOR DACA DEAL — Republican negotiators are scrambling to reach a DACA deal that would head off an immigration showdown on the House floor. With two Democratic holdouts relenting Tuesday, GOP moderates are now within three signatures of forcing a vote if they can't reach an agreement with Republican hardliners first. The outstanding issue is whether both sides can agree to some sort of legal status for Dreamers. "We want clear, concrete protections for Dreamers and a bridge into the legal immigration system. That's not negotiable," centrist Rep. Carlos Curbelo (R-Fla.) told Huddle while declining to say if he would accept a deal that didn't offer Dreamers a pathway to citizenship.

What's next: Negotiators for both sides will meet with Speaker Paul Ryan (R-Wis.) and other GOP leaders today to continue talks with a full Republican Conference meeting tomorrow. Bres and yours truly: https://politi.co/2M2a1tP

Related read: "I'm not writing one penny to any of them" until DACA is resolved, Florida GOP megadonor Mike Fernandez tells Natasha Korecki.

** **A message from the American Clinical Laboratory Association:** Millions of seniors who depend on lab tests to manage their health are facing reductions in access to Medicare lab testing because of HHS' flawed implementation of the Protecting Access to Medicare Act (PAMA). HHS is putting the nation's most vulnerable seniors at risk. It's time for Congress to act. Learn More. **

ALRIGHT WEDNESDAY, WE'RE DOING THIS. Welcome to June 6 and thanks for reading POLITICO's Huddle, the play-by-play guide to all things Capitol Hill. I'm Heather, your former Huddle host back on the mic for one day only as Nolan is enjoying a little vacay time. Since y'all haven't had me around in a while, here's a cute pic of my pup Biggie Smalls on vacation herself last week.

MINIBUS HITS A ROADBLOCK — House Democratic leaders are urging their members to vote against a normally noncontroversial spending package (known around here as a "minibus") slated for a vote later this week, Sarah Ferris reports. The Democratic plan "threatens to put a chokehold on the GOP's spending strategy this year," she writes. "They're attempting a redo of last year's spending strategy, which forced House GOP leaders into painful negotiations with their divided caucus to put up the 218 votes for spending bills themselves." More: https://politi.co/2JeSbGn

McCABE WANTS IMMUNITY FOR SENATE TESTIMONY — Former FBI Deputy Director Andrew McCabe says he will have "no choice" but to invoke the Fifth Amendment if he is forced to testify before the Senate Judiciary Committee next week about the FBI's 2016 probe into Hillary Clinton without "suitable legal protection," his lawyer said in a letter to the panel. Because McCabe is subject to a referral for criminal prosecution stemming from the inspector general's conclusion that he had lied to investigators, immunity would be required in order to

AMERICAN OVERSIGHT

secure his testimony, Elana reports. More: https://politi.co/2Jf94AJ

BYE-BYE RECESS — After weeks of speculation, Senate Majority Leader Mitch McConnell (R-Ky.) announced Tuesday he was canceling three weeks of the August break. McConnell blamed it on Democratic "obstruction" preventing the quick approval of Trump's judicial and executive branch nominees. But the cancellation has the added bonus of keeping several vulnerable Democratic senators in Washington instead of back home campaigning. "There are 10 Democrats up for reelection in states that Trump won, and just one Senate Republican, Dean Heller of Nevada, who is trying to get re-elected in a state won by Hillary Clinton," Burgess and Elana report.

You've got mail: Senate Minority Leader Chuck Schumer (D-N.Y.) will send McConnell a letter today requesting the Senate use its newfound work time in August to vote on Democratic-backed health care proposals, Elana reports.

Trump weighs in: "Mitch McConnell announced he will cancel the Senate's August Recess. Great, maybe the Democrats will finally get something done other than their acceptance of High Crime and High Taxes. We need Border Security!" the president tweeted at midnight.

The House is unlikely to follow suit, though, according to multiple sources. One key reason? Republican leaders in the House basically have the opposite problem: They have a number of vulnerable members who need to spend that month campaigning in their districts if the GOP wants to avoid a wipeout this fall.

SIGNED, SEALED, DELIVERED — Democratic Rep. Keith Ellison made it official Tuesday, jumping in the Minnesota attorney general's race on the last day candidates could file. Ellison isn't resigning from Congress but won't run for reelection. He also plans to remain deputy chairman of the DNC. Ellison first toyed with entering the race last year, Edward-Isaac Dovere reports, and enters a crowded primary field with high name recognition.

REVOLVING DOOR — Dan Holler, a prolific tweeter and founding staffer for Heritage's lobbying arm, is leaving the organization to join Sen. Marco Rubio's office as deputy chief of staff, Roll Call reports. "The new gig will reunite him with his recent Heritage Action boss Michael Needham, who left in April to become Rubio's chief of staff," writes Kate Ackley.

SADLER OUT AT WHITE HOUSE — Kelly Sadler is no longer at the White House as of Tuesday, nearly a month after the communications aide made a crass comment about Sen. John McCain's health. "The White House had been strategizing an exit for Sadler for the last two weeks, a senior administration official said," CNN's Noah Gray, Kevin Liptak and Pamela Brown reported . It's unclear if Sadler left the administration all together or was relocated somewhere else. Sadler, who came under fire for saying McCain's opposition to Trump's CIA nominee didn't matter because McCain was "dying anyway," never publicly apologized.

TODAY IN CONGRESS — The House meets at 10 a.m. with first votes around 1:30 p.m. and last votes (on amendments to a water resources bill) around 9:30 p.m. tonight. **The Senate** gavels in at 10 a.m. with a confirmation vote on judicial nominee Annemarie Carney Axon at 11 a.m.

AMERICAN OVERSIGHT

AROUND THE HILL — Reps. Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Ruben Gallego (D-Ariz.), Adriano Espaillat (D-N.Y.) and **Darren Soto (D-Fla.)** hold a press conference at 9:30 a.m. in the House triangle on hurricane recovery efforts in Puerto Rico and updated mortality numbers.

Speaker Paul Ryan (R-Wis.), House Majority Whip Steve Scalise (R-La.), GOP Conference Chair Cathy McMorris Rodgers (R-Wash.) and **Rep. Rob Woodall (R-Ga.)** take questions from reporters at 10 a.m. in HC-8.

House Democratic Caucus Chairman Joe Crowley (D-N.Y.) and **Rep. Joaquin Castro (D-Texas)** hold a press conference at 1 p.m. in HVC Studio A.

Rep. Carolyn Maloney (D-N.Y.) and actress **Alyssa Milano** will hold a press conference on the equal rights amendment at 1 p.m. in the House triangle. A forum on the amendment will follow at 3 p.m. in 2247 Rayburn.

TUESDAY'S TRIVIA WINNER — Arik Wolk was the first to guess that George H.W. Bush was first to visit six of the seven continents as president.

TODAY'S TRIVIA — Myles Ambrose with today's question: Twenty of the first 21 vice presidents have a bust in the gallery of the Senate chamber. Who is missing and why? The first person to correctly answer gets a shout out in tomorrow's Huddle. And don't forget, send suggestions for trivia questions my way: hcaygle@politico.com

GET HUDDLE emailed to your phone each morning.

** **A message from the American Clinical Laboratory Association:** Millions of seniors depend on lab tests to manage their health. Yet steep cuts by HHS to vital lab services put seniors on Medicare at great risk. By reducing access to vital lab tests for heart disease, diabetes, cancer, and many other conditions, other health care costs are sure to increase. Worst of all, these cuts will hit the most vulnerable seniors -- like those in nursing homes or in rural areas -- the hardest. HHS has deliberately ignored the law and Congressional intent, which will reduce access to lab testing for America's seniors. Congress must act now to restore the true intent of the Protecting Access to Medicare Act (PAMA) and protect seniors from HHS' penny-wise and pound-foolish approach. Learn More. **

To view online:
https://www.politico.com/newsletters/huddle/2018/06/06/manchin-embraces-maga-dems-dodge-lockout-in-california-gop-scrambles-for-daca-deal-minibus-hits-roadblock-in-house-278911

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd.

AMERICAN OVERSIGHT

Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/4/2018 2:05:49 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Montana marks first step in big Senate year for Club for Growth — Quarreling millionaires, crowded Democratic ballot in Orange County threaten key House district — Poll finds Democrats leading gener...

By Elena Schneider | 06/04/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

BIG SKY TEST — "Montana marks first step in big Senate year for Club for Growth," by Campaign Pro's James Arkin: "Club for Growth President David McIntosh thinks Republicans are being far too bearish in their predictions for the Senate this cycle, and he says it will be a complete failure of party leadership if they lose the upper chamber. McIntosh hopes his conservative organization can help sway critical races for its favored candidates, from hard-fought Republican primaries to campaigns against Democratic incumbents in deep-red states.

"The group's most notable investment so far has been in Tuesday's Montana Senate primary, where it has spent $1.7 million backing state Auditor Matt Rosendale, widely viewed as the Republican front-runner, and attacking his chief opponent, former Judge Russ Fagg. The Club started spending in early May, and those investments helped set the tone for the final weeks of the race to take on Democratic Sen. Jon Tester. Montana is just the earliest preview of the Club's spending plans for this cycle." **Full story.**

ON TUESDAY — "'This is the weirdest race in the country,'" by Campaign Pro's Elena Schneider in Fullerton, Calif.: "Gil Cisneros and Andy Thorburn, two millionaire Democratic candidates for a battleground House district in Southern California, had been attacking each other so ruthlessly that party leaders encouraged them to meet at an Italian restaurant in Los Angeles earlier this month to force a truce: Play nice, or risk forfeiting a top district to Republicans. The armistice, brokered by California Democratic Party Chairman Eric Bauman and the Democratic Congressional Campaign Committee, altered the course of one of the stranger primaries of 2018, replete with party meddling and nasty attacks but few policy differences. Looming above it all is the possibility that two Republicans would advance to the general election to replace Republican Rep. Ed Royce in a district Hillary Clinton carried in 2016." **Full story.**

ICYMI — "California Democrats agonize over House primaries," via Schneider. Full story.

— "Democrats Hope an Asian Influx Will Help Turn Orange County Blue," by The New York Times' Vivian Yee. Full story.

— In CA-48: Democrat Harley Rouda gave his campaign another $300,000, per a new FEC

AMERICAN OVERSIGHT

filing, and also took in several thousand dollars from five Democratic House members.

LAST WEEKEND — "GOP picks Denver Riggleman to replace Rep. Tom Garrett as nominee in Virginia's 5th District," by The Washington Post's Jenna Portnoy: "Republican activists chose Denver Riggleman at a meeting Saturday in central Virginia to replace Rep. Thomas Garrett (R) on the November ballot, following a frenzied five-day campaign. The craft distillery owner and former Air Force intelligence officer will face Democrat Leslie Cockburn, a journalist, author and first-time candidate trying to capitalize on opposition to President Trump in Charlottesville and other liberal enclaves in Virginia's 5th Congressional District." **Full story.**

FIRST IN SCORE — POLLING DATA — House Majority PAC poll finds Democrats leading generic ballot in WA-08: House Majority PAC confirmed to Campaign Pro that it conducted a poll in the open race, which found that Democrats lead the generic ballot, 48 percent to 42 percent. But Republican Dino Rossi, who is better known than the three Democratic candidates, leads the uninformed ballot with 41 percent, followed by Kim Schrier with 17 percent and Shannon Hader with 11 percent. But on the informed ballot, Democrat Jason Rittereiser is the only candidate who matches Rossi in a head-to-head matchup.

"The most important takeaway from this poll is that Dino Rossi can be beaten and, despite spending tens of millions of dollars losing three statewide elections, finds himself in an incredibly vulnerable position. The poll also shows that all of the leading Democrats are competitive with Rossi," HMP's spokesman Jeb Fain said in an emailed statement. **Check out the polling memo here.**

Days until the 2018 election: 155

Upcoming election dates — June 5: Alabama, California, Iowa, Mississippi, Montana, New Jersey, New Mexico and South Dakota primaries — **June 12:** Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Hawaii and Minnesota: June 5 — **Connecticut:** June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, cschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @cc_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

AMERICAN OVERSIGHT

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

FIRST IN SCORE — ON THE AIRWAVES — Renacci pops new attack ad: Ohio Rep. Jim Renacci's Senate campaign is launching a new ad Monday hitting back against an attack ad from Democratic Sen. Sherrod Brown . "You're going to hear a lot from Sherrod 'Full-of-Bull' Brown because a lifelong politician who raises our taxes and broke his pledge on term limits will say anything to stay in Washington," Renacci says to the camera. "And Sherrod, next time you want to spread your bull around, look at the camera and do it yourself." Watch the ad here.

— Sisolak releases positive spot in Nevada governor's race: Democrat Steve Sisolak launched a positive TV ad on Monday, featuring Sisolak's daughters who say he taught them to "stand up to bullies ... like Trump." The ad will air on broadcast and cable stations in in Reno and Las Vegas. **Watch the ad here.**

— One Nation ad praises Hawley's Google investigation: "A new TV ad from One Nation, the nonprofit group allied with GOP Senate leadership, praises Missouri Attorney General Josh Hawley for his office's investigation into Google's privacy protections." **Full story.**

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

FIRST IN SCORE — WEB WARS — The NRSC is launching a new digital ad in Tennessee today highlighting some of President Donald Trump's attacks against former Gov. Phil Bredesen during his rally in Nashville last week. "Bredesen donated a lot of money to the campaigns of Barack Obama and Hillary Clinton, Crooked HIllary," Trump says in the ad. **Watch the ad here.**

BAD HEADLINE — "Top Comstock Challenger Criticized for Fake Cops in Ad," by Roll Call's Griffin Connolly: "A new ad for Jennifer Wexton, a top Democratic challenger to Virginia GOP Rep. Barbara Comstock, briefly features three police officers signing a poster promising 'Change is Coming.' But none of them are actual law enforcement. In fact, one of them is Matt Leslie, Wexton's field director, who, according to his LinkedIn profile, has never been and is not currently police." **Full story.**

CLIP AND SAVE — POLITICO's handy state-by-state guide to primary and registration dates, complete with information on early voting and when polls close, is live. Bookmark it here.

TECH PROBLEMS — "Facebook Tried to Rein In Fake Ads. It Fell Short in a California

AMERICAN OVERSIGHT

Race," by The New York Times' Sheera Frenkel: "Ms. Bateson, a Democrat running for Congress in the California primary on Tuesday, quickly opened up the social network. There, she saw what appeared to be a news article that painted her as underhandedly trying to torpedo the campaign of a rival Democratic candidate. When Ms. Bateson clicked through the article, she was directed to a Facebook page run by Sierra Nevada Revolution, a local progressive group she had clashed with in the past. ... Ms. Bateson's experience underscores Facebook's difficulties as the Silicon Valley company aims to prevent manipulation of its ad system in elections, especially as the midterms loom this November." **Full story.**

SECRET MONEY — "Judge delays order forcing Greitens' political nonprofit to hand over records," by the Kansas City Star's Jason Hancock: "A Cole County judge on Friday delayed an order forcing Gov. Eric Greitens' dark-money nonprofit to turn over documents to the House committee that's been investigating the governor for three months. Circuit Judge Jon Beetem said that because of 'the extraordinary events of this week,' he was delaying the order until after a hearing sought by the nonprofit, A New Missouri Inc. That hearing could come as early as Monday. Beetem on Tuesday had ordered A New Missouri to abide by a subpoena issued by the Missouri House and turn over documents that lawmakers believe might demonstrate efforts to illegally circumvent the state's campaign disclosure laws." **Full story.**

— **American Action Network** on Friday filed a motion for a stay in the case *CREW v. AAN*, in which the Center for Responsibility and Ethics in Washington is suing to force AAN to register as a political committee and disclose its donors. Read the filing **here**. Read the complaint **here**.

GETTING THE NOD — End Citizens United endorsed 5 House candidates: End Citizens United announced that the group is backing five Democratic House candidates: Harley Rouda (CA-48), Amy McGrath (KY-06), Kara Eastman (NE-02), Scott Wallace (PA-01) and Susan Wild (PA-07).

CODA — QUOTE OF THE DAY: "I'm stronger for Tester, I think, than Trump." — A Montana voter told The New York Times.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations: MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker: Which programs should you be targeting?
- Station Ranker: Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for

AMERICAN OVERSIGHT

our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/04/montana-marks-first-step-in-big-senate-year-for-club-for-growth-240346

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/4/2018 2:05:47 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Montana marks first step in big Senate year for Club for Growth — Quarreling millionaires, crowded Democratic ballot in Orange County threaten key House district — Poll finds Democrats leading gener...

By Elena Schneider | 06/04/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

BIG SKY TEST — "Montana marks first step in big Senate year for Club for Growth," by Campaign Pro's James Arkin: "Club for Growth President David McIntosh thinks Republicans are being far too bearish in their predictions for the Senate this cycle, and he says it will be a complete failure of party leadership if they lose the upper chamber. McIntosh hopes his conservative organization can help sway critical races for its favored candidates, from hard-fought Republican primaries to campaigns against Democratic incumbents in deep-red states.

"The group's most notable investment so far has been in Tuesday's Montana Senate primary, where it has spent $1.7 million backing state Auditor Matt Rosendale, widely viewed as the Republican front-runner, and attacking his chief opponent, former Judge Russ Fagg. The Club started spending in early May, and those investments helped set the tone for the final weeks of the race to take on Democratic Sen. Jon Tester. Montana is just the earliest preview of the Club's spending plans for this cycle." **Full story.**

ON TUESDAY — "'This is the weirdest race in the country,'" by Campaign Pro's Elena Schneider in Fullerton, Calif.: "Gil Cisneros and Andy Thorburn, two millionaire Democratic candidates for a battleground House district in Southern California, had been attacking each other so ruthlessly that party leaders encouraged them to meet at an Italian restaurant in Los Angeles earlier this month to force a truce: Play nice, or risk forfeiting a top district to Republicans. The armistice, brokered by California Democratic Party Chairman Eric Bauman and the Democratic Congressional Campaign Committee, altered the course of one of the stranger primaries of 2018, replete with party meddling and nasty attacks but few policy differences. Looming above it all is the possibility that two Republicans would advance to the general election to replace Republican Rep. Ed Royce in a district Hillary Clinton carried in 2016." **Full story.**

ICYMI — "California Democrats agonize over House primaries," via Schneider. Full story.

— "Democrats Hope an Asian Influx Will Help Turn Orange County Blue," by The New York Times' Vivian Yee. Full story.

— In CA-48: Democrat Harley Rouda gave his campaign another $300,000, per a new FEC

AMERICAN OVERSIGHT

filing, and also took in several thousand dollars from five Democratic House members.

LAST WEEKEND — "GOP picks Denver Riggleman to replace Rep. Tom Garrett as nominee in Virginia's 5th District," by The Washington Post's Jenna Portnoy: "Republican activists chose Denver Riggleman at a meeting Saturday in central Virginia to replace Rep. Thomas Garrett (R) on the November ballot, following a frenzied five-day campaign. The craft distillery owner and former Air Force intelligence officer will face Democrat Leslie Cockburn, a journalist, author and first-time candidate trying to capitalize on opposition to President Trump in Charlottesville and other liberal enclaves in Virginia's 5th Congressional District." **Full story.**

FIRST IN SCORE — POLLING DATA — House Majority PAC poll finds Democrats leading generic ballot in WA-08: House Majority PAC confirmed to Campaign Pro that it conducted a poll in the open race, which found that Democrats lead the generic ballot, 48 percent to 42 percent. But Republican Dino Rossi, who is better known than the three Democratic candidates, leads the uninformed ballot with 41 percent, followed by Kim Schrier with 17 percent and Shannon Hader with 11 percent. But on the informed ballot, Democrat Jason Rittereiser is the only candidate who matches Rossi in a head-to-head matchup.

"The most important takeaway from this poll is that Dino Rossi can be beaten and, despite spending tens of millions of dollars losing three statewide elections, finds himself in an incredibly vulnerable position. The poll also shows that all of the leading Democrats are competitive with Rossi," HMP's spokesman Jeb Fain said in an emailed statement. **Check out the polling memo here.**

Days until the 2018 election: 155

Upcoming election dates — June 5: Alabama, California, Iowa, Mississippi, Montana, New Jersey, New Mexico and South Dakota primaries — **June 12:** Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Hawaii and Minnesota: June 5 — **Connecticut:** June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, cschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @cc_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

AMERICAN OVERSIGHT

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

FIRST IN SCORE — ON THE AIRWAVES — Renacci pops new attack ad: Ohio Rep. Jim Renacci's Senate campaign is launching a new ad Monday hitting back against an attack ad from Democratic Sen. Sherrod Brown . "You're going to hear a lot from Sherrod 'Full-of-Bull' Brown because a lifelong politician who raises our taxes and broke his pledge on term limits will say anything to stay in Washington," Renacci says to the camera. "And Sherrod, next time you want to spread your bull around, look at the camera and do it yourself." Watch the ad here.

— Sisolak releases positive spot in Nevada governor's race: Democrat Steve Sisolak launched a positive TV ad on Monday, featuring Sisolak's daughters who say he taught them to "stand up to bullies ... like Trump." The ad will air on broadcast and cable stations in in Reno and Las Vegas. **Watch the ad here.**

— One Nation ad praises Hawley's Google investigation: "A new TV ad from One Nation, the nonprofit group allied with GOP Senate leadership, praises Missouri Attorney General Josh Hawley for his office's investigation into Google's privacy protections." **Full story.**

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

FIRST IN SCORE — WEB WARS — The NRSC is launching a new digital ad in Tennessee today highlighting some of President Donald Trump's attacks against former Gov. Phil Bredesen during his rally in Nashville last week. "Bredesen donated a lot of money to the campaigns of Barack Obama and Hillary Clinton, Crooked HIllary," Trump says in the ad. **Watch the ad here.**

BAD HEADLINE — "Top Comstock Challenger Criticized for Fake Cops in Ad," by Roll Call's Griffin Connolly: "A new ad for Jennifer Wexton, a top Democratic challenger to Virginia GOP Rep. Barbara Comstock, briefly features three police officers signing a poster promising 'Change is Coming.' But none of them are actual law enforcement. In fact, one of them is Matt Leslie, Wexton's field director, who, according to his LinkedIn profile, has never been and is not currently police." **Full story.**

CLIP AND SAVE — POLITICO's handy state-by-state guide to primary and registration dates, complete with information on early voting and when polls close, is live. Bookmark it here.

TECH PROBLEMS — "Facebook Tried to Rein In Fake Ads. It Fell Short in a California

AMERICAN OVERSIGHT

Race," by The New York Times' Sheera Frenkel: "Ms. Bateson, a Democrat running for Congress in the California primary on Tuesday, quickly opened up the social network. There, she saw what appeared to be a news article that painted her as underhandedly trying to torpedo the campaign of a rival Democratic candidate. When Ms. Bateson clicked through the article, she was directed to a Facebook page run by Sierra Nevada Revolution, a local progressive group she had clashed with in the past. ... Ms. Bateson's experience underscores Facebook's difficulties as the Silicon Valley company aims to prevent manipulation of its ad system in elections, especially as the midterms loom this November." **Full story.**

SECRET MONEY — "Judge delays order forcing Greitens' political nonprofit to hand over records," by the Kansas City Star's Jason Hancock: "A Cole County judge on Friday delayed an order forcing Gov. Eric Greitens' dark-money nonprofit to turn over documents to the House committee that's been investigating the governor for three months. Circuit Judge Jon Beetem said that because of 'the extraordinary events of this week,' he was delaying the order until after a hearing sought by the nonprofit, A New Missouri Inc. That hearing could come as early as Monday. Beetem on Tuesday had ordered A New Missouri to abide by a subpoena issued by the Missouri House and turn over documents that lawmakers believe might demonstrate efforts to illegally circumvent the state's campaign disclosure laws." **Full story.**

— **American Action Network** on Friday filed a motion for a stay in the case *CREW v. AAN*, in which the Center for Responsibility and Ethics in Washington is suing to force AAN to register as a political committee and disclose its donors. Read the filing **here**. Read the complaint **here**.

GETTING THE NOD — End Citizens United endorsed 5 House candidates: End Citizens United announced that the group is backing five Democratic House candidates: Harley Rouda (CA-48), Amy McGrath (KY-06), Kara Eastman (NE-02), Scott Wallace (PA-01) and Susan Wild (PA-07).

CODA — QUOTE OF THE DAY: "I'm stronger for Tester, I think, than Trump." — A Montana voter told The New York Times.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations: MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker: Which programs should you be targeting?
- Station Ranker: Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for

AMERICAN OVERSIGHT

our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/04/montana-marks-first-step-in-big-senate-year-for-club-for-growth-240346

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-D-001549

ED_001863D_00001916-00005

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Google Alerts
Sent: Mon 5/28/2018 1:07:24 PM
Subject: Google Alert - "scott pruitt"

"scott pruitt"

Daily update — May 28, 2018

NEWS

Editorial: Terrible media relations dog Scott Pruitt

NonDoc

Be it the controversial Tar Creek audit that then-Attorney General **Scott Pruitt** fought to keep secret or his office's routine delays in responding to open ...

Poison in your drinking water? **Scott Pruitt** won't hear of it | Editorial - NJ.com

Full Coverage

☒☒☒ Flag as irrelevant

Why Pruitt is hiding from the press

CNNMoney

EPA officials blocked some journalists from attending a recent speech by EPA chief **Scott Pruitt**. "I'm not gonna stand for it," says Kildee, a Democrat ...

☒☒☒ Flag as irrelevant

EPA Rollbacks Threaten Air Quality in Our Region

KRWG

Commentary: **Scott Pruitt** has been in the news a lot recently. The EPA Administrator is now the subject of more than a dozen federal investigations, ...

☒☒☒ Flag as irrelevant

Entitlement reform should start at the top

The Hutchinson News

For example, the controversies created by EPA Secretary **Scott Pruitt** have as much to do with his sense of entitlement as his policy decisions.

☒☒☒ Flag as irrelevant

'Daring Democracy' says environmental degradation, racial tension, poverty are intertwined

Press Herald

Self-dealing is rampant in President Trump's cabinet, as demonstrated by Environmental Protection Agency administrator **Scott Pruitt**, the poster boy of ...

☒☒☒ Flag as irrelevant

Don Walton: Legislative races may put filibuster rule in play

Lincoln Journal Star

A question for the elusive **Scott Pruitt**: As administrator of the Environmental Protection Agency, what have you done to protect the environment?

☒☒☒ Flag as irrelevant

Cavazos letter: Republican Party

Idaho Statesman

They could call for the firing of **Scott Pruitt**. They could call out the president when he lies. For the sake of their constituents and our country, I call on ...

☒☒☒ Flag as irrelevant

US grants to aid local projects go to two cities

Arkansas Online

AMERICAN OVERSIGHT

EPA Administrator **Scott Pruitt** said the efforts would "support local farmers, improve public health, protect the environment, and grow local economies.

Flag as irrelevant

Wastewater plants need EPA oversight, group argues
The Florida Times-Union
"We're asking [EPA Administrator] **Scott Pruitt** to put his money where his mouth is," PEER Executive Director Jeff Ruch said about the letters, which ...

Flag as irrelevant

Critical of Gianforte
Montana Standard
Why doesn't he say anything about the wasteful spending by cabinet members like **Scott Pruitt**? Or spending millions on a military parade?

Flag as irrelevant

See more results | Edit this alert

You have received this email because you have subscribed to **Google Alerts**.
Unsubscribe | View all your alerts

Receive this alert as RSS feed

Send Feedback

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Hassell, Emily
Sent: Tue 4/17/2018 8:28:21 PM
Subject: News Clips - 17 April 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Superfund

NPR - EPA Takes Toxic Site Flooded By Harvey Off Special Cleanup List

BNA - Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

Administrator Pruitt Coverage

Washington Examiner - Scott Pruitt didn't sign off on those big EPA pay raises, inspector general finds

Politico - Homebuilders paid for Pruitt's Colorado hotel stay

Politico - Grassley: Pruitt is 'a loose cannon'

MSNBC - Why would an EPA chief need a car with 'Kevlar-like seat covers'?

AMERICAN OVERSIGHT

The Hill - EPA chief upgraded official car to one with bulletproof seat covers

Washington Post - Pruitt upgraded to a larger, customized SUV with bullet-resistant seat covers

Bloomberg - EPA Chief of Staff Approved Raises for Aides, Watchdog Finds

The Hill - Watchdog: Pruitt's chief of staff responsible for aides' controversial raises

CNN - EPA watchdog: Two Pruitt aides received earlier raises

Politico - Barrasso seeks information on Pruitt email accounts

AP - EPA chief has at least 4 government email accounts

The Hill - GOP chairman probes Pruitt's four email addresses

Washington Post - Head of Senate committee now seeks answers on Scott Pruitt's email practices at EPA

Washington Post - The latest Pruitt revelations are the swampiest. He should be long gone. (*Editorial)

Reuters - EPA must explain why Pruitt's $43,000 phone booth was legal: Republican senator

AMERICAN OVERSIGHT

Bloomberg - EPA's $43,000 Secure Phone Booth Came With Sound-Trapping Vents

NPR - Who's In Charge? Potential Leadership Shake-Ups Leave Agencies In Limbo

General

The Hill - Trump team continues to roll back the regulatory state (*Op-Ed)

E&E Climatewire - Talk of climate, controversies banned in Pruitt meeting

Reuters - Bipartisan senators' group demands EPA disclose small refinery hardship recipients

The Hill - Coast Guard bill would weaken water pollution rules, environmentalists say

BNA - Smaller Bites in EPA Air Chief's Second Pass at Permitting Update

Reuters - Air quality linked to cardiac 'events,' heart disease patients unaware

AP - Chicago, surfers criticize US Steel spills settlement

AMERICAN OVERSIGHT

+++

NPR

https://www.npr.org/sections/thetwo-way/2018/04/16/601867839/epa-takes-toxic-site-flooded-by-harvey-off-special-cleanup-list

EPA Takes Toxic Site Flooded By Harvey Off Special Cleanup List

By Rebecca Hersher, 4/16/18, 5:31 PM

The Environmental Protection Agency has removed a toxic waste site flooded by Hurricane Harvey from a special list of contaminated sites that require the personal attention of the agency's leader, because it says there's been significant progress on a cleanup plan.

The San Jacinto Waste Pits are a heavily contaminated area near Houston that is right next to homes and schools, and that has frightened residents for decades. Monday's decision to take it off the list, and to add other sites, underscores the delicate equilibrium between rigorously protecting public health and expediting the cleanup of toxic waste areas across the country. EPA Administrator Scott Pruitt calls this a priority for his agency.

Last year, Pruitt appointed a task force to recommend ways to speed up decisions about toxic waste sites. One of their recommendations was that Pruitt personally push for legally-binding cleanup plans at a handful of locations.

One of those sites was the San Jacinto Waste Pits. It's a pair of pits in the middle of the San Jacinto River that were used as a dumping area for toxic waste from a paper mill in the 1960s. The area full of chemicals called dioxins and furans, and the Texas Parks and Wildlife Department warns people should not eat fish and crabs from the area because the animals may be contaminated.

AMERICAN OVERSIGHT

It took decades for the site to get any federal attention.

In 2008, the EPA added the San Jacinto Waste Pits to the National Priorities List of Superfund sites, which is meant to funnel money and attention to toxic areas that are a threat to human health. The Superfund program has been plagued with budget shortfalls for years, and nationwide, many communities have complained that cleanup progress is slow, inadequate or both.

For years before Hurricane Harvey, progress on the pits was slow and the two companies responsible for the waste opposed any plan that required them to remove any contaminated rock and dirt.

"For folks who live near the site or see that site every single day, [remediation] can't happen fast enough," says Jacqueline Young of Texas Health and Environment Alliance, an advocacy group that leads the local effort to clean up the pits. But, she adds, "we need to take time to make sure that all the fine details can be worked out. At the end of the day, we have hundreds of thousands of cubic yards of contaminated material in a dynamic river, and that's not something that you can just go in and start digging."

In 2011, the EPA oversaw the installation of a temporary concrete cap meant to protect the river from contamination while the agency and the two companies came up with a more permanent cleanup plan. That still left the site vulnerable to rainstorms or hurricanes, since Houston lies along the flood-prone Gulf.

When Hurricane Harvey inundated the area last year, the normally-placid San Jacinto became a raging torrent of muddy water that ripped away chunks of the temporary caps. Inspectors found a plume of contamination both up and downstream from the pits.

When the water subsided, EPA administrator Scott Pruitt visited the site, and promised to expedite the clean up. Less than a month later, the EPA announced a $115 million plan to remove the contaminated material, and last week, a judge signed off on an agreement that requires the two companies responsible for the waste to develop specific cleanup plans for both

AMERICAN OVERSIGHT

pits.

Today's announcement that the waste pits no longer need Pruitt's personal attention cited "cleanup activities progress and completion of specific milestones and timelines." A former copper mine in Nevada was also removed, and three other areas in California, Delaware and Minnesota were added to the list.

For the San Jacinto Waste Pits, the two companies have 29-months to come up with a specific cleanup design. Rock Owens, an environmental lawyer with the office of the Harris County Attorney, notes this means at least two more hurricane seasons will pass before waste material is actually removed.

Both Owens and Young, of the Texas Health and Environment Alliance, credit the relatively fast pace of recent EPA decision-making in part to the Pruitt's personal attention. "Scott Pruitt has made it clear that Superfund sites are a high priority," says Owens.

Now that the EPA chief's attention is shifting to contaminated sites elsewhere in the country, Young says her group will be watching carefully to make sure companies don't fall behind schedule.

"Folks are not particularly excited about the 29-month estimate," says Young. She notes that even though many environmental advocates agree with the current pace of cleanup planning at the waste pits, people who live near the site are understandably concerned about the immediate risk of another flood.

"We will do everything we can to make sure the plan moves forward and doesn't take any longer than it needs to," she says.

AMERICAN OVERSIGHT

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183084&item=408&prod=deln&cat=A

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/17/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

AMERICAN OVERSIGHT

Cass Lake, Minn

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

AMERICAN OVERSIGHT

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Politico

AMERICAN OVERSIGHT

https://www.politicopro.com/agriculture/article/2018/04/homebuilders-paid-for-pruitt-hotel-stay-488318

Homebuilders paid for Pruitt's Colorado hotel stay

By Lorraine Woellert, 4/17/18, 1:12 PM

A group of Colorado homebuilders paid for a luxury hotel stay last fall for EPA chief Scott Pruitt, eight months after the Trump administration began work on a major priority for their industry by unwinding an Obama-era wetlands regulation.

During his visit to Colorado Springs, Pruitt gave a speech to the builders and invited them to EPA headquarters in Washington, where he later told his staff to regard them as the agency's "customers," the head of the group told POLITICO.

The $409.12 hotel stay may have met federal legal requirements if EPA's ethics officers had approved it ahead of time. But it's likely to add to the storm of ethics controversies surrounding Pruitt, who faces scrutiny from EPA's inspector general, the White House and members of Congress for his travel and security spending and a $50-a-night Capitol Hill rental he accepted from the wife of an energy lobbyist.

The $409 hotel room "might be the least of his problems, but it's emblematic of all his problems," said Virginia Canter, an ethics lawyer for Citizens for Responsibility and Ethics in Washington, a nonprofit watchdog group.

"It's one thing when a head of an agency or senior official is engaged in legitimate outreach," Canter added. "But to give a speech, accept a benefit of overnight lodging, then a few weeks later instruct your staff that these are your clients strikes me as inappropriate. At a minimum it raises an appearance issue."

Pruitt is known to actively seek speaking slots at events with key groups with a stake in the agency's actions. A former staffer, Kevin Chmielewski, has told lawmakers that Pruitt directed his staff to find places he could visit, congressional Democrats wrote in a letter last week. A former lobbyist also recalled Pruitt and his staff persistently asking for an invite to a

AMERICAN OVERSIGHT

conservative event that fundraisers frequently attend.

EPA spokesman Jahan Wilcox did not immediately respond to requests for comment about the travel arrangements.

Pruitt agreed to speak to the Housing and Building Association of Colorado Springs after it offered to cover his expenses, including his flights and $409.12 to put him up at The Broadmoor, a lakeside golf resort, on Oct. 4, according to the builder group's chief executive officer, Renee Zentz. The hotel advertises itself as "a legendary Forbes Five-Star and AAA Five-Diamond resort with impeccable service and distinctive amenities."

EPA never billed the trade group for his flights, Zentz said in an interview. And while Pruitt stayed at The Broadmoor as the group had agreed, his entourage spent the night at a different hotel, Zentz said.

"We didn't pay for his team but we paid for him. That was the agreement when we talked to him," Zentz said. "We just wanted to get him here, we were just so excited to have him."

The trip's headline event was a Pruitt speech to a lunch gathering of about 150 people on Oct. 5, Zentz said. In a stroke of good timing, board members from the National Association of Home Builders were meeting in nearby Santa Fe, N.M., and flew up for the event. NAHB President Jerry Howard hustled in from Washington to moderate Pruitt's remarks.

The group's invitation describes the event as "a rare opportunity to hear directly from the EPA administration" and "our chance to make sure the concerns of our industry are being listened to."

"It just was an awesome opportunity," Zentz said. "It was a pretty big feather in our cap locally."

Builders rank among Pruitt's biggest supporters, even amid his recent spate of negative headlines. They also have lauded the administration's efforts to roll back regulations on clean

AMERICAN OVERSIGHT

water and storm runoff, including a sweeping Obama-era EPA regulation called Waters of the United States that several industries have denounced as a multibillion-dollar drag on the economy. Granger MacDonald, then-chairman of the National Association of Home Builders in Washington, was at the White House in February 2017 when President Donald Trump signed an executive order that took the first step toward undoing that rule, one of his first acts in office.

Pruitt, who attended the signing ceremony, has since set about crafting a much more limited regulation to protect waterways and wetlands. Environmental groups have said the move could leave 60 percent of U.S. stream miles and 20 million acres of wetlands unprotected and vulnerable to development or pollution.

Before the October lunch in Colorado Springs, Pruitt sat down to an invitation-only coffee with about 20 business owners and builders, who complained about EPA's approach to stormwater controls and other regulations. At the end of that meeting, Pruitt instructed staff to arrange a meeting in Washington with industry representatives, Zentz said.

That meeting took place at EPA headquarters on Oct. 24, when Pruitt and his staff met with eight to 10 industry representatives, including a Colorado builder from Zentz's group.

Pruitt "wanted to hear from our districts. He called a representative from every single district," Zentz said. "He put his staff in the room and said, 'This is our customer, this is who we're going to listen to.'

"He told his staff, 'These are our customers,'" Zentz said. "He listened."

Federal law allows government officials to accept travel reimbursement, including hotel stays, with prior approval from agency officers. But even if the agency had approved the room, it was inappropriate, CREW's Canter said.

"It appears to be abuse of the travel approval," she said. "It's not intended to be used to provide luxury accommodations to the head of the agency so he can turn around two weeks later and say we give these guys favorable treatment."

AMERICAN OVERSIGHT

Politico

https://www.politicopro.com/agriculture/whiteboard/2018/04/grassley-pruitt-is-a-loose-cannon-1044358

Grassley: Pruitt is 'a loose cannon'

By Helena Bottemiller Evich, 4/17/18, 11:56 PM

Sen. Chuck Grassley today conveyed his continued frustration over the Trump administration's mixed messages on the Renewable Fuel Standard, telling reporters he sees EPA Administrator Scott Pruitt as "a loose cannon."

During his weekly call with reporters, the Iowa Republican lauded the news last week that the administration will green-light the year-round sale of E15, or gasoline blends containing 15 percent ethanol, but he criticized Pruitt as being out of step with President Donald Trump on the issue.

"I believe that Pruitt is a loose cannon, not carrying out the president's wishes," Grassley said.

Iowa's senior senator, one of the most vocal defenders of the RFS, has said previously that he's frustrated Pruitt has exempted more than twice as many small oil refiners as the Obama administration ever did, decreasing demand for ethanol.

"He gives with one hand and takes away with the other," he said of Pruitt during today's call.

AMERICAN OVERSIGHT

Grassley and a dozen fellow senators sent a letter last week to President Trump asking him to direct Pruitt to cease issuing RFS waivers until the agency can proceed in a more "transparent and impartial manner." They told Trump that EPA is using its authority to issue "hardship" waivers to small refiners "in an unprecedented manner to benefit some of the largest refiners in the nation," which, they said, undermines the White House's commitment to the RFS.

Agriculture Secretary Sonny Perdue told lawmakers last week that he agrees EPA is misusing the agency's authority to grant waivers to some refiners. Perdue said he has asked EPA for more information about the waivers it has granted, and Pruitt has promised to gather it as soon as possible.

MSNBC

http://www.msnbc.com/rachel-maddow-show/why-would-epa-chief-need-car-kevlar-seat-covers

Why would an EPA chief need a car with 'Kevlar-like seat covers'?

By Steve Benen, 4/17/18, 11:20 AM, UPDATED 12:02 PM

Yesterday was not a good day for embattled EPA Administrator Scott Pruitt. We've known for a while that the Oklahoma Republican spent tens of thousands of taxpayer dollars on a soundproof phone booth for reasons that have never made any sense, but we learned yesterday that as far as the Government Accountability Office is concerned, the purchase violated federal spending laws.

But that doesn't mean things can't get worse for the far-right EPA chief. Take this new Washington Post report, for example.

AMERICAN OVERSIGHT

Environmental Protection Agency Administrator Scott Pruitt upgraded his official car last year to a costlier, larger vehicle with bullet-resistant covers over bucket seats, according to federal records and interviews with current and former agency officials.

Recent EPA administrators have traveled in a Chevrolet Tahoe, and agency officials had arranged for Pruitt to use the same vehicle when he joined the administration in February. But he switched to a larger, newer and more high-end Chevy Suburban last June.

The article added that the head of Pruitt's security detail "subsequently approved the addition of Kevlar-like seat covers to the vehicle at a cost of hundreds of dollars."

That's the same security official, Pasquale "Nino" Perrotta, who's reportedly "clashed – at least once physically – with top E.P.A. officials who challenged Mr. Pruitt's spending, and has steered at least one E.P.A. security contract to a business associate."

This is what's become of the Environmental Protection Agency in the Donald Trump era.

For what it's worth, it would be easier to justify "bullet-resistant covers" for Scott Pruitt's seats if there were evidence of expansive security threats against the EPA chief, but there aren't. The latest documents from the agency show those security threats don't really exist. (The career EPA staffer who approved this evidence was removed from his post.)

And, of course, Pruitt's "Kevlar-like seat covers" are also emblematic of Pruitt's paranoia. As we discussed just yesterday, for example, the EPA chief also explored the possibility of getting a bullet-proof desk.

This fit into an amazing pattern. Pruitt, for example, has a massive, around-the-clock security detail. He's spent thousands of taxpayer dollars on a professional sweep of his office searching for possible surveillance devices. And thousand more on a sound-proof phone booth. And thousands more on first-class air travel, apparently afraid of the riff raff who fly coach.

AMERICAN OVERSIGHT

CNN reported that the EPA's custodial staff is not allowed to enter Pruitt's office on their own, and in the hallway around Pruitt's office, "security employees check government IDs against a list of employees who are approved for access."

And before you think Trump keeps this guy around because he's ruthlessly effective at gutting environmental safeguards, let's also not forget that reports on Pruitt's competence have been greatly exaggerated.

The Hill

http://thehill.com/policy/energy-environment/383517-epa-chief-upgraded-his-official-car-to-one-with-bullet-proof-seat

EPA chief upgraded official car to one with bulletproof seat covers

By Miranda Green, 4/17/18, 11:31 PM

Add bulletproof seat covers to the list of items Environmental Protection Agency (EPA) Administrator Scott Pruitt requested last year as additional security measures.

Pruitt upgraded his official car last June from the traditional Chevrolet Tahoe SUV to a higher-end Chevy Suburban with bullet-resistant covers over the car's bucket seats, The Washington Post reported Tuesday.

The new car was ordered last May and cost the government $10,200 for a one-year lease,

AMERICAN OVERSIGHT

according to federal spending records. Records show that EPA requested upgrades to the vehicle which included Wi-Fi, GPS navigation, second-row bucket seats and a leather interior. The upgrades were an additional $300 per month.

Pruitt wanted the larger car because it was similar to those used by other Cabinet officials, a former EPA official told the Post.

The official said that the bulletproof seats, made of the same kevlar used in bulletproof vests, was approved by the head of Pruitt's security detail, Pasquale "Nino" Perrotta. The covers cost hundreds of dollars, according to the source.

Federal records show that the government continued the lease on the 2014 Chevy Tahoe previously used by former EPA chief Gina McCarthy, but current and former staffers say the car has been sitting unused at EPA headquarters. The rental, renewed Feb. 2, 2017, cost more than $9,000.

Democratic lawmakers provided their own details on Pruitt's vehicle security requests in a letter they sent to President Trump last week, where they included notes taken with former EPA aide Kevin Chmielewski.

In those notes, they said that Chmielewski "provided several examples of wasteful security spending" which included, "the purchase of bulletproof vests and weapons, biometric locks, a security sweep of your office, [and] one or more new SUVs for your travel."

Pruitt has raised eyebrows in the past for novel security requests including the need for first-class travel and an around-the-clock security team.

EPA spokesman Jahan Wilcox said that EPA has "no bulletproof vehicles" nor did it ever seek "any contracts for bulletproof vehicles," but declined to comment on reports of the Suburban upgrade and use of bulletproof car seat covers.

AMERICAN OVERSIGHT

"Security decisions are made by EPA's Protective Service Detail and are similar to security protocol across the federal government," Wilcox said in a statement Tuesday.

Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/04/17/pruitt-upgraded-to-a-larger-customized-suv-with-bullet-resistant-seat-covers/?utm_term=.3654a31394ac

Pruitt upgraded to a larger, customized SUV with bullet-resistant seat covers

By Juliet Eilperin and Brady Dennis, 4/17/18, 10:00 AM

Environmental Protection Agency Administrator Scott Pruitt upgraded his official car last year to a costlier, larger vehicle with bullet-resistant covers over bucket seats, according to federal records and interviews with current and former agency officials.

Recent EPA administrators have traveled in a Chevrolet Tahoe, and agency officials had arranged for Pruitt to use the same vehicle when he joined the administration in February. But he switched to a larger, newer and more high-end Chevy Suburban last June.

One former EPA official, who spoke on the condition of anonymity out of fear of retaliation, said that Pruitt remarked that he wanted the larger car because it was similar to ones in which some other Cabinet officials rode. The first year's lease of the vehicle cost $10,200, according to federal contracting records.

The records show that the EPA administrator's office signed a lease in June on the Suburban, paying more than $300 extra per month for upgrades such as a leather interior, bucket seats in the second row and WiFi and GPS navigation. A representative at the Maryland-based company who provided the lease said the "LT" model that the EPA requested represents an upgrade from

AMERICAN OVERSIGHT

the "LS" model that is typical on government leases.

The monthly payment on the vehicle is $839, according to the contract.

The head of Pruitt's security detail, Pasquale "Nino" Perrotta, subsequently approved the addition of Kevlar-like seat covers to the vehicle at a cost of hundreds of dollars, according to one official, on the grounds that it served as a security precaution. Two current EPA officials confirmed both the rental of the Suburban and the seat covers.

Separately, federal records also show that the EPA administrator's office awarded another contract last month to a leasing company based in Connecticut for a 2018 Suburban with four-wheel-drive, extra captain's chairs, a sunroof and GPS navigation. A representative at the company said it doesn't appear that the agency has taken possession of that vehicle. The representative declined to disclose any additional details on the arrangement, citing government confidentiality agreements.

Meanwhile, the 2014 Chevy Tahoe with four-wheel-drive that was used by Gina McCarthy, Pruitt's predecessor as EPA administrator, has largely sat idle at the EPA's headquarters, according to several current and former staffers. The agency had its lease renewed on Feb. 2, 2017, at a cost of $9,180.

An EPA official on Monday said the agency was looking into the matter.

The decision to customize a larger SUV is the latest instance of Pruitt seeking more elaborate trappings than his predecessors. He currently faces a congressional probe into his repeated use of first-class travel as well as other matters, such as a security sweep of his office and the installation of biometric locks. On Monday, the Government Accountability Office concluded that the administrator had violated federal spending laws by installing a secure phone booth in his office that cost taxpayers roughly $43,000.

AMERICAN OVERSIGHT

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/epa-pay-raises-scott-pruitt-inspector-general

Scott Pruitt didn't sign off on those big EPA pay raises, inspector general finds

By John Siciliano, 4/16/18, 4:23 PM

Environmental Protection Agency chief of staff Ryan Jackson signed off on most of the high-profile pay raises that have landed EPA chief Scott Pruitt in hot water in recent weeks, the EPA inspector general said Monday.

Although Pruitt did authorize tens of thousands of dollars in pay raises for select employees, the biggest pay hikes came at the behest of Jackson, according to the inspector general.

The inspector general's preliminary report was sent to Pruitt as an update on its ongoing investigation into whether the EPA broke the law in giving a group of lobbyists and others jobs at the agency with huge pay raises in the last year.

The highest five-figure pay raises for two aides were authorized by Jackson. He had said last week that he authorized the pay raises, not Pruitt.

The pay raises are part of a growing list of concerns by lawmakers and others over Pruitt's running of the agency and whether the White House should force him to resign. The White House is reviewing Pruitt's actions as well.

In half of the six cases, Jackson had signed off on tens of thousands of dollars in raises using Pruitt's signature, the inspector general said. Two of the employees had increases of between 67 and 72 percent.

AMERICAN OVERSIGHT

"The authorizations for three of these original actions were personally signed by the administrator; the other three authorizations were signed by the chief of staff 'for Scott Pruitt,'" read the IG report. In many of the cases, Jackson had both requested and authorized the changes.

Most of Pruitt's pay raise approvals were for lesser amounts than Jackson's, but still large. Six months after joining the agency, Pruitt signed off on a title change for one employee with a 26.7 percent pay increase.

The inspector general report also noted that the EPA has not given the office any documentation indicating changes to the employees' pay raises. "The agency was unable to provide us with complete information or confirmation of any modifications," it stated.

Pruitt had said in an interview with Fox News that he had killed the massive pay raises for the two aides when he learned about them.

Both Democrats and Republicans are probing the pay raises as well as Pruitt's expensive travel and security expenses.

A separate watchdog report issued Monday by the Government Accountability Office showed Pruitt violated the law by building a $43,000 soundproof phone booth in his office.

The inspector general report released Monday is a preliminary showing of the facts, without any conclusions or recommendations made. The inspector general will continue its audit of EPA's hiring practices, it said.

AMERICAN OVERSIGHT

Bloomberg

https://www.bloomberg.com/news/articles/2018-04-16/epa-chief-of-staff-approved-raises-for-top-aides-report-finds

EPA Chief of Staff Approved Raises for Aides, Watchdog Finds

By Ari Natter and Jennifer A Dlouhy, 4/16/19, 9:00 AM, Updated 5:11 PM

EPA Administrator Scott Pruitt's chief of staff signed off on controversial raises for employees of as much as 72 percent, according to the agency's internal watchdog.

The Environmental Protection Agency's inspector general released documents Monday showing Chief of Staff Ryan Jackson authorized three of those salary increases using an obscure provision of the Safe Drinking Water Act.

That buttresses Jackson's assertion last week that he, not Pruitt, was responsible for the raises -- and that the EPA administrator had no knowledge of the amount of the increases nor the method by which they came about. In authorizing the raises, the EPA effectively overruled White House officials who had objected to at least two of the salary increases.

Pruitt said in a Fox News interview earlier this month that he didn't authorize two of the raises and didn't know who did. "It should not have been done," Pruitt said in the interview that aired April 4. "There will be some accountability."

The documents released Monday were included in a so-called "management alert" tied to the inspector general's ongoing probe of how the EPA has used its special hiring authority under the Safe Drinking Water Act to fill "administratively determined" positions.

Under that law, the EPA administrator has the authority to fill as many as 30 scientific, engineering, professional, legal or administrative positions without undergoing the customary civil service hiring process. The approach, which enables an EPA administrator to swiftly bring

AMERICAN OVERSIGHT

on staff, also has been used by Pruitt's predecessors.

The inspector general didn't make any judgment about the appropriateness of the actions or say whether Pruitt knew about the raises. The alert "does not present any conclusions or recommendations," Inspector General Arthur A. Elkins Jr. said in a memo on the ongoing audit.

EPA spokesman Jahan Wilcox said the agency welcomed the review and was cooperating with inquiries into its hiring practices.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison and career human resources officials," with an eye on avoiding disparities, Wilcox said in an emailed statement. "Salaries are based on work history, and, any increases are due to either new and additional responsibilities or promotions."

Completed personnel forms contained in the inspector general's alert show that Jackson signed off on the salary increases in two places: both under "action requested by Ryan T. Jackson, chief of staff" and under "action authorized by E. Scott Pruitt, administrator." In the second, authorization box, Jackson signed "Ryan Jackson for Scott Pruitt."

Pruitt did sign off on the initial decision to hire the three aides, according to included forms. The inspector general's alert does not name the staff members. Based on information contained in the forms cross-referenced with data in separate documents obtained by the Nick Surgey, co-director of the watchdog group Documented, they are believed to be Director of Scheduling and Advance Millan Hupp, Senior Counsel Sarah Greenwalt and Brittany Bolen, a deputy associate administrator for policy.

Hupp and Greenwalt both worked for Pruitt when he was Oklahoma's attorney general.

One of the employees secured two successive raises amounting to a 67.6 percent increase -- worth $66,244. A second aide ended up with $114,590, after two raises worth 72.3 percent overall. A third raise for one of the employees Pruitt personally hired was modest by comparison: a 1.6 percent increase that brought that person's salary to $151,700.

AMERICAN OVERSIGHT

The raises have now been reversed and future salary change requests will be submitted through the Office of Presidential Personnel for evaluation, Jackson said in a written statement last week.

Separately, the EPA defended its decision to install a soundproof privacy booth in Pruitt's office at a cost of $43,238, in a letter to the Government Accountability Office obtained by Bloomberg News.

The expenditure didn't run afoul of law requiring congressional notification for expenditures of more than $5,000 for improvements to an agency head's office because it was needed for official agency business, Kevin Minoli, the EPA's principal deputy general counsel, wrote in a March 23 letter to the GAO.

A former EPA employee told lawmakers Pruitt surpassed the $5,000 budget he was given to redecorate his office by purchasing an additional standing desk, paying to rent art from the Smithsonian Institution and framing an 8-by-10-foot American flag. Some security-related spending on Pruitt's office, including the installation of biometric locks, was considered outside the $5,000 limitation, according to emails released to the watchdog group American Oversight under an open records request.

The Hill

http://thehill.com/policy/energy-environment/383395-watchdog-pruitts-chief-of-staff-responsible-for-aides-controversial

Watchdog: Pruitt's chief of staff responsible for aides' controversial raises

By Timothy Cama, 4/16/18, 3:01 PM

AMERICAN OVERSIGHT

Environmental Protection Agency (EPA) Administrator Scott Pruitt's chief of staff was responsible for controversial raises given recently to three aides.

In a Monday report, the EPA's Office of Inspector General (OIG) concluded, based on documents provided to investigators by the agency, that Ryan Jackson signed off on the five-figure raises, but indicated that Pruitt authorized them.

The OIG's report doesn't identify the employees who got the raises. But based on the details in the report, two of them appear to be Pruitt's scheduling director Millan Hupp and senior counsel Sarah Greenwalt, and the EPA declined to identify the third one.

The Atlantic first reported on the Hupp and Greenwalt raises earlier this month.

Jackson increased the aides' pay using a special authority the EPA has under the Safe Drinking Water Act, after the White House rejected the EPA's request to make the raises through the normal procedure for political appointees.

EPA spokesman Jahan Wilcox said the raises followed standard agency procedures.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials," he said in a Monday statement.

"Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions. Salary determinations are made to avoid disparities among positions of equivalent or similar responsibilities, to the extent possible."

The OIG report corroborates Jackson's assertion last week that he was solely responsible for them. But Pruitt had told Fox News the week prior that he knew nothing about the raises, despite Jackson adding "for Scott Pruitt" after his signature on the forms, copies of which the OIG

AMERICAN OVERSIGHT

attached to its report.

Pruitt said he reversed the raises for Hupp and Greenwalt after the uproar over them, but the OIG did not have the information to confirm that.

The raises were one of a series of scandals involving Pruitt that emerged in recent weeks, along with his apartment rental from a lobbyist for $50 per night he spent there and lavish spending on security and other costs.

Kevin Chmielewski, formerly Pruitt's deputy chief of staff for operations, told congressional investigators last week that although Jackson signed off on the raises, Pruitt knew about the entire process.

In fact, the documents reviewed by the OIG show that Jackson signed "Ryan Jackson for Scott Pruitt" in one of the placed authorizing the raises.

House Oversight and Government Reform Committee Chairman Trey Gowdy (R-S.C.) last week asked Pruitt to make Jackson, Hupp and Greenwalt available for transcribed interviews as part of a wide-ranging investigation he is conducting into numerous Pruitt scandals.

Monday's OIG report was a brief "management alert." The watchdog is also working on a wider audit of the EPA's use of the Safe Drinking Water Act for personnel hiring.

The law lets the agency hire up to 30 people at a time without regard to rules for civil service employees or political appointees — including the need to get White House approval for raises. Congress passed the legal provision to enable the EPA to better attract scientists and experts, but it did not put those restrictions on the agency.

The EPA has used the law to hire people in policy, public relations, scientific and other roles across the agency.

AMERICAN OVERSIGHT

CNN

https://www.cnn.com/2018/04/16/politics/epa-pruitt-pay-raises/index.html

EPA watchdog: Two Pruitt aides received earlier raises

By Gregory Wallace, 4/16/18, 5:29 PM

Washington (CNN) -- The two aides to Environmental Protection Agency Administrator Scott Pruitt who received substantial raises also each received an earlier pay increase, according to an agency inspector general report released Monday.

The aides are not identified by name in the report, but multiple details, including salary information, correspond with an account first reported by The Atlantic. A former deputy chief of staff to Pruitt later briefed congressional investigators about the raises.

The documents show the two aides' raises were signed off by Pruitt's chief of staff, Ryan Jackson, who in some instances signed his name "Ryan Jackson for Scott Pruitt" on Pruitt's stationary.

Whether the raises were granted with or without Pruitt's knowledge has emerged as a key question, both because of the size of the raises and the White House's previous decision to turn down pay bumps for the aides. One of the two aides wrote in an email to human resources that her raise was approved by the administrator.

Pruitt insisted in a recent interview that he did not know the raises were being granted.

AMERICAN OVERSIGHT

"I did not," Pruitt told Fox News earlier this month. "We are in the process of finding out how it took place and correcting that," he said, adding he was unaware who signed off on the raises.

One of the aides, identified by The Atlantic as EPA attorney Sarah Greenwalt, was initially hired with a salary of nearly S98,000. After her second raise, Greenwalt was earning slightly more than $164,000.

The other aide, scheduler Millan Hupp, was hired with a $66,500 salary. Following a promotion and her previously reported raise, Hupp's salary reached $114,600.

EPA spokesman Jahan Wilcox said the agency cooperated with the ongoing inspector general probe.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials," Wilcox said. "Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions."

The inspector general's office has been looking into certain EPA hiring practices since January. Monday's report is an interim report while the inspector general continues to probe the matter.

The report also documents several other instances where EPA employees received raises. In one instance, the raise was personally approved by Pruitt. The inspector general did not conclude any wrongdoing based on Pruitt's signature, but noted that it indicates "direct involvement by the Administrator" in a pay raise.

AMERICAN OVERSIGHT

Politico

https://www.politicopro.com/energy/whiteboard/2018/04/barrasso-seeks-information-on-pruitt-email-accounts-1038726

Barrasso seeks information on Pruitt email accounts

By Anthony Adragna, 4/17/18, 6:37 PM

Senate Environment and Public Works Chairman John Barrasso (R-Wyo.) is wading into oversight of embattled EPA Administrator Scott Pruitt, raising questions about his use of multiple official email accounts.

In a letter sent Friday, Barrasso asked Pruitt to identify all official accounts he uses and to confirm that all are searched in response to public records requests.

Barrasso's letter comes after two Democratic EPW senators — Tom Carper (D-Del.) and Jeff Merkley (D-Ore.) — revealed Pruitt had four accounts in a letter last week.

In response to Barrasso's letter, an agency spokesman said today: "We will respond to Chairman Barrasso through the proper channels."

The agency said in response to the initial Democratic letter that it searches all of Pruitt's accounts in response to FOIA requests.

Spokesman Jahan Wilcox said the agency "maintains three email accounts which are attributed to Administrator Pruitt: two are used by staff for calendaring and public correspondence; the third is used by the Administrator. A fourth email account was created for use by the Administrator but was superseded and never used beyond three test emails."

AMERICAN OVERSIGHT

AP

https://apnews.com/9ea39bf7dd8346cdba4734c3a542c9be/EPA-chief-has-at-least-4-government-email-accounts

EPA chief has at least 4 government email accounts

By Michael Biesecker, 4/17/18

WASHINGTON (AP) — The Republican chairman of a Senate committee is pressing Environmental Protection Agency Administrator Scott Pruitt to explain his use of multiple government email addresses.

Senate Environment and Public Works Chairman John Barrasso asked Pruitt to disclose all his email addresses and affirm that all were being searched in response to Freedom of Information Act requests.

EPA spokesman Jahan Wilcox said Tuesday that EPA maintains two email addresses for Pruitt used by his staff for public correspondence and keeping his calendar. A third is used by Pruitt himself. A fourth account was also created for Pruitt, but Wilcox said it had never been used.

Wilcox said all are searched in response to records inquiries.

Barrasso's letter followed one sent last week by Democrats asking EPA's inspector general to review the issue.

AMERICAN OVERSIGHT

The Hill

http://thehill.com/policy/energy-environment/383425-gop-chairman-probes-pruitts-use-of-four-email-addresses

GOP chairman probes Pruitt's four email addresses

By Timothy Cama, 4/16/18, 5:34 PM

The Environmental Protection Agency's (EPA) top GOP Senate overseer is looking into the agency's use of four different email addresses for Administrator Scott Pruitt.

In a letter sent Friday and obtained by The Hill, Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) asked Pruitt whether the agency has ensured that federal records requests involving him are searching all of his addresses.

"Can you confirm that the EPA does in fact search all your official email accounts when responding to [Freedom of Information Act] requests?" Barrasso asked Pruitt in the letter. He also asked the EPA head to provide a list of all of the email accounts that Pruitt uses.

Two Democratic senators revealed last week that the EPA has four addresses for Pruitt. The Washington Post reported that the addresses are pruitt.scott@epa.gov, esp7@epa.gov, adm14pruitt@epa.gov and sooners7@epa.gov.

The EPA said at the time that two of them are used by staff for scheduling and correspondence, one is used by Pruitt himself and one hasn't been used except for three test emails.

Agency heads frequently have email accounts that aren't revealed to the public, in addition to standard accounts to which anyone could send messages.

AMERICAN OVERSIGHT

An EPA spokesman said the agency "will respond to Chairman Barrasso through the proper channels."

Barrasso was a leading voice in criticizing then-EPA head Lisa Jackson in 2013, when the agency admitted that she had an email account under the alias "Richard Windsor" that she used extensively for official business.

He and other Republicans accused Jackson of trying to hide her emails from Freedom of Information Act (FOIA) requests, while the EPA at the time said the Richard Windsor account was fully incorporated into FOIA searches.

Barrasso specifically asked Pruitt about the issue during his confirmation hearing in January 2017.

"If confirmed, will you refrain from taking any such action that makes it difficult or impossible for the public to access your official written communications under the Freedom of Information Act," Barrasso asked.

"Yes," he responded.

EPA officials have said Pruitt's alternative accounts are included in FOIA searches as well, although Barrasso nonetheless asked Pruitt to confirm that in writing.

Sens. Jeff Merkley (D-Ore.) and Tom Carper (D-Del.) are also probing Pruitt's email accounts. In the letter revealing the additional accounts, they asked the EPA's Office of Inspector General to launch an investigation.

AMERICAN OVERSIGHT

Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/04/17/head-of-senate-committee-now-seeks-answers-on-scott-pruitts-email-practices-at-epa/?utm_term=.db0534e296fa

Head of Senate committee now seeks answers on Scott Pruitt's email practices at EPA

By Juliet Eilperin, 4/17/18, 8:10 AM

Senate Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) is now scrutinizing whether Environmental Protection Agency chief Scott Pruitt is fully complying with public records requests, given the fact that he has multiple government email addresses.

The Washington Post reported Thursday that Pruitt has four different addresses, three of which do not follow EPA's conventional format. Agency lawyers have raised concerns that not all of them are being searched during Freedom of Information Act requests. Democratic Sens. Jeff Merkley (Ore.) and Thomas R. Carper (Del.) have demanded Pruitt provide greater disclosure on the matter. On Friday, Barrasso joined that call.

Until this week, Barrasso has refrained from criticizing any of Pruitt's actions while in office, instead praising his deregulatory agenda. On Monday, however, Barrasso raised concern about the Government Accountability Office's report that EPA had violated federal spending laws by failing to notify Congress before installing a private phone booth in Pruiit's office last year at a cost of $43,000.

"During your confirmation hearing, I specifically asked you to 'refrain from taking any action — that makes it difficult or impossible for the public to access your official written communications under the Freedom of Information Act,'" Barrasso wrote Pruitt. "You agreed to my request."

AMERICAN OVERSIGHT

"Can you affirm that the EPA does in fact search all your official email accounts when responding to FOIA requests?" Barrasso added.

EPA spokesman Jahan Wilcox said in a statement that Pruitt uses three email accounts, while a fourth one created for him was only tested a few times before becoming inactive.

"When EPA receives a FOIA request concerning the Administrator's emails, all accounts associated are searched before we respond to that request," said the EPA's acting chief information officer, Steve Fine, in a statement.

But Ken Cook, president of the advocacy organization Environmental Working Group, said Pruitt needs to be more transparent about his operations.

"Between his four email accounts and his $43,000 private phone booth, Pruitt is taking all the appropriate steps to keep lawmakers, journalists and the prying eyes of taxpayers from learning what he's been up to since becoming the head of EPA," Cook said in a statement.

Washington Post

https://www.washingtonpost.com/opinions/the-latest-pruitt-revelations-are-the-swampiest-he-should-be-long-gone/2018/04/16/0f0d1aac-41b3-11e8-ad8f-27a8c409298b_story.html?utm_term=.49a65105de64

The latest Pruitt revelations are the swampiest. He should be long gone. (*Editorial)

By The Editorial Board, 4/16/18, 7:42 PM

ON MONDAY, two independent watchdogs released reports detailing abuse and, in one case,

AMERICAN OVERSIGHT

violation of the law at Scott Pruitt's Environmental Protection Agency in pursuit of perks for the administrator and his staff. President Trump should have fired Mr. Pruitt a long time ago. The latest reports underscore the swampy behavior Mr. Trump appears willing to tolerate and excuse.

The Government Accountability Office found that the EPA broke the law when it installed a $43,000-plus privacy booth in Mr. Pruitt's office, vastly exceeding the $5,000 cap Congress imposed on buying furniture or making improvements to the private offices of federal agency heads. The EPA should have informed Congress it wanted to spend tens of thousands of dollars on an unnecessary security upgrade. By failing to do so and spending the money anyway, it violated two federal laws, the GAO concluded.

The EPA says Mr. Pruitt required access to a secure telephone line in an appropriate setting. But there already were two secure facilities at the EPA available for just such a purpose. Moreover, as the New York Times reported this month, members of Mr. Pruitt's staff argued that the administrator needed only a $10,000 upgrade to obtain the privacy he desired, one of many objections they raised to the administrator's lavish spending. The Times found that these staffers were punished, and $43,000 was spent on "a special chamber with sound-dampening privacy products and ceiling baffles that would prevent anyone from intercepting voice or data transmissions."

Also on Monday, the EPA's inspector general revealed an interim report on large raises Mr. Pruitt's aides received. The inspector general released employment forms that appear to show that Mr. Pruitt's chief of staff signed off on two controversial salary hikes that went to favored staffers whom the administrator had brought with him from Oklahoma. Though names were redacted, the salary figures — about 70 percent increases in both cases — correspond to raises that staffers Sarah Greenwalt and Millan Hupp were reported to have obtained even after the White House denied a request to boost their salaries. The EPA twisted an obscure provision in the Safe Drinking Water Act that allows for hiring flexibility at the agency to jam through the raises.

Mr. Pruitt insisted he did not know about the raises or about the way his staffers bypassed White House objections. But his chief of staff appears to have signed the forms "for Scott Pruitt," suggesting that he was acting with explicit or implicit permission. Certainly, Mr. Pruitt bears responsibility for the actions of his chief of staff, who is still working at the EPA.

As the picture of arrogance and mismanagement at the EPA gets more detailed, it becomes ever

AMERICAN OVERSIGHT

more astonishing that an administrator so clearly unfit for service continues to lead a crucial federal agency.

Reuters

https://www.reuters.com/article/us-usa-epa-pruitt-senate/epa-must-explain-why-pruitts-43000-phone-booth-was-legal-republican-senator-idUSKBN1HN2K1

EPA must explain why Pruitt's $43,000 phone booth was legal: Republican senator

4/16/18, 1:56 PM

WASHINGTON (Reuters) - The head of the Senate environment committee said on Monday the Environmental Protection Agency must give a full public accounting of its approval of $43,000 for a private soundproof phone booth for agency chief Scott Pruitt.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars," Senator John Barrasso, a Republican, said in a statement. "EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law."

The EPA violated the law when it approved the phone booth last year for Pruitt's office, the Government Accountability Office, a congressional watchdog, said earlier on Monday.

AMERICAN OVERSIGHT

Bloomberg

https://www.bloomberg.com/news/articles/2018-04-17/epa-s-43-000-secure-phone-booth-came-with-sound-trapping-vents

EPA's $43,000 Secure Phone Booth Came With Sound-Trapping Vents

By Ari Natter and Jennifer A Dlouhy, 4/17/18, 4:00 AM

Compared to other pricey office accoutrements, this one is spartan.

Environmental Protection Agency Administrator Scott Pruitt's ultra-secure phone booth spans four feet across and four feet deep and was installed in a storage closet off his office. But it has the latest in acoustical accents, including a ventilation system designed to keep conversations from being overheard and "noise-lock" panels on the walls and ceiling.

It spared Pruitt from having to run downstairs to use a secure phone line elsewhere in the building -- but has drawn a storm of criticism.

"I don't see a reason for it," said John O'Grady, president of a branch of the American Federation of Government Employees that represents thousands of EPA employees. "For crying out loud, the guy is the EPA administrator -- not the CIA or the FBI."

The installation cost more than $43,000, including having workers level the concrete floor so they could insert the pre-fabricated steel box. The Government Accountability Office -- the watchdog of federal spending -- says the expenditure violated laws on congressional notification and appropriations.

The GAO conclusion, contained in a report commissioned by Democratic lawmakers and released Monday, is one of a number of controversies surrounding Pruitt's short tenure at the helm of the agency. He's also being investigated for his use of first-class travel, renting a condo from a lobbyist and steering raises worth tens of thousands of dollars to aides over White House objections.

AMERICAN OVERSIGHT

"An illegal privacy booth to conduct secret discussions with his polluter friends does nothing to help our health or environment," said Senator Tom Udall of New Mexico, one of several Democratic lawmakers who asked for the audit. "The list of ways he has abused his office just keeps getting longer."

The EPA argued that the unit was necessary and didn't violate the law. Pruitt needed the booth "to facilitate agency business, without concern that classified, deliberative, privileged, or sensitive information might inadvertently be disclosed to those who are not intended to receive such information," the agency said last month in a response to questions from the GAO.

The GAO said it didn't draw any conclusions about the necessity of the project, only that it fell outside spending rules because appropriations committees were not notified and the EPA spent money for the booth "in a manner specifically prohibited by law."

'Nice One'

Wyoming Senator John Barrasso, the Republican chairman of the Senate Environment and Public Works Committee, has demanded a "full public accounting" of the booth.

"It sounds like a nice one," said Jaye Andone, president and chief executive officer of SCIF Global Technologies, Inc, a Florida-based manufacturer of soundproof rooms, known as Sensitive Compartmented Information Facilities.

The equipment is typically much larger and used by the Department of Defense and other agencies that need to discuss classified information. But the company has seen a rise in requests from corporate chief executives and other commercial users, Andone said in a phone interview.

The specifications for government secure rooms are laid out in a directive from the central intelligence director, including requirements to reinforce walls with steel plates and make sure doors, windows and vents are shielded by sound-masking devices.

AMERICAN OVERSIGHT

Those technical requirements make them some of the most expensive real estate in Washington. The Congressional Research Service said in a 2008 report that building one in an existing facility can cost $200 to $500 per square foot.

Similar rooms are located inside the White House, in the Pentagon and the Capitol complex. The Energy Department, which oversees production of the nation's nuclear arsenal, also has one.

The EPA's offices in Washington already had one in the basement, said Liz Purchia, who served as an acting associate administrator in the agency during the Obama administration. She said she didn't see the need for a second one.

"Previous administrators used it without problems for years," Purchia said. "It needs to be questioned as to why he needed one in his office. If he's worried about people overhearing what he has to say, he could try whispering. That doesn't cost $43,000."

NPR

https://www.npr.org/2018/04/17/601994402/whos-in-charge-potential-leadership-shake-ups-leave-agencies-in-limbo

Who's In Charge? Potential Leadership Shake-Ups Leave Agencies In Limbo

By Ayesha Rascoe, 4/17/18, 5:00 AM

The hits keep coming for EPA chief Scott Pruitt, with a new report from a government watchdog agency concluding that the Environmental Protection Agency broke the law when it spent more than $43,000 to build a soundproof privacy booth in Pruitt's office.

AMERICAN OVERSIGHT

The Government Accountability Office found that the EPA spent the money without providing advance notice to Congress, as required by law.

The news is the latest negative headline for Pruitt, who has managed to hang on to his spot in the Trump administration, despite reports that some White House officials have pressed for him to be fired.

Whether Pruitt stays or goes, though, the doubt surrounding his future could have an impact on the work carried out by the agency he oversees.

Prolonged controversy and turmoil at the top of an agency can be a distraction for civil servants and political appointees who may worry that policies and procedures implemented now may be quickly swept away if new leadership is installed.

"Unfortunately these sorts of rumors are often self-fulfilling as people begin questioning the authority of those who have important jobs to do," said Paul Winfree, a former deputy assistant for domestic policy at the Trump White House. Winfree is now at conservative think tank the Heritage Foundation.

EPA is the latest agency to deal with questions about how long its chief official will remain in the Trump administration.

The Trump administration has experienced a record amount of turnover in the past 14 months, but often there has been a gap between when reports of scandal or bad blood with the White House arise and when officials actually leave.

The State Department and Department of Veterans Affairs both went through similar periods when it was unclear whether their leaders at the time — then-Secretary of State Rex Tillerson and then-VA Secretary David Shulkin — would be able to weather a barrage of bad press and calls for their removal. Both men were eventually pushed out.

AMERICAN OVERSIGHT

Allowing agency heads to remain in employment purgatory is often not helpful for federal employees looking for a sense of stability or clear direction from the White House.

"Having Scott Pruitt under this huge cloud ... has really put much of EPA in limbo because people just aren't sure where to go," said Erik Olson, director of the Natural Resources Defense Council's health program.

The NRDC has been a big critic of Pruitt's deregulatory push and has called for his ouster, but Olson said there is trepidation about who will succeed Pruitt.

Pruitt's troubles go back to at least August when the EPA's inspector general office said it was investigating some of his travel back to his home state of Oklahoma. Since that time the alleged scandals have piled up, with reports about expensive chartered flights, pay raises doled out to aides without White House consent and a questionable stay at an apartment owned by the wife of an energy lobbyist.

The uncertainty about Pruitt may be a "temporary distraction," but it will likely not ultimately stop the administration's policies from going forward, said Jeff Holmstead, who served as an assistant administrator at EPA under President George W. Bush.

"All of the policy development and regulatory reforms are being carried out by folks who really share (Pruitt's) vision," said Holmstead, now an attorney for Bracewell law firm.

Pruitt has denied any wrongdoing.

In response to the GAO report on the privacy booth, EPA argued that it was not necessary to consult with Congress about the expenditure. The agency said in a letter to GAO that the booth was necessary to conduct official business and was not simply a redecorating project.

AMERICAN OVERSIGHT

Asked for comment on how the agency has been affected by Pruitt's tenuous status, EPA said Pruitt "is focused on advancing President Trump's agenda of regulatory certainty and environmental stewardship."

The White House did not respond to a request for comment.

State Department woes

Former Secretary of State Tillerson endured months of speculation about his future as secretary before he was let go in March. For months during his rocky tenure, it seemed like Tillerson and Trump were not on the same page, with Trump publicly contradicting Tillerson's policy positions on North Korea.

The relationship between the president and Tillerson hit an especially low point in October, when Tillerson held a press conference about reports that he had called Trump a "moron," a charge Tillerson did not directly deny.

The confusion about whether Trump still had confidence in Tillerson undoubtedly affected State Department staff, who had to contend with Tillerson's ambitious cost-cutting initiative, which now may not be carried out, said Heather Conley, of the Center for Strategic and International Studies.

"You may not know who you're reporting to in a few days," said Conley, who was a deputy assistant secretary at State during the George W. Bush administration. "So, it just builds in distraction, and uncertainty and rumor mongering that just doesn't help people get their work done."

Veterans Affairs: Who's in charge?

AMERICAN OVERSIGHT

Former VA Secretary Shulkin started out fairly popular with Trump, who pledged during his campaign to turn around the troubled agency that provides services for more than 9 million veterans.

But the relationship between Shulkin and the White House soured after the release of an inspector general's report in February that accused Shulkin of inappropriately spending taxpayer funds during a trip to Europe and improperly accepting tickets to Wimbledon.

After the report was released, White House officials sent mixed signals for more than a month about the president's support for Shulkin. Two days before Shulkin was fired, White House spokesman Hogan Gidley told Fox News that Trump still had confidence in Shulkin.

While Shulkin was facing scrutiny, there were questions about who was actually representing views of the administration for veterans.

"When that happens nothing gets done," said John Hoellwarth, a spokesman for AMVETS. "And veterans in particular can't wait around for things to just work themselves out like that, every day they're depending with their lives on a properly functioning VA."

The Hill

http://thehill.com/opinion/white-house/383337-trump-team-continues-to-roll-back-the-regulatory-state

Trump team continues to roll back the regulatory state (*Op-Ed)

By Ken Blackwell, 4/16/18, 1:30 PM

AMERICAN OVERSIGHT

In President Donald Trump's war on burdensome, unnecessary government regulations, two members of his team stand out: Scott Pruitt, administrator of the Environmental Protection Agency (EPA), and Mick Mulvaney, the acting director of the Consumer Financial Protection Bureau (CFPB).

In his role at the EPA, Pruitt is working to balance protecting the environment with fostering job growth and economic recovery.

Pruitt is guiding the agency back to its proper role of safeguarding human health and the environment while also working to implement Trump's agenda on job growth — and he's doing so by cutting onerous regulations.

The New York Times reported last year that in Pruitt's first four months as EPA administrator, he cut, delayed or blocked over 30 environmental regulations, which the paper called "a regulatory rollback larger in scope than any other over so short a time in the agency's 47-year history."

Pruitt recently proposed changing an Obama-era regulation on the disposal of coal ash — a toxic byproduct of burning coal — to give states flexibility in to determining the best way to dispose of the material. The EPA said the proposal could save electric utilities up to $100 million a year in compliance costs.

In the process, Pruitt is reining in a rogue government agency that has operated well beyond its legal authority for years. He recently moved to end an EPA practice dubbed "sue and settle" in which special interest groups would sue the EPA to issue regulations in line with their agendas, and the EPA would settle in acquiescence, effectively allowing the agency to issue regulations outside the scope of their authority.

"The days of regulation through litigation are over," Pruitt explained in an October statement. "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress.

AMERICAN OVERSIGHT

"Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle," Pruitt stated.

There is an adage that it is better to be hated than ignored. Nowhere does that ring truer in Washington, D.C. than at the Consumer Financial Protection Bureau (CFPB).

Since taking the reins of the CFPB in November, Mulvaney has done what any good steward of taxpayer dollars would do — bring accountability and structure back to a once lawless and business-punishing agency.

Not only has Mulvaney declined asking for one penny in operating funds for the bureau for the second quarter of this year, but last week, he asked Congress to rein in the CFPB's limitless power and authority saying, "The Bureau is far too powerful, and with precious little oversight of its activities."

Despite these reforms, Sen. Elizabeth Warren (D-Mass.) has led the chorus of attacks on Mulvaney, accusing him of trying to dismantle her politically-motivated brainchild.

Ironically, what makes Warren's attacks on Mulvaney all the more rich is that she has all but confirmed to the American people that she and her Democratic colleagues are not interested in accountability and reform. After all, Warren created the CFPB not to protect consumers, but to wield political power.

For proof of that, one needs to look no further than the actions of former CFPB Director Richard Cordray, who used the bureau as a political action committee to reward liberal interest groups and political friends ahead of his run for governor of my home state of Ohio under the guise of "consumer protection."

As George Washington University adjunct professor Jeff Joseph pointed out earlier this year,

AMERICAN OVERSIGHT

Cordray's CFPB "picked winners and losers through a bevy of financial regulations, benefitting certain industries at the expense of others.

"Since its inception, the CFPB has issued well over $5 billion in penalties, punishing a wide variety of companies in the name of 'consumer protection,'" Joseph said.

In response to a recent opinion piece by Sen. Warren, in which she issued her latest salvo on Mulvaney's leadership, Mulvaney issued the perfect response:

"If Sen. Warren is unsatisfied with my responses to her frequent inquiries, I would remind her that she is the one who conceived of the bureau to be '[f]ree of legislative micromanaging' and who recently reiterated that 'the whole idea' of the Bureau was to 'insulate it from political influence to the extent possible.'"

As President Trump continues his all-out war on the regulatory state, he certainly has picked the right soldiers in Mick Mulvaney and Scott Pruitt to continue draining the proverbial regulatory swamp.

Ken Blackwell, a former domestic policy advisor to the Trump Transition team, is a former Ohio State treasurer, Ohio secretary of State and Mayor of Cincinnati.

E&E Climatewire

https://www.eenews.net/climatewire/stories/1060079249/search?keyword=EPA

Talk of climate, controversies banned in Pruitt meeting

By Niina Heikkinen, 4/17/18

AMERICAN OVERSIGHT

EPA Administrator Scott Pruitt hosted a group of religious leaders in his office last week.

There were conditions: There would be no talk about climate change or Pruitt's recent bad press.

On Friday afternoon, Pruitt and several EPA staffers met with nine faith leaders from different religious backgrounds at EPA headquarters to talk about environmental justice issues, according to one attendee.

"We were not allowed to talk about climate; it was not part of it. It was apparently a condition of the meeting," said the Rev. Mitchell Hescox, president and CEO of the Evangelical Environmental Network. "It was a cordial meeting, but I was a little disheartened that he didn't want to talk about climate."

Participants were also warned not to talk about the torrent of negative media coverage Pruitt has received in recent weeks regarding the administrator's spending while in office. He has faced an onslaught of criticism about his housing, travel and security detail in Washington, D.C.

The Franciscan Action Network organized the 45-minute meeting in Pruitt's office, which was supposed to be an off-the-record, private discussion. Hescox said he was surprised to see a photographer at the meeting and was "disconcerted" when the administrator tweeted photos of it later that day. The tweet was later deleted at FAN's request, according to Hescox.

EPA staff relayed the restrictions on the discussion to the Franciscans, Hescox said, but he couldn't say whether they originated from Pruitt or the staff.

An EPA spokesperson confirmed that Pruitt had met with "environmentally focused interfaith leaders" to talk about the agency's mission.

AMERICAN OVERSIGHT

"While it is our common practice to post photos from the Administrator's meetings for public awareness, there was a miscommunication regarding post-meeting media plans and we took down the post, at the request of the group," the spokesperson said in an email.

During the meeting, Pruitt spoke in detail about two of his favored issues, safe drinking water and Superfund site cleanup. Only four of the attendees, including Hescox, had time to make their requests to the administrator. One person asked for a faith-based office in EPA, another spoke about water issues in New York, and Hescox focused on the impact of toxic chemicals on developing fetuses.

Pruitt avoided any mention of the recent ethics controversies and let participants know he had just come from having a Big Mac at the White House, Hescox said.

"We did have a good meeting talking about the things he wanted to talk about. [But] it was hard to have an in-depth discussion on [the] realities of what is happening in the world," he said.

Hescox said that he found out about the terms of the discussion just a half-hour beforehand and would not have participated if he had had more advance notice.

Hescox has been sharply critical of Pruitt since his nomination. The meeting was the first time they met face to face. In an op-ed in The Christian Post published April 6, Hescox said Pruitt's deregulatory actions betrayed anti-abortion values.

"President Trump's Administration, especially the head of the Environmental Protection Agency (EPA), Scott Pruitt, have done little to defend the forgotten, especially our unborn and newly born children. While claiming to be pro-life, they have done little to fulfill EPA's mission, 'To protect human health and the environment,'" Hescox wrote. "Instead they have pandered to industry lobbyists, proposed bailouts to the dying fossil fuel industry and 'lived high on the hog' instead of defending the lives and health of our children."

Hescox said Pruitt did seem to recognize his name when they were introduced but did not take

AMERICAN OVERSIGHT

the opportunity to respond to his criticisms.

"He kind of had the eyebrow raised up," he said.

Hescox kept his remarks to Pruitt last week focused on environmental risks to fetal life.

He requested that the administrator name fetuses as an "at-risk group" under the Toxic Substances Control Act. Both Republicans and Democrats in Congress have rejected Hescox's past efforts to add protection under the law for fetal life, calling it a "poison pill."

Republicans have feared that it would require more research from the oil and gas industry, and Democrats have shied away from appearing to be "pro-life," Hescox said.

"[Pruitt] said he would consider it," Hescox added.

Although he didn't talk about climate change at the meeting, Hescox did make sure Pruitt had some reading on the subject. He left the EPA boss a copy of his book, "Caring for Creation: The Evangelical's Guide to Climate Change and a Healthy Environment."

Reuters

https://www.reuters.com/article/us-usa-biofuels-trump/bipartisan-senators-group-demands-epa-disclose-small-refinery-hardship-recipients-idUSKBN1HO27S

Bipartisan senators' group demands EPA disclose small refinery hardship recipients

AMERICAN OVERSIGHT

4/17/18, 10:46 AM

NEW YORK (Reuters) - A bipartisan group of 13 U.S. senators told the U.S. Environmental Protection Agency on Tuesday to disclose the names of companies who received a hardship exemption from the nation's biofuel laws since 2016.

The calls for more transparency come amid increasing scrutiny of the EPA's expansion of the small refinery hardship exemption in recent months, including granting and considering waivers from the world's largest oil companies.

The senators made the request in a letter delivered on Tuesday, according to a joint statement.

The Hill

http://thehill.com/policy/energy-environment/383495-senates-coast-guard-bill-would-weaken-water-pollution-rules-greens

Coast Guard bill would weaken water pollution rules, environmentalists say

By Timothy Cama, 4/17/18, 9:55 AM

The Senate could vote on a Coast Guard bill in the coming days that environmentalists and Democratic attorneys general say would weaken water pollution standards.

Senate Majority Leader Mitch McConnell (R-Ky.) filed cloture on a bill to reauthorize Coast Guard programs late Monday and Sen. John Thune (R-S.D.), chairman of the Commerce, Science and Transportation Committee, said the upper chamber will "hopefully" vote on it this week.

AMERICAN OVERSIGHT

The bill includes a version of the Vessel Incidental Discharge Act (VIDA), which would exempt ships' ballast water from Clean Water Act oversight under the Environmental Protection Agency (EPA) and stop most states' attempts to regulate the ballast water.

Ships usually take in water at ports to help balance and provide stability on their journeys. Operators then discharge the water at other ports, potentially bringing invasive species or pollutants from the previous port.

Ballast water has been blamed for some of the worst invasive species cases, like zebra mussels in the Great Lakes and various algae species.

Environmentalists say removing the EPA's authority — and leaving the regulation of ballast water solely to the Coast Guard — would remove important water protections.

"VIDA moves us away from the responsible management of ballast water discharges by completely removing Clean Water Act authority over ship ballast water discharges," a coalition of green groups, including the Natural Resources Defense Council and American Rivers, wrote to senators last week.

"Under VIDA, the Clean Water Act would cease to apply to all ship incidental discharges — including ballast water, nutrient-laden greywater, and chemicals — from commercial vessels," they wrote.

Democratic state attorneys general also object to the bill because it would block states, in most cases, from regulating ballast water themselves.

"This legislation seeks to preempt traditional state authority to take the actions necessary for protecting state water resources, while doing away with existing federal laws that safeguard our nation's waters against harmful pollutant discharges from vessels," 10 state attorneys general,

AMERICAN OVERSIGHT

led by New York's Eric Schneiderman (D), wrote to senators last year.

But the shipping industry has long argued that the EPA and states are not the right bodies to regulate ballast and that the Coast Guard, as the main authority overseeing waterways in ports, is better equipped.

A coalition of maritime industry and labor groups told senators last year that a previous version of the bill "will establish nationally uniform and environmentally sound standards for ballast water and other vessel discharges."

They complained that an "overlapping patchwork of federal and state regulations makes compliance complicated, confusing and costly for vessel owners and mariners."

The bill's sponsors are Thune, Sen. Marco Rubio (R-Fla.) and Sen. Bill Nelson (D-Fla.).

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183082&item=408&prod=deln&cat=A

Smaller Bites in EPA Air Chief's Second Pass at Permitting Update

By Jennifer Lu, 4/17/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

AMERICAN OVERSIGHT

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

AMERICAN OVERSIGHT

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in *Perez v. Mortgage Bankers Association* have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

AMERICAN OVERSIGHT

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This

AMERICAN OVERSIGHT

definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in *New York v. EPA* in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

AMERICAN OVERSIGHT

https://www.reuters.com/article/us-health-airquality/air-quality-linked-to-cardiac-events-heart-disease-patients-unaware-idUSKBN1HO2NE

Air quality linked to cardiac 'events,' heart disease patients unaware

By Carolyn Crist, 4/17/18, 1:03 PM

Poor air quality with high levels of tiny pollution particles known as PM 2.5 are tied to a spike in emergency department visits for heart- and lung-related illnesses and stroke, a California study suggests, but a nationwide U.S. survey finds that few heart patients are aware of air quality risks.

Based on analysis of areas affected by the intense 2015 California wildfire season, researchers found that within a day of residents being exposed to dense smoke, emergency room visits for heart attacks and other cardiac events and symptoms rose by 15 percent overall, and 42 percent among people over age 65.

Stroke and other cerebrovascular emergencies rose 17 percent overall, and 22 percent for older adults, the study team reports in the Journal of the American Heart Association.

"Unlike places that have chronic exposure to poor air quality where we can educate people about the health risks, wildfires happen at unexpected times," said senior study author Ana Rappold of the U.S. Environmental Protection Agency's National Health and Environmental Effects Research Lab in Durham, North Carolina.

"Wildfires have become a leading cause of short-term exposure to polluted air," she said in a telephone interview. "It's important to talk to people about how exposure to wildfire can impact their health."

Large-scale wildfires are projected to increase through the end of the century in many areas, particularly in California, Rappold and her colleagues note in their report. Wildfire smoke contains several pollutants, including carbon monoxide, nitrogen dioxide and ash particles that have been associated with lung and heart problems.

AMERICAN OVERSIGHT

It also contains tiny particles, smaller than 2.5 micrometers, that are produced by burning, such as in wildfires, indoor cooking fires and motor vehicle exhaust.

These particles are small enough to enter the bloodstream from the lungs and are linked to inflammation, heart rhythm disturbances and clotting issues, the authors write.

Rappold and colleagues analyzed emergency room visits between May 1 and September 30, 2015 in eight northern and central California basins where fires covered more than 800,000 acres of land.

Based on data from the National Oceanic and Atmospheric Administration, the research team followed smoke plumes and particulate matter concentrations as they moved across the state. They also looked at emergency room data for diagnoses such as heart attack, angina, cardiac dysrhythmia, pulmonary embolism, stroke, asthma, COPD and pneumonia.

The researchers found 361,000 cardiovascular, 15,500 cerebrovascular and 230,000 respiratory diagnoses. Emergency room visits for heart issues were associated with wildfire smoke density for all adults and were more pronounced for those over age 65. Brain and lung issues were also more severe among older adults, especially on medium- and dense-smoke days.

"We have an aging population in this country with increasing obesity, diabetes and associated heart and lung diseases, and we have an increasing number of acres that burn every year," said one of the study's coauthors, Dr. Wayne Cascio, who directs the EPA National Health and Environmental Effects Research Lab.

"We also have an increasing number of people encroaching on acres that have a high likelihood of burning," Cascio said in a telephone interview. "That's the perfect storm of increasing the number of people who are at risk for wildfire exposure."

In future studies, the EPA team plans to look at how long wildfire smoke and particulate matter lingers in the air and causes health problems, as well as how these air pollution exposures affect

AMERICAN OVERSIGHT

healthcare expenses through programs such as Medicare.

They've also launched Smoke Sense (bit.ly/2gFdHTV), a mobile app that encourages people to submit information about wildfire exposures and their health and productivity.

"I tell my patients that if they have heart or lung disease, they need to be mindful about poor air quality and smoke from wildfires," Cascio said. "Avoid them to the extent that you can and look at EPA resources or others to plan what else you should do."

In a separate study by a team at the Centers for Disease Control and Prevention in Atlanta, researchers found that people with lung disease are more likely than those with heart diseases to be aware of the risks they face during poor air quality alerts.

The research team analyzed surveys of more than 12,000 U.S. adults between 2014 and 2016. About half of participants were aware of air quality alerts, 27 percent said they avoided busy roads to reduce their exposure and 3 percent said they had talked with a health professional about ways to avoid exposure to air pollution. Compared to the other survey participants, awareness of air quality alerts was 11 percent more common among people with asthma and avoidance of busy roads was 13 percent more common. People with asthma were also five times more likely to have spoken with a doctor about avoiding pollution exposure.

"Targeted public health messages about air quality might raise awareness about alerts and motivate changes in behavior among those at risk during periods of unhealthy air quality," said lead study author Maria Mirabelli of the CDC's Asthma and Community Health Branch.

"Be aware of air quality alerts and discuss with a health professional the strategies to reduce air pollution exposure," Mirabelli advised in an email. "Avoid busy roads to reduce exposure when walking, biking or exercising outdoors."

AMERICAN OVERSIGHT

AP

https://apnews.com/26de799f0bbb4d98ab9ee7d7766c7edd/Chicago,-surfers-criticize-US-Steel-spills-settlement

Chicago, surfers criticize US Steel spills settlement

4/17/18

PORTAGE, Ind. (AP) — Chicago and some Great Lakes surfers say a federal settlement inadequately punishes U.S. Steel for chemical spills into Lake Michigan.

The University of Chicago discovered last year that the steelmaker's Midwest Plant has violated chromium limits at least four times since 2013.

The proposed deal calls for U.S. Steel to pay nearly $900,000, test for hexavalent chromium daily at the plant, create a preventative maintenance program and upgrade pollution monitoring.

The Chicago Law Department and the nonprofit Surfrider Foundation said in a letter to the Environmental Protection Agency Monday that they'll oppose the deal in federal court if changes aren't made.

The groups want environmental improvement projects for communities near the Portage plant, an independent study of potential long-term damage and an automated early warning system to detect future spills.

AMERICAN OVERSIGHT

To: AO OPA Individual News Clips[AO_OPA_Ind_News_Clips@epa.gov]
From: Hassell, Emily
Sent: Tue 4/17/2018 3:03:45 PM
Subject: BNA: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites, 4/17/18

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183084&item=408&prod=deln&cat=A

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/17/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe

AMERICAN OVERSIGHT

attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

AMERICAN OVERSIGHT

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Block, Molly
Sent: Tue 4/17/2018 2:00:17 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

In addition to the clips? The second and third story below are about the superfund list we released yesterday.

From: Bowman, Liz
Sent: Tuesday, April 17, 2018 9:59 AM
To: Block, Molly <block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's

AMERICAN OVERSIGHT

Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

AMERICAN OVERSIGHT

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

AMERICAN OVERSIGHT

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

AMERICAN OVERSIGHT

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

AMERICAN OVERSIGHT

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

AMERICAN OVERSIGHT

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

AMERICAN OVERSIGHT

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time

AMERICAN OVERSIGHT

should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

AMERICAN OVERSIGHT

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

AMERICAN OVERSIGHT

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master

AMERICAN OVERSIGHT

might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and

AMERICAN OVERSIGHT

thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

AMERICAN OVERSIGHT

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the

AMERICAN OVERSIGHT

election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates

AMERICAN OVERSIGHT

but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

AMERICAN OVERSIGHT

“This is not some tin pot dictatorship where the leader of the country gets to say ‘the people I don't like go to jail.’ Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be,” Comey told NPR. “Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying ‘you should be in jail.’”

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call,” he said. “I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors.”

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking. really nice to see!

1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

AMERICAN OVERSIGHT

To: joseph.brazauskas@mail.house.gov[joseph.brazauskas@mail.house.gov]; josh.learn@spglobal.com[josh.learn@spglobal.com]; josh.voorhees@slate.com[josh.voorhees@slate.com]; jstanko@hunton.com[jstanko@hunton.com]; juliet.eilperin@washpost.com[juliet.eilperin@washpost.com]; jyskamp@fairshake-els.org[jyskamp@fairshake-els.org]; kcook@pirg.org[kcook@pirg.org]; kja@m-j.com[kja@m-j.com]; kristina.baum@mail.house.gov[kristina.baum@mail.house.gov]; lisa.jaeger@bracewell.com[lisa.jaeger@bracewell.com]; littlefield.amy@rewire.news[littlefield.amy@rewire.news]; luanne.vanwerven@leg.wa.gov[luanne.vanwerven@leg.wa.gov]; mark.marin@mail.house.gov[mark.marin@mail.house.gov]; mebell@cei.org[mebell@cei.org]; Miller, David[Miller.DavidJ@epa.gov]; molly.fromme@mail.house.gov[molly.fromme@mail.house.gov]; Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
nick@prwatch.org[nick@prwatch.org]; Press[Press@epa.gov]; Renaud Coulomb[renaud.coulomb@unimelb.edu.au]; researchinfo@dnc.org[researchinfo@dnc.org]; richard.yamada@mail.house.gov[richard.yamada@mail.house.gov]; rieber@motherjones.com[rieber@motherjones.com]; scarignan@bna.com[scarignan@bna.com]; Schnare, David[schnare.david@epa.gov]; Schneider, Bernard A.[Schneider.Bernard@epa.gov]; scott.ferguson@mail.house.gov[scott.ferguson@mail.house.gov]; scott.pruitt@me.com[scott.pruitt@me.com]; scott.pruitt@oag.ok.gov[scott.pruitt@oag.ok.gov]; scott.segal@bracewell.com[scott.segal@bracewell.com]; staffrsvp[staffrsvp@epa.gov]; tagorman@mindspring.com[tagorman@mindspring.com]; tim.donaghy@greenpeace.org[tim.donaghy@greenpeace.org]; tromm@politico.com[tromm@politico.com]; tstecker@bna.com[tstecker@bna.com]; vincent.buys@leg.wa.gov[vincent.buys@leg.wa.gov]; Ex. 6 - Personal Privacy
acohen@bioinvasions.com[acohen@bioinvasions.com]; Ex. 6 - Administrator
From: jennifer.ruiz95@aol.com
Sent: Wed 3/14/2018 10:17:25 PM
Subject: PROJECT

Would you be interested in a business project? Kindly contact my office for details if interested ONLY
Jennifer Ruiz

AMERICAN OVERSIGHT

To: terri.watkins@oag.ok.gov[terri.watkins@oag.ok.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Daniell, Kelsi
Sent: Wed 5/16/2018 8:35:27 PM
Subject: Quote from AG

Terri -

Hope you're well. Tomorrow, Administrator Pruitt will sign the Risk Management Program (RMP) Reconsideration proposed rule to rescind or modify certain provisions of the RMP Amendments rule published in January 2017 applicable to facilities that use regulated toxic and flammable hazardous substances. **We'd love to get a quote from your boss for our press release**.

Our previous release on RMP and some background of tomorrow's announcement: https://www.epa.gov/newsreleases/epa-administrator-seeks-additional-time-review-rmp-rule

- Reduce unnecessary regulations and regulatory costs: the proposed rule is deregulatory, and would result in total annual cost savings (averted costs) of approximately $88 million a year.
- It's imperative that EPA work closely and complementary with OSHA in preventing chemical accidents; this rule seeks to re-establish that complementary relationship between EPA and OSHA on accident prevention program requirements.
- There was a trend of fewer significant accidents involving chemicals and this rule will continue to maintain that trend.
- The rule also addresses many concerns expressed by state, local, and tribal entities involved in emergency response and emergency planning that would be impacted by the 2017 RMP Modernization Rule which placed burdensome requirements on largely volunteer local emergency planning committees and local first responders.

I'd like to get a quote by **11:00am EST** tomorrow if possible. Let me know if you have any questions.

Thanks,

Kelsi

AMERICAN OVERSIGHT

Kelsi Daniell

Press Secretary

Administrator Scott Pruitt

202-564-2413

daniell.kelsi@epa.gov

AMERICAN OVERSIGHT

To: merrill.williamson@oag.ok.gov[merrill.williamson@oag.ok.gov]
From: Ferguson, Lincoln
Sent: Wed 3/14/2018 4:13:00 PM
Subject: AG Hunter

Good afternoon Merrill -

Hope you are doing well! I wanted to reach out to sere if AG Hunter has any availability tomorrow morning to grab coffee or even breakfast with Scott. I know he'd love the opportunity to catch up.

I called AG Hunter yesterday, but wanted to loop you in. Scott's morning is fairly flexible - free before 8:15 and then available from 9:30-11:30. Let me know if any of these times work.

Thanks again,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
(202) 309-6537

AMERICAN OVERSIGHT

To: Hale, Michelle[hale.michelle@epa.gov]
From: Stephany Lively
Sent: Thur 8/3/2017 2:27:41 PM
Subject: Hello!

Ex. 6 - Personal Privacy

Let me know when you're back in OK! We'll have to have lunch!!!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

To: Hale, Michelle[hale.michelle@epa.gov]
From: Stephany Lively
Sent: Wed 7/5/2017 3:09:56 PM
Subject: Update

Ex. 6 - Personal Privacy

Have a fabulous day!!

Respectfully,

Stephany Lively

AMERICAN OVERSIGHT

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

To: Stephany Lively[stephany.lively@oag.ok.gov]
From: Hale, Michelle
Sent: Fri 8/4/2017 3:06:31 AM
Subject: Re: Hello!

Thank you- and can't wait!

Sent from my iPhone

On Aug 3, 2017, at 10:28 AM, Stephany Lively <stephany.lively@oag.ok.gov> wrote:

<image001.png>

Let me know when you're back in OK! We'll have to have lunch!!!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

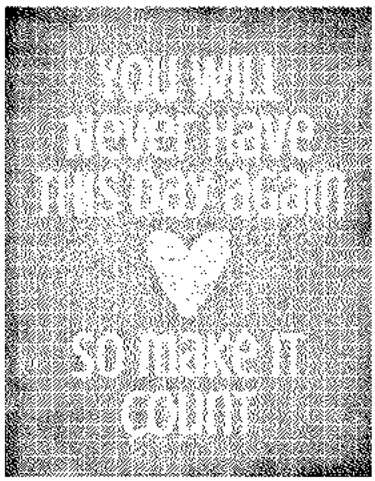
AMERICAN OVERSIGHT

To: Stephany Lively[stephany.lively@oag.ok.gov]
From: Hale, Michelle
Sent: Wed 7/5/2017 3:20:24 PM
Subject: RE: Update

Thank you, friend.

From: Stephany Lively [mailto:stephany.lively@oag.ok.gov]
Sent: Wednesday, July 5, 2017 11:10 AM
To: Hale, Michelle <hale.michelle@epa.gov>
Subject: Update

Ex. 6 - Personal Privacy



AMERICAN OVERSIGHT

Have a fabulous day!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 11 2018

OFFICE OF
INSPECTOR GENERAL

Mr. Daniel Stevens
Campaign for Accountability
611 Pennsylvania Avenue, S.E. #337
Washington, D.C. 20003

Re: Freedom of Information Act Request (EPA-R6-2018-004512) – OIG Interim Disposition Letter 4

Dear Mr. Stevens:

This letter responds to your Freedom of Information Act request to the Environmental Protection Agency Office of Inspector General (OIG) dated February 16, 2018, seeking disclosure of all records reflecting communications (including emails, email attachments, text messages, telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, talking points, or other materials) to, from, or between two named EPA Region 6 employees, within the date range of January 1, 2012, through December 31, 2013 that contain nine specified search terms.

The Office of Inspector General is conducting a search, based on the list of keywords provided, for records that originated within the OIG or are incorporated into OIG records. You agreed to a rolling production of responsive records from our office through October 2018.

The fourth set of documents responsive to your request are enclosed. Some redactions of information have been made to the documents pursuant to the FOIA, 5 U.S.C. § 552, Subsections (b)(2), (b)(5), (b)(6), (b)(7)(C), and (b)(7)(E).

Exemption 2 exempts from disclosure records related solely to the internal personnel rules and practices of an agency. Certain personnel practices have been withheld pursuant to Exemption 2.

Exemption 5 exempts from disclosure inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency. This exemption generally allows agencies to exempt those documents that are privileged in the context of civil discovery. EPA OIG is invoking the deliberative process privilege of Exemption 5 to protect information that falls within that privilege's domain.

Exemption 6 exempts from disclosure any information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(C) provides protection for personal information in law enforcement records the disclosure of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. The names of individuals and any information which may identify them have been withheld pursuant to both Exemptions 6 and 7(C).

Exemption 7(E) allows agencies to protect from disclosure all law enforcement information that would disclose techniques and procedures for law enforcement investigations or prosecutions or which would

AMERICAN OVERSIGHT

disclose guidelines for law enforcement investigation or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

This is the fourth partial response to your request, pursuant to your agreement to accept rolling responses while we continue our review of potentially responsive records. You will receive a final response letter when EPA OIG has concluded its search for responsive records. Please wait until EPA OIG has concluded its search for potentially responsive records to your FOIA request before initiating an appeal.

Additionally, you make seek dispute resolution services from either the EPA FOIA Public Liaison (hq.foia@epa.gov; 202-566-1667) or the Office of Government Information Services (OGIS). OGIS serves as a bridge between FOIA requesters and agencies and can be reached by email at ogis@nara.gov, by phone at 1-877-684-6448, or by fax at (202) 741-5769.

If you have any questions concerning this matter, you may contact me at (202) 566-1512 or oig_foia@epa.gov.

Sincerely,

Scott Levine
Associate Counsel / OIG FOIA Coordinator

Enclosures

AMERICAN OVERSIGHT

New Document Uploaded (08/30/2012 at 02:12:46P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 08/31/2012 04:00 AM

Cc: (b) (6), (b) (7) ,(b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: Subpoena, IG (Financial)

Description: Subpoena, IG (Financial)-08/30/2012-Request -

AMERICAN OVERSIGHT

New Document Uploaded (08/30/2012 at 02:14:33P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 08/31/2012 04:00 AM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: N

Description: Subpoena, IG (Financial)-Request-08/30/2012-

AMERICAN OVERSIGHT

Just wanted to check the status on the Tar Creek stuff

(b) (6), (b) (7) to: (b) (6), (b) 09/04/2012 11:29 AM

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Just wanted to check the status on the Tar Creek stuff

(b) (6), (b) to: (b) (6), (b) (7) 09/05/2012 10:07 AM

(b) (5)
Been pulled into hurricane response which be over soon. (b) (5)

(b) (6), (b) (7)(C)
US Environmental Protection Agency
1445 Ross Ave / Dallas, Texas 75202
(b) (6), (b) (7)(C)

(b) (6), (b) (7) (b) (6), (b) (7) Special Agent, EPA/OIG 09/04/2012 10:29:26 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 09/04/2012 10:29 AM
Subject: Just wanted to check the status on the Tar Creek stuff

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

TA for Travel to OK City

(b) (6), (b) (7) to: (b) (6), (b) (7), (b) (6), (b), (b) (6), (b) (7)(C), (b) (6), (b) (7) 09/17/2012 11:00 AM

All,

Unaware of who can actually see and approve my TA's, I'm sending this to everyone. I will be travelling to OKC the first week of Oct to work on the Tar Creek/LICRA (b) (7)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Tar Creek Files

(b) (6), (b) (7) to: (b) (6), (b) 09/21/2012 03:31 PM
Cc: (b) (6), (b) (7) , "(b) (6), (b) ", "(b) (6), (b) "

(b) (6): (b) (6), (b) (7)(C) asked that I send you an estimate by linear inch of files to be copied. I counted roughly 423" of paper. Probably 95% is in folders while the other is in binders or odd size materials.

Let me know if there is anything else you need. Thank you for getting back to me with your title. You should be receiving the MOU from DEQ soon.

Respectfully,

(b) (6), (b) (7)
(b) (6), (b) (7) (C)
Land Protection Division
Oklahoma Department of Environmental Quality
(b) (6), (b) (7) (C)
@deq.ok.gov

AMERICAN OVERSIGHT

Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 10/04/2012 05:03 PM

History: This message has been replied to.

(b) (6), (b) (7)(C) ,

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

EPA memo.pdf

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) (7) to: (b) (6), (b) 10/05/2012 09:01 AM

(b) ,

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

----- (b) (6), (b) <(b) (6), @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
From: (b) (6), (b) <(b) (6), @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

(b) (6), (b) ,

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 10/08/2012 09:48 AM

History: This message has been replied to.

(b) (6), (b) (7)(C) ,

(b) (5)

(b) (6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b) (6) ,

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

-----(b) (6), (b) <(b) (6), @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) <(b) (6), (b) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

TAR Creek Contract

(b) (6), (b) to: (b) (6), (b) (7) 10/09/2012 11:50 AM

History: This message has been replied to.

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

11031 (b) (7)(E) .pdf

AMERICAN OVERSIGHT

Re: TAR Creek Contract
(b) (6), (b) (7) to: (b) (6), (b) 10/09/2012 11:51 AM

Thanks Bunches!

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (6), Attached is PDF file of (b) (7)(E) ... 10/09/2012 10:50:02 AM

From: (b) (6), (b) <(b) (6), (b) @omes.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: TAR Creek Contract
(b) (6), (b) (7) to: (b) (6), (b) 10/09/2012 05:24 PM

(b) (5), (b) (7)(E)

One more thing- (b) (5)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (b) (6), Attached is PDF file of (b) (7)(E) ... 10/09/2012 10:50:02 AM

From: (b) (6), (b) <(b) (6), (b) @omes.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

RE: TAR Creek Contract

(b) (6), (b) to: (b) (6), (b) (7) 10/10/2012 07:51 AM

History: This message has been replied to.

(b) (6),

The (b) (7)(E) was issued in Addendum #3; it is attached for your convenience.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7) [mailto:(b) (6), (b) (7) @epamail.epa.gov]
Sent: Tuesday, October 09, 2012 4:24 PM
To: (b) (6), (b)
Subject: Re: TAR Creek Contract

(b) (5), (b) (7)(E)

One more thing- (b) (5)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

From: (b) (6), <(b) (6), @omes.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

AMERICAN OVERSIGHT

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)

State of Oklahoma

Construction and Properties Department

(b) (6), (b) (7)(C)

[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) (7)(C) /R6/USEPA/US] 11031 Addendum# 3.pdf

AMERICAN OVERSIGHT

Re: TAR Creek Contract
(b) (6), (b) (7) to: (b) (6), (b) 10/10/2012 07:53 AM

Thanks, I really appreciate it
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b)

From: (b) (6), (b) [(b) (6), (b) @omes.ok.gov]
Sent: 10/10/2012 06:50 AM EST
To: (b) (6), (b) (7)
Subject: RE: TAR Creek Contract

(b) (6),

The (b) (7)(E) was issued in Addendum #3; it is attached for your convenience.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7) [mailto:(b) (6), (b) (7) @epamail.epa.gov]
Sent: Tuesday, October 09, 2012 4:24 PM
To: (b) (6), (b)
Subject: Re: TAR Creek Contract

(b) (5), (b) (7)(E)

One more thing- (b) (5)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

From: (b) (6), <(b) (6), @omes.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

RE: TAR Creek Contract
(b) (6), (b) (7)(C) to: (b) (6), (b) (7)(C)
10/10/2012 08:03 AM

History: This message has been replied to.

(b) (6),

You are welcome. (b) (5)

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@epamail.epa.gov]
Sent: Wednesday, October 10, 2012 6:53 AM
To: (b) (6), (b) (7)(C)
Subject: Re: TAR Creek Contract

Thanks, I really appreciate it
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [(b) (6), (b) (7)(C)@omes.ok.gov]
Sent: 10/10/2012 06:50 AM EST
To: (b) (6), (b) (7)(C)
Subject: RE: TAR Creek Contract

(b) (6),

The (b) (7)(E) was issued in Addendum #3; it is attached for your convenience.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@epamail.epa.gov]
Sent: Tuesday, October 09, 2012 4:24 PM

AMERICAN OVERSIGHT

To: (b) (6), (b) (7)(C)
Subject: Re: TAR Creek Contract

(b) (5), (b) (7)(E)

One more thing- (b) (5)

Thanks,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

From: (b) (6), <(b) (6), @omes.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)
[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: TAR Creek Contract
(b) (6), (b) (7) to: (b) (6), (b) 10/10/2012 08:07 AM

Thanks for the clarification. I was a little confused.
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [(b) (6), (b) (7)(C)@omes.ok.gov]
Sent: 10/10/2012 07:03 AM EST
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C)@omes.ok.gov>
Subject: RE: TAR Creek Contract

(b) (6),

You are welcome. (b) (5)

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C)@epamail.epa.gov]
Sent: Wednesday, October 10, 2012 6:53 AM
To: (b) (6), (b) (7)(C)
Subject: Re: TAR Creek Contract

Thanks, I really appreciate it
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [(b) (6), (b) (7)(C)@omes.ok.gov]
Sent: 10/10/2012 06:50 AM EST
To: (b) (6), (b) (7)(C)
Subject: RE: TAR Creek Contract

(b) (6),

AMERICAN OVERSIGHT

The (b) (7)(E) was issued in Addendum #3; it is attached for your convenience.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [mailto:(b) (6), (b) (7)(C) @epamail.epa.gov]
Sent: Tuesday, October 09, 2012 4:24 PM
To: (b) (6), (b) (7)(C)
Subject: Re: TAR Creek Contract

(b) (5), (b) (7)(E)

One more thing- (b) (5)

Thanks,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

From: (b) (6), <(b) (6), @omes.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/09/2012 10:50 AM
Subject: TAR Creek Contract

(b) (6),

Attached is PDF file of (b) (7)(E) per your request.

(b) (6), (b) (7)(C)
State of Oklahoma
Construction and Properties Department

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)

[attachment "11031 (b) (7)(E) .pdf" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

New Document Uploaded (10/11/2012 at 01:31:55P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 10/11/2012 01:32 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-10/11/2012-(b) (6), (b) (7)(C), 10-3-12

AMERICAN OVERSIGHT

New Document Uploaded (10/11/2012 at 01:32:44P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 10/11/2012 01:32 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-10/11/2012-(b) (6), (b) (7), 10-3-12

AMERICAN OVERSIGHT

New Document Uploaded (10/11/2012 at 01:33:16P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 10/11/2012 01:33 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-10/11/2012-(b) (6), 10-4-12

AMERICAN OVERSIGHT

New Document Uploaded (10/11/2012 at 01:33:46P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 10/11/2012 01:34 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOA

Description: MOA-10/11/2012- (b) (7)(E)

AMERICAN OVERSIGHT

Re: (b) (6), (b) (7) -- I do not have that (b) (7) in my files . Could you please send an electronic version when you get a chance . Thanks!!

(b) (6), (b) (7) to: (b) (6), (b) (7) 10/17/2012 05:41 PM

Okay -- once I got I realized that I do have a file on it. For some reason, I was looking for a reference to "Tar Creek." (b) (5)

Regards, (b) (6)

(b) (6), (b) (7) (b) (6), (b) (7) Special Agent, EPA/OIG 10/17/2012 05:33:41 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 10/17/2012 05:33 PM
Subject: Re: (b) -- I do not have that (b) (7) in my files. Could you please send an electronic version when you get a chance. Thanks!!

[attachment "(b) (7) complaint.pdf" deleted by (b) (6), (b) (7) /OIG/USEPA/US] [attachment "(b) (6), 01 - initial letter.pdf" deleted by (b) (6), (b) (7) /OIG/USEPA/US] [attachment "EPA Counsel01.pdf" deleted by (b) (6), (b) (7) /OIG/USEPA/US]

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
[redacted] epa.gov

(b) (6), (b) (7) From: (b) (6), (b) (7) /OIG/USEPA/US To: (b) (6) ... 10/17/2012 04:31:27 PM

AMERICAN OVERSIGHT

TAR CREEK: Date for (b) (7)(E) [redacted]

(b) (6), (b) (7) [redacted] to: (b) (6), (b) (7) [redacted] 10/18/2012 06:11 PM

History: This message has been replied to.

Good Afternoon (b) [redacted],

The date for the above document is 7/12/10. Have a pleasant afternoon.

(b) (6), (b) (7)
(C) [redacted]
U.S. EPA (6SF-RL)
(b) (6), (b) (7)
(C) [redacted]@epa.gov

AMERICAN OVERSIGHT

Re: TAR CREEK: Date for (b) (7)(E) [redacted]

(b) (6), (b) (7) to: (b) (6), (b) (7) 10/18/2012 06:13 PM

Thanks so much - You have a great afternoon as well.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C) [redacted]
epa.gov

(b) (6), (b) (7) Good Afternoon (b) , The date for the above d... 10/18/2012 05:11:54 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/18/2012 05:11 PM
Subject: TAR CREEK: Date for (b) (7)(E) [redacted]

Good Afternoon (b) (6),

The date for the above document is 7/12/10. Have a pleasant afternoon.

(b) (6), (b) (7)(C) [redacted]
U.S. EPA (6SF-RL)
(b) (6), (b) (7)(C) [redacted]@epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) (7) to: (b) (6), (b) 10/22/2012 10:44 AM

(b) ,

(b) (5), (b) (7)(E)

Thanks.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (b) (6), (b) , 10/08/2012 08:48:38 AM

From: (b) (6), (b) <(b) (6), @sai.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/08/2012 08:48 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7)(C) ,

(b) (5)

(b)
(6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b)
(6) ,

Thanks for sending the memo. (b) (5)

AMERICAN OVERSIGHT

Regards,

[redacted]
Special Agent, EPA/OIG
[redacted]
[redacted]@epa.gov

-----[redacted] <[redacted]@sai.ok.gov> wrote: -----
To: [redacted]/R6/USEPA/US@EPA
From: [redacted] <[redacted]@sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

[redacted],

Attached is the memo that I mentioned. [redacted]

Thanks,
[redacted]
Investigator
Office of State Auditor & Inspector
[redacted]
[redacted] Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by [redacted]/R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 10/22/2012 10:58 AM

History: This message has been replied to.

(b) (6), (b) (7),

Thank you for the reply and the interest. I apologize that you haven't been able to reach me; I've been out of the office in travel status. I would certainly be glad to meet with you and/or get you what we have. Are you still in Oklahoma?

(b) (6)

On 10/22/2012 9:43 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (6),

(b) (5), (b) (7)(E)

Thanks.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA

AMERICAN OVERSIGHT

Date: 10/08/2012 08:48 AM

Subject: Re: Tar Creek memo

(b) (6), (b) (7)(C),

(b) (5)

(b) (6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b) (6),

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

----- (b) (6), (b) (7) <(b) (6), (b) @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) (7) to: (b) (6), (b) 10/22/2012 11:28 AM

I am not still in OK City, I am based out of (b) (6), If you think it would be best to make a trip up there, I can do that but won't be able to until after the first week of Nov - I have another project that has a priority due date during that first week.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (b), 10/22/2012 09:58:37 AM

From: (b) (6), (b) <(b) (6), @sai.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/22/2012 09:58 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

Thank you for the reply and the interest. I apologize that you haven't been able to reach me; I've been out of the office in travel status. I would certainly be glad to meet with you and/or get you what we have. Are you still in Oklahoma?

(b) (6)

On 10/22/2012 9:43 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (6),

(b) (5), (b) (7)(E)

Thanks.

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/08/2012 08:48 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7)(C),

(b) (5)

(b) (6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b) (6),

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
@epa.gov

-----(b) (6), (b) (7) <(b) (6), (b) @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) <(b) (6), (b) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

Fw: Question

(b) (6), (b) to: (b) (6), (b) (7) 10/23/2012 12:20 PM
(7)(C) (b) (6), (b)

Hi (b),

We can definitely assist you. Please submit a tech request in I2M, staff myself and (b) (6), (b) (7) to the case. Once your tech request is approved by the SAC, we'll be able to move forward on this.

Regards,

(b) (6), (b) (7)(C)
US Environmental Protection Agency
Office of Inspector General

(b) (6), (b) (7)(C)

----- Forwarded by (b) (6), (b) /OIG/USEPA/US on 10/23/2012 12:17 PM -----

From: (b) (6), (b) /OIG/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 10/23/2012 11:43 AM
Subject: Fw: Question

(b) (6),
(b) (7)

It looks like (b) (6), (b) (7) has a tech request.

Thanks,
(b) (6),
(b) (7)

----- Forwarded by (b) (6), (b) /OIG/USEPA/US on 10/23/2012 11:42 AM -----

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 10/23/2012 11:06 AM
Subject: Fw: Question

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

----- Forwarded by (b) (6), (b) (7) /R6/USEPA/US on 10/23/2012 10:07 AM -----

From: (b) (6), (b) /OIG/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 10/23/2012 10:00 AM
Subject: Re: Question

AMERICAN OVERSIGHT

(b) (6),

Forward this to (b) (6), (b) (7) . (b) (7)(E)

Just keep me in the loop, thank you.

(b) (6), (b)

V/r
(b) (6), (b) (7)(C)
U.S. Environmental Protection Agency
Office of Inspector General
Office of Investigations
1200 Pennsylvania Ave NW (MC 2431T)
Washington, DC 20460
(b) (6), (b) (7)(C)

(b) (6), (b) (7) Hi (b) (6), (b) , I have a (b) (5), (b) (7)(E) ... 10/23/2012 09:16:37 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 10/23/2012 09:16 AM
Subject: Question

Hi (b) (6), (b) ,

I have a (b) (5), (b) (7)(E)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 10/23/2012 07:19 PM

History: This message has been replied to.

(b) (6), (b) (7),

I'm sorry that I'm just now replying.

At this point, I don't think there's any reason why you'd need to come back up here. However, if that changes within the next couple of weeks, I'll let you know. Otherwise, I'll plan to e-mail you some of the documents/records that we have.

Thanks,
(b) (6)

On 10/22/2012 10:27 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

I am not still in OK City, I am based out of (b) (6), (b) (7)(C) If you think it would be best to make a trip up there, I can do that but won't be able to until after the first week of Nov - I have another project that has a priority due date during that first week.

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/22/2012 09:58 AM
Subject: Re: Tar Creek memo

AMERICAN OVERSIGHT

(b) (6), (b) (7),

Thank you for the reply and the interest. I apologize that you haven't been able to reach me; I've been out of the office in travel status. I would certainly be glad to meet with you and/or get you what we have. Are you still in Oklahoma?

(b) (6)

On 10/22/2012 9:43 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (6),

(b) (5), (b) (7)(E)

Thanks.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/08/2012 08:48 AM
Subject: Re: Tar Creek memo

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C),

(b) (5)

(b) (6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b) (6),

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

-----(b) (6), (b) (7) <(b) (6), (b) @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) <(b) (6), (b) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

AMERICAN OVERSIGHT

(b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) (7) to: (b) (6), (b) 10/24/2012 08:51 AM

Thank You so much. I really appreciate it.
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

From: (b) (6), (b) (7) [(b) (6), (b) @sai.ok.gov]
Sent: 10/23/2012 06:09 PM EST
To: (b) (6), (b) (7)(C)
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

I'm sorry that I'm just now replying.

At this point, I don't think there's any reason why you'd need to come back up here. However, if that changes within the next couple of weeks, I'll let you know. Otherwise, I'll plan to e-mail you some of the documents/records that we have.

Thanks,
(b) (6)

On 10/22/2012 10:27 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

I am not still in OK City, I am based out of (b) (6), (b) (7) If you think it would be best to make a trip up there, I can do that but won't be able to until after the first week of Nov - I have another project that has a priority due date during that first week.

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/22/2012 09:58 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

Thank you for the reply and the interest. I apologize that you haven't been able to reach me; I've been out of the office in travel status. I would certainly be glad to meet with you and/or get you what we have. Are you still in Oklahoma?

(b) (6)

On 10/22/2012 9:43 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (6),
(b) (5), (b) (7)(E)

Thanks.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/08/2012 08:48 AM

AMERICAN OVERSIGHT

Subject: Re: Tar Creek memo

(b) (6), (b) (7)(C),

(b) (5)

(b) (6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b) (6),

Thanks for sending the memo. (b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

-----(b) (6), (b) (7) <(b) (6), (b) @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) <(b) (6), (b) (7)(C) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

AMERICAN OVERSIGHT

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 10/24/2012 09:07 AM

History: This message has been replied to.

You're welcome, but thank you very much for your interest in this.

On 10/24/2012 7:51 am,
(b) (6), (b) (7)(C) @epamail.epa.gov wrote:

Thank You so much. I really appreciate it.
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) [(b) (6), (b) (7)(C) @sai.ok.gov]
Sent: 10/23/2012 06:09 PM EST
To: (b) (6), (b) (7)(C)
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

I'm sorry that I'm just now replying.

At this point, I don't think there's any reason why you'd need to come back up here. However, if that changes within the next couple of weeks, I'll let you know. Otherwise, I'll plan to e-mail you some of the documents/records that we have.

Thanks,
(b) (6)

On 10/22/2012 10:27 am,
(b) (6), (b) (7)(C) @epamail.epa.gov wrote:

I am not still in OK City, I am based out of (b) (6), (b) (7) If you think it would be best to make a trip up there, I can do that but won't be able to until after the first week of Nov - I have another project that has a priority due date during that first

AMERICAN OVERSIGHT

week.

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/22/2012 09:58 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

Thank you for the reply and the interest. I apologize that you haven't been able to reach me; I've been out of the office in travel status. I would certainly be glad to meet with you and/or get you what we have. Are you still in Oklahoma?

(b) (6)

On 10/22/2012 9:43 am, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (6),
(b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

Thanks.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 10/08/2012 08:48 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7)(C),

(b) (5)

(b)
(6)

On 10/05/2012 8:01 am, (b) (6), (b) (7)(C) wrote:

(b)
(6),

Thanks for sending the memo. (b) (5)

AMERICAN OVERSIGHT

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

-----(b) (6), (b) (7) <(b) (6), (b) @sai.ok.gov> wrote: -----
To: (b) (6), (b) (7)(C) /R6/USEPA/US@EPA
From: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) @sai.ok.gov>
Date: 10/04/2012 04:03PM
Subject: Tar Creek memo

(b) (6), (b) (7)(C),

Attached is the memo that I mentioned. (b) (5)

Thanks,
(b) (6), (b) (7)(C)
Investigator
Office of State Auditor & Inspector
(b) (6), (b) (7)(C)
Tulsa, OK 74127

[attachment "EPA memo.pdf" removed by (b) (6), (b) (7)(C) /R6/USEPA/US]

AMERICAN OVERSIGHT

FW: TAR CREEK OU4: Demolition Activities

(b) (6), (b) (7) to: (b) (6), (b) (7) 10/24/2012 02:21 PM

(b) (6), (b) (7)(C)
Land Protection Division
Oklahoma Department of Environmental Quality
(b) (6), (b) (7)(C)
deq.ok.gov

From: (b) (6), (b) (7)(C) @CH2M.com [
mailto:(b) (6), (b) (7)(C) @CH2M.com]
Sent: Wednesday, March 23, 2011 8:55 AM
To: (b) (6), (b) (7)(C) @epamail.epa.gov; (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) @CH2M.com
Subject: RE: TAR CREEK OU4: Demolition Activities

Good morning, All.

Please find enclosed the cost evaluation based on the current operation of the repository for demo debris management. I could not find a unit rate adjustment in the demo contract (CWF contract) for offsite disposal, as such I could not make a one to one comparison. But the attached table provides a unit cost of disposal on a per ton basis, for our discussion. This cost estimate is optimistic, as this assumes 6 day/week production, which we can also discuss on the call. Thank you and have a great day.

Best Regards,

(b) (6), (b) (7)(C)
From: (b) (6), (b) (7)(C) @epamail.epa.gov<
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov> [
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov]
Sent: Tuesday, March 22, 2011 12:01 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) /ATL
Subject: RE: TAR CREEK OU4: Demolition Activities

Good Morning (b) (6), ,

Unless there are any objections, lets use the same number we use for our weekly RD/RA call. Have a great day.

(b) (6), (b) (7)(C)
U.S. EPA (6SF-RL)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @epa.gov<mailto:(b) (6), (b) (7)(C) @epa.gov>
From:

AMERICAN OVERSIGHT

"(b) (6), (b) (7)(C) " <(b) (6), (b) (7)(C) @deq.ok.gov<
mailto:(b) (6), (b) (7)(C) @deq.ok.gov>>

To:

(b) (6), (b) (7)(C) /R6/USEPA/US@EPA, "(b) (6), (b) (7) "
<(b) (6), (b) (7) @deq.ok.gov<mailto:(b) (6), (b) (7) @deq.ok.gov
>>

Cc:

<(b) (6), (b) (7)(C) @ch2m.com<mailto:(b) (6), (b) (7)(C) @ch2m.com
>>

Date:

03/22/2011 07:23 AM

Subject:

RE: TAR CREEK OU4: Demolition Activities

_____

That would be fine with me. Would we utilize the
same conference call number? I can conference
everyone in from my phone if needed. Just need what
numbers to call.

(b) (6), (b) (7)(C)
Land Protection Division
Oklahoma Department of Environmental Quality
(b) (6), (b) (7)(C)
deq.ok.gov<
mailto:(b) (6), (b) (7)(C) @deq.ok.gov>

From: (b) (6), (b) (7)(C) @epamail.epa.gov<
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov> [
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov]
Sent: Monday, March 21, 2011 4:41 PM
To: (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b) (7)(C) @ch2m.com<
mailto:(b) (6), (b) (7)(C) @ch2m.com>
Subject: TAR CREEK OU4: Demolition Activities

Good Afternoon (b) (6), and (b) (6),,

It was a pleasure to speak with you both today and
receive an update on the efforts associated with the
access agreements on restricted properties and the
options that exist for utilizing a license landfill
other then the repository. In speaking with
CH2MHill, there may be an approach for us to return

AMERICAN OVERSIGHT

the compaction equipment, but accumulate the debris in a section of the repository and then bring the equipment back to compact the waste. As expressed in my voice message, I would like to discuss this approach with you and CH2MHill after our weekly RD/RA call this week to hear your thoughts. An evaluation of the cost is being developed, which I will forward to you on tomorrow.

Please give me a call if you have any questions.
Have a great evening.

(b) (6), (b) (7)(C)
U.S. EPA (6SF-RL)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @epa.gov<mailto:(b) (6), (b) (7)(C) @epa.gov>

winmail.dat Cost Eval_Repository Ops.xls

AMERICAN OVERSIGHT

FW: TAR CREEK OU4: Demolition Activities

(b) (6), (b) (7) to: (b) (6), (b) (7) 10/24/2012 02:22 PM

(b) (6), (b) (7)(C)
Land Protection Division
Oklahoma Department of Environmental Quality
(b) (6), (b) (7)(C)
deq.ok.gov

From: (b) (6), (b) (7)(C) @epamail.epa.gov [
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov]
Sent: Tuesday, March 22, 2011 11:01 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) @ch2m.com
Subject: RE: TAR CREEK OU4: Demolition Activities

Good Morning (b) (6), ,

Unless there are any objections, lets use the same number we use for our weekly RD/RA call. Have a great day.

(b) (6), (b) (7)(C)
U.S. EPA (6SF-RL)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @epa.gov<mailto:(b) (6), (b) (7)(C) @epa.gov>

From:

"(b) (6), (b) (7)(C) " <(b) (6), (b) (7)(C) @deq.ok.gov<
mailto:(b) (6), (b) (7)(C) @deq.ok.gov>>

To:

(b) (6), (b) (7)(C) /R6/USEPA/US@EPA, "(b) (6), (b) (7) "
<(b) (6), (b) (7) @deq.ok.gov<mailto:(b) (6), (b) (7) @deq.ok.gov
>>

Cc:

<(b) (6), (b) (7)(C) @ch2m.com<mailto:(b) (6), (b) (7)(C) @ch2m.com
>>

Date:

03/22/2011 07:23 AM

Subject:

RE: TAR CREEK OU4: Demolition Activities

AMERICAN OVERSIGHT

That would be fine with me. Would we utilize the same conference call number? I can conference everyone in from my phone if needed. Just need what numbers to call.

(b) (6), (b) (7)(C)
Land Protection Division
Oklahoma Department of Environmental Quality
(b) (6), (b) (7)(C)
deq.ok.gov<
mailto:(b) (6), (b) (7)(C) @deq.ok.gov>

From: (b) (6), (b) (7)(C) @epamail.epa.gov<
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov> [
mailto:(b) (6), (b) (7)(C) @epamail.epa.gov]
Sent: Monday, March 21, 2011 4:41 PM
To: (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b) (7)(C) @ch2m.com<
mailto:(b) (6), (b) (7)(C) @ch2m.com>
Subject: TAR CREEK OU4: Demolition Activities

Good Afternoon (b) (6), and (b) (6),

It was a pleasure to speak with you both today and receive an update on the efforts associated with the access agreements on restricted properties and the options that exist for utilizing a license landfill other then the repository. In speaking with CH2MHill, there may be an approach for us to return the compaction equipment, but accumulate the debris in a section of the repository and then bring the equipment back to compact the waste. As expressed in my voice message, I would like to discuss this approach with you and CH2MHill after our weekly RD/RA call this week to hear your thoughts. An evaluation of the cost is being developed, which I will forward to you on tomorrow.

Please give me a call if you have any questions.
Have a great evening.

(b) (6), (b) (7)(C)
U.S. EPA (6SF-RL)
(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @epa.gov<mailto:(b) (6), (b) (7)(C) @epa.gov>

winmail.dat

AMERICAN OVERSIGHT

New Document Uploaded (11/05/2012 at 02:03:33P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 11/05/2012 02:03 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOA

Description: MOA-11/05/2012-(b) (7)(E)

AMERICAN OVERSIGHT

Re: Tar Creek memo
(b) (6), (b) to: (b) (6), (b) (7) 11/06/2012 12:11 PM

(b) (6), (b) (7),

Thank you for the timeline.

I will send you some of the pertinent e-mails that we have as soon as I finish compiling them.

(b) (6)

On 11/05/2012 4:20 pm, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) to: (b) (6), (b) (7) 11/07/2012 11:03 AM

History: This message has been replied to.

(b) (6), (b) (7),

Will you (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Thanks,
(b) (6)

On 11/05/2012 4:20 pm,
(b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

New Document Uploaded (11/07/2012 at 05:51:26P)
(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 11/07/2012 05:51 PM
Cc: (b) (6), (b) (7)

EPA OIG - Investigations
Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E)
(OI-DA-2012-CAC-0114)
Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)
Type: REPORT OF INVESTIGATION (Q)
Description: REPORT OF INVESTIGATION (Q)

AMERICAN OVERSIGHT

Re: Tar Creek memo

(b) (6), (b) (7) to: (b) (6), (b) 11/08/2012 01:49 PM

I believe this is the email your looking for.

(b) email (b) (7)(E) 3-21-12.pdf

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (b), 11/07/2012 10:03:02 AM

From: (b) (6), (b) <(b) (6), @sai.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 11/07/2012 10:03 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

Will you (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
(b) (7)

Thanks,
(b) (6)

On 11/05/2012 4:20 pm, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

Regards,

AMERICAN OVERSIGHT

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek memo
(b) (6), (b) to: (b) (6), (b) (7) 11/08/2012 02:10 PM
History: This message has been replied to.

Thank you, (b) (6), (b) (7); I appreciate it.

On 11/08/2012 12:48 pm,
(b) (6), (b) (7)(C) @epamail.epa.gov wrote:

I believe this is the email your looking for.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 11/07/2012 10:03 AM
Subject: Re: Tar Creek memo

(b) (6), (b) (7),

Will you (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Thanks,
(b) (6)

AMERICAN OVERSIGHT

On 11/05/2012 4:20 pm,
(b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek memo
(b) (6), (b) (7) to: (b) (6), (b) 11/08/2012 02:12 PM

No problem what so ever

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) Thank you, (b) (6); I appreciate it. 11/08/2012 01:10:14 PM

From: (b) (6), (b) <(b) (6), @sai.ok.gov>
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 11/08/2012 01:10 PM
Subject: Re: Tar Creek memo

Thank you, (b) (6), (b) (7); I appreciate it.

On 11/08/2012 12:48 pm, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

I believe this is the email your looking for.

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

From: (b) (6), <(b) @sai.ok.gov>
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 11/07/2012 10:03 AM
Subject: Re: Tar Creek memo

AMERICAN OVERSIGHT

(b) (6), (b) (7),

Will you (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Thanks,
(b) (6)

On 11/05/2012 4:20 pm, (b) (6), (b) (7)(C) @epamail.epa.gov wrote:

(b) (5), (b) (6), (b) (7)(C)

(b) (5)

Regards,

(b) (6), (b) (7)(C)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
@epa.gov

AMERICAN OVERSIGHT

New Document Uploaded (11/08/2012 at 03:59:24P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 11/08/2012 03:59 PM

Cc: (b) (6), (b) (7) ,(b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: Investigative OI Support

Description: Investigative OI Support-11/08/2012-Request - Tech Support, (b) (7)(E)

AMERICAN OVERSIGHT

Tech Request is in the System

(b) (6), (b) (7) to: (b) (6), (b) 11/08/2012 04:05 PM

I have staffed you and put the request in the system. It is the Tar Creek/ LICRA Trust (b) (7). Hopefully you'll have no problems getting to it.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Tech Request is in the System

(b) (6), (b) (7)(C) to: (b) (6), (b) (7) 11/08/2012 07:15 PM

History: This message has been replied to.

(b) (6),

I have access to the tech request. As soon as the acting SAC approves it, I will get it in our cue. So you know, there are three requests ahead of yours in the cue.

(b) (6), (b) (7)(C)
US Environmental Protection Agency
Office of Inspector General

(b) (6), (b) (7)(C)

(b) (6), (b) (7) I have staffed you and put the request in the syst... 11/08/2012 04:03:42 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 11/08/2012 04:03 PM
Subject: Tech Request is in the System

I have staffed you and put the request in the system. It is the Tar Creek/ LICRA Trust (b) (7). Hopefully you'll have no problems getting to it.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Tech Request is in the System
(b) (6), (b) (7) to: (b) (6), (b) 11/08/2012 07:16 PM

(b) (6),

(b) can't see my stuff.
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (b), I have access to the tech request. As... 11/08/2012 05:15 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7)
Cc:
Date: 11/08/2012 05:15 PM MST
Subject: Re: Tech Request is in the System

(b),

I have access to the tech request. As soon as the acting SAC approves it, I will get it in our cue. So you know, there are three requests ahead of yours in the cue.

(b) (6), (b)
(7)(C)
US Environmental Protection Agency
Office of Inspector General

(b) (6), (b) (7)(C)

(b) (6), (b) (7) I have staffed you and put the request in the syst... 11/08/2012 04:03:42 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 11/08/2012 04:03 PM
Subject: Tech Request is in the System

I have staffed you and put the request in the system. It is the Tar Creek/ LICRA Trust (b) (7). Hopefully you'll have no problems getting to it.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

Re: Tech Request is in the System

(b) (6), (b) (7)(C) to: (b) (6), (b) (7)(C) 11/08/2012 07:19 PM

I understand that, there are a lot of people who can't see things in IGEMS. Under the circumstances, if you would send him this email, I'll take his concurrence to on this email as his approval.

(b) (6), (b) (7)(C)
US Environmental Protection Agency
Office of Inspector General

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), , (b) (7)(C) can't see my stuff. 11/08/2012 07:16:22 PM

From: (b) (6), (b) (7)(C) /R6/USEPA/US
To: (b) (6), (b) (7)(C) /OIG/USEPA/US@EPA
Date: 11/08/2012 07:16 PM
Subject: Re: Tech Request is in the System

(b) (6), ,

(b) (7)(C) can't see my stuff.

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (7)(C), I have access to the tech request. As... 11/08/2012 05:15 PM MST
(b) (6), (b) (7)(C) I have staffed you and put the request in the syst... 11/08/2012 04:03:42 PM

AMERICAN OVERSIGHT

Document Approved (11/14/2012 at 09:49:53P)

(b) (6), (b) (7) to: (b) (6), (b) (7) 11/14/2012 09:50 PM

Cc: (b) (6), (b) (7) , (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: Document Approved by (b) (6), (b) (7)(C)

Type: Investigative OI Support

Description: Investigative OI Support-11/08/2012-Request - Tech Support, (b) (7)(E)

AMERICAN OVERSIGHT

Re: Weekly Activity Reports

(b) (6), (b) (7) to: (b) (6), (b) (7) 11/15/2012 09:46 AM

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Team, Please provide your Weekly Activity repor... 11/15/2012 08:32:48 AM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 11/15/2012 08:32 AM
Subject: Weekly Activity Reports

Team,

Please provide your Weekly Activity reports prior to 11:00 am.

Thanking you in advance.

(b) (6), (b) (7)

AMERICAN OVERSIGHT

Re: Weekly Activity Reports
(b) (6), (b) (7) to: (b) (6), (b) (7) 11/15/2012 02:25 PM

See below.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Hello (b) (6), Please provide case numbers. 11/15/2012 01:15:01 PM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) (7) R6/USEPA/US@EPA
Date: 11/15/2012 01:15 PM
Subject: Re: Weekly Activity Reports

Hello (b) (6),
Please provide case numbers.

(b) (6), (b) (7) (b) (5), (b) (7)(E) ... 11/15/2012 08:45:02 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R5/USEPA/US@EPA
Date: 11/15/2012 08:45 AM
Subject: Re: Weekly Activity Reports

OI-DA-2012-CFR-0164
(b) (5), (b) (7)(E)

OI-DA-2012-CFR-0155
(b) (5), (b) (7)(E)

OI-DA-2012-CFR-0172
(b) (5), (b) (7)(E)

COMP-2012-95
(b) (5), (b) (7)(E)

OI-DA-2012-CAC-0144

AMERICAN OVERSIGHT

(b) (5), (b) (7)(E)
[redacted]

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
[redacted]
epa.gov

(b) (6), (b) (7) Team, Please provide your Weekly Activity repor... 11/15/2012 08:32:48 AM

AMERICAN OVERSIGHT

Re: Weekly Activity Reports
(b) (6), (b) (7) to: (b) (6), (b) (7) 11/15/2012 03:41 PM

Here's the basic scoop - (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Thoughts?

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Good evening (b) , (b) (5) ... 11/15/2012 02:23:57 PM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 11/15/2012 02:23 PM
Subject: Re: Weekly Activity Reports

Good evening (b) ,

(b) (5)

(b) (6)

(b) (6), (b) (7) See below. (b) (6), (b) (7) Special Agent, EPA... 11/15/2012 01:23:14 PM
(b) (6), (b) (7) Hello (b) , Please provide case numbers. 11/15/2012 01:15:01 PM
(b) (6), (b) (7) (b) (5), (b) (7)(E) ... 11/15/2012 08:45:02 AM
(b) (6), (b) (7) Team, Please provide your Weekly Activity repor... 11/15/2012 08:32:48 AM

AMERICAN OVERSIGHT

Re: Weekly Activity Reports
(b) (6), (b) (7) to: (b) (6), (b) (7) 11/15/2012 04:14 PM

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) ... 11/15/2012 03:10:29 PM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 11/15/2012 03:10 PM
Subject: Re: Weekly Activity Reports

(b) (5)

(b) (6), (b) (7)	Here's the basic scoop - (b) (5) ...	11/15/2012 02:39:48 PM
(b) (6), (b) (7)	Good evening (b) , (b) (5) ...	11/15/2012 02:23:57 PM
(b) (6), (b) (7)	See below. (b) (6), (b) (7) Special Agent, EPA...	11/15/2012 01:23:14 PM
(b) (6), (b) (7)	Hello (b) , Please provide case numbers.	11/15/2012 01:15:01 PM
(b) (6), (b) (7)	(b) (5), (b) (7)(E) ...	11/15/2012 08:45:02 AM
(b) (6), (b) (7)	Team, Please provide your Weekly Activity repor...	11/15/2012 08:32:48 AM

AMERICAN OVERSIGHT

Tar Creek toxicology

(b) (6), (b) (7) to: (b) (6), (b) (7) 11/28/2012 12:12 PM

Hi (b) ,

I just wanted to follow-up and see where we are at on this.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

New Document Uploaded (12/13/2012 at 04:50:19P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 12/13/2012 04:50 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: Correspondence (Formal Letters)

Description: Correspondence (Formal Letters)-12/13/2012- FBI Letter

AMERICAN OVERSIGHT

MOI for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/14/2012 07:52 PM

Hi (b) ,

The attached MOI relates to the Tar Creek matter (b) (5), (b) (6), (b) (7)(C), (b) (7)(E) If you have any questions, feel free to call.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

MOI (b) (6), (b) (7)(C) 12-14-12.docx

AMERICAN OVERSIGHT

Re: MOI for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/14/2012 07:54 PM

Ok, will review.

(b) (6), (b) (7) Hi (b) (6), The attached MOI relates to the Tar... 12/14/2012 05:50 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 12/14/2012 05:50 PM MST
Subject: MOI for review

Hi (b),

The attached MOI relates to the Tar Creek matter (b) (5), (b) (6), (b) (7)(C), (b) (7)(E) If you have any questions, feel free to call.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "MOI (b) (6), (b) (7)(C), 12-14-12.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: MOI for review
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/15/2012 12:13 PM

Thanks, my changes and questions are highlighted in yellow.

MOI (b) (6), (b) (7)(C) 12-14-12 (b) (5), (b) 12152012.doc

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), The attached MOI relates to the Tar C... 12/14/2012 06:50:28 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/14/2012 06:50 PM
Subject: MOI for review

Hi (b) (6),
The attached MOI relates to the Tar Creek matter (b) (5), (b) (6), (b) (7)(C), (b) (7)(E) If you have any questions, feel free to call.

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "MOI (b) (6), (b) (7)(C), 12-14-12.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

New Document Uploaded (12/17/2012 at 09:42:24A)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 12/17/2012 09:42 AM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Complaint: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (COMP-2012-95)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-12/17/2012-(b) (6), (b) (7)(C), 12-14-12

AMERICAN OVERSIGHT

Re: Tar Creek Complaint
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 10:07 AM

Thanks, reviewing it now.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), (b) (5) ... 12/17/2012 09:05:42 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/17/2012 09:05 AM
Subject: Tar Creek Complaint

Hi (b) (6),
(b) (5)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "Case Initiation - Tar Creek ARRA complaint.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Tar Creek Complaint

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 10:08 AM

Hi (b) ,

(b) (5)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Tar Creek Complaint

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 10:44 AM

History: This message has been replied to.

Amended case initiation. All changes or questions are highlighted in yellow. Thanks.

Case Initiation - Tar Creek ARRA complaint.doc

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), (b) (5) ... 12/17/2012 09:05:42 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/17/2012 09:05 AM
Subject: Tar Creek Complaint

Hi (b) (6),

(b) (5)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

Case Initiation - Tar Creek ARRA complaint.docx

AMERICAN OVERSIGHT

New Case
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 11:07 AM

I2M - Investigations

Email sent to:
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPAMAIL.EPA.GOV)
OIGCounsel@epa.gov

Case: **OI-DA-2013-CFR-0020 - ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK**
Agent: (b) (6), (b) (7)(C)
Action: **New Case** by (b) (6), (b) (7)(C)
Type: **Case Initiation**
Description: **CI-12/17/2012**

OI-DA-2013-CFR-0020_I-INI_20121217_110723AM.docx

AMERICAN OVERSIGHT

Re: Tar Creek Complaint

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 11:16 AM

Corrections made and case initiated, although I think I did something wrong because the complaint is still showing under complaints in I2MS

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Amended case initiation. All changes or questio... 12/17/2012 09:44:42 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 12/17/2012 09:44 AM
Subject: Re: Tar Creek Complaint

Amended case initiation. All changes or questions are highlighted in yellow. Thanks.

[attachment "Case Initiation - Tar Creek ARRA complaint.doc" deleted by (b) (6), /R6/USEPA/US]

(b) (6), (b) (7)(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) , (b) (5) ... 12/17/2012 09:05:42 AM

AMERICAN OVERSIGHT

Re: Tar Creek Complaint
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 11:25 AM

Checking now in I2MS.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Corrections made and case initiated, although I t... 12/17/2012 10:14:19 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/17/2012 10:14 AM
Subject: Re: Tar Creek Complaint

Corrections made and case initiated, although I think I did something wrong because the complaint is still showing under complaints in I2MS

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Amended case initiation. All changes or questio... 12/17/2012 09:44:42 AM
(b) (6), (b) (7) Hi (b) , (b) (5) ... 12/17/2012 09:05:42 AM

AMERICAN OVERSIGHT

Re: Tar Creek Complaint
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 11:33 AM

I will call you to discuss.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Checking now in I2MS. (b) (6), (b) (7) (b) (6), ... 12/17/2012 10:25:39 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 12/17/2012 10:25 AM
Subject: Re: Tar Creek Complaint

Checking now in I2MS.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Corrections made and case initiated, although I t... 12/17/2012 10:14:19 AM
(b) (6), (b) (7) Amended case initiation. All changes or questio... 12/17/2012 09:44:42 AM
(b) (6), (b) (7) Hi (b) (6), (b) (5) ... 12/17/2012 09:05:42 AM

AMERICAN OVERSIGHT

Document Resubmittal Requested (12/17/2012 at 12:40:47P)

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 12:40 PM

Cc: (b) (6), (b) , (b) (6), (b) (7)

History: This message has been replied to.

EPA OIG - Investigations

Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-CFR-0020)

Agent: (b) (6), (b) (7)(C)

Action: Document Resubmittal Requested by (b) (6), (b) (7)(C)

Type: Case Initiation

Description: CI-12/17/2012

Reason: Per our conversation we will close this case and open using the proper I2M case mechanism

AMERICAN OVERSIGHT

Re: Document Resubmittal Requested (12/17/2012 at 12:40:47P)

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 12:46 PM

Hi (b) - (b) (5)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) EPA OIG - Investigations Case: ARRA UNK... 12/17/2012 11:40:53 AM

From: (b) (6), (b) /R6/USEPA/US@EPA
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Cc: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /OIG/USEPA/US@EPA
Date: 12/17/2012 11:40 AM
Subject: Document Resubmittal Requested (12/17/2012 at 12:40:47P)

EPA OIG - Investigations
Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-CFR-0020)
Agent: (b) (6), (b) (7)(C)

Action: Document Resubmittal Requested by (b) (6), (b) (7)(C)
Type: Case Initiation
Description: CI-12/17/2012
Reason: Per our conversation we will close this case and open using the proper I2M case mechanism

AMERICAN OVERSIGHT

Re: Case rejection
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 01:11 PM

Sure, doing it now. I just spoke to SAC (b) (6), and (b) can not remove the case either. This will require SA (b) (6), and OMS assistance.
(b) (7)

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) - (b) (5) ... 12/17/2012 11:43:55 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/17/2012 11:43 AM
Subject: Re: Document Resubmittal Requested (12/17/2012 at 12:40:47P)

Hi (b) - (b) (5)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) EPA OIG - Investigations Case: ARRA UNK... 12/17/2012 11:40:53 AM

AMERICAN OVERSIGHT

Document Uploaded (12/17/2012 at 01:17:25P)
(b) (6), (b) (7) to: (b) (6), (b) (7)
Cc: (b) (6), (b) , (b) (6), (b) (7)

12/17/2012 01:17 PM

EPA OIG - Investigations
Complaint: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (COMP-2012-95)
Agent: (b) (6), (b) (7)(C)

Action: Document Uploaded by (b) (6), (b) (7)(C)
Type: MOI
Description: MOI-12/17/2012-(b) (6), (b) (7) , 12-14-12

AMERICAN OVERSIGHT

New Case
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 02:00 PM
History: This message has been forwarded.

I2M - Investigations

Email sent to:
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPAMAIL.EPA.GOV)
OIGCounsel@epa.gov

Case: **OI-DA-2013-ADM-0021 - ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK**
Agent: **15**
Action: **New Case** by (b) (6), (b) (7)(C)
Type: **Case Initiation**
Description: **CI-12/17/2012**

OI-DA-2013-ADM-0021_I-INI_20121217_015948PM.docx

AMERICAN OVERSIGHT

Fw: New Case
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 02:04 PM

Okay - this is the right one

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

----- Forwarded by (b) (6), (b) (7) /R6/USEPA/US on 12/17/2012 01:04 PM -----

From: (b) (6), (b) (7) /R6/USEPA/US@EPA
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 12/17/2012 01:00 PM
Subject: New Case

I2M - Investigations

Email sent to:
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPA.GOV)
(b) (6), (b) (7)(C) ((b) (6), (b) (7)(C) @EPAMAIL.EPA.GOV)
OIGCounsel@epa.gov

Case: **OI-DA-2013-ADM-0021 - ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUN OK**
Agent: **15**
Action: **New Case** by (b) (6), (b) (7)(C)
Type: **Case Initiation**
Description: **CI-12/17/2012**

OI-DA-2013-ADM-0021_I-INI_20121217_015948PM.docx

AMERICAN OVERSIGHT

Document Uploaded (12/17/2012 at 02:27:12P)
(b) (6), (b) (7) to: (b) (6), (b) (7)
Cc: (b) (6), (b) , (b) (6), (b) (7)

12/17/2012 02:27 PM

EPA OIG - Investigations
Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-ADM-0021)
Agent: (b) (6), (b) (7)(C)

Action: Document Uploaded by (b) (6), (b) (7)(C)
Type: Case Initiation
Description: CI-12/17/2012-CASE INITIATION

AMERICAN OVERSIGHT

Re: FBI Letter
(b) (6), (b) (7) to: (b) (6), (b) (7) 12/17/2012 02:50 PM

Please sign and send electronically or via mail, your choice.

Tar Creek ARRA FBI letter.doc

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), Attached is the FBI letter for the case... 12/17/2012 01:45:16 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/17/2012 01:45 PM
Subject: FBI Letter

Hi (b) (6),
Attached is the FBI letter for the case opening.

[attachment "Tar Creek ARRA FBI letter.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Case info - Hopefully it's not to confusing.

(b) (6), (b) (7) to: (b) (6), (b)

12/17/2012 04:15 PM

(b) (5)

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

(b) (5)

(b) (5), (b) (6), (b) (7)(C)

(6)

)

AMERICAN OVERSIGHT

(b) (5)

(b) (5)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E) xlsx 119 - (b) (5), (b) (7)(E) 2-11-11.pdf 124 (b) (5), (b) (7)(E) 2, 2-28-11.pdf
135 - (b) (5), (b) (7)(E) 3, 4-14-11.pdf 147 - (b) (5), (b) (7)(E) 4, 5-25-11.pdf
148 - (b) (5), (b) (7)(E) 5, 5-25-11.pdf

Feel free to call me if you have any questions.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) Hello (b) , Would you please (b) (5), (b) (7) ... 12/17/2012 01:54:06 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 12/17/2012 01:54 PM
Subject: Case info

Hello (b) ,

Would you please (b) (5), (b) (7)(E) ? Thanks.

(b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

Special Agent
U.S. Environmental Protection Agency
Office of Inspector General/Investigations(b)
1445 Ross Ave. #
Dallas, TX 75202
(b) (6), (b) (7)(C)

AMERICAN OVERSIGHT

New Document Uploaded (12/17/2012 at 04:48:59P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 12/17/2012 04:49 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-ADM-0021)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: Correspondence (Formal Letters)

Description: Correspondence (Formal Letters)-12/17/2012- FBI Letter

AMERICAN OVERSIGHT

FBI Notifications Letters

(b) (6), (b) (7) to: (b) (6), (b) 12/17/2012 04:49 PM

(b) ,

(b) (5)

(b) (5), (b) (7)(E)

Thanks - Hope your holidays are good.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) , (b) (6), (b) (7)(C) , (b) (6), (b) (7) 12/18/2012 04:50 PM

Cc: "(b) (6), (b) "

History: This message has been replied to.

(b) , I thought (b) (5) Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) , the (b) (6), (b) . All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) what the IG wants or expects. (b) said he wants us to suggest the place for him to visit. I told (b) (6) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) (6) if I were the IG I'd rather have choices and I told (b) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3. (b) said that when Art last visited R9 that (b) (6), (b) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) asked (b) (6) if (b) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b) , but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

[redacted]

AMERICAN OVERSIGHT

5. Art may not visit the Dallas office at all.

(b) , if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b)
(6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 06:11 PM

(b) (5)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6), I thought (b) (5) ... 12/18/2012 02:50 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b)
Date: 12/18/2012 02:50 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6), I thought (b) (5) Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) (6) ; (b) (6), (b) (7) ; (b) (6), (b) (6) ; (b) (6), (b) (6) ; (b) (6), (b) (6) ; (b) (6), (b) (6)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) (6), the (b) (6), (b) (6). All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) (6) what the IG wants or expects. (b) (6) said he wants us to suggest the place for him to visit. I told (b) (6) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) (6) if I were the IG I'd rather have choices and I told (b) (6) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) (6) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3. (b) (6) said that when Art last visited R9 that (b) (6), (b) (6) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) (6)

AMERICAN OVERSIGHT

asked (b) (6) if (b) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b), but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

5. Art may not visit the Dallas office at all.

(b), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b)
(6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 06:14 PM

Good please let (b) (6) know your thoughts.

(b) (6), (b) (7) (b) (5) ... 12/18/2012 04:11 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 12/18/2012 04:11 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6), I thought (b) (5) ... 12/18/2012 02:50 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b)
Date: 12/18/2012 02:50 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6), I thought (b) (5)
Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) , the (b) (6), (b) . All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) what the IG wants or expects. (b) said he wants us to suggest the place for him to visit. I told (b) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) if I were the IG I'd rather have choices and I told (b) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) (6) with a list of 3-4 potential places

AMERICAN OVERSIGHT

within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3. (b) (6) said that when Art last visited R9 that (b) (6), (b) (7) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) (7) asked (b) (6) if (b) (6) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b) (6), but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

[redacted]

5. Art may not visit the Dallas office at all.

(b) (6), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b) (6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 07:14 PM

History: This message has been replied to.

(b) (5)
Just wondering.

(b) (6), (b) (7) (b) (5) ... 12/18/2012 04:11 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 12/18/2012 04:11 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6), I thought (b) (5) ... 12/18/2012 02:50 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b)
Date: 12/18/2012 02:50 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6), I thought (b) (5)
Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) (6), the (b) (6), (b) (6). All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) (6) what the IG wants or expects. (b) (6) said he wants us to suggest the place for him to visit. I told (b) (6) that I feel more comfortable suggesting

AMERICAN OVERSIGHT

3 or 4 places he could go and letting him choose. I told (b) (6) if I were the IG I'd rather have choices and I told (b) (6) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) (6) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3. (b) (6) said that when Art last visited R9 that (b) (6), (b) (6) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) (6) asked (b) (6) if (b) (6) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b) (6), but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

[redacted]

5. Art may not visit the Dallas office at all.

(b) (6), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b) (6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 07:51 PM

(b) (5), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6)

(b) (6), (b) (7) (b) (5) ... 12/18/2012 05:14 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7)
Date: 12/18/2012 05:14 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)
Just wondering.

(b) (6), (b) (7) (b) (5) ... 12/18/2012 04:11 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 12/18/2012 04:11 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6) , I thought (b) (5) ... 12/18/2012 02:50 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b)
Date: 12/18/2012 02:50 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) , I thought (b) (5)
Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)

AMERICAN OVERSIGHT

Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) , the (b) (6), (b) . All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) what the IG wants or expects. (b) said he wants us to suggest the place for him to visit. I told (b) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) if I were the IG I'd rather have choices and I told (b) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3 (b) said that when Art last visited R9 that (b) (6), (b) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) asked (b) (6) if (b) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b) , but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

[redacted]

5. Art may not visit the Dallas office at all.

(b) (6), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 07:52 PM

(b) (6),
(b) (5), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):
I was on a call this afternoon with (b) (6), (b), the (b) (6), (b). All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) (6) what the IG wants or expects. (b) (6) said he wants us to suggest the place for him to visit. I told (b) (6) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) (6) if I were the IG I'd rather have choices and I told (b) (6) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) (6) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3 (b) (6) said that when Art last visited R9 that (b) (6), (b) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) asked (b) (6) if (b) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.
4. I have a few ideas in my head at this early point (b) (6), but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

AMERICAN OVERSIGHT

(b) (5) [redacted]

5. Art may not visit the Dallas office at all.

(b) (6), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

(b) (6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/18/2012 07:52 PM

Thanks.

(b) (6), (b) (7) (b) (5) ... 12/18/2012 05:51 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 12/18/2012 05:51 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (5) ... 12/18/2012 05:14 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7)
Date: 12/18/2012 05:14 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)
Just wondering.

(b) (6), (b) (7) (b) (5) ... 12/18/2012 04:11 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 12/18/2012 04:11 PM MST
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (5)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6), I thought (b) (5) ... 12/18/2012 02:50 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7) ; (b) (6), (b) (7)(C) ; (b) (6), (b) (7)
Cc: (b) (6), (b)
Date: 12/18/2012 02:50 PM MST

AMERICAN OVERSIGHT

Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6), I thought (b) (5) Your thoughts?

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b) (7)(C) ; (b) (6), (b) ; (b) (6), (b) (7) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b) ; (b) (6), (b)
Cc:
Date: 12/18/2012 02:23 PM MST
Subject: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6) (and others as an FYI):

I was on a call this afternoon with (b) (6), (b) , the (b) (6), (b) . All of the OIG regional POCs were on the call as well. The call was for us to be informed of what the IG is looking to do when he conducts his next set of office visits in 2013. If you don't know already, Art will be visiting R6 Feb. 4-6, 2013. Here are the key points from the call:

1. Art wants to get OUT INTO THE REGION, meaning taking trips to sites in the States. I told (b) (6) that this is a large region. For example driving end-to-end in Texas takes 12 hours. I asked (b) (6) what the IG wants or expects. (b) (6) said he wants us to suggest the place for him to visit. I told (b) (6) that I feel more comfortable suggesting 3 or 4 places he could go and letting him choose. I told (b) (6) if I were the IG I'd rather have choices and I told (b) (6) that Art is the boss and if he has any preferences at all I'd rather know what those are up-front. We all agreed to provide (b) (6) with a list of 3-4 potential places within each of our regions for him to visit. Of course, with our region being the first one Art is coming to in 2013, we need to figure it out fast.

2. Art wants (like the last two times) for OI to escort/drive him around. So, (b) (6) that means you in this case. It also sounds like he wants me to go along as well. This means, depending on where we are going, we may be flying into a city and meeting Art there.

3. (b) (6) said that when Art last visited R9 that (b) (6), (b) had an action-packed visit and suggested it is better to have a full agenda than a lighter one planned. (b) (6), (b) asked (b) (6) if (b) could get any agenda that (b) (6), (b) (7) may have used for Art's last visit so we could see it.

4. I have a few ideas in my head at this early point (b) (6), but I plan to send an email to (b) (6), (b) (7) and Senior Staff notifying them of Art's visit in February to get their ideas. (b) (5)

[redacted]

5. Art may not visit the Dallas office at all.

(b) (6), if you have any initial thoughts or ideas (or if any of you do as well), please email them to me. I'd like to compile a list of ideas rather quickly and include them with the email I send to (b) (6), (b) (7) when I ask for their thoughts. Thanks.

AMERICAN OVERSIGHT

(b)
(6)

AMERICAN OVERSIGHT

Re: URGENT: please read and provide input if you have any on the IG 's next visit to this Region

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/19/2012 08:09 AM

Ok thanks (b) (5), (b) (6), (b) (7)(C)
C) (6)
haha.

(b) (6), (b) (7)
(C)
EPA-Office of Inspector General (OIG)
Dallas, TX
(b) (6), (b) (7)(C)

(b) (6), (b) (7) (b) (6), Had a talke with (b) (6), thought (b) (5) ... 12/18/2012 06:52:43 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 12/18/2012 06:52 PM
Subject: Re: URGENT: please read and provide input if you have any on the IG's next visit to this Region

(b) (6),
Had a talke with (b) (6), thought (b) (5)
(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) (b) (6) (and others as an FYI): I was on a call t... 12/18/2012 02:23 PM MST

AMERICAN OVERSIGHT

Fw: **INPUT REQUESTED: Inspector General visit to R 6 sites in February

(b) (6), (b) (7) to: (b) (6), (b) (7)(C), (b) (6), (b) , (b) , (b) (6), (b) (7), (b) (6), (b) (7) 12/19/2012 10:19 AM

see below, fyi...I sent this to R6 Senior Staff this morning....

----- Forwarded by (b) (6), (b) (7) /R6/USEPA/US on 12/19/2012 09:18 AM -----

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), /R6/USEPA/US@EPA
Cc: (b) (6), /R6/USEPA/US@EPA, (b) (6), (b) /R6/USEPA/US@EPA, (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) /R6/USEPA/US@EPA, (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), (b) /R6/USEPA/US@EPA, (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6),
Date: 12/19/2012 09:07 AM
Subject: **INPUT REQUESTED: Inspector General visit to R6 sites in February

(b) (6), (b) (6) (and other Senior Staff):
Art Elkins, the Inspector General, is planning another visit to R6 the week of February 4, 2013 (likely Feb. 4-6). This year he wants to take a different approach to his visit. As you might recall, the last two years he has visited with R6 managers and staff here in Dallas and visited local sites (visiting Dish, TX and fracking sites two years ago, and then taking a drive-by tour around the Exide plant in Frisco as well as visiting the COOP site in Addison last time).

This year the IG wants to get out and visit some sites of interest within the Region's States. Below are some ideas my coworkers and I came up with. His trip is likely to be about three days so what I plan to do is send Art a number of options and let him choose where he most wants to visit.

(b) (6), I'd like your thoughts on the potential ideas below. My understanding is that the IG wants to see as much as he can while he is in a particular area. If you have any other specific locations in mind, or input/concerns about specific locations let me know that as well.

**Any feedback you can give me by the end of this week would be fantastic, or certainly after the holidays (by January 4, 2013) would be greatly appreciated so the IG can begin to make travel arrangements.

Thanks,
(b) (6)

**Possible site visits for the IG February 4-6, 2013

(b) (5)

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

OI-DA-2013-ADM-0021 - Tar Creek

(b) (6), (b) (7) to: (b) (6), (b) (7) 12/20/2012 12:26 PM

Hello (b) ,

I'm the attorney who has been assigned to assist on this case. Please let me know when you might have time to discuss the case and what assistance I can provide. Also, can you please grant me access to the I2M case file? Thanks, and I look forward to working with you.

(b)

(b) (6),
(b) (7)
Office of Inspector General, Office of Counsel
Environmental Protection Agency
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Memo on the (b) (5), (b) (7)(E) **for Tar Creek**

(b) (6), (b) (7)(C) to: (b) (6), (b) (7)

Cc: (b) (6), (b)

12/28/2012 03:34 PM

History: This message has been replied to.

(b) (6),

You asked for a memo with my comments on the Tar Creek (b) (5), (b) (7)(E) Please find my comments attached below.

(b) (5), (b) (7)(E) 12-28-12.doc

(b) (6), (b) (7)(C)
US EPA, 6SF-TR
1445 Ross Ave., Suite
Dallas, TX 75202-2733
(b) (6), (b) (7)

AMERICAN OVERSIGHT

Re: Memo on the (b) (5), (b) (7)(E) for Tar Creek

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 12/31/2012 12:22 PM
Cc: (b) (6), (b)

(b) (5), (b) (7)(E)

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7)(C) (b) , You asked for a memo with my comme... 12/28/2012 02:34:27 PM

From: (b) (6), (b) (7)(C) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Cc: (b) (6), (b) /R6/USEPA/US@EPA
Date: 12/28/2012 02:34 PM
Subject: Memo on the (b) (5), (b) (7)(E) for Tar Creek

(b) ,
(6)
You asked for a memo with my comments on the (b) (5), (b) (7)(E) Please find my comments attached below.

[attachment "(b) (5), (b) (7)(E) 12-28-12.doc" deleted by (b) /R6/USEPA/US] (6),

(b) (6), (b) (7)(C)
US EPA, 6SF-TR
1445 Ross Ave., Suite
Dallas, TX 75202-2733
(b) (6), (b) (7)

AMERICAN OVERSIGHT

New Document Uploaded (01/08/2013 at 03:37:13P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/08/2013 03:37 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-01/08/2013-(b) (6), (b) (7)(C), 12-18-12

AMERICAN OVERSIGHT

New Document Uploaded (01/08/2013 at 03:38:27P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/08/2013 03:38 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOA

Description: MOA-01/08/2013- (b) (7)(E)

AMERICAN OVERSIGHT

Re: AIGI request

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/13/2013 11:01 PM

No problem - I forgot to let you know it was done.

I'm going to work at home tomorrow on the (b) (5), (b) (7)(E)

I

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) Good evening. After coordinating with SAC (b ... 01/11/2013 07:10 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7)
Date: 01/11/2013 07:10 PM MST
Subject: AIGI request

Good evening. After coordinating with SAC (b) (6), , I learned you responded to the aforementioned request-thanks a bunch. Please disregard my last email sent tonight.

AMERICAN OVERSIGHT

Re: AIGI request

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/14/2013 07:41 AM

Sure, send me what you sent just as an fyi. Thanks.

(b) (6), (b) (7) No problem - I forgot to let you know it was do... 01/13/2013 09:01 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Date: 01/13/2013 09:01 PM MST
Subject: Re: AIGI request

No problem - I forgot to let you know it was done.

I'm going to work at home tomorrow on the (b) (5), (b) (7)(E)

(b) (6), (b) (7)(C)
Special Agent
EPA/OIG Office of Investigations
(b) (6), (b) (7)

(b) (6), (b) (7) Good evening. After coordinating with SAC (b ... 01/11/2013 07:10 PM MST

From: (b) (6), (b)
To: (b) (6), (b) (7)
Date: 01/11/2013 07:10 PM MST
Subject: AIGI request

Good evening. After coordinating with SAC (b) (6), , I learned you responded to the aforementioned request-thanks a bunch. Please disregard my last email sent tonight.

AMERICAN OVERSIGHT

New Document Uploaded (01/16/2013 at 11:22:14A)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/16/2013 11:22 AM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOI

Description: MOI-01/16/2013- telephonic follow-up (b) (6), (b)

AMERICAN OVERSIGHT

Revised Comments on the Tar Creek (b) (5), (b) (7)(E)

(b) (6), (b) (7)(C) to: (b) (6), (b) (7)

Cc: (b) (6), (b)

01/17/2013 12:16 PM

History: This message has been replied to.

(b) (6),

Here is the memo on the Tar Creek (b) (5), (b) (7)(E) that you mentioned.

(b) (5), (b) (7)(E) 1-17-13.doc

(b) (6), (b) (7)(C)
US EPA, 6SF-TR
1445 Ross Ave., Suite
Dallas, TX 75202-2733
(b) (6), (b) (7)

AMERICAN OVERSIGHT

Re: Revised Comments on the Tar Creek (b) (5), (b) (7)(E)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/17/2013 01:35 PM

Cc: (b) (6), (b)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

Regards,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7)(C) (b) (6), Here is the memo on the Tar Creek (b) (5)... 01/17/2013 11:16:42 AM

From: (b) (6), (b) (7)(C) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Cc: (b) (6), (b) /R6/USEPA/US@EPA
Date: 01/17/2013 11:16 AM
Subject: Revised Comments on the Tar Creek (b) (5), (b) (7)(E)

(b),

Here is the memo on the Tar Creek (b) (5), (b) (7)(E) that you mentioned.

(b) (5), (b) (7)(E) 1-17-13.doc

(b) (6), (b) (7)(C)
US EPA, 6SF-TR
1445 Ross Ave., Suite
Dallas, TX 75202-2733
(b) (6), (b) (7)

AMERICAN OVERSIGHT

Letter for Review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/28/2013 02:25 PM

(b) ,

I've written a letter to provide to EPA Region 6 regarding the results of (b) (5), (b) (7)(E) Tar Creek under the ARRA Task Force review. I wondered if you would mind reviewing the letter and let me know your thoughts. I need to give the Region something so that they can take corrective action and then tell me what that action will be.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (5) letter.docx

AMERICAN OVERSIGHT

Re: Letter for Review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/28/2013 02:30 PM

History: This message has been replied to.

Sure. I've got ten things going on right now, but will try to get to it before end of day. If, somehow, this slips through the cracks and you don't hear from me by COB, pls send a reminder.

(b) (6)

(b) (6), (b) (7) (b) (6), (b) (5), (b) (7)(E) ... 01/28/2013 02:21:48 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) (6) /OIG/USEPA/US@EPA
Date: 01/28/2013 02:21 PM
Subject: Letter for Review

(b) (6),

I've written a letter to provide to EPA Region 6 regarding the results (b) (5), (b) (7)(E) Tar Creek under the ARRA Task Force review. I wondered if you would mind reviewing the letter and let me know your thoughts. I need to give the Region something so that they can take corrective action and then tell me what that action will be.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "(b) (5) letter.docx" deleted by (b) (6), (b) (7) /OIG/USEPA/US]

AMERICAN OVERSIGHT

Re: Letter for Review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/28/2013 02:36 PM

Okay - Thanks! I appreciate it.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Sure. I've got ten things going on right now, but... 01/28/2013 01:30:31 PM

From: (b) (6), (b) /OIG/USEPA/US
To: (b) (6), (b) ( ) /R6/USEPA/US@EPA
Date: 01/28/2013 01:30 PM
Subject: Re: Letter for Review

Sure. I've got ten things going on right now, but will try to get to it before end of day. If, somehow, this slips through the cracks and you don't hear from me by COB, pls send a reminder.

(b) (6)

(b) (6), (b) (7) (b) (6), I've written a letter to provide to EPA Regi... 01/28/2013 02:21:48 PM

AMERICAN OVERSIGHT

Re: Letter for Review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/28/2013 05:53 PM

History: This message has been replied to.

(b) (6) -- I promise I'll get to this first thing in the morning. I ran out of steam. I'll probably call you with suggested changes.

Have a good evening (b) (6)

(b) (6), (b) (7) Okay - Thanks! I appreciate it. (b) (6), (b) (7) ... 01/28/2013 02:32:50 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 01/28/2013 02:32 PM
Subject: Re: Letter for Review

Okay - Thanks! I appreciate it.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Sure. I've got ten things going on right now, but... 01/28/2013 01:30:31 PM
(b) (6), (b) (7) (b) (6), I've written a letter to provide to EPA Regi... 01/28/2013 02:21:48 PM

AMERICAN OVERSIGHT

Re: Letter for Review
(b) (6), (b) (7) to: (b) (6), (b) (7) 01/28/2013 05:58 PM

No problem.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (6) -- I promise I'll get to this first thing in the mo... 01/28/2013 04:53:23 PM

From: (b) (6), (b) (6) /OIG/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/28/2013 04:53 PM
Subject: Re: Letter for Review

(b) (6) -- I promise I'll get to this first thing in the morning. I ran out of steam. I'll probably call you with suggested changes.

Have a good evening/(b) (6)

(b) (6), (b) (7) Okay - Thanks! I appreciate it. (b) (6), (b) (7) ... 01/28/2013 02:32:50 PM
(b) (6), (b) (7) Sure. I've got ten things going on right now, but... 01/28/2013 01:30:31 PM
(b) (6), (b) (7) (b) (6), I've written a letter to provide to EPA Regi... 01/28/2013 02:21:48 PM

AMERICAN OVERSIGHT

Re: Just sending a reminder about the Tar Creek letter - Thanks

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 09:52 AM

Yep. Working on it. I'll call in about 30 minutes.

(b) (6), (b) (7) (b) (6), (b) (7) Special Agent, EPA/OIG 01/29/2013 09:51:13 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 01/29/2013 09:51 AM
Subject: Just sending a reminder about the Tar Creek letter - Thanks

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Just sending a reminder about the Tar Creek letter - Thanks

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 09:54 AM

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Re: Just sending a reminder about the Tar Creek letter - Thanks

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 10:08 AM

I just left a phone message at your office. What's best number to call?

(b) (6), (b) (7) (b) (6), (b) (7) Special Agent, EPA/OIG 01/29/2013 09:51:13 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /OIG/USEPA/US@EPA
Date: 01/29/2013 09:51 AM
Subject: Just sending a reminder about the Tar Creek letter - Thanks

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 10:34 AM

Hi (b) ,

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Just let me know.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (5) letter.docx

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 11:40 AM

History: This message has been replied to.

(b) (5)

(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 08:31 AM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 08:31 AM MST
Subject: Letter for review

Hi (b),

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Just let me know.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "(b) (5) letter.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 11:47 AM

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) ... 01/29/2013 10:40:30 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:40 AM
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 08:31 AM MST

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 11:50 AM

History: This message has been replied to.

Ten four, good catch.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 09:43 AM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 09:43 AM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) ... 01/29/2013 10:40:30 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:40 AM
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7) Hi (b) (6), (b) (5) ... 01/29/2013 08:31 AM MST

AMERICAN OVERSIGHT

New Document Uploaded (01/29/2013 at 12:26:33P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/29/2013 12:26 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-ADM-0021)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: Correspondence (Formal Letters)

Description: Correspondence (Formal Letters)-01/29/2013-(b) (5) with Attachments

AMERICAN OVERSIGHT

New Document Uploaded (01/29/2013 at 03:06:22P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 01/29/2013 03:06 PM

Cc: (b) (6), (b) (7) , (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA UNKNOWN SUBJECT: SF, TAR CREEK, OTTOWA COUNTY, OK (OI-DA-2013-ADM-0021)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: N

Description: SIR-01/29/2013-(b) (7)(E)

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 05:45 PM

History: This message has been replied to.

Hello (b) and good day. (b) (5) Thanks.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) , (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA
Date: 01/29/2013 09:31 AM
Subject: Letter for review

Hi (b) ,

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E) Just let me know.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "(b) (5) letter.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 05:53 PM

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Hello (b) and good day. (b) (5) ... 01/29/2013 04:45:22 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 04:45 PM
Subject: Re: Letter for review

Hello (b) and good day. (b) (5) Thanks.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:36 PM

(b) , (b) (5)

Thanks.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 03:50 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 03:50 PM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Hello (b) and good day. (b) (5) ... 01/29/2013 04:45:22 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 04:45 PM
Subject: Re: Letter for review

Hello (b) and good day. (b) (5)

Thanks.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

AMERICAN OVERSIGHT

Re: Letter for review

(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:38 PM

History: This message has been replied to.

Furthermore, (b) (5)
Thanks.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 03:50 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 03:50 PM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Hello (b) (6) and good day. (b) (5) ... 01/29/2013 04:45:22 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 04:45 PM
Subject: Re: Letter for review

Hello (b) and good day. (b) (5)
Thanks.

(b) (6), (b) (7)
(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

AMERICAN OVERSIGHT

Re: Letter for review
(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:46 PM

Thanks.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 04:45 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 04:45 PM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Furthermore, (b) (5) ... 01/29/2013 05:38:09 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 05:38 PM
Subject: Re: Letter for review

Furthermore, (b) (5)
Thanks.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 03:50 PM MST
(b) (6), (b) (7) Hello (b) and good day. (b) (5) ... 01/29/2013 04:45:22 PM
(b) (6), (b) (7) Hi (b) (6), (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

AMERICAN OVERSIGHT

Re: Letter for review
(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:47 PM

Okay - (b) (5)

(b) (5), (b) (6), (b) (7)(C)

(C)

(b) (6), (b) (7)
Special Agent, EPA/OIG
ofc: 214-665-2790
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) 01/29/2013 10:50:50 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:50 AM
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7) (b) (5) ... 01/29/2013 09:43 AM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 09:43 AM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) ... 01/29/2013 10:40:30 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:40 AM
Subject: Re: Letter for review

(b) (5)

AMERICAN OVERSIGHT

(b) (5) [redacted]

(b) (6), (b) (7) [redacted] Hi (b) (6) [redacted], (b) (5), (b) (7)(E) [redacted] ... 01/29/2013 08:31 AM MST

From: (b) (6), (b) (7) [redacted]
To: (b) (6), (b) [redacted]
Cc:
Date: 01/29/2013 08:31 AM MST
Subject: Letter for review

Hi (b) (6) [redacted],

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E) [redacted] Just let me know.

Thanks,

(b) (6), (b) (7) [redacted]
Special Agent, EPA/OIG
(b) (6), (b) (7)(C) [redacted] epa.gov

[attachment "(b) (5) [redacted] letter.docx" deleted by (b) (6), (b) (7) [redacted] /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Letter for review
(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:48 PM

No, simple miscommunication here with the email exchange. Next time, let's talk. Thanks.

(b) (6), (b) (7) Okay - (b) (5) ... 01/29/2013 04:44 PM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 04:44 PM MST
Subject: Re: Letter for review

Okay - (b) (5)

(b) (5), (b) (6), (b) (7)(C)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) (b) (5) 01/29/2013 10:50:50 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:50 AM
Subject: Re: Letter for review

Ten four, good catch.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 09:43 AM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 09:43 AM MST
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

AMERICAN OVERSIGHT

(b) (6), (b) (7) (b) (5) ... 01/29/2013 10:40:30 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 10:40 AM
Subject: Re: Letter for review

(b) (5)

(b) (6), (b) (7) Hi (b) , (b) (5), (b) (7)(E) ... 01/29/2013 08:31 AM MST

From: (b) (6), (b) (7)
To: (b) (6), (b)
Cc:
Date: 01/29/2013 08:31 AM MST
Subject: Letter for review

Hi (b) (6),
(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Just let me know.

Thanks,

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

[attachment "(b) (5) letter.docx" deleted by (b) (6), (b) (7) /R6/USEPA/US]

AMERICAN OVERSIGHT

Re: Letter for review
(b) (6), (b) (7) to: (b) (6), (b) (7) 01/29/2013 06:48 PM

(b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Furthermore, (b) (5) ... 01/29/2013 05:38:09 PM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
Date: 01/29/2013 05:38 PM
Subject: Re: Letter for review

Furthermore, (b) (5)
Thanks.

(b) (6), (b) (7) (b) (5) ... 01/29/2013 03:50 PM MST
(b) (6), (b) (7) Hello (b) and good day. (b) (5) ... 01/29/2013 04:45:22 PM
(b) (6), (b) (7) Hi (b) , (b) (5), (b) (7)(E) ... 01/29/2013 09:31:19 AM

AMERICAN OVERSIGHT

Re: ARRA Cases in our area of responsibility

(b) (6), (b) (7) to: (b) (6), (b) (7)
Cc: (b) (6), (b)

02/04/2013 12:27 PM

(b) (5)

Tar Creek - (b) (5)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Good morning SA (b) (6), and SA (b) (6), (b) (7). I a... 02/04/2013 11:17:18 AM

From: (b) (6), (b) /R6/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), (b) /R6/USEPA/US@EPA
Date: 02/04/2013 11:17 AM
Subject: ARRA Cases in our area of responsibility

Good morning SA (b) (6), and SA (b) (6), . (b) (5) If there is any need to discuss this matter, please let me know.

Also, (b) (6), (b) (7) was supposed to be doing something with all the cases with (b) (5).

Thanks, (b) (6)

AMERICAN OVERSIGHT

ARRA TF Cases

Field Office RA	Case Number	Case Title	Non-Compliance Letter	Aliens	BA
CHI	OI-DA-2012-CAC-0170	(b) (5), (b) (7)(E)		30%	
CHI	OI-DA-2012-CAC-0171			30%	
CHI	OI-DA-2012-CAC-0196			40%	
CHI	OI-DA-2012-CAC-0197			30%	
CHI	OI-DA-2012-CAC-0155				
CHI	OI-DA-2012-CAC--164				
CHI	OI-DA-2013-ADM-0021	Tar Creek, Ottowa County, OK			
CHI	COMP-2012-235	(b) (5), (b) (7)(E)			
CHI	COMP-2012-237				

(b) (6), (b) (7)(C)
U.S. Environmental Protection Agency
Office of Inspector General, Office of Investigations
1445 Ross Ave, Suite
Dallas, Texas 75202
(b) (6), (b) (7)(C)

This is a private message, including any attachments, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), please immediately notify the sender and delete this e-mail.

AMERICAN OVERSIGHT

New Document Uploaded (02/06/2013 at 04:09:11P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 02/06/2013 04:09 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOA

Description: MOA-02/06/2013- Case Summary

AMERICAN OVERSIGHT

New Document Uploaded (02/06/2013 at 07:12:34P)

(b) (6), (b) (7) to: (b) (6), (b) (7)(C) 02/06/2013 07:12 PM

Cc: (b) (6), (b) (7)

EPA OIG - Investigations

Case: ARRA SF: TAR CREEK/LICRA TRUST (b) (7)(E) (OI-DA-2012-CAC-0114)

Agent: (b) (6), (b) (7)(C)

Action: New Document Uploaded by (b) (6), (b) (7)(C)

Type: MOA

Description: MOA-02/06/2013- Case Summary

AMERICAN OVERSIGHT

Re: Outline cases with potential False Claims Act violations

(b) (6), (b) (7) to: (b) (6), (b) (7) 02/14/2013 07:29 PM

OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CFR-0155 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CFR-0164 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CFR-0172 - (b) (5), (b) (7)(E) [redacted]

OI-CH-2012-CFR-0132 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2013-ADM-0021 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CAC-0114 - (b) (5), (b) (7)(E) [redacted]

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
[redacted] epa.gov

(b) (6), (b) (7) Team, (b) (5) [redacted] ... 02/13/2013 04:22:10 PM

AMERICAN OVERSIGHT

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), /R6/USEPA/US@EPA, (b) (6), (b) /CI/USEPA/US@EPA
Date: 02/13/2013 04:22 PM
Subject: Outline cases with potential False Claims Act violations

Team,

Please poll your cases and advise of investigations in your inventory with potential False Claims Act (Act) violations. Please compile this information and report to me the case number with title, and a brief description (one or two lines) the circumstances surrounding how the Act can be applied. This information is needed on or before COB Friday, February 22, 2013.

Thanking you in advance.

(b) (6)

AMERICAN OVERSIGHT

Fw: Outline cases with potential False Claims Act violations

(b) (6), (b) (7) to: (b) (6), (b) (7) 02/15/2013 10:01 AM

Thanks (b) (5) When your time permits, please contact me at (b) (6), (b) (7).

Thanking you in advance.

(b) (6), (b) (7)

----- Forwarded by (b) (6), (b) /R5/USEPA/US on 02/15/2013 08:57 AM -----

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R5/USEPA/US@EPA
Date: 02/14/2013 06:25 PM
Subject: Re: Outline cases with potential False Claims Act violations

OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0155 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0164 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0172 - (b) (5), (b) (7)(E)

OI-CH-2012-CFR-0132 - (b) (5), (b) (7)(E)

OI-DA-2013-ADM-0021 - (b) (5), (b) (7)(E)

OI-DA-2012-CAC-0114 - (b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

(b) (5), (b) (7)(E)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Team, Please poll your cases and advise of inve... 02/13/2013 04:22:10 PM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) (6), R6/USEPA/US@EPA, (b) (6), (b) /CI/USEPA/US@EPA
Date: 02/13/2013 04:22 PM
Subject: Outline cases with potential False Claims Act violations

Team,

Please poll your cases and advise of investigations in your inventory with potential False Claims Act (Act) violations. Please compile this information and report to me the case number with title, and a brief description (one or two lines) the circumstances surrounding how the Act can be applied. This information is needed on or before COB Friday, February 22, 2013.

Thanking you in advance.

(b)

AMERICAN OVERSIGHT

Fw: Outline cases with potential False Claims Act violations

(b) (6), (b) (7) to: (b) (6), (b) (7), (b) (6), (b) (7), (b) (6), (b) (7) 02/15/2013 10:04 AM

Team,

SA (b) (6), prepared this document and was the first to respond. Please use this as your go-by to prepare your submission. I would like to have them today prior to 1:00 pm.

Thanking you in advance.

(b) (6), (b) (7)

----- Forwarded by (b) (6), (b) /R5/USEPA/US on 02/15/2013 09:01 AM -----

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R5/USEPA/US@EPA
Date: 02/14/2013 06:25 PM
Subject: Re: Outline cases with potential False Claims Act violations

OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0155 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0164 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0172 - (b) (5), (b) (7)(E)

OI-CH-2012-CFR-0132 - (b) (5), (b) (7)(E)

OI-DA-2013-ADM-0021 - (b) (5), (b) (7)(E)

OI-DA-2012-CAC-0114 - (b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

(b) (5), (b) (7)(E)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Team, (b) (5) ... 02/13/2013 04:22:10 PM

From: (b) (6), (b) /R5/USEPA/US
To: (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) /R6/USEPA/US@EPA, (b) (6), (b) /CI/USEPA/US@EPA (b) (6),
Date: 02/13/2013 04:22 PM
Subject: Outline cases with potential False Claims Act violations

Team,

Please poll your cases and advise of investigations in your inventory with potential False Claims Act (Act) violations. Please compile this information and report to me the case number with title, and a brief description (one or two lines) the circumstances surrounding how the Act can be applied. This information is needed on or before COB Friday, February 22, 2013.

Thanking you in advance.

(b) (6)

AMERICAN OVERSIGHT

Re: Outline cases with potential False Claims Act violations

(b) (6), (b) (7) to: (b) (6), (b) (7) 02/15/2013 11:43 AM

History: This message has been replied to.

Good morning SA (b) (6), (b) (7) r,

When your time permits, please advise who views and approves your documents, leave, ROI's, Flexi-place, etc.

Thanks!

(b) (6), (b) (7) OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E) ... 02/14/2013 06:25:34 PM

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) /R5/USEPA/US@EPA
Date: 02/14/2013 06:25 PM
Subject: Re: Outline cases with potential False Claims Act violations

OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0155 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0164 - (b) (5), (b) (7)(E)

OI-DA-2012-CFR-0172 - (b) (5), (b) (7)(E)

OI-CH-2012-CFR-0132 - (b) (5), (b) (7)(E)

OI-DA-2013-ADM-0021 - (b) (5), (b) (7)(E)

OI-DA-2012-CAC-0114 - (b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

(b) (5), (b) (7)(E)

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

(b) (6), (b) (7) Team, (b) (5) ... 02/13/2013 04:22:10 PM

AMERICAN OVERSIGHT

Re: Outline cases with potential False Claims Act violations

(b) (6), (b) (7) to: (b) (6), (b) (7) 02/15/2013 12:01 PM

This is the way documents have been working - I've been emailing the draft to (b) . When (b approves it as final, then I upload it and usually (b) (6), (b approves (b) (2)

(6)

Hope that helps - Until the update the system with the re-org, these are the work arounds I've been using since basically January of last year.

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C)
epa.gov

-----(b) (6), (b) (7) /R5/USEPA/US wrote: -----
To: (b) (6), (b) (7) /R6/USEPA/US@EPA
From: (b) (6), (b) (7) /R5/USEPA/US
Date: 02/15/2013 10:43AM
Subject: Re: Outline cases with potential False Claims Act violations

Good morning SA (b) (6), ,

When your time permits, please advise who views and approves your documents, leave, ROI's, Flexi-place, etc.

Thanks!

(b) (6), (b) (7) ---02/14/2013 06:25:34 PM---OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E)

From: (b) (6), (b) (7) /R6/USEPA/US
To: (b) (6), (b) (7) /R5/USEPA/US@EPA
Date: 02/14/2013 06:25 PM
Subject: Re: Outline cases with potential False Claims Act violations

---

OI-SA-2010-ADM-0581 - (b) (5), (b) (7)(E)

AMERICAN OVERSIGHT

OI-DA-2012-CFR-0155 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CFR-0164 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CFR-0172 - (b) (5), (b) (7)(E) [redacted]

OI-CH-2012-CFR-0132 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2013-ADM-0021 - (b) (5), (b) (7)(E) [redacted]

OI-DA-2012-CAC-0114 - (b) (5), (b) (7)(E) [redacted]

(b) (6), (b) (7)
Special Agent, EPA/OIG
(b) (6), (b) (7)(C) [redacted]
epa.gov

AMERICAN OVERSIGHT

(b) (6), (b) (7) ---02/13/2013 04:22:10 PM---Team, Please poll your cases and advise of investigations in your inventory with potential False Cla

From: (b) (6), (b) (7) /R5/USEPA/US
To: (b) (6), (b) (7) /R6/USEPA/US@EPA, (b) /R6/USEPA/US@EPA, (b) (6), (b) /R6/USEPA/US@EPA, (b) (6), (b) (7) /CI/USEPA/US@EPA
Date: 02/13/2013 04:22 PM
Subject: Outline cases with potential False Claims Act violations

---

Team,

Please poll your cases and advise of investigations in your inventory with potential False Claims Act (Act) violations. Please compile this information and report to me the case number with title, and a brief description (one or two lines) the circumstances surrounding how the Act can be applied. This information is needed on or before COB Friday, February 22, 2013.

Thanking you in advance.

(b)

AMERICAN OVERSIGHT

To: Gordon, Stephen[gordon.stephen@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]
From: Cory, Preston (Katherine)
Sent: Mon 10/2/2017 9:42:33 PM
Subject: RE: Kentucky revised Memo
WOTUS Responses.docx

KY WOTUS comments attached. Let me know if y'all need anything else.

From: Gordon, Stephen
Sent: Monday, October 2, 2017 5:41 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: RE: Kentucky revised Memo

Ok sounds good I'll hang tight on this for now.

From: Bennett, Tate
Sent: Monday, October 2, 2017 5:39 PM
To: Gordon, Stephen <gordon.stephen@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: Kentucky revised Memo

Stephen, see revised suggested edits. Hang tight until we get updates on West Lake and the following from Preston. Preston, do you have KY's comments from the WOTUS federalism consultation? We need to tweak our WOTUS section accordingly.

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

AMERICAN OVERSIGHT

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

ADMINISTRATOR SCOTT PRUITT
Wednesday, June 21, 2017
WOTUS Feedback Data
OCIR

Response Tally

Attorney Generals: 20

Governors: 19

Depts. of Agriculture: 12

Depts. of Environmental Quality: 20

Responses of Interest

Gov. LePage (ME) supports reinstatement of previous definition of WOTUS and supports redefining federal Clean Water Act jurisdiction in accordance with Justice Scalia's plurality opinion in Rapanos v. U.S.

Gov. McAuliffe (VA) via Virginia Dept. of Agriculture and Consumer Services- finds Clean Water Rule places "significant regulatory burden on Virginia Farmers" and has allowed the federal government to regulate seasonal bodies of water previously regulated by the state. The oversight of non-navigable waters must remain at the state level.

Western Governors (19 Western States) support full collaboration with the states during review of the CWA after EPA's failure to recognize primary authority of states in management and allocation of water resources.

AMERICAN OVERSIGHT

ADMINISTRATOR SCOTT PRUITT
Wednesday, June 21, 2017
WOTUS Feedback Data
OCIR

Assoc. of Clean Water Administrators
Assoc. of Floodplain Managers
Assoc. of Wetland Managers
Environmental Council of the States
National Assoc. of Clean Water Agencies
National Assoc. of Conservation Districts
National Assoc. of Counties
National Assoc. of State Dept. of Agriculture
National Conference of State Legislatures
National Governors Association
National Municipal Stormwater Alliance
National Water Resources Association
United States Conference of Mayors
Western States Water Council

Alabama:
Alabama Dept. of Agriculture and Industries
Attorney General Steve Marshall

Alaska:
Gov. Bill Walker
Attorney General Jahna Lindemuth

Arizona:
Gov. Douglas Ducey

Arkansas
Gov. Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Agriculture Department
Arkansas Dept. of Environmental Quality via ECOS

California:
Gov. Edmund G. Brown, Jr.
California Assoc. of Sanitation Agencies

Colorado:
Dept. of Public Health and Environment via ECOS
Colorado Dept. of Agriculture
Colorado Dept. of Natural Resources
Colorado Dept. of Public Health and Environment

Connecticut:
Connecticut Dept. of Environmental Protection

Florida:
Florida Dept. of Agriculture and Consumer Services
Florida Dept. of Environmental Protection

Georgia:
Attorney General Christopher M. Carr
Georgia Environmental Protection Agency

Hawaii:
Gov. David Ige

Idaho:
Gov. Butch Otter
Idaho Dept. of Agriculture
Idaho Dept. of Environmental Quality
Idaho Dept. of Water Resources

Indiana:
Assoc. of Indiana Counties
Attorney General Curtis Hill

Iowa:
Gov. Kim Reynolds
Lt. Gov. Adam Gregg

Kansas:
Gov. Sam Brownback
Attorney General Derek Schmidt

Kentucky:
Attorney General Andy Beshear

AMERICAN OVERSIGHT

ADMINISTRATOR SCOTT PRUITT
Wednesday, June 21, 2017
WOTUS Feedback Data
OCIR

Louisiana:
Attorney General Jeff Landry

Maine:
Gov. Paul LePage

Massachusetts:
Massachusetts Dept. of Environmental Protection

Michigan:
Attorney General Bill Schuette
Michigan Dept. of Environmental Quality
Michigan Dept. of Agriculture and Rural Development

Minnesota:
Minnesota Dept. of Natural Resources
Minnesota Pollution Control Agency

Mississippi:
Gov. Phil Bryant

Missouri:
Gov. Eric Greitens
Attorney General Joshua Hawley
Missouri Dept. of Natural Resources

Montana:
Gov. Steve Bullock on behalf of Western Governors

Nebraska:
Gov. Pete Ricketts
Nebraska Dept. of Environmental Quality
Nebraska Dept. of Agriculture

Nevada:
Gov. Brian Sandoval
Attorney General Adam Laxalt
Nevada Division of Environmental Protection

New Hampshire:
Gov. Chris Sununu

New Mexico:
New Mexico Dept. of Agriculture

North Dakota:
Gov. Doug Burgam
Attorney General Wayne Stenehjem

Ohio:
Attorney General Mike DeWine
Ohio Dept. of Natural Resources
Ohio Environmental Protection Agency

Oklahoma:
Attorney General Mike Hunter

Oregon:
Oregon Dept. of Environmental Quality
Oregon Dept. of Fish and Wildlife
Oregon Dept. of Forestry
Oregon Dept. of State Lands

Pennsylvania:
Pennsylvania Dept. of Environmental Protection
Pennsylvania Dept. of Conservation and Natural Resources
Pennsylvania Department of Agriculture
Pennsylvania Fish and Boat Commission

South Carolina:
Gov. Henry McMaster
Attorney General Alan Wilson

South Dakota:

AMERICAN OVERSIGHT

ADMINISTRATOR SCOTT PRUITT
Wednesday, June 21, 2017
WOTUS Feedback Data
OCIR

Gov. Dennis Daugaard on behalf of Western Governors
Attorney General Marty Jackley
South Dakota Dept. of Environment and Natural Resources

Gov. Matthew H. Mead
Dept. of Environmental Quality, Director

Tennessee:
Tennessee Dept. of Agriculture
Tennessee Dept. of Environment and Conservation

Texas:
Attorney General Ken Paxton
Texas Commission on Environmental Quality
Texas Dept. of Agriculture
Texas Dept. of Transportation
Texas General Land Office
Texas Railroad Commission

Utah:
Attorney General Sean Reyes

Virginia:
Gov. Terry McAuliffe
Virginia Dept. of Agriculture and Consumer Services

Washington:
Washington Department of Ecology

West Virginia:
Attorney General Patrick Morrisey
West Virginia Dept. of Environmental Protection, Deputy Secretary

Wisconsin:
Attorney General Brad Schimel
Wisconsin Dept. of Natural Resources

Wyoming:

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Hassell, Emily
Sent: Wed 2/21/2018 9:27:41 PM
Subject: RE: News Clips - 21 February 2018

You're welcome!

Please let me know if you want any changes made to the daily clips, or need anything else.

From: Bowman, Liz
Sent: Wednesday, February 21, 2018 3:42 PM
To: Hassell, Emily <hassell.emily@epa.gov>
Subject: RE: News Clips - 21 February 2018

Thanks, Emily!

From: Hassell, Emily
Sent: Wednesday, February 21, 2018 2:32 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 21 February 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Administrator Pruitt's Travel

Reuters - House Democrats ask EPA chief for details on premium travel

AMERICAN OVERSIGHT

Politico - House Democrats press Pruitt for more info on travel

E&E Greenwire - House watchdog questions Pruitt's first-class travel

CNN - Pruitt postponing visit to Israel after reports of expensive travel

General

The Hill - White House: Trump has confidence in VA, EPA chiefs

Politico - Pruitt's cleanup plan won't win Superfund tax infusion

E&E Greenwire - Pruitt, Zinke and Perry to address CPAC

E&E Greenwire - Pruitt's office cancels 'active shooter' drill

The Hill - Obama EPA chief: Trump regulation rollbacks won't hold up legally

E&E Climatewire - 'I never imagined this would happen' — ex-EPA staffer

E&E News PM - Justices pass on challenges to EPA's Clean Water Act power

AMERICAN OVERSIGHT

The Hill - Hundreds of mayors unite against Trump reversal of Obama-era climate plan

E&E Greenwire - OMB greenlights bid to scrap Obama oil and gas guidelines

E&E Greenwire - Judges hear arguments over 2 EPA listing decisions

InsideEPA - EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

E&E News PM - 'Lean' training this spring — operations chief

E&E Greenwire - IG to examine emergency-response gear

AP - Oil spill cleanup underway in suburban Oklahoma City

Reuters - Missouri residents sue over radioactive material storage sites

E&E Energywire - IG report discounted Tar Creek Superfund fraud claims

###

AMERICAN OVERSIGHT

Reuters

https://www.reuters.com/article/us-usa-epa-travel/house-democrats-ask-epa-chief-for-details-on-premium-travel-idUSKCN1G42IC

House Democrats ask EPA chief for details on premium travel

By Valerie Volcovici, 2/20/18, 1:01 PM

WASHINGTON (Reuters) - Democrats on the House energy committee on Tuesday asked Environmental Protection Agency chief Scott Pruitt to explain travel records that recently came to light, which showed he has taken frequent first-class flights at taxpayer expense.

The Democrats wrote a letter asking Pruitt to provide a list of all dates where he traveled in first or business class, an explanation on how he followed guidelines for obtaining waivers for premium travel and the names of other staff who also traveled in premium class.

Complaints about travel arrangements by Pruitt and other Trump administration cabinet members re-emerged last week. Last year, Health and Human Services Secretary Tom Price resigned after reports that he used private jets for routine travel.

The documents cited by the lawmakers showed that Pruitt's official travel has included first class flights for him and key staff, as well as the use of charter flights.

Pruitt did not immediately reply to a request for comment on the letter from members of the House panel. He recently said in a television interview that he was instructed to travel first class due to security threats and "uncomfortable" confrontations with other passengers.

The letter from the lawmakers asked Pruitt to explain why he believes security threats are reduced in first class cabins.

AMERICAN OVERSIGHT

On Feb. 18, the Washington Post reported that Pruitt canceled a planned weeklong trip to Israel. A few days earlier, the newspaper had reported that he spent over $100,000 in taxpayer money for premium travel, based on records obtained by the Environmental Integrity Project.

That watchdog group on Friday obtained new travel records, shared with media, showing Pruitt and EPA employees spent upwards of $150,000 on premium commercial and chartered flights from March to August 2017.

"Americans deserve an EPA Administrator more dedicated to first class protection of human health and the environment than to luxury travel at taxpayer expense," the letter said.

The letter also questioned a claim by EPA spokesman Jahan Wilcox, who told reporters Pruitt received a "blanket waiver" by ethics officials to enable him to travel first class.

The committee Democratic leaders, Representatives Frank Pallone, Paul Tonko and Diana DeGette, asked for answers by March 6.

Politico

https://www.politicopro.com/agriculture/whiteboard/2018/02/house-democrats-press-pruitt-for-more-info-on-travel-646305

House Democrats press Pruitt for more info on travel

By Eric Wolff, 2/20/18, 12:09 PM

AMERICAN OVERSIGHT

Democrats on the House Energy and Commerce Committee are pressing EPA Administrator Scott Pruitt to clear up the "shifting explanations" around his reasons for flying first class.

Reps. Frank Pallone (N.J.), Diana DeGette (Colo.) and Paul Tonko (N.Y.), the top Democrats on the full committee, the oversight subcommittee and the environment subcommittee, sent Pruitt a letter today asking for details on the security justifications and who is involved in booking his first-class plane tickets.

"The Agency has offered shifting explanations to date regarding whether or not you have complied with federal regulations and Agency policies and procedures, raising significant questions about the veracity of information provided by your office," the letter says.

Pruitt has flown first class extensively in the past year and has received an unusual number of security threats. Last week, the agency told POLITICO that it had a "blanket waiver" for Pruitt's pricey travel, but backtracked after POLITICO cited EPA regulations barring such a waiver.

Pruitt has received more threats than his predecessors, EPA has said, and faced confrontations in airports when he has traveled.

The same group of Democrats wrote last week to EPA Inspector General Arthur Elkins asking him to expand his probe of Pruitt's travel.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074395/search?keyword=EPA

House watchdog questions Pruitt's first-class travel

AMERICAN OVERSIGHT

By Kevin Bogardus, 2/21/18

The House's top watchdog is requesting justification for U.S. EPA Administrator Scott Pruitt's first-class travel.

House Oversight and Government Reform Chairman Trey Gowdy (R-S.C.) sent a letter yesterday to the EPA chief asking for records that back up the agency's claims that Pruitt has taken the pricier business- and first-class trips over security concerns as well as a full accounting of every trip the administrator has taken during his first year at EPA.

Gowdy asked for the documents "to assist the committee's oversight of whether federal regulations regarding official travel were followed." The chairman also took issue with an EPA spokesman's statement last week that Pruitt had a "blanket waiver" to fly first class due to security threats, which was later amended to say the administrator seeks an individual waiver for each flight (E&E Daily, Feb. 15).

"Clearly, federal regulations prohibit a blanket waiver to fly first class except to accommodate disabilities or special needs. Instead, a waiver for each flight is required in order to fly first or business class when traveling on official government business," Gowdy said.

The Republican asked that Pruitt identify each flight he has taken for official business from Feb. 17, 2017, to Feb. 16 of this year, including the cost of each flight and whether it was coach, business or first class.

In addition, Gowdy asked for any waivers given to Pruitt for the more expensive flights and for him to identify all other EPA employees and security guards who traveled with him and the cost of their airfare.

The Oversight chairman asked that Pruitt respond to his request no later than March 6.

AMERICAN OVERSIGHT

Asked about Gowdy's letter, an EPA spokeswoman told E&E News, "We will respond through the proper channels."

Pruitt's travel over the past year, including his use of first-class flights as well as charter and military planes, has come under scrutiny from lawmakers and environmental groups. The EPA inspector general has an ongoing audit of the administrator's trips, which it has expanded twice to cover all of Pruitt's travel through the end of 2017.

CNN

http://www.cnn.com/2018/02/18/politics/epa-scott-pruitt-israel-travel/index.html

Pruitt postponing visit to Israel after reports of expensive travel

By Eli Watkins, 2/18/18, 1:48 PM

Washington (CNN) - Environmental Protection Agency chief Scott Pruitt has postponed a planned visit to Israel following criticism for taking expensive flights on the taxpayer dollar, an EPA spokesperson confirmed to CNN.

"We decided to postpone," EPA public affairs officer Liz Bowman said in an email. "The administrator looks forward to going in the future."

The Washington Post was first to report news of the postponement, and people in Israel briefed on Pruitt's plans told the Post he would have arrived Sunday and stayed at a five-star hotel in Jerusalem through Thursday.

AMERICAN OVERSIGHT

The Post said an EPA official previously said Pruitt would visit Israel to tour the nation and "gain an understanding of Israel's unique infrastructure and environmental challenges."

Pruitt has faced criticism for taking expensive flights and staying at luxury hotels more often than his predecessors, but has pushed back on accusations of improper or wasteful spending.

"We've reached the point where there's not much civility in the marketplace," Pruitt said. "And it's created, you know, it's created some issues and the (security) detail, the level of protection is determined by the level of threat."

He said he did not make the decision around his security and travel, and EPA documents have outlined details of some of his travel.

Scrutiny over Pruitt's travel has built for months, making him one of several Trump administration Cabinet officials under fire for their travel practices. Tom Price resigned last year as secretary of the Department of Health and Human Services after reports emerged about his extensive use of government-funded private jets.

The Hill

http://thehill.com/homenews/administration/374715-white-house-trump-has-confidence-in-va-epa-chiefs

White House: Trump has confidence in VA, EPA chiefs

By Jordan Fabian, 2/20/18, 3:53 PM

AMERICAN OVERSIGHT

The White House indicated Tuesday that President Trump has confidence in his Veterans Affairs secretary and Environmental Protection Agency director despite allegations of travel abuses.

“I have no reason to believe otherwise," White House press secretary Sarah Huckabee Sanders told reporters when asked if Trump still has confidence in VA Secretary David Shulkin and EPA Administrator Scott Pruitt.

"As we have said many times before, if somebody doesn’t have the confidence of the president, you will know.”

An inspector general report found that Shulkin improperly used taxpayer dollars for a trip to Europe last year and Pruitt has come under scrutiny for flying first-class while on official business.

Politico

https://www.politicopro.com/energy/article/2018/02/pruitts-cleanup-plan-wont-win-superfund-tax-infusion-353771

Pruitt’s cleanup plan won’t win Superfund tax infusion

By Alex Guillen and Anthony Adragna, 2/20/18, 4:33 PM

Congress revived a tax on crude to help pay for oil spill cleanups, and President Donald Trump has kept the door open for a 25-cent increase in the gas tax to fund infrastructure projects.

But there's little chance Congress will try to resurrect a long-dead Superfund tax on oil and

AMERICAN OVERSIGHT

chemical companies to help pay for EPA Administrator Scott Pruitt's push to shrink the backlog of thousands of polluted properties around the country.

Pruitt has pledged to speed the cleanup of the nation's worst Superfund sites, but he has never raised the idea of reviving the tax that was killed in 1995 after the "Gingrich revolution" the previous year gave the GOP control of the House. And though some Democrats and green groups continue to tout the tax, Republican lawmakers aren't worried that Pruitt's Superfund cleanups will suffer.

“I don’t think we have enough time to say whether the direction [EPA is] going now is good or bad or needs to change,” Rep. John Shimkus (R-Ill.), chairman of the Energy and Commerce Environment Subcommittee, told POLITICO. “I think he’s making a good-faith effort to do it with the resources he has.”

The Superfund tax killed in the 1990s had three main revenue streams that generated $1.5 billion annually: 9.7 cents per barrel of crude oil produced or imported; a tax on certain chemicals and metals that went as high as $4.87 per ton depending on the substance; and a 0.12 percent tax on corporate profits exceeding $2 million.

By 2002, the Superfund had run dry, forcing Congress to tap into the government's general fund for its annual budgets. Under the Obama administration, Congress approved an average of $1.17 billion each year for Superfund cleanups. The Trump White House's proposed 2019 budget originally allocated just $762 million, although a last-second spending cap boost passed by Congress brought the proposed Superfund levels back up to $1.09 billion, on par with the previous couple of years.

Republicans are wary of imposing any new tax burdens, and many said they weren’t familiar enough with the lapsed excise tax to evaluate it. And they said the revived oil spill tax, which imposes a 9-cent-per-barrel tax on oil that goes into the Oil Spill Liability Trust Fund, was not a good comparison.

“The Oil Spill Liability Trust Fund is so specific in its purpose,” Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) told POLITICO. “I haven’t given thought to [the Superfund tax] and why this would be the right approach.”

AMERICAN OVERSIGHT

Others suggested the Superfund tax warranted further study.

“I don’t know how much of a [funding] deficit exists in the Superfund sites,” Sen. Dan Sullivan (R-Alaska) told POLITICO. “I certainly would look into it.”

Democrats have argued the Superfund needs a dedicated funding stream outside of annual appropriations to pay for cleaning up hundreds of contaminated sites, and restoring the lapsed tax would show the administration’s commitment to addressing the problem.

“I do think there would be an opportunity for Congress to empower the resources to deal more effectively with brownfield sites and Superfund sites that have been identified,” Sen. Ben Cardin (D-Md.) said.

If EPA can identify the culprit behind a site, known as a “potentially responsible party,” it can force them to pay for cleanups, which happens at around 70 percent of sites.

The Trump administration has not proposed reviving the tax, and an EPA spokesman said that Pruitt "will continue to work with the funding provided by Congress to expedite remedies at all sites listed on the National Priorities List."

Pruitt has said that private money should be responsible for remediation, and he has downplayed the need for federal money, telling "Fox & Friends" last year "it's not a matter of money, it's a matter of leadership and attitude ad management."

Earlier this month, EPA proposed requiring subsidiaries of Republic Services and Exelon to foot part of the $236 million bill for a cleanup of radioactive waste at a St. Louis landfill. And last fall, EPA approved a $115 million plan to remove most of the dioxins at the submerged San Jacinto waste pits near Houston, though that decision is being opposed by the Waste Management.

AMERICAN OVERSIGHT

But nearly one-third of the time, Superfund sites are known as “orphans,” with no clear responsible party. In those cases, the taxpayers are on the hook.

Some green groups say the responsibility for those 314 orphaned sites sites should fall on the overall polluting industry — the way the Superfund tax was funded.

“The whole idea of Superfund is responsible parties pay. If there’s an orphaned site, shouldn’t the industries likely to have caused the problem pay rather than the regular taxpayer?” said Scott Slesinger, legislative director for the Natural Resources Defense Council.

Former President Barack Obama campaigned on reinstating the Superfund tax, and his budget proposals placed 10-year revenues at $23.5 billion, though it was never implemented. EPA even took the unusual step in 2010 of sending a letter to Congress urging them to reinstate it.

Sen. Bob Menendez and Rep. Frank Pallone of New Jersey — which is home to more Superfund sites than any other state — have repeatedly pushed legislation to revive the tax over the years to no avail. At a January Energy and Commerce Committee hearing, Pallone lamented the inaction on reinstituting the tax, saying "many endangered communities are being ignored, even as Administrator Pruitt declares the Superfund to be his top priority.”

Industry groups oppose reviving the tax, and the American Petroleum Institute argues that the oil industry paid an outsize share into the original Superfund compared with its share of Superfund sites.

A 2008 Congressional Research Service report said that of the nearly $9.2 billion that went into Superfund in the five years before the tax expired, more than 25 percent came from the petroleum tax, while 12 percent came from the chemical tax. The corporate tax contributed 28 percent. The remaining 35 percent came from congressional appropriations, reimbursements from polluters and interest generated by the trust fund.

AMERICAN OVERSIGHT

Congress could consider tweaking the formula to include other industries, but the funding burden should remain on the polluters, not the taxpayers, said Mathy Stanislaus, the former EPA assistant administrator who oversaw the Superfund program under Obama.

"The bottom line question is whether Congress and this administration are going to make the decision of whether the taxpayers pay for the mismanagement of worst actors in whatever sector, or should it be the various sectors that are most associated with creating products that can be associated to Superfund sites?" Stanislaus said. "Congress … has chosen to have the taxpayers pay versus those manufacturers."

Stanislaus also noted that the Trump administration in December reversed an Obama-era proposal under the Superfund law that would have required companies that mine gold, copper, iron and other "hardrock" minerals to obtain financial assurance that they could clean up sites once done.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074289/search?keyword=EPA

Pruitt, Zinke and Perry to address CPAC

By Kevin Bogardus, 2/20/18

Cabinet members versed in energy and the environment will appear this week at the Conservative Political Action Conference in National Harbor, Md.

Energy Secretary Rick Perry, Interior Secretary Ryan Zinke and U.S. EPA Administrator Scott Pruitt are listed on the annual politically right-leaning event's agenda for this week.

AMERICAN OVERSIGHT

Pruitt is scheduled to speak at the Ronald Reagan Dinner on Friday night. He is slated to appear alongside Fox News host Judge Jeanine Pirro at the ticketed event.

Friday morning, Perry and Zinke are expected to appear together. The two Cabinet secretaries will be interviewed by former Rep. Bob Beauprez (R-Colo.).

All three have appeared at CPAC in the past, including during their earlier posts as elected officials.

One of Pruitt's first public events as EPA chief was his appearance at CPAC last year, where he promised an "aggressive" rollback of agency regulations (Climatewire, Feb. 27, 2017).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074419/search?keyword=EPA

Pruitt's office cancels 'active shooter' drill

By Kevin Bogardus, 2/21/18

U.S. EPA Administrator Scott Pruitt's office has canceled an "active shooter" drill that had been scheduled at agency headquarters this afternoon.

Internal emails obtained by E&E News show EPA had planned and then backed off from holding the drill at the direction of Pruitt's office. EPA is now looking to reschedule the exercise.

AMERICAN OVERSIGHT

"Hello, please be advised that the William Jefferson Clinton North Active Shooter Response Drill (ASRD) scheduled for tomorrow has been canceled at the direction of the Administrator's Office," said the email sent to employees yesterday.

"We appreciate the support from HQ staff and EPA law enforcement in planning for this drill. We are evaluating alternate dates and locations for scheduling another occupant-focused ASRD for EPA Headquarters in the near future."

EPA press officials didn't respond to questions about why the administrator's office canceled today's active shooter drill.

The drill was to be conducted at 3 p.m. on the fifth floor of the William Jefferson Clinton North Building, according to another email sent yesterday morning before it was canceled.

The drill's beginning and end would have been announced over EPA's public address system, and participants would have practiced their "run, hide, fight" training from the Department of Homeland Security in responding to a gunman on the loose. Law enforcement was also expected to be present for the drill.

"Loud noises associated with the drill, including simulated gunfire and shouting may be heard as part of the drill. Please avoid the area if you are not a participant," the email said.

EPA's cancellation of its active shooter drill comes as the country wrestles with the tragic aftermath of another mass shooting. Last week, 17 people, including students, were killed in a shooting at a Parkland, Fla., high school.

EPA also had its own recent scare with an active shooter, although reports of gunshots at the agency's headquarters turned out to be false.

AMERICAN OVERSIGHT

This past August, several employees at EPA headquarters sheltered in place and police rushed to the scene when one worker called 911 after hearing what were thought to be gunshots, later suspected to be the sound of a door slamming shut. Agency officials vowed to learn from the incident while acknowledging it was upsetting for some employees (E&E News PM, Aug. 22, 2017).

The Hill

http://thehill.com/policy/energy-environment/374633-former-epa-admin-regulation-rollbacks-legally-not-going-to-hold-up

Obama EPA chief: Trump regulation rollbacks won't hold up legally

By Miranda Green, 2/20/18, 11:56 AM

Former EPA Administrator Gina McCarthy says that regulations struck down by the Trump administration simply because they were issued under President Obama won't carry weight in court.

McCarthy, who led the Environmental Protection Agency from 2013 to 2017, called the recent political targeting of regulations at the agency a "real problem."

"I think the important thing is none of them should be touched unless the administration has a real reason to touch them, other than it was done under the Obama administration, and that is the real problem that we see," McCarthy on Tuesday told BuzzFeed's morning livestream program, "AM to DM."

The former administrator, who has been an outspoken opponent of changes made under current EPA head Scott Pruitt, specifically mentioned the administration's desire to change the Clean

AMERICAN OVERSIGHT

Water Rule, also known as the Waters of the United States rule.

"We see the Clean Water Rule being proposed to be repealed, all that rule really did was do what the Supreme Court and what science told us to do to make sure we are protecting the rivers and streams that are necessary to ensure safe drinking water and fishable and swimmable waters," McCarthy said.

"That is being challenged just because the president told them to do that in an executive order. That's legally not going to hold up."

President Trump had made it a campaign trail promise to repeal the controversial 2015 Clean Water Rule. He signed an executive order in February 2017 formally asking Pruitt to consider repealing the rule and replacing it with a more limited one.

Last June, the EPA made its first steps to repeal the Clean Water Rule, and last month Pruitt formally suspended the Obama-era rule for two years while the administration works on a replacement draft rule.

McCarthy also touched on another hot point in environmental regulations, the Clean Power Plan, which she called one of the Obama administration's "premiere" steps.

Under Obama, the rule was met with many hurdles and has yet to be implemented. Prior to Trump taking office, the rule was awaiting final word from a federal appeals court.

Repealing the plan was part of Trump's promise to eradicate Obama's environmental legacy.

In October, the EPA formally announced plans to scrap the Obama administration's signature climate change rule for power plants. Pruitt signed the plan saying the rule exceeds the agency's authority under the Clean Air Act.

AMERICAN OVERSIGHT

"I don't understand the reason why they'd want to delay decision in the DC Circuit over that, that are charging the legality of the rule," McCarthy said of the EPA's delay tactic. "Let them play out. Let us see whether we did it right. I think we did and I think they will hold up under court even if this administration wants them to go away."

When asked about recent news that Administrator Pruitt flies all work-related trips in either business or first class, frequently racking up thousands of dollars in tax-payer expenses, McCarthy said she always flew coach.

"It was comfy for the people in my family, it's comfy for me and the people that I serve," she said. "It's perfectly appropriate and that's how we travelled because our job was to make sure we were protecting public dollars as best we could and making sure that every public dollar we could was being spent on the real mission of the agency, not the luxury of the administrator who was leading it."

E&E Climatewire

https://www.eenews.net/climatewire/stories/1060074339/search?keyword=EPA

'I never imagined this would happen' — ex-EPA staffer

By Niina Heikkinen, 2/21/18

Former U.S. EPA staff members who worked on the Clean Power Plan are urging the Trump administration to back off its plans to kill the rule.

In public comments submitted yesterday, a volunteer group of retired and former agency staff called Save EPA said it should be up to a federal appeals court — not the Trump administration

AMERICAN OVERSIGHT

— to decide whether the Obama administration's signature climate regulation should proceed as originally written. The group includes ex-EPA staffers who helped craft that rule.

EPA is currently seeking comments on its proposed repeal of the Clean Power Plan. The agency is also in the process of developing a plan for a rule replacement.

Save EPA billed the repeal process as "an enormous waste of time," given that the U.S. Court of Appeals for the District of Columbia Circuit has already been fully briefed and heard legal arguments on the case in September 2016. The case has been on ice since, at the request of EPA, to allow the agency the opportunity to review the rule.

Save EPA's comments come as the agency prepares to host its second listening session today on repealing the rule. Today's session is slated for Kansas City, Mo., and another is planned for next Wednesday in San Francisco.

"We urge the EPA to halt this repeal action, to obtain a court decision in the CPP litigation and if the rule is upheld based on the strong legal arguments presented in court, to implement the CPP without further delay," the commenters wrote.

The Obama administration's rule faced fierce legal pushback for setting systemwide rather than facility-level regulations on carbon emissions. The current EPA administrator, Scott Pruitt, was among a cadre of state attorneys general to file lawsuits against implementation of the rule. The agency under Pruitt's leadership is widely expected to rewrite the regulations to focus on controlling emissions at the power plant level.

Today's listening session will focus on the prospect of repealing the rule and will mainly feature speakers from environmental and public health groups such as the Natural Resources Defense Council, the Sierra Club, GreenLatinos, Citizens' Climate Lobby, the American Lung Association and Moms Clean Air Force. Save EPA is planning on sending a representative to the fourth and final listening session in Gillette, Wyo., next month.

The Federal Register currently has over 17,000 public comments on the proposal, many of them

AMERICAN OVERSIGHT

also critical of a repeal.

Save EPA members slammed EPA for not adequately taking into account the impacts of climate change on the American public. They argue the Clean Power Plan as it was first written was an "appropriate way" to limit carbon emissions, considering the interconnectedness of the country's electricity system. They noted the agency's revised cost-benefit analysis significantly underestimated the costs associated with a warming planet. According to the agency's 2015 analysis, the rule would yield between $31 billion and $54 billion in benefits, and $5.1 billion to $8.4 billion in costs once the rule was fully implemented in 2030.

"They are taking away tools the EPA administrator would have to reduce emissions substantially. The tack they are taking legally means it will be possible only to get a small fraction of the emissions reductions from a new replacement rule than could be gotten from the CPP. That's not the kind of position I'd hope an EPA administrator would take," said Jim Ketcham-Colwill, former EPA air policy analyst who helped to write the Clean Power Plan.

While Save EPA has focused on the negative impacts of allowing greater carbon emissions, other critics of the Clean Power Plan repeal have focused on how the rule could have helped to create renewable energy jobs if states chose to reduce their carbon emissions under the plan by turning to other energy sources.

Ashok Gupta, the senior energy economist at NRDC, wrote in a recent blog post that Midwest utilities are increasingly interested in cheap wind energy.

"In the Midwest, the trend is clear; the transition to clean energy is underway and will only intensify in the future. Having a strong national strategy to cut carbon pollution that provides states the flexibility to implement their own plans based on their resources is our best chance at fighting climate change and creating a path towards cleaner, cheaper and more reliable energy," Gupta wrote.

Ketcham-Colwill noted EPA had given a wide range of groups, including state energy regulatory agencies and governors' offices, ample opportunity to offer input on the climate rule.

AMERICAN OVERSIGHT

"The agency got all kinds of plaudits that this was the most extensive stakeholder outreach process that the agency has perhaps ever done," said Ketcham-Colwill.

Ellen Kurlansky, another former air policy analyst at EPA who helped develop the Obama-era rule, said that in addition to public hearing and comments, a range of groups were involved in developing the rule from the very early stages until it was being finalized.

"People often want to talk to us and tell us what they think. We really had an open door," she said.

Kurlansky warned that delaying carbon emission reductions from power plants could have serious implications for rural and low-income Americans most impacted by climate change. For example, changing weather patterns, temperatures and season length can affect which crops are viable in specific parts of the country. Isolated communities could have a hard time getting aid in the event of climate-driven severe weather.

Meanwhile, low-income communities are often least able to financially prepare for or recover from environmental disasters. Many live in closer proximity to power plants and bear a higher brunt of the public health impacts. Indigenous communities also suffer from the loss of traditional cultural practices.

Kurlansky said she had not considered the prospect of a future administration seeking to undo the rule while she was working on it.

"I never imagined this would happen, it's really sad to see," she said.

AMERICAN OVERSIGHT

E&E News PM

https://www.eenews.net/eenewspm/stories/1060074317/search?keyword=EPA

Justices pass on challenges to EPA's Clean Water Act power

By Amanda Reilly, 2/20/18

The Supreme Court won't revive a pair of lawsuits challenging U.S. EPA's authority under the Clean Water Act. Justices today passed on taking up cases related to stormwater policies and permits for water reclamation plants.

As with a recent litigation over the Obama-era Clean Water Rule, the Supreme Court petitions centered on the correct legal venue to bring lawsuits. In both instances, a lower court tossed out the suit after finding it did not have jurisdiction.

At issue in the stormwater case were EPA policies guiding whether cities may dilute stormwater before discharging it into rivers and streams, and the treatment of wastewater during heavy rains.

The 8th U.S. Circuit Court of Appeals in 2013 found EPA illegally created rules in letters to Sen. Chuck Grassley (R-Iowa), instead of going through the formal rulemaking process.

EPA, though, continued to apply the policies on a case-by-case basis everywhere but the 8th Circuit, which runs down the center of the country from North Dakota to Arkansas.

The Center for Regulatory Reasonableness, which represents municipalities and industrial entities, filed suit in the U.S. Court of Appeals for the District of Columbia Circuit to halt the disputed policies nationwide.

The group specifically challenged a pair of 2014 letters to industry associations in which EPA conveyed how it would respond to the 8th Circuit decision.

AMERICAN OVERSIGHT

But a three-judge panel of the D.C. Circuit tossed out the case last year after finding the group should have brought its challenge to federal district court — not the appeals court — under the Clean Water Act (Greenwire, Feb. 28, 2017).

The Supreme Court issued a similar decision in the Clean Water Rule litigation, rebuffing the federal government's arguments that litigation belonged in appeals courts.

The Clean Water Act routes challenges to effluent limitations, other limitations and permitting decisions to appeals courts; other cases go to district courts (Greenwire, Jan. 22).

In its petition to the Supreme Court, the Center for Regulatory Reasonableness argued the D.C. Circuit's decision has "powerful consequences" for the 43 states outside the 8th Circuit.

EPA is "free to impose even vacated" water permitting modifications, "with little fear of the immediate judicial review," the petition said.

The Justice Department had urged the court to decline the case. Government attorneys said the D.C. Circuit correctly concluded EPA's letters interpreting the 8th Circuit decision weren't actions that could be challenged in appeals court under the Clean Water Act.

Challenging the 'puppet master'

At issue in the second case was a Southern California Alliance of Publicly Owned Treatment Works (SCAP) suit challenging EPA's objections to state-issued permits for two water reclamation plants in El Monte and Pomona, Calif.

EPA in 2014 sent a formal objection letter to the Los Angeles Regional Water Quality Control Board threatening to veto the permits. The agency said the approvals, which the Los Angeles board later modified, didn't include necessary daily and monthly limits.

AMERICAN OVERSIGHT

But the alliance argued that EPA used the objection letter to create new rules about permitting without formal notice and comment.

The 9th U.S. Circuit Court of Appeals, however, ruled that it couldn't hear the case because the letter in question was just an "interim step in a complex statutory scheme" and not subject to review by federal court. The 9th Circuit directed the alliance to pursue its case either administratively or in a state court.

The alliance appealed, arguing that the court failed to differentiate between EPA's objections to the permit and the permit itself.

"U.S. EPA continues to use its objection powers to unlawfully push states to adopt measures beyond the requirements of federal regulations," SCAP said. "The 9th Circuit's decision ... relegated SCAP to challenging the puppet, when SCAP seeks to directly challenge the actions of the puppet master."

The Justice Department asked the Supreme Court to pass on the case. DOJ said the EPA letter in question did not set out any binding effluent limitations.

Other cases

At their weekly conference Friday, justices are scheduled to consider a third Clean Water Act petition asking them to overturn a decision that reinstated EPA's contentious "water transfers" rule. They could announce whether they're taking up that case early next week (Greenwire, Sept. 21, 2017).

Along with the water disputes, the Supreme Court today also declined a handful of other environment- and energy-related cases.

AMERICAN OVERSIGHT

Justices won't review a lower court's split decision that North Carolina lacked sovereign control over 45 miles of riverbed where Alcoa Power Generating Inc. had built and operated four hydroelectric dams.

The Tar Heel State argued the company had illegally continued to use the Yadkin River for hydroelectric plants without permission after shuttering an aluminum smelting plant that drew power from the dams (Greenwire, Nov. 15, 2017).

Greens' efforts to halt a hydroelectric project in North Carolina likewise dead-ended. American Rivers and the city of Rockingham had challenged the Federal Energy Regulatory Commission's approval of a license for Duke Energy Progress' Tillery development on the Yadkin and Pee Dee rivers (Greenwire, Jan. 12).

The court also won't hear claims by a group of plaintiffs who allege they developed cancer after being exposed to radiation emissions at Nuclear Materials and Equipment Corp.'s facility in Apollo, Pa. The site processed uranium and provided enriched uranium for naval reactors from the 1950s to the early 1980s.

The Hill

http://thehill.com/policy/energy-environment/374824-hundreds-of-mayors-come-together-to-oppose-trump-reversal-of-obama

Hundreds of mayors unite against Trump reversal of Obama-era climate plan

By John Bowden, 2/21/18, 9:46 AM

Hundreds of mayors representing cities in 47 states and territories have signed a letter opposing the Trump administration's move to roll back the Obama administration's Clean Power Plan (CPP).

AMERICAN OVERSIGHT

In a letter addressed to Environmental Protection Agency (EPA) chief Scott Pruitt, 236 U.S. mayors wrote that the Trump administration's attempt to roll back the environmental restrictions would have "devastating health and economic impacts on their communities."

"We strongly oppose the proposed repeal of the Clean Power Plan, which would put our citizens at risk and harm our efforts to address the urgent threat of climate change," the letter to Pruitt reads.

"The legal authority of cities and other municipalities generally extends only as far as their state governments and federal law allow, and as a result, our local efforts to address climate change are highly sensitive to national policies like the Clean Power Plan, which shape markets, steer state action, and have large direct impacts on nationwide emissions," it continues.

The EPA has been considering a plan to repeal the Clean Power Plan, the centerpiece of former President Obama's environmental agenda, since at least October.

“The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court,” Pruitt said in a statement last year.

“We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule.”

The final version of the CPP was unveiled in 2015, and aimed to reduce carbon dioxide emissions from electrical power generation by 32 percent by 2030. President Trump signed an executive order last March ordering the EPA to review the rule for a possible repeal.

AMERICAN OVERSIGHT

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074297/search?keyword=EPA

OMB greenlights bid to scrap Obama oil and gas guidelines

By Sean Reilly and Niina Heikkinen, 2/20/18

The White House Office of Management and Budget has cleared U.S. EPA's proposal to scrap pollution-reduction guidelines for existing oil and gas operations, setting the stage for the rollback of another piece of the Obama administration's environmental agenda.

OMB's Office of Information and Regulatory Affairs finished a standard interagency review of the proposed withdrawal notice for the "control techniques guidelines" on Friday, according to the Reginfo.gov website. Once the notice is signed, EPA will put the proposal out for public comment, an agency spokeswoman said in an email today.

The guidelines, issued in October 2016, were a key part of EPA's strategy then for reducing emissions of volatile organic compounds (VOCs) from existing oil and gas facilities. In sunshine, VOCs react with nitrogen oxides to form ozone, a lung irritant that is the main ingredient in smog.

Although not a regulation, the guidelines are technical recommendations for states to consider for areas deemed in "moderate" nonattainment or worse for EPA's 2008 ozone standard of 75 parts per billion. They also apply in the Ozone Transport Region, which encompasses 11 Northeastern states, the District of Columbia and Northern Virginia.

"It is addressing sources that you wouldn't otherwise get at from ozone regulation," Joanne Spalding, senior managing attorney at the Sierra Club, said in a recent interview.

AMERICAN OVERSIGHT

States can use "reasonable cost" technological fixes to control the pollutants, such as replacing high-bleed pneumatic controllers with low-bleed controllers. At the time, EPA billed the recommendations as a way to also reduce emissions of methane, a potent greenhouse gas, and save the industry money in lost product.

While EPA officials have so far not formally laid out their rationale for now seeking the guidelines' repeal, that step would mesh with the Trump administration's goal of easing requirements that would be seen as hindering domestic energy production (Greenwire, Dec. 15, 2017). The oil and gas industry, citing the potential price tag for smaller producers, had opposed the guidelines' adoption.

The guidelines — often known by their acronym, CTGs — were released as part of an Obama-era suite of requirements aimed at controlling a range of pollutants from the oil and gas industry. This included landmark regulations to reduce methane releases from new and modified sources, according to Spalding.

EPA Administrator Scott Pruitt's decision to withdraw the CTGs comes on the heels of efforts to roll back or delay parts of those methane regulations. EPA plans to release a notice of proposed rulemaking on changes to the new source rule in August and anticipates the release of a final rule in 2019.

EPA had sent the proposed notice of withdrawal of the control techniques guidelines to OMB in mid-December (Greenwire, Dec. 18, 2017).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074295/search?keyword=EPA

AMERICAN OVERSIGHT

Judges hear arguments over 2 EPA listing decisions

By Amanda Reilly, 2/20/18

An appeals court today considered U.S. EPA decisions to add sites to a list of the nation's most contaminated areas, including a large mining district that contains the Gold King abandoned mine.

EPA put the Bonita Peak Mining District and nine other sites on its national priorities list of Superfund sites in September 2016.

Sunnyside Gold Corp. has filed a lawsuit challenging EPA's decision to list the mining district. In a separate suit, a pair of companies argue that the agency broke the law in adding the site of a former dry cleaner and auto shop in Indiana.

The U.S. Court of Appeals for the District of Columbia Circuit today heard back-to-back arguments in the cases.

While not directly related, the 2015 Gold King abandoned mine rupture is part and parcel of the Bonita Peak Mining District challenge.

In August of that year, EPA contractors accidentally triggered the rupture at the Gold King site, sending 3 million gallons of toxin-laced water into the Animas and San Juan rivers, which then flowed through a corner of New Mexico into Utah.

A little more than a year later, EPA added the abandoned mine to its national priorities list as part of the larger 100,000-acre Bonita Peak Mining District. The larger district has been a "hotbed of hardrock mining activity for gold, silver, lead and copper" since the 1870s, according to EPA, and includes three drainage areas that converge in the Animas River.

AMERICAN OVERSIGHT

Sunnyside Gold Corp., which operates the Sunnyside mine, sued. The company argues that EPA — faced with lawsuits and recrimination over the 2015 rupture — issued an "overly broad listing" that sets a "terrible precedent."

The company says EPA failed to evaluate all the sources within the mining district — including Sunnyside mine and other sites it owns — under the Hazard Ranking System. EPA used the system to score only 19 of the individual contamination sources within the Bonita Peak Mining District; the site includes another 27 sources that weren't scored.

"If you're going to put property on the [national priorities list], you need to score it," Neil Westesen, an attorney representing Sunnyside, argued today in the courtroom.

He added that the owners of nonscored properties would potentially be faced with steep cleanup costs under the national Superfund law.

Sunnyside says it's already spent more than $15 million remediating multiple locations within the mining district. It installed bulkheads in tunnels of the Sunnyside Mine network, including one in a tunnel that connected Sunnyside Mine to the Gold King abandoned mine. New Mexico and the Navajo Nation both named Sunnyside as a plaintiff in their litigation over the 2015 blowout, but the company says it's not responsible for the incident in any way.

For its part, EPA argues it was not required to score all the pollution sources within the broader mining district. It says that the 19 sites it chose to score were representative of the mining operations in the area and that acid mine drainage from all the sources within the district "commingled" as it flowed into waterways.

The mining district is a "single site" encompassing multiple sources, said Meghan Greenfield, a Justice Department attorney representing EPA.

She warned of the consequences of the court ordering EPA to "nitpick" each individual source within a larger site.

AMERICAN OVERSIGHT

At an industrial site, Greenfield said, "their approach would have EPA score every barrel of leaking substances."

In court documents, EPA also says it did not separately evaluate the 2015 blowout at the mine in its decision to list the Bonita Peak Mining District. The agency says it would have placed the district on the national priorities list regardless of the incident.

At today's arguments, Judge Harry Edwards, a Carter appointee, said EPA's approach appeared to be "consistent" with the regulations guiding the use of the Hazard Ranking System. He said Sunnyside was "conflating" the terms "source" and "site" in EPA's regulations.

"The regulation absolutely distinguishes between a site and a source," he said.

Senior Judge Douglas Ginsburg, a Reagan appointee, also appeared at times to side with EPA, saying the Sunnyside mine wasn't completely mitigated despite the company's efforts.

He expressed some concern, though, about the practical consequences of the listing.

A listing on the national priorities list is akin to a "roach motel" in which a company gets caught up in the system and doesn't come out, Ginsburg said.

Indiana site

EPA is facing a separate lawsuit over its September 2016 decision to place an industrial site in Indiana on the national priorities list.

But while the case involves the same topic, it raises different legal issues.

AMERICAN OVERSIGHT

At issue is the West Vermont Drinking Water Contamination site in Marion County, Ind. At the site, a former dry cleaner discharged wastewater containing perchloroethylene into a leaky sewer system that then migrated into groundwater, according to court documents. A carburetor and brake remanufacturing facility operated between 1956 and 1973 also contributed to contamination.

EPA based its decision on findings that aquifers within 2 miles of the sites are "interconnected" and that municipal well fields 4 miles away could be affected by contamination.

Aimco Michigan Meadows Holding LLC, which was formed in 1999 to acquire the apartment and shopping center on the site, and Genuine Parts, the successor to the car repair shop, challenged the listing under administrative law.

Catherine Stetson, an attorney representing the companies, today argued that EPA made a "fundamental" failure by not responding to comments and studies contained in the record, including evidence showing a "confining layer" of clay or till that prevented contamination from reaching water supplies.

She also argued that EPA neglected to pay heed to the direction of groundwater flows.

"Groundwater flows away from the well fields that are of interest to EPA," Stetson said.

Edwards said he had some issues with EPA's analysis.

"It isn't clear to me that the agency has given substantial evidence in this record with respect to hydrologic interconnection," Edwards said, adding, "You're assuming it all the way through, and I don't see it."

AMERICAN OVERSIGHT

InsideEPA

https://insideepa.com/daily-news/epa-names-chemical-company-lawyer-waste-offices-deputy-slot

EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

2/21/18

EPA has named Steven Cook, corporate counsel for one of the world's largest plastics and chemical companies, to be the deputy assistant administrator in the agency's waste office, making him the highest-ranking political official in the office even as a long-time confidante to Administrator Scott Pruitt continues to lead the office's high-profile Superfund reform effort.

Cook, who served as in-house senior counsel for LyondellBasell, started as deputy assistant administrator for the Office of Land & Emergency Management (OLEM) Feb. 20, according to an email sent to staff from Principal Deputy Assistant Administrator Barry Breen. The slot does not require Senate confirmation.

Breen, a long-time career official, has effectively been heading the office in the absence of a political appointee at OLEM, since the Trump administration took office. Typically, a career official occupies the position of principal deputy assistant administrator, while the deputy assistant administrator is a political appointee.

Patrick Davis, President Donald Trump's Colorado campaign director, filled the deputy slot for part of 2017.

And Albert Kelly, a controversial former Oklahoma banker who has known Pruitt for years, has been leading the administrator's Superfund reform push.

AMERICAN OVERSIGHT

While Cook will bring an industry perspective to the office, it is unclear if he will be able to address industry concerns that Pruitt is adopting costly excavation remedies at some Superfund sites.

In addition to his role at LyondellBasell, Cook also served as vice chair of the board of directors of the Corporate Environmental Enforcement Council (CEEC), a cross-industry coalition whose members include a host of major energy, chemical, aerospace, transportation, pharmaceutical, food processing and transportation companies.

Of the more recent public comments filed by CEEC are comments submitted in 2016 on EPA's proposed Risk Management Programs rule for preventing accidental chemical releases, a measure that Pruitt is now seeking to withdraw.

In its comments, CEEC strongly criticized the Obama administration's proposed version of the rule, including its call for third-party audits and EPA's failure to coordinate the rulemaking with other agencies.

According to LyondellBasell's website, the company is one of the largest plastics, chemical and refining companies in the world. It is the leading producer of oxyfuels in the world, and is the top producer in North America and Europe of polypropylene, its website says.

Cook holds both a law degree and chemical engineering degree from Brigham Young University, as well as a masters of business administration degree from the University of Texas at Austin, according to his LinkedIn profile.

E&E News PM

AMERICAN OVERSIGHT

https://www.eenews.net/eenewspm/stories/1060074319/search?keyword=EPA

'Lean' training this spring — operations chief

By Kevin Bogardus, 2/20/18

Training in U.S. EPA's streamlined management techniques will begin soon, the agency's No. 3 official said in an internal email to employees today obtained by E&E News.

Assistant Deputy Administrator Henry Darwin wrote that "deployment training" for EPA's "Lean" management system for teams of agency employees is happening this spring. It comes as the agency looks to boost employee engagement.

Darwin noted in his email that while engagement has increased in the Federal Employee Viewpoint Survey, which polls government workers' morale and committment to their jobs, EPA still ranks in the bottom half of large federal agencies.

Darwin cites a speaker at last month's conference for senior leaders — John Kamensky, a senior fellow with the IBM Center for the Business of Government — who said engagement goes up when employees have latitude to improve their jobs, the training to accomplish that goal and good communication with their bosses.

"Through [Lean management], EPA will achieve these three elements of engagement," said Darwin. "Weekly huddle meetings around visual management boards will provide teams — staff and management alike — the means to see how work is flowing and to identify ways of improving the work process.

"[Lean] deployment training for teams across the agency will begin this spring, and coaching will always be available to help with the new approaches," he said.

In addition, managers are expected to check in with their subordinates every day to boost

AMERICAN OVERSIGHT

communication and resolve issues, said Darwin.

"Finally, our expectations of agency managers will include short, daily, one-on-one check-ins with staff members to increase communication and, as always, solve small problems before they become big problems," Darwin said, concluding, "I realize that the work we've done so far feels top down, but that will soon change. Thank you in advance for joining me on this journey."

The Lean system is essentially the foundation for EPA's "reform plan" to streamline operations, which was called for under an executive order signed by President Trump last year.

The agency has also set up a steering committee of career officials and political appointees, which Darwin has tasked with drafting a vision for EPA (Greenwire, Feb. 6).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074393/search?keyword=EPA

IG to examine emergency-response gear

By Kevin Bogardus, 2/21/18

U.S. EPA's inspector general plans to take stock of equipment used to respond to natural disasters and terrorist attacks.

In a notice dated yesterday, the internal agency watchdog said it plans to begin "preliminary research" on how EPA manages equipment used in counterterrorism activities and emergency response.

AMERICAN OVERSIGHT

"The OIG's objective is to determine whether the EPA has the needed and required counter terrorism and emergency response equipment and whether the equipment is efficiently managed, tracked and available for potential counter terrorism or emergency response incidents," said the notice signed by Michael Davis, director of the Efficiency Directorate in the IG's Office of Audit and Evaluation.

The IG initiated the project on its own and plans to work in several program offices, including the Office of Land and Emergency Management and the Office of Homeland Security, as well as regional branches for the agency.

The watchdog also asked for many documents, such as a list of all such equipment as well as any interagency agreements related to the buying and management of the equipment.

The probe comes after last year's devastating hurricane season, which saw EPA respond to major storms in Texas, Florida and Puerto Rico.

As part of its emergency-response function, EPA works on oil spills, chemical and radiological accidents or attacks, as well as natural disasters. Some of the agency's equipment for the job includes aircraft to detect chemical and radiological leaks and a mobile laboratory, as well as protective gear like hazmat suits.

AP

https://apnews.com/5cbce7f863594d0a96b2d4848c548566/Oil-spill-cleanup-underway-in-suburban-Oklahoma-City

Oil spill cleanup underway in suburban Oklahoma City

AMERICAN OVERSIGHT

2/20/18

YUKON, Okla. (AP) — A spokesman for the Environmental Protection Agency says cleanup is underway in suburban Oklahoma City where about 2,000 barrels of oil spilled from a ruptured pipeline.

EPA on-scene coordinator Mike McAteer said Tuesday workers are skimming oil off the surface of a 7-acre pond near a neighborhood outside Yukon, about 17 miles (27 kilometers) west of Oklahoma City.

McAteer says oil bubbled into the pond early Sunday from a pipeline operated by Centurion Pipeline L.P. He says crews will tunnel beneath the pond to inspect the ruptured pipeline and prevent further releases.

McAteer says cleanup efforts have been slowed by rain and sub-freezing temperatures in the area.

Centurion spokesman Eric Moses says the company is making progress "and will continue to work safely and efficiently until our work is complete."

Reuters

https://www.reuters.com/article/us-missouri-lawsuit/missouri-residents-sue-over-radioactive-material-storage-sites-idUSKCN1G50AZ

Missouri residents sue over radioactive material storage sites

2/20/18, 11:09 PM

AMERICAN OVERSIGHT

(Reuters) - Residents living near landfill sites in the St. Louis area where radioactive waste has been stored filed lawsuits on Tuesday seeking compensation, claiming negligence in handling materials they said were some of the most dangerous on Earth.

Two lawsuits seeking class action status were filed at St. Louis County court for sites that included the West Lake Landfill in Bridgeton, Missouri, and an area near the Coldwater Creek in the county.

Among the 10 defendants are Republic Services, Exelon Corp and the Cotter Corp. Officials from those companies were not immediately available for comment.

"Defendants treated these hazardous, toxic, carcinogenic, radioactive wastes with about the same level of care that a reasonable person might give to common household garbage, dumping it without authority from the State of Missouri and in violation of law," the lawsuits contend.

The suits did not state an amount being sought by the plaintiffs.

The history of nuclear waste in the St. Louis area dates back to the U.S. atomic bomb program from World War Two and spans an array of nuclear processing facilities, storage sites, material transfers and suspected leaks along the way.

The U.S. Environmental Protection Agency has deemed some of the St. Louis-area places that were a part of that history "Superfund" sites, placing them among highly polluted areas that are a national priority for clean-up.

The West Lake site, originally used for agriculture, became a limestone quarry in 1939. But starting in the 1950s, portions of the area were used to dispose of municipal refuse, industrial wastes and construction debris, the EPA said.

AMERICAN OVERSIGHT

In 1973, some 8,700 tons of leached radioactive barium sulfate from the Manhattan Project, the World War Two-era atomic bomb-development program, were mixed with 38,000 tons of soil used to cover trash dumped at the site, according to the EPA.

In 1990, the landfill and neighboring waste-disposal facilities occupying a total of 200 acres (80 hectares) were designated by the EPA as a single Superfund site.

E&E Energywire

https://www.eenews.net/energywire/stories/1060074323/search?keyword=EPA

IG report discounted Tar Creek Superfund fraud claims

By Mike Soraghan, 2/21/18

An investigation by U.S. EPA's watchdog agency in 2013 discounted allegations of fraud at the Tar Creek Superfund site in 2013.

The findings of EPA's inspector general run counter to those of Oklahoma State Auditor Gary Jones, who says his audit found criminal violations at the site.

But they track with the decision of then-Oklahoma Attorney General Scott Pruitt, who declined to bring charges after receiving Jones' audit.

"This investigation revealed no evidence to support any allegations by the complainants," states the EPA IG report, first reported by the newspaper Tulsa World.

AMERICAN OVERSIGHT

Pruitt, now EPA administrator, and his replacement, Mike Hunter, kept the audit secret. So it is not clear how similar the investigations might have been.

Daniel Stevens, who heads a group suing to get the audit made public, said people should be able to compare the two reports.

"It sure seems like Pruitt and his allies are worried about the conclusions contained in the state auditor's report," said Stevens, executive director of Campaign for Accountability. "Pruitt should be held accountable for how he responded to the findings of his own state's auditor."

A hearing in the case has been set for Friday in Oklahoma County District Court.

Tar Creek is a 40-square-mile site in the far northeastern corner of Oklahoma where land and water were contaminated by decades of lead and zinc mining that ended in the 1950s. In the early 1980s, EPA deemed it the most contaminated site in the country.

As part of the cleanup, the federal government provided money in 2009 to buy out homeowners and demolish the homes. The work was overseen by a board of prominent residents called the Lead-Impacted Communities Relocation Assistance Trust.

But companies that sought demolition work complained that contracts were being unfairly steered to companies favored by board members. Jones has said his audit showed the government paid six times more than needed.

The investigation by EPA's IG was prompted by a federal whistleblower lawsuit filed in 2012. The suit alleged the trust board and contractors tapped into a "good ole boy network" and hatched a "sophisticated conspiracy" to rig bids and pay for work that was not done.

AMERICAN OVERSIGHT

But the IG report says there were valid explanations for what the whistleblower suit called violations.

For example, the suit alleged that one of the contractors billed for demolition of the Picher, Okla., house where baseball slugger Mickey Mantle got married in 1951, even though the house is still standing at a location in the nearby town of Commerce. The IG report said after the house was moved that the contractor still had to clear debris and other items from the site, and deserved to be paid.

The redacted IG report is available on EPA's Freedom of Information Act release website. It was requested in 2015 by former trust chairman Mark Osborn.

Several entities, including E&E News, have requested Jones' Tar Creek audit and related documents. The requests have been rejected. Campaign for Accountability sued in November.

Hunter, the attorney general, is fighting the suit, citing grand jury secrecy (Energywire, Jan. 19). But Jones, the state auditor, responded by seeking a court order to release the audit. Jones has also said Pruitt "acted improperly" when, as attorney general, he sent a copy of the audit to the attorney for the trust.

Hunter's office filed a pleading last week countering some of Jones' claims and asserting that the audit is "shot full" of grand jury evidence.

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Daguillard, Robert
Sent: Fri 4/13/2018 8:55:34 PM
Subject: OMR Summary News Clips, 13 April 2018

All, apologies for the lack of hyperlinks. You'll get your daily summary clips in the usual format on Monday. Have a great weekend.

-

ADMINISTRATOR PRUITT

Politico
https://www.politico.com/story/2018/04/12/pruitt-epa-security-chief-spending-pasquale-perrotta-480825
Pruitt's security chief goaded spending, employees say

'He'll do anything to satisfy his boss,' one former staffer says of Secret Service agent turned EPA official Pasquale Perrotta.

By EMILY HOLDEN and ALEX GUILLÉN 04/12/2018 08:13 PM EDT

Environmental Protection Agency Administrator Scott Pruitt has had a willing partner in pushing for his massive spending on bodyguards and first-class flights, current and former EPA officials say — the Secret Service veteran who heads his security detail.

Pasquale "Nino" Perrotta played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, and he's boasted of his exploits with women, firearms and luxury watches in a self-published autobiography. Now he's running security for the nation's top environmental regulator like a lavishly funded SWAT team, according to interviews with seven people who have worked with him under both the Trump and Obama administrations.

The current and former staffers say that rather than acting as a restraint on Pruitt, who came into the agency a year ago demanding round-the-clock bodyguards, Perrotta has instead egged him on — indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his exposure to potential threats from fellow passengers. Perrotta has even barred all but a select group of agency employees from entering rooms and corridors near Pruitt's offices, according to Ron Slotkin, a career official who recently retired as director of the EPA's multimedia office.

Perrotta has also accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources.

AMERICAN OVERSIGHT

Slotkin said Perrotta and others around Pruitt strained repeatedly against any restrictions on their activity, including longstanding federal limits on spending and conduct.

"They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now Perrotta's own ethics are drawing scrutiny from members of Congress looking into Pruitt's actions. Five Democratic lawmakers alleged in a letter sent to President Donald Trump on Thursday that EPA issued at least one contract to an employee of Perrotta's private security firm, and that other contracts may have gone to Perrotta's "friends or associates," based on allegations from former agency deputy chief of staff Kevin Chmielewski.

Chmielewski, a former Trump campaign aide, has told lawmakers EPA fired him after he refused to retroactively approve first-class travel for one of Pruitt's closest aides, former agency policy chief Samantha Dravis, according to the letter from Democrats including Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island. He also told the lawmakers that Perrotta threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call.

Perrotta did not respond to multiple requests for comment.

Agency spokesman Jahan Wilcox defended EPA's decisions on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." He added that the agency had done similar security sweeps for former President Barack Obama's two EPA administrators, Lisa Jackson and Gina McCarthy.

"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and security decisions are made by EPA's Protective Service Detail," Wilcox said in a statement. "Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."

AMERICAN OVERSIGHT

Pruitt's spending, relationships with industry lobbyists and reputation for excessive secrecy have generated calls for his firing from Democratic lawmakers, some Republicans and even White House staff. But he still has at least a public champion in Trump, who tweeted last weekend that "Scott is doing a great job!"

To the contrary, the current and former agency employees say Pruitt has fostered an atmosphere of chaos, mistrust and disregard for optics — and that Perrotta has been a crucial part of it.

Several said Perrotta's personality and Pruitt's expectations are both probably driving EPA's security spending, adding that other key aides have signed off on the administrator's expenses either willingly or begrudgingly.

"He'll do anything to satisfy his boss," said one departed career staffer.

Perrotta was born to Italian immigrants in New York and has spent his life in law enforcement, including in the Secret Service, where he said he protected presidents and dignitaries and investigated financial and organized crimes, according to "Dual Mission," the autobiography he self-published in 2016.

In the book, he calls himself "completely misunderstood by most," including family, friends and coworkers, in large part because of his "high level of energy." Former and current colleagues have described Perrotta as rigidly loyal but also enthusiastic to push boundaries to get what he wants — an impression his book supports.

He recalls "creatively" finding ways to show probable cause to get warrants, providing financial incentives to police, and making sources of female "friends," "showering them with gifts that I was easily able to afford."

Perrotta said he also let women hold his government-issued firearm in romantic situations. "It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along," he recalled.

He said he liked the finer things, including a Rolex Submariner watch that he wore in his youth.

AMERICAN OVERSIGHT

When working for the Secret Service in Bulgaria, he wrote, he dressed "more like a gangster than law enforcement," clad in square-toed, black biker boots and a black, Italian-made turtleneck sweater with a ".380 Sig" gun tucked underneath.

He joined EPA in 2004. That eventually brought him into Pruitt's orbit.

Pruitt, a former Oklahoma attorney general, had built a reputation in conservative Republican circles for his frequent lawsuits against the EPA's Obama-era regulations, putting him at odds with much of the agency's workforce. And his penchant for lavish spending was documented even before he arrived in Washington: An audit in Oklahoma showed that expenses at the attorney general's office surged during his tenure compared with his predecessor's, The Intercept reported Thursday.

When Pruitt arrived at EPA after his confirmation in February 2017, his transition team had already made it clear that he expected around-the-clock security, a former agency employee who was there at the time said.

A week after Pruitt's first day at the agency, top staffers had a meeting on "24/7 security," according to calendars obtained by the watchdog group American Oversight. Chief of staff Ryan Jackson met for half an hour with security officials including Henry Barnet, the director of the criminal enforcement office where Pruitt's security detail is housed.

Perrotta was soon promoted to replace a career staffer who had pushed back on the administrator's desire to use sirens to navigate D.C. traffic. He quickly developed a close relationship with Pruitt.

As head of Pruitt's security detail, Perrotta has been instrumental in decisions for him to fly only first-class, upgrade to a souped-up SUV and have his office swept for bugs, a former Trump administration official said. Perrotta has also overseen Pruitt's 19-person crew of bodyguards, which is three times the size of the team that protected McCarthy — and offers 24/7 protection that exceeds what most Cabinet members receive.

AMERICAN OVERSIGHT

"Mr. Pruitt thinks he's the president of the United States," said the first former career staffer. "He's big on image."

The office sweep for listening devices — which was conducted by a company linked to Perrotta — rankled some career staffers and led to a scuffle between Perrotta and a member of the agency's homeland security office at a meeting last summer, The New York Times reported Thursday.

Despite EPA's argument that Pruitt has received a record number of death threats, an internal report from the agency's Office of Homeland Security suggests that the threats mainly consist of letters and criticism on social media that don't warrant such blanket protection. (On Tuesday, the agency dismissed a staffer who had signed off on the memo and argued with Perrotta, for what it insists were issues dating back several years.)

But several current and former EPA staffers say they also consider the security fears overblown.

"We never saw any threat, never heard any threat," said Slotkin, the former multimedia director. "If anything, it came from Pruitt, we would hear him speak about it. But there was no evidence that anybody could even get near him."

That included many EPA employees: Slotkin said Perrotta cordoned off Pruitt's suite of offices inside EPA's headquarters at Federal Triangle, posting security guards to keep out anyone who wasn't on an approved list. One restricted area was a chandelier-decorated conference room named after environmentalist Rachel Carson where agency employees had previously been allowed to hold events, Slotkin said.

"He didn't want anybody near him," Slotkin said.

Soon Perrotta was flying with Pruitt and discussing matters that went beyond security, two former employees said.

"It wasn't uncommon that given travel and Nino's proximity, he would always weigh in on matters beyond his scope as security, leveraging his institutional knowledge," one said. "He often would say what he recalled prior administrators doing."

AMERICAN OVERSIGHT

By the spring of last year, Perrotta was regularly attending travel planning meetings with top political staff, including a March 30 international scheduling discussion and an April 10 talk on international travel, according to EPA records.

He and other security agents were closely involved in planning in May for a trip the following month to Italy, where Pruitt visited the Vatican and then attended G-7 environment meetings in Bologna. Perrotta had lived for two years in Rome on Secret Service assignment, where he made many connections, according to his book.

Wilcox said the security arrangements on the Italy trip were not novel. "EPA's Protective Service Detail tried to replicate the same security measures taken when EPA Administrator Gina McCarthy traveled to Italy in 2015," he wrote.

Thursday's congressional letter offered a new detail about Perrotta: The Democratic senators said Chmielewski reported that Perrotta entered into a $30,000 contract with private Italian security personnel for that trip. Records have revealed that expense but did not disclose whether it was for a private detail.

One of the former EPA staffers said Perrotta was friends with those guards. That source described Pruitt's protection while in Italy as extensive, with security agents from EPA and the U.S. Embassy, in addition to a large group of local agents.

News reports have revealed Pruitt also had a soundproof booth constructed for his office and considered having bulletproof desks installed.

And the spending isn't over. EPA also appears to be planning to purchase bulletproof vests specially designed to blend in underneath regular clothing for his security detail, according to a solicitation issued on Friday. The solicitation calls for 16 white-colored vests of varying sizes manufactured by Velocity Systems, along with corresponding armor made of "special threat enhanced steel" and cummerbunds that provide enhanced protection.

AMERICAN OVERSIGHT

The armor requested is just over a quarter-inch thick and can protect against the type of bullets shot from AK-47 rifles and some AR-15 semi-automatics, according to Velocity Systems' website.

EPA would not confirm to POLITICO whether the armor is for Pruitt's protective detail or for other agents, saying only that all agents in EPA's criminal enforcement division, which includes Pruitt's detail, "are assigned bulletproof vests" and that the effectiveness of the vests expires every five years. But a source familiar with EPA's security operations said the vests are likely for Pruitt's bodyguards because of their unusual specifications and the number requested. Other enforcement agents wouldn't need their vests to be concealed, that source said.

Greenwire, E&ENews

https://www.eenews.net/greenwire/2018/04/13/stories/1060079035

Career official who clashed with Pruitt heads elsewhere

Kevin Bogardus, E&E News reporter • Published: Friday, April 13, 2018

A top EPA career official who raised objections to Administrator Scott Pruitt's spending and travel demands has been moved outside the agency.

Reginald Allen told his EPA colleagues yesterday that he's been reassigned under the Intergovernmental Personnel Act on a one-year detail to George Mason University, current and former agency employees told E&E News.

Allen, who goes by Reggie, will remain an EPA employee but work at the university. He starts at GMU on Monday.

Allen declined to comment for this story.

EPA press officials didn't respond to questions from E&E News about Allen's reassignment.

AMERICAN OVERSIGHT

Under the law, federal employees can be assigned temporarily to work outside of their agencies, such as in state and local governments as well as at schools and universities.

Allen was an assistant deputy chief of staff who headed EPA's Office of Administrative and Executive Services. The office manages the personnel and programs of the administrator's office, including payroll, travel and contracting.

"He was a natural leader who brings the team together," a former EPA employee said.

In that post, Allen, a retired Army colonel who served 30 years and led combat troops in Iraq, raised objections to various spending requests by Pruitt. He soon had a change of job at the agency.

The New York Times reported last week that Allen was transferred to a different EPA office where he mostly worked alone.

Democratic lawmakers identified him in a letter yesterday to Pruitt, saying a Trump EPA political appointee, Kevin Chmielewski, told them that when Allen refused to authorize some of Pruitt's spending, "his responsibilities were removed."

According to the former EPA employee, Allen told Pruitt and his aides they were requesting to stay in hotels that were too expensive under federal travel guidelines — an allegation that Chmielewski also made, as noted in the Democrats' letter yesterday.

"Reggie had to tell them that there were rules and they had to stick by them. He was very unpopular because he was telling them what they needed to do to just keep it legal," the former EPA employee said.

AMERICAN OVERSIGHT

Other career EPA officials who have run into disagreements with Pruitt and his top aides have also gone to academia. One of those officials, John Reeder, a deputy chief of staff at EPA, later joined American University as an executive in residence.

"It's clear John ran into similar problems," the former EPA employee said.

Allen appears in records won by American Oversight, a liberal-leaning watchdog group, through Freedom of Information Act litigation against EPA. Those documents detail some of what the agency spent to refurbish the administrator's office.

In April 2017, Allen responded to a question about biometric locks for Pruitt's office after being told they would not count against the federal limit of $5,000 for office redecoration.

"Approved," Allen said in an email.

Reporter Sean Reilly contributed.

Twitter: @KevinBogardus Email: kbogardus@eenews.net

E&E Daily

https://www.eenews.net/eedaily/2018/04/13/stories/1060078973

Former top aide also met with Republicans

Kevin Bogardus, E&E News reporter

Published: Friday, April 13, 2018

AMERICAN OVERSIGHT

Kevin Chmielewski has been making the rounds on Capitol Hill.

Republican staff for the House Oversight and Government Reform Committee met yesterday with the former EPA deputy chief of staff for operations, a Republican committee aide told E&E News.

The former Trump campaign aide and EPA political appointee currently on the outs with agency leadership has become the center of a firestorm of alleged excessive spending and misuse of authority accusations that may cut short Administrator Scott Pruitt's time at the agency.

Chmielewski earlier met with the staff of five Democratic lawmakers, including Rep. Elijah Cummings (D-Md.), the Oversight panel's ranking member. The lawmakers yesterday sent a **letter** to Pruitt, listing several of the former top EPA aide's charges against the administrator, resulting in yet another remarkable day at the agency (***Greenwire***, April 12).

Chmielewski described Pruitt's penchant for first-class flights and expensive hotels; increased security spending for SUVs, bulletproof vests and biometric locks; and staff infighting.

He also detailed for lawmakers a harrowing experience of being threatened by Nino Perrotta, head of Pruitt's security team, who said on a phone call he was going to go to Chmielewski's home and take his EPA parking pass, adding that he "didn't give a fuck who is on this call."

Chmielewski said he reported Perrotta to local police, the White House Office of Presidential Personnel and several EPA officials.

The Democrats requested several documents from Pruitt, but the EPA chief has also been asked by a Republican to provide records. Earlier this week, Rep. Trey Gowdy (R-S.C.), chairman of the Oversight committee, asked the agency to provide records on Pruitt's rented condo, linked to a lobbyist whose firm's clients have business before EPA, as well as missing travel records (***E&E News PM***, April 11).

Twitter: @KevinBogardus Email: kbogardus@eenews.net

CNN

https://www.cnn.com/2018/04/12/politics/epa-scott-pruitt-travel-security-congress/index.html

Former aide tells Congress of extravagant spending by EPA's Scott Pruitt

By Gregory Wallace and Sara Ganim, CNN Updated 8:19 AM ET, Fri April 13, 2018

Washington (CNN) -- Environmental Protection Agency Administrator Scott Pruitt routinely directed staffers to book expensive hotels, help him earn frequent flier miles and schedule

AMERICAN OVERSIGHT

meetings to align with his personal travel desires, a former top staffer told congressional investigators.

Former EPA deputy chief of staff, Kevin Chmielewski also said Pruitt was aware of major raises given to other aides, rebutting Pruitt's account that he was unaware of the salary bumps.

The allegations are laid out in a letter several Democratic members of Congress sent Pruitt and President Donald Trump on Thursday. The letter says the new information about how Pruitt has run the agency reveal actions that are "unethical and potentially illegal."

Chmielewski is currently on unpaid leave from the agency after raising concerns about Pruitt's travel practices and uses of resources and funds.

Among the allegations:

• Pruitt declined to use State Department-approved overseas hotels that already had security in place, preferring more expensive hotels with higher security costs.

• Pruitt requested aides to schedule official business in cities he wanted to visit.

• Pruitt directed staffers booking his travel on Delta to maximize his personal frequent flyer miles.

• Pruitt used the agency's scheduling director as a "personal real estate representative."

• Pruitt wanted staff to find reasons for him to visit his home state of Oklahoma.

• Pruitt spent more than the $5,000 allowed by law to decorate his office, including refinishing an antique desk, buying a standing desk and paying leases for art on loan from the Smithsonian.

"We will respond to Members of Congress through the proper channel," the agency's spokesman, Jahan Wilcox, told CNN in a statement.

The EPA has previously defended Pruitt's travel and security practices, and Pruitt argued in

AMERICAN OVERSIGHT

recent interviews his lease was ethically sound. EPA has also said Chmielewski is among "a group of disgruntled employees who have either been dismissed or reassigned."

Chmielewski confirmed in a brief phone interview that the letter from Democratic members of Congress laying out his closed-door testimony is accurate. He has met with both Democratic and Republican members of Congress as part of inquiries into Pruitt.

"This has nothing to do with Republicans or Democrats. This is right and wrong. I will meet with whoever wants to meet with me," Chmielewski told CNN.

Hotel choices

The letter reveals that when Pruitt was planning a business trip last year to Australia, he ignored State Department recommendations.

"Mr. Chmielewski claimed that you refused to stay at hotels recommended by the U.S. Embassy, although the recommended hotel had law enforcement and other U.S. resources on-site," the letter reads. "He alleged you chose to stay instead at more expensive hotels with fewer standard security resources, and to bring your security team with you, at taxpayer expense."

Pruitt's hotel choices have also required his security detail to pay for rooms out of their own pockets.

"According to Mr. Chmielewski, you frequently stayed in hotels that exceeded the allowable U.S. government per diem," the letter said. "He added that while you were reimbursed for these expenses, on some occasions members of you security detail were not reimbursed for the portion of their expenses that exceeded allowable maximums."

First class travel and pay raises

Chmielewski told investigators he was sidelined at Pruitt's direction after refusing to retroactively approve a first-class plane ticket for another EPA political appointee, Samantha Dravis. Dravis announced last week that she is leaving the agency later this month.

AMERICAN OVERSIGHT

"He told our staffs that following his refusal, chief of staff Ryan Jackson called Mr. Chmielewski into his office and informed him that you wished to fire or reassign him," the Democratic members of Congress wrote to Pruitt.

Chmielewski told congressional investigators that he had personal knowledge -- through a conversation with Jackson -- that Pruitt was involved in the raises given to his agency attorneyand the scheduling director.

Pruitt denied in a Fox News interview that he knew of the raises prior to a report by The Atlantic that uncovered the raises -- one for $57,000 and another for $28,000.

But Chmielewski said the administrator was in the know.

"Mr. Chmielewski explained that he was called into your Chief of Staff's office and told that you wanted to move him out of his position in order to give Ms. Hupp his title and a pay increase," the letter to Pruitt reads.

The raises were "100% Pruitt himself," Chmielewski told the investigators. The letter did not specify if Chmielewski has personally discussed the raises with Pruitt.

CNN's Jeremy Diamond contributed to this report.

NYTimes

https://www.nytimes.com/2018/04/12/climate/epa-scott-pruitt-pasquale-perrotta.html

At E.P.A., Pruitt's 'Sheriff' Clashed With Critics of Spending

By KENNETH P. VOGEL, ERIC LIPTON and LISA FRIEDMANAPRIL 12, 2018

WASHINGTON — A former Secret Service agent, with a background investigating the

AMERICAN OVERSIGHT

Gambino crime family, is serving as the chief of security for Scott Pruitt, the administrator of the Environmental Protection Agency, and has helped build an unusual and costly protective apparatus around him.

The agent, Pasquale Perrotta, has clashed — at least once physically — with top E.P.A. officials who challenged Mr. Pruitt's spending, and has steered at least one E.P.A. security contract to a business associate, according to interviews with current and former senior agency officials.

Officially, Mr. Perrotta leads Mr. Pruitt's protective detail, but he plays a far larger role at the E.P.A., offering security justifications for management, personnel and spending decisions, said the officials, who were not authorized to speak publicly and feared retribution. Mr. Perrotta's outsize influence has placed him at the center of inquiries by the E.P.A. inspector general's office into excessive spending and possible violations of contracting rules by Mr. Pruitt's administration, according to the senior officials.

When Mr. Pruitt and his team became convinced that his office might have been bugged by environmentalists or disgruntled career employees, Mr. Perrotta recommended that a sweep for surveillance devices be conducted by a company owned by Edwin Steinmetz, who is listed as a vice president at a security firm Mr. Perrotta operates on the side, the senior officials said. Mr. Perrotta also used agency funds to hire Italy-based private security guards to protect Mr. Pruitt during a trip to Italy, they said.

A scathing six-page letter, sent Thursday to Mr. Pruitt by a group of Democratic lawmakers, criticized Mr. Pruitt's lodging and security choices on that trip.

While in Italy, Mr. Pruitt "refused to stay at hotels recommended by the U.S. Embassy, although the recommended hotel had law enforcement and other U.S. resources on site," according to the letter, in which the lawmakers ask Mr. Pruitt to turn over documents related to the claims. Instead, Mr. Pruitt chose to stay "at more expensive hotels with fewer standard security resources," while bringing along his own security team "at taxpayer expense."

In addition, Mr. Perrotta played a central role in approving Mr. Pruitt's regular use of first-class flights, and has often joined him in first class, including during the trip to Italy last June, for which travel costs totaled at least $120,000, according to public records. And when Mr. Pruitt

AMERICAN OVERSIGHT

wanted a secure place to make sensitive phone calls, Mr. Perrotta pushed for the construction of a $43,000 surveillance-proof booth in Mr. Pruitt's office in Washington, over the objections of colleagues who had advocated a less expensive option. Mr. Perrotta also pressed, unsuccessfully, for a bulletproof vehicle for Mr. Pruitt and a bulletproof desk for his security detail.

From the time Mr. Pruitt arrived at the E.P.A., the Trump transition team requested increased security for him, suggesting that safety was a concern. But as Mr. Pruitt's security measures and requests have grown over the past year, various internal reviews at the E.P.A. have questioned the need.

Mr. Perrotta, who joined the Secret Service in 1995 and moved to the E.P.A. in 2004, declined requests for comment left at his office at the E.P.A. and at his security consulting firm, Sequoia Security Group. An E.P.A. spokesman defended the heightened security measures, repeating previous E.P.A. assertions that Mr. Pruitt "has faced an unprecedented amount of death threats" and that "members of the president's cabinet should be kept safe from these violent threats."

A native New Yorker, Mr. Perrotta, 50, made a name for himself in the mid-1990s when he worked for the Bronx district attorney, investigating gambling and loan-sharking activities of the Gambino crime family, and then later helping efforts that led to the arrest and conviction of John Gotti, the longtime boss of the Gambino family.

Mr. Pruitt traveled in first class last summer to Italy, where Mr. Perrotta used agency funds to hire local private security guards to protect him. Credit Environmental Protection Agency

Longtime E.P.A. employees described Mr. Perrotta as a backslapper and a fast-talker who enjoys talking about his mob-busting days and has given the impression that he chafed under the leadership of others.

Since taking over the protective detail weeks after Mr. Pruitt's confirmation in February 2017, Mr. Perrotta has cheekily referred to himself as the agency's sheriff and has whistled the distinctive tune made famous by the Western film "The Good, the Bad and the Ugly," said two E.P.A. officials who worked with Mr. Perrotta. On occasion, he has worn a black cowboy hat and boots around the E.P.A. office, a move that some colleagues considered a lighthearted allusion to Mr. Pruitt's home state, Oklahoma.

AMERICAN OVERSIGHT

Mr. Perrotta, a polarizing figure in the agency, is viewed among some career officials as playing to Mr. Pruitt's ego and security fears to seize power over rivals. The measures he advocated in the name of security provided Mr. Pruitt with perks more commonly associated with heads of state, and often came over the objections of top agency officials. Some of them complained that Mr. Perrotta was playing fast and loose with the rules, but that he could not be challenged because he was thought to have Mr. Pruitt's blessing.

Ercole Gaudioso, a former New York Organized Crime Task Force investigator who worked the Gotti case with Mr. Perrotta, says he thinks his former junior partner, with whom he keeps in contact, may find the work of protecting a cabinet secretary boring by comparison.

"He was the guy who wanted to be out fighting the bad guy all the time," Mr. Gaudioso said.

In a self-published 2016 book detailing his work in law enforcement, Mr. Perrotta acknowledged skirmishes during his career, particularly in its early days.

"It often appeared to me that my fellow agents and supervisors did not quite get me, my motivations and authenticity often maligned and misunderstood," he wrote. "I have come to accept that I contributed to this misconception and false labeling in part because of my high level of energy."

Mr. Perrotta became Mr. Pruitt's security chief after the administrator removed Eric Weese, a special agent who had a reputation, even before Mr. Pruitt's arrival, for closely following agency rules, even if it might mean standing up to political appointees, according to Fred Burnside, who led the E.P.A.'s criminal enforcement division from 2008 to 2010.

"We always encouraged anyone to speak up if they disagree with the direction of the organization," Mr. Burnside said.

Mr. Weese had denied Mr. Pruitt's requests to use lights and sirens when being driven in his agency-issued vehicle to restaurants and airports, and also made it clear he would be opposed to

AMERICAN OVERSIGHT

signing off on security waivers to allow Mr. Pruitt to fly in first class.

Mr. Perrotta not only indulged those requests, but also quickly moved to restrict access to Mr. Pruitt, making his office and the rest of that floor of the E.P.A. headquarters off-limits to anyone who was not on a list drawn up by Mr. Perrotta, said Ronald Slotkin, former director of the agency's multimedia office.

Kevin Chmielewski, right, a deputy chief of staff at the E.P.A., was placed on administrative leave after months of raising objections to Mr. Pruitt's security spending. Credit Delamarvanow.com

"We used to be friends," Mr. Slotkin said, referring to Mr. Perrotta. Then, he said, "boom, overnight this list was blocking me from getting in."

Mr. Perrotta urged Mr. Pruitt to take other steps in the name of security that struck some as excessive, including the surveillance-thwarting booth and the sweep for listening devices.

Sweeps are typically initiated by the agency's homeland security office and are conducted by government personnel or certified outside contractors, two agency officials said. Mr. Perrotta, instead, turned to Mr. Steinmetz, a vice president at the security firm that Mr. Perrotta founded in 2013 and continues to work for even while on the E.P.A. payroll. The agency confirmed that Mr. Perrotta had gotten a waiver to maintain outside employment.

"It was an emergency, they needed it right away," said Mr. Steinmetz, who had conducted security sweeps for other government agencies, but never previously for the E.P.A. "I dropped everything and took care of it."

Mr. Steinmetz, who received $3,000 for the work, said none of the money went to Mr. Perrotta or his company. The E.P.A. did not respond to a question about whether the sweep turned up anything. But Mr. Steinmetz suggested it had been necessary because "there are people there working behind the scenes doing anything they can to cause embarrassment for this administrator," including, he said, "holdovers from the previous administration."

AMERICAN OVERSIGHT

The sweep, conducted within weeks of Mr. Pruitt's taking office in February 2017, inflamed tensions between Mr. Perrotta and the agency's homeland security office, where officials were increasingly — and openly — skeptical of the expensive security demands.

Things got so heated that a scuffle broke out during a meeting last summer of the agency's top security and administrative staff, according to attendees. They said that Mr. Perrotta traded expletives with Mario Caraballo, who until recently served as the deputy associate administrator of the homeland security office, and that the two men had to be physically separated.

Frictions persisted as Mr. Perrotta worked to consolidate power within the security detail, giving his team a top role in evaluating threats against Mr. Pruitt and determining the financial resources needed to combat them.

One part-time member of the security detail, John C. Martin, was removed when it was discovered that his cellphone had an application that allowed him to communicate confidentially, according to people with knowledge of the matter. The application was discovered after the E.P.A. did an audit of government-issued mobile devices, looking for secure applications such as Signal and WhatsApp, which could be used to communicate with members of the media, as well as for legitimate government work. Mr. Martin had raised questions internally about the bug-sweeping contract and the security booth, agency officials said.

Mr. Perrotta later instructed Kevin Chmielewski, a Trump administration political appointee who had served as Mr. Pruitt's deputy chief of staff, to confiscate Mr. Martin's gun and badge, according to agency officials. Mr. Chmielewski later told associates that he regretted carrying out Mr. Perrotta's instructions, which he came to believe were retaliatory.

Mr. Perrotta also retained more than a dozen private security guards for Mr. Pruitt's trip to Italy, a decision that would typically be made by the agency's homeland security office and the State Department.

According to an E.P.A. official who was involved in the trip, Mr. Perrotta and the security guards attended a five-course meal at a Rome restaurant with Mr. Pruitt and his staff, a rarity for security personnel, who usually do not dine with those they protect.

AMERICAN OVERSIGHT

Officials from the E.P.A.'s homeland security office, under Mr. Caraballo, questioned the need for all of the additional security expenses. "EPA Intelligence has not identified any specific credible direct threat to the E.P.A. administrator," a memo from Mr. Caraballo's office said in February.

After excerpts from the memo were made public by two Democrats in the Senate this week, Mr. Pruitt's staff confirmed that Mr. Caraballo had been removed from his job. He is one of several career officials who have been reassigned or removed after challenging Mr. Perrotta's implementation of enhanced security measures for Mr. Pruitt. Even political appointees have not been immune.

After months of objecting to Mr. Pruitt's security spending, Mr. Chmielewski, who had been among the first employees of Donald J. Trump's 2016 presidential campaign, was asked to surrender his credentials, electronic security card and parking pass to one of Mr. Perrotta's agents late one night in the agency's parking lot.

Mr. Chmielewski refused, got in his car and began driving to his family's home in Maryland, at which point he got a call from Mr. Perrotta, according to an administration official briefed on the exchange and the letter sent Thursday by Democrats in Congress. If Mr. Chmielewski did not immediately return to the E.P.A. to surrender his credentials, security card and parking pass, Mr. Perrotta said he would drive to Mr. Chmielewski's home that night and personally retrieve them.

Mr. Chmielewski reported the exchange, which he characterized as a threat, to the White House and to the E.P.A.'s internal affairs and criminal investigative divisions. Mr. Chmielewski, Mr. Martin and others who have crossed Mr. Perrotta have told associates that they are concerned Mr. Perrotta will not be held to account by the inspector general.

Even after Mr. Perrotta's colleagues raised concerns about his oversight of Mr. Pruitt's security, Mr. Perrotta and the assistant inspector general who oversees investigation, Patrick Sullivan, have been spotted drinking beers together at Elephant and Castle, a bar across the street from the E.P.A. headquarters. The men were both with the Secret Service before coming to the E.P.A. Mr. Perrotta initially worked in the inspector general's office when he arrived at the agency, and moved to the security detail late in George W. Bush's presidency.

AMERICAN OVERSIGHT

A spokesman for the inspector general did not dispute that Mr. Perrotta and Mr. Sullivan were "friendly" but disputed that they socialized outside of work and added that the office has "impairment and impartiality requirements" intended to prevent bias in any investigation.

Mr. Steinmetz, the business associate of Mr. Perrotta, said he had been encouraged by Mr. Perrotta to be candid if contacted by the inspector general.

"We've got nothing to hide," said Mr. Steinmetz. "I know the guy. I know that he's straightforward. He's honest."

EnergyWire, E&ENews

https://www.eenews.net/energywire/stories/1060078935

Okla. court still reviewing 'several thousand' Pruitt emails

Mike Lee, E&E News reporter Published: Friday, April 13, 2018

Oklahoma officials could be forced to turn over thousands more pages detailing Scott Pruitt's work as the state attorney general, depending on the outcome of a court case.

The information could show more details about the companies, people and interest groups who helped shape Pruitt's campaign against EPA's environmental regulations. Pruitt, who is now President Trump's EPA administrator, argued for years that the Obama administration overstepped in its attempts to regulate pollution from the coal, oil and natural gas industries.

The state has already turned over more than 7,500 pages of emails and other documents in response to an Oklahoma district court lawsuit by the nonprofit Center for Media and Democracy (CMD) (Greenwire, Feb. 22, 2017).

The district court, which previously ruled that the state had failed to respond to the CMD's requests under Oklahoma's open records law, is preparing to review the remaining material in camera, or privately. Staffers for the current attorney general, Mike Hunter, have asked for

AMERICAN OVERSIGHT

permission to withhold the documents, citing attorney-client privilege and exceptions to the state Open Records Act.

The CMD says the state's requests for exemptions are too broad. The group wants the attorney general to turn over a more specific list of what's being withheld and what privileges apply to each document, said Mike Redman, an attorney in Tulsa representing the CMD.

Some of the emails appear to involve people who don't work for the state and aren't parties to the lawsuit, which means they aren't subject to attorney-client privilege, Redman said. Oklahoma's Open Records Act is intended to let the public know who's influencing the state's elected officials.

"The whole purpose of this is to provide transparency in government so we have confidence in our democratic institutions," Redman said.

It could take months for the court to finish its review, and it's unclear how much material is still subject to review. Redman said it involves "several thousand pages."

The attorney general's office declined to comment on the case, because it's still in court, said Terri Watkins, a spokeswoman for Hunter.

The previously released documents showed close relationships between Pruitt and Oklahoma's oil and gas producers. In one instance, Pruitt used language written by Devon Energy Corp. executives in a letter that was intended to rally other state attorneys general against the Obama administration's hydraulic fracturing rule.

In other cases, Pruitt's staffers solicited friend-of-the-court briefs from trade groups over EPA's regional haze rules.

The filings released this week offer glimpses of the material that's still being withheld. They

AMERICAN OVERSIGHT

make reference to emails from coal producer Murray Energy Corp. and the utility company American Electric Power Co., both of which were involved in lawsuits over EPA regulations.

The index also shows a "personal note" to Pruitt from a vice president at the Oklahoma Independent Petroleum Association, and an email apparently from a Tulsa police official dealing with the Islamic State group.

Twitter: @mikeleefw Email: mlee@eenews.net

Deputy Administrator Wheeler:

ClimateWire, E&ENews

https://www.eenews.net/climatewire/2018/04/13/stories/1060078965

The agency has a deputy. Is he the administrator-in-waiting?

Robin Bravender and Zack Colman, E&E News reporters Published: Friday, April 13, 2018

Administration officials, EPA career staff and industry executives are envisioning a future with Andrew Wheeler at the helm of EPA.

Wheeler was confirmed by the Senate yesterday to be deputy administrator of the agency, even as Scott Pruitt, EPA's chief, continues to come under fire for allegations of ethical lapses. Pruitt's job security was in question in recent weeks as revelations about excess spending and ties to lobbyists piled up, but he seems to have shored up President Trump's support, at least for now.

"Trump at this point appears to be OK with Pruitt, but you never actually know what's in his head on this," said an administration official. "White House staffers are joking that Wheeler's going to be the administrator."

AMERICAN OVERSIGHT

Even before the ethical flare-ups, Pruitt was widely expected to leave EPA — perhaps to seek elected office — before Trump's term ends. If the president decides to fire Pruitt, or if the EPA chief steps down, Wheeler is expected to fill in. He could be there for a while, depending on whether Senate Democrats can fend off the confirmation of another Trump nominee to lead the agency.

Wheeler, a former coal lobbyist and staffer to Sen. Jim Inhofe (R-Okla.), was nominated last October for the deputy job at EPA. His confirmation months later came as allegations of Pruitt's unethical behavior have sparked investigations within the White House and at EPA.

Now, agency staffers think he might be their next boss.

"People are certainly wondering who would take over, and now that we apparently have a [deputy administrator], he'd be the first in line," said an EPA career employee. "Nobody here really knows him that much, so nobody knows what to think."

A source in the White House acknowledged that many of the mishaps surrounding Pruitt threatened to waylay Wheeler's nomination. That would have been a blow to an agency already under fire for its chief's actions.

"There has been some concern that these stories would harm [Wheeler's] ability of getting in," the White House official said. "What people want to make sure is that EPA continues to be effective as it can be moving forward, to help us get past this."

Meanwhile, some industry representatives would prefer to have Wheeler at the helm.

"Folks are thinking in some cases it might be a step up because [Wheeler] has more institutional know-how of the process, how to move things along," said a refining industry executive. Wheeler and EPA air chief administrator Bill Wehrum would be "a really good one-two punch" on Clean Air Act issues.

AMERICAN OVERSIGHT

"Everyone in our industry loves Scott Pruitt," the executive added, but "everyone is shaking their heads at the questionable situation he's putting himself in. ... He's bringing unnecessary heat on all the other stuff he's done."

As far as the bad press affecting Pruitt's agenda, that person said that "it slows it down a little bit in terms of the staff being able to focus for more than two minutes. ... Everyone's pretty distracted right now."

Myron Ebell of the Competitive Enterprise Institute, the former head of Trump's EPA transition team, said it's "no surprise that Pruitt doesn't have unanimous support in the White House." And he said it's clear that the White House is watching for further bad news about the EPA chief.

"And obviously if there is, the people who don't support him in the White House are going to say, 'Hey, look, now we've got Andrew Wheeler confirmed, and use him at least as the acting administrator.' I can see that this is at least a plausible alternative, but I'm still focused on supporting Pruitt and focused on getting Andrew confirmed as deputy."

Pruitt and Wheeler are coming from "different standpoints" but are "focused on making fundamental reforms at the EPA," Ebell said. "They're absolutely agreed with the president that the Obama climate agenda has to be rooted out completely. So I think they'll work well together. They have complementary experience and talent. ... It's too bad they haven't been together since September."

And while Pruitt appears to have Trump's support for now, continued reports about his exorbitant spending likely aren't helping. Yesterday, Democratic lawmakers sent Trump a long list of complaints about Pruitt, including allegations that he exceeded the legal amount allowed to decorate his office and sought a contract to rent a private jet that would have cost about $450,000.

"Trump certainly gets ticked off when he hears about his Cabinet officials being loose and irresponsible on travel," said the administration official.

AMERICAN OVERSIGHT

Twitter: @rbravender Email: rbravender@eenews.net

-

ABC News

http://abcnews.go.com/Politics/amid-pruitt-controversy-congress-confirms-epas/story?id=54421904

Amid Pruitt controversy, Congress confirms EPA's No. 2

By STEPHANIE EBBS TRISH TURNER Apr 12, 2018, 9:39 PM ET

Amid controversy around Environmental Protection Agency Administrator Scott Pruitt, the Senate has confirmed the nominee for the agency's No. 2 position.

In a party-line vote, the Senate confirmed Andrew Wheeler to be the EPA's deputy administrator. Some members of Congress indicated after the vote that Wheeler could be next in line to take over at EPA if Pruitt resigns or is fired by the president.

"It's entirely possible Andrew Wheeler could be sworn in as acting administrator before he serves a single day as deputy administrator," the top Democrat on the Senate committee with oversight of EPA, Sen. Tom Carper, D-Del., said Thursday.

This week's vote on Wheeler was even more high-profile because of the swarm of controversy surrounding Pruitt in recent weeks, including questions about his living arrangement in a Capitol Hill townhouse connected to lobbyists and his spending on travel and security since he took over at the agency. More than 100 members of Congress, including three Republicans, have called for Pruitt to resign and the Republican chairman of the House Oversight Committee has asked the EPA to provide documents on Pruitt's spending decisions and living arrangement to the committee.

Pruitt tweeted to congratulate Wheeler and said in a statement he looks forward to working with Wheeler to implement the president's agenda.

AMERICAN OVERSIGHT

The previous acting deputy administrator Mike Flynn, who was at EPA for more than 36 years, retired last week.

Wheeler worked at the EPA during the George H.W. Bush and Bill Clinton administrations, according to an EPA press release, as a staffer for the Senate Environment and Public Works Committee and worked as general counsel for conservative Sen. James Inhofe, R-Ok., who wrote a book about global warming called "The Greatest Hoax."

Wheeler is also a principal at Faegre Baker Daniels consulting firm and was registered as a lobbyist for companies like Murray Energy in 2017, according to federal lobbying records. Murray Energy's website calls it the largest coal mining company in the country.

Nine environmental groups, including the Sierra Club and Natural Resources Defense Council, wrote to senators urging them to vote against Wheeler earlier this week.

Some Democrats said that Wheeler should be vetted more thoroughly in case Pruitt resigns and he ends up taking over at the EPA. The ranking member of the committee that considered his nomination, Sen. Tom Carper, D-Delaware, said that more questions have been raised about actions at the agency since Wheeler's confirmation hearing.

Other Republicans, including the chairman of the Environment and Public Works Committee, said they were confident that Wheeler will be a good addition to the agency.

"Andrew Wheeler is well qualified to serve in this critical position at the EPA," Sen. John Barrasso, R-WY, said.

Another Republican, Sen. Susan Collins of Maine, said she had more confidence in Wheeler than Pruitt to lead the agency.

AMERICAN OVERSIGHT

One of the controversies with Wheeler's nomination has been his connection to Murray Energy's CEO, Bob Murray.

Murray has publicly said that climate change is not a problem and that carbon dioxide, which the EPA lists as the primary greenhouse gas, is not a pollutant.

In a PBS documentary that aired last October, Murray said he had written the administration an "action plan" to help the coal industry and said that the administration had already "wiped out page one" of his requests. Sen. Sheldon Whitehouse's office obtained a copy of that memo, reviewed by ABC News, which lists 14 policy priorities such as rolling back the Clean Power Plan and withdrawing the finding that forms the basis of the EPA's authority to regulate greenhouse gases.

Carper said that Wheeler committed to regulating greenhouse gases.

The EPA did not say Thursday when Wheeler will be sworn in.

-

Washington Post

https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2018/04/13/the-energy-202-scott-pruitt-gets-top-deputy-despite-democratic-opposition/5acfd53f30fb046acf7bcc32/?utm_term=.4b8b527be8c8

The Energy 202: Scott Pruitt gets top deputy despite Democratic opposition

By Dino Grandoni, April 13, 9:40 AM

THE LIGHTBULB

Environmental Protection Agency Administrator Scott Pruitt has been criticized by environmentalists for his frequent meetings with lobbyists. Now he will have a former coal and nuclear lobbyist as his top deputy.

The Senate on Thursday confirmed Andrew Wheeler to be second-in-command at the

AMERICAN OVERSIGHT

EPA, largely along party lines.

Most Democrats tried their best to keep him out, citing concerns over his potential conflicts of interest. But with Pruitt in the spotlight for his spending and management controversies, which only continue to grow, the deputy role is especially critical right now. **Should Pruitt resign or be fired, Wheeler is in line to take his place.**

The support of a handful of Democrats plus every Republican swept Wheeler, who was originally nominated for the deputy job last fall, in the door.

Administrator Pruitt

✔@EPAScottPruitt

Let me be the first to congratulate Andrew Wheeler as @EPA's new deputy administrator. Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda.

4:37 PM - Apr 12, 2018

For Wheeler, the ascension to the EPA's No. 2 post is a return to the agency after more than two decades away, when Wheeler worked for four years there as a career employee under President George H.W. Bush and President Bill Clinton.

And with a 53 to 45 vote to confirm him, Wheeler faced less resistance that Pruitt did during his February 2017 confirmation vote. Maine Sen. Susan Collins, the only Republican to vote against Pruitt, voted to confirm Wheeler. The only two Democrats who last year approved Pruitt, Sens. Heidi Heitkamp (N.D.) and Joe Manchin III (W.Va.), also cast votes of approval for Wheeler, as did Sen. Joe Donnelly (Ind.). Every other Democrat opposed Wheeler.

But others in the Senate's minority party tried hard to keep him out. Democrats sought to tie Wheeler's confirmation vote to Pruitt's ongoing ethical troubles, which as of Thursday now include allegations that Pruitt often chose work travel destinations based on his desire to visit particular places and to book flights on Delta to accrue frequent-flier miles.

Sen. Tom Udall (N.M.), the ranking Democrat on the Appropriations subcommittee overseeing the EPA, **called on Wednesday for the floor vote to be delayed so that Wheeler could go through "a vetting process similar to [someone] taking over the Environmental**

AMERICAN OVERSIGHT

Protection Agency," given Pruitt's missteps. This week several Senate Democrats also formally called on Pruitt to resign or be fired.

"I know that there are many Republicans who haven't spoken out yet, but privately they are very disturbed about what Scott Pruitt is doing at the EPA," Udall said at a news conference.

Wheeler engendered some of the harshest rebukes from environmentalists and their Democratic allies because of his history as a former Senate aide and industry advocate, which Steven Mufson, Brady Dennis and I reported about on Thursday.

For the past nine years, Wheeler has been a lobbyist for a variety of companies. Working for the lobbying firm Faegre Baker Daniels, he received $370,000 in fees last year from the Appalachian coal mining firm Murray Energy. Its chief executive Robert Murray was a major Trump booster during the 2016 presidential campaign.

Murray has paid Wheeler's firms $225,000 to $559,000. In March 2017, shortly after working for the Trump transition team, Wheeler attended a meeting between Murray and Energy Secretary Rick Perry. Murray asked Perry to increase payments to coal and nuclear plants supplying electricity to the Midwest and Appalachia. Perry tried to implement such a plan, but independent electricity regulators rejected it.

On Thursday, Sen. Sheldon Whitehouse (D-R.I.) brought an oversized printout of an image of Wheeler at the Murray-Perry meeting to the Senate floor.

Yet even as they mounted that effort, Democrats acknowledged the long odds of stopping Wheeler.

"What did Wayne Gretzky say, great hockey player, when asked why he took so many shots on goal?" Sen. Thomas R. Carper (Del.), the top Democrat on the Senate Environment and Public Works Committee, asked reporters this week. "He said, 'I missed every shot I never took.' "

Regardless of who helms the EPA during the Trump administration, a major policy shift away on climate issues is unlikely.

"The policies of the EPA are coming right from the top," Sen. Ron Wyden (D-Ore.) said in a brief interview Thursday. "The president of the United States campaigned on them, and what a surprise... appointees are going to carry them out."

And in another speech that day, Sen. James M. Inhofe (R-Okla.), Wheeler's former boss when he worked for the Senate Environment Committee, praised him as "a wonderful guy."

"I would like to find anyone who knows him well to say there is any flaw in his character," said Inhofe, a high-profile critic of climate science who famously brought a snowball to the Senate floor as a prop. "He's going to do a great job."

POWER PLAYS

AMERICAN OVERSIGHT

— **The drip, drip of news on Pruitt turned into a waterfall**Thursday after Pruitt's former deputy chief of staff for operations, Kevin Chmielewski, provided Democratic lawmakers with a detailed list of what he describes as wasteful spending and unethical behavior, The Post's Brady Dennis and Juliet Eilperin report.

Democrats sent the EPA administrator an outline of the numerous claims from Chmielewski, a former Trump campaign worker. The letter claims:

- Pruitt often chose work travel destinations based on his personal desire to visit particular cities or countries.
- Pruitt directed staffers to book flights on Delta, even when it was "not the federal government's contract carrier for the route," to accrue frequent-flier miles.
- Pruitt routinely asked his staff to "find reasons" for him to travel to Oklahoma so that he could remain in his home state for long weekends, often at taxpayer expense.
- Pruitt "frequently stayed in hotels that exceeded the allowable U.S. government per diem" -- and that while planning trips to Italy and Australia, the EPA chief refused to stay at hotels recommended by the U.S. embassy which "had law enforcement and other U.S. resources on site." (The trip to Australia was ultimately canceled.)
- Pruitt's chief of staff, Ryan Jackson, was excluded from scheduling meetings about the EPA leader's travel after raising concerns about his expenditures.

— **Meet the EPA's "sheriff":** The New York Times on Thursday published a profile of Pasquale "Nino" Perrotta, Pruitt's chief of security, that characterizes him as a willing enabler of the lavish spending taking place in the EPA. It includes this description of Perrotta:

Since taking over the protective detail weeks after Mr. Pruitt's confirmation in February 2017, Mr. Perrotta has cheekily referred to himself as the agency's sheriff and has whistled the distinctive tune made famous by the Western film "The Good, the Bad and the Ugly," said two E.P.A. officials who worked with Mr. Perrotta. On occasion, he has worn a black cowboy hat and boots around the E.P.A. office, a move that some colleagues considered a lighthearted allusion to Mr. Pruitt's home state, Oklahoma.

Anyone who has ever seen any cowboy movie, as Perrotta clearly has, knows the good guys wear white.

According to the Times, **Perrotta also "clashed — at least once physically — with top E.P.A. officials** who challenged Mr. Pruitt's spending…. Things got so heated that a scuffle broke out during a meeting last summer of the agency's top security and administrative staff, according to attendees. They said that Mr. Perrotta traded expletives with Mario Caraballo, who until recently served as the deputy associate administrator of the homeland security office, and that the two men had to be physically separated."

Politico also had a piece on Perrotta saying **Pruitt's security chief "egged him on" in spending** — "indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his

AMERICAN OVERSIGHT

exposure to potential threats from fellow passengers... Perrotta said he also let women hold his government-issued firearm in romantic situations. 'It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along,' he recalled."

— **"Tenant from hell:"** At his $50-per-night condo co-owned by an energy lobbyist's wife, **Pruitt apparently was "a disastrous tenant, with one comparing him to Owen Wilson's character in You, Me and Dupree,"** the Daily Beast reports. **"Pruitt would not take out the trash during his time staying at the townhouse believing that a cleaning service would do it for him. There was no cleaning service that came with the apartment, however.** And the garbage bags piled up to the point that [landlord] Vicki Hart was forced to tell him to put them in the canister and to take that canister out to the street the next time he left the building."

— **But his emails:** Pruitt has used four agency email addresses since taking office, Eilperin and Dennis report, sparking questions about whether he has disclosed all the documents normally made public under federal records requests. Now Democratic Sens. Carper (Del.) and Jeff Merkley (Ore.) are asking the agency's internal watchdog to investigate the issue. Pruitt used multiple email addresses when he was Oklahoma's attorney general, as well.

WHITE HOUSE

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/trumps-epa-order-on-pollution-less-bold-than-in-past

Trump's EPA order on pollution less bold than in past

by John Siciliano, April 12, 2018 06:28 PM

President Trump's latest action to rein in the Environmental Protection Agency focuses on streamlining existing programs and speeding up approvals instead of the all-out repeal that was the hallmark of his first year in office.

The beneficiaries of Thursday's actions are large manufacturers, which long criticized the EPA under the Obama administration that its national air quality rules were striving for too much, too soon.

AMERICAN OVERSIGHT

Trump's new order jibes with businesses' wishes in directing the EPA to take a number of specific actions to ensure states and businesses are given quick answers on meeting standards, which will allow them to move more quickly to build new plants.

Thursday's order from Trump appears to respect court decisions slamming the EPA for trying to delay the Obama administration's ozone rules, a top agenda items for manufacturers. EPA Administration Scott Pruitt had tried to suspend the rule for three years, but a federal judge deemed the attempt illegal, forcing Pruitt to implement the Obama-era regulations.

Trump bemoans the ozone rules, but that's as far as Thursday's actions go.

"In some areas, revised [air quality standards] are approaching what are considered to be 'background levels' of pollution (i.e., levels associated with natural sources or emissions originating outside of the United States), leading to significant practical challenges for constructing or expanding manufacturing and industrial facilities," the new Trump order reads. "Those challenges range from difficulties in demonstrating compliance to costs and uncertainty associated with permitting delays and emissions-control requirements."

What the Trump order doesn't do is outright repeal any air quality program.

"Given the national importance of successful and efficient implementation of air quality standards to promote public health, welfare, and economic growth, this memorandum directs the administrator [of EPA] to take specific actions to ensure efficient and cost-effective implementation of the [national ambient air quality standards] program, including with regard to permitting decisions for new and expanded facilities, and with respect to the Regional Haze Program," the Trump order stated.

"These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy," Trump added in the order.

AMERICAN OVERSIGHT

Most of the directives Trump outlines are consistent with his ideas for infrastructure development, with agencies speeding up permit and approvals, rather than have them drag out for years, as has been the criticism.

Trump wants the EPA to be more timely in processing State Implementation Plans, or SIPs, which states must submit to the agency on how they will meet air quality standards for smog-forming ozone, regional haze issues, and other pollutants deemed harmful to the public, such as sulfur dioxide.

The order imposes an 18-month deadline for EPA to approve or not approve a state plan from the time it is submitted.

There is also the federal implementation plan, or FIP, in which the EPA takes action if a state plan is deemed inadequate to cut pollution or if a state refuses to meet the standard.

Trump orders Pruitt to review all full or partial FIPs issued in 2007 under the Regional Haze Program and to develop options, the order reads.

The order wants to replace states that are under FIPs for regional haze pollution with "approvable SIPs," meaning taking away the federal mandatory program and letting the states determine their own destiny in meeting the EPA standards.

It also directs the EPA chief to ensure that emissions and pollutants from other countries are taken into consideration when evaluating plans to meet the standards.

It also sets a one-year deadline for issuing pre-construction permits.

POLITICO

https://www.politico.com/newsletters/politico-influence/2018/04/12/who-visited-the-white-house-264088

AMERICAN OVERSIGHT

POLITICO Influence, Intelligence and analysis on lobbying

Who visited the White House

By MARIANNE LEVINE 04/12/2018 03:26 PM EDT

With Lorraine Woellert, David Beavers and Garrett Ross

WHO VISITED THE WHITE HOUSE: President Donald Trump has kept White House visitor logs under wraps after eight years of transparency from President Barack Obama, but beginning this week voters will get a peek, at least, at the comings and goings on campus, POLITICO's Lorraine Woellert reports. The Secret Service released a set of heavily redacted visitor logs Wednesday as part of a legal settlement between the Trump administration and watchdog group Public Citizen, which had sued under the Freedom of Information Act to obtain records of four agencies housed inside the White House compound: the offices of Management and Budget, Science and Technology Policy and National Drug Control Policy, and the Council on Environmental Quality.

— The logs track visitors for the month of February, which included conservative think-tank types Myron Ebell and Marlo Lewis of the Competitive Enterprise Institute, David Kreutzer of the Heritage Foundation and Jim Tozzi of the Center for Regulatory Effectiveness. Trump administration loyalist C. Boyden Gray dropped in twice to chat with Mark Paoletta, the former veep chief counsel who's now at OMB. Ellen Lurie Hoffman of the National Housing Trust paid a visit to OMB's civil service wing.

— In the lobbyist line-up: Manus Cooney of American Continental Group, whose clients include News Corp., Rolf Lundberg of Choice Hotels, Lee Janger of the Alliance for Vehicle Efficiency and Laurie Holmes of the Motor and Equipment Manufacturers Association.

— Samantha Dravis, former senior counsel to embattled EPA Administrator Scott Pruitt, made three visits to the Eisenhower building.

FUEL EMISSION STANDARDS

AMERICAN OVERSIGHT

Detroit Free Press:
https://www.freep.com/story/money/cars/2018/04/13/air-quality-california-pollution-cars/499135002/

Why California is fighting for tough vehicle emissions standards

By Phoebe Wall Howard, 4/13/18

Don Arax, a high school football coach in Fresno, Calif., sometimes cancels practices because his players can't breathe.

"We're worried," said the coach at Bullard High School. "About 25% of our kids are carrying inhalers now. I find empty inhalers all the time in the weight room and on the fields. We practice from 7 to 9 p.m. during the bad months. And my son's elementary school keeps (students) inside because of air quality."

At 53, the Fresno native says exhaust from passenger cars and trucks moving farm products through the California Central Valley has changed everyday life. "I used to always see the mountains. Now it's a rare day when we see the mountains" — the Sierra Nevada about 50 miles to the east.

For athletic coaches, parents and economic development officials trying to attract business, air pollution remains a sensitive issue in California. Weather reports include forecasts for rain, heat and air quality that urge senior citizens and children to stay indoors to avoid respiratory dangers.

So when the Trump administration said on April 3 it plans to roll back Obama-era greenhouse gas and fuel emissions standards for cars and light trucks, California officials took note. What is an engineering debate in Detroit is a crucial health question in the state where one-eighth of the nation's vehicles are sold.

California has authority under the Clean Air Act that allows it to set its own emissions standards, which are tougher than national standards. Twelve other states have adopted those standards and account for a third of the U.S. auto market.

The Trump administration action holds out the prospect of a legal battle to erase California's waiver as automakers, represented by the Alliance of Automobile Manufacturers, advocate for

AMERICAN OVERSIGHT

"one national standard" — which could be read as wanting to eliminate California's rules.

Arax's players and the field littered with inhalers show why California will fight to maintain basic protections. Observers say the law is on the state's side.

"It's a 'be careful what you wish for' scenario," said Brian Maas, president of the California New Car Dealers Association and a lawyer. "You don't know where litigation is going to end up."

Regulatory measures are designed to cut carbon dioxide and reduce air pollution. Tougher regulation is a global trend. But some U.S. politicians say Obama-era mandates should be relaxed.

Pruitt's move

Scott Pruitt, the Environmental Protection Agency administrator, has taken up their cause.

"The Obama EPA's determination was wrong," Pruitt said in announcing the planned rollback. "Obama's EPA cut the midterm evaluation process short with politically charged expediency, made assumptions about the standards that didn't comport with reality and set the standards too high."

In 2012, federal agencies, California and the auto industry agreed to raise average fuel economy for passenger cars to up to 54.5 miles per gallon by 2025. Because of provisions in how the government measures emissions and fuel economy, that really works out to a combined city-highway rating of about 38 mpg.

After the negotiations, no one claimed victory. Everybody compromised.

California officials note there is one national program already — under the agreement, California standards equal federal standards. If those federal standards are rolled back, California and the

AMERICAN OVERSIGHT

12 states will continue with the existing standards.

Automakers insist their push for flexibility and a single standard doesn't mean they want to back off targets. They have produced more fuel-efficient vehicles that pollute less even as pickup sales soar. The consumer shift to pickups and SUVs as gas prices have remained low, in part because of the fracking boom, has limited sales of electric vehicles and efficient gas burners.

"Nobody is saying, 'Let's pollute the air more.' The problem is the cost," said Rebecca Lindland, executive analyst for Kelley Blue Book. "How do we get consumers to buy these vehicles? It's going to get really expensive. When it comes to the fuel economy standard, I think manufacturers want relief, which isn't to say they want to go back to gas-guzzling SUVs."

However, analysts and manufacturers say, a fuel economy solution requires a collaborative style.

"We are not getting that from the top right now," said Lindland, a committee member on the 2015 National Research Council report evaluating fuel economy technologies. "We have to plan in advance because production, vehicles, power trains — none of those decisions are flexible. They are decisive because of the nature of the investment."

California flexibility

California's top air regulator is open to giving automakers flexibility to comply with vehicle greenhouse-gas emissions rules even as her $1.6-billion state agency prepares to fight the Trump administration over vehicle pollution standards.

Mary Nichols, chair of the powerful California Air Resources Board, said in an interview with the Free Press she thinks California officials, automakers and the Trump administration can agree to revise and extend the standards.

"If there are ways to eliminate things that aren't contributing to overall environmental performance, we're absolutely open to talking about them," Nichols said, noting that current rebates on low-emission vehicles are designed to move consumers and there's potential for other effective strategies.

AMERICAN OVERSIGHT

Automakers say they would like to see standards tweaked or adjusted in ways that don't undermine the effectiveness of the air quality program.

While Nichols is receptive, she emphasized that California will insist on commitments at least through 2030.

Industry analysts warn that automakers must continue to improve in order to remain competitive in California, the largest domestic car market, and China, the largest car market worldwide.

"It's not unusual for California to chart its own course, which it has done for the past 40 or 50 years," said Maas, who represents California car dealers. "There's a sense we need to do more than the federal government has seen fit to do over time. There's a perception that our air quality issues are more challenging. Take smog in the L.A. basin or the Central Valley, for example. Those are huge issues."

Car dealers in California don't see a fight as necessary or winnable. They worry about the 40 million people who buy more than 2 million cars a year now.

"There is a way for these views to be reconciled," Maas said. "I mean, we work for car dealers. Dealers make deals every day. They're used to compromising."

He noted that automakers, the U.S. government and California agreed to one rule in 2012 and can do so again. The original group agreed to review in 2018 and commit to 2025.

Now the federal government appears poised to set standards for the rest of America apart from California.

"That's potentially not helpful," Maas said. "Then, automakers are going to have to make a

AMERICAN OVERSIGHT

choice. Will they meet our standards or abandon the market? It could affect vehicle affordability and vehicle availability. We sell one of every eight new cars in the U.S."

Despite Pruitt's rhetoric, no one involved in the industry opposes debate over regulation.

"It would be our preference that it not occur in the judicial branch, that it occur in the legislative and executive branch, where you can compromise and make agreements, changes, modifications and adjust to things on the fly," Maas said. "But it appears, based on where things are going, that it's going to end up in the judicial branch."

The issue isn't that Trump has suggested a fresh review of the emissions policy, but rather the tone and aggressive nature of the public statements. Automakers say the industry has evolved dramatically with new technologies that merit rebates, tax breaks and additional incentives that may move consumers toward electrification and financially assist automakers trying to meet regulation.

Top officials who represent automakers say privately they're surprised and relieved by the open-minded tone established by Nichols. They say she is a force to be reckoned with, but is reasonable.

'Automakers find a way'

Taking the fight to court carries great risk.

Judges have presumed California is authorized to make its own rules unless there's a good reason to change policy. The federal government can't just deny the state's rights, said Sean Hecht, co-director of the Emmett Institute on Climate Change and the Environment at the UCLA School of Law.

"We have a history of the auto industry declaring how difficult it is to comply with regulations," he said. "Inevitably, it costs less than they say and they're capable of making changes. These standards drive innovation in the industry. When you have stricter standards, automakers find a

AMERICAN OVERSIGHT

way."

Amory Lovins of Rocky Mountain Institute, who is a member of the National Petroleum Council and the Society of Automotive Engineers, has worked closely with automakers worldwide for 27 years, and urges players to avoid litigation.

“It would be extremely disruptive for an industry with very long lead times and complex production planning. Add to that tariffs on its two main raw materials (steel and aluminum), and the threat of blowing up (the North American Free Trade Agreement), on which the finely tuned three-country supply chain depends with baroque complexity," Lovins said. "And then on top of that, guaranteeing years of acrimony and litigation which leave you not knowing what products you’ll be allowed, encouraged or rewarded to sell. That’s a recipe for disaster.”

He said simply, "California would litigate and most likely win. The law is on their side."

But the Trump administration has proven it's unafraid of filing lawsuits.

“This is an administration that seems prone to play political theater on a wide range of issues and then get struck down by the courts," Lovins said. “If you think this is about a reality show and not governing, this is what it looks like. I don’t know whether the CEOs of the automakers are having serious second thoughts, but I think they must be worried, and some do indeed want Mr. Pruitt to chill out.”

He noted that global competitiveness is at stake. "Any market share that we vacate by breaking down arrangements that had been working quite well will be cheerfully taken by foreign competitors.”

Meanwhile, retired hospital administrator John Taylor just wants to breathe.

A transplant from Milwaukee to the San Joaquin Valley, he arrived with no family history of respiratory issues. Now, he is making arrangements to move away from his children and grandchildren. His wife, Judith Eymann-Taylor, 74, a retired preschool teacher, can sing in the

AMERICAN OVERSIGHT

church choir — and avoid coughing — only as air pollution allows.

"We both use multiple inhalers," said Taylor, 67, of Fresno. "Neither of us can breathe without assistance in the winter. We got to the point where the doctor said move and move now."

He has seen central California emergency rooms filled with children and adults struggling to get oxygen into their lungs when polluted air triggers asthma. "I can't even go out for a walk here unless it rains. If you asked me how air pollution is affecting my life, I'd say I'm eager to be able to breathe."

Now he is looking for a home in southwest Utah. He said, "This is not the way I envisioned my retirement."

Detroit Free Press:
https://www.freep.com/story/money/cars/2018/04/13/air-quality-california-pollution-cars/499135002/
Why California is fighting for tough vehicle emissions standards
By Phoebe Wall Howard, 4/13/18

Don Arax, a high school football coach in Fresno, Calif., sometimes cancels practices because his players can't breathe.

"We're worried," said the coach at Bullard High School. "About 25% of our kids are carrying inhalers now. I find empty inhalers all the time in the weight room and on the fields. We practice from 7 to 9 p.m. during the bad months. And my son's elementary school keeps (students) inside because of air quality."

At 53, the Fresno native says exhaust from passenger cars and trucks moving farm products through the California Central Valley has changed everyday life. "I used to always see the mountains. Now it's a rare day when we see the mountains" — the Sierra Nevada about 50 miles to the east.

For athletic coaches, parents and economic development officials trying to attract business, air pollution remains a sensitive issue in California. Weather reports include forecasts for rain, heat

AMERICAN OVERSIGHT

and air quality that urge senior citizens and children to stay indoors to avoid respiratory dangers.

So when the Trump administration said on April 3 it plans to roll back Obama-era greenhouse gas and fuel emissions standards for cars and light trucks, California officials took note. What is an engineering debate in Detroit is a crucial health question in the state where one-eighth of the nation's vehicles are sold.

California has authority under the Clean Air Act that allows it to set its own emissions standards, which are tougher than national standards. Twelve other states have adopted those standards and account for a third of the U.S. auto market.

The Trump administration action holds out the prospect of a legal battle to erase California's waiver as automakers, represented by the Alliance of Automobile Manufacturers, advocate for "one national standard" — which could be read as wanting to eliminate California's rules.

Arax's players and the field littered with inhalers show why California will fight to maintain basic protections. Observers say the law is on the state's side.

"It's a 'be careful what you wish for' scenario," said Brian Maas, president of the California New Car Dealers Association and a lawyer. "You don't know where litigation is going to end up."

Regulatory measures are designed to cut carbon dioxide and reduce air pollution. Tougher regulation is a global trend. But some U.S. politicians say Obama-era mandates should be relaxed.

Pruitt's move

Scott Pruitt, the Environmental Protection Agency administrator, has taken up their cause.

"The Obama EPA's determination was wrong," Pruitt said in announcing the planned rollback.

AMERICAN OVERSIGHT

“Obama’s EPA cut the midterm evaluation process short with politically charged expediency, made assumptions about the standards that didn’t comport with reality and set the standards too high.”

In 2012, federal agencies, California and the auto industry agreed to raise average fuel economy for passenger cars to up to 54.5 miles per gallon by 2025. Because of provisions in how the government measures emissions and fuel economy, that really works out to a combined city-highway rating of about 38 mpg.

After the negotiations, no one claimed victory. Everybody compromised.

California officials note there is one national program already — under the agreement, California standards equal federal standards. If those federal standards are rolled back, California and the 12 states will continue with the existing standards.

Automakers insist their push for flexibility and a single standard doesn't mean they want to back off targets. They have produced more fuel-efficient vehicles that pollute less even as pickup sales soar. The consumer shift to pickups and SUVs as gas prices have remained low, in part because of the fracking boom, has limited sales of electric vehicles and efficient gas burners.

"Nobody is saying, 'Let's pollute the air more.' The problem is the cost," said Rebecca Lindland, executive analyst for Kelley Blue Book. "How do we get consumers to buy these vehicles? It's going to get really expensive. When it comes to the fuel economy standard, I think manufacturers want relief, which isn't to say they want to go back to gas-guzzling SUVs."

However, analysts and manufacturers say, a fuel economy solution requires a collaborative style.

"We are not getting that from the top right now," said Lindland, a committee member on the 2015 National Research Council report evaluating fuel economy technologies. "We have to plan in advance because production, vehicles, power trains — none of those decisions are flexible. They are decisive because of the nature of the investment."

AMERICAN OVERSIGHT

California flexibility

California's top air regulator is open to giving automakers flexibility to comply with vehicle greenhouse-gas emissions rules even as her $1.6-billion state agency prepares to fight the Trump administration over vehicle pollution standards.

Mary Nichols, chair of the powerful California Air Resources Board, said in an interview with the Free Press she thinks California officials, automakers and the Trump administration can agree to revise and extend the standards.

"If there are ways to eliminate things that aren't contributing to overall environmental performance, we're absolutely open to talking about them," Nichols said, noting that current rebates on low-emission vehicles are designed to move consumers and there's potential for other effective strategies.

Automakers say they would like to see standards tweaked or adjusted in ways that don't undermine the effectiveness of the air quality program.

While Nichols is receptive, she emphasized that California will insist on commitments at least through 2030.

Industry analysts warn that automakers must continue to improve in order to remain competitive in California, the largest domestic car market, and China, the largest car market worldwide.

"It's not unusual for California to chart its own course, which it has done for the past 40 or 50 years," said Maas, who represents California car dealers. "There's a sense we need to do more than the federal government has seen fit to do over time. There's a perception that our air quality issues are more challenging. Take smog in the L.A. basin or the Central Valley, for example. Those are huge issues."

Car dealers in California don't see a fight as necessary or winnable. They worry about the 40 million people who buy more than 2 million cars a year now.

AMERICAN OVERSIGHT

"There is a way for these views to be reconciled," Maas said. "I mean, we work for car dealers. Dealers make deals every day. They're used to compromising."

He noted that automakers, the U.S. government and California agreed to one rule in 2012 and can do so again. The original group agreed to review in 2018 and commit to 2025.

Now the federal government appears poised to set standards for the rest of America apart from California.

"That's potentially not helpful," Maas said. "Then, automakers are going to have to make a choice. Will they meet our standards or abandon the market? It could affect vehicle affordability and vehicle availability. We sell one of every eight new cars in the U.S."

Despite Pruitt's rhetoric, no one involved in the industry opposes debate over regulation.

"It would be our preference that it not occur in the judicial branch, that it occur in the legislative and executive branch, where you can compromise and make agreements, changes, modifications and adjust to things on the fly," Maas said. "But it appears, based on where things are going, that it's going to end up in the judicial branch."

The issue isn't that Trump has suggested a fresh review of the emissions policy, but rather the tone and aggressive nature of the public statements. Automakers say the industry has evolved dramatically with new technologies that merit rebates, tax breaks and additional incentives that may move consumers toward electrification and financially assist automakers trying to meet regulation.

Top officials who represent automakers say privately they're surprised and relieved by the open-minded tone established by Nichols. They say she is a force to be reckoned with, but is reasonable.

AMERICAN OVERSIGHT

'Automakers find a way'

Taking the fight to court carries great risk.

Judges have presumed California is authorized to make its own rules unless there's a good reason to change policy. The federal government can't just deny the state's rights, said Sean Hecht, co-director of the Emmett Institute on Climate Change and the Environment at the UCLA School of Law.

"We have a history of the auto industry declaring how difficult it is to comply with regulations," he said. "Inevitably, it costs less than they say and they're capable of making changes. These standards drive innovation in the industry. When you have stricter standards, automakers find a way."

Amory Lovins of Rocky Mountain Institute, who is a member of the National Petroleum Council and the Society of Automotive Engineers, has worked closely with automakers worldwide for 27 years, and urges players to avoid litigation.

“It would be extremely disruptive for an industry with very long lead times and complex production planning. Add to that tariffs on its two main raw materials (steel and aluminum), and the threat of blowing up (the North American Free Trade Agreement), on which the finely tuned three-country supply chain depends with baroque complexity," Lovins said. "And then on top of that, guaranteeing years of acrimony and litigation which leave you not knowing what products you’ll be allowed, encouraged or rewarded to sell. That’s a recipe for disaster.”

He said simply, "California would litigate and most likely win. The law is on their side."

But the Trump administration has proven it's unafraid of filing lawsuits.

AMERICAN OVERSIGHT

“This is an administration that seems prone to play political theater on a wide range of issues and then get struck down by the courts," Lovins said. “If you think this is about a reality show and not governing, this is what it looks like. I don’t know whether the CEOs of the automakers are having serious second thoughts, but I think they must be worried, and some do indeed want Mr. Pruitt to chill out.”

He noted that global competitiveness is at stake. "Any market share that we vacate by breaking down arrangements that had been working quite well will be cheerfully taken by foreign competitors.”

Meanwhile, retired hospital administrator John Taylor just wants to breathe.

A transplant from Milwaukee to the San Joaquin Valley, he arrived with no family history of respiratory issues. Now, he is making arrangements to move away from his children and grandchildren. His wife, Judith Eymann-Taylor, 74, a retired preschool teacher, can sing in the church choir — and avoid coughing — only as air pollution allows.

"We both use multiple inhalers," said Taylor, 67, of Fresno. "Neither of us can breathe without assistance in the winter. We got to the point where the doctor said move and move now."

He has seen central California emergency rooms filled with children and adults struggling to get oxygen into their lungs when polluted air triggers asthma. "I can't even go out for a walk here unless it rains. If you asked me how air pollution is affecting my life, I'd say I'm eager to be able to breathe."

Now he is looking for a home in southwest Utah. He said, "This is not the way I envisioned my retirement."

RFS, ADMINISTRATOR PRUITT, MISC.

Washington Examiner
https://www.washingtonexaminer.com/daily-on-energy-is-this-the-end-of-the-ethanol-mandate
Daily on Energy: Is this the end of the ethanol mandate?
by John Siciliano and Josh Siegel | April 13, 2018 12:23 PM

AMERICAN OVERSIGHT

IS THIS THE END OF THE ETHANOL MANDATE? Emily Skor, one of the top ethanol lobbyists in Washington, was visibly torn at a rare Friday House hearing to discuss the future of the Renewable Fuel Standard, especially when it means the end of the ethanol mandate.

• **Let's get rid of the RFS:** Reps. Greg Walden of Oregon and John Shimkus of Illinois, the chairmen of the House Energy and Commerce Committee and its environment panel, respectively, are serious about passing legislation that would replace the Environmental Protection Agency's ethanol mandate with a high-octane fuel standard.

• **Ethanol industry gets squeamish:** Skor was torn by the proposal because it would encourage more ethanol use, but it could harm demand for biofuels.

• **Ethanol in the middle:** Skor was the only biofuel lobbyist on the panel of witnesses at the rare end-of-week hearing. Others on the panel included oil refiners, fuel retailers and the automotive industry, who unanimously supported the proposed high-octane fuel standard.

• **The big question:** Walden asked if they could all agree that a high-octane fuel standard, based on performance, not on corn, "could be an improvement over the status quo?"

• **No straight answers:** Skor, the CEO of the trade group Growth Energy, answered "possibly" — as long as it works with RFS growth, she said. Everyone else said "yes."

• **Can't assume it will work:** She supports the use of ethanol to meet the demand for smaller, turbocharged engines in that will be needed to meet increased fuel-efficiency standards. That will drive demand for ethanol, which is a cheap source of octane. But "we cannot assume" that an octane standard, without an RFS, will drive biofuel demand, she said.

TRUMP GRANTS SKOR A VICTORY: The hearing came 24 hours after Trump gave Skor's industry a major victory by vowing to allow higher blends of ethanol fuels be sold all year round. It's a proposal that oil industry and critics of the RFS vigorously oppose. Trump made the announcement after meeting with lawmakers and governors from big farm states on Thursday.

TOP DEMOCRAT SAYS PRUITT'S 'SECRET' REFINER DEALS ILLEGAL: Rep. Frank Pallone, D-N.J., said he is concerned about the behind-closed-door deals EPA Administrator Scott Pruitt is working out with oil refiners, letting major multi-billion dollar companies off the hook in meeting the ethanol mandate under the RFS.

The RFS implementation is "not perfect," he said, pointing out his "serious concerns and questions about EPA Administrator Pruitt's extensive use of secret waivers to allow numerous refineries, apparently of all shapes and sizes, get out from their obligations under the law."

• **Legal bounds:** Pallone, the top Democrat on the Energy and Commerce Committee, said he supports giving waivers to companies in real financial distress, but Pruitt shouldn't be giving waivers to companies that can easily absorb the financial burden of meeting the ethanol mandate. Pallone is convinced Pruitt's waivers run afoul of the Clean Air Act.

AMERICAN OVERSIGHT

TRUMP'S EPA ORDER ON POLLUTION LESS BOLD THAN IN PAST: Trump's latest action to rein in the EPA focuses on streamlining existing programs and speeding up approvals instead of the all-out repeal that was the hallmark of his first year in office.

• **Who benefits?** The beneficiaries of Thursday's actions are large manufacturers, which long criticized the EPA under the Obama administration that its national air quality rules were striving for too much, too soon.

• **Quick answers:** Trump's new order jibes with businesses' wishes in directing the EPA to take a number of specific actions to ensure states and businesses are given quick answers on meeting standards, which will allow them to move more quickly to build new plants.

SENATE CONFIRMS WHEELER AS EPA DEPUTY: The Senate on Thursday confirmed Andrew Wheeler as deputy administrator of the Environmental Protection Agency, the No. 2 position at the agency behind embattled Administrator Scott Pruitt.

The Senate approved him in a 53-45 vote, with the support of three Democrats.

• **Regulating deregulation:** Wheeler's confirmation comes at an important time for the EPA, which has been in turmoil over Pruitt's spending and travel decisions that have left his future uncertain.

Wheeler is an energy lobbyist and former Senate Environment and Public Works Committee staffer for Sen. Jim Inhofe, R-Okla. He also worked for the EPA from 1991 to 1995 on toxic chemical issues.

• **Why supporters like him:** Supporters say he will bring discipline, rigor and understatement to Pruitt's much-publicized deregulatory agenda to weaken and rewrite rules to combat climate change. He also has experience on Capitol Hill working on a bipartisan basis.

• **Coal man:** Democrats who oppose Wheeler note his past lobbying work for Murray Energy, the largest privately owned coal company in the U.S.

• **Respect of 'enemies:'** "His enemies enjoy working with him because he's easy to work with," Luke Holland, Inhofe's chief of staff, told Josh. "He is going to be instrumental in implementing the Trump agenda. He is in lockstep with this administration. His policy chops are as good as anybody's. He will be effective. That's why Democrats are upset. Not because they don't like him."

FORMER EPA STAFFER SAYS HE WAS FIRED AFTER REFUSING TO OK FIRST-CLASS TRAVEL: A former top EPA staffer and political adviser to Pruitt told Democratic lawmakers this weekthat he was pushed out of the agency after he refused to approve first-class travel retroactively for another agency aide.

• **Outclassed:** Kevin Chmielewski, a former Trump campaign staffer who was deputy chief of staff for operations at the EPA, told Democratic lawmakers that Pruitt wanted his aide, Samantha

AMERICAN OVERSIGHT

Dravis, the head of the EPA's Office of Policy, to join him in first-class on a return flight from Morocco in December, where Pruitt went to promote U.S. natural gas.

Chmielewski said he refused to approve Dravis' first-class travel retroactively "because it violated federal travel regulations."

• **Republicans also watching:** Republican staff of the House Oversight and Government Reform Committee met with Chmielewski on Thursday, according to Politico, to corroborate his account of working for Pruitt.

Committee Chairman Trey Gowdy, R-S.C., sent a letter to the EPA Wednesday demanding more documents on Pruitt's travel and Capitol Hill condo deal with the wife of an energy lobbyist.

Bloomberg

https://www.bloomberg.com/news/articles/2018-04-12/trump-says-biofuel-plan-will-make-farmers-happy-help-refiners

Trump Proposes Higher Ethanol Sales, Pledges Help for Refiners

Gasoline with a higher ethanol content will now be sold year-round, as refiners also get waivers

By Mario Parker, Jennifer A. Dlouhy, and Justin Sink, April 12, 2018, 1:48 PM EDT

President Donald Trump on Thursday outlined changes to U.S. biofuel laws that would allow more ethanol to be used, a nod to farmers caught in the crosshairs of a potential trade war with China, while also offering some relief to fuel suppliers who have complained about compliance costs.

Allowing the year-round sale of fuel containing as much as 15 percent ethanol, a blend known as E-15, "makes a lot of farmers happy," Trump said prior to a White House meeting with Republican lawmakers from farm states. "We're going to also be helping the refineries," he added.

Trump has held a series of meetings in recent months to carve out a biofuels deal that satisfies the agriculture and oil lobbies, which also happen to represent two of his most important constituencies: farmers in the rural Midwest and blue-collar workers in industrial areas.

AMERICAN OVERSIGHT

The two sides have clashed repeatedly over the Renewable Fuel Standard, a complicated policy that crosses political lines. Oil industry representatives have cited the January bankruptcy of Philadelphia Energy Solutions Inc., the largest U.S. East Coast oil refiner, as evidence that the biofuel mandate is too costly and changes are needed.

However, ethanol is immensely popular with farmers because it's largely derived from corn. Agricultural interests argue that any weakening now of requirements to use ethanol would compound the uncertainty felt by farmers after China last week outlined a retaliatory tariff on U.S. soybeans.

On Wednesday, U.S. Agriculture Department Secretary Sonny Perdue said farmers are feeling anxiety not only from the possible trade war with China but also because the U.S. Environmental Protection Agency is issuing hardship waivers to some small refineries, allowing them to avoid complying with the RFS.

Another issue is the price of Renewable Identification Numbers, or RINs, the tradeable credits used to show compliance with the RFS. Refiners have raised concerns about their cost. Some have asked the Trump administration to cap RIN costs, possibly with the EPA selling a lower-priced alternative: an ethanol waiver credit not tied to a blended gallon.

"EPA has been assessing the legal validity of granting an E-15 waiver since last summer," EPA spokeswoman Liz Bowman said in a statement Wednesday. "The Agency has been awaiting a clear outcome from the ongoing RFS discussions with the White House, USDA and Congress before making any final decisions or developing any associated regulatory actions."

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

AMERICAN OVERSIGHT

Washington, DC

+1 (202) 564-6618 (O)

+1 (202) 360-0476 (M)

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Abboud, Michael
Sent: Wed 10/4/2017 4:37:52 PM
Subject: FW: POLITICO Magazine: Tar Creek, Oklahoma

I know Jahan already had other plans with Politico and the Administrator. But this may be worthwhile to have Kell speak into, since it is Oklahoma related.

From: Malcolm Burnley [mailto:malcolm.burnley@gmail.com]
Sent: Wednesday, October 4, 2017 12:30 PM
To: Press <Press@epa.gov>
Subject: POLITICO Magazine: Tar Creek, Oklahoma

Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.

The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.

Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

AMERICAN OVERSIGHT

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

AMERICAN OVERSIGHT

To: Dorr, Kaelan K. EOP/WHO[Kaelan.K.Dorr@who.eop.gov]; Love, Kelly A. EOP/WHO[Kelly.A.Love@who.eop.gov]; Rateike, Bradley A. EOP/WHO[Bradley.A.Rateike@who.eop.gov]; jessica.e.ditto@who.eop.gov[jessica.e.ditto@who.eop.gov]; matthew.j.flynn@who.eop.gov[matthew.j.flynn@who.eop.gov]; Henning, Alexa A. EOP/WHO[Katherine.A.Henning@who.eop.gov]; carolina.l.hurley@who.eop.gov[carolina.l.hurley@who.eop.gov]; anthony.m.paranzino@who.eop.gov[anthony.m.paranzino@who.eop.gov]; caroline.s.magyarits@who.eop.gov[caroline.s.magyarits@who.eop.gov]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Konkus, John
Sent: Thur 1/18/2018 10:09:47 PM
Subject: WH Report
Daily Communications Report 01_18_18.docx

WH Team: Attached is our report.

Thank you,

John Konkus

Environmental Protection Agency

Deputy Associate Administrator for Public Affairs

Mobile: Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

Daily Communications Report: EPA

TO: White House Cabinet Affairs Communications
FR: EPA Office of Public Affairs
DT: **Thursday, January 18, 2018**

Upcoming Friday, 1/19:

Administrator: Radio interview with Michael Savage, 2pm hit.

Inquiries

Agence France-Presse (Kerry Sheridan); Argus Media (Chris Knight); The Hill

(Timothy Cama); International Business Times (Josh Keefe); Politico (Alex Guillen); S&P Global Market Intelligence (Molly Christian); S&P Global Platts (Meghan Gordon); InsideEPA (Doug Obey) - Impact of the potential shutdown on the EPA.

Akron Beacon Journal (Doug Livingston) - Federally-mandated emission checks.

American Coal Magazine (Terry Headley) - Editorial opportunity on grid reliability.

AP (Michael Biesecker) - Barry Breen's testimony on Albert Kelly and the FDIC.

AP (Michael Biesecker); CQ Roll Call (Jackie Toth); Politico (Anthony Adragna) - Albert Kelly's scheduling conflict with the House E&C environment panel.

Bloomberg (Eric Roston) - Lean initiative.

BNA (Jennifer Lu); Law 360 (Keith Goldburg) - CAA suit in New York.

BNA (Abby Smith); The Hill (Timothy Cama) - Interview request for Administrator Pruitt.

Buzzfeed News (Peter Aldhous) - EPA science resources and priorities.

CIO Dive (Samantha Schwarz) - IT and cybersecurity during a shutdown.

Cleveland.com (Eric Heisig) - Impaired waterways in Ohio.

Des Moines Register (Kim Norvell) - Dico superfund site in Iowa.

The Durango Herald (Jonathan Herald) - Reimbursements associated with the Gold King Mine spill.

The Environmental Monitor (Karla Lant) - Hurrican Maria update.

E&E News (Mike Soraghan) - Lawsuit to release Tar Creek audit.

E&E News (Ariel Wittenberg) - Lake Erie and the Ohio list of impaired waters.

The Hill (Miranda Green) - Toyota's partnership prospects with the EPA.

Medill News Service (Ben Trachtenberg); The Washington Post (Chris Mooney) - NASA and NOAA climate trends report.

Mother Jones (Megan Jula) - Changes to EPA advisory committees.

NBC TODAY Show (Hayden Field) - Interview request to discuss "going green" for kids.

Politico (Emily Holden) - Administrator Pruitt's Japan trip.

Politico (Annie Snider) - Ohio 303d list.

AMERICAN OVERSIGHT

Science Magazine (Jeffrey Brainard); E&E News (Sean Reilly) - Report on EPA scientific advisory committees.

The Sunlight Foundation (Briana Willia) - Open government and FOIA.

Times Free Press (Mark Pace) - EPA budget and superfund sites.

Waste Dive (Cody Boteler) - Superfund protocol during government shutdowns.

WTVC-Chattanooga (Katherine Marchand) - Effect of budget cuts on Southside Chattanooga Lead Site.

ABC News Washington (Stephanie Ebbs) – Shaffer Equipment Site.

Beckley Register-Herald (Jessica Farrish) – Fayette County sites.

News Item (Stephanie Bettick) – Kulpmont mill samples.

Philadelphia Inquirer (Frank Kummer) – Further updates on Superfund sites.

Freelance journalist (NC) (Sammy Hanf) – Follow-up questions related to the cleanup for the Ore Knob Mine Site in Ashe County North Carolina.

National Geographic Explorer (Eneida I. DelValle)– The reporter's currently working on a story about the Arrowhead landfill in Uniontown, AL and we wanted to speak to someone at the EPA about it. She's interested in getting commentary from the EPA for her show.

Huff Post (Aja Harris) - Producing a story about the Orlando Gasification Plant Superfund site and has questions concerning the potentially responsible parties.

90.7 WMFE NPR Radio in Orlando (Fla.) (Amy Green) - Questions concerning the Sanford Dry Cleaners site.

First Coast News (Fla.) (Anne Schindler) –Kerr-McGee Chemical Corp – Jacksonville site in Jacksonville, Florida the cleanup was unfinished and continuing to leak pesticides into the St. Johns River.

Top Stories

Wall Street Journal: Scott Pruitt Aims to Accelerate His Efforts to Remake the EPA

CBS: Scott Pruitt Says Industry is Necessary Partner for Environmental Protection

Houston Chronicle: In Bid to Speed Up EPA, Pruitt Takes on Entrenched Air Pollution System

Denver Post: Superfund Site Near Vail Lands on EPA's List of Cleanup Areas with Big Redevelopment and Commercial Potential

Washington Examiner: The 'A' in 'EPA' is for 'Action,' Pruitt Says

Top Issues and Accomplishments

EPA, N.C. DEQ and Multistate Trust to Hold Public Meeting about Kerr-McGee Chemical Corp Site in Navassa, N.C., on Jan. 23

AMERICAN OVERSIGHT

Actualización de la EPA sobre el Huracán Maria correspondiente al 18 de enero de 2018:

Virginia receives $1.175 Million EPA Grant for Environmental Projects, Priorities

EPA Hurricane Maria Update for January 18, 2018: Hazardous Household Materials Collection Program Underway on Vieques

AMERICAN OVERSIGHT

To: Hupp, Millan[hupp.millan@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Wilcox, Jahan
Sent: Mon 11/6/2017 4:49:49 PM
Subject: RE: Brief for Politico Interview on Superfund
11.06.17 - Politico Brief.docx

Updated.

From: Wilcox, Jahan
Sent: Monday, November 6, 2017 11:12 AM
To: Hupp, Millan <hupp.millan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Konkus, John <konkus.john@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Brief for Politico Interview on Superfund

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Daniell, Kelsi
Sent: Wed 12/20/2017 3:00:02 PM
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

Circling back.

From: Daniell, Kelsi
Sent: Wednesday, December 20, 2017 8:51 AM
To: Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; James Hewitt (hewitt.james@epa.gov) <hewitt.james@epa.gov>; Mike Abboud (abboud.michael@epa.gov) <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; John Konkus (konkus.john@epa.gov) <konkus.john@epa.gov>
Subject: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

EPA Morning News Highlights 12.20.17

-

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

AMERICAN OVERSIGHT

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

The Californian: Salinas Oil Company Penalized for Environmental Violations

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the

AMERICAN OVERSIGHT

state Department of Natural Resources.

National Morning News Highlights 12.20.17

Politico: Senators, White House Lay Groundwork for Dreamers Deal

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that

AMERICAN OVERSIGHT

it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

AMERICAN OVERSIGHT

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President Trump's agenda."

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans."

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

AMERICAN OVERSIGHT

The findings contradict the advisory by the World Health Organization's International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is "probably carcinogenic." The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement "will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon's economy continues to be a working harbor."

AMERICAN OVERSIGHT

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous “potential wildlife receptors,” which could give further insight into the effectiveness of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

“This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June,” Sallinger said.

AMERICAN OVERSIGHT

The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future."

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations,

AMERICAN OVERSIGHT

according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

AMERICAN OVERSIGHT

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

AMERICAN OVERSIGHT

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe

AMERICAN OVERSIGHT

to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

AMERICAN OVERSIGHT

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lace Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

AMERICAN OVERSIGHT

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

AMERICAN OVERSIGHT

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was

AMERICAN OVERSIGHT

willing to sign.

“We couldn’t finish this product, this bill, until we knew where the administration was,” Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. “And that’s why this meeting was so important.”

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren’t too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn’t pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

“No, we’ll not be doing DACA … this week,” McConnell said. “That’s a matter to be discussed

AMERICAN OVERSIGHT

next year. The president has given us until March to address that issue. We have plenty of time to do it."

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation's asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

"Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?" Flake said, summing up the questions from senators. "There's a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support."

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday's meeting with Kelly, as did Senate Majority Whip John Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

"I think what we're trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures," Cornyn said as he left the meeting. "We got a promise to provide it to us and hopefully we'll get that in short order. Maybe even this week."

AMERICAN OVERSIGHT

Republicans' commitment to taking up a DACA deal next month won't spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won't risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

AMERICAN OVERSIGHT

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

AMERICAN OVERSIGHT

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

AMERICAN OVERSIGHT

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

AMERICAN OVERSIGHT

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, “Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years “have gone to industries lagging behind State growth in employment and annual average pay.” In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The

AMERICAN OVERSIGHT

Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive “has never been used” and the state Department of Commerce “no longer promotes the program on its website due to lack of interest.”

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a “dearth of data.” The group also reported there is “insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit.”

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, “Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents.”

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow “guide” the process.

AMERICAN OVERSIGHT

To: Hupp, Millan[hupp.millan@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Wilcox, Jahan
Sent: Mon 11/6/2017 4:11:41 PM
Subject: Brief for Politico Interview on Superfund
11.06.17 - Politico Brief.docx

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Block, Molly
Sent: Tue 12/19/2017 8:19:32 PM
Subject: Politico got it wrong on Tar Creek

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

NOTE: This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work…

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites…

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey: Politico got it wrong

AMERICAN OVERSIGHT

on Tar Creek

Joplin Globe
John Berry: Chairman of Quapaw Tribe of Oklahoma

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and

AMERICAN OVERSIGHT

the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

AMERICAN OVERSIGHT

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

AMERICAN OVERSIGHT

To: Malcolm Burnley[Ex. 6 - Personal Privacy]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]
From: Wilcox, Jahan
Sent: Fri 4/13/2018 7:44:40 PM
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Calling now

Sent from my iPhone

On Apr 13, 2018, at 2:27 PM, Malcolm Burnley < Ex. 6 - Personal Privacy > wrote:

Thanks, just let me know when.

On Fri, Apr 13, 2018 at 2:26 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Yes. I will get our CoS on the phone with you.

From: Malcolm Burnley [mailto: Ex. 6 - Personal Privacy]
Sent: Friday, April 13, 2018 2:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan and co.,

I'm just checking in to see if you received my request and if I can expect any comments for the story I'm working on? I hope to publish on Monday. I left messages on your cell, and the press/media relations office for the administrator.

Thanks,

Malcolm

AMERICAN OVERSIGHT

On Thu, Apr 12, 2018 at 5:36 PM, Malcolm Burnley <Ex. 6 - Personal Privacy> wrote:

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

AMERICAN OVERSIGHT

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]
From: Malcolm Burnley
Sent: Fri 4/13/2018 6:27:19 PM
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Thanks, just let me know when.

On Fri, Apr 13, 2018 at 2:26 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Yes. I will get our CoS on the phone with you.

From: Malcolm Burnley [mailto: **Ex. 6 - Personal Privacy**]
Sent: Friday, April 13, 2018 2:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan and co.,

I'm just checking in to see if you received my request and if I can expect any comments for the story I'm working on? I hope to publish on Monday. I left messages on your cell, and the press/media relations office for the administrator.

Thanks,

Malcolm

On Thu, Apr 12, 2018 at 5:36 PM, Malcolm Burnley <malcolm.burnley@gmail.com> wrote:

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature

AMERICAN OVERSIGHT

from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

AMERICAN OVERSIGHT

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

--

- - - - -

AMERICAN OVERSIGHT

Malcolm Burnley

Freelance writing / researcher

Philadelphia

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Malcolm Burnley[Ex. 6 - Personal Privacy]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]
From: Wilcox, Jahan
Sent: Fri 4/13/2018 6:26:13 PM
Subject: RE: Politico Mag: New Questions on Tar Creek Audit

Yes. I will get our CoS on the phone with you.

From: Malcolm Burnley [mailto:Ex. 6 - Personal Privacy]
Sent: Friday, April 13, 2018 2:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan and co.,

I'm just checking in to see if you received my request and if I can expect any comments for the story I'm working on? I hope to publish on Monday. I left messages on your cell, and the press/media relations office for the administrator.

Thanks,

Malcolm

On Thu, Apr 12, 2018 at 5:36 PM, Malcolm Burnley <malcolm.burnley@gmail.com> wrote:

> Hi Jahan,
>
> I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

AMERICAN OVERSIGHT

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting

AMERICAN OVERSIGHT

circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

AMERICAN OVERSIGHT

Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Pruitt, Scott[Pruitt.Scott@epa.gov]
From: Malcolm Burnley
Sent: Fri 4/13/2018 6:24:57 PM
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan and co.,
I'm just checking in to see if you received my request and if I can expect any comments for the story I'm working on? I hope to publish on Monday. I left messages on your cell, and the press/media relations office for the administrator.

Thanks,
Malcolm

On Thu, Apr 12, 2018 at 5:36 PM, Malcolm Burnley <Ex. 6 - Personal Privacy> wrote:

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

AMERICAN OVERSIGHT

His exact response was “I know the decision I made at that time was based upon the investigative audit. The investigative audit didn’t yield anything to the grand jury, and as such, it was important to protect the individuals’ reputation that were in that investigation.”

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded “sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state”?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones’s findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter’s decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

--

- - - - -
Malcolm Burnley

AMERICAN OVERSIGHT

Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Press[Press@epa.gov]
From: Jones, Enesta
Sent: Fri 4/13/2018 2:50:28 PM
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

This reporter also left a message on the main press line at 10:15 a.m. today.

From: Malcolm Burnley <Ex. 6 - Personal Privacy>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that

AMERICAN OVERSIGHT

investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Malcolm Burnley
Sent: Thur 4/12/2018 9:36:41 PM
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

AMERICAN OVERSIGHT

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Press[Press@epa.gov]
From: Malcolm Burnley
Sent: Wed 10/4/2017 4:30:24 PM
Subject: POLITICO Magazine: Tar Creek, Oklahoma

Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.
The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.
Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,
Malcolm Burnley
Ex. 6 - Personal Privacy
Philadelphia

AMERICAN OVERSIGHT

To: Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Tue 4/17/2018 2:24:36 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

These are fine, thanks

From: Block, Molly
Sent: Tuesday, April 17, 2018 10:00 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

In addition to the clips? The second and third story below are about the superfund list we released yesterday.

From: Bowman, Liz
Sent: Tuesday, April 17, 2018 9:59 AM
To: Block, Molly <block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

AMERICAN OVERSIGHT

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for

AMERICAN OVERSIGHT

factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

AMERICAN OVERSIGHT

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

“We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn’t mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-

AMERICAN OVERSIGHT

superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

AMERICAN OVERSIGHT

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

AMERICAN OVERSIGHT

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada

AMERICAN OVERSIGHT

mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and

AMERICAN OVERSIGHT

process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

AMERICAN OVERSIGHT

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and

AMERICAN OVERSIGHT

manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

AMERICAN OVERSIGHT

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

AMERICAN OVERSIGHT

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

AMERICAN OVERSIGHT

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague

AMERICAN OVERSIGHT

warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing

AMERICAN OVERSIGHT

Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of

AMERICAN OVERSIGHT

Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

AMERICAN OVERSIGHT

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of

AMERICAN OVERSIGHT

morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!

1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

AMERICAN OVERSIGHT

To: Block, Molly[block.molly@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Tue 4/17/2018 1:59:10 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

AMERICAN OVERSIGHT

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action

AMERICAN OVERSIGHT

against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce

AMERICAN OVERSIGHT

exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe

AMERICAN OVERSIGHT

attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

AMERICAN OVERSIGHT

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

AMERICAN OVERSIGHT

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

AMERICAN OVERSIGHT

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

AMERICAN OVERSIGHT

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or

AMERICAN OVERSIGHT

eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

AMERICAN OVERSIGHT

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

AMERICAN OVERSIGHT

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

AMERICAN OVERSIGHT

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

AMERICAN OVERSIGHT

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian

AMERICAN OVERSIGHT

intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

AMERICAN OVERSIGHT

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a

AMERICAN OVERSIGHT

"charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

AMERICAN OVERSIGHT

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

AMERICAN OVERSIGHT

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!

1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

AMERICAN OVERSIGHT

To: Block, Molly[block.molly@epa.gov]
Cc: Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Fri 5/4/2018 12:39:08 PM
Subject: Re: FOR REVIEW: EPA News Highlights 5.4.18

Looks good

Sent from my iPhone

On May 4, 2018, at 8:38 AM, Block, Molly <block.molly@epa.gov> wrote:

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

AMERICAN OVERSIGHT

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015.

AMERICAN OVERSIGHT

He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which

AMERICAN OVERSIGHT

comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

AMERICAN OVERSIGHT

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

AMERICAN OVERSIGHT

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

AMERICAN OVERSIGHT

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen “continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases.”

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to “fight” the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

AMERICAN OVERSIGHT

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in

AMERICAN OVERSIGHT

March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

AMERICAN OVERSIGHT

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

AMERICAN OVERSIGHT

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the

AMERICAN OVERSIGHT

state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

AMERICAN OVERSIGHT

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

<image001.png>

<EPA News Highlights 5.4.18.docx>

AMERICAN OVERSIGHT

To: Hewitt, James[hewitt.james@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]
From: Bowman, Liz
Sent: Wed 3/21/2018 1:05:10 PM
Subject: Re: FOR APPROVAL//EPA Morning News Highlights 03.21.18

Gtg

On Mar 21, 2018, at 8:53 AM, Hewitt, James <hewitt.james@epa.gov> wrote:

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

AMERICAN OVERSIGHT

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

AMERICAN OVERSIGHT

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

AMERICAN OVERSIGHT

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting

AMERICAN OVERSIGHT

redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

AMERICAN OVERSIGHT

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

AMERICAN OVERSIGHT

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

AMERICAN OVERSIGHT

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

AMERICAN OVERSIGHT

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

AMERICAN OVERSIGHT

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

AMERICAN OVERSIGHT

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

AMERICAN OVERSIGHT

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

AMERICAN OVERSIGHT

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

AMERICAN OVERSIGHT

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what’s in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

AMERICAN OVERSIGHT

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

“I will oppose the bill. I have to make a decision about whether or I will accept a time agreement,” Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

“Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

AMERICAN OVERSIGHT

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

AMERICAN OVERSIGHT

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there‘s [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures

AMERICAN OVERSIGHT

aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial

AMERICAN OVERSIGHT

intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has

AMERICAN OVERSIGHT

opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting

AMERICAN OVERSIGHT

in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

AMERICAN OVERSIGHT

<EPA Morning News Highlights 03.21.18 docx.docx>

AMERICAN OVERSIGHT

To: Hassell, Emily[hassell.emily@epa.gov]
From: Bowman, Liz
Sent: Wed 2/21/2018 8:41:47 PM
Subject: RE: News Clips - 21 February 2018

Thanks, Emily!

From: Hassell, Emily
Sent: Wednesday, February 21, 2018 2:32 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 21 February 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Administrator Pruitt's Travel

Reuters - House Democrats ask EPA chief for details on premium travel

Politico - House Democrats press Pruitt for more info on travel

E&E Greenwire - House watchdog questions Pruitt's first-class travel

CNN - Pruitt postponing visit to Israel after reports of expensive travel

General

AMERICAN OVERSIGHT

The Hill - White House: Trump has confidence in VA, EPA chiefs

Politico - Pruitt's cleanup plan won't win Superfund tax infusion

E&E Greenwire - Pruitt, Zinke and Perry to address CPAC

E&E Greenwire - Pruitt's office cancels 'active shooter' drill

The Hill - Obama EPA chief: Trump regulation rollbacks won't hold up legally

E&E Climatewire - 'I never imagined this would happen' — ex-EPA staffer

E&E News PM - Justices pass on challenges to EPA's Clean Water Act power

The Hill - Hundreds of mayors unite against Trump reversal of Obama-era climate plan

E&E Greenwire - OMB greenlights bid to scrap Obama oil and gas guidelines

E&E Greenwire - Judges hear arguments over 2 EPA listing decisions

InsideEPA - EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

AMERICAN OVERSIGHT

E&E News PM - 'Lean' training this spring — operations chief

E&E Greenwire - IG to examine emergency-response gear

AP - Oil spill cleanup underway in suburban Oklahoma City

Reuters - Missouri residents sue over radioactive material storage sites

E&E Energywire - IG report discounted Tar Creek Superfund fraud claims

###

Reuters

https://www.reuters.com/article/us-usa-epa-travel/house-democrats-ask-epa-chief-for-details-on-premium-travel-idUSKCN1G42IC

House Democrats ask EPA chief for details on premium travel

By Valerie Volcovici, 2/20/18, 1:01 PM

WASHINGTON (Reuters) - Democrats on the House energy committee on Tuesday asked Environmental Protection Agency chief Scott Pruitt to explain travel records that recently came

AMERICAN OVERSIGHT

to light, which showed he has taken frequent first-class flights at taxpayer expense.

The Democrats wrote a letter asking Pruitt to provide a list of all dates where he traveled in first or business class, an explanation on how he followed guidelines for obtaining waivers for premium travel and the names of other staff who also traveled in premium class.

Complaints about travel arrangements by Pruitt and other Trump administration cabinet members re-emerged last week. Last year, Health and Human Services Secretary Tom Price resigned after reports that he used private jets for routine travel.

The documents cited by the lawmakers showed that Pruitt's official travel has included first class flights for him and key staff, as well as the use of charter flights.

Pruitt did not immediately reply to a request for comment on the letter from members of the House panel. He recently said in a television interview that he was instructed to travel first class due to security threats and "uncomfortable" confrontations with other passengers.

The letter from the lawmakers asked Pruitt to explain why he believes security threats are reduced in first class cabins.

On Feb. 18, the Washington Post reported that Pruitt canceled a planned weeklong trip to Israel. A few days earlier, the newspaper had reported that he spent over $100,000 in taxpayer money for premium travel, based on records obtained by the Environmental Integrity Project.

That watchdog group on Friday obtained new travel records, shared with media, showing Pruitt and EPA employees spent upwards of $150,000 on premium commercial and chartered flights from March to August 2017.

"Americans deserve an EPA Administrator more dedicated to first class protection of human health and the environment than to luxury travel at taxpayer expense," the letter said.

AMERICAN OVERSIGHT

The letter also questioned a claim by EPA spokesman Jahan Wilcox, who told reporters Pruitt received a "blanket waiver" by ethics officials to enable him to travel first class.

The committee Democratic leaders, Representatives Frank Pallone, Paul Tonko and Diana DeGette, asked for answers by March 6.

Politico

https://www.politicopro.com/agriculture/whiteboard/2018/02/house-democrats-press-pruitt-for-more-info-on-travel-646305

House Democrats press Pruitt for more info on travel

By Eric Wolff, 2/20/18, 12:09 PM

Democrats on the House Energy and Commerce Committee are pressing EPA Administrator Scott Pruitt to clear up the "shifting explanations" around his reasons for flying first class.

Reps. Frank Pallone (N.J.), Diana DeGette (Colo.) and Paul Tonko (N.Y.), the top Democrats on the full committee, the oversight subcommittee and the environment subcommittee, sent Pruitt a letter today asking for details on the security justifications and who is involved in booking his first-class plane tickets.

"The Agency has offered shifting explanations to date regarding whether or not you have complied with federal regulations and Agency policies and procedures, raising significant questions about the veracity of information provided by your office," the letter says.

AMERICAN OVERSIGHT

Pruitt has flown first class extensively in the past year and has received an unusual number of security threats. Last week, the agency told POLITICO that it had a "blanket waiver" for Pruitt's pricey travel, but backtracked after POLITICO cited EPA regulations barring such a waiver.

Pruitt has received more threats than his predecessors, EPA has said, and faced confrontations in airports when he has traveled.

The same group of Democrats wrote last week to EPA Inspector General Arthur Elkins asking him to expand his probe of Pruitt's travel.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074395/search?keyword=EPA

House watchdog questions Pruitt's first-class travel

By Kevin Bogardus, 2/21/18

The House's top watchdog is requesting justification for U.S. EPA Administrator Scott Pruitt's first-class travel.

House Oversight and Government Reform Chairman Trey Gowdy (R-S.C.) sent a letter yesterday to the EPA chief asking for records that back up the agency's claims that Pruitt has taken the pricier business- and first-class trips over security concerns as well as a full accounting of every trip the administrator has taken during his first year at EPA.

AMERICAN OVERSIGHT

Gowdy asked for the documents "to assist the committee's oversight of whether federal regulations regarding official travel were followed." The chairman also took issue with an EPA spokesman's statement last week that Pruitt had a "blanket waiver" to fly first class due to security threats, which was later amended to say the administrator seeks an individual waiver for each flight (E&E Daily, Feb. 15).

"Clearly, federal regulations prohibit a blanket waiver to fly first class except to accommodate disabilities or special needs. Instead, a waiver for each flight is required in order to fly first or business class when traveling on official government business," Gowdy said.

The Republican asked that Pruitt identify each flight he has taken for official business from Feb. 17, 2017, to Feb. 16 of this year, including the cost of each flight and whether it was coach, business or first class.

In addition, Gowdy asked for any waivers given to Pruitt for the more expensive flights and for him to identify all other EPA employees and security guards who traveled with him and the cost of their airfare.

The Oversight chairman asked that Pruitt respond to his request no later than March 6.

Asked about Gowdy's letter, an EPA spokeswoman told E&E News, "We will respond through the proper channels."

Pruitt's travel over the past year, including his use of first-class flights as well as charter and military planes, has come under scrutiny from lawmakers and environmental groups. The EPA inspector general has an ongoing audit of the administrator's trips, which it has expanded twice to cover all of Pruitt's travel through the end of 2017.

AMERICAN OVERSIGHT

CNN

http://www.cnn.com/2018/02/18/politics/epa-scott-pruitt-israel-travel/index.html

Pruitt postponing visit to Israel after reports of expensive travel

By Eli Watkins, 2/18/18, 1:48 PM

Washington (CNN) - Environmental Protection Agency chief Scott Pruitt has postponed a planned visit to Israel following criticism for taking expensive flights on the taxpayer dollar, an EPA spokesperson confirmed to CNN.

"We decided to postpone," EPA public affairs officer Liz Bowman said in an email. "The administrator looks forward to going in the future."

The Washington Post was first to report news of the postponement, and people in Israel briefed on Pruitt's plans told the Post he would have arrived Sunday and stayed at a five-star hotel in Jerusalem through Thursday.

The Post said an EPA official previously said Pruitt would visit Israel to tour the nation and "gain an understanding of Israel's unique infrastructure and environmental challenges."

Pruitt has faced criticism for taking expensive flights and staying at luxury hotels more often than his predecessors, but has pushed back on accusations of improper or wasteful spending.

"We've reached the point where there's not much civility in the marketplace," Pruitt said. "And it's created, you know, it's created some issues and the (security) detail, the level of protection is determined by the level of threat."

He said he did not make the decision around his security and travel, and EPA documents have

AMERICAN OVERSIGHT

outlined details of some of his travel.

Scrutiny over Pruitt's travel has built for months, making him one of several Trump administration Cabinet officials under fire for their travel practices. Tom Price resigned last year as secretary of the Department of Health and Human Services after reports emerged about his extensive use of government-funded private jets.

The Hill

http://thehill.com/homenews/administration/374715-white-house-trump-has-confidence-in-va-epa-chiefs

White House: Trump has confidence in VA, EPA chiefs

By Jordan Fabian, 2/20/18, 3:53 PM

The White House indicated Tuesday that President Trump has confidence in his Veterans Affairs secretary and Environmental Protection Agency director despite allegations of travel abuses.

“I have no reason to believe otherwise," White House press secretary Sarah Huckabee Sanders told reporters when asked if Trump still has confidence in VA Secretary David Shulkin and EPA Administrator Scott Pruitt.

"As we have said many times before, if somebody doesn’t have the confidence of the president, you will know.”

AMERICAN OVERSIGHT

An inspector general report found that Shulkin improperly used taxpayer dollars for a trip to Europe last year and Pruitt has come under scrutiny for flying first-class while on official business.

Politico

https://www.politicopro.com/energy/article/2018/02/pruitts-cleanup-plan-wont-win-superfund-tax-infusion-353771

Pruitt's cleanup plan won't win Superfund tax infusion

By Alex Guillen and Anthony Adragna, 2/20/18, 4:33 PM

Congress revived a tax on crude to help pay for oil spill cleanups, and President Donald Trump has kept the door open for a 25-cent increase in the gas tax to fund infrastructure projects.

But there's little chance Congress will try to resurrect a long-dead Superfund tax on oil and chemical companies to help pay for EPA Administrator Scott Pruitt's push to shrink the backlog of thousands of polluted properties around the country.

Pruitt has pledged to speed the cleanup of the nation's worst Superfund sites, but he has never raised the idea of reviving the tax that was killed in 1995 after the "Gingrich revolution" the previous year gave the GOP control of the House. And though some Democrats and green groups continue to tout the tax, Republican lawmakers aren't worried that Pruitt's Superfund cleanups will suffer.

"I don't think we have enough time to say whether the direction [EPA is] going now is good or bad or needs to change," Rep. John Shimkus (R-Ill.), chairman of the Energy and Commerce Environment Subcommittee, told POLITICO. "I think he's making a good-faith effort to do it with the resources he has."

AMERICAN OVERSIGHT

The Superfund tax killed in the 1990s had three main revenue streams that generated $1.5 billion annually: 9.7 cents per barrel of crude oil produced or imported; a tax on certain chemicals and metals that went as high as $4.87 per ton depending on the substance; and a 0.12 percent tax on corporate profits exceeding $2 million.

By 2002, the Superfund had run dry, forcing Congress to tap into the government's general fund for its annual budgets. Under the Obama administration, Congress approved an average of $1.17 billion each year for Superfund cleanups. The Trump White House's proposed 2019 budget originally allocated just $762 million, although a last-second spending cap boost passed by Congress brought the proposed Superfund levels back up to $1.09 billion, on par with the previous couple of years.

Republicans are wary of imposing any new tax burdens, and many said they weren't familiar enough with the lapsed excise tax to evaluate it. And they said the revived oil spill tax, which imposes a 9-cent-per-barrel tax on oil that goes into the Oil Spill Liability Trust Fund, was not a good comparison.

"The Oil Spill Liability Trust Fund is so specific in its purpose," Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) told POLITICO. "I haven't given thought to [the Superfund tax] and why this would be the right approach."

Others suggested the Superfund tax warranted further study.

"I don't know how much of a [funding] deficit exists in the Superfund sites," Sen. Dan Sullivan (R-Alaska) told POLITICO. "I certainly would look into it."

Democrats have argued the Superfund needs a dedicated funding stream outside of annual appropriations to pay for cleaning up hundreds of contaminated sites, and restoring the lapsed tax would show the administration's commitment to addressing the problem.

AMERICAN OVERSIGHT

“I do think there would be an opportunity for Congress to empower the resources to deal more effectively with brownfield sites and Superfund sites that have been identified,” Sen. Ben Cardin (D-Md.) said.

If EPA can identify the culprit behind a site, known as a “potentially responsible party,” it can force them to pay for cleanups, which happens at around 70 percent of sites.

The Trump administration has not proposed reviving the tax, and an EPA spokesman said that Pruitt "will continue to work with the funding provided by Congress to expedite remedies at all sites listed on the National Priorities List."

Pruitt has said that private money should be responsible for remediation, and he has downplayed the need for federal money, telling "Fox & Friends" last year "it's not a matter of money, it's a matter of leadership and attitude ad management."

Earlier this month, EPA proposed requiring subsidiaries of Republic Services and Exelon to foot part of the $236 million bill for a cleanup of radioactive waste at a St. Louis landfill. And last fall, EPA approved a $115 million plan to remove most of the dioxins at the submerged San Jacinto waste pits near Houston, though that decision is being opposed by the Waste Management.

But nearly one-third of the time, Superfund sites are known as “orphans,” with no clear responsible party. In those cases, the taxpayers are on the hook.

Some green groups say the responsibility for those 314 orphaned sites sites should fall on the overall polluting industry — the way the Superfund tax was funded.

“The whole idea of Superfund is responsible parties pay. If there’s an orphaned site, shouldn’t the industries likely to have caused the problem pay rather than the regular taxpayer?” said Scott Slesinger, legislative director for the Natural Resources Defense Council.

AMERICAN OVERSIGHT

Former President Barack Obama campaigned on reinstating the Superfund tax, and his budget proposals placed 10-year revenues at $23.5 billion, though it was never implemented. EPA even took the unusual step in 2010 of sending a letter to Congress urging them to reinstate it.

Sen. Bob Menendez and Rep. Frank Pallone of New Jersey — which is home to more Superfund sites than any other state — have repeatedly pushed legislation to revive the tax over the years to no avail. At a January Energy and Commerce Committee hearing, Pallone lamented the inaction on reinstituting the tax, saying "many endangered communities are being ignored, even as Administrator Pruitt declares the Superfund to be his top priority."

Industry groups oppose reviving the tax, and the American Petroleum Institute argues that the oil industry paid an outsize share into the original Superfund compared with its share of Superfund sites.

A 2008 Congressional Research Service report said that of the nearly $9.2 billion that went into Superfund in the five years before the tax expired, more than 25 percent came from the petroleum tax, while 12 percent came from the chemical tax. The corporate tax contributed 28 percent. The remaining 35 percent came from congressional appropriations, reimbursements from polluters and interest generated by the trust fund.

Congress could consider tweaking the formula to include other industries, but the funding burden should remain on the polluters, not the taxpayers, said Mathy Stanislaus, the former EPA assistant administrator who oversaw the Superfund program under Obama.

"The bottom line question is whether Congress and this administration are going to make the decision of whether the taxpayers pay for the mismanagement of worst actors in whatever sector, or should it be the various sectors that are most associated with creating products that can be associated to Superfund sites?" Stanislaus said. "Congress … has chosen to have the taxpayers pay versus those manufacturers."

Stanislaus also noted that the Trump administration in December reversed an Obama-era proposal under the Superfund law that would have required companies that mine gold, copper,

AMERICAN OVERSIGHT

iron and other "hardrock" minerals to obtain financial assurance that they could clean up sites once done.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074289/search?keyword=EPA

Pruitt, Zinke and Perry to address CPAC

By Kevin Bogardus, 2/20/18

Cabinet members versed in energy and the environment will appear this week at the Conservative Political Action Conference in National Harbor, Md.

Energy Secretary Rick Perry, Interior Secretary Ryan Zinke and U.S. EPA Administrator Scott Pruitt are listed on the annual politically right-leaning event's agenda for this week.

Pruitt is scheduled to speak at the Ronald Reagan Dinner on Friday night. He is slated to appear alongside Fox News host Judge Jeanine Pirro at the ticketed event.

Friday morning, Perry and Zinke are expected to appear together. The two Cabinet secretaries will be interviewed by former Rep. Bob Beauprez (R-Colo.).

All three have appeared at CPAC in the past, including during their earlier posts as elected officials.

AMERICAN OVERSIGHT

One of Pruitt's first public events as EPA chief was his appearance at CPAC last year, where he promised an "aggressive" rollback of agency regulations (Climatewire, Feb. 27, 2017).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074419/search?keyword=EPA

Pruitt's office cancels 'active shooter' drill

By Kevin Bogardus, 2/21/18

U.S. EPA Administrator Scott Pruitt's office has canceled an "active shooter" drill that had been scheduled at agency headquarters this afternoon.

Internal emails obtained by E&E News show EPA had planned and then backed off from holding the drill at the direction of Pruitt's office. EPA is now looking to reschedule the exercise.

"Hello, please be advised that the William Jefferson Clinton North Active Shooter Response Drill (ASRD) scheduled for tomorrow has been canceled at the direction of the Administrator's Office," said the email sent to employees yesterday.

"We appreciate the support from HQ staff and EPA law enforcement in planning for this drill. We are evaluating alternate dates and locations for scheduling another occupant-focused ASRD for EPA Headquarters in the near future."

EPA press officials didn't respond to questions about why the administrator's office canceled today's active shooter drill.

AMERICAN OVERSIGHT

The drill was to be conducted at 3 p.m. on the fifth floor of the William Jefferson Clinton North Building, according to another email sent yesterday morning before it was canceled.

The drill's beginning and end would have been announced over EPA's public address system, and participants would have practiced their "run, hide, fight" training from the Department of Homeland Security in responding to a gunman on the loose. Law enforcement was also expected to be present for the drill.

"Loud noises associated with the drill, including simulated gunfire and shouting may be heard as part of the drill. Please avoid the area if you are not a participant," the email said.

EPA's cancellation of its active shooter drill comes as the country wrestles with the tragic aftermath of another mass shooting. Last week, 17 people, including students, were killed in a shooting at a Parkland, Fla., high school.

EPA also had its own recent scare with an active shooter, although reports of gunshots at the agency's headquarters turned out to be false.

This past August, several employees at EPA headquarters sheltered in place and police rushed to the scene when one worker called 911 after hearing what were thought to be gunshots, later suspected to be the sound of a door slamming shut. Agency officials vowed to learn from the incident while acknowledging it was upsetting for some employees (E&E News PM, Aug. 22, 2017).

The Hill

AMERICAN OVERSIGHT

http://thehill.com/policy/energy-environment/374633-former-epa-admin-regulation-rollbacks-legally-not-going-to-hold-up

Obama EPA chief: Trump regulation rollbacks won't hold up legally

By Miranda Green, 2/20/18, 11:56 AM

Former EPA Administrator Gina McCarthy says that regulations struck down by the Trump administration simply because they were issued under President Obama won't carry weight in court.

McCarthy, who led the Environmental Protection Agency from 2013 to 2017, called the recent political targeting of regulations at the agency a "real problem."

"I think the important thing is none of them should be touched unless the administration has a real reason to touch them, other than it was done under the Obama administration, and that is the real problem that we see," McCarthy on Tuesday told BuzzFeed's morning livestream program, "AM to DM."

The former administrator, who has been an outspoken opponent of changes made under current EPA head Scott Pruitt, specifically mentioned the administration's desire to change the Clean Water Rule, also known as the Waters of the United States rule.

"We see the Clean Water Rule being proposed to be repealed, all that rule really did was do what the Supreme Court and what science told us to do to make sure we are protecting the rivers and streams that are necessary to ensure safe drinking water and fishable and swimmable waters," McCarthy said.

"That is being challenged just because the president told them to do that in an executive order. That's legally not going to hold up."

President Trump had made it a campaign trail promise to repeal the controversial 2015 Clean

AMERICAN OVERSIGHT

Water Rule. He signed an executive order in February 2017 formally asking Pruitt to consider repealing the rule and replacing it with a more limited one.

Last June, the EPA made its first steps to repeal the Clean Water Rule, and last month Pruitt formally suspended the Obama-era rule for two years while the administration works on a replacement draft rule.

McCarthy also touched on another hot point in environmental regulations, the Clean Power Plan, which she called one of the Obama administration's "premiere" steps.

Under Obama, the rule was met with many hurdles and has yet to be implemented. Prior to Trump taking office, the rule was awaiting final word from a federal appeals court.

Repealing the plan was part of Trump's promise to eradicate Obama's environmental legacy.

In October, the EPA formally announced plans to scrap the Obama administration's signature climate change rule for power plants. Pruitt signed the plan saying the rule exceeds the agency's authority under the Clean Air Act.

"I don't understand the reason why they'd want to delay decision in the DC Circuit over that, that are charging the legality of the rule," McCarthy said of the EPA's delay tactic. "Let them play out. Let us see whether we did it right. I think we did and I think they will hold up under court even if this administration wants them to go away."

When asked about recent news that Administrator Pruitt flies all work-related trips in either business or first class, frequently racking up thousands of dollars in tax-payer expenses, McCarthy said she always flew coach.

"It was comfy for the people in my family, it's comfy for me and the people that I serve," she said. "It's perfectly appropriate and that's how we travelled because our job was to make sure we

AMERICAN OVERSIGHT

were protecting public dollars as best we could and making sure that every public dollar we could was being spent on the real mission of the agency, not the luxury of the administrator who was leading it."

E&E Climatewire

https://www.eenews.net/climatewire/stories/1060074339/search?keyword=EPA

'I never imagined this would happen' — ex-EPA staffer

By Niina Heikkinen, 2/21/18

Former U.S. EPA staff members who worked on the Clean Power Plan are urging the Trump administration to back off its plans to kill the rule.

In public comments submitted yesterday, a volunteer group of retired and former agency staff called Save EPA said it should be up to a federal appeals court — not the Trump administration — to decide whether the Obama administration's signature climate regulation should proceed as originally written. The group includes ex-EPA staffers who helped craft that rule.

EPA is currently seeking comments on its proposed repeal of the Clean Power Plan. The agency is also in the process of developing a plan for a rule replacement.

Save EPA billed the repeal process as "an enormous waste of time," given that the U.S. Court of Appeals for the District of Columbia Circuit has already been fully briefed and heard legal arguments on the case in September 2016. The case has been on ice since, at the request of EPA, to allow the agency the opportunity to review the rule.

AMERICAN OVERSIGHT

Save EPA's comments come as the agency prepares to host its second listening session today on repealing the rule. Today's session is slated for Kansas City, Mo., and another is planned for next Wednesday in San Francisco.

"We urge the EPA to halt this repeal action, to obtain a court decision in the CPP litigation and if the rule is upheld based on the strong legal arguments presented in court, to implement the CPP without further delay," the commenters wrote.

The Obama administration's rule faced fierce legal pushback for setting systemwide rather than facility-level regulations on carbon emissions. The current EPA administrator, Scott Pruitt, was among a cadre of state attorneys general to file lawsuits against implementation of the rule. The agency under Pruitt's leadership is widely expected to rewrite the regulations to focus on controlling emissions at the power plant level.

Today's listening session will focus on the prospect of repealing the rule and will mainly feature speakers from environmental and public health groups such as the Natural Resources Defense Council, the Sierra Club, GreenLatinos, Citizens' Climate Lobby, the American Lung Association and Moms Clean Air Force. Save EPA is planning on sending a representative to the fourth and final listening session in Gillette, Wyo., next month.

The Federal Register currently has over 17,000 public comments on the proposal, many of them also critical of a repeal.

Save EPA members slammed EPA for not adequately taking into account the impacts of climate change on the American public. They argue the Clean Power Plan as it was first written was an "appropriate way" to limit carbon emissions, considering the interconnectedness of the country's electricity system. They noted the agency's revised cost-benefit analysis significantly underestimated the costs associated with a warming planet. According to the agency's 2015 analysis, the rule would yield between $31 billion and $54 billion in benefits, and $5.1 billion to $8.4 billion in costs once the rule was fully implemented in 2030.

"They are taking away tools the EPA administrator would have to reduce emissions substantially. The tack they are taking legally means it will be possible only to get a small fraction of the emissions reductions from a new replacement rule than could be gotten from the

AMERICAN OVERSIGHT

CPP. That's not the kind of position I'd hope an EPA administrator would take," said Jim Ketcham-Colwill, former EPA air policy analyst who helped to write the Clean Power Plan.

While Save EPA has focused on the negative impacts of allowing greater carbon emissions, other critics of the Clean Power Plan repeal have focused on how the rule could have helped to create renewable energy jobs if states chose to reduce their carbon emissions under the plan by turning to other energy sources.

Ashok Gupta, the senior energy economist at NRDC, wrote in a recent blog post that Midwest utilities are increasingly interested in cheap wind energy.

"In the Midwest, the trend is clear; the transition to clean energy is underway and will only intensify in the future. Having a strong national strategy to cut carbon pollution that provides states the flexibility to implement their own plans based on their resources is our best chance at fighting climate change and creating a path towards cleaner, cheaper and more reliable energy," Gupta wrote.

Ketcham-Colwill noted EPA had given a wide range of groups, including state energy regulatory agencies and governors' offices, ample opportunity to offer input on the climate rule.

"The agency got all kinds of plaudits that this was the most extensive stakeholder outreach process that the agency has perhaps ever done," said Ketcham-Colwill.

Ellen Kurlansky, another former air policy analyst at EPA who helped develop the Obama-era rule, said that in addition to public hearing and comments, a range of groups were involved in developing the rule from the very early stages until it was being finalized.

"People often want to talk to us and tell us what they think. We really had an open door," she said.

AMERICAN OVERSIGHT

Kurlansky warned that delaying carbon emission reductions from power plants could have serious implications for rural and low-income Americans most impacted by climate change. For example, changing weather patterns, temperatures and season length can affect which crops are viable in specific parts of the country. Isolated communities could have a hard time getting aid in the event of climate-driven severe weather.

Meanwhile, low-income communities are often least able to financially prepare for or recover from environmental disasters. Many live in closer proximity to power plants and bear a higher brunt of the public health impacts. Indigenous communities also suffer from the loss of traditional cultural practices.

Kurlansky said she had not considered the prospect of a future administration seeking to undo the rule while she was working on it.

"I never imagined this would happen, it's really sad to see," she said.

E&E News PM

https://www.eenews.net/eenewspm/stories/1060074317/search?keyword=EPA

Justices pass on challenges to EPA's Clean Water Act power

By Amanda Reilly, 2/20/18

The Supreme Court won't revive a pair of lawsuits challenging U.S. EPA's authority under the Clean Water Act. Justices today passed on taking up cases related to stormwater policies and permits for water reclamation plants.

AMERICAN OVERSIGHT

As with a recent litigation over the Obama-era Clean Water Rule, the Supreme Court petitions centered on the correct legal venue to bring lawsuits. In both instances, a lower court tossed out the suit after finding it did not have jurisdiction.

At issue in the stormwater case were EPA policies guiding whether cities may dilute stormwater before discharging it into rivers and streams, and the treatment of wastewater during heavy rains.

The 8th U.S. Circuit Court of Appeals in 2013 found EPA illegally created rules in letters to Sen. Chuck Grassley (R-Iowa), instead of going through the formal rulemaking process.

EPA, though, continued to apply the policies on a case-by-case basis everywhere but the 8th Circuit, which runs down the center of the country from North Dakota to Arkansas.

The Center for Regulatory Reasonableness, which represents municipalities and industrial entities, filed suit in the U.S. Court of Appeals for the District of Columbia Circuit to halt the disputed policies nationwide.

The group specifically challenged a pair of 2014 letters to industry associations in which EPA conveyed how it would respond to the 8th Circuit decision.

But a three-judge panel of the D.C. Circuit tossed out the case last year after finding the group should have brought its challenge to federal district court — not the appeals court — under the Clean Water Act (Greenwire, Feb. 28, 2017).

The Supreme Court issued a similar decision in the Clean Water Rule litigation, rebuffing the federal government's arguments that litigation belonged in appeals courts.

The Clean Water Act routes challenges to effluent limitations, other limitations and permitting decisions to appeals courts; other cases go to district courts (Greenwire, Jan. 22).

AMERICAN OVERSIGHT

In its petition to the Supreme Court, the Center for Regulatory Reasonableness argued the D.C. Circuit's decision has "powerful consequences" for the 43 states outside the 8th Circuit.

EPA is "free to impose even vacated" water permitting modifications, "with little fear of the immediate judicial review," the petition said.

The Justice Department had urged the court to decline the case. Government attorneys said the D.C. Circuit correctly concluded EPA's letters interpreting the 8th Circuit decision weren't actions that could be challenged in appeals court under the Clean Water Act.

Challenging the 'puppet master'

At issue in the second case was a Southern California Alliance of Publicly Owned Treatment Works (SCAP) suit challenging EPA's objections to state-issued permits for two water reclamation plants in El Monte and Pomona, Calif.

EPA in 2014 sent a formal objection letter to the Los Angeles Regional Water Quality Control Board threatening to veto the permits. The agency said the approvals, which the Los Angeles board later modified, didn't include necessary daily and monthly limits.

But the alliance argued that EPA used the objection letter to create new rules about permitting without formal notice and comment.

The 9th U.S. Circuit Court of Appeals, however, ruled that it couldn't hear the case because the letter in question was just an "interim step in a complex statutory scheme" and not subject to review by federal court. The 9th Circuit directed the alliance to pursue its case either administratively or in a state court.

The alliance appealed, arguing that the court failed to differentiate between EPA's objections to the permit and the permit itself.

AMERICAN OVERSIGHT

"U.S. EPA continues to use its objection powers to unlawfully push states to adopt measures beyond the requirements of federal regulations," SCAP said. "The 9th Circuit's decision ... relegated SCAP to challenging the puppet, when SCAP seeks to directly challenge the actions of the puppet master."

The Justice Department asked the Supreme Court to pass on the case. DOJ said the EPA letter in question did not set out any binding effluent limitations.

Other cases

At their weekly conference Friday, justices are scheduled to consider a third Clean Water Act petition asking them to overturn a decision that reinstated EPA's contentious "water transfers" rule. They could announce whether they're taking up that case early next week (Greenwire, Sept. 21, 2017).

Along with the water disputes, the Supreme Court today also declined a handful of other environment- and energy-related cases.

Justices won't review a lower court's split decision that North Carolina lacked sovereign control over 45 miles of riverbed where Alcoa Power Generating Inc. had built and operated four hydroelectric dams.

The Tar Heel State argued the company had illegally continued to use the Yadkin River for hydroelectric plants without permission after shuttering an aluminum smelting plant that drew power from the dams (Greenwire, Nov. 15, 2017).

Greens' efforts to halt a hydroelectric project in North Carolina likewise dead-ended. American Rivers and the city of Rockingham had challenged the Federal Energy Regulatory Commission's approval of a license for Duke Energy Progress' Tillery development on the Yadkin and Pee Dee rivers (Greenwire, Jan. 12).

AMERICAN OVERSIGHT

The court also won't hear claims by a group of plaintiffs who allege they developed cancer after being exposed to radiation emissions at Nuclear Materials and Equipment Corp.'s facility in Apollo, Pa. The site processed uranium and provided enriched uranium for naval reactors from the 1950s to the early 1980s.

The Hill

http://thehill.com/policy/energy-environment/374824-hundreds-of-mayors-come-together-to-oppose-trump-reversal-of-obama

Hundreds of mayors unite against Trump reversal of Obama-era climate plan

By John Bowden, 2/21/18, 9:46 AM

Hundreds of mayors representing cities in 47 states and territories have signed a letter opposing the Trump administration's move to roll back the Obama administration's Clean Power Plan (CPP).

In a letter addressed to Environmental Protection Agency (EPA) chief Scott Pruitt, 236 U.S. mayors wrote that the Trump administration's attempt to roll back the environmental restrictions would have "devastating health and economic impacts on their communities."

"We strongly oppose the proposed repeal of the Clean Power Plan, which would put our citizens at risk and harm our efforts to address the urgent threat of climate change," the letter to Pruitt reads.

"The legal authority of cities and other municipalities generally extends only as far as their state governments and federal law allow, and as a result, our local efforts to address climate change

AMERICAN OVERSIGHT

are highly sensitive to national policies like the Clean Power Plan, which shape markets, steer state action, and have large direct impacts on nationwide emissions," it continues.

The EPA has been considering a plan to repeal the Clean Power Plan, the centerpiece of former President Obama's environmental agenda, since at least October.

"The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court," Pruitt said in a statement last year.

"We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule."

The final version of the CPP was unveiled in 2015, and aimed to reduce carbon dioxide emissions from electrical power generation by 32 percent by 2030. President Trump signed an executive order last March ordering the EPA to review the rule for a possible repeal.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074297/search?keyword=EPA

OMB greenlights bid to scrap Obama oil and gas guidelines

By Sean Reilly and Niina Heikkinen, 2/20/18

The White House Office of Management and Budget has cleared U.S. EPA's proposal to scrap

AMERICAN OVERSIGHT

pollution-reduction guidelines for existing oil and gas operations, setting the stage for the rollback of another piece of the Obama administration's environmental agenda.

OMB's Office of Information and Regulatory Affairs finished a standard interagency review of the proposed withdrawal notice for the "control techniques guidelines" on Friday, according to the Reginfo.gov website. Once the notice is signed, EPA will put the proposal out for public comment, an agency spokeswoman said in an email today.

The guidelines, issued in October 2016, were a key part of EPA's strategy then for reducing emissions of volatile organic compounds (VOCs) from existing oil and gas facilities. In sunshine, VOCs react with nitrogen oxides to form ozone, a lung irritant that is the main ingredient in smog.

Although not a regulation, the guidelines are technical recommendations for states to consider for areas deemed in "moderate" nonattainment or worse for EPA's 2008 ozone standard of 75 parts per billion. They also apply in the Ozone Transport Region, which encompasses 11 Northeastern states, the District of Columbia and Northern Virginia.

"It is addressing sources that you wouldn't otherwise get at from ozone regulation," Joanne Spalding, senior managing attorney at the Sierra Club, said in a recent interview.

States can use "reasonable cost" technological fixes to control the pollutants, such as replacing high-bleed pneumatic controllers with low-bleed controllers. At the time, EPA billed the recommendations as a way to also reduce emissions of methane, a potent greenhouse gas, and save the industry money in lost product.

While EPA officials have so far not formally laid out their rationale for now seeking the guidelines' repeal, that step would mesh with the Trump administration's goal of easing requirements that would be seen as hindering domestic energy production (Greenwire, Dec. 15, 2017). The oil and gas industry, citing the potential price tag for smaller producers, had opposed the guidelines' adoption.

AMERICAN OVERSIGHT

The guidelines — often known by their acronym, CTGs — were released as part of an Obama-era suite of requirements aimed at controlling a range of pollutants from the oil and gas industry. This included landmark regulations to reduce methane releases from new and modified sources, according to Spalding.

EPA Administrator Scott Pruitt's decision to withdraw the CTGs comes on the heels of efforts to roll back or delay parts of those methane regulations. EPA plans to release a notice of proposed rulemaking on changes to the new source rule in August and anticipates the release of a final rule in 2019.

EPA had sent the proposed notice of withdrawal of the control techniques guidelines to OMB in mid-December (Greenwire, Dec. 18, 2017).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074295/search?keyword=EPA

Judges hear arguments over 2 EPA listing decisions

By Amanda Reilly, 2/20/18

An appeals court today considered U.S. EPA decisions to add sites to a list of the nation's most contaminated areas, including a large mining district that contains the Gold King abandoned mine.

EPA put the Bonita Peak Mining District and nine other sites on its national priorities list of Superfund sites in September 2016.

AMERICAN OVERSIGHT

Sunnyside Gold Corp. has filed a lawsuit challenging EPA's decision to list the mining district. In a separate suit, a pair of companies argue that the agency broke the law in adding the site of a former dry cleaner and auto shop in Indiana.

The U.S. Court of Appeals for the District of Columbia Circuit today heard back-to-back arguments in the cases.

While not directly related, the 2015 Gold King abandoned mine rupture is part and parcel of the Bonita Peak Mining District challenge.

In August of that year, EPA contractors accidentally triggered the rupture at the Gold King site, sending 3 million gallons of toxin-laced water into the Animas and San Juan rivers, which then flowed through a corner of New Mexico into Utah.

A little more than a year later, EPA added the abandoned mine to its national priorities list as part of the larger 100,000-acre Bonita Peak Mining District. The larger district has been a "hotbed of hardrock mining activity for gold, silver, lead and copper" since the 1870s, according to EPA, and includes three drainage areas that converge in the Animas River.

Sunnyside Gold Corp., which operates the Sunnyside mine, sued. The company argues that EPA — faced with lawsuits and recrimination over the 2015 rupture — issued an "overly broad listing" that sets a "terrible precedent."

The company says EPA failed to evaluate all the sources within the mining district — including Sunnyside mine and other sites it owns — under the Hazard Ranking System. EPA used the system to score only 19 of the individual contamination sources within the Bonita Peak Mining District; the site includes another 27 sources that weren't scored.

"If you're going to put property on the [national priorities list], you need to score it," Neil Westesen, an attorney representing Sunnyside, argued today in the courtroom.

AMERICAN OVERSIGHT

He added that the owners of nonscored properties would potentially be faced with steep cleanup costs under the national Superfund law.

Sunnyside says it's already spent more than $15 million remediating multiple locations within the mining district. It installed bulkheads in tunnels of the Sunnyside Mine network, including one in a tunnel that connected Sunnyside Mine to the Gold King abandoned mine. New Mexico and the Navajo Nation both named Sunnyside as a plaintiff in their litigation over the 2015 blowout, but the company says it's not responsible for the incident in any way.

For its part, EPA argues it was not required to score all the pollution sources within the broader mining district. It says that the 19 sites it chose to score were representative of the mining operations in the area and that acid mine drainage from all the sources within the district "commingled" as it flowed into waterways.

The mining district is a "single site" encompassing multiple sources, said Meghan Greenfield, a Justice Department attorney representing EPA.

She warned of the consequences of the court ordering EPA to "nitpick" each individual source within a larger site.

At an industrial site, Greenfield said, "their approach would have EPA score every barrel of leaking substances."

In court documents, EPA also says it did not separately evaluate the 2015 blowout at the mine in its decision to list the Bonita Peak Mining District. The agency says it would have placed the district on the national priorities list regardless of the incident.

At today's arguments, Judge Harry Edwards, a Carter appointee, said EPA's approach appeared to be "consistent" with the regulations guiding the use of the Hazard Ranking System. He said Sunnyside was "conflating" the terms "source" and "site" in EPA's regulations.

AMERICAN OVERSIGHT

"The regulation absolutely distinguishes between a site and a source," he said.

Senior Judge Douglas Ginsburg, a Reagan appointee, also appeared at times to side with EPA, saying the Sunnyside mine wasn't completely mitigated despite the company's efforts.

He expressed some concern, though, about the practical consequences of the listing.

A listing on the national priorities list is akin to a "roach motel" in which a company gets caught up in the system and doesn't come out, Ginsburg said.

Indiana site

EPA is facing a separate lawsuit over its September 2016 decision to place an industrial site in Indiana on the national priorities list.

But while the case involves the same topic, it raises different legal issues.

At issue is the West Vermont Drinking Water Contamination site in Marion County, Ind. At the site, a former dry cleaner discharged wastewater containing perchloroethylene into a leaky sewer system that then migrated into groundwater, according to court documents. A carburetor and brake remanufacturing facility operated between 1956 and 1973 also contributed to contamination.

EPA based its decision on findings that aquifers within 2 miles of the sites are "interconnected" and that municipal well fields 4 miles away could be affected by contamination.

Aimco Michigan Meadows Holding LLC, which was formed in 1999 to acquire the apartment and shopping center on the site, and Genuine Parts, the successor to the car repair shop,

AMERICAN OVERSIGHT

challenged the listing under administrative law.

Catherine Stetson, an attorney representing the companies, today argued that EPA made a "fundamental" failure by not responding to comments and studies contained in the record, including evidence showing a "confining layer" of clay or till that prevented contamination from reaching water supplies.

She also argued that EPA neglected to pay heed to the direction of groundwater flows.

"Groundwater flows away from the well fields that are of interest to EPA," Stetson said.

Edwards said he had some issues with EPA's analysis.

"It isn't clear to me that the agency has given substantial evidence in this record with respect to hydrologic interconnection," Edwards said, adding, "You're assuming it all the way through, and I don't see it."

InsideEPA

https://insideepa.com/daily-news/epa-names-chemical-company-lawyer-waste-offices-deputy-slot

EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

2/21/18

AMERICAN OVERSIGHT

EPA has named Steven Cook, corporate counsel for one of the world's largest plastics and chemical companies, to be the deputy assistant administrator in the agency's waste office, making him the highest-ranking political official in the office even as a long-time confidante to Administrator Scott Pruitt continues to lead the office's high-profile Superfund reform effort.

Cook, who served as in-house senior counsel for LyondellBasell, started as deputy assistant administrator for the Office of Land & Emergency Management (OLEM) Feb. 20, according to an email sent to staff from Principal Deputy Assistant Administrator Barry Breen. The slot does not require Senate confirmation.

Breen, a long-time career official, has effectively been heading the office in the absence of a political appointee at OLEM, since the Trump administration took office. Typically, a career official occupies the position of principal deputy assistant administrator, while the deputy assistant administrator is a political appointee.

Patrick Davis, President Donald Trump's Colorado campaign director, filled the deputy slot for part of 2017.

And Albert Kelly, a controversial former Oklahoma banker who has known Pruitt for years, has been leading the administrator's Superfund reform push.

While Cook will bring an industry perspective to the office, it is unclear if he will be able to address industry concerns that Pruitt is adopting costly excavation remedies at some Superfund sites.

In addition to his role at LyondellBasell, Cook also served as vice chair of the board of directors of the Corporate Environmental Enforcement Council (CEEC), a cross-industry coalition whose members include a host of major energy, chemical, aerospace, transportation, pharmaceutical, food processing and transportation companies.

Of the more recent public comments filed by CEEC are comments submitted in 2016 on EPA's proposed Risk Management Programs rule for preventing accidental chemical releases, a

AMERICAN OVERSIGHT

measure that Pruitt is now seeking to withdraw.

In its comments, CEEC strongly criticized the Obama administration's proposed version of the rule, including its call for third-party audits and EPA's failure to coordinate the rulemaking with other agencies.

According to LyondellBasell's website, the company is one of the largest plastics, chemical and refining companies in the world. It is the leading producer of oxyfuels in the world, and is the top producer in North America and Europe of polypropylene, its website says.

Cook holds both a law degree and chemical engineering degree from Brigham Young University, as well as a masters of business administration degree from the University of Texas at Austin, according to his LinkedIn profile.

E&E News PM

https://www.eenews.net/eenewspm/stories/1060074319/search?keyword=EPA

'Lean' training this spring — operations chief

By Kevin Bogardus, 2/20/18

Training in U.S. EPA's streamlined management techniques will begin soon, the agency's No. 3 official said in an internal email to employees today obtained by E&E News.

Assistant Deputy Administrator Henry Darwin wrote that "deployment training" for EPA's "Lean" management system for teams of agency employees is happening this spring. It comes as the agency looks to boost employee engagement.

AMERICAN OVERSIGHT

Darwin noted in his email that while engagement has increased in the Federal Employee Viewpoint Survey, which polls government workers' morale and committment to their jobs, EPA still ranks in the bottom half of large federal agencies.

Darwin cites a speaker at last month's conference for senior leaders — John Kamensky, a senior fellow with the IBM Center for the Business of Government — who said engagement goes up when employees have latitude to improve their jobs, the training to accomplish that goal and good communication with their bosses.

"Through [Lean management], EPA will achieve these three elements of engagement," said Darwin. "Weekly huddle meetings around visual management boards will provide teams — staff and management alike — the means to see how work is flowing and to identify ways of improving the work process.

"[Lean] deployment training for teams across the agency will begin this spring, and coaching will always be available to help with the new approaches," he said.

In addition, managers are expected to check in with their subordinates every day to boost communication and resolve issues, said Darwin.

"Finally, our expectations of agency managers will include short, daily, one-on-one check-ins with staff members to increase communication and, as always, solve small problems before they become big problems," Darwin said, concluding, "I realize that the work we've done so far feels top down, but that will soon change. Thank you in advance for joining me on this journey."

The Lean system is essentially the foundation for EPA's "reform plan" to streamline operations, which was called for under an executive order signed by President Trump last year.

The agency has also set up a steering committee of career officials and political appointees,

AMERICAN OVERSIGHT

which Darwin has tasked with drafting a vision for EPA (Greenwire, Feb. 6).

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060074393/search?keyword=EPA

IG to examine emergency-response gear

By Kevin Bogardus, 2/21/18

U.S. EPA's inspector general plans to take stock of equipment used to respond to natural disasters and terrorist attacks.

In a notice dated yesterday, the internal agency watchdog said it plans to begin "preliminary research" on how EPA manages equipment used in counterterrorism activities and emergency response.

"The OIG's objective is to determine whether the EPA has the needed and required counter terrorism and emergency response equipment and whether the equipment is efficiently managed, tracked and available for potential counter terrorism or emergency response incidents," said the notice signed by Michael Davis, director of the Efficiency Directorate in the IG's Office of Audit and Evaluation.

The IG initiated the project on its own and plans to work in several program offices, including the Office of Land and Emergency Management and the Office of Homeland Security, as well as regional branches for the agency.

The watchdog also asked for many documents, such as a list of all such equipment as well as any

AMERICAN OVERSIGHT

interagency agreements related to the buying and management of the equipment.

The probe comes after last year's devastating hurricane season, which saw EPA respond to major storms in Texas, Florida and Puerto Rico.

As part of its emergency-response function, EPA works on oil spills, chemical and radiological accidents or attacks, as well as natural disasters. Some of the agency's equipment for the job includes aircraft to detect chemical and radiological leaks and a mobile laboratory, as well as protective gear like hazmat suits.

AP

https://apnews.com/5cbce7f863594d0a96b2d4848c548566/Oil-spill-cleanup-underway-in-suburban-Oklahoma-City

Oil spill cleanup underway in suburban Oklahoma City

2/20/18

YUKON, Okla. (AP) — A spokesman for the Environmental Protection Agency says cleanup is underway in suburban Oklahoma City where about 2,000 barrels of oil spilled from a ruptured pipeline.

EPA on-scene coordinator Mike McAteer said Tuesday workers are skimming oil off the surface of a 7-acre pond near a neighborhood outside Yukon, about 17 miles (27 kilometers) west of Oklahoma City.

McAteer says oil bubbled into the pond early Sunday from a pipeline operated by Centurion

AMERICAN OVERSIGHT

Pipeline L.P. He says crews will tunnel beneath the pond to inspect the ruptured pipeline and prevent further releases.

McAteer says cleanup efforts have been slowed by rain and sub-freezing temperatures in the area.

Centurion spokesman Eric Moses says the company is making progress "and will continue to work safely and efficiently until our work is complete."

Reuters

https://www.reuters.com/article/us-missouri-lawsuit/missouri-residents-sue-over-radioactive-material-storage-sites-idUSKCN1G50AZ

Missouri residents sue over radioactive material storage sites

2/20/18, 11:09 PM

(Reuters) - Residents living near landfill sites in the St. Louis area where radioactive waste has been stored filed lawsuits on Tuesday seeking compensation, claiming negligence in handling materials they said were some of the most dangerous on Earth.

Two lawsuits seeking class action status were filed at St. Louis County court for sites that included the West Lake Landfill in Bridgeton, Missouri, and an area near the Coldwater Creek in the county.

Among the 10 defendants are Republic Services, Exelon Corp and the Cotter Corp. Officials from those companies were not immediately available for comment.

AMERICAN OVERSIGHT

"Defendants treated these hazardous, toxic, carcinogenic, radioactive wastes with about the same level of care that a reasonable person might give to common household garbage, dumping it without authority from the State of Missouri and in violation of law," the lawsuits contend.

The suits did not state an amount being sought by the plaintiffs.

The history of nuclear waste in the St. Louis area dates back to the U.S. atomic bomb program from World War Two and spans an array of nuclear processing facilities, storage sites, material transfers and suspected leaks along the way.

The U.S. Environmental Protection Agency has deemed some of the St. Louis-area places that were a part of that history "Superfund" sites, placing them among highly polluted areas that are a national priority for clean-up.

The West Lake site, originally used for agriculture, became a limestone quarry in 1939. But starting in the 1950s, portions of the area were used to dispose of municipal refuse, industrial wastes and construction debris, the EPA said.

In 1973, some 8,700 tons of leached radioactive barium sulfate from the Manhattan Project, the World War Two-era atomic bomb-development program, were mixed with 38,000 tons of soil used to cover trash dumped at the site, according to the EPA.

In 1990, the landfill and neighboring waste-disposal facilities occupying a total of 200 acres (80 hectares) were designated by the EPA as a single Superfund site.

AMERICAN OVERSIGHT

E&E Energywire

https://www.eenews.net/energywire/stories/1060074323/search?keyword=EPA

IG report discounted Tar Creek Superfund fraud claims

By Mike Soraghan, 2/21/18

An investigation by U.S. EPA's watchdog agency in 2013 discounted allegations of fraud at the Tar Creek Superfund site in 2013.

The findings of EPA's inspector general run counter to those of Oklahoma State Auditor Gary Jones, who says his audit found criminal violations at the site.

But they track with the decision of then-Oklahoma Attorney General Scott Pruitt, who declined to bring charges after receiving Jones' audit.

"This investigation revealed no evidence to support any allegations by the complainants," states the EPA IG report, first reported by the newspaper Tulsa World.

Pruitt, now EPA administrator, and his replacement, Mike Hunter, kept the audit secret. So it is not clear how similar the investigations might have been.

Daniel Stevens, who heads a group suing to get the audit made public, said people should be able to compare the two reports.

"It sure seems like Pruitt and his allies are worried about the conclusions contained in the state auditor's report," said Stevens, executive director of Campaign for Accountability. "Pruitt should be held accountable for how he responded to the findings of his own state's auditor."

AMERICAN OVERSIGHT

A hearing in the case has been set for Friday in Oklahoma County District Court.

Tar Creek is a 40-square-mile site in the far northeastern corner of Oklahoma where land and water were contaminated by decades of lead and zinc mining that ended in the 1950s. In the early 1980s, EPA deemed it the most contaminated site in the country.

As part of the cleanup, the federal government provided money in 2009 to buy out homeowners and demolish the homes. The work was overseen by a board of prominent residents called the Lead-Impacted Communities Relocation Assistance Trust.

But companies that sought demolition work complained that contracts were being unfairly steered to companies favored by board members. Jones has said his audit showed the government paid six times more than needed.

The investigation by EPA's IG was prompted by a federal whistleblower lawsuit filed in 2012. The suit alleged the trust board and contractors tapped into a "good ole boy network" and hatched a "sophisticated conspiracy" to rig bids and pay for work that was not done.

But the IG report says there were valid explanations for what the whistleblower suit called violations.

For example, the suit alleged that one of the contractors billed for demolition of the Picher, Okla., house where baseball slugger Mickey Mantle got married in 1951, even though the house is still standing at a location in the nearby town of Commerce. The IG report said after the house was moved that the contractor still had to clear debris and other items from the site, and deserved to be paid.

The redacted IG report is available on EPA's Freedom of Information Act release website. It was requested in 2015 by former trust chairman Mark Osborn.

AMERICAN OVERSIGHT

Several entities, including E&E News, have requested Jones' Tar Creek audit and related documents. The requests have been rejected. Campaign for Accountability sued in November.

Hunter, the attorney general, is fighting the suit, citing grand jury secrecy (Energywire, Jan. 19). But Jones, the state auditor, responded by seeking a court order to release the audit. Jones has also said Pruitt "acted improperly" when, as attorney general, he sent a copy of the audit to the attorney for the trust.

Hunter's office filed a pleading last week countering some of Jones' claims and asserting that the audit is "shot full" of grand jury evidence.

AMERICAN OVERSIGHT

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Graham, Amy[graham.amy@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Bowman, Liz
Sent: Wed 10/4/2017 4:39:50 PM
Subject: Re: POLITICO Magazine: Tar Creek, Oklahoma

Yes, Kell should

Sent from my iPhone

On Oct 4, 2017, at 12:37 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

I know Jahan already had other plans with Politico and the Administrator. But this may be worthwhile to have Kell speak into, since it is Oklahoma related.

From: Malcolm Burnley [mailto: **Ex. 6 - Personal Privacy**]
Sent: Wednesday, October 4, 2017 12:30 PM
To: Press <Press@epa.gov>
Subject: POLITICO Magazine: Tar Creek, Oklahoma

Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.

The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.

Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

AMERICAN OVERSIGHT

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

AMERICAN OVERSIGHT

To: Lincoln Ferguson (ferguson.lincoln@epa.gov)[ferguson.lincoln@epa.gov]; Jahan Wilcox (wilcox.jahan@epa.gov)[wilcox.jahan@epa.gov]
Cc: Abboud, Michael[abboud.michael@epa.gov]; hewitt.james@epa.gov[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Kelsi Daniell (daniell.kelsi@epa.gov)[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Wed 12/6/2017 11:58:15 PM
Subject: Politico Tar Creek

Did you all have a response on the Tar Creek site that you sent to a reporter?
https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Wed 12/20/2017 3:07:12 PM
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

thanks

From: Daniell, Kelsi
Sent: Wednesday, December 20, 2017 10:00 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

Circling back.

From: Daniell, Kelsi
Sent: Wednesday, December 20, 2017 8:51 AM
To: Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; James Hewitt (hewitt.james@epa.gov) <hewitt.james@epa.gov>; Mike Abboud (abboud.michael@epa.gov) <abboud.michael@epa.gov>; Block, Molly <block.molly@epa.gov>; John Konkus (konkus.john@epa.gov) <konkus.john@epa.gov>
Subject: FOR APPROVAL -- EPA Morning News Highlights 12.20.17

EPA Morning News Highlights 12.20.17

-

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

AMERICAN OVERSIGHT

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

The Californian: Salinas Oil Company Penalized for Environmental Violations

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

AMERICAN OVERSIGHT

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

Politico: Senators, White House Lay Groundwork for Dreamers Deal

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three

AMERICAN OVERSIGHT

additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

AMERICAN OVERSIGHT

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President Trump's agenda."

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

AMERICAN OVERSIGHT

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans."

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

The findings contradict the advisory by the World Health Organization's International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is "probably carcinogenic." The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to

AMERICAN OVERSIGHT

guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement "will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon's economy continues to be a working harbor."

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous "potential wildlife receptors," which could give further insight into the effectiveness

AMERICAN OVERSIGHT

of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

“This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June,” Sallinger said.

The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future.”

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act

AMERICAN OVERSIGHT

violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

AMERICAN OVERSIGHT

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

AMERICAN OVERSIGHT

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

AMERICAN OVERSIGHT

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources

AMERICAN OVERSIGHT

and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

AMERICAN OVERSIGHT

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lace Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

AMERICAN OVERSIGHT

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration

AMERICAN OVERSIGHT

policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next

AMERICAN OVERSIGHT

likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

"No, we'll not be doing DACA … this week," McConnell said. "That's a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it."

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation's asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

"Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?" Flake said, summing up the questions from senators. "There's a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support."

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday's meeting with Kelly, as did Senate Majority Whip John

AMERICAN OVERSIGHT

Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

"I think what we're trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures," Cornyn said as he left the meeting. "We got a promise to provide it to us and hopefully we'll get that in short order. Maybe even this week."

Republicans' commitment to taking up a DACA deal next month won't spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won't risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

AMERICAN OVERSIGHT

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

AMERICAN OVERSIGHT

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

AMERICAN OVERSIGHT

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to

AMERICAN OVERSIGHT

release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, "Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years "have gone to industries lagging behind State growth in employment and annual average pay." In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual

AMERICAN OVERSIGHT

wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive “has never been used” and the state Department of Commerce “no longer promotes the program on its website due to lack of interest.”

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a “dearth of data.” The group also reported there is “insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit.”

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, “Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents.”

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow “guide” the process.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Block, Molly[block.molly@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Tue 12/19/2017 10:01:40 PM
Subject: Re: Politico got it wrong on Tar Creek

Thank you!

Sent from my iPhone

On Dec 19, 2017, at 3:19 PM, Block, Molly <block.molly@epa.gov> wrote:

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

NOTE: This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work…

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites…

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With

AMERICAN OVERSIGHT

all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe
John Berry: Chairman of Quapaw Tribe of Oklahoma

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the

AMERICAN OVERSIGHT

Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the

AMERICAN OVERSIGHT

local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

AMERICAN OVERSIGHT

To: Lincoln Ferguson (ferguson.lincoln@epa.gov)[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Thur 8/10/2017 2:55:29 PM
Subject: FW: Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head, 8/10/17

FYI

Tulsa World

http://www.tulsaworld.com/homepagelatest/randy-krehbiel-some-believe-scott-pruitt-is-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By: Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases. "Everything he says is calculated toward securing the Republican nomination in Oklahoma and

AMERICAN OVERSIGHT

then winning the general election there."

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

—

Jessica Sparacino

AMERICAN OVERSIGHT

US Environmental Protection Agency

Office of Public Affairs Intern

(202) 564-5327

WJCN 2502J

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Bowman, Liz
Sent: Fri 4/20/2018 1:52:56 PM
Subject: RE: FOR APPROVAL -- EPA Morning News Highlights 04.20.18

thanks

From: Daniell, Kelsi
Sent: Friday, April 20, 2018 9:19 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: FOR APPROVAL -- EPA Morning News Highlights 04.20.18

EPA Morning News Highlights 04.20.18

-

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

-

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

AMERICAN OVERSIGHT

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

-

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

AMERICAN OVERSIGHT

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to

AMERICAN OVERSIGHT

address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

AMERICAN OVERSIGHT

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**

AMERICAN OVERSIGHT

2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

AMERICAN OVERSIGHT

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

AMERICAN OVERSIGHT

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility

AMERICAN OVERSIGHT

once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

AMERICAN OVERSIGHT

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from

AMERICAN OVERSIGHT

close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

AMERICAN OVERSIGHT

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

AMERICAN OVERSIGHT

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

AMERICAN OVERSIGHT

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

AMERICAN OVERSIGHT

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

AMERICAN OVERSIGHT

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

AMERICAN OVERSIGHT

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

AMERICAN OVERSIGHT

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New

AMERICAN OVERSIGHT

York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

AMERICAN OVERSIGHT

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller

AMERICAN OVERSIGHT

probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

6.9K 9.7K 37K

Donald J. Trump @realDonaldTrump · 2h

Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

8.1K 11K 38K

Donald J. Trump @realDonaldTrump · 3h

So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

7.0K 7.8K 43K

Donald J. Trump @realDonaldTrump · 3h

So General Michael Flynn's life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

17K 12K 43K

AMERICAN OVERSIGHT

To: Press[Press@epa.gov]
From: Alex Guillen
Sent: Fri 1/5/2018 5:49:06 PM
Subject: Comment on employee survey results
Efficient EPA Survey Results_Final REDACTED B6 PW.xlsx

Hello all,

I'm writing a story based on results released to me under FOIA of an anonymous employee survey EPA conducted in May on ways to better achieve the agency's mission. With more than 1,400 responses, I'll be focusing on the broad themes raised after we conducted a search for key terms in the responses — budget shortfalls, Superfund, state outreach, teleworking, etc. I also plan to highlight some of the smaller number of answers that criticized the political leadership of EPA and the president.

The survey was announced in the staff-wide May 2 email from Ryan Jackson titled "Creating a More Efficient, Effective and Accountable EPA." I've attached the responsive records for your reference.

In addition to any comment EPA may want to provide on the results, I wanted to ask if you can tell me how the results have been or will be used — to inform new streamlining initiatives, advocate for more funding, etc.

We plan to publish a story on the results late this afternoon.

Thank you,

Alex Guillén

Energy Reporter

POLITICO *Pro*

(o) 703.341.4619 | Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

aguillen@politico.com | @alexcguillen

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1	survey_id	Date	q1	q2	q3	q4	q5	q6
2	1	5/2/2017	Why are there 4 SES people on the Environmental Appeals Board? Plus a staff of 12. **[REDACTED B6]** did this job for many years as the Chief Judicial Officer with 2 attorneys and one assistant. The docket is small and it appears this has become an SES dumping ground for the likes of **[REDACTED B6]**. YOU WANT TO STREAMLINE? START HERE!	Stop the "Mother May I approach." Clean up CONFUSING REGULATIONS. MAKE STATES REAL PARTNERS.				
3	2	5/2/2017	Nothing I can think of	More money for travel to meet with states and tribal members	Continue what I'm doing - phone calls, webinars, and travel	Holding more webinars. To do that - more training on how to conduct a webinar	Provide apps onto government phones and IPADs	Get the word out onto our website of our good work
4	3	5/2/2017	PNET - I've worked for other agencies that do not have this level of approval for purchases					
5	4	5/2/2017	Limited ability to connect with the people we are charged with protecting.	More face to face time with tribes, states and community.	See #2 above.	Getting closer to community so that we know what protections are understood and valued.	It's obvious	Again, more collaboration with sister agencies to identify synergies which will maximize our efficiencies and effectiveness.
6	5	5/2/2017	I have not identified any administrative requirements, management procedures, or organization processes that prevent me from doing my job.	EPA grants to states, tribes, and local communities are vital to forming these partnerships. There does not seem to be a guarantee that these groups will get this support from any other area of the government without sacrificing other state priorities	Ensuring EPA grants to states, tribes, and local communities are maintained are very important. Continued support for EPA public involvement is also very important as EPA has the technical knowledge and history of working with the public and is best positioned to offer customer service.	It is important to keep all current EPA offices open since closing them would result in huge inefficiencies in working with state partners. Closing offices would burden communities, particularly poor and minority neighborhoods.	Increasing telecommunication capabilities (virtual meetings/conferences).	Understanding that shared responsibility often means one party cannot replace another. Instances were responsibilities were completed shifted to another agency had resulted in issues when states do not fully understand federal regulations. The EPA needs to maintain oversight roles even when there are state-authorized programs.
7	6	5/2/2017	Hire people with science degrees who actually UNDERSTAND science. Fire all of #45's team.	SEE #1	For the new administration to quit being racist and pretending to care. HIRE PEOPLE WHO CARE ABOUT THE COMMUNITIES WE SERVE.	It doesn't matter because you don't really give a shit.	Does the new staff know what accountability is? If so, get ready to poison more people!	Quit being morons
8	7	5/2/2017	The current Administration should avoid the appearance of denying the fact that humans are a primary contributor to climate disruption.	Adopt the most effective means for addressing climate disruption.	Ask these various entities how EPA should address climate disruption.	EPA staff should receive extensive education about the dramatic impacts of climate disruption.	Reestablish EPA's climate change (disruption) webpage.	Expand the cooperation between EPA and other Agencies/Departments on climate disruption.

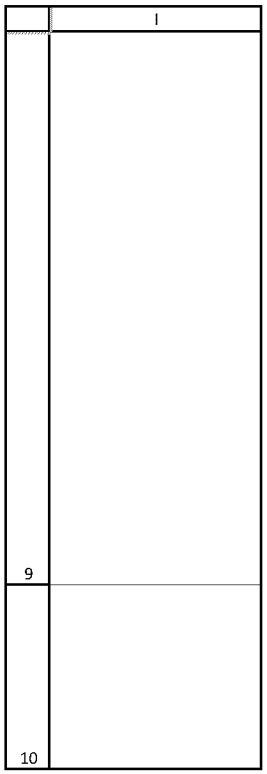
AMERICAN OVERSIGHT

	I
1	q7
2	
3	No
4	
5	Building trust in untrusting communities and thereby surfacing significant health and environmental challenges which might otherwise be unidentified. - See Flint, MI
6	
7	Yeah, learn how to take responsibility for harming the public and environment all while trying to make money.
8	Seek input from climate scientists on steps EPA should take to address climate disruption.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
9	8	5/2/2017	Since the new administration has come in, we are required to get approval for every facebook post, tweet, as well as every response to every single reporter inquiry across the country. This process is burdensome and results in an agency that is NOT AT ALL responsive to the media. We rarely make deadlines, rarely are able to accept interview requests. The public is the loser in this scenario. The media plays an important role in getting information to the public about the GOOD WORK WE DO. It is time for the White House to trust the agency to do the GOOD WORK WE DO and have done for a long time. Regional public affairs offices have been handling media from the states in our regions with great skill for ages and the new process PREVENTS US FROM DOING OUR JOB EFFICIENTLY AND EFFECTIVELY.		Decentralize public affairs and let us do our jobs.			
10	9	5/2/2017	none	Strong support of EPA staff provides for more leverage in negotiating with the private sector. This does not mean always take punitive enforcement actions, but you can't successfully negotiate from a position of weakness.	Improve web pages to make more information easily available.		Improve web pages to make more information easily available.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
11	10	5/2/2017	Having to still do paper copies of packages for review through the various layers of management. It would be much more efficient if things were forwarded electronically. Also things can "sit" with the IO for a very long time and it is often hard to determine whether things are even signed or not. We need better electronic tracking of things that are being reviewed.	We need to consider using the regions more efficiently. I work in the TSCA program and I honestly don't really know what the regions are doing to support our program. Because a lot of TSCA isn't delegated, what I would like them to do is to do enforcement even with program office FTEs. That would be the biggest bang for the buck. They should do multi-media inspections looking at TRI, RCRA and TSCA CDR at the same time.	I think we need to first ask them, as they are our customers, what they thing we should be doing a better job at. We used to have in the TSCA program regular meetings with states but those were discontinued. Perhaps we need to reopen those communication lines so that we learn more about what they need from us.	Yes. EPA has a tendency to start a "boutique" program and keep it going forever without evaluating whether it is still producing results. For example, the Compliance Assistance Centers in the Office of Compliance were established almost 20 years ago, are they working? Are they helping the states with their compliance assistance efforts? Are there parts of EPA that should be privatized, such as the Energy Star program. If industry does the LEED program, why can't they do Energy Star on their own? We need to get back to our statutory obligations, including enforcement of the law.	We have way too many separate databases within the various program offices. I am certain that HUGE efficiencies would be created and tons of funds saved if we joined together thru OEI's leadership on cloud support.	TSCA must by statute work more with OSHA. But we could still do more here. Similarly with CPSC. We need to look at how we can jointly address chemicals of concern.
12	11	5/2/2017	There are no process that prevent me from doing my job efficiently and highly effectively. Our whole office works together like a team.	Communication between our state partners is key. Many states do not have the experience or employees to get the job done without federal oversight.	Once again better, communication and outreach.	Our office just consolidated space to save money on our operating budget. We were able to lower costs internally without sacrificing experience or employees.	Our office has reliable technological tools.	A common complaint from the States is that they do not have enough workers or budget thus relaying on the experience of EPA employees.
13	12	5/2/2017	Reducing the number of timekeeping systems and forms would save a considerable amount of time. Also, forms and systems for travel purposes are redundant and inefficient. They could also be streamlined so that management would not have to approve the same item multiple times along the process.				Reducing the number of timekeeping systems and forms would save a considerable amount of time. Also, forms and systems for travel purposes are redundant and inefficient. They could also be streamlined so that management would not have to approve the same item multiple times along the process. Also, creating an electronic library (Wikipedia like?) for our processes, subject experts, and resources would save a lot of time.	

AMERICAN OVERSIGHT

	I
11	Personally, I think our Chemical Data Reporting (CDR) database is an excellent example of a program that is really working. Industry is happy with it and OPPT consistently asks the American Chemistry Council and others for feedback for improvements. How many programs regularly do that? We need to think about further consolidation with other similar reporting tools like the TRI program. Why should industries report to two different databases?
12	The employee review process lets EPA employees identify areas of weakness and then presents a plan to improve on those weakness.
13	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
14	13	5/2/2017				We are the EPA! Why don't we have more people teleworking from home regularly to help lower emissions and reduce office costs? Programs now allow for accountability measures to be taken to ensure employees are still achieving a productive job performance that is beneficial to the EPA and tax payer dollars. Not having to rent facilities from GSA or others to provide working space for employees could potentially save millions of dollars, lower emissions, paper waste, office supply waste, e-waste, save the roads, peoples time, quality of life, happier employees, etc. Huge cost savings to be had with telework.	Yes, employees working full time telework and doing business through virtual meeting places. Time for EPA to get with the times and save dollars and the environment too!	
15	14	5/2/2017	I think we should improve the Performance Appraisal Review process. In my opinion, it does not often reflect all the work an individual completes, or their entire portfolio of accomplishments. I think PARs should be based more on direct supervisor interaction with their staff, and supervisors need to be empowered to immediately provide feedback, positive or negative. They could be asked to maintain portfolios of performance. These portfolios could provide notes from meetings, products delivered, feedback from peers, etc.	Eliminate been counting exercises and focus on measuring environmental results. This might require more monitoring.	One thing we have to consider are the hours of operation. Regulated entities may operate around the clock, but we tend to only be available during normal business hours (e.g., 8am - 6pm EST). We need to be able to have support available on weekends, after hours, etc. This would also accommodate stakeholders located across all time zones.			Develop web services that are mutually beneficial for reporting/sharing information and data.
16	15	5/2/2017						

AMERICAN OVERSIGHT

	I
14	Yes, again Telework. So much to be saved in so many ways
15	
16	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
17	16	5/2/2017	Duplication of efforts when it comes to document management. I would address this issue by ensuring everyone is educated and actively using the computer systems we have in the agency.	Better Collaboration through the use of technology. Using Share Services available from other agencies, e.g., MAX Portal managed by OMB.	Continue to do what we have been put focus more on partnerships with customers.	Yes, Yes, Yes. We need to utilize technology better. We have an IT department that focus more on themselves than providing technology support to staff. We do have SharePoint, but we need folks in the region to be more astute about the capabilities of the system as well as have IT folk support the building of applications with the system. The application that would be developed would enhance our relationship with our stakeholders.	More plugins for SharePoint. Microsoft recently discontinued supporting InfoPath - a software program that allows us to create input forms to collect information from our customers with our in depth programming skills. InfoPath is still available but not supported as such by Mir	utilize shared services from other federal agencies, like GSA and OMB.
18	17	5/2/2017	Having the Comrade in Chief as President and Scott " What Climate Change" Pruitt as EPA Administrator. Get rid of them and then maybe we can do our job of protecting the environment instead of polluting it.	Keeping environmental laws and regulations instead of getting rid of them	Actually using science to make decisions instead of grade school talk.	Getting rid of the administrator would help		
19	18	5/2/2017						
20	19	5/2/2017						
21	20	5/2/2017						
22	21	5/2/2017						
23	22	5/2/2017	The entire contract structure within EPA is completely broken. It takes over two months to make adjustments to WA. Several of my contract mechanisms are over the performance period by 2-3 years. I find this completely unacceptable and an incredible waste of FTE and extramural funds. If you were able to streamline that structure, I believe that you could easily increase the level of effort by 20-30% of extramural funds. Another issue that I would like to bring up is the insane amount of middle management that has been in the past 10 years. One great example is the National program directors in ORD. Why is there a need for two complete set of management structures? It was supposed to help serve the program offices better, but it has only resulted in putting money into the NPDs pet projects. Please do a robust evaluation of any programs like the NPDs. It will be an immediate addition by subtraction.	I think you should explore more in the CRADA area and offer limited NAA in order to push measurement and control technologies. We need to research these areas but credible evidence makes it very hard. Also, please do not assume that private sector, s/t/l can fix the problems alone. While the cost of regs look high, the market is relatively small and cannot support the necessary research and development for implementation. Even in the large markets (telecom, computer, car, energy, etc), the US govt supports a LARGE amount of the research through DOD, NSF, etc.	Better customer service would be a great thing, but we are really stretched so thin that I think those stakeholders are the ones that generally take the brunt.	I would take a serious look at the wasted FTEs (commonly inflated grades) at the IO levels of most divisions and office level. Most of these people are failed management that are maintained there as they have no skills of use to the agency. Reduction of middle management.	There are always new technologies and processes out there, but rarely does one size fit all work and we are not nimble enough to quickly adopt the new tech/processes. Please consider the time loss and the expertise available on any changes before making those changes.	It practice we should do this a lot more on the federal level. It reality there is rarely shared responsibility and mutual interest between the agencies as they have different goals and statutory limitations. I commonly work on interagency projects in which the two depts/agency are working to different end, thus wasting amazing amounts of federal monies.

AMERICAN OVERSIGHT

	I
17	We are already doing it. We have implemented a Lean based approach. I and others of my Process Improvement Group are reaching out and assisting various Programs with Lean efforts in making their work more efficient and effectives. Thank you.
18	
19	
20	
21	
22	
23	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
24	23	5/2/2017	Region 1 is pretty efficient and non-bureaucratic about document approvals and organizational processes. The primary barrier to more effective/efficient work is a lack of case developers, inspectors, and lawyers. With too many priorities to handle, it is hard to them to move matters efficiently, and matters can get bottle-necked when only one or two people are experts in a subject matter. Additionally, I am quite worried about the adequacy of succession planning.	Regular meetings have worked well. We have a good relationship with the trade association in my primary area, which provides helpful communication between regulators and regulated parties.	More personnel to handle the work. For example, when one person is handling too many matters, it is really hard to drop everything and be responsive to the time demands of a redevelopment deal that could ultimately provide the resources to clean up a site.	I think that one of the work week options should be a 35 hour week (7 hours per day, 5 days per week). Right now there is a big gulf between working full time (40 hours) and the 32 hour part-time option. I think many parents, retirees, and others would be interested in a 35-hour part-time option, and it would save the government money. People would probably get the same (or close to the same) amount done as they would in 40 hours.	There is a certain amount of time wasted in the review and editing of people's work. Some people just can't write well. Any technology that could help non-writers write better would be appreciated.	States should be convinced to take over the TSCA RRP program (although most don't want to). The regulated entities are just too small for our big federal penalties. For our chemical safety work, we should go over inspection targets with OSHA. We do a lot of coordination with OSHA, which has helped reduce inefficiencies. BUT neither agency should give up their focus on chemical safety. We have different focuses, penalties, and time frames for completing the work.
25	24	5/2/2017						
26	25	5/2/2017	I have no complaints.	I think the EPA is doing fantastic work as is.	In our office I think we do a fantastic job of meeting the public's needs as far as customer service is concerned.	Give us back some of the people we have lost so we can all do better work and not have to rush through everything.	I have no idea.	I have no idea.
27	26	5/2/2017	The People Plus system is hard to use/understand and I often make mistake that need later fixing.	I do not have any.	More efficient communication between divisions working on the same project will improve efficiency.	More standard operating procedures that are easy to understand by staff and prevent waste of time because we do not know the next step, or who to contact for something. And staff should be held accountable for adhering to the SOPs.	I do not know	Not sure, because my area does not share much responsibility with other US agencies. We already collaborate with international agencies that do same job, sometimes even share the workload; for example with Canada.

AMERICAN OVERSIGHT

	I
24	
25	
26	I have no idea.
27	No

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
28	27	5/2/2017	update IGMS grants management system. Its outdated and slow.	More regular face to face contact. This helps build partnerships and allows EPA staff to offer technical assistance to states tribes and territories.	Help them more, go see them, when they are stuck on an issue due to resources, lack of expertise or time be able to get on the ground to assist them.	If we had more resources we would be better able to serve our public and keep Americans safe. The budget cuts we have already faced have crippled some of the work we could do.	The grants management system needs to be updated.	We need to learn who is doing what at other federal agencies and have workgroups so we aren't duplicating efforts, and we can pool resources to help the public on various issues that multiple agencies are addressing. For example the Pollinator Protection is a cross-cutting issue for multiple agencies, and if we were able to work together at the regional level we could make a larger impact. .
29	28	5/2/2017	The multiple layers of management review/scrutiny of agency decisions in the Superfund program (in particular the emergency response and removal program) is a major hindrance to getting cleanups underway and completed. As an example, it is not at all unusual for there to be 2 or 3 (and sometimes 4) "pre-briefings" with varying levels of lower-middle management spread over weeks before the people most involved in the issue/situation are allowed to bring the matter to the actual decision maker (typically the Division Director). There is little to no value added by all these pre-briefings that also require briefing papers, slide shows, and power point presentations. There are simply too many levels of management that are "required" to review/approve (nit-pick) through the matters-at-hand just to get them to the decision maker.... it's the ultimate in "paralysis by analysis"					

AMERICAN OVERSIGHT

	I
28	We need to keep morale up. It takes a certain type of person to want to invest their life to public service, and we should foster that type of will, and keep it up. As an EPA staffer i get to work with some of the smartest and most dedicated individuals in our country. We care about the public, and should have our leadership promote the great work that we do every single day to make life possible for the American public. Not to let politicians demonize the basic human needs we address every single day.
29	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
30	29	5/2/2017	There is no reason for us to have to maintain two timekeeping systems in both PeoplePlus and LotusNotes; complete waste of time. I am a lawyer and I spent significant portions of my time performing administrative tasks, like putting together binders, mailers, formatting, etc., because we have very little administrative support. We need funds to hire competent administrative staff.	It is essential to maintain the regional offices. We can't partner with states and local communities if we don't actually meet with them. More operations offices would be helpful. Also, stop this rhetoric of Pruitt coming in and rescuing the states from EPA's grasps. EPA has been partnering with states for decades; maybe the Administration could learn about those partnerships by actually talking to EPA employees. Finally, our focus must remain on SCIENCE and PROTECTING HUMAN HEALTH AND THE ENVIRONMENT. This is the EPA.	Increased budget to talk to the regulated community about how they can comply with their permits. We need resources in order to provide customer service.	FOIA requires a tremendous amount of staff resources. We need a centralized FOIA office so the rest of us can focus on our primary responsibilities.		
31	30	5/2/2017						
32	31	5/2/2017						
33	32	5/2/2017	Employee forms for admin tasks (schedule changes, teleworking, etc.) must still be printed, signed by multiple people, scanned, and provided to the office timekeeper. It would be more efficient to have automated forms embedded within our timesheet software, since our managers have to review our hours in that software anyway.	My office works hard to partner with states and other stakeholders, but we need more staff and more funding in order to be effective. The best way to partner with public and private sector stakeholders is to attend meetings in person, hold webinars, create useful marketing materials, and travel to regions where there is increasing interest in partnering with EPA. We could achieve better results if we had more communications and stakeholder engagement staff and if we afforded them the ability to travel to stakeholder meetings when appropriate.	We need to be able to communicate with the public articulately, and to provide information that is relatable to everyone's daily lives.	Yes. We could reduce costs and inefficiencies over time by updating our databases and IT systems, and by providing our staff with continuous, relevant training opportunities (as opposed to borrowing training from other agencies that isn't very relevant). However, we don't seem to have the funding to do this.	We need updated IT systems.	We already engage with other federal agencies and states on a regular basis.
34	33	5/2/2017						
35	34	5/2/2017						
36	35	5/2/2017	We need a NARA-approved electronic document management system. Once implemented, it would simplify and make more effective many processes.	Public sector: Continue grants that are needed for all infrastructure improvements. Incentivize private sector to address pollution and waste problems.		More money and autonomy in the Regions, with HQ giving guidance for broad overall strategy but not needing to review / be involved in so many specific processes and decisions.	See response to #1. A user-friendly, integrated NARA-approved electronic document management system. To be efficient and effective, it would need to be something that can be searched by individuals and can feed into systems like FOIA etc.	More money and autonomy, staff in the Regions instead of so much control and staff at HQ would allow the Regions to better communicate with and partner with corresponding state agencies.

AMERICAN OVERSIGHT

	I
30	
31	
32	
33	Provide staff with clear paths to promotion, professional growth, and leadership, like in the private sector. Staff are more likely to work hard and be efficient when they feel that their efforts are valued. We could also reduce costs by hiring more direct staff so that we can be less reliant on external consultants.
34	
35	
36	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
37	36	5/2/2017	Arbitrary limits on the number of accomplishments that we can do in a given fiscal year and how it appears to be a significant problem if we exceed our targets by even a small amount. I would recommend far more flexibility in setting GPRA targets and allowing us to exceed them without having to justify increased productivity or having that increase cause problems.	Increased funding for cooperative agreements and community grants.	Increased funding and staff levels. Not being able to effectively respond to major incidents or problems (like Flint, MI or East Chicago), without having to make significant sacrifices in other areas of EPA's programs, is a very big problem. Certain programs, like the Removal Program in Superfund, are constantly strapped for funding, which makes it extremely difficult to do the necessary work, especially emergency clean-ups. Regular budget cuts makes it all the more difficult to provide good customer service, especially for the public.		Continuing to increase adoption of electronic deliverables and communication.	Increased funding. Along with that, allow EPA more flexibility in working together with other federal agencies, such as perhaps allowing EPA to take a lead role (or co-lead role) in the assessment of federal facilities.
38	37	5/2/2017	Enforcement cases with consent decrees need not be routed through the White House for approval.	Encourage renewable able energy projects, waste minimization and reducing water/electricity use of private sector by being more innovative, competitive and forward thinking.	Provide BMP for industry sectors via their trade associations,e.g., waste minimization of generators, substitutions of toxic chemicals with green ones, reducing water use	Streamline permitting with on-line help	Citizen should be able to correct our environmental data on Envirofacts via a two-way communication, correct acuuracy or timeliness, location of facilities.	NOAA on ocean health and BIG waste maelstrom in Pacific, NPS and noise/air pollution/ozone in non-attainment areas, lead in housing with HUD, California and LCFS and better mileage requirements for cars
39	38	5/2/2017	The timing between receiving funds from accounting and the self imposed procurement deadlines is consistently off. We run into funds expiring before we can get them obligated onto contracts. Seems like the folks at these offices need to get together and rectify this. It wastes quite a bit of time and risks funds getting swept that could be used for good work by contractors.				We should be purchasing the best versions of software. The versions we receive often lack the few features that make them worthwhile. Examples include Outlook, which is not reliably searchable for replying to FOIAs and SharePoint which is rather clunky to use.	

AMERICAN OVERSIGHT

	I
37	
38	Account for ecological footprint of operation of EPA, look at energy consumption of labs, reduce single occupancy commuting, provide incentives for ridesharing, biking,
39	We have been using Lean with mixed results. A few of the projects have actually made more work for staff (seeking reimbursable authority is one). If we are going to utilize these private sector tools, they need to be implemented in a way that saves staff time and effort rather than making the process more complicated.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
40	39	5/2/2017	The various databases for travel arrangements, such as "CONCUR", are very non-intuitive. A better system would significantly reduce the administrative work involved in making travel plans, authorizations, and vouchers - if it was truly better. If, however, it is only marginally better it would not be worth doing because those who travel more often have likely learned their way through the system and learning a new system will have its own downsides, even if it is marginally better. Similarly, the FPPS system is very nonintuitive - although again by now those who already have used it have learned work arounds to remember what to do.		Many State rely extensively on EPA toxicity assessments, such as the IRIS assessments, and multiple other EPA guidance documents on best management practices and risk assessment practices. Continuing to provide those would allow us to continue to provide good customer service.			
41	40	5/2/2017	Having to triple report to Washington on all media inquiries and wait for proposed responses to be approved by Washington, in writing, is terribly wasteful. The messages are not getting out. Reporter deadlines are not being met. One or two people in the Office of Public Affairs managing the approval of all media responses, press releases and social media for the entire agency is bad business practice and inefficient.	We need to understand what is meant by "respecting state's rights". What does that mean? What is a great model of success? What does great look like? No one at HQ has been able to clearly articulate to the regions what the management objectives are and what great looks like. Does giving more power to states mean agreeing with them on everything. Does it mean agreeing with California or New York governors on all positions, or some?	Get political appointees in place and get them familiar with the great work that their staff can do to achieve the president's agenda. The current skeletal staff of appointees aren't communicating with career EPA professionals. Priorities haven't been set. Goals and objectives haven't been laid out. How can we provide better customer service if our agency (career staffers and political appointees) don't, can't or won't work together.	Using Lean principles is a great way to reduce costs and inefficiencies. EPA embraced Lean in the previous administration, as has private industry and corporations world wide. Continuous improvement - invest in the people that can lead the Lean teams.		We need a fully staffed and functioning EPA team of political appointees (Asst. Administrators, Deputies, Regional Administrators, etc.) and staff to work as a team. Until that's put in place, we can't accomplish more, we can't accomplish anything!
42	41	5/2/2017	Stop requiring us to use ethanol blended gasoline (E10) in government vehicles. It has been proven that it is not better for the environment, it reduces fuel efficiency, and it requires us to waste time and money driving extended distances to find appropriate gas stations. What a waste!			During work related travel, allow employees to book housing through www.Airbnb.com in order to save money. It can be considerably cheaper than conference hotels.		
43	42	5/2/2017	Your current time and attendance system is very resource intensive the agency needs to look into going to shared services for time and attendance services. Such as the interior business	Involve states and decision-making decision	Solicit input from states and tribes	Doing more shared services with other agencies	Time and attendance	

AMERICAN OVERSIGHT

	I
40	
41	Put a team in place. Announce who they are. Have them define the priorities, goals and objectives. Until the agency has its leadership team in place, we can't possibly improve on customer service, increase our productivity, etc.
42	Offering fellowships to undergraduate and graduate students to conduct environmental research is certainly a best practice because it allows us to leverage partnerships with academia as well as train the next generation of scientists.
43	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
44	43	5/2/2017	- Complex, burdensome, confusing and redundant timekeeping systems - Not being permitted to use tools that would enable us to be more efficient/streamlined (i.e. using Concur to it's fullest extent; using the TripIt app/site; several different phone apps	- Our state, tribal, local, private and federal partners need more money to get what we need from them. Without the funding, the work falls onto EPA, and we're being slashed.	- communicate, communicate, communicate. - Focus on positive stories about how we're making a visible, positive difference, where staff are actively protecting human health and the environment - Be proactive with press releases and media stories - tow	Yes! Put all of our processes (contracts, travel, payroll, HR, permits, etc) through a lean process review! There's SO much waste, redundancies , rework, and systems/tools that don't meet the needs of our work.	- Move to Macs. - Increase internet/network speeds for the Regions...it's SO slow!!	
45	44	5/2/2017	Stop the newly-instituted OP over-review and scrutiny of simple FR notices and let program offices do their jobs.	Grant programs need funding in order to create meaningful partnership opportunities with public entities. Do not cut funding for lead prevention or enforcement. Be realistic about state ability to pick up enforcement duties -- most are not properly equipped. Take lead out of water, wheel weights, aviation gas, soil, and dust. Keep the RRP rule and move on the soil and dust standards. Finish the lead and copper rule. Do not soften lead or ozone or any of the naaqs. Do not kill popular voluntary and low cost programs such as Energy Star.	Listen to them. The docket for OA 2017 0190 is clearly telling EPA to continue its work, to protect air and water quality. The public may not know how to identify specific regulations to modify, but they do not want EPA to relax rules that are in place. The public likes the Clean Power Plan and clearly supports EPA's mission to protect human health and the environment. It is not EPA's job to create jobs, though our rules often do just that. Keep all regional offices open.	Commit to environmental health literacy for all. Support environmental education programs -- they pay off in many ways. Consolidate space in DC offices.		Support interagency task force work and do not shirk responsibility for problems off onto other agencies. Communities do not experience issues in a vacuum and they do not make much distinction between federal agencies.
46	45	5/2/2017	Anything surrounding federal register notices, Redundancies within processes, for example having to make 6 paper copies of a federal register notice when we are also turning in a digital copy. I would solve that by overhauling the entire federal register process. Another issue is when dealing with FACAs especially if you have new members the process is way too long and burdensome. I would have a LEAN event on that process alone and analyze what steps can be eliminated and implement the changes.	To achieve better environmental results with partnering states, tribes, private sector, and local communities, I think we need to rebuild trust with each of those stakeholders. States view us as their enemies instead of their partners and we both need to work together to achieve results. We also need to use our role as a convener to bring other stakeholder groups together so we can definitely reach the nexus of environmental results and positive economic impacts.	I think one way to provide better customer service is to provide more staff at headquarters the opportunity to work more with states, local communities, the regulated community, an the public at large. Too often HQ staff are viewed as the rule makers that don't know what happens when the rubber meets the road and we need to change that so we can better serve our stakeholder's needs.	One of the biggest untapped opportunities is to allow for maximum use of telework. Most offices don't grant employees the full use of the teleworking agreements mandated by OPM. By doing this, we could decrease the amount of office space needed through the introduction of hoteling. Also, our technology has improved over the past couple of years but it seems they always pick the cheapest contract which in return provides poor results so what seemed like a cost savings initially really ends up costing more money due to the inexperience and inefficiency of our IT contractor EZ Tech.	We could definitely make some existing software like SharePoint so much better if we had the full working version of it. Also, we need more access to programming and even journal articles. Also getting training should not be as difficult as it is, for example EPA will not pay for certifications which is unfair particularly for those of us that are project managers and would like to have a Project Management Professional Certification which would make us more efficient in program management and other areas. Where there is a need and a willing staff member ready to become and expert, that should be encouraged.	We could accomplish more by allowing the federal family to break out of the stovepipes. For instance, sharing funding between agencies should not be as hard as it is now. Also there are agencies where we have overlapping duties and we need to work with them better.

AMERICAN OVERSIGHT

	I
44	Training for managers on how to manage Require each office, program, unit to establish clear goals, vision statements, strategies, etc
45	
46	I know that FEMA institutes the full teleworking agreement with their employees and have switched over to hoteling which has provided a good amount of cost savings. The accountability is there because they are still required to be available for meetings because people meet virtually.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
47	46	5/2/2017	I don't understand why we need to have committees to do work that should be part of certain people's jobs!	Cannot answer.	Better response times.	Fewer meetings!!	Cannot answer.	Cannot answer.
48	47	5/2/2017	Stop the newly-instituted OP over-review and scrutiny of simple FR notices and let program offices do their jobs.	Grant programs need funding in order to create meaningful partnership opportunities with public entities. Do not cut funding for lead prevention or enforcement. Be realistic about state ability to pick up enforcement duties -- most are not properly equipped. Take lead out of water, wheel weights, aviation gas, soil, and dust. Keep the RRP rule and move on the soil and dust standards. Finish the lead and copper rule. Do not soften lead or ozone or any of the naaqs. Do not kill popular voluntary and low cost programs such as Energy Star.	Listen to them. The docket for OA 2017 0190 is clearly telling EPA to continue its work, to protect air and water quality. The public may not know how to identify specific regulations to modify, but they do not want EPA to relax rules that are in place. The public likes the Clean Power Plan and clearly supports EPA's mission to protect human health and the environment. It is not EPA's job to create jobs, though our rules often do just that. Keep all regional offices open.	Commit to environmental health literacy for all. Support environmental education programs -- they pay off in many ways. Consolidate space in DC offices.		Support interagency task force work and do not shirk responsibility for problems off onto other agencies. Communities do not experience issues in a vacuum and they do not make much distinction between federal agencies.
49	48	5/2/2017	There are too many people recreating the wheel without working with other Regions to use one method of data storage and analysis for a variety of media and uses. Using too many different programs leads to redundancy and waste across the EPA and within the grants department who are usually awarded money to manage various databases or create new ones. In order to do our jobs more effectively and efficiently, we need to streamline our data warehouses and keep them consistent across Regions. We need to examine why we use the databases we're using and who is the end user of the data. Some data warehouses serve little function to an end user and some are obsolete, but everyone is afraid to let go or transfer records because the purpose of that database is now unknown or not understood. There are way too many databases to list here but there are a multitude of databases in every office in every Region that could be consolidated and/or transferred to more efficient databases that are used in	We need to realize that achieving better results costs money. You can't cut EPA and then expect better results to occur. Our funding is already low. Protecting the environment doesn't make money for businesses. You can't trade it on Wall Street. Protecting the environment has to be a priority of the federal government in order to protect the air we breathe, the water we drink, and the land we live off of. There has to be more funding available to states, tribes, and local communities in order to pay people and processes and activities that will help protect our environment at the local level. Upper level management also likes to impose action items on the states to prioritize their work for them. This is a hinderance to the specific needs of each state, tribe and local community. Let them decide when the priorities	I think we should be working more closely with non-profit organizations and coordinating with them to help magnify the impact we have at the state and local levels. HQ deals with grandiose large organizations, but the smaller groups that are on the ground getting work done need to be coordinated with as well. Regional representatives work the best to communicate and work efficiently and effectively with states, tribes, and local communities. We get more face to face contact, we know and understand the area and states' individual needs. We know the culture(s). We know the people. We go to bat for our states and communities and we care about them. They know we care about them and want to help them and I think that is the most important aspect of customer service and buoys our states and communities up to accomplish difficult tasks.	Having a centralized HR system has been the WORST idea ever implemented at EPA. It is atrociously inefficient and ineffective. The HR reps going through resumes and applications have no understanding of what they are reading or looking at. The system they use to weed out applicants is horrid and ends up delivering a limited pool of applicants that aren't necessarily fit for the job because they are bogged down too much in education course titles or degree titles that they don't understand. We need regional HR representation so that staff and managers can help HR pull together a pool of applicants to interview that we'd actually want to hire. Really invest in a good		
50	49	5/2/2017		focus on prevention				

AMERICAN OVERSIGHT

	I
47	Cannot answer.
48	
49	
50	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
51	50	5/2/2017	Time cards at EPA make no sense. When I worked in the private sector, what you entered into your timecard was not important as long as you delivered on the tasks assigned to you. At EPA timecards are considered to be as important as actually doing the work you are assigned. Currently, I am required to account for my official time in three different places: An excel spreadsheet, PeoplePlus (An Oracle software product), and Webforms. I have to manually copy my time from People Plus into an Excel spreadsheet and then email this to three people for review, my first line supervisor and two administrative assistants. The administrative assistants make sure that the excel spreadsheet and People Plus time cards match up. Multiple people are comparing two spreadsheets with several lines to make sure they match.This is onerous and a recipe for human error. Furthermore it serves no purpose to protect against fraud, which is the alleged reason why					
52	51	5/2/2017	Lack of leadership: My office has been playing musical chairs with managers. I had no manager for two months, when mine went on detail. Right now, I report to an acting branch chief, who reports to an acting division directory (we have no deputy division director). Because we've had so much turnover, no one has the knowledge or willingness to make the decisions that Transfers have to be approved by our Acting AA -- this is ridiculous and a waste of time.	Communication.	Develop more decision support tools that our stakeholders can access, so we can support and educate them, but also make our processes more transparent.	Move forward with more high throughput toxicological screening and incorporation of that data into regulatory decision making. Develop more predictive models for exposure and toxicity, and allow us to use those as well. Apply a Lean approach: identify processes that can be automated (such as site specific risk assessments in Superfund, or literature reviews in IRIS) and work on implementing those approaches, to allow staff to focus on other tasks. We have staff who oversee contractors who basically do the jobs of the staff. Why not have staffers do their jobs themselves, and eliminate the contracts? For example, someone I work	Lean six sigma -- more process mapping and process improvement! There's an enormous amount of resistance to Lean in the government, but it does work. Maybe form a special lean team that can consult -- with people who actually know what their doing. Look at rapid application development to automate simple tasks and empower staffers to do more work better.	EPA offices often have duplicative functions -- figure out what those are, and have the same staff handle those tasks for both offices. It creates better cohesion between offices and reduces costs. Skills marketplace is a great way to have people fill those types of roles.

AMERICAN OVERSIGHT

	I
51	
52	High throughput chemical screening, predictive toxicology/cheminformatics, and high throughput exposure assessments. Use low cost and fast approaches to prioritize animal testing or expensive systematic reviews, and work on strengthening those approaches to ultimately eliminate old school approaches. EPA has some of the world's leading experts, in ORD -- NCCT and NERL, and when I worked in the private sector, we collaborated closely with them. Work on having more of the program offices understand and utilize their tools and technology.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
53	52	5/2/2017		Well-defined and publicly-shared data systems! These would help reduce duplication, and would allow EPA, states, the regulated industry and the public to work from the same set of "books."		Although establishing robust, public data systems would require an initial expenditure, the end result would vastly improve efficiency. Across the agency and the nation, we have hundreds of data systems for tracking one thing (air or water quality, for example) that do not "play well" together. This leads to a lot of duplicative effort, and a lot of confusion across the board. Public systems would also enable EPA to focus its work nationally on the most significant problems.	Yes! An IRS-style system for compliance inspections that combines targeted inspections (focused on facilities with known issues) with a separate system of random inspections (for gauging overall compliance).	Again to the data systems. States are struggling to maintain experienced environmental data staff. States and EPA have been at odds for years over data because states would like to establish and maintain their own data systems. This is completely understandable. But, if we could review and identify the best state systems, and then support states to adapt to these, it would benefit both states and EPA in the long-run.
54	53	5/2/2017						
55	54	5/2/2017						
56	55	5/2/2017		Several programs require EPA approved/accepted strategic planning documents before EPA grant dollars can be spent to meet state/tribal/local community goals. In the eyes of the community, the plan serves only the purpose of being eligible for EPA grant dollars; it's seen as overkill and often duplicative of other local planning efforts. By reducing these administrative planning burdens, states, tribes, and local communities could better focus limited resources on achieving environmental results.				Organize into interdisciplinary teams (a la "Team of Teams" by General Stanley McChrystal). Often times, the focus on ecological science often fails to recognize the value of economics, agronomy, and other science fields. Generally, employees with these backgrounds are isolated and grouped together rather than being interspersed with scientists and policy writers. As a result, ideas are often discarded before they're fully considered because they're not phrased in ecological terminology.

AMERICAN OVERSIGHT

	I
53	
54	
55	
56	Look into the Bazile Groundwater Management Area project in Nebraska. If it shows results, it's a replicable model for small communities who will face drinking water infrastructure upgrades they can't afford if groundwater pollutants like nitrates aren't addressed.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
57	56	5/2/2017	Telework policies are archaic and make no sense. Employees should not be limited to working at a single designated Alternate Work Location. Eligibility for telework should be made on a case-by-case basis based on whether work is portable and performance history of the employee. The "business case" for telework should take into account cost savings from reduced lease space and other accomodations. Employees should either get a stipend for home office equipment or should be able to write off home office expenses.	Provide adequate grant funding for state Cooperative Agreements.	Increased funding for grantees is key. States, tribes, and communities have seen declines in funding every year since I've been employed, despite rising costs to do business.	Improve data systems across the board. One area that needs attention is time and reporting. There are huge inefficiencies in tracking our time across multiple systems. We currently have credit hours work sheets, PeoplePlus time reporting, PeoplePlus absense requests (not connected to time reporting), a Lotus Notes in/out calendar system, Webforms for reporting episodic flexiplace, a separate time sheet for tracking Guam related activities, and individual communication with my supervisor and team on a day-to-day basis regarding everyone's individual statuses in the office.	Our individual computer systems are horrific in their inadequacy. There is not enough memory in my (practically new) computer to run needed programs. Databases we use need upgrades; they run incredibly slowly even when connected to a wire. The Agency's main grants database runs on an antiquated Lotus Notes Database that barely functions. Investments in IT infrastructure are critical. On the same note, we need better options for transferring files to other agencies, contractors, and the public.	Agencies should align on the response to lead poisoning prevention and lead remediation.
58	57	5/2/2017	There are very few administrative requirements or management procedures that prevent me from doing my job (I'm a staff level engineer doing direct program work). My EPA regional office is very lean, managerially. In fact, our organizational processes are so slim that we are verging on being unable to function organizationally.	100% of my job is working with states (I work in the TMDL program, which is a "cooperative federalism" program), and I work regularly with Tribes and local communities and the private sector as well.	Because my job involves direct and regular interaction with states, tribes, local communities, the only thing that could help me do that better would be to have more time and resources. In general, I take a lunch break once per week, or less often, so that I can continue to maintain my relationships with external partners.	Actually no, I don't see any easy ways to maintain environmental protection. My state counterparts and some of the industries I work with (e.g. paper recycling facility) are requesting MORE EPA staff involvement (not less).	EPA's adoption of Microsoft products that support remote participation in meetings has been great, and has saved EPA a lot of money. Please continue supporting that kind of technology.	We are already aligning our interests with States (in the water program). Aligning our activities with federal agencies is more difficult because our missions are often very different; and we don't' have the staff or management time to establish the agreements / procedures that allow that kind of realignment.

AMERICAN OVERSIGHT

	I
57	Our Environmental Justice program (slated for elimination in the presbud) has succeeded, despite few resources,to build awareness of the differential burdens of pollution that impact minority and low-income communities.
58	It would be useful to provide project management training to staff in the Water, Air and Haz Waste programs; and to set up a workplan tracking system that allows staff and managers to easily prioritize and track the work that staff are doing.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
59	58	5/2/2017	Headquarters "oversight" of regional office activities is often disproportionate to the value added and thus, at times, just slows down the process. This can cause delays in the pace to which we can respond to states, tribes and members of the community. I recommend the HQ offices all review the actions they take to review work completed by the regions and, in association with regional staff/management determine areas where oversite is no longer needed.	Each entity has a unique and important role in attaining environmental results. It is important to recognize which entity is best suited to address each aspect of a program and allow activities to occur at that level. The closer proximity to those we partner with, the more efficient it typically is. Thus, when evaluating cuts, look first to cut the excess in the DC offices who have little to no daily contact with our partners and leave the positions in the regions funded.	In my regional office I think there is good customer service and work with our partners and regulated community. Further investment in our web space would be beneficial -- but it has to be done in a user friendly way for both EPA and the user. Our current system is not EPA friendly and there are many roadblocks to getting information posted.		Please do not introduce new technology/programs etc without fully vetting them and making sure they will work for all of EPA. LOTS of time is wasted when new "tools" are launched and we are required to learn how to use them, esp. when it seems like you have to have a book of special tips to navigate them.	We can only go as far as our individual authorities and budgets allow. When we/they don't have the budget to invest, that should be openly discussed and appropriate decisions made as to how the work will move forward with more limited input. When we have shared responsibility but somewhat differing roles or statutes, that has to be acknowledged and a path forward charted that aligns with those limitations. We won't always lie on the same side but need to work towards moving projects forward.
60	59	5/2/2017	How about an Administrator who is admittedly in hock to the Koch Brothers and the rest of the fossil fuel industry, and to avoid legitimate charges of conflicts of interest, should at least recuse himself from any more decisions connected with the 14 times he sued EPA as AG of a Petrochemical state (I think he as already granted the fossil fuel industry victories with his decision to withdraw information requirements on methane leaks from the O&G sector, and to stay the Waters of the US rule).	Fully fund State Revolving Funds to provide assistance to the States. Pushing more responsibilities onto the states while cutting EPA funding is likely to be self-defeating in protecting public health and the environment.	Respect Tribal treaty rights by supporting rights to fish, hunt, collect food and medicines at their "usual and accustomed" places of doing so. Respect responsible members of the regulated community by diligently enforcing laws against "bad apples" that have little concern for public health and ecosystem protection. Respect states and the general public by telling the Truth, speaking Truth to Corporate Power and Fox Fake News. Telling the truth is likely to increase public credibility in the Agency's actions. Recognize that EPA's "customers" should be the U.S. public, not large corporate donors who wish to destroy democracy. To paraphrase Justice Brandeis, we can have democracy, or we can have a small portion of the population with concentrated wealth; we cannot have both.	Organophosphate pesticides are left over from nerve gases developed by the Nazis. They may do a great job of killing insects, but they have side effects for workers, children and neighbors of farm families, and to adults and children through consumption of food and contaminated water; and to important non-target species. In the current regulation cutting fever in DC, each food use of a pesticide is a separate regulation. The Administration could protect public health and ecosystems by revoking all remaining tolerances for organophosphates, and cancelling their registrations.	Biological-based control for pests is already being practiced by agricultural growers. Cancelling old, dangerous pesticides will encourage the development of safer, more nature-friendly pest control measures. The atomic power industry is dying of its own economic weight. Stop supporting measures that further coddle an industry that has been subsidized to the teeth since the Manhattan project. Coal similarly is economically unsustainable, and exists only through continued subsidies and socialization of its human and environmental costs. On the other hand, renewable energy technologies already employ more peopled than the coal industry. A carbon tax will help the nation move to the	Advocate for eliminating federal subsidies for corporate polluters, such as the coal industry, the oil and natural gas industry, the atomic power industry. The economic unsustainability of atomic power, for example, is demonstrated by the bankruptcy of Westinghouse, which incurred cost overruns even on a power plant that was built only with foolish federal loan guarantees.

AMERICAN OVERSIGHT

	I
59	Pilot test the idea on a small group first and then be open to the possibility that it might be a good idea but not right for here.
60	Well, Mr. Kusher said govt should be operated more like a business. As a public health Agency, we can increase our fund by fining corporate misfeasance, malfeasance, and nonfeasance more effectively, and protect human health and ecosystems at the same time. The nation should also not be running a deficit, nor allowing profits to be privatized but costs to be socialized. Support real reform of the tax system, with those who have had the party for decades being expected to pay their fair share for the party, and not subsidized.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
61	60	5/2/2017	There is not enough money from congress for EPA to invest into adequate and up to date IT, database, and other technical systems. Because our budget is spread so thinly, we cannot afford to invest in improving IT infrastructure. Our HR departments, contracts departments, and OEI are all spread so thin because there is not enough money, and therefore are not able to provide adequate support to the staff and programs.	EPA needs more money from congress to invest money into staff, legacy transitioning, and contracts. Staff and contract dollars are spread so thin that they cannot be focused on outcomes. We are planning from continuing resolution to continuing resolution, not allowing us to properly plan for the future. We have to be conservative with our current dollars for fear that they will be cut so heavily that we will have to stop work. This leads to poor morale internally, and also puts strain on the private sector contractors that we are paying through these contracts. the states/tribes/local communities cannot get the attention and focus they need when staff are spread so thin that only one person knows any expertise in a subject area. EPA needs to be able to hire new people regularly in order to maintain knowledge of	EPA needs more money from congress to invest money into staff, legacy transitioning, and contracts. If we had more staff to do the work of one person, rather than of 5 people that retired before them, it would be much better for EPA to be customer service advocates for the public.	The only way to increase efficiency at EPA is to increase the budget and allow room for innovative ideas. There is no time or money to focus on innovation because staff are spread too thin. EPA staff are focused on the work and committed to the mission, more than any other agency. The only thing we can do to increase efficiency is to alleviate pressure by hiring more staff, allowing for legacy transition, and introducing innovative practices into environmental protection.	Hiring processes need to happen quicker and more often. There are many, many people at EPA eligible for retirement who have worked here for their whole career. These staff need to be recognized for the amazing work they have done and the unique and invaluable knowledge they hold. We need to focus on transitioning that knowledge to the next generation, without creating a giant burden on the next generation of having to take on 3 people's jobs at once when they retire and the budget doesn't allow for hiring. Start with hiring HR staff because they are spread very thin.	The states do not want to raise their taxes to accommodate for cuts in funding from EPA. If we cut funding from state programs, the communities will suffer. there is plenty of room in the federal budget for EPA to increase its budget without taking away from other agencies. EPA is constantly audited, and is always trying to do what is best and most efficient, more than any other agency out there. Areas of "shared responsibility" are a myth that does not play out in actual practice at EPA. EPA does what is within its authority to protect human health and the environment for the public.
62	61	5/2/2017	I spend hours daily opening the mail. We are the EPA. Can companies not send things electronically? There is no reason that someone should overnight a box of bound documents only for an admin to have to open that box, code it, and then send it to the file room and it never is seen by a staff member. It's a waste of the company's money and it's a waste of EPA's money to store such documents not to mention the mountain of trees that are used daily for these reports.	Require electronic reporting. Give the folks that go out in the field a means of electronically gathering information (tablet, camera, etc.) and paper will not be needed.		There are many untapped opportunities dealing with replacing paper with electronic formats, not just regarding the mail.	Instead of making copies of documents while on inspection, why can't the inspectors bring small, portable scanners?	I understand that Concur Travel or BCD should be paid for times when they are questioned however, I do not agree that they should be paid each time we schedule a trip. That seems a little unnecessary and a way that we are spending too much.

AMERICAN OVERSIGHT

	I
61	There is no where left to reduce costs at EPA. The only way to increase efficiency is to spread the work across generations of employees to allow for smooth transitions over time. These are SUSTAINABLE business practices.
62	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
63	62	5/2/2017	The only thing preventing us from doing our job effectively are resource constraints and management policies and decisions that are inconsistent with established science.	Ensuring that agency policies and decisions are based in the law and science.	Being provided adequate resources to effectively engage with our partners and provide certainty and federal oversight.	Move away from the contractor model (i.e., outsourcing government work to private contractors), which has proven more costly and ineffective than simply providing the same resources directly to the agency in the form of staff dollars and FTE.	This impies that the agency is not already efficient, effective, and accountable. Over the last several years of budget restrictions and sequestration the agency has been struggling to cover our core work with less and less and less resources. I belive we are operating about as efficiently and effectively as possible given our resource limitations, and as someone who works day in and day our I take issue with any assertion to the contrary. As far as accountability, EPA has a robust culture of public engagement and involvement, and is constantly under the watch of congressional oversight committees.	We cannot. Contrary to the opinions of our current Administrator, nearly every state environmental agency is strapped for resources with minimal capacity to even accomplish their mandated duties as it is. They cannot be expected to take on additional responsibilities.
64	63	5/2/2017	While fraud and abuse should always be identified and eliminated, some of EPA polices spend thousands of dollars to prevent the loss of mere tens of dollars. For instance, I once made a small error in my mass transit subsidy, amounting to approximately $8. The person who caught it and sent me a menacing letter, as well as my time to make the correction were paid approximately $100 for our total time to correct the error. This could have been prevented by a) having that person just make the correction, since my time sheet revealed the error and b) creating a payroll data system that automatically accounted for transit subsidy (and absences, scheduling and flexiplace, etc.) that would be accountable and accurate and make fraud impossible.	Overall, working to better match regulations to implementation and data management. One major problem is that EPA HQ is largely in charge of writing regulations, while the Regions, States, Tribes and local communities are charged with implementation, and other branches of government or EPA are in charge of data management and tracking while yet other departments are in charge of enforcement. The disconnects in this process are hugely inefficient and problematic. Regulations should always be written with the implementation, data management and enforcement much more closely connected so that the final product, though it may take a bit longer to complete, would better facilitate the long-term costs of executing the regulations.	Actually our customer service is top-notch. What could be improved though would be to ease the burden for communicating via the internet, freeing up information sharing. Right now, putting up a web page is far too tightly controlled. Training staff members to empower them to make faster, dynamic and up to date web updates would go a long way.	The proportion of EPA HQ staff and management is far too high. More needs to be done in the Regions, as that is where the work is, not in D.C. With better information management online, software improvements (see below), the need for so many people in D.C. to write regulations and report to Congress could be trimmed considerably. More resources to Regions, Fewer resources in D.C.	Contracting for software is especially wasteful. Software needs are not "one-time" and are more inherently governmental than was once thought. Specialized software must be developed and re-developed constantly. Using very expensive fixed price contracts makes for huge budgets. The end product is the most expensive software on the planet, which performs the worst, usually obsolete once finally made available. EPA should invest in more "in house" software developers who can manage teams of level of effort software developers, who are contracted to just work 8 hours a day, under the direction of EPA software experts. All software source code should be owned by EPA. Contracting is OFTEN	Reporting requirements, inspection requirements, contracting regulations, construction standards, and certification requirements should all be aligned across federal agencies. For example, If the Public Health Service has an inspection requirement for public water systems, and EPA has an inspection requirement, the content, timing and manner of these inspections should be aligned exactly so that the federal resources will be most efficient and the regulated community would have the least burden to meet the requirements.

AMERICAN OVERSIGHT

	I
63	
64	Too much is done indirectly and through contracts that yields higher costs for poorer quality. We must pay contractors to be our "people in the field" at a much higher cost than if we had adequate travel budgets. Those contractors do not have the EPA mission at heart, nor are they necessarily the experts in the field. Offer this deal to each EPA program: We give back $100,000 in contracting dollars for every $20,000 additional travel budget given. EPA could save millions by this re-alignment of funding allocations, and we would DIRECTLY get better results with the regulated community.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
65	64	5/2/2017	Create a repository of Best Practice documents that could be utilized for Team (see below) review and use them to streamline into Standard documents. Create a Team that would look directly at all the process documents (data calls, contracts, grants, Interagency Agreements, memo formats, etc...), required and then streamline them into Standard documents that are utilized across the Agency.	Transparency - EPA Public Website Show on the EPA Public Website; Best Practices within the states, tribes, local communities, or the private sector. EPA to Develop and then Share Tools that could also be used at the state, tribe, local community or private sector (e.g., water quality)	EPA should hold public meetings across the US. EPA should be visible to the public in terms of the news media (e.g., guest speaker(s) on Good Morning America). Stop the gag orders for EPA Research and Scientists.			
66	65	5/2/2017				The Region 8 lab highly efficient processes should be utilized at all regional labs. This is an untapped opportunity for the EPA. These processes includes: one-year work planning; Lean process improvement; a dedicated IT person for all laboratory computer, LIMS systems, and data processing activities; complete utilization of the Element LIMS software package; regular weekly staff meetings to discuss all issues and to train people on more efficient uses of Element. The lab has offered to train other lab personnel on these processes, but with no takers. Perhaps they are afraid that it may mean more work for them and their staff and asking for assistance may be implying that they	The Lean process is an excellent method for achieving this goal. However, many management and supervisors have not adapted this process and refused to accept and incorporate changes suggested by the Lean committees. This process should be more whole heartedly utilized by all levels at the EPA not just at the lower levels. Change is not something to be afraid of.	

AMERICAN OVERSIGHT

	I
65	
66	The one year out Planning Process utilized by the Region 8 Laboratory and their active Lean process improvement methods have continuously improved the laboratory quantity (twice what other regional labs are producing) and quality of work. Despite the extremely small number of personnel at the R8 lab (one-third the number of personnel), efficiency has continued to climb. All personnel (including management) are actively involved in all improvement activities. Communication with management is excellent with an open door policy.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
67	66	5/2/2017	Minimize multiple layers of document reviews and try to get responsible charge of issues to the lowest reasonable level allowed by law and relevant delegations of authority. Encourage peer level technical reviews.	Support with time and travel and training funding, joint training and even informal education between state and tribal counterparts. We should have the opportunity to better understand "their world" and vice versa.	For project management level personnel, like Superfund RPMs, keep the active Site load light to allow more timely attention to specific Sites.	Optimize the use of PAID overtime (not "comptime," for productive and efficient individuals). Having come from the private sector, I have a driven work ethic and would gladly put in 8-10 hours of paid OT to get more things accomplished in a week. I get plenty of paid vacation and holidays so compensatory time off isn't needed, plus that time off is obviously non-working time.	Software tools at EPA seem to have been driven from the top down (e.g., Office 365). Since joining the Agency in 2009, I never recall a survey asking what software tools would help me do my job...seems ridiculous. I'm a project manager who can't get a copy of Microsoft Project (PM planning/schedule software), even though we are so schedule-driven. Ugh.	This is a tough one. Given I am in Superfund under OLEM, I think EPA's role is quite unique. The NCP (40 CFR Part 300) gives RPMs and OSCs and EPA specific duties that lead to emergency and non-emergency actions at uncontrolled hazardous waste sites. Our training and expertise is robust compared to our state counterparts. Cross pollination as suggested in No. 2 would be helpful.
68	67	5/2/2017	Administratively, we need to make sign-off processes digitized, to improve the speed at which we can review documents. The same could be done for FOIAs. With respect to management procedures and organizational processes, we need to ensure that the procedures and processes in effect within programs are advancing environmental results. All too frequently, procedures and processes are made for the federal bureaucracy, as opposed to the law or the environmental benefits they seek. For example, management procedures for funding and organizational structures emphasize bureaucratic preferences, as opposed to the results that political appointees seek. Here, political appointees should have far more control on budgeting and oversight matters.	I would like to see EPA take the approach of HHS/CDC, and better dedicate staff to States, Tribes and local governments as they need. This could be done by placing staff within State/Tribal/local government offices to help them with issues surrounding environmental improvements or sustainability goals. CDC and USDA, among others, are better at siting and staffing federal employees in areas where they are most needed and most effectual, all while reducing travel dollars.	The best first step is a Senior Management Metric/Key Performance Indicator for such customer service. For far too long, EPA Senior Managers have not been held accountable in being responsive to State/tribal/local concerns. To this end, all Senior Managers with responsibilities to State Commissioners / Tribal Leaders should be evaluated by such stakeholders in some way, perhaps in a yearly survey or in the context of ECOS. More accountability must be had in this area.	Yes, particularly in better consolidating certain programs with similar missions (e.g., better consolidating Brownfields, RCRA Corrective Action and Superfund staff to coordinate and streamline actions; streamlining EPCRA, FIFRA, SPCC, RMP and TSCA reporting, etc.) As part of such consolidations, the layers of management should be reduced. For example, within my program, I have more managers than staff, and staff is overstretched.	Yes, we should be better harnessing big data, and how it can inform our decision making. As part of that effort, we also should be working with State/tribal/local governments, industry, NGOs and associations and citizens to make both reporting to EPA, and acquiring EPA data simpler and easier. Currently, many EPA reporting programs are separately designed and developed, without any attention to complementary programs or other data collection in place.	I would start with a chart of programs that are inherently federal versus those that are delegable. Then, I would poll the States/tribes on the delegable programs and gauge their interest in taking them on. For programs with high interest at the State level, we should be better working to delegate and better fund the States/tribes. For those that States/tribes do not want, or for which authorities are not delegable, we need to be sure that EPA is resourced to meet those missions and help States/tribes without such interest. For example, for certain non-delegable programs,

AMERICAN OVERSIGHT

	I
67	See responses to Qs 1 and 3. Optimize number of FTEs with providing paid OT for estimated actual work hours needed to perform a mission.
68	In increasing accountability, we desperately need to consider new mechanisms for improving employee performance, particularly for managers who are unaccountable to their Supervisors and their staff. Within my Region (Region 5), there are many managers actively bullying, harassing or otherwise discriminating against individuals, many times the highest performers. The same applies to staff actively not meeting their metrics from year-to-year. Consider GE's personnel approach (e.g., "the bottom 10% are out") in addressing these issues. With respect to reducing costs, we need to reduce the layers of management in overseeing operations, as

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
69	68	5/2/2017	I have thousands of permittees, many in rural Idaho. We need more money for database design and support. When we have well designed databases it helps ease both data entry by the permittees and data retrieval by state watershed managers. Knowing what is in the air and water is very important to our communities and reliable, accurate, publically accessible databases are a key part of that. EPA budgets have been cut and cut, leaving us unable to hire the programming talent needed to fix bugs and adjust the databases to make them as easy as possible to use.	We used to have staff available for compliance assistance, which was very popular with states, tribes, local communities, and the private sector. The funding for those positions has been slashed, leaving us with very few people to answer the telephone and process concerns, complaints, and questions. We no longer have travel money to go out to communities when they ask us to come and help them understand water permitting options. Re-funding these positions and providing travel money is critical to making sure that we understand the needs of states, tribes, local communities, and the private sector and are able to respond to those needs.	As in my answer to Q2, re-funding the compliance assistance positions and the now totally zeroed out travel budgets. When we had knowledgeable people available to answer the telephone and go out to community meetings we learned much more about how to adjust both our communications about existing regulations for clarity and about how to best support our state, tribal, and private sector partners in our shared goals for clean air, land, and water. I answer the telephone for 4 states, 30 tribal governments, and 2,356 permittees. I do my best, but our states and tribes are shedding employees and it is close to impossible to empty my inbox with the sheer volume of inquiries.	As in Q1, there is great potential for improving our public access to information and reducing the time spent on FOIAs if we could invest in computer programing talent to make our databases more user friendly and effective. In addition, there are excellent opportunities to tap into citizen scientists to expand our assessment and understanding of environmental metrics, but to take advantage of those opportunities requires up front investment. Trash tracking apps, game-ifying reporting, and other ways to make it psychologically rewarding for citizens to be active participants in environmental protection have great potential, but need support to get launched and maintained.	Ah, I anticipated this question in Q4. So many! For example, allowing federal purchasing to take into account life cycle costs rather than just initial cost, would improve taxpayer value for goods purchased. Buying 5 pairs of cheap boots is ultimately more expensive than a single, durable pair.	Travel funds are key. In person meetings are irreplaceable to create relationships of trust. We currently have no travel $, and that results in longer, less productive negotiations.
70	69	5/2/2017	We have too many time keeping systems that don't talk to each other: Maxi-Flex in Lotus Notes, PeoplePlus and the Travel Comp system. Vast amounts of time are spent correlating and x-referencing these systems that could better be spent on real work. I get fewer calls at my desk today. Possibly some numbers could be shared efficiently. On the other hand, the agency has yet to issue a cell phone to me. An office cell with a docking station and headphone might address some of this.	Frankly, we need more and better staffing in the Community Involvement portions of Superfund and the Congressional Liaisons in the RA offices. The CIC's should be formally available to all Divisions and trained to have broader knowledge of agency programs--not just Superfund. The Small Business Ombudsman roles could be upgraded too (what do they do?), and elevated to RA direct staff like the Congressional Liaisons. The various voluntary programs that impact the private sector could probably be consolidated with a senior manager assigned--and probably some could be eliminated.	Our customer service is probably better than we get credit for with some groups. Generally, we need better coordination and more veteran managers with broad knowledge of the agency in the mix so that these outreach/customer service efforts are not as stove-piped. Regional Team Leaders who coordinate all the activity in a state or metro area would add efficiency and expertise, and give stakeholders a senior person to take concerns to. FOIA needs more training, skill and investment. It's a function that never goes away and probably could be further consolidated. If we invest in higher skill staff, efficiencies and responsiveness will follow.	End the SEE program and either hire people at a decent wage or explore say, hiring recent college graduates on a 3-year contract in which they can develop some skills and later be hired by the Agency or elsewhere in the Government or Private Sector. The SEE program pays a terrible wage and is endlessly at risk of being cut. We don't invest much in it and we get what we pay for. There are very few administrative or paper shuffling jobs anymore.	Finish the tablet inspection report templates that HQ never seems to finish or have enough money for, and then give all of our inspectors tablets with inspection report macros on them. This would help immensely. Our Oil and Spill Response capacity needs to be better resourced--especially with the Administration's focus on fossil fuel development. More production and aging pipelines inevitably means there will be more spills to contain and cleanup. The States are not resourced to do this.	The States don't have the resources or political will to take on much work from EPA unless we pass considerable $$ to them to do this work. EPA's core statutes should be handled consistently from state to state; Air and Drinking Water standards, and cleanup standards should not be subject to local conditions--that's not fair to communities or businesses, especially if they operate in multiple locations. There may be some scientific chemical review work that EPA and OSHA could work closer on, or an effort could be made to streamline worker and public health standards.

AMERICAN OVERSIGHT

	I
69	Fully funding enforcement staff time and travel, particularly for remote tribal communities, is key to making our rural citizens feel secure. We receive many complaints from people who feel like we are ignoring their concerns because we cannot get out to respond in a timely way.
70	Hiring a few more people with current technology and industry sector skills, who will stay sharp and in touch with private industry, who can share with the Regions and Labs, would be helpful. Technology is constantly evolving.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
71	70	5/2/2017	Some of the training classes here are ludicrous. Laugh-elocity (Did you know laugh in the workplace is good for you?), Body Language (I am very good at this and do not need to take a class), Retirement Training (Really?), Mental Health First Aid (Because of you and your boss), Navigating the Political Landscape (ditto). We have unit retreats that are a total waste of time. How would you like to run around a room for 8 hours with adults (I think) being red, yellow, or blue? Maybe on Sesame Street. New class starting about the uncertainty that you and your boss are putting the EPA through. All I can think of is Gloria Gaynor's "I will Survive."	That's a whole lot of work you are talking about. Get rid of endemic work allergies in the building. The big talkers, little doers.	If they have a problem like Flint, Michigan, caused by any of the above, then the EPA needs to be there and assess immediate citizen needs. We're all about the citizens, right? Not the harm doers.	We have an incredible amount of who we call the "walking dead." They wander the halls and the mall. They have: a) nothing to do, b) a lot of well-deserved time on their hands to socialize, c) no work in progress, d) retirement dreams, e) a free $1800 Eco Pass that they can roam the light rail system on, f) Starbucks on every corner, g) a new Union Station with umpteen places to hide.	I don't see very many expanding or fine tuning their technical skills. Not that it doesn't happen. But this organization appears to be sorely computer illiterate. Sad day for all those that call themselves scientists and engineers. Looks like you're good at the eating set of skills.	Good luck. Have fun. More hard work.
72	71	5/2/2017	I have the benefit of having worked in HQ for many years, as well as in a Region now. When I was at HQ, I found that there were too many middle managers (branch chiefs, division directors, associate division directors, associate office director, office director) between my position and the AA. In the Region where I am now, the offices/units are smaller of course, but there is only one manager between me and the Director. This collapsed management structure ensures there is less bureaucracy for me to go through to get concurrence/approval on my work. in sum, I think there are too many middle managers in programs at HQ and the bureaucracy is inefficient - this could be streamlined.	To achieve better environmental results, you have to know what environmental problem you are tackling first. I had the benefit of working on our new National Enforcement Initiatives (NEIs) and the problem I saw at the outset is that we were "targeting" specific entities. Instead, we should focus our efforts first on identifying the issue or problem and then deciding how to remedy that problem - maybe it is an enforcement action against private or public entities, maybe not. I encourage the new Administration to read Cynthia Giles' article, "Aiming Before We Shoot" from June 1997. This was instrumental in changing how I thought about environmental enforcement and achieving environmental results.	I now have the benefit of working in a Region. We have great customer service and the states really do look to us for help on interpreting regulations and drafting permits. This dialogue should be encouraged and leads to less confusion amongst the regulated community. Reducing the EPA workforce will negatively impact these types of interactions. If you reduce our workforce too much, the states will not get the answers they need and this communication will stop. Be prepared that citizen and non-profit groups will see an opportunity to file lawsuits if there are vague permit requirements, etc.	Yes - we drive a lot of our enforcement results based on "numbers" -- how many cases we resolve, pounds of pollutants reduced, etc. When a Region has to meet a certain case quota, this can lead to less enforcement discretion. In other words, if a manager thinks that they need to have "x" number of cases resolved by FY end, then attorneys and compliance managers may feel the need to prosecute every case/violation, regardless of severity. Instead, we should be focusing our resources on the cases/issues that are most pressing, regardless of "results."		

AMERICAN OVERSIGHT

	I
71	Get rid of people who abuse the wonderful benefits paid by taxpayers.
72	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
73	72	5/2/2017	The cost of in-processing ($10K) is too high to maximize the use of students and interns. Students and interns complete extremely valuable work at a low cost. When regions don't receive additional or separate funds for this purpose it affects our ability to utilize this great resource. Salary for SEE employees could have a range and be assessed regularly to assure these employees are being fairly compensated for their actual work. For example, one SEE in my unit is doing the same work as other permanent employees in the unit but being compensated at $16/hr rather than at $36-60/hr that FTE's receive. Make daily processes more reasonable to manage. For example, it would be helpful to have the travel voucher automatically drafted with the information in the TA request. Upon their return, the traveler would then just make any necessary changes and submit, rather than going through an						
74	73	5/2/2017	The Office of the Federal Register imposes incredibly exacting and curious requirements upon us, and other agencies, before publishing our documents. As an example, if the date typed next to the signature does not end with a period, the document will be sent back to be corrected.	Work from the best available scientific information in setting standards. This insures that we and our partners derive the greatest benefit for the resources spent.	Hire more librarians to work with the public. They are worth their weight in gold.	We could run some MOVES modelling scenarios to see where we could discontinue reformulated gasoline requirements. Conventional gasoline is much cleaner than when the CAA amendments were passed in 1990 and vehicles have far fewer evaporative emissions with the Tier 3 standards in place.	There are a few options now available for reading data from the OBD systems in cars and trucks, although there are also some privacy concerns too.	Honestly, I think that "realignment" is a euphemism for diminished activity.

AMERICAN OVERSIGHT

	I
73	
74	I'm not trying to be snarky, but EPA staff value technical competence - particularly from their leaders. Here's an example of what I mean: https://hbr.org/2016/12/if-your-boss-could-do-your-job-youre-more-likely-to-be-happy-at-work And to be more specific, I worry that our top leadership (the few that have arrived) do not and will not possess technical competency with the work we do. I fear they will not value technical competency nor be particularly interested in it.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
75	74	5/2/2017	EPA sorely needs professional document management software. Without it, we are ill prepared for FOIA requests, discovery in litigation, and basic office management, and we spend enormous amounts of time manually doing what proper software would otherwise do for us. This has not been possible despite years of requests for it.	By strictly adhering to the principles of transparency, sound legal process, and scientific information. The EPA is losing credibility when it rejects scientific consensus and panders to polluting industries, as is increasingly the practice of new political management.	EPA constantly receives complaints and concerns about environmental and public health threats. Due to severe budget restraints, we are able to act on only a slight fraction of such citizen concerns, and in many cases the States also cannot act. EPA must maintain capacity to respond to the majority of such concerns, and this includes inspectors and travel budget.	The question presumes that there is adequate environmental protection for Americans. There is not. The EPA's budget has been woefully inadequate for years, and there are no opportunities for meaningful savings that would not further compromise people's health.	If EPA is serious about being more effective with fewer resources, then it should continue to use "Next Generation" compliance approaches as laid out by the prior Administration. This would include requiring polluting industries to report--to states, EPA, and the public at large--on their polluting activities. Such reporting has been shown to prevent noncompliance in the first place, and the reported data is invaluable for appropriate rulemakings.	The question presumes EPA has discretion on its jurisdiction and statutory obligations. We do not.
76	75	5/2/2017		Step up EPA oversight and enforcement under the Safe Drinking Water Act, especially small drinking water systems. We must allow no more "Flint, Michigans" to happen on our watch. Make this a top priority. Reassign staff and managers from other programs to work on this, if need be. The public is depending on us, and will not tolerate unsafe drinking water anywhere in the USA.	Keep the regional EPA libraries open to the public and fully staffed. In our region, library staff answer calls and emails from the public. We can't let our responses to public inquiries get backlogged, because that appears to be unresponsiveness to the public.	EPA employees' personal safety is important, but do we really need so many private security contract employees in our leased space? In our regional leased space, they seem to duplicate the work of the building owner/manager's own security guards and staff.	Drones could be used to sample air emissions around the fencelines of factories, refineries, and other regulated air emission sources, as well as schools and neighborhoods.	

AMERICAN OVERSIGHT

	I
75	One practice from other agencies and the private sector that works well is to appoint leaders to run the organization. OECA is suffering from a total absence of direction from or time with the new political management. It is a fantasy to think we will become "efficient, effective and accountable" when you deprive us of basic leadership and direction.
76	Our Assistant Regional Administrator (Serena McIlwain, Region 9) has introduced the Lean Six Sigma process. It has already been very effective in our regional office and it should be extensively used to streamline operations in EPA HQs. If reductions in staffing are needed, look for them in HQs. Our region has already suffered from the previous VERA/VSIP two to three years ago, which has reduced our staffing levels substantially. And now another round of VERA/VSIP is proposed. This should only be used as a last resort (to avoid RIFs) after Congress approves our FY 2018 budget, not right now.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
77	76	5/2/2017	better computer system with fewer malfunctions	good liaison; obtain knowledge from people on the scene	See No. 2.	People move from staff to supervisory positions. In making such moves, they normally obtain a higher grade. If they surrender being a supervisor, they should revert to the previous, lower grade. Under current conditions, they do not. They are being paid as a supervisory without those duties.		Coordinate with FDA and USDA.
78	77	5/2/2017	Responsibility for personnel actions was shifted to shared service centers (SSCs) in 2009 with the goal of performing these functions quicker and more efficiently. Instead, the SSCs have become somewhat of a bottleneck to getting work done. Regions have had to maintain HR staff in order to help get actions through the SSC. As a result, it now takes more FTE and twice the time to process personnel actions. The SSCs have worked well for travel voucher processing, but not for HR actions. Restoring personnel processing offices in Regions and AAships would be more efficient.	EPA approval of state CWA 303(d) impaired waters lists is a contentious process with little or any benefit to the environment. We should either do away with the EPA approval step entirely or make approval automatic unless the agency takes a disapproval action within a limited amount of time.		In addition to #2 above, EPA review of USACE draft CWA 404 permits is a resource-intensive and sometime contentious process. If the Corps is the permitting authority, they should bear the responsibility for CWA compliance, not EPA. Better yet, if states could be given incentives to take delegation of the 404 permitting program, that would be even better. Currently only 2 states nationwide are delegated for CWA 404.	many of our data systems are outdated and don't communicate with each other. Bringing our data systems up to date would be a good investment for us, our state and tribal partners, and the public.	
79	78	5/2/2017	Too many mid-management layers. There is NO need to have a branch office between division and section. A good employee to manager ratio should be 1 to 11, i.e. every 11 employees for one first line supervisor/manager. Eliminates the branch office layer.	Authorize states, tribes, local communities, or the private sector to detail their employees to EPA offices/regions so they can work side-by-side with EPA employees to resolve EPA issues.	Conduct quarterly customer support forum, and invite our states/local partners to the forum to discuss customer service improvement needs.	Expand EPA???s National Environmental Information Exchange Network to environmental protection authorities of foreign countries.	Make GIS environmental information accessible via mobile devices.	Consolidate 10 regional offices into 5 mega geographical EPA centers, i.e. the Eastern Center, the Western Center, etc???

AMERICAN OVERSIGHT

	I
77	Communicate well. Treat people on the basis of merit, not "identity politics."
78	
79	Defense Finance and Accounting Services (DFAS) consolidation strategies and experiences.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
80	79	5/2/2017	Almost all obstacles emanate from OARM. OARM's archaic and inefficient processes in OAM & OHR prevent staff from performing their primary missions. Purchasing, contracting, recruitment, employee development and training, and disciplining poor performing/behaving employees all suffer due to a lack of competency and expertise in organizational development. The biggest obstacle is procurement and acquisition regulations and policies that make purchasing slow, long, laborious and highly inefficient. Most issues arise from the Federal acquisition Regulation but OAM adds tremendously to the burden due to EPA's risk averse culture. Ultimately we need a major rewrite of the FAR to allow the government to purchase under standard business procedures. This would allow organizations to purchase any item or service they need, when they need it immediately with a credit card and not have to write volumes of text to let companies bid. Give senior managers the credit cards and the approval	Lift collaboration restrictions on EPA employees. Too many restrictions on our people that other federal science agencies do not have.	Lift collaboration restrictions on EPA employees. Too many restrictions on our people that other federal science agencies do not have.	We can reduce costs and inefficiencies without sacrificing environmental protection. Hire the people with the right skills and leadership ability to hold the workforce accountable and strategically plan and remove regulations and policies designed to keep every task slow and inefficient such as purchasing, contracting, hiring, EPA collaboration with non-federal entities.	Yes, tons but we need to go purchase them and we need to get rid of inefficient and unreliable FAR and OAM policies, so we can do this. EPA wastes time and money on outdated and useless IT solutions. Big companies use the best and latest software and apps to conduct business, we need to do the same.	Any federal science agency that does research on water and air should move to EPA so this research can be combined and done by one centralized organization. Regions should have more of a regulatory focus with mostly lawyers and scientists collaborating with states, tribes, etc. Create super regions to reduce duplication. Regions don't need labs. Emergency response and superfund employees can use labs in the private sector especially by eliminating ridiculous FAR requirements.
81	80	5/2/2017	Yes, EPA CID currently has the agents do car logs monthly. These logs were started approximately a year ago based off of recommendations by an Inspector General audit (it is not required by any statute or regulation). But almost all of the information in the logs track are already tracked electronically when pay for gas using the GSA card. Also Time keeping is tracked several different ways. We fill out a monthly activity report (MARs) for what we did each month. We also track our time in peoples plus, we also fill out leave slips. Everyone in all of CID acknowledges that the MARs reports are a complete waste of time and no one can ever fill them out perfect so all of them have mistakes in them. On top of that they are not used for any purpose other than a gotcha when management wants to mess with someone. They also take each agent about 4 hours a month to fill out. So we have 150 agents x 4 hours at an average of $55 per hour that works out to be the	None	None	Yes our hiring process is terrible. We need to be able to hire people who will work effetely for the agency with out the restrictions of only hiring vets or certain classes of people. For example we recently (with in the last 6 months) hired two agents in WV. Neither of them were from WV. The EPA spent over $100,000.00 training them at the FLETC and neither of them want to stay with EPA in WV so one is already going to another agency and the other has stated he wants to leave soon. These issues were oblivious before they were hired. But we were restricted in who we could hire so there were good candidates that did not get hired because of the hiring restrictions. So now we will lose the $ spent training	none that I know of.	For environmental crimes. I don't think you can state AG offices are not equipped or staffed to handle large complex environmental cases. No other federal agencies do environmental crimes other then the FBI and I have been told by several FBI agents that there management dose not want them to do environmental work because it is not a priority for them.

AMERICAN OVERSIGHT

	I
80	See response to Q1 - create a Manpower and Workforce Analysis Division and hire former military manpower experts. This type of organization uses science based methods to determine organization's missions, workforce size, implement organizational development principles, determine organizational inefficiencies and use tools such as LEAN and Six Sigma to cut the useless functions and determine necessary tasks. If EPA tries to do these things in-house with the people we have in OARM now, we will fail. Reducing management interference with useless polices that cause extra work and implementing lean leadership that holds people accountable will be the result.
81	no

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
82	81	5/2/2017	Physically working in the office reduces the amount of time I am able to spend on projects. For example, staff are required to attend several meetings per day, which requires several minutes to walk, catch the elevator or stairs, etc. Now, this may not seem like a lot of time, but let's say a typical staff member attends to meetings per day, requiring approximately five minutes to arrive and return to his or her desk, totaling 10 minutes per day of lost productivity, per employee. Now, let's multiply that by just a portion of the workforce per day, 8,000 staff members. This 80,000 minutes per day, or ~1,333 hours lost per day from physically attending meetings. I'm not clear on the average amount of pay for the employees but we'll go with $25/hr just to paint a picture. That's $33,325/day or $866,450/year being paid in time for physically going to/from an employee's desk to a meeting space. These are very modest numbers and I would suspect they could be much higher, but there is a solution! Virtually meeting from an	No comment.	First, properly enter the digital era of the rest of the United States. Fully leveraging digital technology available to federal entities that streamline processes and promote a convergence of real-time customer service with the latest technology to provide an "easy to understand" methodology for doing business with the public.	Do you really want to spend all my time filling out this survey to provide the many opportunities to reduce costs, and more than maintain, but IMPROVE environmental protection? You can reach me at **[REDACTED B6]**	Do want an idea or a detailed plan? Let's start with, Stop printing anything! I don't want to hear that it can't be done. Several businesses in our country do it and it leaves a better audit trail than the hardcopy way of business. It also sets up the agency for leveraging big data across agencies that would further allow for creating new efficiencies. The list goes on but my fingers are getting sore from typing. If I were able to dictate verbally into this machine, I would have been done with this survey much sooner. I can dictate an entire document on my smartphone in minutes, yet we still type everything.	Big data; centralized and open. Mandated open data architecture is a start. For example, if we need to implement a new database, require that all of that data is EASILY accessible by other agencies and state partners. If our data is open and available, States could actually implement processes more efficiently and take back some responsibility.
83	82	5/2/2017	As a scientist in the field and at the bench, the paperwork keeps becoming more and more burdensome. I understand we need QA/QC for science, and we've always had that, but it seems we get told to do more and more paperwork or paper trails for just that, which takes way too much time and thus lessens my actual time I have to spend doing the hands-on research. And then ordering supplies, that's yet another feat, not to mention if something has to go through EAS, then there's even more documentation. Not only does that demand my time and writing those documents, then it takes months to even receive the item that goes through EAS after numerous reviews. It's not the scientists fault or the EAS person. It's the load of required documents plus more and more reviewers in the tier of the agency. Do you not trust us?? I imagine someone in an upper level position has no idea what the equipment even does, and yet there are numerous people assigned to review the EAS orders. There's been many times I've had to	My project does partner with states and communities. I don't really need to improve on that as I have a Regional partner that is in frequent communication with the local states and community organizations regarding their concerns over an urban polluted watershed. I however, work at an ORD Division but I have great partnerships with Regional program offices.	My project also has a Citizens' Science component so we are in the community at least twice/month. The community knows we are doing our best to solve their pollution problem, we involve local volunteers including middle school students, college students and retired citizens. However, most of my colleagues at my Division do not have a Citizens' component in their projects. Maybe it should be encouraged, if possible? Some of the public may have a mis-conception about scientists or EPA in general. When you're in their community and they see you get dirty, sink in the mud and are an approachable person that is concerned about their livelihood, they want to be a part of what you're doing to help them.	It would greatly reduce costs by reducing administrative burdens as you lose that salary per hour time by having scientists too burdened by admin requirements. This has gotten so much worse since ORD went to their so called "efficiencies" program. They took away all of our local admin staff and distributed them across ORD. Half the time, I don't even know who to contact, so it wastes my time trying to keep up with it all. Before that, I just walked to an office of someone down the hall and gave them the paper or request, and it was done! And once the "efficiencies" program was created, then more and more supervisors were hired for each of those programs. That was insane! And if that wasn't enough, then ORD		

AMERICAN OVERSIGHT

	I
82	A results driven workforce rather than the baby boomer methods of approaching business. Give me a deadline, I will deliver. Adopt open-source first way of thinking. ORD paid a contractor upwards of $120,000 to build its Intranet, I built the Region 8 Intranet (using the same open-source tech) in my spare time along with one other employee in half the time for a cost of $0. Well, I did get an award of $800 and certificate. I could give you several more, but it's time to go home, sit in traffic, pollute the air, and waste money on fuel just so I can sit in a cubical that 3 days a week (that's right, we pay for it to be empty 4 days a week). Our usable building space could be drastically reduced by
83	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
84	83	5/2/2017				CERCLA, i.e. Superfund law, needs a overhaul. While Superfund may be great for addressing large contaminated "mega" sites, I believe its a poor mechanism for dealing with small residential/commercial/Industrial areas with limited types of contamination where usually a dig and haul or cap in place remedy is what is needed. A more efficient mechanism, such as an expanded removal program or a "Superfund light" program, would better address the contamination while reducing the cost, reducing the amount of time exposure remains to site contaminants and provide better reuse/revitalization opportunities.		
85	84	5/2/2017	The procedures that have been put in place since Jan. 20, 2017 involving briefing and consulting with the political staff in HQ before certain sorts of enforcement or programmatic actions are taken by the Regions, and the time that then sometimes elapses before the Region gets an answer from the HQ political staff, are very inefficient and are delaying our work to protect human health and the environment and our service to communities. It is highly inefficient to require this much case-by-case consultation, followed by slow response times.	It is absolutely essential that EPA maintain its roles of: 1) setting national standards, consistent with federal statutes, that all states and regulated parties have to meet; 2) setting consistent enforcement and compliance expectations for the states; 3) overseeing the states' implementation of delegated/authorized programs and of federal grants; 4) being a backstop of the states by bringing federal enforcement actions in appropriate cases in delegated/authorized programs, in consultation with each state (in addition to the enforcement actions EPA brings in the "Direct Implementation" programs). If EPA doesn't do all of these things, then there is a great risk of there being a "rush to the bottom" among the states, as they will not want to put themselves at a competitive disadvantage relative to those other states that apply a	The single most important factor to ensure better customer service is to ensure that EPA's environmental programs, and EPA's state and tribal grant programs, are fully funded. Making a significant cut to EPA's staffing and, at the same time, making significant cuts to EPA's grants to the states is a guaranteed recipe for worsening our and the states' service to our customers. A second factor that is key is the need for EPA to conduct regular outreach to states, tribes and the regulated community regarding environmental requirements that need to be met (especially when new requirements are taking effect) and about EPA's compliance expectations. With regard to the public at large, EPA and the states must continue to invest time and resources in holding public meetings, seeking public input, and providing timely information to the public via web sites and other mechanisms.			I don't think we can. It is a fallacy to think that there is currently some significant duplication of effort between EPA and the states, or that EPA is investing a lot of resources in work that the states can do by themselves. If this were true, then the states would already be doing more than they are doing! The states have significantly limited funding and limited expertise. If EPA disinvests, then either the work is not going to get done at all, or the states will be put under much greater resource pressure and be forced to do triage in their work. Either way, there will be a loss in public health protection. EPA

AMERICAN OVERSIGHT

	I
84	
85	It is crucial for EPA and the states to ensure that there is a level playing field across the country, in terms of environmental requirements. If the regulated community were to start getting the impression that environmental requirements are not going to be enforced in certain states or regions of the country, it will make our job much harder and ultimately increase costs and inefficiency. The regulated community needs to have an expectation that EPA or the state may very well take an enforcement action if there is noncompliance; that way there will be more voluntary compliance, which saves costs in the long run.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
86	85	5/2/2017	We need better tools to manage electronic records. The lack of such tools creates significant inefficiencies in complying with requirement under the Government Records Act and the Freedom of Information Act. While this may cost something on the front end, significant cost savings would occur thereafter.	Continue to sustain strong working relationships with these stakeholders. Face to face meetings, trainings, and work groups focused upon specific issues foster good communication, understanding and finding creative solutions.			Better records management.	
87	86	5/2/2017	Requiring grant recipients to submit MBE/WBE reports. This would be a burden reduction for the grant recipient as well as the EPA. Simply eliminate the requirement to submit the reports. The majority of reports have nothing to report but we are required to receive them and enter zeros for reporting into the IGMS Post Award database under MBE/WBE tracking. Also, eliminate the need for states to submit PreAward compliance Reports, EPA 4700-4. This is a Civil Rights report required for all grant recipients however EPA doesn't do anything with the reports. They go to our Civil Rights office to sign and returned to file in the grant file. This would be another burden reduction for EPA and grant recipients.	Eliminate unnecessary "red tape" such as the above forms which are unnecessary and thereby allow our partners to focus on the environmental results rather than unnecessary administrative requirements.	I think EPA does an excellent job of providing customer service to our grant recipients. However, housing all of the Tribal grants out of one office may provide better service to the Tribes since they are unique.	Elimination of Radon grants. Funding was to have been eliminated almost 5 years ago but because they government is always operating under a continuing resolution this program continues to receive funding. Eliminate voluntary program grants. These are usually low funded awards that produce very little environmental benefit. Programs include Pollution Prevention, Source Reduction, Environmental Justice and Environmental Education grants.	The use of GRANTS.GOV across the Federal government would be ideal and then one system for the Agencies to receive applications and award grants. I went to work for another Agency that did not have a grant system. The states had to use two different systems operated by the program offices rather than grant offices. One stop shopping would be beneficial to all grant recipients and the utilization of one system across all agencies would mean that grants could be processed across agency or assistance could be provided by one agency to another if there was a need.	Again, I would reiterate the need/use of a single grant system so any grant specialist could assist another agency through an Interagency agreement if one agency has a lull in processing and there is a need in another agency. If one system was used by all agencies we could cross those lines to provide assistance without having to "learn" something new.
88	87	5/2/2017	We all are required to take many trainings. Most are of some value, although when you add them all up I doubt they're worth all the time we spend taking them. One of them, the COOP training, stands out for uselessness. The training is boring, because it seems that the developers just plunked down text from a Federal guidance manual. And it's useless, because when the shit hits the fan, it won???t help anyone in the slightest to know the difference between a Delegation of Authority and an Order of Succession. The training should be dumped.		Everyone I know works hard to serve the public and our regulatory partners, and we get thanks from them for it.		EPA should expand and encourage the use of cloud computing instead of traditional hosting at NCC. Cloud computing is cheaper, more versatile, and more adaptable than traditional hosting.	

AMERICAN OVERSIGHT

	I
86	
87	It's late in the day, I can't think of anything right now but would love the opportunity to provide a response at a later date if possible.
88	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
89	88	5/2/2017	The EPA has done a pretty good job of doing this over the last 30 years.	States usually want EPA to be the bad guys when making companies clean up sites or when it comes to enforcing the law on a recalcitrant violator. That way state programs escape political repercussion from other state programs and the governors office and do not have to deal with the state politics. That is how it works.	A better work ethic must be installed in folks and that needs to start at the TOP.....President, senators, congress, appointees, etc. Not passing budget and going home for Thanksgiving, Christmas, Easter, etc. shows exactly the work ethics of the federal government at the top...who should be setting a better example. Until that changes and our representatives can lead by example, I really doubt much will change. Folks with a good work ethic will always have a good work ethic regardless. Folks that need to be ridden to have a good work ethic wont until ridden and the way our leaders are going and riding, looks like that may not happen for sometime.	Hire better educated/dedicated employees. The veterans preference makes it where the most qualified person is not always hired. The military should not hand out disabled veterans preferences like candy to folks who really are not disabled.	Doing that.	The EPA is like .03 percent of the budget. If EPA is realigned into another agency, EPA's mission will likely be forgotten. That is why each agency has its own mission. Prior to the creation of EPA in 1972, there were several environmental laws/programs that were aligned under other agency authority (Dept of Interior, National Parks, etc.) It did not work that way and that is why EPA was created, to provide a clear mandate to help provide clean water, air, and land to citizens of the US. If EPA is combined with the military, we will just more weapons. Good weapons are great but so is clean water.
90	89	5/2/2017	Redundant time entry requirements, training databases (for tracking training) and even training requirements. Develop working groups focused on finding and fixing these throughout the organization.	develop environmental task force/working groups within every state. Ideas can be shared, cross-training can occur and overall better relationships can be built. Also, seek to solicit this same information from the various state environmental offices...see what they have to say	Ask these groups what they want/expect from the EPA (more than just grant money). What do they want the EPA to do for them, the ultimate customer?	Re-organization throughout the agency. There seems to be redundant programs in several areas. Look into creating "Centers of Excellence" throughout the country, that focus on issues from a national perspective vs. just at a regional level. Also, better leverage technology, especially in tracking training, equipment, etc.	Again, I think technology can improve efficiency, but also improve moral. The less times an employee has to document or track information, the more efficient they are. As an example, EPA has a learning Management System (LMS), yet there are various training requirements that are not loaded into or tracked in LMS. This requires the originating office to send out an email instructing all required "attendees" to take the training, then the employee must print, scan and email the certificate to someone for tracking purposes. Why not leverage the system already in place to do all of that? This is one small area where resources can be saved, through the use of existing technology...which is not	

AMERICAN OVERSIGHT

	1
	Doing that.
89	
90	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
91	90	5/2/2017	The final clearance and issuance of the Revised Federal Cross-Cutting Authorities Handbook has been delayed for over 4 years. This has left states and EPA staff without the proper guidance and knowledge to ensure that entities are aware and complying with all federal requirements under the State Revolving Fund programs.		I suggest combining the operations of the EPA Clean Water State Revolving Fund Program and the Drinking Water State Revolving Fund Program. There appear to be real opportunities for achieving efficiencies and economies by moving toward the combined operations of the two SRF loan programs at the federal level. EPA could achieve efficiencies in its own Clean Water and Drinking Water SRF management by combining the operations at headquarters where two separate SRF operations are maintained within the Office of Water. A cue can be taken from many states and EPA Regions that are already demonstrating an effective and efficient use of resources along with efficiencies both in financial and programmatic management through the combined operation of their loan programs (CalEPA, California State Water Resources Control Board, Division of Financial Assistance and EPA Region 9 are excellent examples	See Comment in Q.3 above.		
92	91	5/2/2017		Focus on the important aspects of a regulation, don't sweat every detail - especially when auditing a program. Giver direction to states on priority rather than "everything is important"	Providing more travel money, especially when EPA has a directly implements a program, such as for tribes	Improve CONCUR travel, get more assistance with travel so someone familiar can assist rather than a GS 13 spending hours trying to solve a problem	Drones to do inspections	Combine the CWISA (CWA infrastructure) program with Indian Health Service,
93	92	5/2/2017	FTEs for the Superfund program are spread around EPA. In the early days while the Superfund program was relatively well funded the other programs were not. However, now that most of the EPA programs are state delegated, those Superfund FTEs and dollars would be much better spent by the Superfund program.		Provide more money for EPA staff and/or contractors to provide more classroom training. Travel funds are an issue for EPA HQ staff to travel to provide training (we are not allowed to use travel as training funds when we are giving training, only when we are taking training). Training we provide at regions or conferences can provide better service to regions, states, tribes, local officials, PRPs, and contractors.		Please do NOT listen to our IT contractors on their ideas on better equipment/software. This Drupal fiasco is still causing problems.	We did a lot of realigning in Superfund back during the administrative reforms of the 1990's (increased state/local role on land and groundwater use expectations, state concurrence on NPL listings, etc). Seems to have worked well

AMERICAN OVERSIGHT

	I
91	
92	Reduce the number of multi layered contracts - they may save contract resources, but cost more money through layers of overhead within the contract.
93	The internet based training that EPA has given on Clu-in, or in concert with ITRC (state led workgroups) are widely appreciated by technical staff in federal, state, tribal, local officials, contractors, industry, and environmental groups. Also the ITRC workgroups (which are state led but include feds, tribes, local gov, industry, and enviros) have come out with some well received guidance documents.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
94	93	5/2/2017	Localize control of our budget. The ability to move funds where needed would greatly improve efficiency.	EPA office in each state which partners with state environmental agencies. EPA 's role would be that of advisor, use funding "opportunities" to help "guide" programs.	Local control of state offices, give the people a sense of shared responsibility.	Eliminate "if you don't spend it you don't get it" mentality. Allow unspent funds to "roll over" into a capital equipment fund for technology upgrades.	Have an audit performed by an outside agency adopt "good science" practices.	Each state have its own EPA office.
95	94	5/2/2017	Political interference in enforcement cases often causes inefficiency. Political feedback belongs in the rulemaking process, but not in the enforcement process. Enforcement of existing laws should be left to enforcement officials, without input or intervention from political appointees. This is true for a few reasons. First, it is fundamentally unfair that well-connected defendants are able to exert political pressure on enforcement actions, whereas smaller defendants do not have equal capability to do so. When politicals then act to intervene in enforcement actions at the prompting of trade groups or specific defendants, it creates an un-level playing field because larger defendants are able to influence and achieve better results for themselves than smaller defendants. Second, political intervention in enforcement cases is very inefficient. It drains significant staff and middle management resources to attempt to brief the full status of each enforcement case to the political appointees, who should be occupying	State governments are frequently beholden to industry, even more so than EPA (which is not immune from the influence of defendant or trade group lobbying efforts). The EPA should step up its efforts to serve as a backstop of national consistency where state governments are politically incapable of ensuring compliance. On the other hand, some state governments actively serve as laboratories for the development of regulations that prove effective at furthering environmental results in a manageable way. For example, the State of Colorado has developed a robust State Implementation Plan for regulation of oil and gas well pads. The EPA should work with states, like Colorado, to continue to develop and adopt sensible, effective regulations that have been proven at the state level into federal regulatory requirements. In this way, states	The EPA provides customer service by: 1) being a leader in the development and oversight of regulations that push industry to achieve environmentally protective practices; 2) effectively enforcing those regulations so as to maintain a level playing field among states and companies; and 3) developing sound scientific knowledge to support identification of potential harms from pollutants so as to set standards to ensure that the public is protected. The EPA could spend more efforts to further any of those three objectives, and that would improve the customer service (i.e. protection and expertise) received by the states, tribes, local communities, regulated community, and the public at large.	In attempting to provide flexibility, our regulations become overly complicated. It would be more efficient if we were to write regulations with clear requirements that did not attempt to provide exceptions or alterations for particular contingencies. My understanding is that many of these inefficient changes happen during OMB review for cost-effectiveness. In carving out exceptions and allowing alternatives, we should keep in mind the added costs of reduced regulatory clarity and simplicity.	We would be more efficient with a higher budget. Because of budget cuts, support staff positions have largely been eliminated over the years. This means that engineers and attorneys are forced to use their work time to do ministerial tasks like word processing tasks, photocopying, mailing, booking travel, etc. Increasing our budget and hiring more support staff would help free up time for professionals to work on more complex matters within their field of expertise.	EPA is a resource to other federal agencies and states. Where appropriate, we partner with those entities to achieve shared goals. Our resources then supplement their resources. We provide expertise and guidance in implementation and oversight of our statutory authorities. Even in areas of shared responsibility or mutual interest, cutting our activities will only place greater burden on the other federal agencies or states to pull more weight, or will lead to a situation where that work goes unperformed and neglected. Likewise, increasing our activities in those areas of shared responsibility and mutual

AMERICAN OVERSIGHT

	I
94	Hire and promote based on talent, public service should not be a test tube for social justice.
95	My ideas have been covered by responses to the previous questions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
96	95	5/2/2017	NA	More retreats and partnership building and outreach events to build relationships. Also, more grant funding from HQ.	More outreach events and speaking engagements. We especially need to be more present at local schools and colleges., giving talks in the science rooms and having a presence at events such as Earth Day and Career Fairs.	Definitely need to tap into the Work At Home option. It saves $$ on commuting and it can also be a huge $$ saver when you account for less office cubicle spaces.	Newer computers and laptops. We also need to provide more staff with EPA blackberries.	In order to leverage our authority and accomplish more, we need to have more partnership building retreats on an annual basis with our sister agencies, such as the Army Corps of Engineers and US FWS. Buidling strong partnerships helps us get our job done easier and it saves time and money for applicants as well, when they don't have to wait so long (sometimes years) in order to have EPA and Corps get on the same page about a project. Many times EPA and Corps are at odds more with one another than w/ the applicant. This is easily solvable by doing more to build stronger relationships.
97	96	5/2/2017	We've been required to take a lot of trainings which take time away from our work. Some of these are necessary but I think there are like 5 or more trainings such as annual ethics training, annual computer security training, annual continuing of operations training, annual records management training, working effectively with Tribal governments, and others. Maybe we don't have to take these annually? Our performance evaluations are a headache and demotivational. How many times do we need to be asked what we are doing? Why do some people get all the plum assignments while others get all the work? Doubt that will change but a management culture of encouragement and motivation is better than constantly being beat on for a couple of decades. It get's tiring. No appreciation or understanding of good work. Politics rewarded most and I don't expect that to change.	Some of the water grants are poorly researched prior to being awarded. The grants are for worthy causes but money may not always be well spent as projects aren't always completely thought out before being granted. Some of the grants to organizations which have minimal environmental skills. These grants best awarded to more scientifically qualified individuals and organizations for max benefit (e.g. those with scientific/engineering backgrounds).	we work closely with States and Tribes. Tribes seem to privately appreciate our help while publicly criticizing us. They have a great need for assistance. Some tribes would rather not deal with us but I don't think that is really in their best interests. States can be hard to deal with. Some are very strict whereas others very lax. Some over-enforce laws while others don't enforce. Not fun. It's a process. I feel bad for regulated community because cleanup costs can be very high and public often has misunderstanding of actual risks from sites and can get very agitated. More cost effective remedies is recommended. Better communication of risks to public also recommended.	Each Region has it's own analytical laboratory (10) and for Superfund they have the National Contract Laboratories. The work overlaps and is duplicative. Both could be eliminated and private labs could be contracted on an as needed basis through subcontracts. Quality of work could be diminished however due to less direct oversight because of lax State oversight of labs (private labs not overseen by USEPA).	Actually the old technology Lotus Notes was better than our new technology "Microsoft Office/SharePoint." Although the new service make data sharing easier, it doesn't not have the database capabilities as Lotus Notes. To replace Lotus Notes one needs to reprogram hundreds of dbases in Access and we don't have the staff for that. Even our new email system "Outlook" is not as good as our old one "Lotus Notes" Suggest reorganizing HQ IT Office that makes all those bad decisions for us. Really need to ask the end users what they need rather than having HQ tells what we need. Also, we use to have an onsite contractor to manage	I think we already do a lot of that. What the States don't want or won't do, they give to us to do. Seems we defer to the states a lot. Also DOD facilities have primary responsibility for Sfund cleanups but they really don't have the expertise and there is a lot of waste that results from that. DOE facilities somewhat too, although they have some very nasty sites which of course are very expensive to cleanup.

AMERICAN OVERSIGHT

	I
96	Places like Deloitte Touche hold annual classes that they call DT school..... in order to not only build their own employees, but also build partnerships across the industry. We need to create this type of atmosphere at the federal agency level, so that employees not only build on their skills, but also build stronger partnerships. This type of relationship building ultimately helps agencies understand each others missions better and help work more united, saving time and money, and creating much more efficiency across the board.
97	We "consolidated" some of our services to Cincinnati and Las Vegas "service centers." and quality of service really dropped. Don't know how much cost savings was achieved but if you have to send a dozen emails to get your travel voucher improved, it's very frustrating and inefficient. We switched are payroll system around a few times and it went from good to horrible to better now. Forget which system was the bad one. I think we have PeopleSoft now which is OK but there are something like 200 payroll codes you sometimes need to figure out. Best idea is don't create softwarwe in house. EPA is not a software company. Private sector is much better at software design.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
98	97	5/2/2017	Centralization of administrative support for travel, personnel, contracting leads to more difficult administrative work.	1) Enhance our social science capacity so that our interactions can be even more rigorous and so that our capacity to draw inferences from our interactions is enhanced. 2) Ensure that partnering is rewarded in TQB decisions and 3) Ensure that funds are available to support effective collaboration.	1) Ensure that staffing is available secure and rewarding for this collaboration 2) Ensure that programmatic direction is clear and viable over the long term, and 3) ensure that funds for the support of these interactions are more than sufficient. 4) Promote people who take care of our customers	Support national scale environmental accounting as an aid to strategic decision making.	1) Integrate IT systems and ensure that they are friendly to even infrequent inexperienced users 2) Technologies that underlie national scale status and trends reporting on environmental status need to be expanded and nurtured. The accounting that such technoligies provide is essential for the strategic allocation of management talent and a wide range of state tribal and Federal resources.	1) Support travel to professional meetings where collaborations can be developed and cultivated across agencies. 2) Hold national, state and local workshops to focus on this potential 3) Support ECOS and other similar organizations.
99	98	5/2/2017	Job categories that follow 1940s formats and don't encourage x-program work or acknowledge that employees in one category (eg. environmental protection specialist) CAN in fact do a job that an engineer is doing need modernization.	Allow us to do our jobs and implement our regulations. Removing regulations do not help build partnerships to achieve better environmental results. Provide funding to support partnerships that develop analytical tools, research effects of contaminants and activities on the environment and public health, coordination and activities of local watershed alliances, put local governmental protections in place, map out sustainable activities for smart growth, etc etc etc. We cannot partner without funds and employees with needed expertise. Both of these critical elements are proposed to be severely cut. That's why this survey seems disingenuous.	We already provide great customer service. Better service requires more employees who can travel (funding to travel) to meet face to face with tribal leaders, municipal governments, chambers of commerce, planning and county commissioners, land owners, etc. More employees and funding to help convene problem solving activities with interested groups and others who ask for help. We get a lot of requests for funding and technical assistance and don't have any discretionary funding like we did 15-20 years ago to help with a wide range of requests from all sectors; they loved our participation at that time when we had the people and funding to help.	Employees are incredibly efficient and skilled, but micromanagement creates the single largest inefficiency in the system. It's amazing that we have anything to report given the massive load caused by micromanagement. Ideas like using ADP to track activities that are already tracked in data bases built to track the activities will create enormous inefficiencies and are a symptom of further micromanagement and ignorance. We are already so reduced that we are cannibalizing program to program. There is no fat - no meat either. We don't have enough funds to even archive records according to regulations. Our computers are ridiculous. Other inefficiencies are caused by	Modernizing takes money. Given the proposed budget, this question can't be serious. We are limited by funding to use basic technologies that people have at home - GIS applications, advanced google earth type of technologies, a screen that isn't miniscule. The number of licenses we can have are very limited for say, adobe pro, for crying out loud. Our existing processes operate well if they aren't constantly interrupted by admin demands (see above) or shunted into centralized services that are understaffed. The main problem with current processes of any kind is lack of employees. EPA employees are plenty accountable - all the time - demoralizing and insulting	We do this already all the time, every single day. You can accomplish more with more employees who can create more partnerships. What do you mean by realign? We've been aligned for decades with our state and federal partners. We do this really well. I assume by "more" you mean meeting our mission better because there is a lot of the environment that is not protected by whole swaths of sectors and a lot environment that is contaminated and a lot of people suffering health impacts from unregulated sources of pollutants. Under that assumption we can do more by supporting the

AMERICAN OVERSIGHT

	I
98	1) Hire great young people and mentor them with our best. 2) Make a real emeritus program available to aging Feds comparable to that in academia 3) Support an extensive but competitive sabbatical program for managers and researchers.
99	Best practices are to have enough employees to do the job, honor the employees for their incredible skill, expertise, and dedication - they ARE the best in class - and give them the resources to do their job. Instead what this administration is doing is the opposite of well-known best practices for leading any organization to meet its mission; this administration is doing everything possible to prevent employees from doing their jobs, to prevent them from being accountable to the responsibilities the agency has to the American people, to degrade them and their efforts. There is an assumption that EPA and its employees are wasting money and not accountable or efficient which is

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
100	99	5/2/2017	Waiting weeks or months for concurrence or approval to put a process in place. Also getting funding to implement new process that will automate and improve productivity.	Automating a lot of the manual process we do. By automating data input and data scanning would allow us to better find, respond, and enforce environmental laws. Also set up more web based data input from companies and states to decrease our time for inputting and sifting through data.	Working to automate data needed by EPA. Using that data to communicate changes that are needed to bring environmental change.	Again automating a lot of our processes.	There are technologies that allow us to enter data once and create multiple documents while keeping track of what we are doing. These are not being used enough. People are still creating documents manually over and over. And a number of them are not standardized.	I see the same and similar work being done across divisions in our Region. Why? If the work process is similar why are two or three different divisions working it when one one is necessary. Many times one area does not know what another area is doing. If information was shared we could decrease the number of people needed to process an action.
101	100	5/2/2017					A very large amount of time and money is spent responding to FOIAs and discovery for electronic documents. This will continue to increase as the volume of electronic records continues to grow exponentially. Most electronic documents are emailed to many different people and large email groups result in email chains with dozens of responses. Each persons email and electronic files with potentially responsive documents are searched separately and put into the database. The de-duplication software does not work properly and it is difficult to search departed or separated employees emails. It would save a lot of time, money, and resources if all of our documents, particularly	
102	101	5/2/2017	We need more admins.	More funding.	More funding.	No, we've already been milked dry.	How about current computers with updated systems and printers that aren't breaking all the time?	

AMERICAN OVERSIGHT

	I
100	We are using a self built Project Management Tracking that has assisted in tracking projects, workload, and decreased out time in completing a project. We also have a self built electronic routing system that has saves thousands of dollars in paper, ink, time walking documents, and missing documents.
101	
102	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
103	102	5/2/2017	EPA Region 9 simply has too many layers of management. We have section managers, ADs, deputy directors, directors, a deputy regional administrator, and an acting regional administrator. The ADs and deputy directors are not necessary and only slow down work flow, making our region less efficient. Rather than reorganize from within, EPA should hire an unbiased management consulting firm to make the tough choices.				We should stop using Concur and switch back to GovTrip for travel. Concur has wasted employee time, and time is money. The Outlook calendar and email is only available on a computer or an EPA issued phone. Assuming one is in the field and does not have an EPA issued phone, Outlook is worthless. I have to keep a separate calendar so I don't miss appointments. Urgent emails go unread. Either the technology needs to be changed or staff should be issued EPA phones to access their email and calendar.	
104	103	5/2/2017	The suspension of funding contracting actions in January resulted in significant delay in Superfund projects. Also the requirement to run all press notifications regarding Superfund sites through HQ is burdensome and can result in communication delays and delays in our ability to respond to situations. The inability to inform congress of what we are doing on Superfund sites in their districts without HQ approval also stifles open communication and does not serve the public well.	Best results come when responsible parties are willing and committed to cleaning up sites. However, this cannot be legislated. It depends entirely on the people involved. Where everyone is in agreement and working together for a common goal (e.g. cleaning up sites) results will be rapid and dramatically positive. If there are other priorities at play (e.g politics, divisiveness, profit motive, lack of money, lack of participation, lack of committment) progress will be piecemeal and slow.	Keep the EPA website information intact, uncensored and up to date. Scientific information should not be political	Invest in EPA as an investment in our future. For a few decades now EPA's budget has been cut back every year as we have had to do more with less. We are and have been doing less with less for some time now. Staff is extremely demoralized by the threats of 30% budget cut, elimination of programs and possilble RIFs. You cannot threaten people with possible termination and then turn around and ask them how to improve their jobs. This is no way to run an agency. this survey reads like a cruel joke.	None that don't cost money. Right now we need to focus on preserving what we have. Increasing EPAs budget and staffing to previous levels could make us more efficient , effective and accountable. At this point we can only do less with less.	Other federal agencies e.g. DOD has shared responsibility, but not necessarily mutual interest. This is evident in significant disputes and project delays despite more than adequate budget.

AMERICAN OVERSIGHT

	I
103	Pay-for-Performance. Currently, 1% of EPA R9's payroll goes to awards. If EPA wants to improve efficiency, we should consider increasing that amount to at least 10%. Incentivize performance. How many people work at EPA? Answer: About half.
104	We still have some best practices at EPA and unmatched technology and expertise; focus now needs to be on saving them for the future needs of the country. Nothing needs to be "fixed" - that is a big part of the problem when management changes, there is always a need to fix or break what isn't broken to begin with.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
105	104	5/2/2017	We seem to have a hard time getting direction from our political leadership on decisions they have asked to be involved in. I feel we are constantly providing updates to HQ on our work. A lot of information goes in, but we don't get direction back. Do we move forward? Do we take a different direction? This seems to be due in part to the limited number of people in our political leadership that we can get direction from. They seem overloaded with too much going on to make a decision and provide direction.	Inspectors spend a lot of time in the field and see where facilities have a hard time with compliance. EPA should fund travel for inspectors to give presentations to the regulated communities (industry groups, government groups, operator trainings, etc.) on common issues. We used to do a lot of this, but as our travel funds have dwindled over the last few years, we are no longer able to do this type of outreach. We could also do a better job of outreach to the general public. We need to provide general education on things they can do to help their air and water (knowing where the paint they wash down the gutter goes, knowing how to properly dispose of chemicals, etc.). Sometimes states need EPA to be the guerilla in the closet. We have had states ask us to step in when they can't get a facility to	You can only provide customer service if you have the resources to do so. We can only provide assistance or good information to the public, governments, etc. if we have the people, the expertise, and the other resources to do so. The number of people, expertise, and other resources has been on a downward trend for a long time, and our customer service has also gone down.	Require facilities to post compliance documents on their website. For example, construction sites would post their stormwater plan and self-inspection reports online. This public transparency would lead to better compliance, and EPA and states could do some limited reviews of documents in lieu of on-site inspections.	We need to have software to electronically concur on documents (permits, RODs, letters, enforcement, etc.).	I don't see any areas where our responsibility overlaps with other federal agencies. As far as states, we already have state delegated programs that have committed people. We let them do their thing unless they need EPA help.
106	105	5/2/2017	We are required to report on ACS measures to HQ for 3 quarters during the year. Suggest just reporting on ACS measures at the midyear and end of year. We also need access to people who can help us with database and other data management efficiencies. Many of us use manual processes to do our work, whereas people with programming and computer expertise could help create more efficiencies. We also would benefit from creating portals on our website, where people from outside EPA can submit documents directly to EPA through the website instead of through emails.		Better communication tools for sending outreach materials - bulk emails sent to many people at once, etc.	We are woefully low on staff, and need to hire more FTE instead of relying on SEE employees to do important work. SEEs have frequent turnover since they are paid such a low salary, and they don't have the commitment of regular FTE. There is a lot of required work that we cannot do since we don't have the FTE staff to do it all.	yes, better database efficiencies and tools as described above.	Other federal agencies or states cannot do the work that EPA is required to do by statute.

AMERICAN OVERSIGHT

	I
105	Our PARS have elements that are very measurable (# of days to draft or review a document; # of days to submit a form; do a, b, and c every quarter, etc.). I know not all groups have this. They don't have anything to measure outputs. I know not everything is easily measured (e.g., professional interaction with states, etc.), but there should be something measurable in PARS. I hesitate to say this, because I don't miss this tracking from the private sector. Billable hours
106	sadly, no, except the use of web portals to receive public info, as suggested above. That technology is used by the state of Colorado and Utah.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
107	106	5/2/2017	Currently, it is extremely difficult to get a management-level decision on any matter. This appears to be due to a perfect storm of several deficiencies arising since January 20 -- the sudden loss of managers with knowledge and experience in subject areas, the slow pace at which new leadership has been brought to EPA, the surprising degree of unfamiliarity of the limited number of new managers arriving with agency practice, information pools, and legal structures governing agency business, and the rather na??ve approach to top-down clearance of each and every item of import that new leadership appears to favor. So, my suggested solution if for EPA leadership to convince the WH to get its vacant political posts filled, so that the agency can at least begin to address the mounting backlog of decisions that need to be made post-January 20. Basically, the "improvement" needed is to return to the full strength we had before the inauguration, as efficiency and effectiveness have dropped off	One of the things that slows EPA down and makes it take longer and more money for us to make decisions is the absence of needed technical and scientific information. This is informational poverty that is partly our own making, as we do not maximize use of our legal authorities to direct others to provide needed info and data. For example, if we made earlier and more frequent use of our Clean Air Act section 1114 authority, it would not take EPA so long to deliver regulatory certainty in the form of regulations that are well-supported by real world data.	We tend to too freely fall behind due to our own resource allocations. We need to invest more money and staff into completing required actions even when the results of those actions may be politically unpopular. Better to take the action, let people who don't like it get their day in court attacking it, and move on, rather than keep everyone waiting and wondering.	Yes, we should follow long-standing OMB guidance and require those who benefit from some of our services to pay for them (e.g., polluting sources should pay for permits, as OMB has long said they should).	I am not knowledgeable on this subject.	We end up doing too much of the work that states should do, in response to states saying they don't have the time, money, staff or political courage to do it. We should spend less effort cajoling states into doing their own jobs poorly, and more effort holding them accountable for when the do not fulfill their duties. A way to leverage better state behavior might be the use, fr example, of discretionary sanctions under Clean Air Act section 110(m).
108	107	5/2/2017	1) IT approvals for non-standard software often take a very extended period of time once submitted to the IT deparment, even for free software. 2) Reevaluating the delegated authorities and delegating more of them down to as low a possible would also increase efficiency, and reduce stress on managers who have to review these documents. 3) Supervisors and Counsel often worry about formatting issues (margins, page breaks) during routing of correspondence, with no real change to content. An overall reminder to them that this would probably be better left to the final administrative reviewer on the routing chain. 4) A lack of administrative support. In my branch, 1 Branch Chief, 3 Section Chiefs, and ~33 staff are served by just 2 administrative assistants. In addition, their time seems to be stretched further by financial reporting requirements for purchases for computers and office supplies, these seem to be rather surprisingly burdensome.	If we make our expectations and regulations clear and understandable as possible, and are proactive in our messaging on those fronts, we can achieve better, more uniform compliance. That way our partners know what to expect. In many ways this process often feels like we are building the airplane in midair due to our workloads and lack of administrative support. Fully staffing positions and having less turnover and limiting the length of how long positions are left acting would help provide consistency as well.	Personally, I am in the process of crafting detailed and explicit clarifications and explanations on how forms and submittals need to be filled out and explaining terms and common errors. And include the procedures in our decision making process. I hope these walkthroughs explain the regulatory requirements and how to meet them. I'm also in a continual process of reformatting and clarifying the language in the permits I issue to improve readability and ensure that the states or regulated entities understand their responsibilities. Such documents will also help any member of the public understand these documents should they request them in a FOIA.	Reevaluating the delegated authorities and delegating more of them down to staff or managers as low on the chain of command as possible would increase efficiency, turn around time, and reduce stress on managers who have to review these documents.	1) The agency as a whole has woefully underspent on tech. We need updated and flexible databases & geodatabases (and the tech support to maintain and keep them current) to help: a) automate many routinized procedures, which may include allowing the regulated community to make digital submissions to reduce manual reentry of data and generating form letters. b) use our accumulated data to make better, permitting, enforcement, and regulatory decisions c) use more statistical and big data techniques to find underlying trends that are not apparent on surface inspection of data. 2) Where possible moving more of our administrative record into safe and secure	1) If we could have US Fish & Wildlife Service make the determinations for Section 7 of Endangered Species Act consultations, in the same way that State and Tribal Historic Preservation Offices make the Section 106 determinations under the National Historic Preservation Act that would help immensely. 2) Work with states on a more regular and consistent basis by forming more national technical work/support groups that help maintain the overall knowledge base (especially important due to institutional knowledge loss), help states share resources/expertise, and

AMERICAN OVERSIGHT

	I
107	Actually, OGC is widely regarded as the best environmental law shop in the US, and therefore in the world. It would be unfortunate if we were to pick up the bad and wasteful habits of private law firms, especially if as with private clients our own public clients have to bear the cost of such self indulgence.
108	1) Consolidate all training requirements for better tracking. SkillPort does this to some degree, but many trainings are still not incorporated into skill port 2) Establish more SOPs and require them to be reviewed on a regular basis to keep up with regulatory, technical, and business administrative changes. 3) One pet peeve, change the correspondence manual to include the oxford comma. 4) Establish more correspondence templates that contain standard formatting styles (including linked headers) to allow for easy generation of accessible pdf documents while maintaining brand/style standards. Include these on all MS word installs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
109	108	5/2/2017	(1) It is highly inefficient to ask professional staff to handle their own travel in Concur, deal with ordering supplies, and other administrative tasks. We need more administrative staff who can handle these kinds of duties so professional staff can focus on their jobs. (2) Get rid of all but a few of the mandatory trainings in Skillport. They are a waste of time if you don't work in that area. Harassment - yes, we should all take that. Working with tribes - this is not relevant to many staff.	(1) Continue to wholeheartedly support the EPA-HUD-DOT Partnership for Sustainable Communities, which has had superb results and provides a model for federal collaboration. Talk to the mayors of Cincinnati, Kansas City, and Little Rock if you want verification of the excellent work they do. (2) Be sure that all programs have proven performance measures associated with them. How do you know a program is effective in improving human health and the environment if you are not measuring the results in a scientifically driven way? Every program should be able to determine for itself what works best, but every one should also be accountable for providing measurable results. Emphasizing this and providing training for managers would be helpful. (3) The new Administration should consider FAR MORE CAREFULLY	(1) HQ should return its focus to EPA's core mission - improving human health and the environment - instead of focusing on how to improve conditions for business. While I see the sense of ensuring that regulations do not impede business when possible and there could be some good outcomes from an in-depth look at this topic, no one thinks the new Administration has any real interest in being balanced or fair. EPA's primary mission is to protect the physical environment, not the business environment. This new focus on helping industry is highly disturbing - to EPA staff and to the many grantees I work with who count on those regulations to protect their communities. (2) EPA staff are largely mission driven. They care deeply about their work and work hard to deliver excellent results. EPA also has enormous professional and technical resources that our customers do not have and look to us to provide. I see enormous	(1) Allow staff to transfer between the regions and HQ more freely. It is extraordinarily difficult to move between regions or from HQ to a region, which means you lose staff or are unable to harness the talents of staff with just the right skills in other offices. (2) Make it easier to bring on interns and volunteers. It is so difficult right now, which is extremely inefficient when good people can be brought in to do great work for free or very little money. (2) At the same time, we keep on some staff who are known to be incompetent but are protected by union rules. It is almost impossible to get rid of people who are inefficient and a drag on the Agency. Find ways to remove these people, please. (3) We have many	Identifying technologies is easy; assessing, adopting, and rolling out new technologies and processes is the hard part. Start with hiring more staff, especially IT staff, who can do these jobs well and then you can think about bringing on more technologies.	Look carefully at how the Partnership for Sustainable Communities has been functioning (which has operated through the Office of Sustainable Communities). This is a great model.
110	109	5/2/2017			EPA senior leaders should consult the US military services about their beliefs about the existence of man-made global warming and its threat to US national security. Reportedly the US military services have rated an environmental problem, global warming, as the greatest current threat to US national security, greater than any political or military threat, including terrorism and unstable nuclear-capable governments. EPA cannot serve its customers, namely the entire US population, if it ignores the largest environmental problem in existence in the US, and the greatest current threat to US security.	The agency would benefit financially and the public would benefit through better customer service if the agency underwent a systematic nationwide project to scan our existing paper records, ship the paper versions of the records to an off-site Federal Records Center, and then post the electronic versions on-line for EPA staff and the public to access, for the following reasons: ???Managing paper records is costly because regions and offices pay rent per square foot for the space that records occupy at the same rate as our rent for staff offices and conference rooms. Scanning paper records to convert them to electronic format, and then shipping the paper records to an off-site Federal	Scanning technologies to convert paper records to electronic format, which will reduce EPA's costs to store records and to respond to Freedom of Information Act requests.	

AMERICAN OVERSIGHT

	I
109	The question is so unrealistic. EPA barely has enough money to keep its current program running or current staff on board. How are we going to afford the cost of bringing on best of class anything when we can't even afford to hire or keep best in class employees? Don't tell me we need to be leaner - we are sliced as thin as we can possibly get.
110	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
111	110	5/2/2017	1) Most offices have the ability to go paperless. However, old school, 19th Century management resistance is hindering this transition, even after they have been given the blueprints on how to convert all their processes paperless. Leadership must demand paperless processes be implemented, at all offices. 2) Leadership should encourage all offices to telework more. It increases morale and helps to maintain worthy talent, while costing the agency nothing.	Going paperless (with all processes) and increasing telework opportunities would enhance customer partnering, by providing timely and accurate data when they need it and would increase transparency.	A paperless office allows everyone access to all required documents from anywhere. Any person, with access rights, could assist any customer from any region, tribe, and/or community. Additionally, auditors could review an agency's processes without having to travel to an office's location (this would be a huge travel expense saver).	Expand telework opportunities (at local offices and for individuals to work remotely for other departments...the EPA has a wealth of talent - and we all don't want to live in DC). Also, teleworking reduces traffic congestion, reduces pollution, decreases the likely hood of someone being out of work due to a traffic injury, and provides a larger talent pool to choose from.	Obligate funds electronically. Currently, docs are printed and hand-stamped to show that funds are obligated. This is such an antiquated/outdated process. This can be accomplished and docs stored electronically, without printing the docs. No new technologies needed to implement this paper and ink saving process.	Hmmm....
112	111	5/2/2017	Filling out surveys designed to implement poorly thought-out executive orders from a president neither knows nor cares anything about the value of the work EPA does takes time away from real work, though it seems valuable to counter the preconceived ideas of the current EPA political appointees.	Sufficiently funding Congressionally mandated grants from EPA to the states, tribes, and island territories, such as the state revolving funds for wastewater and drinking water infrastructure, the public water system supervision grants, brownfields grants, tribal GAP grants, and others, would help EPA achieve better environmental results through its partners in environmental protection.	Sufficient travel and conference funding for EPA Offices and Regions would allow staff and managers to meet more often with EPA clients, to share information with them in person and to learn their concerns and needs directly from them. Providing and maintaining science-based information, unfiltered by political ideology, would certainly provide better service to the public at large than the censorship and removal of taxpayer-funded information from EPA's web site that is now occuring.	Fundamentally, we need senior-level managers that believe in, promote, and implement EPA's mission to protect the environment on which public health depends. It is a complete waste of personnel funding to pay salaries and benefits to appointees whose past record is obstruction and current goal is dismantling of environmental protection to benefit their parochial special interests.	Certainly, EPA is constantly testing and adopting new technologies and improving processes that protect the environment. Establishing a social cost of carbon that accurately estimates the health, economic, and social costs of climate change is an excellent example.	In many ways, given sufficient funding and management vision. For example, EPA could partner with DOE's National Renewable Energy Laboratory to develop and encourage adoption of new energy-efficiency and renewable energy production technologies.

AMERICAN OVERSIGHT

	I
111	1) Standardize grant payment process by mandating all grant recipients use US Treasury's ASAP system to receive payments. This would eliminate paper payment requests forms, and increase the timeliness and accuracy of available and distributed funds in Compass Financial.
112	Yes, the Ecological Footprint is a best-in-class indicator of the sustainability and equity of current resource use patterns across current geographic and political boundaries and across current and future generations. EPA should adopt the Ecological Footprint as a fundamental indicator of our society's environmental performance.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
113	112	5/2/2017	The Paperwork Reduction Act should be repealed. We should be able to conduct surveys and gain valuable input from our stakeholders without being limited to the restrictions and burdens of this outdated Act.	There should be one program that tribes could apply for to acquire federal waste management funding. Many federal agencies fund different and sometimes overlapping aspects of waste management, which makes it burdensome for tribes to apply for several sources of funding. It is inefficient and unsustainable to expect tribes to apply for piecemeal funding, something that state governments didn't have to do when their waste management programs were first being developed. Federal agencies should pool resources into one program to dedicate to tribal waste management, which is the least funded program of all tribal programs. This would achieve better results than inconsistent, piecemeal funding in stabilizing tribal waste management situations. An efficient, reliable source of funding could lead to	Each federal agency should develop a national policy outlining what resources they have to support tribal waste management and what resources they could commit towards a joint federal funding program.			
114	113	5/2/2017	as an inspector in the region, i am hoping the new leadership will let me continue to do my job and to help build our state inspectors' capacity. we (epa/state team) make a difference on the ground . we do real work and identify issues that the facilities need to fix to reduce the release of harmful chemicals into the environment. we are pro-economy and we are pro environment.		training for our states. I have organized three RCRA inspectors trainings for two of the Region 9 states in two years. The state inspectors need to have the tools and knowledge to implement the regulations. I suggest that OECA put more resources in training our state inspectors. Each inspection training (class room and in the field) received positive feedback from our state inspectors. We add tremendous value to the state inspectors' day-to-day work.	Instead of answering the question of untapped opportunities, let me address the existing opportunities that have been taken away due to the change of leadership at epa. as a staff inspector in the region, i was told recently by my management that we should not conduct hazardous waste inspections at large facilities. it happened that my work experience ([**REDACTED B6**]) and my education ([**REDACTED B6**]) led me to this rcra hazardous waste inspection/enforcement position in the region when i use my technical and regulatory skills, especially with respect to inspection/enforcement at large facilities with complex industrial processes. I have seen facilities that spend the		1. We already do a lot of joint inspections with the states, often at their request because the facilities are too challenging for them (e.g. complex industrial processes, specific regulatory exemption and etc). EPA leadership should welcome these opportunities to assist and support our state inspectors because they need this to be effective in their work. I have put in several requests for HQ to provide training support for our states. the feedback that we have received from the states was very positive. 2. have formal work-sharing agreement with the states that has some type of accountability mechanism built in. also

AMERICAN OVERSIGHT

	I
113	
114	Managers need to know what the staff's job is and how to help the staff to achieve better efficiency and success.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
115	114	5/2/2017	The process of hiring an exceptional candidate is daunting. Timekeeping in multiple places (webforms, maxiflex, PeoplePlus) is nearly ludicrous. Taking training in Skillport, the Inspector Wiki and TMS is beyond. We need a simple one-stop shop for training. We need a simple one-stop shop for timekeeping.	Often communities, like governments, operate in silos. An effective means to achieve better outcomes is to have an EPA employee establish relationship with all the environmental players (NGOs, governments, grassroot organizations) in a community and then convene all the players to tackle the issues the community has identified. By removing silos, communities are able to operate more effectively. EPA brings technical experience, know how and acts as a consultant to the locals.	EPA should have marketing goals. Just like in the real world, we should have to hunt for partners and sales. This works for enforcement (each inspector aims for 3 cases a quarter), permits (each permit reviewer reviews at least 10 permits a quarter), and many other programs (EnergyStar should recruit at least X partners per quarter). The goals should be stretch goals.	Certain sections out perform similar sections. The manager from a high performing group should be detailed to underperforming groups to try and fix the issues. Managers who don't address poor performers or cannot get a section to perform at a high level in 2-3 years should be moved out. We need to utilize a "center of excellence" model for more programs. A smaller group with high knowledge can cover the nation, vs individuals in every region with half an FTE dedicated to the work.	We should put all our work on a GIS platform, not just enforcement (ECHO) or facility data (My Environment). If EPA put all its work into a geographic platform (tracking relationships, outputs, inputs, health), we and the puclic could see all the positive impacts of EPA's work. Internally, we'd also know who to else from EPA is working in the same area and could better coordinate.	By working w/ other feds (DOE, Dept of Ag, HUD) in communities, we can better deliver services and remove a lot of red tape for communities.
116	115	5/2/2017	We do not have a mechanism for efficiently cataloguing, retrieving and storing records, and we don't have permission to get rid of paper documents in all cases because we don't have approved electronic systems. I don't know how to address it myself, it is a complex problem with validating electronic signatures in compliance with CROMERR as just one obstacle.	Maintain or increase grant funding to states, islands, tribes, local governmental environmental agencies and NGOs, so that they can keep inspectors, database administrators, and other front-line environmental protection staff implementing their laws and federal laws.	Share more data with the public. For example, we don't have one systematic way to post FOIAble permits or signed enforcement actions to a public-facing website. Different programs and regions have different levels of public access to data. Part of this is a result of too little investment in IT FTE and too heavy of a reliance on IT contractors, which I will address in item 4.	Bring IT contractors in house so that they are obligated to be responsive to the taxpayer and the agency instead of their corporate supervisor. When inefficiency is in the contractor's best interest what would incentivize them to build a smart stable data system?	A single platform for conveying signature chain items that can accommodate any number of signatories and then stores the final signed copy as the copy of record would be a big step forward. Numerous programs are developing such workflows now through SharePoint and other user interfaces with no connection to other data sets that may or may not be related. And many times the electronic signed copy has to be printed to satisfy record requirements for wet ink signature.	Centralize enforcement data but distribute enforcement personnel back to the statutory program offices in regions where they are separate, so that individual inspectors develop and maintain understanding of why compliance is monitored, and assist the regulated community to understand its compliance obligations. Maintain centralized enforcement reporting data from regions to ICIS and ECHO so that cross-programmatic compliance problems in a given geographic region can be mapped with vulnerable communities or resources, such as drinking water supplies.

AMERICAN OVERSIGHT

	I
115	Using the tools from the communities training by the Partnership for Public Service is a best practice.
116	(1) Form data that can be collected via the internet should be collected via the internet, but for some communities a paper option should always exist, such as with the RCRA very small generator community. (2) Since most IT development is outsourced and so many programs have less than an FTE managing those contractors, there is little to no incentive to look for opportunities to centralize data pipelines if that takes time away from getting their primary data objectives met. (3) since so few people in OEI come from programs, they can't recognize redundancy when they see it, and even then, they might choose not to see it because it interferes with all of their competing priorities like

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
117	116	5/2/2017	We have been curtailed from using browsers other than internet explorer and many of our partner agency web sites are built to be used in Chrome, etc. We have also been curtailed from using file sharing technology with our partner agencies, this prevents us from fully working with partners using platforms like Google Docs, etc. It would be wonderful to have the use of the most appropriate web browser/document sharing to get our jobs done and not spend endless hours trying to justify the use of these technologies.	We already work very closely with our partner states, tribes and local government as well as other environmental agencies. Please allow us to continue to do this work and provide technical assistance to our many partners, the work we do at the federal level allows for the facilitation of many groups that would not otherwise communicate. (Example, states do not have authority to speak directly to tribes, we provide that mechanism. Another example is when we work in tandem with other federal agencies like USDA to provide technical support for complex issues in state, tribal and local jurisdiction)	Allow us to continue to partner, provide technical assistance and provide convening support for our partners.	YES! Please hire in-house tech support, contracted support can only get us so far, then we spend a ton of money trying to keep things going, if we had the support in-house we could make updates, develop better databases, make our products and report systems talk to each other and provide a way for us to get out of this endless loop of buy a system, pay to make changes, dump the system when it stops being maintained then buy a new system; all the while paying enormous fees just to keep the system functional.	Invest in in-house tech support, open up the opportunity to use the best available tech for work.	This has been done to a fault already! All of our support for HR was centralized and funding for training new managers has been cut to the extent that managers struggle to find other ways to get trained. Meanwhile, all the knowledge about how to manage has been centralized to HR and there isn???t anyone local to turn to when an issue arises.
118	117	5/2/2017	Too much HQ input on Regional decisions.	We can do the science, roll out for example cleanup levels based on that, and require national consistency. also provide states, tribes and local communities with funds to build capacity (i.e., tribal GAP funds). the issue to remember though is air and water don't recognize state or reservation boundaries. which is why national standards are important.	more transparency and stop deleting science from the website.	to the extent that there will be cuts in personnel, I believe they should come from HQ which is top heavy and have a lot of staff GS-14s.	again, provide real science online.	could listen more to what the local problems are and bend our goals to those, versus asking states/tribes to meet our objectives.
119	118	5/2/2017	EPA should hire and train internal agency personnel to perform work currently being outsourced to contractors.	Increase the amount of grant funding to states, tribes, and local communities to address environmental concerns and issues.	Hire additional EPA personnel to forge stronger relationships with our partners. EPA personnel are stretched too thin and this makes it difficult to provide high quality customer service.			

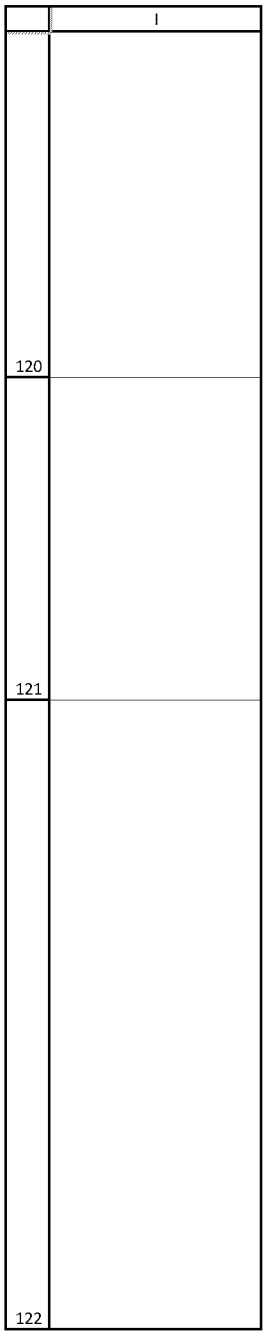
AMERICAN OVERSIGHT

	I
117	1) Develop online (cloud) records platform to make staff-level filing easier and more efficient, hire local records specialists to help provide support to new employees (and old) who need help maintaining their records. (The Air Force did a good job when digitizing records in providing training and support for staff through the transition) Use of digitized records that are kept in a standard way would free staff to do their jobs rather than spending hours on end when researching a FOIA 2) Develop training for all systems, have local training experts to help staff navigate new training/technologies, these training experts could look a lot like training mangers in the Air Force.
118	don't roll back reporting on releases and emissions from industry. the public has a right to know what they are being exposed to.
119	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
120	119	5/2/2017	Contracts are unacceptably slow to get signed - even moderate-sized contract cant take over a year to get negotiated and started.		Moving to making more of our data on chemicals (properties, safety, toxicity) online in an easy to find place. ORD is developing a series of dashboards showing how this can be done. This lets state risk assessors, companies, and other stakeholders get easy access to the data EPA has generated and compiled.		The IT world has moved beyond what most of the offices at EPA are doing, and one cause is that it is hard to hire IT professionals here because of bureaucratic rules. Instead, we pay contractors a significant premium, but often don't even have in-house federal expertise to make sure that IT / software work is done as well as it should be.	
121	120	5/2/2017	Processing electronic discovery and FOIA responses is overly time consuming because we have electronic systems that are not easily searchable. Even FOIA online is not easy to search without knowing specific FOIA number. Some FOIAs are duplicative and if we could send requesters to FOIA online it would be less time consuming but the requestors have a hard time searching w/in FOIA online. Improve our overall IT abilities.					
122	121	5/2/2017	Given modern IT resources, there is no reason why, in this day and age, that people plus timecards can't be entered and run after the end of the pay period. This would minimize corrections by staff, supervisors, and managers after the close of the pay period, who essentially must review PPL+ 2x each payperiod.				OCR and machine-learning technologies to recognize and process handwritten postcards, comments, etc. This is is well-solved problem. Response to comments analyses on regulatory processes could be partially automated by some of the techniques adopted by scientific systematic review experts and internet textual analyses (such as spam filtering) including natural language processing and machine-learning. See, for example, https://gdsdata.blog.gov.uk/2016/12/20/using-machine-learning-to-classify-user-comments-on-gov-uk/. Especially for regulations triggering thousands of comments, across the entire government, this would have	A number of government agencies share responsibility for managing and researching different parts of the chemical environment - FDA for food, drugs, and cosmetics, EPA/OCSPP/OPP for pesticides, NTP for generating complex studies on substances of interest. These agencies collect data, but often don't share AND when they do the data is parsed into each agency's unique format requiring other government stakeholders to reanalyze the data. If the agencies developed internal confidential data

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
123	122	5/2/2017	The Administrative Efficiency Project produced a whole organization in ORD, OARS (Office of Administrative Resource Support). This project pulled persons from within divisions in ORD who were doing travel, HR, and extramural management, and centralized them, however, this required a whole new management structure, and the end result was way more FTEs devoted to doing the same job. The whole of OARS should be eliminated and the administrative functions returned to the Laboratories and Centers in ORD where an existing management structure exists. This would eliminate the entire management of OARS and create better efficiency.					
124	123	5/2/2017				Stop throwing money away on new technology when the fully customizable and programmable Lotus Notes and Domino applications that are already in place can be modified as needed at a fraction of the cost of rebuilding in another platform. Saving a little money on an annual license fee but spending hundreds of thousands on redevelopment costs is a compete waste of the EPA's human and financial resources.		
125	124	5/3/2017	For OIG, Assess support staff and determine if they are needed. Assess employee performance and either insist that staff improve performance or make them accountable or get rid of them.	n/a	N/a	Take free training where possible. Trust staff who perform with needed work.	Assess support staff and determine if they are needed. Assess employee performance and either insist that staff improve performance or make them accountable or get rid of them. Assess travel associated with training and insist that training be local.	Assess support staff and determine if they are needed. Assess employee performance and either insist that staff improve performance or make them accountable or get rid of them. Assess travel associated with training and insist that training be local.

AMERICAN OVERSIGHT

	I
123	
124	
125	Assess employee performance and either insist that staff improve performance and thus make them accountable or get rid of them.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
126	125	5/3/2017				Encourage more use of Lean and other process improvement efforts to streamline processes across the agency.	A well-managed Knowledge Management System would allow for more sharing of information across the agency - right now, it can be slightly stove-piped and offices/regions may be duplicating efforts unnecessarily.	
127	126	5/3/2017				THe contracting office is understaffed. Having more COs will make working with states, Tribes and local communities easier.		
128	127	5/3/2017	Overall morale dropping due to administration (including in EPA) publically expressing their desire to stop us from doing our jobs. Acknowledge that the current EPA is needed as is.	None of the states in our region will have the money needed to pick up the programs that the administration has targeted for elimination.		Well, eliminating everything you say you are going to eliminate is not a good way to do it.	How about science?	It's working now for the public (not necessarily for the businesses, but for the public it's working
129	128	5/3/2017	Receiving approval from multiple levels of management of which many are not knowledgeable about my area of work.	Requiring upfront discussion with the states & communities prior to the development of the EPA activity.	Having the education, knowledge and understanding of the clearly stated problem before we do anything.	Flatten management by eliminating branch chiefs. Having a real staff to management ratio which is enforced.	Smart phones to replace our flip phones.	Having EPA organized in the regions to reflect the HQ programs which are clearly reflective of our missions.
130	129	5/3/2017	NA	NA	NA	NA	NA	NA

AMERICAN OVERSIGHT

	I
126	Having a certified professional development trainer in-house allows our office to provide high quality training to employees and managers in a very cost efficient manner.
127	
128	Again, how about science? And not eliminating us?
129	Revisit TQM --- by asking what valve is added for each step of approval
130	The use of Lean Six Sigma and Continuous Process Improvement. OARM is leading in that area and they have a Process Improvement Coordinator that is/should be a model for the agency. Their coordinator is already pushing other programs to evaluate their operations, in a collaborative and cooperative manner.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
131	130	5/3/2017	The fact that Headquarters staff and senior management are afraid to make decisions, I feel that the majority of HQ staff can be deleted and the work handled by those who deal directly with the people of the Untied States. Let the Regions do their work without HQ. There are too many delays and too many meetings before the work actually gets done.	the Regions work quite well with the states they represent. Let them do their jobs without HQ involvement.	the Regions do quite well providing service to the states and the public. Waiting for HQ to actually make decisions or provide real directives that matter are hindering the Regions from moving forward. I mean really, how long does it take to finalize a lead policy?? The regions have been waiting since 2012. Make a decision and move on.	Yes. Hold managers accountable. The rank-and-file staff are inhibited from doing their jobs by senior managers. That's what happened and Flint and it happens all over the place, its just not reported. The ego of managers has inhibited the real workers from doing their jobs. Install a 360 degree review where staff reviews their supervisors. When issues are noted with managers, they should be dealt with instead of sweeping them under the table. Management tends to "circle-the-wagons around bad managers to protect them instead of training, penalizing, or removing them.	For my position, yes! We have been waiting years for the implementation of a new blood lead model called the all-ages lead model. However, since management in HQ is afraid to make any real decisions or to finalize anything...we are still waiting. Did I mention that the CDC lowered the recommended blood lead level 5 years ago and we still have not responded to it.	Put more faith in the Regional staff. We are the ones who work hand-in-hand with the states, tribes, and other federal agencies where it really matters. Want to make the agency a better place. Take a look at what is happening, or not, in HQ and how its effects the staff and the work being done in the regions. We are way too top heavy.
132	131	5/3/2017	I believe and know that all Secretaries (Administrative Assistants) are way over due to be upgraded with all the work and responsibilities placed upon them this needs to be corrected ASAP. All of the other employees GS-10, 11 and above worried about their high 3's what about the assistants high 3's they make much less than the rest of the employees and work twice as hard. They should not be required to have a desk audit performed the agency knows exactly what they do.	Hire more dedicated and responsible employees in the state agencies some of them just don't care with all of the grant $ they receive from the Federal Government I know they can do a better job.	The state agencies need to hire more dedicated and pleasant individuals.	Having more Video Teleconferencing Meetings/Conferences (VTC) instead of having so many employees traveling and also have trust in the employees that have been performing the duties and have the experience not bringing over other employees from the same region out of state to perform these duties and spend unneeded travel monies.	(VTC) conference calls	Hiring responsible dedicated employees to perform these duties/tasks and the most important is the follow up to make sure this important work is being performed.
133	132	5/3/2017	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda.	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda.	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda.	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda.	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda. Promote management based on education and experience not political agenda.	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda. Promote management based on education and experience not political agenda.

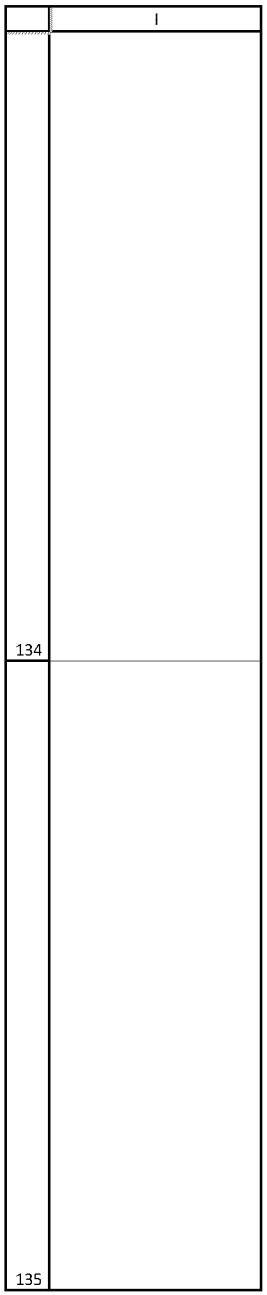
AMERICAN OVERSIGHT

	I
131	The majority of the rank-and-file employees at agency are good workers. They know their jobs and are proud to do them to help the American people. It is the over zealous micro-managers that care more about their careers and egos that hinder the work that we do. Let the regional staff do our jobs of helping the American people. Let HQ make all the regs, but let the regions do our work. Our biggest holdup is HQ intervention.
132	Teleconferencing, upgrading administrative staff
133	Budget and the lack thereof Provide and budget to support well educated and experienced management and staff. Stop dumbing down the science to fit political agenda.Promote management based on education and experience not political agenda.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
134	133	5/3/2017	In 2014 the agency migrated to a shared service provider for human resources, payroll and time and labor services. The OCFO organization signed a document stating they would move time and labor in a year (there were issues with a complicated account code structure). This never happened. We're four years into the migration and they're still running their internal time and labor system. This is unnecessary inefficient work that is costly to the agency. Millions are spent on the interface and the resources. It affects every organization that reports time in their system.	N/A	It would save tax dollars.	Yes. The time and labor system should be migrated with the HR/payroll system. The result could save the agency millions.		Approximately 10 years ago, under Luis Luna, the agency created three human resource shared service centers (RTP, Cincinnati and Las Vegas). We had an HR office in all ten regional offices. The headquarters HR operations unit moved its residual HR employees appropriately; their organizations were dissolved. The 10 regional offices kept the HR functions, including the employees. At least one regional HR office has 13 HR specialists functioning as a "shadow" organization. Also, the HR offices kept their HR directors (replaced them when they left), which is a
135	134	5/3/2017	The process to place a contract or a request for a piece of laboratory equipment is overly complex, the rules and requirements are not clear to the individuals initiating the action, there seems to be little interaction between the individuals working on a particular action, and the requirements seem to change depending on who in the contracts office is handling the action. We are placing small contracts ($25-60K) that take many hours of staff time because the rules and requirements seem to change on a daily basis. It would be nice to have a clear list of documents that are necessary to initiate either a contract action or an equipment purchase that are clear and concise and that are agreed upon by the contracting officials. Once an action is placed it would be valuable for the contracting officer to set up a meeting with the individual who initiated the action to discuss the action, determine if the documentation is complete, and then to provide a schedule for the contracts office to stick to when processing the					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
136	135	5/3/2017	There is too much redundancy across offices. Many of the administrative functions could be centralized in the immediate office or an office w/I the AA-ship. For example in OW, we are testing centralizing our FOIA functions and our HR - operational functions. The HR Service centers still require real signatures, electronic would suffice to reduce time and paper. Many of our processes have bureaucratic steps that managers are stuck with that mind set - remove SES and GS managers with mindsets that avoid technology advances. Have only one HR Service Center - they act independently, and there is no accountability.	Balance. We can achieve good environmental results, while creating job and economic growth. Employees need to feel valued, and to have an open mind. The newly hired staff don't have any business/economic learning with their degrees, so they don't come to the table with a balanced perspective.	Listening. Listen to what they say and go back to the office to see what is feasible.	It s everywhere. You have to change the SES core. The political appointees are only there for x- yrs, while the SES-ers are career. They can outwait the appointees and little change happens, often times it is silenced.	There is still too much redundancy in our IT systems. For example, OCFO - they went to IBC for payroll, yet we have a separate system People Plus, and a separate Property System - SunFlower when the IBC system could handle it all more effectively. There was even azan opportunity to use the property system in IBC, but the office had a different objective. If they were integrated, auditing would be easier and accountability would exist.	Instead of stove piping (vertical) program offices i.e., water, air, waste, etc... look for opportunities to (horizontal) integrate the medias for greater efficiencies.
137	136	5/3/2017	Confusing in transitions between administrations; no clear messaging.	Be the backstop most States need in meeting environmental expectations. Implement the regulations as written to all parties.	really depends on the active definition of customer service - if it is treat everyone professionally and equitability then a good to excellent service is being delivered now; if the definition is how can EPA guide everyone thru the expectations of each environmental regulation as if their consultant then many more staff would be needed at State & federal level.	Offices outside of high cost areas.		I see little federal overlap - there is an opportunity to (re)define the core expectation and each agency's roles in successful completion. As far as the State/EPA role, there is some overlap but often requested at the non-political level for support.
138	137	5/3/2017	I think that sending all promotion/reassignment actions to PSB, proves to be costly and cumbersome. If the employee's risk level is not changing from their previous position, and they have cleared PSB within the last 7 years, it may be unnecessary to send them again.	The EPA has made huge strides in air and water quality since the agency began. It is horrifying to think of all the setbacks and harmful effects on the environment if all of the current restrictions are repealed.	Continued support and availability. We can not accomplish this if our scientists are not allowed to continue with their research and work.	The agency as a whole, should be more strict with the grades given to non-supervisory, non-scientific staff. Non-supervisory GS-15 admin positions should not be common practice.	True E sign for documents. The DOD uses it, and it would stop all of the unecessary scanning and printing.	

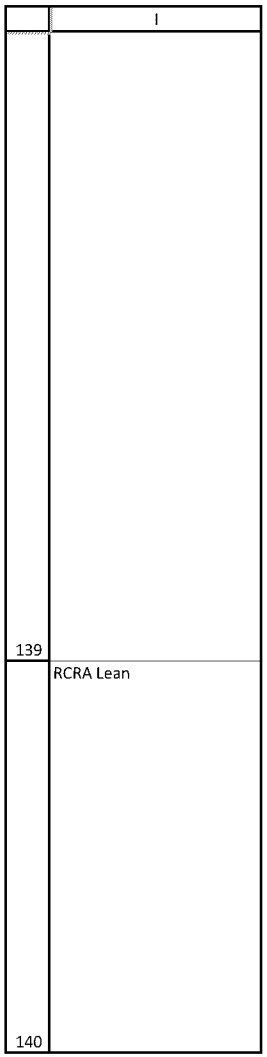
AMERICAN OVERSIGHT

	I
136	Yes, When I was in the private sector, they had a HR system that controlled everything - access, training, accounts, equipment, so when you left the company "one switch was checked" and everything in your account was closed out. Here you have a "separation checklist" that you have to walk thru to the wrong locations - tedious and time consuming
137	
138	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
139	138	5/3/2017		Stronger enforcement is needed to achieve better environmental results when it comes to pesticides (enforcement is typically conducted by states and EPA regional offices). There is no point in reviewing the risk of pesticides and mitigating that risk through pesticide labels if the use of a pesticide based on the label is not enforced. This will also help keep a level playing field for the private sector instead of rewarding companies that are not good stewards of their product. The government also needs to do a better job of promoting the importance of science. Strengthen science education in schools, provide science programs for adults etc. People do not have a strong enough background in science and therefore do not trust it. By not trusting science, people are scared of technology (developed			OCSPP-OPP-RD needs to have one file system where anyone can look at files and/or notes that pertain to a pesticide application package. This is especially important when someone is out and others need to fill in. Furthermore, OCSPP-OPP should be on one filing system where everyone in OPP has access to all aspects of the system. The system should include up to date information on all active ingredients (current use rates, products, mitigation, risk assessments etc.) and on all end use products (current and previously accepted labels, CSFs, data matrices, data reviews etc.). This information is currently kept in piece meal across a dozen applications, databases, etc. Old files of products are	
140	139	5/3/2017	The largest hurdle to making greater progress at my job is that any document signed by the Division Director must be reviewed by ORC first. Lawyers, like project managers come in all different levels of abilities and experience but all but the best take weeks to review the documents and continue to revise for little purpose other than to have input.	This is a tough one. States pay their employees less; have tremendous turnover; and generally lack talent and experience. As far as the private sector - you can't choose the experience of the environmental manager of the facility but it would be great if we could have input into the consultants that industry hired. We work with completely incompetent environmental consultants that cause progress to halt as they require constant and overwhelming oversight.	We have a job to do but we don't have to treat everyone else like the enemy. I view the regulated community as my customers and while they don't always like my advice my goal is to aid them in getting through our program efficiently and cost effectively, which I typically understand better.	Promote managers by competence rather than diversity. Figure out how to fire incompetent or unproductive employees.		Partnering takes a long time. Regulators work at their own pace and generally are fearful of making decisions.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
141	140	5/3/2017		All site remediation projects should include EPA staff with expertise in analytical chemistry, field sampling and risk assessment. The agency has lost the majority of its staff with expertise in these areas and now many decisions are being made by contractors who don't consider cost as a priority.	In order to improve relationships with our partners, senior management must set the example. Senior management along with staff, must be involved in improving the partnership with states, tribes and local communities.	The 10 Regions and HQ implement policies pertaining to grade levels, PARS and performance / conduct issues differently from each other. For example, the basic grade levels in HQ is GS13, 14 &15 while in the Regions its GS12 & 13. There is too much grade inflation in HQ. Due to union overreach, managers have become facilitators & mentors instead of managers\ facilitators\ mentors . Holding all employees to a higher standard can only be accomplished if poor performance and conduct can be addressed by management. To help improve the process, boards can be formed to review conduct and performance problems identified by	The agency has done a good job purchasing current technology and investing in lean development, but the technology is only as good as its implementation. In order to significantly improve efficiency, the agency needs hire people that incorporate our business model into the technology. For example, purchasing SharePoint is a great investment, but the agency did not supplement that investment in technology with adequate that could develop the tools to make it truly useful and productive.	
142	141	5/3/2017	The current state of our agency is stifled. The work that we do, as EPA employees (environmentalist), is being ruined by our Administrator and his chosen staff. We have regulations that are in place and it's our job to ensure they are being used, properly. We are all here to do the right thing - we support our mission - to protect human health and the environment! Let us do that and that will improve the organizational process and enable us to do our job effectively. Stop trying to get rid of useful regulations.	Regional offices ALWAYS work with our states. It's our job to help them, teach them, oversee them, and ensure we're reaching a common goal. The states CAN'T handle the burden that our Administrator and President are hoping to hand to them. They can barely get the work done we give to them now, which isn't due to our "overreach" it's actually due to their lack of budgetary funding. We are talking with our state counterparts multiple times a day - this is not new and we do not expect this to change.	Increase our funding and this will enable us to serve our regulated, public sector better! Stop telling us that the work we does doesn't matter. Stop telling us that the we need to continue to do so much more (because you're actually stressing our states out!) with less. Stop saying science isn't real! Facts are facts and EPA has made a huge difference throughout our many years REGULATING industry and pushing technology and creating jobs and innovation.	All of our administrative systems are more complex then they need to be - i.e. people plus, concur, etc. Allow the Regional offices to make their own decisions and stop micromanaging us - this will reduce costs and inefficiencies A LOT! Allow us to hire computer, IT staff that are effective and will reduce down time.		Someone needs to be the watchdog. We give our states a lot of money to run their programs. It's our job to be sure they are running them correctly. In a lot of cases they are, but there are a lot of cases where they are not - they don't have the staff, they don't have the expertise - they need us, our expertise, our oversight.

AMERICAN OVERSIGHT

	I
141	They embrace and incorporate technology (software developers, hardware, database administrators, etc) into to their work. The agency has very small IT groups that can only provide the most basic support. It does not invest in the staff that is needed to make the tools available useful.
142	Strategic Planning - our office has taken a in-depth look at what our small office within the division does on a daily basis. We've invested time in this to take a look at how we can standardize processes, improve processes, improve our oversight of our states' program. We've done this with the intent of making things better. We've done this to ensure each person is on the same page. We've done this exercise to see how we can best meet our personal/regional/national goals. The people who do the actual work and the people that know how to fix things (hopefully hence your survey) and they will have the best ideas. The other thing is true buy-in. We had facilitated meetings

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
143	142	5/3/2017	Too many layers of management. Hard to move projects forward in a timely manner.	I work in a support position so will leave this to the "boots on the ground" folks.		Change regions to field offices so they work with HQ not as a stand alone entity. When you go to a region you often hear "We do not do it that way here!" I thought this was an agency effort. Also, why do the Unions have so much power? They bad mouth the supervisors and bully their way through with threats while prancing around like they own the agency. Ridiculous behavior for adults.	We should be using the systems we have in place. Staff are resistant to use SharePoint and One Drive. We still place memos in folders and route them from level to level. They come back down for minor changes that could be easily managed along the way. Instead they go back and forth and we are wasting time and resources instead of staying within established timelines.	Partner with agencies on tasks that are similar same so we do not keep recreating and wasting resources. Contracting, training, and other like activities can be improved and employees would have consistent processes to follow. We are all addressing the same skill sets, processes, etc. Combine and conquer.
144	143	5/3/2017	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.
145	144	5/3/2017	GOV Reservation Systems require in-person checkout and a physical signature on the checkout documents.				The procedure could be expedited via electronic signature capture	

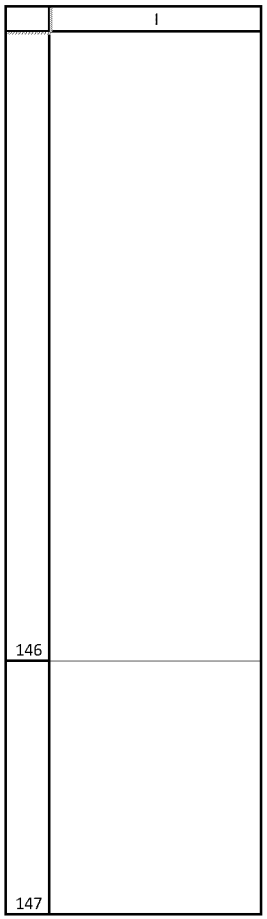
AMERICAN OVERSIGHT

	I
143	Groups such as the CHCO and CLO councils are working with OPM to help create efficiencies in HR and training. Putting proper resources behind their efforts will help reduce cost and improve efficiencies across the federal government. Collaboration instead of competition is the way to go.
144	Term employees need to see security in their jobs. Without the hope of being turned to permanent employees or without receiving training opportunities that make them eligible candidates for other permanent jobs, they will leave the first chance they get. Not all terms are the same and their eligibility needs to be understood by all. Equal pay for equal work and equal promise of security for the same jobs.
145	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
146	145	5/3/2017				Yes, a corporate approach to regional science. EPA currently pays to maintain or lease 10 regional laboratories for basically the same science. Labs that are largely underutilized and empty, yet very expensive to maintain. The regional science community have been resisting examining opportunities for doing their work more efficiently and effectively for years in the hopes of maintaining their regional lab kingdoms. Sample processing can be done anywhere in the country. A 2 to 3 regional lab structure (left coast, right coast, middle of country) that maximizes EPA/Federally owned property could easily meet the regional laboratory needs of the agency. Right behind fixing the regional lab		
147	146	5/3/2017	EMS monitoring is not necessarily suitable for employees on a yearly basis. I believe the reports that are created by a third party were a great guideline and guide that encountered the same deficiencies. Instead of a couple of employees reviewing the entirety of the EMS system maybe the previous notes could be reviewed with senior staff on a quarterly or semi annual basis.					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
148	147	5/3/2017				The reduction of the amount of paper being used and enforcement of paper reduction practices. I see personnel printing large reports single-sided. Two-sided printing should be required everywhere and enforced. Also, the reduction of the use of electricity in our facilities. Not just lights in the facility itself but the lights over each individual's desks. They should be turned off after work hours. Computers should be shut down after work hours, even the monitors.		
149	148	5/3/2017	The hiring process through USA Jobs is broken. When we are able to hire, USA Jobs and hiring preferences make it challenging to identify scientists qualified for open positions.		We are currently struggling at current budget levels to maintain our day-to-day work, much less be better stewards to the American public. This is an tall ask of an overwhelmed work force.		Technology? Have you had the opportunity to experience technology/ IT at the EPA? We at the Office of Pesticide Programs have regular interactions with the pesticide industry and stakeholders via teleconference. This can prove incredibly difficult since our teleconferencing equipment is rarely fully functional. We regularly experience meetings where technology hinders these interactions and limits productivity.	
150	149	5/3/2017	Having an administrator that does not understand or believe in science prevents me from doing my job efficiently.	The administrator needs to step down and be replaced by a professional with environmental protection and science background.	The administrator needs to step down and be replaced by a professional with environmental protection and science background.	The administrator needs to step down and be replaced by a professional with environmental protection and science background.	The administrator needs to step down and be replaced by a professional with environmental protection and science background.	The administrator needs to step down and be replaced by a professional with environmental protection and science background.

AMERICAN OVERSIGHT

	I
148	
149	
150	The administrator needs to step down and be replaced by a professional with environmental protection and science background.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
151	150	5/3/2017	Extend the range of "local travel" beyond the maximum 100-miles roundtrip so that I can get out to "nearby" sites quickly without having to wait for multiple approval signatures.			Allow regions to directly purchase equipment for work at Superfund sites. I recently convinced Region 3 to do just this. Region 3 spent just over $50,000 for equipment I recommended they purchase for application at a Superfund site where I was tapped to design and implement a site remedial investigation. The result of making this purchase probably saved the region several hundred thousand dollars, while providing the region with approximately one million data points for analysis, which could not have been accomplished without the equipment purchase.	Greater emphasis and pursuit of passive sampling technologies for water sampling. Passive sampling is much less expensive than traditional methods, are quantitative, and can be very effective.	If we are to work with other federal agencies (e.g., U.S. Geological Survey, Army Corps of Engineers) we should be able to mandate that they actually do the work tasked to them. Too often, these agencies agree to work on a regional site project (e.g., Superfund site), take EPA's money, and then go their own way. Other federal agencies are also much more expensive than is justifiable.
152	151	5/3/2017	The greatest inefficiencies that I experience are (1) the lack of a budget at the start of the fiscal year, which originates with Congressional ineffectiveness primarily due to obstructionism in Congress and (2) the inability of our Contracts Office in RTP POD to route contract materials and issue contract in a timely manner.	We currently work on a daily basis with state, tribal, and local air agencies to support them in meeting their data needs required to implement the NAAQS. E-Enterprise is a program that is ideally positioned to further improve those connections. We have been seeking for 2 years to get the resources needed to streamline environmental reporting for the private sector through E-Enterprise. Unfortunately, Congress struck that item from the President's budget proposal and thus our program office has been trying to fund it bit by bit. Our savings to industry are in the millions of dollars per year as documented by a Return on Investment analysis completed 2 years ago, but we can't get the resources to implement our programs even though Industry is very supportive of our efforts.	The state, tribal, and local air agencies rely on OAQPS for helping them collect and develop data and tools that is crucial to environmental decision making (emissions data, ambient air quality monitoring, and modeling tools). Unfortunately since the Obama Administration has combated Congress for the past 8 years, we've gotten more requests from partner agencies to better support their data needs than we can support. We do a large portion of our work in house already, but there are so many different data needs that we simply cannot do everything needed without sufficient contractor support. Thus the single largest thing that could be done would be to improve funding for the infrastructure that we create to support state, local, and tribal source data and tool development needs. It is far more efficient for EPA to create tools in collaboration with state, local, and tribal agencies rather than each agency develop different tools	Absolutely. Numerous examples of this have been identified already by the E-Enterprise program. Take a look at what we've already done in this area and support it so it can thrive and make the improvements that have already been identified via close collaboration among EPA and partner agencies, with direct and frequent input from industry stakeholders.	The Office of Environmental Information is developing tools using a very inefficient approach in working with contractors. New technologies for "model-based design" exist, and our own EPA studies by the Office of E-Enterprise strongly suggest there are great efficiencies in development of environmental data reporting tools that could be gained by OEI investing in model-based design tools	ORD's role is crucial at supporting areas of shared responsibility and mutual interest with other federal agencies and states. However, ORD's culture is one that values research that results in publications over research that is central to EPA's mission and needs for data. Thus, ORD activities should be realigned to ensure support of core program needs for data, with the publication value secondary to the public need and programmatic value.

AMERICAN OVERSIGHT

	I
151	Streamline the ability to fire nonproductive and/or noncooperative employees. The process of dealing with problem employees is so onerous that almost no supervisors not only do not want to even try firing problem employees, they don't even want to give them "unsatisfactory" performance ratings. Consider developing sabbatical options for senior scientists and engineers to universities or other similar institutions where they can enhance their expertise and knowledge for the benefit of EPA. Recently, I was forced to deal with a major personal crisis. My management allowed me to unofficially
152	For IT development: Agile development, model-driven design. For performance management: research suggests that it is necessary to shake up the employee evaluation system ever 7 years or so. EPA hasn't changed it's approach since the first term of the George W. Bush administration. The current system (along with the union agreements) makes it okay for an employee to remain "minimally satisfactory" indefinitely. I have an employee who should have been fired long ago, but the EPA and union processes have made that impossible.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
153	152	5/3/2017	Have an Administrator that is actually interested in protecting the environment, not one who is hostile to the agency they manage.					
154	153	5/3/2017	PAPs before PIPs for performance actions are unnecessary and overly burdensome on managers and the Agency. PAPs are not required by law, we should renegotiate with the unions to eliminate them. We should also get rid of the min sat rating. Employees should not be able stay in the EPA forever with a performance rating below fully successful. Again, this should be negotiated with the unions.					
155	154	5/3/2017	Every new demand from OMB, every new Congressional inquiry or legislation related to project management places more and more demands for additional tasks on the Project/Program Managers. For example, implementing agile sounds great, but we are still functioning under waterfall demands for documentation, design, and reviews and approvals. We need a person or group who has the time to interview across the Agency and with other agencies and private industry to better understand how the role of project/program manager can be more efficiently executed.			As we continue to move toward using the cloud for all kinds of SaaS, PaaS, etc., do we really need the full complex in RTP called the National Computing Center?	Many agencies have a Project/Program Management Office (PMO) that helps facilitate project management, helps prioritize projects, etc. EPA has had a PMO, but it's efforts have been limited to just OEI systems and/or processing OMB demands (CPIC, etc.) rather than really focusing on business needs, and streamlining project management across the agency. Perhaps it is time for an EPA-wide PMO that really helps project/program managers by reducing redundant data calls, clarifying and streamlining processes, and making the information needed more readily available. Customer focus for PMs would also help.	

AMERICAN OVERSIGHT

	I
153	
154	
155	Look into PMOs (Project Management Offices).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
156	155	5/3/2017	When we want to take a vehicle home in order to make travel more efficient that saves the agency travel funds and time, the Section chief or Branch chief should be able to approve that request. Currently in Region 6 that has to be approved by the Assistant Regional Administrator. Very inefficient.	The current policies at Region 6 toward enforcement at tribal facilities needs to change. We have a few tribes that continually neglect or ignore regulatory requirements, but we are not allowed to take enforcement actions. For those tribes that continue to show disregard toward the legal requirements, EPA region 6 should be allowed to utilize it enforcement powers, to protect the environment.	Provide for staff to be able to travel more-currently travel funds are extremely limited.			
157	156	5/3/2017	I believe my organization and those that affect my job are very efficient. We have a hard time even coming up with areas for a LEAN action.			The Office of Acquisition Management (OAM) needs more staff; they cannot support the agencies needs in a reasonable time because they do not have the man-power to handle the volume in accordance with acquisition regulations.		
158	157	5/3/2017	It's a small, very small, part of my job, but it is burdensome that there is not an "edit" feature to leave requests. Once a request is submitted it cannot be modified. Any modifications require the employee to email their supervisor, as them to "return" the request (or decline it - I can't remember which) and then a new request must be submitted. Leave requests, particularly those for sick leave related to medical appointments frequently must be modified. I think my dentist appointment will take 2 hours so I request that amount of time off, but then the dentist was running late and it takes 2.5.....modifying this leave request after the appointment takes another 20 minutes of supervisor and manager time. The supervisor always "approves" the time card and it must match leave final leave requests, so it doesn't make any sense why the employee can not modify their requests prior to the close-out of the pay period. Related to People Plus, the Office of Policy has stripped the responsibilities related to People Plus questions, issues, changes from a very,	Local govt and private entities need incentives to make environmental improvements. Regulations are one tool, voluntary programs and market-based incentives are another (typically less effective) tool. If we are eliminating regulations then that tool needs to be replaced with something else if we are going to maintain environmental quality (or continue to improve it). I would suggest thinking about what the alternatives to regulation will be - there are certainly parts of EPA that have expertise in this area and would be happy to help. Also, a common complaint is the "stovepipe" nature of EPA's structure. We are organized around statutes, and therefore opportunities to collaborate across media, particularly when it comes to regulatory actions, are sometimes difficult to bring to	More and more EPA connects with external stakeholders using digital tools, like webinars, social media, website, twitter. I suggest we continue using these tools.	This isn't really a direct response to the question, but I am running out of time and need to turn to other work. I appreciate the survey. Another idea is to create an anonymous "suggestion box" so staff can provide input on an on-going basis. Many of us are eager to work with the new Administration and provide input, expertise, assistance, in achieving EPA's mission of protecting human health and the environment with the goals set by the new Administration. But, we need to talk and meet and learn. I suggest the new Administration meet staff, talk to us, listen to our ideas, let's get to know each other.		

AMERICAN OVERSIGHT

	I
156	
157	ORD's Management Information System (OMIS) - even the agency's system is not as comprehensive as this one.
158	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
159	158	5/3/2017	The People Plus system is not user friendly. It should have basic entries like "Enter my time" instead of "Self-Service." And the leave options are just as strange and should be so much easier to input. Many times it requires staff to help each other figure out how to do it. That's a waste of staff time. The same can be said for the travel, contracts and grants systems.	Allow the States to collaborate more with EPA on issues that they are being charged to implement. Allow us to hold more meetings to bring the States here for form better relationships.	More outreach. Streamline the clearance process for outreach materials. Too many levels of approval before things can even be released. Many times it's too late for the material to even be worth it by the time clearance goes thru.	Less security for high level officials. Use the technology equipment for employee entrances instead of guards who really don't even check the badges. Convert unused spaces for multiple large conference rooms so we don't have to rent out space in the Ronald Reagan Building or hotels for important meetings. If we use science to determine protection for human health, don't try to reverse a regulation based on savings over health. Honor the results of science and the resources spent to derive at the results. Don't make us look incompetent by ignoring our work. How about top officials back their scientists so their scientists can back their top officials?	Upgrade computer systems for employees at more frequent rotations. Why do we even still have databases attached to Lotus Notes?	Many of us are already doing this because we have had limited resources for so long.
160	159	5/3/2017	The only procedural challenges I have observed involve how people respond to funding shortages, behaviors where people try to "get ahead" by tearing down/creating unnecessary problems for reasonable people. I would continue to reward people with helpful, understanding, well-intentioned attitudes, enable these people to reach the goals in their job description, and allow them the mobility to move into groups/projects with people who have similar attitudes.	I do not have any specific ideas, but communication with local populations is important because they will have a better understanding of the area (e.g., how a contaminated site was used in the past, unreported problems, etc.).	I do not have any specific ideas, but it is important to hire well-intentioned people who want to listen, understand and reach goals in a constructive manner.	Not currently.	I think that lessening our dependency on technology can make us less vulnerable to hackers in some circumstances (e.g., maintaining hard copy records, having "Internet-free" computers available for running computer models or maintaining records). That being said, I am not familiar with any new technologies not currently in use.	I think that each agency should focus on aspects of shared responsibility/mutual interest that pertain to their overall goals, and perhaps engage collaboratively with other agencies if helpful, productive relationships can be formed.

AMERICAN OVERSIGHT

	I
159	Other Agencies have 100% flexiplace options for their employees. This saves the environment (air pollution from exhaust) and cuts down on leave time. Since many tasks are performed using the computer working from home is often more efficient. This will also increase morale among the employees. Teach your managers to communicate more with us so we don't have to learn about what's happening in our own agency by reading about it in the newspaper or on TV first.
160	Not currently.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
161	160	5/3/2017	Want an administrator, and an assistant administrator, who actually believes in environmental protection even though it may cost business/industry money. History shows that business will always make decisions that are favorable to their bottom line. Not the "greater good".		Hard to provide excellent customer service when your senior management's task is to "shut you down" and not appreciate the work that goes on in this agency. This administration, and work environment, is demoralizing.			
162	161	5/3/2017					The NPDES Electronic Reporting Rule has already saved considerable labor costs, while improving data quality and making that data available to the public. This could be expanded to other statutory areas. https://www.epa.gov/compliance/npdes-ereporting	
163	162	5/3/2017	There are an absurd amount of meetings held, many of which accomplish little to nothing. Management seems to want consensus in making decisions, instead of just moving forward with the information at hand. We waste a lot of time and effort with the federal and contracted workforce because we are waiting on a single person to make a decision or have a meeting to discuss it with them.	I work in IT, so I don't have many much direct interaction with environmental issues.	I have none. Sorry.	I work in IT, so I don't have many much direct interaction with environmental issues.	When I worked for a previous agency, we used WebTA to input our time and attendance. I was shocked to see that the EPA actually has its own system and it does not work very well. Leave balances in People Plus are never correct and I have been told to just use Employee Express to get my "correct" balance which was the system I used at my old job. It seems a lot of money and effort are being wasted on having our own system.	We have a very nice and modern data center in Durham, NC, that we should offer out as an alternate processing site to other agencies. It would bring money to the agency. I have seen this done in other agencies with facilities that are not as good.

AMERICAN OVERSIGHT

	I
161	Truly value your workers. Once you downsize and loose institutional knowledge with no ability to replace it, you sabotage your organization. Then it can't perform because it doesn't have the physical resources or brain power to succeed. Next comes blaming the organization for not performing, which you have insured. This is a sad situation for the American people who expect EPA to safeguard their environment.
162	EPA and many state agencies have embraced Lean, a program to analyze an area of work and eliminate overhead and excessive process. http://www.leanprocess.net/what-is-lean-six-sigma/
163	The operations at the data center seem to be very in line with the industry standard, are security focused, and organized. We should market that to the government and bring in business.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
164	163	5/3/2017				I work in the lab and when the lab needs new instrumentation, we are forced to buy instrument which does not work due to the price bid by the companies. Somehow, we have stop this and the decision which instrument to buy has to be left to the people working in the lab.		
165	164	5/3/2017				Administrative responsibilities could be centralized within each region. Some offices have too many and some offices don't have enough administrative support for staff. Centralizing administrative support would reduce the cost by reducing the number of support needed, and at the same time make support available for staff that may not have had it before. Travel authorization and voucher preparation should be centralized. This would allow staff to become an expert with the federal travel rules and the process would be consistent. Right now each office has their own way of processing travel authorizations and vouchers and administrative	EPA needs to be able to come up with the ability to process travel authorization requests electronically with management able to approve the travel authorization electronically. The same is needed for processing vouchers. EPA staff are still having to use paper request for travel authorization and vouchers.	Some EPA regions do not have the necessary staff to get the job done. I'm all for centralizing the experts needed to accomplish a task and for consistency sake. As an example. Some regions have inspectors that are very good in specific areas of the EPA regulations, whereas some regions may not have that expert. Regions should be allowed to share that expert in order to get the job done.

AMERICAN OVERSIGHT

	I
164	
165	Allow staff to work at home more than 1-day a week. Management in EPA still do not support staff working at home when the job allows them too. Even though there is a policy that allows staff to work at home, there lots of managers who still believe they cannot manage their staff if they cannot see them in the office. Some federal agencies have staff working at home full-time in order to reduce cost in renting office space, and travel time going back-and-forth to work for the staff.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
166	165	5/3/2017		Having started my career with a state agency prior to a long career in the federal government, I know that activities and priorities differ from federal region to region and also differ from state to state. National interests do not necessarily cut across the entire United States. The Regions are the face of the federal agencies in those states overseen by the Regions. I think it's important for the Regions to meet with their states, identify each state's specific priorities and, where possible, the Regions should support state priorities where they are covered by an underlying federal statute, even though the state priority may not be "national priority" and the national priority is non-existent or is a lower priority in a particular state because they have previously addressed the problem. Regional staff live in the Regions they oversee and are best positioned	Having listening sessions with the public and regulated community is the best way to determine what type of customer service is needed. The Regions are the face of EPA. The bigger problem is how to address the issue (including a determination of whether the issue is something the States or EPA have jurisdiction over). This is where cooperative federalism comes in and the Regions need to sit down with their states.	When I started at EPA many years ago, inspectors made their own travel arrangements. We knew the government rates and we knew where we could stay (or, if we chose a motel that charged a higher rate, what we would pay out of pocket). Either way, the cost to the American tax payer was just the cost to stay in a hotel. Twenty-five years later, we still know the government rate and book our own hotel rooms but now, a third party company takes $15 for every transaction ACROSS THE ENTIRE FEDERAL GOVERNMENT which effectively takes millions of dollars provided by hardworking taxpayers to do our jobs and puts this money directly into a private contractor's pockets with no		Having started with a state agency prior to a long career in the federal government, I know that activities and priorities differ from federal region to region and also differ from state to state. National interests do not necessarily cut across the entire United States. The Regions are the face of the federal agencies in those states overseen by the Regions. I think it's important for the Regions to meet with their states, identify the state specific priorities and, where possible, the Regions should support state priorities where they are covered by an underlying federal statute, even though the state priority is not "national priority"
167	166	5/3/2017	I believe we've done a good job streamlining a lot of our procedures over the last few years (through efforts like LEAN). Although there are always room for improvements, they are unique to the work my part of the organization does, and are not the kinds of things that can easily be teased out in a brief survey.	The best ways to achieve better results is to have more face time with our partners. While our state and tribal stakeholders are good about coming in to the Agency to speak with us, the boots on the ground approach is THE most effective way to communicate the Agency's message. Trust-building is a lot easier when there are and in-person communication with the staff doing the work of the Agency. That is what actually builds bridges.	Actually, our organization has a lot of processes in place to do just that - between comment periods on documents and stakeholder meetings. The biggest improvement would be to give more autonomy over communications to the individual parts of the organization (for both transparency and efficiency).	As noted in a previous response, our transparency and efficiency would be bolstered by giving our individual program offices more autonomy over communications regarding projects.	A lot of our IT systems are just terrible, and the fact that we have so many of them makes it even worse. It makes our work very inefficient.	If we want to accomplish more, we will have to work out the logistics in our cooperative agreements and grants. If we want the states to do more, they are not going to be able to achieve it with less resources.

AMERICAN OVERSIGHT

	I
166	My wife works for a Fortune 500 company and travels quite a bit. Her company uses CONCUR, the same system that the government uses. When she comes home, she lays her receipts out on the table, takes a picture of them with her iPhone and the documents upload into CONCUR, the software seems to know what they are and it takes her less than 10 minutes and her supervisor approves it, DONE. For some reason, travel expenses seems to be a long drawn out process for the federal government and, on top of that, a private contractor gets a $15 bite for each travel expense form at considerable cost to the federal government for no benefit other than
167	actually, we have reached out to some of our sister Agencies to adopt some of their methods over the past few years and continue that dialogue

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
168	167	5/3/2017	My current Branch is short staff, while there is another branch in our department that has twice as many people as we do and continues to hand their work off on us. I hate to say this but perhaps in administrative areas within our organization we need an outside lean six sigma team to audit what goes on to improve our functions. I don't think it would be good to audit the science departments as science as those functions can not be properly six sigma sixed by an outside organization. But perhaps the HR, Finance, etc.. should be looked at from outside eyes.	I think the EPA needs to more vocal in sharing what we do. Also share how we are allowed to do what we do. The public does not understand that all because something is hazardous we can't go right into working on it, and the EPA is not responsible for animals in peoples yards.	We need to educate the public, and be transparent in what we are working on within research. Results should be published after peer review from other scientists or journals.	Encourage those that are able to retire by age and affordability to retire. Especially when they are not as sharp as they used to be.		
169	168	5/3/2017	Some of the required on-line training is very difficult, often is not pertinent to our jobs, and frequently the systems we are working in either freeze or do not record the training actually taken thereby creating difficulties with obtaining the needed certificates. Hence, many times, we have to retake the course or contact the appropriate system personnel. Also, it is not easy finding the appropriate contact person when issues arise. This often takes entirely too much time away from our actual work. All of the required training should be re-looked at to see if it is actually necessary, pertinent to our jobs, etc. There is simply too much required training and administrative issues. The systems that we are working in to take training should work more efficiently and present less problems. Often our data systems are outdated hence, we are often dealing with too many issues that take valuable time away from our work. Frequently, there is not enough communication on projects between	Better outreach and coordination with all of these entities. Being able to have the correct contacts for whatever issues are at hand would be helpful. Perhaps, our Public Affairs Office could obtain this information for staff. It is especially difficult dealing with large State organizations and trying to maneuver through their organizational chart to find the correct individual to speak to.	Providing important information pertaining to new or existing regulations so as a clear understanding is provided. Perhaps, this could be achieved by organized meetings or through sending flyers. Communication and transparency are crucial elements. The public usually contacts EPA when they need information on specific projects.	Better IT support so that data systems work on a more efficient level. Allowing additional opportunities for working from home would also help save overall costs, Maxi Place should be offered to all EPA regions. Consolidation of floors within buildings would be helpful when possible. Buildings should be energy efficient and consider all of the latest technologies (green remediation) which would be helpful to reducing costs and inefficiencies. Research into climate change and further technologies that would improve the environment should continue.	All products within the government should be as energy efficient as possible. Research should be devoted to producing better and more energy efficient products.	Federal agencies often act too independent of one another and should work cooperatively together on all issues including environmental. Too often they are disconnected, having their own internal processes which often slow the progress of projects. There should be also be a better coordination with States as well. We should all have the mutual interest of the environment and be able to work more efficiently/cooperatively together. Perhaps, the upper management of both States, other federal agencies and EPA should work together to achieve the needed cooperation.

AMERICAN OVERSIGHT

	I
168	Continue to go Green with less paper use.
169	Up to date and efficient data systems aligned to what the private sector utilizes which will allow for personnel to be more efficient with actually doing their jobs. Also, the contractors often used by the government are often not as good because we are required to use the "lowest bidders." An inordinate amount of time is often spent on dealing with issues on the contractor's technical reports which are frequently inadequate. The back and forth process in not conducive to being efficient and productive. Also, we should not be required to pay for a contractor report that is inadequate. The contractor should revise inadequate reports at no cost to our agency if it determined that

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
170	169	5/3/2017	Budget. Please pass and enact the budget in a timely manner. Appoint people to leadership positions that understand the roles and responsibilities of the EPA to the citizens of this country and the world. Leaders who will work to ensure that the EPA carries out it's responsibilities without regard to the agenda of the political parties. We are here to protect the health of people and the environment.	Be consistent. Do not let ideology rule science.	Be consistent. Do not let ideology rule science.	Be consistent. Do not let ideology rule science.		The staff of the EPA work collaboratively with other agencies, the states, the tribes, various organizations and institutions. Consistent funding and protection from the changing political whims of congress and the president would allow us to follow through more efficiently and effectively on our obligations.
171	170	5/3/2017		We should increase grant funding and capacity-building efforts with tribes so that they are better able to independently take on environmental regulatory programs within their jurisdictions. We should provide regulatory consistency for the private sector and ensure that the costs of private sector environmental harms are not externalized and passed on to American citizens but are rather paid for or mitigated by the entity causing them.	We should improve our tribal consultation practices, be transparent about who in the regulated community we consult with and provide equal time to environmental groups as we do to industry, and we should make sure that the comments coming in from the public through phone calls and emails actually get to the administrator in a meaningful way.	I don't. I do, however, see many places where an increase in funding or staffing could measurably improve the quantity or quality or work and the efficiency with which we can complete it. More funds for training, more advancement opportunities for administrative staff, and more funding devoted to the research and technology resources we have available to us would be extremely beneficial.	More widespread availability of mobile devices for employees could increase efficiency. We could even eliminate desk phones and go entirely mobile. Improved quality of telework technologies and support services could increase efficiency. The administrator and his office could adopt some form of public calendar that would show the public what he spends his time doing and who he is meeting with and that would make us more accountable. We could also keep important scientific, policy, and legal information available online for public access rather than removing it. In fact, we should be updating and expanding the information available on our website since it is outdated, difficult to navigate, and does not	We could increase staffing in the regional offices to better facilitate our local-level work with states, tribes, and communities. Our regions are currently so understaffed that it can sometimes take them years to get to non time-sensitive matters but that harms our agency's reputation and undermines the strength of our relationships with these communities. Having more people present at the local level to directly engage with these stakeholders would streamline many regulatory processes and assist the stakeholders in achieving their objectives. We already have excellent working relationships with other

AMERICAN OVERSIGHT

	I
170	Less top down micromanagement. Empower the people actually doing the work. Protect the EPA staff from the political fighting of congress and the whims of the president. We are doing valuable, important work that makes a difference in the everyday lives of people. Let us do our work. Ensure consistency in funding and support so we can perform the work that must be done.
171	Transparency of process, particularly among management and leadership positions. Active diversity and inclusion efforts have been proven to increase efficiency and well-being of staff. Also, having diversity in leadership positions is critical. The people in management that I am most familiar with - those in my own office and those in the administrator's office - are almost exclusively white, straight, Christian, cisgender, and are majority male. This is not a good message to be sending to those people who work at EPA who do not fall into those categories.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
172	171	5/3/2017	The OIG has many processes in issuing a report that are not necessary and duplicative. IG is run by lawyers who do not understand auditing and auditing standards. They have required lawyers to review documents, because they only trust lawyers. However, the OIG already had a QA process that checks all facts to supporting documents and working papers. The legal reviews (Legal reviews discussion documents, draft reports and final reports) done is duplicative of the QA review. However, the IG and Deputy will not eliminate these reviews even though staff (Those with accounting degrees), have told them that the auditing standards require internal controls that provide reasonable assurance, not absolute assurance. The IG and Deputy seem to want almost absolute assurance. The result is an inefficient report issuing process. In many cases, the review and issuing of a report can take 4 to 6 months. The audit work itself usually take about that long. Totally inefficient and unnecessary.	Better oversight from Regions. Regions do not perform adequate oversight and do not know what they are getting most of the time.	none	EPA relies on inefficient Cost type and Time & Material contracts. Whey using IDIQ contracts, the agency still issues mostly T&M task orders. The agency should move toward firm fixed priced contracting whenever possible. The agency makes excuses for not using FFP contracts. They believe there are too many unknowns. In most cases, these excuses are not valid and are just that, excuses so they can continue to do what the have always done.	None	none
173	172	5/3/2017	The off-site rule is burdensome for PRPs as implemented. The process takes too long for PRPs to find out that a facility is acceptable/unacceptable for waste disposal. The PRPs are ultimately potentially liable anyways if they dispose of waste at a facility that disposes improperly. The review process either needs to be made faster (<24 hrs) or we just need to publish a list of acceptable facilities that PRPs can be responsible for checking on their own. The implementation of this rule is very inconsistent across superfund anyways. A lot of red tape with little gain IMO.		People need to be more responsive via telephone. If working from AWL location, it should be mandatory that people use EC500 to have their calls forwarded to their phone at their AWL location. Why wouldn't you, unless you are just looking to be unavailable?		Many people still use paper hardcopy mail, when electronic would more than be fine. Save on the paper, and the postage! This goes for submissions from the PRPs too. The standard language in CDs and AOCs requires hardcopy submission of monthly progress reports. I think that is fine to have the hardcopy required since we may once larger documents in hardcopy at some point, but RPMs that do not even look at the hardcopy progress reports should let the PRPs know that electronic is okay until further notice.	

AMERICAN OVERSIGHT

	I
172	No
173	Paperwork is too burdensome to get comp time, travel comp time etc. If I need to put in 60 hours one week and 30 the next, it's like moving mountains to get comp time approval. Who cares as long as I get my work done and work 80 hrs for the payperiod anyways. Should do away with the paper trail for TCTO, since its all in PeoplePlus anyways.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
174	173	5/3/2017	We spend too much time tracking results and re-inventing the wheel through processes like 'lean' The benefits of 'leaning' are in some cases exaggerated and going through lean creates perceived need to do additional tracking to demonstrate how much better things are afterwards, when really they're not. Let the professionals to their jobs and give them the time and resources they need without a lot of peripheral duties.					
175	174	5/3/2017	The procedure that prevents me from doing my job efficiently is the layers of concurrence that are added to documents. I understand that more than one set of eyes should review documents, especially those sent to the general public. However, eight or more lines of concurrence is excessive.	Funny you should ask my opinion regarding partnering with states, tribes, local communities, and the private sector. If any of those entities were capable of achieving accelerated success, we would not be in business. Due to the number of request we receive from each entity identified, further solidifies the need to expand our efforts to assist with each. Maybe we could do a better job equipping them to handle things at their level. My experience is that many are not interested. Once they call us in, it's like handing a baton from one running to the next. My recommendation would be to host more efficient collaborative sessions with states, tribes, local communities, and the private sector to get their buy in knowing full well this will be fixed in a moments notices. I would guesstimate it would take several years to achieve this level of	Thank you for asking this question. The first problem is, it is difficult to initiate and maintain excellent customer service to entities that don't maintain consistent staff and/or leadership. There tends to be excessive turnover with states, local communities (leadership) etc. There tend to be a number of vacancies for extended periods of time as well. How is ANYONE expected to work with that? My recommendation would be to host regular meetings (monthly, quarterly) with each entity. If no identified representative is available, send a backup or have someone on standby to communicate messages back and forth. Ten or more years will be needed to achieve this level of success as well.	The number one untapped opportunity I see is the number of internal employees that are passed over and not allowed to move up in their career verses the number of employees that are brought in from the outside and move up quickly.	Vimeo, JotForm, Eventbrite, Constant Contact, Google Drive, Dropbox, YouTube. Most importantly a better VPN. STOP using the lowest bidder each and every time. The cheap comes out expensive.	The best way to accomplish more would be to not shut others out. Each and every division has employees with duties that overlap. when one division host training, other personnel in other divisions typically don't know about it or are not invited to participate. The basis job function is similar. The specifics of each job may be completely different but the basics are the same. More than an handful would benefit from this. As it relates to other federal agencies, provide a list of opportunities available at each and advertise broadly. As it relates to the states, the states could benefit from the federal entities

AMERICAN OVERSIGHT

	I
174	
175	Allowing employees to transfer from one region to another. Allowing employees to complete details across the agency. Allowing employees the opportunity to participate in Talent Hub that allows employees to work in a field to test it out before committing to ensure its a good fit.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
176	175	5/3/2017			institute a FOIA online system: releasable documents should be made available to the public without an official request. The Nuclear regulatory commission does this and even some states including Louisiana and Oklahoma. this will reduce time and effort spent on responding because documents are easily and readily available to the public through the web.	As a front line employee, I am already doing more with less and finding efficiencies. All this talk about finding ways to reduce cost and inefficiencies needs to have a focus. I cannot stand in front of a community and say we are doing all we can with the limited funding we have--you need to be patient and when funding is available we will get to your issue. Performing environmental work cost money and takes time. There is no other way.		We need one environmental response. For example, the EPA and the NRC both address radiological contamination. Why are there two agencies doing the same thing, and with different levels that are considered 'protective'? Why are multiple agencies providing grants to the public for the same goal? For example, the ag agency and EPA provide grants to the public to implement best management practices to protect waterways.
177	176	5/3/2017	Take steps to make the budget process more efficient. It is inefficient to work from CR to CR, and spend resources planning for government shutdowns. Just within U.S. EPA these inefficiencies certainly cost millions of taxpayer dollars. Extend this government wide, and the inefficiencies of the budget process are no doubt costing the taxpayers billions of dollars - a completely unnecessary waste of our country's resources.	In my personal experience, states and water utilities are fully committed to providing safe drinking water and protecting their water resources. However, many states and utilities lack resources to do this effectively. U.S. EPA can form partnerships with the water sector, and provide technical assistance to improve public health protection and preserve the quality of their natural resources. All this can be done without additional regulation. Promote and fund these technical assistance programs.	In my personal experience, states and water utilities are fully committed to providing safe drinking water and protecting their water resources. However, many states and utilities lack resources to do this effectively. U.S. EPA can form partnerships with the water sector, and provide technical assistance to improve public health protection and preserve the quality of their natural resources. All this can be done without additional regulation. Promote and fund these technical assistance programs.	Promote cross-AA and cross-division efforts and programs throughout U.S. EPA. There is some redundancy in effort that could be greatly reduced just through the establishment of cross-organizational workgroups that are focused on a specific program or issue.	U.S. EPA has already made strides to go paperless. Continue this effort such that all records, forms, contract packages, etc. are electronic. Also, work to achieve better IT integration across U.S. EPA by replacing legacy systems that are beyond their useful life or otherwise inefficient (e.g., EAS and Concur).	In my experience, U.S. EPA proactively pursues and engages in collaboration with other federal partners and states. In my own organization, within OGWDW, we have an extensive network of federal, state, association, and community partners that help guide our work.
178	177	5/3/2017	Creating a paper version of an electronic calendar. This information is already available for those that need to see it. Training on how to use an electronic calendar.	States need to be responsible for implementing their own environmental response programs.		There is redundancy in the environmental response area. Special teams doing similar things.		Redundancy in environmental response that could be streamlined.

AMERICAN OVERSIGHT

	I
176	ACCOUNTABILITY. Our management needs a better means of firing those that do not perform. There is much discussion about accountability, yet employees sit around and do minimal work at the same pay, let others do their work, surf the internet shopping and checking personal email, and continue to ride the system without consequence. This would remove the inefficiencies by removing the non-performers. The documentation burden is outrageous and does not invoke a 'do your job and perform or there will be consequences'. All this does is promote a 'movement' or 'reassignment' of the employee because
177	Note that I'm aware of.
178	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
179	178	5/3/2017		Having more outreach opportunities with states, tribes, local communities, or the private sector would help to increase those entities' understanding of regulatory requirements and pollution prevention methods.			Electronic routing systems, which would reduce paper waste and increase efficiency.	
180	179	5/3/2017	The Trump Presidency and Scott Pruitt as head of the EPA when clear conflicts of interest are present. Impeachment.	Having management that actually believes in achieving better environmental results and is not beholden to any particular special interest groups. Being able to show states, tribes, local communities, and the private sector that we are not beholden to any particular group.	Setting a timeframe for getting back to stakeholders when they contact us and setting up regular meetings to keep them informed, would likely require additional funding however as EPA is already short staffed.	Reaching out to a more diverse set of stakeholders with a wide variety of interests in order to tap them for assistance in procuring grassroots data and circulation of critical information to protect human health and the environment. The key here is a diverse group with all not beholden to any one special interest (on either side).	Higher reliance on collaboration tools like SharePoint.	Not sure what you're getting at with this.
181	180	5/3/2017	Every new administration requires a heightened level of reporting and this new administration is no different. This adds unnecessary work to every project. What is particularly distressing, however, is the assumption that EPA was fundamentally broken and we need to provide evidence to substantiate that claim-so every written product now has to show how much better we are and that everything we did in the past was wrong. Quite frankly that is a waste of time.	This question seems to imply that EPA has not been effective at partnering with states, tribes, local communities or the private sector and I question that premise. In my experience I have seen first hand a lot of partnering with these entities. The answer I believe this question is seeking is to say that every time EPA and a state disagree on a particular issue that EPA should back off and defer to the state regardless of the scientific basis for EPA's position. Such an approach is misguided.	Treatment of each of these partners as equals-each of these constituencies have a legitimate point of view and valuable knowledge to contribute. So if the new administration's plan is to listen primarily to the regulated community and consider input from local communities only when absolutely necessary, then that would not be fair to the American public.	The primary untapped opportunities are with the statutory framework under which EPA has to operate. While the major environmental statutes have produced great results for the benefit of the American public, there are opportunities to improve each of those statutes which are well known. EPA should work with Congress to help fine tune these statutes.	Improved air monitoring techniques that could better define areas of potential impact, including selective use of technologies such as drones to monitor pollution plumes.	Coordinate with OSHA to target facilities with either a history of violations or which present a high potential for harm to either workers or the surrounding communities and conduct joint inspections.

AMERICAN OVERSIGHT

	I
179	
180	Streamlining more generic tasks we do in the office and have been doing for some time. Creating more agreed upon boilerplate language for such tasks to allow for time to focus on more pressing and time consuming issues.
181	The only cautionary comment I would offer in this regard is that while each of these goals is truly worthwhile, do not lose sight that we should not only consider the cost side of the equation, but also the benefit side of what the Agency does. It seems like the current administration's intent is not to engage in a true cost benefit analysis, but solely in a cost analysis.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
182	181	5/3/2017	There are two major processes at EPA that are broken: hiring and buying. I won't go into detail, but it takes 6-12 months to hire someone, even when promoting from within. This makes it impossible to have continuity, to efficiently backfill when someone is promoted, retires, or takes another job. Contracts is in abysmal shape. My organization has given up on OAM to purchase things for us and we are attempting to use other vehicles. It takes a minimum of 75 days to buy something through OAM. And it often does not happen. We haven't even gotten simple maintenance renewals done in a routine manner.					
183	182	5/3/2017	We have three systems for time keeping (People Plus, DFS and lotus notes). We have to account for every second of our time in one or more of these systems, and they all have to match up. We get 700 emails every time we travel alerting us that someone has signed something - even for a day trip! We have contracts with the Corps and contractors that are a HUGE waste of money. Having the Corps do FYR on superfund sites is a massive conflict of interest as well.	We need to build relationships based on trust. EPA does good work, butt we are very slow to respond to issues and we are terrible at explaining the science and the data to the public.	We have to get better at how we interact with the public and we have to get out in front of issues. I'm just a lowly scientist, so that's for the public affairs people to figure out.	There is way too much administrative red tape. Managers spend half their time dealing with that stuff because apparently we can't trust our employees to put in an 8 hour day. Just get rid of all of it, and if someone isn't performing then fire them. Managers and employees could then spend their time on doing more work in-house and cutting out the contracts, which eat away at our budgets.	We have a number of new tools (apps like enviromapper) that are going to be amazing. We can use these tools in the field and hopefully develop more.	Superfund site management is often shared with the states. I would say the states should be given more of these sites to manage, but it depends on the state (some do a better job than others). We have a rough relationship with DOE and DA on a number of Federal Facility sites. They appear to have as much red tape and wasteful spending as we do (or more). We fight with them for years and nothing gets done, and we are on the same team (supposedly).
184	183	5/3/2017	Lack of travel funds have impacted necessary travel People Plus is relatively inefficient and does not self populate with submitted leave requests Extensive write-ups and burdensome awards process is cumbersome and inefficient for the small amounts staff receive	Keep the Section 319 Nonpoint Source Program alive. States like the program and it is resulting in real environmental improvement	We already do this, so maintaining existing water grant programs is essential for the states to get their jobs done and fore effective customer service We need to be able to use our authority; otherwise the states will not follow the statutes/regulation	Streamline monetary awards process--it is burdensome Care is needed in reducing funding so as not to undo progress made (e.g., nonpoint source program) Need to keep WOTUS intact It is nearly impossible to fire incompetent staff--need to improve efficiencies for hiring and firing	More up to date electronic equipment (laptops, etc.) would help	Separate roles have been created between the different agencies--they should not be forced to consolidate duties in an artificial an nonsustainable fashion, e.g., expecting NRCS to protect water quality against nonpoint source pollution

AMERICAN OVERSIGHT

	I
182	
183	
184	Streamlined hiring and firing process. Process is burdensome and time consuming

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
185	184	5/3/2017	Prior to a change in our organization, all staff were informed of most everything that effected our jobs, i.e. change in processes, EPA and/or organizational priorities, etc. Now it seems that only GS-13 and above are involved in meetings significant to our jobs and the information that effect them. Much of the information passed down is watered down when it is passed down, or if it's passed down, yet those who are not in attendance at these critical meetings are expected to function at the same level of knowledge as those who receive the information. It's terrible leadership and very ineffective and inefficient. How would I address these? As an Agency we need to be more open, honest and transparent with everyone.	Open and honest communication.	Open and honest communication.	I think all staff especially administrative staff should be given opportunities to hear about all the wonderful things our Agency does for our country and other countries. If as an employee we have little knowledge of this; think about the lack of knowledge other Americans have about all the awesome things the EPA does? It doesn't make sense that we would not be more open, honest and transparent with everyone.	Not sure.	Be more open and honest with everyone. Our Agency is very secretive and this seems to be the way management are developed and conditioned to manage their responsibilities. I cannot help but wonder if this is due to a lack of leadership, inability to manage others, or something else.
186	185	5/3/2017	The agency must invest in fully staffing its contracts officer team in OAM. Also, it would be wise to hire a competent SES manager to oversee the OAM contracts team. There are glaring problems there that impact the agency as a whole. Every AAship is suffering from the lack of effective contract support.				The IT systems at EPA are draconian and the processes for securing administrative rights to do your job better are as well. There are too many hurdles placed in front of young, creative staff for developing new software, maintaining servers and providing a new generation of IT support. I appreciate our need to be cautious with computers, but if we are hiring IT specialists for a purpose, we need to give them access and the ability to do their jobs well.	

AMERICAN OVERSIGHT

	I
185	Accountability to leadership for hiring, training, and developing excellent thinkers and other leaders.
186	The private sector would NEVER pay for their computers each month! We literally buy our computers each month. The agency's efforts to consolidate IT support has never been successful. We could employ one on-site contractor for each division or office and still have a tremendous cost saving. I keep waiting for EPA's computer support contract to be featured on the Fleecing of America.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
187	186	5/3/2017	Numerous levels of approval needed for permission to do anything. Final approval appears to be so far removed from the initial request that they have no idea of what they are approving/denying. Remove levels of administrative bureaucracy.	Go into the communities/tribes at the lowest possible level and ASK what they want and what they believe they need. The further removed from the end-user information comes from, the less useful it is.	Again, a "boots on the ground" approach. Interaction with end-users - people who are directly impacted by policies & procedures - is the only way to establish a productive relationship and achieve maximum ROI. People are much less interested in "studies" or "reports" than they are with usable tools - and believing that their voice has been heard.	I see multiple employees on a daily basis that have time to chit-chat for hours about TV programming, movies, sports and a host of other stuff. And if the lower levels of staff have this much "free time" how much worse does it get as you go further up the ladder. Accountability for results at every level. No results, the position is probably not necessary....	No opinion.	Reducing the size/number federal government agencies and shifting major responsibility for environmental/safety/etc to the states; again, less distance between the end-users and the policy makers.
188	187	5/3/2017	The OCFO systems governance process is inefficient. When a user has a system issue that is operational in nature (data change or defect), it can take weeks or months to get it resolved due to the many steps it must go through. The stakeholder groups do not add value, so this step in the process should be eliminated.			OCFO and OARM would perform more efficiently if they were combined. This would eliminate "ownership issues" regarding which organization bears responsibility for systems and the data contained within them. The functions of these two organizations are inter-related, however, they work in stovepipes and do not collaborate effectively on issues.		
189	188	5/3/2017	multiple checks and balances and input of data to track compliance through both state and federal systems including ICIS/PCS as well as multiple forms that need to be signed prior to leaving for inspections like Safety checklists and multimedia checklists that should all be eliminated	work cohesively towards one goal instead of feeling like we are working against each other. Many states and local governments have "buddy buddy" relationship with facilities in order to achieve a common goal, however many times it does not work to achieve federal compliance.	improve the Citizen complaint system that automatically sends the message to the appropriate managers instead of a general complaint hotline that does not indicate the issues.	Yes, Reduction of dead weight on staff. many programs work with less numbers and achieve more results due to the few that carry the load, It should be easier to remove underachieving and underperforming employees and also reward the few who carry the majority of the load. The SEE program and the forceful employment of veterans with or without experience is detrimental to the agency. Veterans should be given priority treatment in federal agencies, however in a field that requires science or engineering backgrounds that should also be a requirement of the veteran applicants to ensure an effective workforce.	YES. many programs rely on outdated technology because the advanced technology we have never works. We constantly change from once drive to share point to whatever is out there but none of them are ever given a chance to work, and subsequently many people end up just saving their data to their computer as a result. We need to have more time to make things work.	shared responsibilities with the states are difficult. We should not have to accomplish goals for the state or vice versa in order to maintain funding or employment. We should be joined in a combined effort to achieve a common goal with state and federal resources and work together to accomplish it. Too often is there an overlap where the state asks us to do something and then also does it themselves and wastes tax dollars in prep and execution of an inspection.

AMERICAN OVERSIGHT

	I
187	The corporate world utilizes Deming/Juran models to improve quality and eliminate fluff - get to the root cause and handle it. It's a thought....
188	
189	Removal of underachieving employees

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
190	189	5/3/2017	I am not aware of any such administrative requirements in my program.	Fully support implementation of programs at the federal, state and local levels through adequate funding.	Adequate investment allows for strong customer service.	Not at this time.	Maybe but any proposed new technologies should be piloted to assure that efficacies, effectiveness and accountability before being fully implemented.	Different agencies have unique roles relative to the same statures. However, through encouraging strong coordination at the state and local level as well as at the national level we could improve understanding of complementary responsibilities.
191	190	5/3/2017	Since I am as knowledgable or more knowledgable than many of the IT staff, it would help greatly for me to have administrator rights over my own computer. I want to be able to download needed programs, delete unneeded programs, and update everything in a timely manner. I also want to be able to diagnose and fix problems with my computer. Also, the multiple layers of management that we have are not necessary, especially for those managers that rely on a strict top-down communication process. Communication and signoff is inefficient and would be improved by eliminating some management levels.	Empower employees who are subject matter experts to communicate and make decisions directly with external parties instead of having to clear decisions with several layers of management, particularly when employees are in the field. Provide all employees who spend at least some time in the field with a purchase card that can be used for unanticipated purchases without the time consuming and inefficient process of having to get a purchase order approved at the office through several layers of signoff. Ensure that employees who work with external employees have the opportunity to master advanced communication skills for working with diverse audiences. Engineers and scientists who work in the field but can't tailor their messages to each individual audience are not helping matters. Provide all employees who work	Empower employees who are subject matter experts to communicate and make decisions directly with external parties instead of having to clear decisions with several layers of management, particularly when employees are in the field. Ensure that employees who work with external employees have the opportunity to master advanced communication skills for working with diverse audiences. Engineers and scientists who work in the field but can't tailor their messages to each individual audience are not helping matters. Provide all employees who work in the field for some amount of time with mobile telephones or devices so that they do not need to use their own devices and complicate future legal matters. Alternately, compensate employees who must use their own devices in the field.	Eliminate postions/employees who are paid to do nothing but sit around and/or wander the halls all day. There is no need for such a large low-skilled administrative staff when higher-skilled employees can accomplish many of the same tasks by themselves. Saving this amount of salary would seem to be significant.	Provide all employees who work in the field for some amount of time with mobile telephones or devices so that they do not need to use their own devices and complicate future legal matters. Alternately, compensate employees who must use their own devices in the field. Ensure that software updates for computers and devices are made available on a timely basis so that our equipment is not running years behind private sector standards.	Eliminate redundant offices/positions/etc. and give subject matter experts more independent decision making authority.

AMERICAN OVERSIGHT

	I
190	Anyone who has ever dealt the customer service lines knows the best approach is to have adequate staffing. The most effective approach still seems to be to staff agencies to a level that allows for personal responses from real experts. This goes across agencies including USDA, DOL, EPA, etc.
191	Trust employees until they give you a reason not to trust them. Managers need to stop thinking that they are better than non-managers and employees need to stop thinking that managers are part of a great evil enemy.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
192	191	5/3/2017				All regional office space should be redesigned to remove individual cubicles and set up "hoteling" pods. There would need to be some exceptions for positions requiring higher levels of security clearance. The result would be reduced office space equating to lower rent costs. In order to accomplish this, the Agency's telework program needs to be expanded to allow employees more AWL days-on a national level. Employees would need to "reserve" a work station for their days in the office.		
193	192	5/3/2017	Issue: separate and delayed (non-realtime) IT systems for leave, schedules, and time & attendance. Solution: update system to allow information to be entered/viewed/approved in realtime.	Acknowledge that developing partnerships and relationships requires significant time interacting with stakeholders, which rarely produces measurable/tangible results. That is, investing in partnerships can be infinitely valuable for all involved, but often cannot be quantified or measured. These investments also typically require in-person time, which would require EPA resources for travel or event hosting.	Provide staff charged with executing this function the autonomy and time to develop individual relationships. If the highest emphasis is placed on measurable outputs, relationship management (typically not measureable) will likely suffer or be placed as a lower priority than outputs.	Place higher expectations on and trust in individual employees and eliminate or streamline bureaucracy/unnecessary internal procedures that appear to be in place only to protect senior leadership.	Invest in state of the art IT equipment to create a nimble and remote workforce similar the US FDA. Seek IT resource savings in purchasing rather than leasing equipment. Provide all EPA employees with mobile devices and eliminate desk phones.	
194	193	5/3/2017	Incorporate all webforms into People Plus. These two systems should be able to communicate. Would cut down on time for each employee.	Better communication with all of our stakeholders. More meetings with NGOs and states to discuss actions that EPA is taking.	Better communication with all of our stakeholders. More meetings with NGOs and states to discuss actions that EPA is taking.		Address EZTech's inefficiencies and inability to solve tech issues. OEI and EZTech do not communicate in a manner to enable EPA staff to be provided adequate tech service. Also, figure out what will replace Lotus Notes for our important databases that are needed for our daily work. The whole tech area could be revamped. Non-tech staff should not be fixing tech issues for their co-workers when we have a contract with EZTech.	

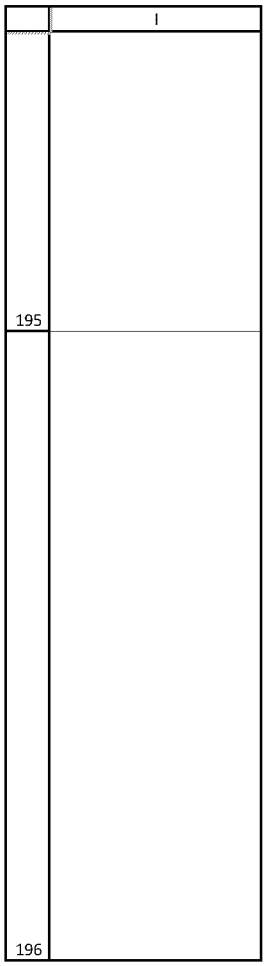
AMERICAN OVERSIGHT

	I
192	Region 5 FACTtool.
193	US FDA's technologies for remote employees allow for seamless telework.
194	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
195	194	5/3/2017					Google Chrome - I work on the Intranet site for our office and it is not possible to do this work on Internet Explorer. However, my request for Chrome has been denied twice. Create a Drupal distribution for all of the EPA offices to use for their Intranets, but allow customization within the platform.	
196	195	5/3/2017	The agency has not issues a Quality Assurance Project Plan (QAPP) defining the QA standards for imaging of hardcopy records or issues a policy statement from the Office of General Counsel ruling that scanned images of "wet signatures" are sufficient for record retention. Without this guidance and policy, the agency maintains many records in both digital (convenience) copies and hardcopy (record copy). This increases storage and maintenance costs for the agency. The OGC should issue clear policy that scans of hardcopy can (and should) be maintained as record copy as long as scans have followed CIO guidance and a QA has been performed following the QAPP. Scanned hardcopy should be destroyed after 6 months (except in the case of litigation hold). The QAPP should address how to handle legacy imaging efforts and pre-accessioning of permanent records to the national Archives. The OGC should work with OEI to identify remaining hardcopy workflows (such as management signatures) and implement	EPA partners (states, tribes, local communities, contractors, regulated organizations, public groups) should be encouraged (or required where possible) to provide records to the agency in electronic format only. The standards for these submissions should meet agency and NARA preservation requirements (based on the retention schedule for the records) and include easily extracted, imported, and standardized metadata to allow the records to be accessed an searched in agency recordkeeping systems. This will reduce agency storage and management costs as well as environmental impact of creating and shipping hardcopy records.	The agency should implement a public internet access point for each of its approved recordkeeping systems. This access point would allow the public and other stakeholders to access all Uncontrolled agency records. All agency records should be marked as Uncontrolled unless specifically noted as being Controlled (with the specific control type noted) by a trained agency official. Outside stakeholders should be allowed to add "folksonomy" metadata to publicly available records and easily access a permanent URL for access to any given record for the period of its record retention.	Yes. See above regarding electronic records management.	Yes. Field staff can use tablet computers and cell-phone, sat-phone, wifi connections to access their records electronically instead of transporting hardcopy files to field locations.	Pre-accessioning of records to the National Archives will leverage NARA's preservation expertise to ensure permanent records are not lost while also freeing up agency resources for more initial records capture and reference with less focus on storage and maintenance.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
197	196	5/3/2017	Numerous layers of management are no longer necessary. For example, in the Land and Chemicals Division (LCD), Region 3, there are 4 layers of managers: (1) Director; (2) Assistant Director, i.e., Deputy Director; (3) Office of RCRA Programs Director; and (4) Materials Management Branch Director. I would remove ALL managers and leave one level of management leading team leaders for the various programs under a regulation.	Delegate ALL programs to the states and tribes. Assign EPA engineers and scientists as program managers to these delegated programs. EPA employees should reside or visit (at least once a week) the state regional office where their projects are implemented to provide guidance and leadership to the state environmental offices.	Having EPA employees actively interacting with the regulated community on a regular basis. The offices for EPA employees shouldn't be a large building in the cities, but in the local communities that they serve.	1. Eliminate most GS-15 and SES positions; such a waste of money with little return on investment. Managers usually take credit for the work that the staff does, while they sit around doing absolutely nothing other than shuffling papers. 2. Increase number of voluntary programs, where EPA staff is out on the field providing consulting and guidance to the regulated community. 3. Educate the employees in new technologies; i.e., GIS, programming, statistical analysis, marketing, economics 4. Do not allow non-profit organizations, universities, and local governments to receive grants more than once every 5 years	Oh gosh, yes! We should use open source software. Stop paying Microsoft: use Linux systems.	Explained in answer 3 and 4
198	197	5/3/2017	Right now what is preventing me from doing my job is lack of resources including funding to clean up Superfund sites. If the Administration would back its' employees and the Regions in going after businesses that pollute, more work would be completed. The lack of Enforcement and support to adequately go after polluters causes delay and additional human health and environmental damage.	Headquarters should talk to states and tribes about the work they actually want to do. The idea that work should be pushed back to states as we continue to cut funding, is difficult, preemptive and thoughtless. The reason work is sent to EPA is work, site cleanup or other issues need federal attention. National consistency is vital to businesses knowing what to expect and how to manage regulations.	EPA is historically excellent in communicating in the community. The public continues to look to EPA as the SCIENCE Agency. We need to continue to be at the forefront of science and technology to protect human health and the environment.	Budget tracking and contract management could be better integrated.	All federal agencies could stand an update to databases and technology. Budget and contract tracking always has room for improvement.	Climate change science should continue to be shared with researchers across the science community. Multiple agencies have added value.
199	198	5/3/2017						

AMERICAN OVERSIGHT

	I
197	Ask Google Corporation and Japan and Russia and the EU for help in those areas.
198	Mutual respect and sharing of information make for a great work life.
199	Support the Office of the Science Advisor https://www.epa.gov/osa

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
200	199	5/3/2017	For years, the effectiveness of job performance has been hindered by severe limitations on travel. Please check out the unique travel budget at the USEPA. The ability to meet with our federal/state counterparts and see projects where federal funds are being spent is severely limited. When working with other federal agencies, state agencies, and the public, USEPA staff are constantly embarrassed by our lack of travel resources. We cannot be restricted from knowing our projects, and be accountable for our work at the same time. I have been at EPA for 30 years, and have always been told that these travel limits were imposed by Congress in order to limit USEPA's ability to enforce. Whether true or not, it also limits our non-regulatory work. USEPA Region 6 is going through a very expensive move to another building three blocks away in Dallas. The whole process keeps getting delayed, and costing more money. We are going to cubicles with low walls. The work	Do not limit ORD from gaining knowledge through research. Science is the base for all USEPA decisions. Good science is objective, and sometimes it produces information that somebody doesn't like. That in itself is no reason to discount the entire scientific process, or the dedicated scientists producing the information. We are working hard to produce good, strong scientific results. Use the science, but don't disclaim the work or the employees just because it isn't accepted by some.	More face-to-face time. This requires the ability to TRAVEL. There is no substitute for personal communication. Updated computer equipment and more current computer programs (nobody else uses Lotus Notes) would allow better interaction with our customers.	We need a complete overhaul of our travel system. It is a poor copy of another system that was used years ago. We are forced to spend certain amounts for government contracts (airline, hotels) when there are much less expensive options. Since travel is so restricted, we try to use GSA vehicles (not enough of these, and reservations are very hard to get) and spend long days (15+ hours) driving, since we have no funds for overnight stays. Get more GSA cars!	Better, newer computers with up-to-date software.	Every federal agency has a reason for its existence and a clearly defined purpose. Some areas of responsibility overlap, but these are opportunities for complimenting responsibilities and leveraging resources. The USEPA Nonpoint Source Program addresses agricultural pollution, along with other sources, but it is not redundant with USDA programs. Please make the effort to understand the purpose and benefits of individual federal programs before cutting them.
201	200	5/3/2017	The organizational process of encouraging retirement/attrition takes away a wealth of knowledge and experience that our agency could leverage to make better and more informed decisions to protect human health and the environment. The inability to hire and offer competitive salaries also hurts our ability to carry out the basic mission of the EPA.	Partnering with states, tribes, and local communities is already a forte of the EPA. Private sector partnerships, where ethically possible, is an avenue that deserves further resources.	Current hiring freeze and encouraging our experienced colleagues to retire or find jobs elsewhere greatly hinders our ability to provide quality customer service. We must encourage seasoned talent to stay at EPA, and attract new staff competitively.	Yes, morale is very low at EPA, and rhetoric from the White House and Administrator Pruitt are a key component of the low morale. Low morale causes inefficiencies. Improved messaging, based on sound science, from Administrator Pruitt would potentially improve morale at EPA.	More electric vehicles for our fleet.	We're already extremely aligned and share numerous responsibilities across the board. We need more staff, and we need to make an effort to retain experienced and seasoned staff.
202	201	5/3/2017	There is no effective senior leadership or appointed staff making it almost impossible to fulfill the tasks and duties of the EPA. The administrator is ill informed about the task, roles, and requirements of the EPA. Staff should be brought on form to educate the current administrator and his staff and to fulfill all other required appointed roles.	Continue to pursue the best available science in air quality and climate change, and to insure that the EPA has adequate resources (personnel and funding) to achieve its necessary goals.	Hire more staff.	No.	Better computers and more modern computer regulations in terms of administrative rights to computers and computer programs can improve and increase productivity.	We can take a more proactive role in protecting the American public by enacting and enforcing appropriate environmental regulations.

AMERICAN OVERSIGHT

	I
200	
201	Yes, it's called being a competitive and enjoyable place to work, the current administration seems to be working against that, make salaries competitive with the private sector, encourage talented professionals to stay at EPA, and attract new talent in a competitive fashion. Improve rhetoric from EPA leadership (i.e. Administrator Pruitt) by basing it on sound science. Simple.
202	EPA has used the world's best practices and is at the top of the field in both governmental agencies and the private sector in using science to better understand difficult scientific problems.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
203	202	5/3/2017		We need to continue to fund the state and tribal environmental programs. If we don't provide the states funding, they have no incentive to coordinate or collaborate with us. Providing funding/grants to them ensures accountability and structured process for outlining commitments, expectations and follow through. FACA and negotiated rulemaking committees or advisory groups that involve states/tribes are other good tools for developing sound policy, rules and avoiding the destructive cycle of rule litigation.	More use of social media. The general public now receives the majority of its news and information from social media sources. Additionally, less top down control of information. For information to be relevant, it needs to be timely. Long delays in seeking approval from senior level officials for sharing information with external parties is counter-productive and gives the appearance that EPA is withholding information and does not improve the level of trust with our stakeholders. Additionally, we need to be sure to fund travel for our staff to get out into communities to interact with them. We can improve image and the level of mistrust with the agency if we can get out of the office and into the field to talk to our stakeholders and explain issues to them in person and hear their input directly.			More widespread use of performance partnership agreements and grants to streamline administrative burden and reporting on states/tribes.
204	203	5/3/2017	The organization is top heavy on the management side and there are many GS15s that are basically getting paid a lot of money to do very little. You should look at all of those positions and eliminate about half of them. However, in the past when we've done that we've just moved them aside and they've been rewarded with less work and the same pay. instead, you should downgrade the positions and use the extra salary to offer more promotion potential for the people who do the work. There is no need to have two deputies in most offices. it creates an additional chain og mgt which slows down the process. Also, move FTEs out of Washington and into the Regional offices where there is much better relationships with our state and local agencies. HQ loses touch with what is actually happening and you have inexperienced people making national decisions without truly having an understanding of the local impacts. While it is necessary to have national consistency, the US is very diverse and what works in one area (i.e. CA) may not	Support nonregulatory programs. While regulations are a necessary evil, we can achieve results beyond regulations with effective partnerships and collaboration. Some examples are: Smartway, Energy Star, Airnow, Water Sense; national Clean Diesel program; Wastewise, etc. These are part of our core mission of protecting Human Health and the environment. With regard to engaging private sector, we have tried this many times before with mixed results. Take a look at the old Clinton Administration efforts on the Common Sense Initiative. Great results in industries like computers where EPA facilitated changes in how computers are manufactured to eliminate waste. Through this effort, they standardized computer manufacture and eliminated brand specific products. It did not work so well in the large	I think we do a pretty good job providing service to state, locals and tribes and pubic. One thing is that the general public calls EPA instead of state and locals on most environmental issues. When they call national numbers for help it is very frustrating. Our contractor support for many of the numbers just sucks. They are limited din what they can provide; provide standardized answers and basically frustrate the general public. Regional offices vary in how they deal with the public and some do a great job while others don't. On average, I get 5 calls a week from the general public on environmental issues related to my work. Some are really local gov't issues such as zoning and others are large issues that we can work with the states to resolve. I think we should establish a practice of helping resolve issue when a customer calls instead of telling just passing them along. Establish a national contact list for	Yes. EPA should partner with FHWA, Commerce, DOE and Ag to look at major freight corridors. I have beentrying to get us to do this for years. We should establish a freight improvement program that target critical freight corridors. Using an approach similar to what states use with priority watersheds, we should identify priority freight corridors. Then we should spend a significant portion of FHWA, DOE, Commerce, and Ag funds to improve the efficiency of those corridors. with the goal of improving overall movement on them. We address truck parking issues (there is a national freight parking group with FHWA) to increase numbers and establish no idle parking to reduce emissions (both air and water from runoff);	Remote sensing. Also, EPA should increase instead of defund the evaluation of new technologies which reduce emissions.	The DOE has experienced a significant amount of mission creep that has them doing things that are really the charge of EPA. We should look at all of the funding programs for alternative fuels throughout the federal agencies. Alt fuels are a critical part of EPA with the RFS. However, the funding is so dispersed and in some cases targeted specifically for some Congressman that you get a lot of semi duplicative programs. State programs add to that. I think one area we should look at is the state freight plans. There is not a real environmental element ot those plans, but it is an opportunity that we

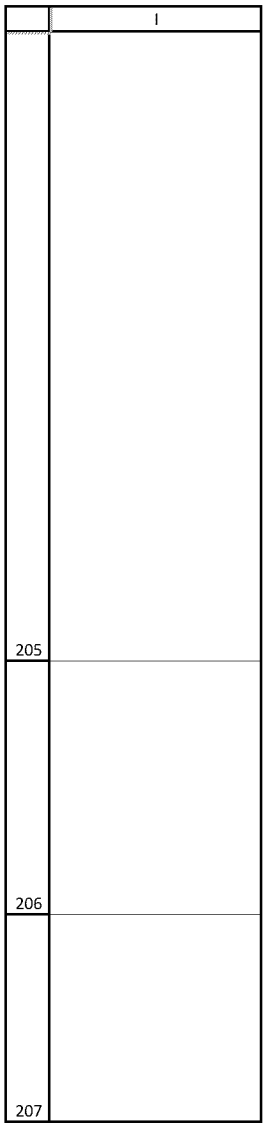
AMERICAN OVERSIGHT

	I
203	
204	I think you should look at the DERA program and the associated diesel collaboratives across the US. In many cases, these collaboratives are an excellent way to bring industry, states, locals and NGOs together in a shared vision. Partners are there for different reasons, but all agree with the overall goal of reducing the impact of diesels Voluntarily through efforts that benefit them individually either financially or environmentally. In this case, the regions offer a venue for industry, states and NGOs to build trust that ultimately leads to significant improvements.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
205	204	5/3/2017	Grain based ethanol gas for GOVs (government cars) is a waste of staff time and isn't very environmentally logical (its water intensive and uses food for energy instead of using waste or byproduct for energy).		Overloaded staff doesn't have as much time to responded to customers. Maintain or increase staffing to allow all EPA staff more time to respond to customers.	(1) Our travel system concur is rather awful. The fees seem high. The fee for booking a hotel through it vs calling yourself is high. The contract airline tickets are regularly double what a non-contract fare is. (2) Its difficult to accept travel subsidies for speaking at a conference. Its easier to just EPA's limited travel budget to attend. Making this easier to utilize these types of outside monies would be an improvement. (3) Its difficult to charge tuition for an EPA sponsored (contract trainers or EPA staff trainers) training. Having the ability to easily charge tuition for non-EPA participants (industry, states, nonprofits, other agencies) could help save money.	(1) Ereporting on permit reporting (annual reports & monitoring data) to an online database (ICIS/ECHO) that is accessible to the EPA, states and public will be a huge efficiency! (2) EPA (or at least Region 4) needs an electronic routing system for outgoing letters and correspondence! The paper system takes a long time (people have to walk it to the next step, if you are working from home or on travel you can't view it), packages sometimes get misplaced, there isn't a good way for accountability if one person in the review regularly takes forever, it wastes effort when one person hand writes their comments on the paper letter instead of going and electronically tracking their changes to the actual document, & its a huge waste	
206	205	5/3/2017	A consistent process for electronic routing and signature of documents is needed along with electronic records management rather than a paper based system. As the agency tasked with protecting the environment, we should be leading the way in electronic records but are woefully behind. More resources are needed for IT support in this area.					
207	206	5/3/2017	- Reduce the number of data calls and budget drills. - Be clear when preparing data calls and budget drills and/or hold a conference call after distributing to review the data call and respond to questions. - Work with OMB to modify CPIC reporting to			- Provide a single electronic vault solution for managing CBI and require all EPA systems to use that one solution.	#NAME?	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
208	207	5/3/2017	The adninistrative procedures that staff have to do have been increasing at an alarming rate. This takes time which we have so little of to do our jobs and the agency's mission of protecting human health and the environment. Reports and updates by grantees, consultants, and the private sector should not only be sent to the project officer/manager but they should also be sent to a central file maintained by the regions so that if there are questions/FOIAs they can be easily accessible and answered. In recent weeks I have spent numerous hours answering FOIAs - this could be done by FOIA officers within the region. In addition, cutting back and making all our administrative tasks (time cards, travel, etc.) would be helpful. The time spent doing these tasks could be spent on projects that are more in line with t our and the agency's mission..	Maintain and improve relationships with all parties involved in the particular projects and sites. Outreach is important and it makes for a smoother, better project if all parties are informed effectively. Try to do this from the start of the project.	Engage them, keep them informed, develop and maintain good relationships, educate them. Keep ties open through EMAILs, conversations and face to face meetings whenever possible and if travel allows - by the way, I find the latter to be the most effective. Be open, honest. We're all in this together so we need to work together. Consider and respect the opinions and the needs of all parties - take them into account when making decisions. We can't work in a bubble. Economics, sustainability, culture, recreation, life amenities, transportation, EJ, livability principals, etc. need to be considered when protecting human health and the environment but we need to be cognizant of our mission - it is paramount.. .	I am a PO in the Brownfields program and find the funding of grants a tedious, time consuming task. The development of FRs,CNs and award documents can be done in a more streamlined, efficient manner. For the most part, most of this should be done by grants personnel not technical personnel. Technical people should be negotiating and developing workplans (not enough time is dedicated to this) not filling out FRs and CNs. The time I spend on these documents is significant (especially come August and September). Perhaps a dedicated person in our section devoted to this task and other administrative might be beneficial. Or, better yet, the grants staff should be doing this. The technical lead can		We need to have a better understanding of all the responsibilities of the other agencies in order to understand how and if this can be done. I understand that streamlining and limiting duplicative practices is a goal but it also should be considered that having a different opinion on similar practices is important. Different perspectives make for a more complete, ballanced and thought out project. I think there should be more collaboration. between agencies. All programs, including enforcement, in the agency are important. There are many instances in which the states rely on the EPA to take an
209	208	5/3/2017		Increase funding for the Exchange Network grants that go directly to states and tribes.			Agency should utilize the Agile Development BPA for most of its IT software development.	

AMERICAN OVERSIGHT

	I
208	
209	Lean, Agile Development of applications

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
210	209	5/3/2017	(1) Authority to make decisions needs to be devolved down to the lower levels. The increased politicalization of what should be technical decisions -- and this happens regardless of what party is in power -- has made EPA far less efficient. Senior management now gets mired in too many low level decisions. (2) The Clinton/Gore EPA reorganization in the 1990s was a disaster. Take a look at how EPA was structured in the 1980s under Reagan and George H. W. Bush as a good example of how to better organize the agency.	EPA needs to learn more about how industry works. Consider an externship program where EPA employees can go on detail to private industry. It might not be a bad idea to provide for the reverse. (2) Also, EPA should get more engaged in looking at and fostering industries use of Environmental Management Systems.	I think the level that EPA provides is pretty good given how overworked EPA staff are. I think something that really hampers this idea of better customer service is the lack of sufficient travel funds for EPA staff. They need to get out into the community and to also work more closely with State and local partners.	Many of the problems we encounter in this area are because of antiquated statutes. Every environmental statute could use reform. I think no one knows better the problems presented in this area than EPA employees that have deal with these inefficiencies every day. There was earlier effort -- one of few good things stemming from the Clinton/Gingrichtre years called "Streamlining" This was generally planned for four phases. Phase 1 - get rid of patently stupid or obsolete provisions. Phase - 2 streamline more difficult stuff in the regs. Phase 3 - Serious streamlining changes to the rules (e.g., creating self-implementing effluent guidelines instead of NPDES permits for certain kinds discharges. Finally Phase 4 -	We need better IT. Internet tools are pathetic.	Generally, agencies don't share well. Better to clearly delineate roles.
211	210	5/3/2017			Open communication with the public. Always being transparent. Clearly stating our mission to the public, and having leaders that follow through with our mission. It seems like the word of the agency gets blurred when so many mixed signals are coming from our leadership.		Access to email on our phones for even non-managers could help to increase efficiency.	By collaborating more with states. Also, my identifying our missions, are having leaders who share those same missions. That allows for the agency to move in one direction with a focus, and not dilute our mission.
212	211	5/3/2017						

AMERICAN OVERSIGHT

	I
210	No.
211	
212	Allow employees to utilize their own personal smart phones to access work email, eliminating the cost of thousands of iPhones and monthly charges associated with them. A successful pilot of this was run several years ago, but never implemented.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
213	212	5/3/2017				Yes, your SEE program to utilize senior aged employees works at reducing cost, but you haven't increased the pay rates in decades and no one seems to care. You will find it harder to get seniors back to work when you only pay less than the minimum wage in most states. They consider it a disgrace.		
214	213	5/3/2017				Centralize and streamline shared services to serve one EPA. This includes HR, IT, Procurement, etc.--many functions that have been de-centralized and resulted in inconsistent, costly, and less effective performance/outcomes.	Centralize IT across EPA to serve one mission vs. 10 Regional CIOs and varying agendas.	
215	214	5/3/2017	I believe that the folks in EPA do good work. I have worked in the regions and HQ and have found a majority of the funds end up in HQ. It may be worth reviewing the # of folks in the regions (the ones who interact with the states) about equals the number of folks in HQ. It just seems like there should be a greater percentage of folks in the regions.	Work to stretch out environmental time frame requirements, NPDES review every 5 years vs the states have every 10 years or NAAQS review every 5 years versus every 10 years, this would take some of the enviro burden off the states.	I believe EPA needs a citizen panel of volunteers, just every day people, to assess our web sites and use of social media and ask them what they think and what they would like to see because a lot of the government websites are not intuitive at all, especially EPA's home page. Ask 10 of your friends not involved in the agency or the government to go to EPA's web page and ask them to locate 10 different things, I guarantee you they will each have varying degrees of success.	Come up with a national EPA document filing system. The military has figured this out, we should be able to as well. Speed up the electronic storage of documents, go into the regulations and statute if necessary and require electronic submittal of documents and get rid of paper copies once and for all. Paper document storage is a huge cost for EPA.	Make greater use of the web.	
216	215	5/3/2017	More easily allow access to EPA email on personal mobile devices could increase efficiency for those who are not generally at their desk. Adjust time card submission deadlines/requirements to reduce preparing amended time cards, some of which are foreseeable. Eliminate or reduce frequency of some online training (Tribal, Environmental Justice, etc.) Eliminate redundant tracking of training requirements Property tracking requirements are too burdensome, especially for small tech items that lose value quickly	Streamline requirements for corporate partnerships for research allowing better grounding of regulation	Transparency, make more data freely available so discussions can be more productive & the public can highlight areas of actual concern.	Don't approach rule makings with a schedule, saying "we have to do a new _____ rule because we haven't in 7 years". Instead survey the landscape and target the areas of actual need. We currently pay contractors to drive cars for mileage accumulation or data collection purposes. EPA employees would be happy to do this via their commute, but I believe it is seen as an impermissible benefit.	Recent IT updates allowing cloud storage are a step in the right direction. A further push by eliminating some of the old methods could help people work better collaboratively.	I prefer to do a smaller list well, and let the public direct area of focus, sometimes staff are in search of a problem for that next rule making. Often, this also leads to over complicated solutions.

AMERICAN OVERSIGHT

	I
213	
214	
215	
216	Increase portion of compensation from awards / bonuses. People know who the good workers are, if you are not going to cut out the bad ones the good ones should get more than an additional $2000/year if they did 30% more work.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
217	216	5/3/2017	Our systems are to slow and use outdated coding and technology. We need larger bandwidth for work from home users. Also we do we have 18 feeder systems that all access CDW and Compass. They are all using the same information from those two systems that are just displaying it in different formats. We could cut licensing cost, system maintenance costs and fewer help ticket if we used 1-2 systems to do the same jobs.	I think open communication is vital and the understanding that the tribes, and local communities don't always have the funds to clean up the environment.	Being able to get correct information in a timely manor is vital.	yes invest in better systems and infrastructure. These will help EPA provide better services to the public in a timely manor at a cheaper cost.	Designing systems that are flexible so when processes change the system is not obsolete and in need of upgrades.	Use our expertise and contract them out to other federal agencies. this will cut the other agencies cost and increase cash coming into our agency. A good example is using our finance centers as a finance center. Why are regions still creating bills when we have a finance center that creates bills? its a duplication of efforts. Bring all bill creation to one location which will streamline the process and create one consistent product instead of eleven different products and processes.
218	217	5/3/2017	More decisions should be made at the regional and divisional levels, as opposed to HQ. Although, I understand the importance of HQ in maintaining consistency between regions, when decisions that are statutorily given the regional administrator (many of which have been delegated to division directors) are essentially made by HQ, it creates unnecessary delays.	EPA's partners appreciate consistency, but many of EPA's regulations have special rules for certain entities, i.e., energy industries, mining, agriculture, and often times, these industries are not enforced to the level other entities are. Although these industries are used to having special abilities to pollute that others don't have, it is important to have consistent regulations for everyone and to pursue all polluters the same, regardless of the perceived importance of the industry. The regulated community will adapt and succeed if regulations and enforcement are consistent. Regarding achieving better environmental results from state, tribes, and local communities, EPA must keep states and tribes accountable. Currently, EPA does not have the staffing or management support to make	EPA should better track community complaints and phone calls. Often the Regional and HQ call line forwards their concerns to staff, and there is no record of the call accountability that the concern is addressed. A simple database of these calls would make a record of the call and add accountability. If another staff person receives a call from the same citizen, they can go into the database and see what was said so they are consistent.	A more open workplace with shared work stations, eliminating cubicles and allowing liberal flexiplace policies would foster shared ideas because people would have to work without office walls. There would need to be rooms available for people who need quiet for calls or to read, but these could be shared spaces where people take turns. This would also force people to keep and use less paper and scan any documents that come in to the office.	Aerial photography and GIS could be used to identify wetlands violations. Often large wetland violations occur in remote locations. Rather than relying on the Army Corps of Engineers and citizen complaints, EPA could be more proactive to identify unauthorized wetland fill.	EPA should provide federal funding to delegated state programs for implementation to encourage more states to assume permitting programs. Also, more interagency conferences would facilitate communication between agencies. For example, meetings between U.S. Corps of Engineers, EPA, FWS, and states could foster better decision-making and implementation ideas.

AMERICAN OVERSIGHT

	I
217	Consolidation to prevent duplication of efforts.
218	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
219	218	5/3/2017	The concurrence process for any documents or correspondence which is done via hardcopies. This is something that extends the process and can be done more efficiently, if done via electronic concurrence. Also, this can also be applied to the response to public inquiries.	Our program already has an effective and solid relationship with all the stated partners. However, I think being more informed, which would allow us to be more open with those stakeholders would make those relationships stronger. Sometimes the policy decisions made in HQ/DC directly affect the states and other local gov'ts and private sector stakeholders and the information doesn't come down to the regions quickly enough for us to relay the proper information to our partners. Those partners come to us at the staff and regional level when they hear any "rumors" or news, and many times we haven't been informed by upper management, on the topics that we get questions on.	I think having a better website with easier to understand topics, search engines, and directories to the proper programs and staff would make it easier for the public and others to reach the right person at the right time, instead of being bounced around. Also, I think the staff should try to look for the right contact for a caller, instead of just kicking them off to someone else or just telling them that it's not their program. Also, courtesy and professionalism go a long way.	More accountability for work being done and not being done. I think the PARS can be better utilized. Too much bureaucracy in the process of getting rid of some people that may have seniority, but do a lot less than a new employee at the agency. Also, there should be an option for temporary LWOP or a temporary PT schedule to reduce hours (and costs), instead of completely getting rid of an FTE. Also, supervisors have to be held accountable, there's no evaluation of supervisors from the bottom up.	Incorporate an official electronic recordkeeping system, so that we don't have to print out every document that has to be filed for recordkeeping purposes.	There has to be an awareness among agencies of mutual activities, responsibilities and interests. Our program has worked with other federal agencies in initiatives where there's a nexus in mutual interest and it has helped in conducting better and more effective outreach to the affected stakeholders.
220	219	5/3/2017	The logistical procedures for keeping track of my time prevent me from actually delivering services to patrons.	Blocking the Keystone Pipeline and the Dakota Access Pipeline.	Ask them what they want. We can't deliver services if we don't know what our constituents want.	Changing to high-efficiency light bulbs. More solar and wind power.	Google Chrome. Internet Explorer is highly outdated.	A number of things that the current administration has done scare me. We need provisions like the Clean Air Act to protect our environment (isn't that the point of the agency?). Climate change is real and is man-made and the removal of those pages from the website is not helpful to promoting our mission.
221	220	5/3/2017	Briefing Agency products to high levels of management greatly slows down the pace of work and creates uncertainty in whether a product will ever be released. Trusting in competent lower level managers and staff would greatly increase the efficiency of work and increase morale.	Without healthy ecosystems there is no economy. We need to internalize this message and take action to preserve the biodiversity and species health of the country. Otherwise, we will continue to lose species and ultimately undermine our own.	Create an atmosphere of openness and transparency for all. Currently, there is a hesitance to share when we are uncertain about a certain topic or idea. This type of stalling until we are absolutely certain breeds mistrust among stakeholders.		More use of videoconferencing for internal and external meetings.	

AMERICAN OVERSIGHT

	I
219	Cut out the red tape and allow employees to have ownership of their work. Also allow employees the opportunity for cross-training and cross-pollination. Many staff want to learn and work in other programs, but the bureaucracy doesn't allow them to. Some of the best practices I've seen from being in industry is the opportunity to rotate positions, so that you don't stagnate and in effect, the workforce morale increases. Also, it's beneficial for the organization because there are more skilled and knowledgeable workers in various areas and it gets away from the stovepipe approach of doing things.
220	No.
221	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
222	221	5/3/2017	The lack of consistency in the procedures and how easy the procedures are to find.	Better communication	Better communication	No	Better use of SharePoint. Perhaps hold a comprehensive training on how to use SharePoint	We are currently very well aligned with States and Federal Agencies.
223	222	5/3/2017	Developing regulations per Congressional mandates is one of our important functions requiring adequate, sustained funding since regulatory action takes 2-4 years from start to finish. Second is enforcement and oversight without which Federal regulations are useless and with no desired environmental results, requiring management support at all levels.	In my experience, delegated States are always willing partners who experience funding shortfalls as well. In some cases, States on their own initiative, have promulgated stricter regulations depending on the regional environmental goals and public demands. In my opinion, under EPA's radiation protection program, Federal and State partnership has been working well.				
224	223	5/3/2017			The Agency should tally and maintain a calculation of regulatory cost/burden for each NAICS. Understanding and managing this burden should inform rulemaking activities.	Regulatory development activities should adopt a project management approach. Notably the costs of regulatory development should be documented and managed.	The Agency should invest in modern workflow applications for core, mission critical activities. In addition, investments should be made in executive information systems (EIS) that would aggregate data from these workflow applications to allow for senior management to better understand and manage all the activities across the agency.	
225	224	5/3/2017				Reduce "administrative support" staff. All staff are trained on how to enter their travel into Concur, or can ask a coworker or supervisor for assistance, and the "administrative support" slows down the process of getting things done.	The PeoplePlus system takes a long time to enter billed hours to special accounts because of the way the webpage is set up. The webpage should be redesigned so that the user can easily enter time without wasting time.	

AMERICAN OVERSIGHT

	I
222	The Maxiflex time schedule would be great to increase work efficiency. That way employees could modify schedules to fit both their work and life schedules better. It also increases accountability of the employee to get the job done. Happier employees are better employees.
223	
224	The agency should increase the use the application of enterprise architecture methodologies in organizing its activities and information technology investments.
225	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
226	225	5/3/2017	Bean counting reports of project success. Most are ongoing and don't have a "completion" date.	Increase funding for state grants programs and regional programs. Increase staff to manage the programs and provide accountability for effective use of the funds.	Increase communication and government affairs staff to enable consistent, responsive and direct communication and coordination with states, tribes, local communities and regulated entities and to build public trust.	Set legal limits and constraints on lawsuits and FOIA requests from regulated entities.	Tablets and smartphones for all EPA employees. Highly encourage maximum use of teleworking to improve efficiency, quality of life and reduce carbon footprint for all EPA employees.	Grant EPA authority to protect America's waterways by regulating nutrient, sediment and toxic pollution from agricultural runoff. USDA should serve in an advisory capacity to provide technical expertise and funding to assist farmers in keeping waterways from being overburdened by runoff.
227	226	5/3/2017	I think there are times where the agency wants to do great things to address process inefficiencies and promote accountability, but there are times where the unions/collective bargaining units can prevent these things from happening at all or force agencies to modify them in a way that degrades the effectiveness idea. The unions are great advocates for employees, but I think there are times where they hold their own employees back from achieving more.	I think that setting joint priorities with the states and doing process improvement around those priorities can be very effective at improving partnerships and taking agencies where they need to go. I believe that continuing to involve the community, states, and local governments in the conversation is important to building partnerships. But it is also important to note that this can add to the amount of time needed to accomplish things - but hopefully with a better result.	I think it is our duty to accomplish our work as effectively and efficiently as possible. We need to do this with our partners and the country's input and we need to provide services as quickly as possible. Sometimes in effective process cause delays, sometimes it is the laws and regulations that just lead a process down the wrong path, and sometimes the nature of the issue itself leads to long lead times. I think that if we focus on making our process visual through process mapping, and using lean and other tools to improve them, we will offer better customer service to the states.	I think that having expectations with regard to organizational goals and programmatic goals will help the agency produce results in a more efficient way. I believe that this type of accountability is what pushes people to embrace process improvement in a way that leads to better results.	I'm sure there are technologies out there that would help, but I don't know of specifics. I know ultimately, some tech can be very expensive to maintain and keep updated and the process for getting technology reviewed and approved is very long.	N/A

AMERICAN OVERSIGHT

	I
226	Work with states to establish cross-border partnerships with EPA and other federal agencies for all imperiled interstate watersheds.
227	I think that lean process improvement can be a very big asset to the agency. The agency is getting older and a lot of institutional knowledge is walking out the door. Understanding what we do by getting our process out there so people understand what we do (and what we shouldn't be doing), improving/redesigning those process so that they provide value to the customer, and connecting those improvements to organizational goals can help get us where we want to go.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
228	227	5/3/2017	I don't have any suggestions for this question.	I don't have any suggestions for this question.	Advertise our success stories, you know, a lot of people do not have any idea what USEPA actually does!	Yes, there are times in my position where I'm waiting around for data or samples to be collected or a document to be completed. So I pick-up work from other Divisions that could use the help. I am limited to a 20% of my time to help other Divisions, if it's more than 20%, an SF52 for a detail has to be filled out and approved and it gets messy. If I'm doing the work of the agency and improving efficiency, let's eliminate the policy of being tied to percentages. I understand that our performance reviews need to be based on critical elements, but instead of that why not just have our PARS based on work products. Praise and value should be given to those who work across Divisions, instead of being restricted		The Army Corps of Engineers does a lot of our Superfund work from writing five year reviews, to commenting on EPA' risk assessments...no offense, but EPA can do a much better job at writing our own documents as opposed to paying the Army to do it for us, then we comment, then they fix it...it would be more efficient to just do it ourselves!
229	228	5/3/2017	1. The requirements to maintain certification as a contracts work assignment manager, task order manager and project officer are overkill/onerous/often not relevant to those levels of contracting. In addtion, FAITAS system for tracking accomplishments is difficult to use. Streamline the requirements for certification. 2. EAS is completely not intuitive for handling procurment requests. Invest in a more practical user friendly system. 3. Major investments needed to allow competent shift away from lotus notes based systems. It will require multiple millions of dollars to do it right.	EPA must continue to provide careful and comprehensive oversight of environmental programs delegated to states and tribes. Resources for this enforcement need a major increase in order to get better, important environmental results. EPA should work with the private sector through a multimodal approach (meetings, data exchange and verification, regulations) to assure that industry provides sufficient, quality controlled data that meets standards upon which EPA can evaluate progress towards environmental protection. Too often, the regulations do not require that the data provided by industry (and often states) is actually provided to EPA in a complete, well documented manner. The data elements are often given short shrift and need to be more comprehensive. By	Maintain current practice of working with states, tribes and local communities, including support through regional offices. Do you have specific examples where customer service is lacking?	Our budget is so tight that we are hamstrung from establishing efficient, effective program implementation. To maintain environmental protection for all Americans, we need MORE staff and MORE funds on average. I've worked for EPA starting under President Reagan in OP, OW, OCSPP, OAR, ORD and other programs and regions. Our resources have NEVER been so thin to accomplish all required to protect human health and the environment. Current inefficiencies arise from lack of resources. I am aware of no program that is inefficient and can reduce costs because it is fat.	"Modernization" takes a LOT of money and time, as we found from the migration from Lotus Notes to Outlook, which is still underway and has many idiosyncracies. If you pursue this path, we will need a LOT of money and careful planning up front to make sure that any new systems are well developed BEFORE they are implemented. Not sure its worth it given how starved the substantive parts of the programs are.	Make states more accountable for fully implementing regulatory programs (and maintain their funding to do so). Stop watering down federal requirements which are necessary to provide adequate protection of human health and the environment. Notify the public when states choose to adopt programs which are not as protective so the people can work with their state and local leaders to improve state decisions.

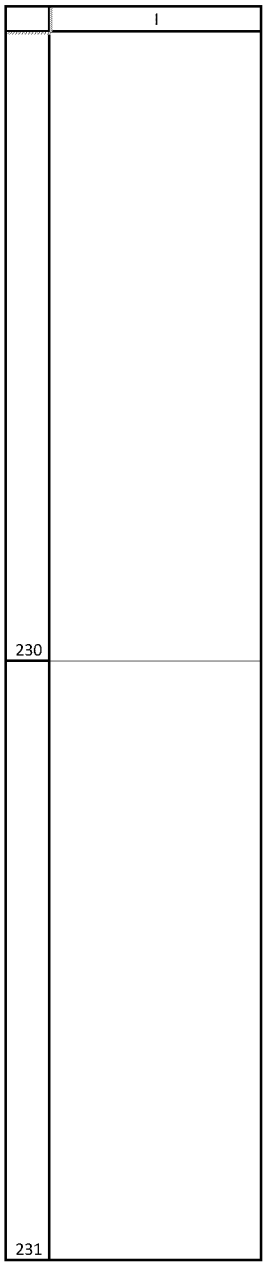
AMERICAN OVERSIGHT

	I
228	Our EMS platinum LEED certified program here in Region 7 is excellent.
229	EPA works pretty darn well compared to the nightmares I hear about at other agencies. Where is the question about how we can improve protection of human health and the environment, which is our mission? We have been working and promoting the fact that environmental and health protection can be done while supporting a robust economy. That's what our historical approach has been. Why do you pretend that this is a new notion. The civil service is/was ready to follow orders. In general, we respect that each administration has its own priorities and goals. But when you say things that are just not true, it

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
230	229	5/3/2017	The Human Resources Division processes cause significant delays and gaps in processing. For one position, it took over 21 months to fill a vacant position. In another position it has been nearly 2 years. This is partially due to managements failure to pursue filling these positions quickly, but is also due to the long time needed for HR to process actions. In one of these instances, the position was in "classification" for over 4 months. In the same position, we were forced to advertise the position again after the top candidates declined the position and the allotted time ran out. However, instead of just posting the job again, HR ran it through a full cycle which meant another 4-5 months before we could advertise. Nothing changed about the position, but HR would not simply renew it. This caused delays in work as well as additional cost to the agency as other employees had to work overtime to cover the work of the open position for such an extended time. In addition, ORD/OARs should look at			ORD is top heavy. We have too many managers and not enough researchers. Working grants and contracts with public universities more could expand the research accomplished and reduce costs.		
231	230	5/3/2017	Dealing with DC, move some management functions out of DC.			I would combine Region 2 with region 1 and 3. This would allow EPA to save rent in New York. The Region 2 Office is New York/New Jersey and could easily be split between the other 2 regional offices. I would also look to reduce the footprint in Washington DC. We are paying extremely high rents for the DC area to have management go from one meeting to another. I would look to move some of the management functions back into the finance offices or regions.	If no new technologies are going to be pursued then there needs to be a concentrated effort on improving and updating the technologies that exist today and a riddled with issues. People have been doing work arounds because EPA has not fixed current system issues. There does need to be a paperless solution so offices can attach documents into feeder systems/finance systems instead of having paper files, receiving mail, etc. This would eliminate waste and also reduce the amount of time people spend making copies and building paper files.	I would suggest combing region 2 with regions 1 and 3. I would look to move some management functions out of DC. I would also look to see what other agencies process payments, obligations, contracts, interagency agreements. How many do they process? How many people do they have working in these areas? Look to see how their process works and see if a similar process can be implemented at EPA or if we are one of the more efficient agencies then see if they have an interest in EPA doing these functions for them.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
232	231	5/3/2017	While I understand the purpose behind various rules and regulations that restrict non-competitive grants and contracts, increased flexibility in this arena would save a lot of staff time and resources when a non-competitive process is the best route to take. We recently spent close to a year exploring options for getting a mere $25,000 to a project to support research, finally settling on a buy-in to a contract, when the restrictions around a non-competitive grant became too cumbersome. USDA had been able to get significantly more funding towards this project with much less time spent, due to more flexibility in their procedures.	Frankly, more resources. Limited resources means limited staff availability to see results with projects. Particularly resources towards contracts would be helpful, if more Federal staff cannot be devoted.	A more straight-forward rule-writing process. Currently, my Office does not have the ability to write rules in less than two years, and there are rules that need to be improved through modification to better serve our goals while decreasing burden on states and the public, and we cannot act on it in a timely fashion.	Yes - a huge one! My Office is extremely resistant to telework being increased past 2-3xs/week, despite the agreements in place. (I don't think anyone in my Office has gotten 4-5xs/week telework). Full time telework without dedicated office space would decrease costs, and allow the best staff to be hired/retained due to flexibility in location. I know other Federal offices (such as the PTO and the VA) implement a significant amount of telework with great benefits. I know managers are concerned about staff taking advantage and not working as effectively, but I believe with controls in place (must be available on Lync, must respond to email within a set amount of time, lose telework privileges if	See above about telework.	There is an intersection between CDC, USDA, FDA, and EPA in regards to pesticides. With FDA, it's sunscreen and peticulicides. With USDA, it's integrated pest management (and I'm sure, other areas). With CDC, it's public health pests. I'm not suggesting pesticides leave EPA, but perhaps increased coordination with other Agencies could help efficiency and alleviate any confusion.
233	232	5/3/2017	Primarily, the Quality Assurance requirements in ORD and start up work in terms of QAPPs. There have been inconsistencies over the years and a more recent push for GMP, which understandable, makes it difficult to perform research at a basic level. Making informed, albeit "on the fly" decisions on what to specifically measure happens often in basic science. To suggest that we get approval for these choices while they're being made, or even worse guess them before we have any data to support them, is impossible.	In terms of ORD, a stronger relationship would be ideal so we can develop the tools and the data to back both ecological and health impacts that are of importance in their particular region. For example, if a specific region is dealing with a specific pollutant or susceptible population, that information and need should be sent to ORD and assigned to a specific task so we can meet the evidence needs of the region. To my knowledge there is little relationship or opportunities between the scientists in ORD with regional offices.		Finding ways to retain staff that are lower on the GS schedule and thus, are generally younger and are at particular risk of leaving the agency due to fears of or actual implementation of a RIF. They are the least expensive employees compared to GS-13 and up, and the ones that particularly do the brunt of the technical work. They are also the future of the EPA and unfortunately at particular risk in the current environment. Keeping those employees, whether they be term or career, is not only cheaper than retaining one of the folks higher up but permits for sustainability in research and projects through climatic times. Your untapped opportunities are in your		

AMERICAN OVERSIGHT

	I
232	I addressed this in #4. The VA awards IT contracts, where the contractors are 100% telework. There are policies in place for accountability to ensure productivity is not impacted. There are core hours where staff are required to be available, and policies in place for the timeframe you need to respond to phone calls, Lync messages, and emails. You need to be available/online. If a contractor fails to abide by these guidelines, they are put on a PIP. If improvement is not seen, they are fired. (If not fired in the Federal workplace, then all telework privileges lost?) I believe increasing the availability of telework with these practices in place would increase efficiency,
233	In terms of travel, it would be more effective and efficient if employees were able to coordinate their own travel. Understandably some laws exist in terms of FEMA approved hotel requirements, however in particularly airfare if we were permitted to fly budget travel lines (ie Southwest or Aligent) it would save significant dollars across the agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
234	233	5/3/2017	The only thing that prevents me from doing my job as a scientist is a lack of enough administrative staff. Time is taken away from my official duties to fill out travel vouchers, look for hotels and airlines, fill out cumbersome training requests and perform other in-house administrative duties. Some of these should be performed by administrative staff, but many of these positions have been cut.	Partnering with all of these groups is important and requires monthly interaction, at a minimum. Workload due to smaller staff and increasing amount of time spent on administrative duties as noted above, cuts into this time.	More staff. Appropriate travel funding. Flexibility for travel such as taking office cars home the night before. Appropriate funding for the fleet of cars for inspections and general upkeep. If we can't rely on safe cars and have appropriate travel funding, we can't meet with any of these groups.	More accountability from our Contractors. Often, they provide work that is not up to par and then charge EPA for modifications. Things should be done right the first time. This wastes time and money.	IT and GIS support should be constantly updated to make our jobs seamless. I feel that we are falling behind in these areas.	I think we are already there. For example, in the Superfund program where I work we often collaborate with the United States Geological Survey, the Army Corps of Engineers, and our state counterparts, as well as our in-house scientific staff, as a team. It is the team process, and the unbiased scientific opinion that we get from other Agencies that makes things work. However, when technical funding is cut, we lose our ability to collaborate with these Agencies.
235	234	5/3/2017	Removing hurdles in management would be helpful. Staff are typically the experts in their respective fields, whereas management is supposed to just have a general idea of the type of work their staff is doing. Blocking enforcement work at the management level without real discussion is a waste of Agency time, resources and tax payer dollars. Both under the previous and current administration, management has blocked enforcement cases from going forward without proper legal or scientific justification. On several occasions, staff put forth a great deal of time into developing cases just to have management say they would like to scrap the case without even citing legal or scientific evidence to the contrary. This is "bad business" and a dis-service to the public we took an oath to help. Managers should trust and move forward staff cases unless their is a justification to not move forward. This would ensure more emission reductions and also transparency of the administration to ensure the agenda is	We should include the states on more enforcement work on the federal level and provide more enforcement assistance on the state level. We already invite states on inspections, but more flexibility in including states on enforcement matters would be helpful since they have more access to a facility. Also, we would need more enforcement personnel, but it is important to also provide assistance to the state when they are pursuing a matter to ensure that companies do not take advantage of them.	More staff that can work directly with the states and provide answers and assistance on regulatory questions. I field multiple questions from my state counterparts, but because of all the other work I do it makes it difficult to promptly reply to their needs. We also should make ourselves more transparent to the public and hold "townhall" type meetings when there are large projects being done in a community.	One opportunity that has been brought up by the union is increasing work from home days. It is possible to consolidate people where there are two people at a desk and you switch off days being in the office and at home. The drawback is that scheduling meetings and other on-site activities and also coordinating between two people may cause a drain on time resources. A way to reduce inefficiency is to retain a consistent mission for the agency. If protecting public health and the environment was always the mission, then we can maintain a focus on that and not start adjusting work to reflect other ideas. EPA was not set up to focus on job growth, that is the responsibility of the	We need to go electronic. We have sign-off procedures that require physical copies of documents, which just isn't necessary anymore with the ability to make revisions in Microsoft Word and the ability for a manager to just sign-off electronically on documents.	We can form a closer relationship with the Department of Health and other health organizations. Since our mission is protecting public health and the environment, we should work with agencies that also have resources to do research on public health effects of environmental pollutants or irregularities. Working with these agencies may reduce cost of research and development by not overlapping studies and can also shed more light on consequences of poor environmental management by using their expertise. We can also work with the Department of Agriculture to understand farmer's

AMERICAN OVERSIGHT

	I
234	More interaction and funding to work with EPA ORD. More opportunity to collaborate with consultants, academia and other private sector scientific organizations outside of the office by attending scientific conferences and courses. Professional scientists not only need these opportunities to maintain professional affiliations, but these conferences and courses foster an exchange of ideas- and therefore possible change- within the government, often lead to greater collaboration, and a better work product.
235	In private companies, there is not much micromanagement from the headquarters. Leaving decisions up to the individual regions that know their states the best would improve efficiency. Reporting to headquarters should be left for matters that may set precedent or practices that should be adopted over all regions. This would reduce the time drain on headquarters to review enforcement documents.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
236	235	5/3/2017	We have too many attorney's as managers that don't manage people, they manage projects. A real lack of leadership and decision making results. I have been in the government for 4 decades across multiple agencies. EPA has very few processes, procedures or strategic plans for the things it is doing. EPA is organized around legislative statutes versus the work it does. This creates stovepipes that do not create an effective work environment. Pollutants don't destinguish between water, air, soil, food, etc., however EPA does. It creates gaps in programs and inefficiency in decision making. The approach to date has been to rename parts of the organization versus re-organizing along work processes versus statutes.	EPA is the only agency in which I have served where we get slapped on the hand for working "outside our lane", including with State and local communities. EPA has a poor reputation for doing so, especially with state legislators. We should be actually working with state, tribes and local communities to produce results. I can't tell you the number of times that we have meetings with other federal agencies to discuss what would be good for states without having states present. For example, our regional offices should be busy with states, tribes and local communities in developing emergency response/homeland security plans which improve community resilience. Instead we have regional plans that we along with other Federal agencies develop in case we are asked to support states. This is not the "All-Hazards", whole of community	Develop specific Community Based Resiliency Workgroups, in which EPA provides direct technical support to develop emergency response, recovery and resiliency plans for "All-Hazards" as has been identified by the National Response Framework and Homeland Security Presidential Directives. There should be measurable products (e.g., Coordinated State/Tribal/Local and Federal Emergency Response/Homeland Security Plans), that are produced, then exercised against (to measure performance) and utilized during actual incidents. Over time, this should reduce the amount of costs associated with natural and man-made disasters, which improving a communities resiliency to these incidents. EPA needs state based performance measures, not the other way around which currently exists.	As I mentioned, I have worked 4 decades across the Federal government. Just looking at EPA for solutions to improvement is very limiting. For example, lets look at emergency management/Homeland Security. There are parts to this mission sprinkled across the Federal government, from FEMA, HHS/CDC, DOL, DOT, EPA, DOD, USDA, FDA, etc. Thre would be tremendous opportunities for improvements and efficiencies in cost and performance if these functions were better organized. Perhaps EPA's emergency response functions should be aligned under FEMA. Perhaps those similar functions in other parts of the Federal Government should also be aligned that way. EPA's	EPA's information technology consistently lags other federal agencies. As a result, EPA always seems to be playing catch up with information technology. A specific strategic plan with performance measures (including feedback from users) should be implemented. I can't tell you the number of lost hours in productivity due to computer downtime, inability to access information, poor search engines, broken links to information. It is often embarassing.	Align EPA's emergency response function with FEMA's. Require our regional response personnel to work with states to develop emergency response plans from the states up to regional plans (e.g., from the bottom up). As identified in Q4 above, there would be tremendous efficiencies gained across the Federal government if Emergency Response personnel were aligned and focused on support of states, tribe and local communities. Over time this could result in improved national preparedness, community resiliency and lower Federal costs in responding to emergencies. Today
237	236	5/3/2017	I work in Grants in Region **[REDACTED B6]**. There are a number of wasteful procedures. FAPIIS, the need to create totally new award amendments for almost every single change to an award (like a rebudgeting), and the entire Post Award program, which needs to be scrapped and re-invented with streamlining in mind, for starters	DON'T LET THEM OFF THE HOOK!!! For too long, we have cow-towed to inefficient, or just plain incompetent, partners. If they can't get the job done (for the very little we require of them), call them on it, withhold funds, terminate agreements, and any other tools necessary until they get the message and we get people in place that are willing and able to do the job. Money talks! And their loss of it will get action!	See above	I COMPLETELY (I know, one of the few at this agency) agree with the new administrations re-focusing on basic, original EPA jobs (Clean water, air, etc.) and getting Superfund sites clean and closed, while going after those responsible hard. I've said it for a long time-this agency's obsession with climate change (and the junk science it produced), environmental justice, etc of the past administration was WAY off base from our original mission (and politically motivated)	I'm sure there are, but tech people who know better than me can probably provide better answers	Agree with letting the states and tribes take more responsibility

AMERICAN OVERSIGHT

	I
236	Reduce the number of Attorney's in management positions, adopt leadership skills in attributes in senior management positions. Require senior managers to lead people versus manage projects. Hold senior managers to instill a work environment that is proactive in supporting states, tribes and local communities. Move more positions from HQ's to regions to better support states, tribes and local communities.
237	Again, simply make people and grantees) accountable. For too long, the past administration played favorites with 'protected' bad-apple grantee (and the same could be said for 'protected' employees. Fair and real merit based systems are the only ones that work.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
238	237	5/3/2017	Using an Outlook based system (as opposed to GMAIL which is used by USAID and other federal agencies) is incredibly slow, clunky, and unnecessarily cumbersome. The fact that we are still running grant making programs via LotusNotes and IGMS is also incredibly outdated. Scheduling travel via Concur is similarly cumbersome and requires layers of approval, and this again is far clunkier than other federal agency systems. There are a number of mandated HR trainings which are really just a bureaucratic burden-- while each individual training is not that time consuming, finding the online links for them, recording your progress, and (for managers) tracking down staff who have not completed them adds up to a lot of wasted time for a training that most staff will simply skip through to get the requirement over with.			If we made significant software and technological infrastructure improvements so that grants were able to be efficiently managed and tracked through user-friendly online portals that store a comprehensive data set, we could cut the grant managing staff in half. An inordinate amount of my time goes to tracking down different numbers (e.g. last year's grant identification number, the funding amount from a grant's previous cycle, etc.), ALL of which are housed in a different online storage system within EPA. This means I'm basically manually doing the work that a proper computer system could do in moments. Data and knowledge management is a key weakness at EPA-- we have a ton of information	Text from responses above: If we made significant software and technological infrastructure improvements so that grants were able to be efficiently managed and tracked through user-friendly online portals that store a comprehensive data set, we could cut the grant managing staff in half. An inordinate amount of my time goes to tracking down different numbers (e.g. last year's grant identification number, the funding amount from a grant's previous cycle, etc.), ALL of which are housed in a different online storage system within EPA. This means I'm basically manually doing the work that a proper computer system could do in moments. Data and knowledge management is a key weakness at EPA-- we have a ton of information but	
239	238	5/3/2017	My job is in communications. The only hindrances began recently. Just give us a list of subjects you guys don't want us to talk/write about and then let us do what we're supposed to do. How hard is that?	Our job is to protect the environment and public health, NOT to put industries with expiration dates stamped on them the freedom to further wreck the environment because of refusal to explore other economic opportunities in those communities. We need to support renewable resources and keep companies accountable to the public. If you really want to put the economy first, you should be supporting solar and other green industries and helping educate coal, oil, and gas-dependent communities on the reality of their situations instead of catering to them -- that'll get you votes, but you're harming them long-term. Renewables are the future, assuming you want to have one. Also, please stop undercutting and maligning science just because you don't like what it has to say.	Free flow of information would be nice and not having to go through a crazy amount of rigmarole to update sites and do our jobs. Also not using social media to promote the unscientific, self-serving opinion of our administrator like it's fact.	Everyone who wants to run for office in Oklahoma in the next few years should just leave. That would do wonders.	Yes, we could replace people who undercut and malign science with a BB8. That would save loads of money and improve morale.	I think we should encourage the Department of Education to start a campaign, especially in rural areas that are dependent on a single source of income with no future, like mining, to train students in different skill sets, and we should work with Energy, SBA, and other agencies, as well as Congress, to bring other types of businesses -- tech, finance, fashion, publishing, whatever -- into the middle of our country. The population concentration on the coasts is untenable for both areas of the country, and a way to improve relationships between Red and Blue states, as well as improve

AMERICAN OVERSIGHT

	I
238	See responses above
239	EPA has amazing ROI from our rules and regulations. When allowed to, we help our country. Businesses that pollute, businesses that are reckless with community and consumer health, businesses that put profit before the public good should not be who we're championing and trying to protect from laws. Our accountability is to science and to the American people. The reason we have clean air and water comparative to the '70s now is BECAUSE we have had these rules and regulations you guys hate so much, but we're not in a safe zone. Even if you don't care about East Coast intellectuals and West Coast eco-nuts or whatever, you have children and grandchildren who you

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
240	239	5/3/2017	Management (specifically in OAR-OAQPS-SPPD). They do not trust their staff to accomplish projects, duties, tasks, etc. Micromanagement is a culture at EPA, it seems, thus very demoralizing and inefficient. They resist change to the point that it's impossible to promote new and more efficient ideas and processes to complete work with less staff. As an Administrative Specialist I'm not allowed to work on anything without my manager approving; I must CC her on EVERYTHING I send out; and ANYTHING I do, is never right. OPM's new plan for reduced management and rewarding high performers will not work here because of the mindset of management. Using myself as an example, I've complained many times that I do not have enough to do (even went to the Union) and wanted to volunteer for projects or details. My punishment for this is to make me sit in my cube for two years with no work other than barest duties. I'm not the only one this happens to. Administrative personnel are not allowed to go on details and the	I do believe that perhaps the EPA has become a bit excessive in it's requirements for certain regulations; however, taking away the Clean Power Plan and trying to renew Coal energy is absolutely RIDICULOUS! Coal had its day -- turn it into clean energy but burning coal is not environmentally sound. This is the only planet we have -- when it's gone, we will be gone as well. We need all the critters; we need clean water and air; we need to protect what is left before we destroy this planet for future generations. I do believe we need to make the state governments more accountable for regulations with the corporations/business entities in their jurisdiction. I think the Federal government should be a silent partner in that regard and only step in when it becomes a major issue. Business' and corporations should be fined or shut down if they don't comply	The EPA has had a very bad reputation in regards to customer service. Recently I was registering individuals for a hearing and I had to return emails and voicemails. One individual was shocked that I actually called her back and with less than 24 hour turnaround. WE WORK FOR THE PEOPLE, thus we shouldn't have a reputation of non compliance or collaboration. The Environmental groups should love us not hate us...we are on the same side with them or supposed to be anyways. They want what's best for the environment, we should too, not be in the pockets of big business. Unfortunately, the EPA is seen as collaborating with big business and helping to line their pockets. Mr. Pruitt's idea of getting back to basics would be fine if it meant to protect the environment instead of lining oil and energy companies pockets (i.e. his pockets). That pipeline running across America is devastating to our wild animals, and possibly humans	Reduce the management levels and force the individuals out who are not progressive or unwilling to adapt to change. Modernize the performance process' and listen to the staff. Utilize the technology that has been purchased to it's full extent and ensure staff are trained (make it mandatory). Ensure ALL EPA employees are aware of Federal policy and law. In the military, one of our major classes during boot camp was military law. We had to learn it and know it - if we didn't, we were discharged. Then tackle the regulations that are existing and update them; modernize them due to every changing environmental concerns. Think environment, not big business. This is America and having the ability to	Get rid of CMS - out dated, not user friendly. There are other programs that coordinate with Microsoft we could use for controlled correspondence which uses an electronic tracking and concurrence process already. This would reduce the printing/paper waste from doing this. Ensure that individuals writing/reviewing rules are well versed in English - grammar, punctuation, etc. Our correspondence that leaves our office is atrocious and unprofessional. Utilize SharePoint more instead of printing documents; utilize the records management file plan electronically (and ensure staff is trained on this and mandatory). By ensuring accurate records management, we could cut down on FOIA time, as well	I think the Administrative responsibilities could be shared across the office (OAR) instead of being broken by division. Some admins are over burdened while others do not have enough. I believe if we were shared and cross trained we could reduce the admin staff and still function brilliantly.
241	240	5/3/2017	The budget process is burdensome because it is difficult to plan projects past 3-6 months because it is unclear what the funding availability will be to continue projects. This is beyond our control for site related projects, but for travel for training or budgets for preparedness and homeland security projects this could be better addressed if there was direction on what the anticipated funding levels would be year to year.	We have a great working relationship with our state, tribal, and local counterparts and private industry. In recent years the availability to partner with these organizations has been minimized due to shrinking budgets both from the federal agencies and the state agencies. We have long established that having an understanding of the players and what assets each organization has to offer prior to an emergency is the most effective way to respond once an emergency occurs. Allowing more funding for travel, training, and exercises with our state, local, tribal, and private industry partners would allow the EPA to better prepare and be more efficient during responses.	EPA is requested to assist with response work, site clean-up, exercises, workshops and training by our state, local, regulated community and the public, but with the tightening of budgets for non-site related activities it has been difficult to participate in many of these events. Often times the activities we are allowed to participate in are based on the distance required to travel or the timing of the event in relation to receiving budgets for that year. By making these activities more of a priority to the agency we could better improve customer service to all of our partners public and private.	Our current records management system is based on paper records management. By converting to a digital system and developing a streamlined process for maintaining all records (i.e. e-mail, texts, instant messages, Excel spreadsheets, etc.) this would help reduce costs since currently the process is to .pdf all of these records so they can be maintained in the current system.	Allowing the use of mobile applications and mobile devices. All other private industries appear to be making the transition to smart devices such as phones and tablets. EPA needs to have the ability to utilize these devices which would make field work more efficient and effective by allowing information to be captured and transmitted in virtual real time rather than requiring information to be gathered then transferred to a digital version at the office.	Not applicable, in all of our activities EPA is requested to assist because of the lack of other federal or state agencies ability to perform the work.

AMERICAN OVERSIGHT

	I
240	No none. So frustrated and disappointed since transferring to the EPA.
241	Currently exploring ways to incorporate smart devices such as phones and tablets to conduct field work, but the ability to use technology is difficult because of the service agreements required by various third party vendors.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
242	241	5/3/2017	Remove senior management review of external communications. Eliminate recurring trainings.	The Administrator working with state and local agencies and private sector organizations to reduce and ideally eliminate public and private sector lawsuits on EPA rulemakings. Further, if those groups instead contributed money to fund research and development work in EPA as a group we would achieve better environmental results.	The public and industry would needs to understand how the Administrator's actions are improving the environment and slowing down climate change impacts. An open and transparent process supported by scientific fact is paramount to better customer service and interaction with states/local agencies and industry.	Reduce travel for senior management. Increase staff level travel.		Yes, Department of Defense should provide more funding toward cleaning up hazardous waste from federal facilities.
243	242	5/3/2017	The ability for researchers to collaborate with external partners and share data is hinder by the absence of both security policies which would facilitate broader collaboration and data sharing, as well as, the absence of public facing cloud based data repositories in which to host large volumes of data and share them respectively. I would recommend creation of public facing data hubs accessible by both EPA intramural researchers and external partners where large datasets can be hosted and research conducted in an open manner. Lastly, create security policies that would allow for placement of research data in the public domain.	I recommend expanding the use cloud based service offerings for interaction with external partners. Platform as a Service (PaaS), Storage as a Service (SaaS), Infrastructure as a Service (IaaS), and the new concept of Data as a Service (Daas) should be exploited. Outside research takes advantage of commercial solutions like Amazon, Google, Drop Box, Open Science Framework (OSF), etc... EPA researchers should be allowed to take full advantage of these technologies in conducting their research and sharing information with external parties.	I think EPA should exploit the use of field sensing equipment and Internet of Things (IOT) technology along with crowd sourcing to address environment compliance and monitoring. The data generated through these devices and sensors can be made available to the public and hopefully inform self correction of violations or conditions that fall outside of specified parameters. EPA must create the necessary enterprise infrastructure to receive, triage and interpret data from these various sources to better inform guidance, policy and regulations.	Yes, I think EPA needs to engage colleges and universities in helping us to formulate our environmental message. EPA scientist and researchers are leaders in their fields but at times their communications fail to resonate with common people. Colleges and universities through grants or other incentives can formulate communication strategies that speak to different audiences (e.g. business leaders, property owners, industry, school children, parents, and government officials) in language and terms they can understand. "Its about clean air and clean water stupid."	I think the PARS system is flawed. The appraisal system should be automated to emulate the PHS officer evaluation program. Also, the absence of a manpower structure focusing on personnel authorizations required to accomplish the EPA mission hinders the agency in planning and executing personnel management actions. We should know how many environmental scientist are needed in a given region to assure compliance with clean water regulations but we really don't. Likewise we should know how many HR specialist are needed to perform the HR functions of the agency but we don't know that either. I think DOD (go Air Force) has a better handle on personnel resource management than	I think that synergy is first discovered in the use of each other's data. For example, USGS, NOAA, NASA, and EPA combine the same datasets for their separate and distinct purposes. Facilitating the access to these data and the storage and use of the data for public consumption would be the first priority. Our current network infrastructure constrains us in sharing, transferring and using data across the federal government.

AMERICAN OVERSIGHT

	I
242	The administrator needs a new transparent process for the staff and public to clearly support all policy actions.
243	Certainly LEAN comes to mind as a best practice to make things more efficient. I also think it would be a good idea for federal employees to not be characterized as being part of the "swamp" that needs to be drained. Focusing on creating a work environment that is conducive to professional outcomes is paramount. I think EPA has to invest in their employee's development and their careers if it is going to continue to attract motivated young people (the best and brightest) in the future.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
244	243	5/3/2017	Our IT system and infrastructure needs an overhaul. We are all using repurposed, antiquated computers and accessories. You can only really do that for so long, as hardware requirements change and update. The result is that there is a general, agency-wide slowdown as everybody has to wait significantly longer for windows to open, documents to open, data to synchronize with the database. We also have OPPIN, DOCUMENTUM, SharePoint (let alone PeoplePlus, Webforms, etc) which means that data must be carefully and painstakingly segregated, copied, and relegated to separate database systems, some of which are unbelievably antiquated. Other agencies with a fraction of our funding nonetheless manage to make sure that all employees are given a new laptop every two years, which ensures that we are always kept up to date technologically. We have expertise on staff capable of addressing these issues, which would not require further funding to hire anybody else/contractors. What would be	Cities like New York City have achieved a great amount of success in outreach efforts by providing free consultancy services to achieve greener businesses. Companies are happy to combine a better public image, helping the environment, and saving money by adopting more energy sustainable and environmentally friendly practices. Note that the money isn't from tax credits and such but in the cost of running. Between a third and half of the energy consumption in this country comes from lighting, and electricity is expensive. If a company can spend a small amount of money to update their lights, they can find their energy bills dramatically reduced, saving the company substantial money. Adopting a digital document system means less cost outlay for printers, paper, toner, shredders, security protocols, and reduces	I think that people care a very great deal about keeping their environment clean. People who are old enough to have lived through the worst excesses of pollution, who have breathed smog and had their wells polluted, had a child born disabled because of lead in their drinking water and so on, these are people who know deeply how important such things are. And those people are scared right now. I think that we need to remember that while Public Health initiatives are often seen as un-sexy for funding purposes, they are important. Not just for castles in the sky reasons, but on a practical level; a healthy country and workforce is one which takes fewer sick days, is more productive when they work, are more likely to do many things that help the market and economy like build small businesses. It's a long-term payoff, but it returns dividends continually. People are scared that their concerns are not being heard, that we will go	We have written protocols, but they are typically poorly written and nobody has necessarily ever been trained on them. I think that we need a combination overhaul on our protocols and training on those protocols. And I mean real, face-to-face training, not more hour-long webinars. I think a surprising amount of time (and thus money) is wasted un-doing and redoing efforts which could have been done correctly the first time with training. Going back to Question 1, we have people on staff with the technical expertise to update a great deal of our IT system, which would mean significantly more efficient time management, saving money. Doing things like replacing broken printers would mean significantly less	See Question 1. There are many, many examples, but you have to be willing to 1. talk with your staff who actually understand these things, 2. listen to them, 3. spend money on initial outlay to reap the rewards. Quick-cut solutions simply do not work in the long term. Too many people who understand technology will suggest a small change which will vastly improve efficiency, and are then completely ignored for their efforts, which in return leads to nothing being done, and only increases frustration in the workforce. Look at this survey- will any of the suggestions here be adopted? If you care about greater efficiencies in technology, why have you not sat down with any of the IT staff, or the scientists who	I think that in areas of mutual responsibility, we need to encourage go-betweens and open sharing of information. Data may often be needlessly redacted to the point of uselessness between agencies, which results in requiring the agencies to waste time and resources re-acquiring the data through other means. This is actually a larger problem than many people realize, and it would be easily solved in many cases by having representatives who act as go-betweens between the agencies, who are trained in the hierarchies and processes of both agencies so they know the institutional languages of both
245	244	5/3/2017	Change the Science Hub -- perhaps assigning staff to populate it as opposed to foisting this burden on scientists. Right now, every time a research scientist finishes a paper, the scientist is required to enter it in SciHub. SciHub is byzantine and convoluted unless you are deeply familiar with it. Since research scientists complete only a few papers a year, and hopefully are occupying their minds with deeper, more-important problems, they never achieve familiarity with SciHub and it remains a tortuous, thankless, marathon exercise. The result is that EPA is paying large numbers of PhDs for hundreds of hours or more to painstakingly work their way through something that ought to be done by administrative staff -- a huge waste of Federal $ and mind power. Also, since your best PhDs commonly produce more than others, your best PhDs are spending more time than others on this awful exercise.	Allow PI research scientists to talk directly with states, other parties and EPA Program Offices, without being restricted by NPDs and Matrix Interfaces (MIs). Requirements to go through NPDs and MIs greatly slows the process at best. And potentially they make things worse by inserting themselves then requiring actions that only they want done, objectives not shared by any other parties in the negotiations, seemingly to make their jobs appear relevant.	Do away with, or review and adjust, several positions in the Agency and do away with the Matrix structure of funding in ORD. In the Matrix, scientists answer to line management for their responsibilities and lab space, but they answer to NPDs (through Matrix Interfaces) for research funds. The result is an overly complex, over-managed mess, often with power struggles between lab management and NPDs. With both lab management and NPD management, this structure greatly increases the manager-to-scientist ratio. But even worse, in order to get funding from the NPDs, scientists wind up spending large amounts of time in perpetual planning, as opposed to occupying that time with productive research. NPDs and MIs are supposed to connect scientists with Program Office needs. Also, NPDs control the research budget purse strings. But		Re-institute scientist web pages in ORD. University researchers and government researchers from other countries usually have these pages. These pages are how we find potential collaborators and present ourselves as potential collaborators. ORD used to have scientist webpages, but they were taken down with a vague implication that they would be replaced in several weeks to a couple of months with standard format pages. That was years ago and now there is no mention of them. The top managers have webpages, complete with photos, etc. Most scientists aren't particularly interested in having photos up, but we would like summary pages of our research areas. For better or worse, such pages	

AMERICAN OVERSIGHT

	I
244	Monthly to quarterly all hands meetings where anonymous suggestions are discussed with updates, which both embraces increased efficiencies as well as transparency. I think there also need to be opportunities for people from different departments to meet and socialize. This means that people get a better idea of how things are run in the agency, but it also means having contacts for when something needs to be done, and you know exactly who to contact for help on the matter. I would suggest also talking with your management; the management here is atypically competent and knowledgeable and should be tapped as a resource. Have a local training committee who work on
245	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
246	245	5/3/2017			More face to face meetings instead of phone calls and emails. While calls and emails are convenient they don't replace the value of meeting someone and talking face to face. However, I don't think every meeting needs to be in person - that would be burdensome in other ways, but I worry that as we shift to using more video teleconferences and emails to communicate that EPA culture will shift away from meaningful face to face meetings. EPA has largely ignored the PLAIN language initiative (http://www.plainlanguage.gov/). We have an agency filled with technical scientists, engineers and lawyers who are trained in writing for a technical audience - not the public. As civil servants we must learn to communicate our work, environmental risks, and environmental successes in plain, easy to understand language.			
247	246	5/3/2017	We have to take some training that isn't very well suited to exactly what we're doing or need to know. I would address these by making a couple of general training that applies to everyone, but allowing more control of the more specific trainings needed to the employees and their managers.	N/A.	Review and leverage newer technologies.	Yes, we should look for opportunities to automate things that make sense to automate so that more can be done with less. There are many different types of tools that can help automate/address needs of all sizes. While some things might require systems that take contractor work and a larger time and budget, EPA could also hire some staff or train some current staff to create smaller sized tools to help automate things that were being done manually. In my area of work, this has already happened and is currently still happening. We have staff that reviews applications that come in from manufacturers. Tools have been developed for them in Excel (in house, without costing any contract money) that do a lot of the	As I've mentioned in Q4. above, there are even some current technologies that don't cost extra that could already be helping us in a lot of what is done. Every computer has MS Excel, those with some training in programming can easily write programs in Excel (Excel VBA) that could automate some of the more manual and tedious portions of our work. There may be other tools like Excel VBA (e.g. powershell, etc.) that doesn't cost extra, but could help our work already. The problem is not everyone knows about tools like this, and so there may be many cases where automation is appropriate/beneficial, but those involved don't realize that. Automation may be something that seems to require hiring contractors and spending a lot of time	N/A.

AMERICAN OVERSIGHT

	I
246	
247	N/A.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
248	247	5/3/2017	We are currently required to submit our time sheets by noon on the second Wednesday of the pay period - when there are still 2 1/2 days left in the pay period. This sets up a chain of inefficiency. Eight days after submission, after the time sheets have been processed, administrative staff send an email to their respective offices telling them they can now make corrections to the previous time sheet. If you have to make a change, e.g. due to unexpected sick leave, credit hours earned, etc., you have to log in to the system, un-attest your time sheet, make the changes, and re-attest. Your supervisor then has to re-approve, and someone has to process the changes. In the meantime, your leave balances are inaccurate and you have to wait a full pay period to be able to use credit hours you've earned. All of these extra steps would be eliminated if we could wait until the end of the pay period to submit our time sheets. I worked at another federal agency (same size if not bigger than EPA) where we had until COB the Monday after the pay					
249	248	5/3/2017	Duplicative reporting and review of even routine issues at higher (DC level) offices inhibits job performance and discourages employee morale. Use the existing system of reporting, or set up new ones and discard the old ones, but settle on a single system. Trust Regional management to handle routine business, and elevate appropriately to HQ.	To get better results we need new Memorandums of Agreement or Understanding with our state and tribal partners that reflect minimum program performance standards. Most MOA's or MOU's are very old and not specific in stating expectations of delegated/authorized program implementation standards.	Increase the travel budget and the funds for holding public outreach, including community meetings. We are stuck in the office and cannot reach out to the states, tribes, local communities or regulated facilities because we have no funding to get there. Face to face personal relationships build trust and reduce communication barriers and tension.	EPA should focus future hires on scientists and engineers. Having non-technical hires put into technical positions creates a long and steep learning curve that is inefficient and increases risks. Also, when I started at EPA, the Office of External Affairs had 3 people and the Environmental Justice and Tribal programs did not exist. Today, there are at least 40 people in those programs. Why? Can't we get by with 20? Finally, technical training has become almost non-existent due to a lack of training and travel funds. We can't stay current just by internet searching something.	Due to a lack of training caused by budget cuts, we cannot stay current on new technologies, so I can't answer the question with confidence.	By instituting a robust partnering and oversight program, EPA could both assist and improve state partner agencies performance. If EPA could do more visits to the state offices, and more field visits to sites with state personnel, we could all better understand the needs and work to develop efficient and lower cost solutions to issues.

AMERICAN OVERSIGHT

	I
248	
249	The agency should discontinue its encouragement of avoiding documentation of communications through email. Good government requires transparency, and while FOIA requests are a PITA, the public has a legal right to understand the process.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
250	249	5/3/2017	The travel management system - Concur - is the most inefficient travel system I've ever dealt with. It is time consuming and non-user friendly. It generally takes around 1.5, to 2 hours to create a travel authorization, and then, to voucher the trip, that is another hour to 2 hours. I suggest either requiring a administrative person to specialize in the system, where travelers in the division could provide the general information for the trip, and the administrative person could process the request. Or, revamp the Concur system to be easier to use.	Over the years, states, and especially tribes, have become less accountable for how grant funds are suppose to be used. Much of the grant funds end up paying for more staff, and less funds going to the projects that require on-the-ground best management practices to reduce pollution loads to the streams and lakes. The agency needs to have the ability to place strict guidelines on states and tribes to assure that the funds end up getting the results of load reductions as is needed.	We already are providing as best of customer service to the states and tribes as is possible. Our travel budgets have been reduced so significantly that we are unable to go into the "field" and view the projects we are providing funding to the states to implement. I use to be able to go to the state about one time per month, but now, I'm lucky to get to the state one time per year. If you asked the state or tribe what they would like EPA to do to help, they would tell you that they would like EPA to come to their state more often.	No.	See question/answer No. 2., regarding state/tribal accountability.	For instance, EPA's Nonpoint Source Program, authorized under Section 319 of the Clean Water Act, requires states to assessed their waterbodies impaired from nonpoint source pollution/runoff, and develop and implement measures to control the pollution from running off the land. In spite of the efforts of the mostly voluntary farmer initiatives supported by USDA and NRCS, most of the nations waters remain impaired by agricultural activities. Over the years, much of the EPA 319(h) funding that we receive from Congress to implement the program, is channeled by the state
251	250	5/3/2017		I work in OPPT and closely with new TSCA and Section 6. In the past months, we have been working closely with the private section to understand how they use the First 10 Priority Chemicals. As we undertake more risk evaluations, I would like to see more money budgeted for travel to visit manufacturing, processing, and use facilities to better understand how these chemicals are used. While this is an increase in spending, it will help us to develop regulations alongside the private sector that protect human health and the environment, while also being technologically feasible, timely, and economical in the eyes of the regulated community.	We need to leverage social media more and give people things that they can do on their own, in their homes and communities, to protect human health and the environment. We should be pumping out YouTube videos, Snapchats, Instagram posts, FB videos, and tweets on how each and every American citizen can do their part to ensure a healthy or healthier environment for the next generation.	I think TRI and CDR reporting should be combined. I envision an online interface like TurboTax where industry can complete both reporting requirements at the same time, each year. CDR reporting should be increased from every four years to every year. Increasing CDR reporting will actually reduce burden on the regulated community and make EPA more efficient. Given the time in between CDR reporting, institutional knowledge is lost on both the side of industry and EPA. Every four years, industry has to sit down and figure out all the rules and requirements again, and track down past data for several years. Could you easily track down all the documents you need to file your taxes from four years	OPPT has been trying to use Salesforce as a project management tool and I feel that it is like trying to use a chef's knife as a hammer. There are many options for project management software and if you search for lists of the best, you won't find Salesforce on any list. Why? Because it is not designed to be a project management tool! Yet, like many Federal projects, once we start down a path it is nearly impossible to change course and there is complete unwillingness to recognize that something doesn't work and should be abandoned. EPA and OPPT would be much better off using a different tool.	

AMERICAN OVERSIGHT

	I
250	No.
251	All Outlook calendars should be set to 45 minute meetings, rather than 1 hour. Often, many staff have back-to-back-to-back meetings that lead to people rushing from one meeting to the next and eating up time both before and after the meeting. If meetings where automatically set for 45 minute blocks (or 50) you'd end up with the same amount of meeting time, minus the rush, and would have a smoother, more productive meeting.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
252	251	5/3/2017	In Region 7 we have an over abundance of Time & Attendance systems that create a quagmire of paperwork and take a lot of time for Management and Administrative staff to verify/correct/resubmit etc. We need electronic signatures approved to also reduce paper consumption/time. Records, we have been told that even if we are keeping records electronically we need to print copies and keep them. That is not effective at all. We need an update electronic record keeping system.			We are over staffed. Too many people stuck in their lane and won't accept other job responsibilities even though they have the time. So many people are hung up on what grade/position they are and therefore don't make an effort to accept more job duties. We need to consolidate resources in many areas but I don't see managers willing to get that done.	PeoplePlus needs to be more effective. In Region 7 we need new technology for our Time and Attendance, and leave requests/approvals etc. Digitization of documents, electronic signatures, better electronic record keeping systems need to be adopted.	Admin positions need to be really scrubbed. EOM's need to be made Administrative officers and take over more responsibility for things they are already doing. That would reduce the amount of HR assistance that Divisions/Branches require as well as budget and facilities personnel. Consolidation of duties is key for the admin positions. We have people that are Office Managers that are simply doing Time & Attendance and no other duties and yet we won't consolidate them over the region making it a more effective position.
253	252	5/3/2017	Confusing executive orders have created a level of uncertainty around the writing of both regulatory and deregulatory actions.	It's important not to solely focus on one of the above-mentioned entities. It is unclear how prioritizing work with the private sector will improve the environment. I've also heard conflicting reports of whether our role at EPA is to promote jobs or protect the environment when the two are not mutually achievable in a single action.	Reductions in funding will have a large impact on customer service. It's unclear how our office would maintain the currently level of service with 40% less staff.			

AMERICAN OVERSIGHT

	I
252	We need to adopt a lot of best practices from the private sector but LEAN events/Process Excellence events are not the way. We have way too many going on that have never been implemented. All the LEAN events do are waste 12's/13's/14's employees time for weeks/months on end in pointless meetings that produce nothing.
253	Allowing for more telework and consolidating EPA employees in the downtown office seem like easy solutions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
254	253	5/3/2017	As a new hire coming from private industry within the past year, I have a different perspective than most. The lack of purchasing agents & cost & schedule 'engineers' mean that scientists are doing what they are potentially least good at (or at least relatively inefficient). I requested a book in October & am still waiting for it. The agency has spent probably 8-12 hours so far trying to order it, but, for various reasons, I am still waiting with no ends in sight. In my estimation & experience, an efficient, experienced procurement officer would have been able to steer around all the problems in less than half an hour.	Require risk assessments to include realistic uncertainties with each assumption. Don't allow these RAs to use assumptions with huge uncertainties. Listen to the public at public meetings & respond to each comment in writing if asked to do so. Many people that I have spoken with who went to public meetings for the new regs for (In Situ Leaching) Uranium mines felt that the decades of ISL mining experiences were ignored & instead, unproven theoretical concerns were being used to treat these natural sites as hazardous waste sites (perhaps based partially on experiences with sites using outdated surface mining techniques).	I think that we do this pretty well. I would put the fault here generally with (just) a few of our customers who under-trained, under-paid, & who have other interests than doing the best job of all of the nation. Our relationship with the public is hampered by the wide-spread selective education/lack of proper education in the public. Perhaps, by working with industry, we could do a better job of educating the general public about the balance between protecting the environment & helping industry to flourish at the same time.	see 1: have purchasing agents and cost & schedule 'engineers' instead of the credit cards. Also, have these work closely with the (Technical) Contracting Officers. Evaluate the cost of things & time when considering, planning & doing things when possible. Quit punishing the agency for the blatant unethical behaviors of a single person or a few, by stopping the implementation of knee-jerk reactions (that may have huge costs) without an evaluation of the cost of the reaction.	We do the (new) technical things pretty well as far as I can see!	see 1: have purchasing agents and cost & schedule 'engineers' instead of the credit cards for all but travel-related expenses (& have travel coordinators who know the system). Also, have these work closely with the (Technical) Contracting Officers.
255	254	5/3/2017	It is difficult to have functioning office when we still do not have political appointees in place. It would be easier to get work done if we have decision-makers.	Increase communication, especially in-person communications. Stakeholders like to work with people they know. More outreach by attending association meetings, conferences, etc. Also, we should invest in our FACAs so that they can provide sound perspectives and advice.	I hear from states and regulated communities that they would like more trainings. We should offer more courses and webinars for states, tribes, local communities, and the regulated community. Information should be more accessible. I would also make data more available. We often get a lot of requests for clarification - guidance plays a role.	Consolidate office spaces - we pay a lot in rent.	Outlook is outdated and clunky. I would suggest moving to Gmail, where we can use modern systems like googledocs to edit in real time.	Again, increased communications. People who know each other want to work with each other. Also, I would add tribes to this list!!
256	255	5/3/2017			Providing scientific expertise in a more available and digestible format, such as YouTube videos and webinars to explain and teach methods and best practices.	Use of YouTube and social media to provide in depth scientific knowledge to all.	OpenSource software, data formats such as WaterML and other OGC standards, along with tablets for data collection and submittal. Transparent and transferrable data and results.	

AMERICAN OVERSIGHT

	I
254	Examine the purchasing & cost/schedule groups at major engineering firms. Why don't we let experts handle these functions like in this industry? Thanks for this survey!
255	Make data publically available.
256	The Athens GA Science and Ecosystem Support Division (SESD) is accredited both for field and lab operations by ANSI-ASQ National Accreditation Board in accordance with the International Organization for Standardization???s ISO/IEC 17025:2005 International Standard for Forensic Testing.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
257	256	5/3/2017	We are required to report the same things in different formats which burdens all employees in CID. For example, our gas card requires we put in the mileage at the pump which also registers the gallons purchased and total cost, but then we are required to also hand write on paper the mileage, gas quantity, total cost in a car log. It is completely duplicitous, wastes time and money, and moves us away from a modern paperless organization. Another example, is that we have to enter our time into the electronic people plus program to get paid. Afterwards, we are required to enter our time into a monthly activity report (MAR) indicating what we worked on, despite not being able to recover costs for criminal investigations. Eliminating these two unnecessary requirements could save thousands of work hours per year, paper, and frustration while allowing agents to focus on investigations. There are also many more self-imposed, unnecessary and burdensome administrative processes that could be	Direct states that are receiving federal funds to operate their delegated programs to work more in coordination with the Agency versus concealing and restricting information.	By eliminating many of the unnecessary administrative burdens cited in #1, we could devote more time to this cause.	Eliminate the layers of bureaucracy and unnecessary management positions designed as a political jobs program. Regularly perform 360 surveys specific to organizations to identify and remove the bad managers and attorneys that are hampering the efficiency of the program in favor of their own personal interests. This also involves ongoing criminal activity, but the IG has turned a blind eye towards it despite irrefutable evidence.		
258	257	5/3/2017					Electronic concurrence	
259	258	5/3/2017	This current administration's constant targeting of EPA and its programs is the main problem in trying to do my job. Trump and his constant threats targeting federal employees creates an atmosphere of fear in the workplace. His bullying in the news and on Twitter make it hard to be effective in the field. The public that I interact with regularly are as fearful and concerned that the programs I work with them on will disappear.	I already have a great partnership with the states and Tribes that I work with. By removing federal funding for programs, the states and Tribes will not be able to fund the programs that EPA supports. How stupid is this administration that they don't understand that the federal funds are what the states and Tribes use to be effective in their air, water and drinking water programs?	Expanding EPA staff to interact with states and Tribes is the answer to providing better customer service. We are already working in a reduced workforce due to several years of attrition without replacement. Threatening federal employees in the news and on Twitter creates a problematic relationship with the public because the public is unsure of whether those federal employees will be able to do their jobs.	EPA has done more with fewer people in the last 10 years. Staff has retired and not been replaced. Many of us do the jobs that 3 people used to do, with as good or better results. If you want to see more efficiency in the workplace, stop bullying federal employees. Stop making threats against federal employees. Support the work of federal employees to the public, so that they see us as partners and not as ineffective, frightened and threatened people.	SDWIS is the best way to be efficient, effective and accountable for drinking water. SDWIS-Prime, the new database under development, must be able to allow for public access to information. SDWIS-Prime has the potential to be more efficient and effective, but the money and time must be invested by the administration to make sure that it is just that. The administration cannot allow the money invested go toward something that doesn't work for EPA and states and doesn't allow for public access to information.	EPA is already aligned with other agencies to support states and Tribes.

AMERICAN OVERSIGHT

	I
257	
258	
259	Stop this administration and Congress from allowing protections for human health and the environment that were fought for by US citizens in the 1970s be destroyed by the greed of a few rich old white men.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
260	259	5/3/2017	The Training Branch of OHR develops a number of e-learning courses to support EPA missions and policy directives. The Office of General Counsel has to "review" each course. This is review process is inefficient has OGC takes weeks and sometimes months to review course materials. Oftentimes, the proposed edits are loaded with legal jargon that is incomprehensible to non-attorneys. **[REDACTED B6]**, Division Director **[REDACTED B6]** is an ineffective senior executive that bottlenecks many of our operations. She is reactionary and has not been able to offer strategic direction for **[REDACTED B6]**. She will not make a decision without speaking to Deputy HR Director, **[REDACTED B6]**				eliminate/reduce paper for much of the regulatory programs.	
261	260	5/3/2017	Stop with the political BS.	Be truthful and stop with the political BS.	Be truthful and stop with the political BS.	Stop thinking that inside the Beltway has all the answers. Get rid of the dead wood. Numerous employees are dead weight in the agency. They only collect a paycheck and do ZERO work.	Stop the fly by implementations and make things work. Constantly adding new capabilities that no one has been trained on and before it is working properly, it then modernized with a new product.	Has nothing to do with activities, it has to do with trust. They do not trust the EPA.
262	261	5/3/2017	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.
263	262	5/3/2017	Have a stronger emphasis on removing low performers. Currently many employees that do not add value are retained because it would be difficult (administratively and personally) to remove them. However, there is also the prevailing view that any body is better than no body. The assumption for all managers is that any employees that are removed will not be replaced. To that end why even bother going through the effort of removing someone from federal service? The continued hiring freeze only perpetuates this issue and results in worse value to the public.		The offices that write rules typically have no feedback from their implementation (which is primarily performed by the states). Rule writers should not be rewarded for passing rules, but for passing rules that have measurable returns. As is, they typically duck out of site once a rule is final and leave the implementation as someone else's problem.	Eliminate most voluntary programs as compliance under such programs is typically fictitious.	Moving off EPA hosted IT servers to cloud based ones.	

AMERICAN OVERSIGHT

	I
260	
261	Terminating the dead wood. Other govt. organizations can do why cannot the EPA.
262	Don't cut our budget. Don't close our regional offices. Give up on coal, it's about renewable energies. Get rid of Pruitt.
263	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
264	263	5/3/2017	None.	Continue with enforcement. Most states don't have the resources to properly enforce against their sources.	We actually do an excellent job of this. We could do a better job of marketing all the great work we do to help the environment in our communities.	No.	Yes. Better software, computers, timekeeping systems, document storage systems etc.	We already share responsibility with our state partners. We coordinate and work with them to carry out the missions of both of our agencies.
265	264	5/3/2017	There are no barriers to doing my job.	We already partner well with all of those stakeholders. We especially have productive partnerships with the private sector through voluntary programs to encourage businesses to reduce pollution and waste (i.e., a sign of their own internal business inefficiencies) in order to be more competitive and responsible citizens. Please protect these existing voluntary programs, which require very little federal money and encourage significant voluntary reductions of pollution and contaminated wastes.	None needed.	none.	don't know.	Don't know. We already work very closely with other federal agencies and with states.
266	265	5/3/2017		Achieving better environmental results requires that better environmental results are actually prioritized. At the local level education about the issue is going to be one of the biggest factors. If communities don't know why their water should be cleaner or that their air is dirtier than most places then they aren't going to know they can have a better life and that the EPA can help them achieve a healthier, cleaner environment. For the private sector, marketing and framing are key. Once companies, large and small, are aware of the marketing potential of being a green company then more companies will get on board with self-initiated environmental regulations. But it is the job of the government and the EPA to stay ahead of the self-regulation and lead the way in prioritizing the environment, through effective and achievable technological	Better customer service will result with better representation. The "regulated community" is vastly over represented in most federal agencies. To find out what local communities, tribes, and states really expect from customer service requires having a voice at the decision making table.	Yes. Everyday I see countless emails and documents printed out for no good reason. I would suggest limiting the amount of printouts each employee can use per quarter. This way people will start to only print what is really necessary. This would save money on paper and printer upkeep and is much greener because less paper would be used, fewer toner cartridges are being used and thrown away, and less energy is being consumed by printing needlessly. And this should definitely be a top-down led initiative. If people see that higher level managers don't have restrictions on printing then it will feel like more of a punishment for being lower on the career ladder than a cost saving and efficiency endeavor.	For higher level managers that are not in their office as much, I would suggest encouraging usage of tablets instead of printing out all their emails.	The EPA and federal government as a whole should definitely make clear to states especially, That environmental issues never stop at a state line. The EPA should realign activities by working with groups of states on issues instead of each state one at a time. The Chesapeake Bay watershed is a prime example. Initially EPA only focused on the bay itself but eventually it was realized that excessive nutrients like nitrogen, were coming from further upstream and impeding cleanup efforts. Once the EPA realized that it should be working with West Virginia, Virginia, Maryland, Delaware, and

AMERICAN OVERSIGHT

	I
264	Easier timekeeping/leave system, better document storage system. Updated software.
265	Don't know.
266	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
267	266	5/3/2017	Most of the challenges relate to unfunded mandates. A major one I've worked on for the last few years is the DATA Act. A very well-intentioned piece of legislation, it required massive workload for technical experts that were already very busy. EPA was never appropriated funds to support the DATA Act and because the work demands expertise from senior, technical experts many employees with very large workloads were forced to delay existing projects to accommodate the DATA Act.	I have limited interaction with states, tribes, and local communities so I would defer to the regions on how to handle this coordination. With respect to contracting with the private sector, they can prove exceptionally valuable in coordinating on very technical projects. But the Administration should understand that a fundamental role of contractors is to keep their contract running and to identify new avenues for work/ funding. Simply deferring to private contractors to absorb responsibilities can prove deleterious to our responsibility as stewards of tax payer dollars. Many times, the federal tax payer can get a much better deal by having federal employees assume the work.	Increase transparency. When requests for service come in from a state, tribe, local governments or industry, the information should be available on EPA's public website so it is clear 1) who is making the request, 2) EPA's response to the request and 3) the time it takes EPA to respond.	If we move to hoteling workspaces and increase telework we could consolidate HQ facilities into just the Federal Triangle campus. While there would be large upfront costs to achieve this, EPA would see a ROI within a few years and then would saves tens of millions in lease costs per year.	Most of the inefficiencies in technology seem to come from the acquisition side and have to do with how effective vendors are at delaying the acquisition process. An agency should be able to identify a technology and then procure it. There are a wealth of regulations placed on agencies that make IT buying very burdensome. It also seems to easy for a vendor to entangle agency's in legal contests when their product is not selected.	My work would be very much streamlined if Congress and OMB held EPA to program area levels and did not require the agency to disaggregate resources down to the program project level. While there are benefits in allocating resources down to a more granular level, that can exponentially increase the workload to manage those resources.
268	267	5/3/2017	For many years now, our office has gotten away from hiring Administrative Professional Assistants (f/k/a secretaries), and instead continues to hire more attorneys, or students aides under the Pathway program. It has gotten so bad, that attorneys and managers do most of their own administrative work, such as typing, faxing, mailing, copying, scanning, timekeeping, travel, recordkeeping maintenance, and filing. It is such a waste of time for highly paid professionals to do bureaucratic, administrative work. It is not efficient or effective. In an office of nearly 100 attorneys, we have 5 APAs! I remember one day recently, no APAs were at work, and none of the attorneys knew how to print correspondence on letterhead!	Generally, state environmental agencies are in worse financial shape than the USEPA. Ever since 9/11, states have re-directed more funds to security and policing, and much less to environmental agencies. The states rely more and more on the USEPA to address their environmental problems. States just don't have sufficient resources. When EPA does partner with states, it usually takes the lead. Frankly, states don't usually take the lead on enforcement cases against their large employers. They usually refer those cases to the USEPA, to allow the feds to be the "gorilla in the closet."	More honesty and transparency. When our state partners do something wrong, we should let them know. Look at the Flint MI fiasco.	Not really. In my humble opinion, EPA is already working at bare-bone levels. We have come up with so many programs to reduce costs and inefficiencies over the years, I don't see that we can do much more. From turning off lights, using CFL bulbs/LED lighting, less travel, more telephone conferences, less training, less paper, higher office temperature in summer, colder in the winter, cheaper supplies, doing our own CLEs/training, less APAs, more cheap labor (student aides/contractors), lower bonuses, little to no promotions. Staff is tired and demoralized.	We've done it all.	No.

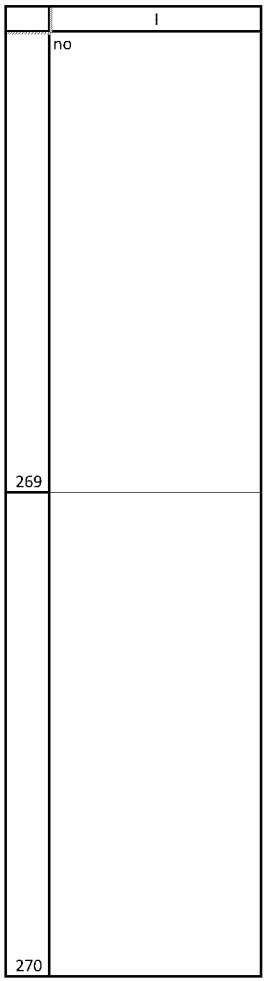
AMERICAN OVERSIGHT

	I
267	We promote a culture that federal employees can do everything. As a result, we have eliminated the need for extramural resources that fund contractors that provide program support. With respect to accountability, we have instituted PARS agreements where the criteria for a rating under each critical element is explicitly stated. So an employee can almost self-assess if she/ he performed in a critical element to a degree that would merit fully successful, exceed expectations, etc.
268	We've done it already.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
269	268	5/3/2017	Absolutely no administrative assistance people, which leads to more time to complete mailings, routings, supplies, etc. We need administrative assistance for the scientists and engineers.	Need to clearly lay out the roles of each so they compliment each duty, rather than duplicate.	Need to continue being a visible and positive presence, particularly when states refuse to interact w/their communities are have difficulties interacting	Continue to do things on a geographic basis, with the ability to pull various expertise from where ever the correct people are located. Reduce the number of people in HQ. Over the years, their role and function seems to have been reduced, but the number of people in HQ has increased. They lack "real world" knowledge of the programs and how to get things done.	Continue to do as much electronically, including the adoption of electronic signatures	At the staff level, I'm not even sure what goes on at other Agencies, much less what overlap there might be. I do routinely refer citizens to other agencies when I'm aware that they utilize a complimentary program/function that fits with a project I'm working on. It also seems that other agencies have more funding and can do more with it, which I often point out to citizens.
270	269	5/3/2017	I work in EPA's Office of Research and Development. It has become bloated with middle management, program directors and directors that do not contribute to science (rather they "coordinate, direct, administer and bean count"). This management and administrative layer should be downsized substantially, and those directly involved in research and development (e.g., discovery of new information) should be preserved.		I work in EPA's Office of Research and Development. It has become bloated with middle management, program directors and directors that do not contribute to science (rather they "coordinate, direct, administer and bean count"). This management and administrative layer should be downsized substantially, and those directly involved in research and development (e.g., discovery of new information) should be preserved.	I work in EPA's Office of Research and Development. It has become bloated with middle management, program directors and directors that do not contribute to science (rather they "coordinate, direct, administer and bean count"). This management and administrative layer should be downsized substantially, and those directly involved in research and development (e.g., discovery of new information) should be preserved.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
271	270	5/3/2017	The rule that EPA can not ask more than 9 different outside stakeholders a question related to collecting data/facts for an economic analysis or risk analysis without a Information Collection Request approval from OMB. Getting approval for ICRs from OMB is time consuming, costly and often so much hassle that it is avoided as much as possible. There are many economic analysis on industries where there is little publically available industry or state data. In these cases the economists will ask up 9 states or companies for data and try to base a national quantification analysis on data from just 9 states or companies or associations. We use national or most state data only when publically available over the internet or in public comments otherwise we call or e-mail up to 9 states or companies.	Have more field trips for staff to meet and learn from stakeholders at their locations and around their actual sites so EPA staff can see the actual challenges that industry and states face first hand. Also offer rotations where EPA staff can do details with industry and/or states and get paid to do so.	Have more conferences with states, tribes and local communities and also do field trips to their locations so staff can see what challenges they are facing.	How to reduce research budget for some research studies for EPA Provide an inexpensive $200-$400 grant to each PhD and/or masters student that does research for their thesis and/or PhD that concerns an area we want to have academic research and/or low cost research that quantifies and/or monetizes science, economics and/or technology. Many masters and PhD students have trouble coming up with a thesis and or dissertation topic. For subjects that would take a year or more of study consider creating an EPA office or agency wide small grant with $200- $00 award that gives the students national recognition and a small amount of funds to provide	Promote more telework. Some managers allow more staff to telework than others. By promoting more telework staff can work when they are sick without getting other co-workers ill with flue etc. Plus EPA workers can have better work life balance, reduces staff turnover and reduces the need for office space, conference room space and reduces the environmental impact of staff via driving or using busses and/or trains to get to work. More telework days for those staff that would like more telework would also allow for significant savings of transit subsidies and lack of parking spaces in the office garage.	Have a brainstorming session with states and get their input earlier in the rulemaking process and also let EPA do oversight because some states are better at enforcing regulations and violations than others. Once water, land and/or air is contaminated due to violations it is very costly and sometimes impossible to clean it up. It is better for EPA to partner with states but oversee prevention of pollution rather than just spend tons of money and years cleaning it up. Put a representative from each state in each EPA office to help partner with us. States and EPA can build stronger partnerships.
272	271	5/3/2017	The requirement to ignore the reality of climate change, in particular, carbon driven climate change. Additionally, the lack of a sufficient budget preventing me to travel to meetings to meet with federal, state, local partners. To address these issues I would ensure the senior staff understands the reality and appreciate the impact of climate change and provide adequate funding for the agency to operate.	Stop ignoring climate change! In his first brief to all hands, Administrator Pruitt mentioned he was willing "listen and learn". Nearly all of the career staff at EPA believe climate change is a real and substantial threat, however, they do not appear to be listed to and some senior staff have not learned this fact yet. All of our state, tribal, local and private sector partners also agree this is real and poses a threat. We need to work with our partners to address these issues.	Environmental issues often cross state lines. The EPA is the agency looked to in order to deal these issues. It is not a reasonable expectation that the states will be able to effectively manage cross border issues.	Yes.		We must be careful not to assume the states can take the lead on all issues. Sometimes the power of EPA comes from pressing issues on behalf of a number of states simultaneously. Our enforcement can also require nationwide changes/improvements whereas a state's authority is bounded by state borders.

AMERICAN OVERSIGHT

	I
271	The hiring disabled workers. I would like to see us hire disabled veterans. Some of the greatest and most successful people, writers, leaders etc. had disabilities, Thomas Edison, FDR, Winston Churchill, Lincoln etc. People with disabilities not only do great work they also inspire those working with them to do great things to. My office once had a blind employee that latter died from cancer. In the 10 plus years he worked with us he made many contributions and inspired us. When he died the whole office mourned. Let us hire disabled veterans who deserve a chance to let EPA shine.
272	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
273	272	5/3/2017	More staff and money. Administrative requirements: lack of staff has necessitated that higher paid technical staff must perform most of the administrative duties which were previously done by administrative assistants. Lots of these simpler tasks are now being performed by supervisors which takes them away from supporting their technical staff's needs. The current technical staff must also make up for the massive amount of technical professionals that are retiring. We are trying to accomplish so much that those of us remaining, while able to carry large work loads, have become inefficient. Even being able to hire more senior environmental employees (SEEs) could handle some of our responsibilities.	More staff and money. The Federal Facilities Remedial Clean-up program utilizes the idea of "partnering" which was initiated by the Navy many years ago to save time and money and it works very well. It is not a we vs. them scenario but we are all in this together to work towards common goals and develop a better product and are more efficient for the public. Lack of travel funds is keeping us from going into the field and working with others face to face.	More staff and money. You will never get good customer service with a lack of staff and money. We are shrinking as the populations grows exponentially. We are shrinking as more environmental issues are rising.	More staff and money. We have way to few staff members and funding to try and reduce costs and inefficiencies. I don't even have time to make clean sentences for this survey. How we have been treated for 7 years has resulted in our inefficiencies and we are no longer able to maintain environmental protection.	More staff and money. Modernize by investing in your staff's growth by providing training, allowing us to travel to work with the public and private. Technology is trying to be used to replace human interaction but only results in hurting human collaboration like the robots replaced human hands on our assembly lines.	More staff and funds. You need people and funds to accomplish things. The Federal Facilities Program is the only program that I know of that utilizes "partnering". Partnering allows a regulatory agency like EPA to facilitate working through the regulations.
274	273	5/3/2017				One of the areas I have noticed an extreme opportunity for improvement is in our travel and training expenses and processes. The issues: -We set certain per diem amounts that are then treated as the cap. -No training course offered on Concur system and best practices. -No incentives for saving money for agency. Opportunities: -Better hotel discounts if negotiated with a "preferred" chain. We contract our flights per city, we could possibly do the same for our hotels. -A possible divisional or office incentive for employees who save the		

AMERICAN OVERSIGHT

	I
273	Govern using facts. Support the citizens hired to serve the country and work under an oath. More staff and funds. Travel for face to face conversations. "Partnering". Ask these questions again when the staffing and funds return to a 2017.
274	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
275	274	5/3/2017	OAM == procurement operations are terribly understaffed and overwhelmed (all sites). At the same time, they are extremely efficient and seem quite "over their head" in their ability to ensure EPA's contract requirements and needs are fulfilled. Allow these offices to hire, and allow for all types of recruitment incentives from other government departments/agencies. OCFO == they operate completely from a "top-down," "just do as I say" approach. Little/no engagement with EPA's offices and regions. Idea ... LISTEN! And don't just listen. One example of this craziness ... the new Payroll Allocation System. No input from elsewhere in the Agency. The fact is that a tremendous burden (time, labor) has been shifted from OCFO and placed on program offices ... overall, MORE resources will be required (not less) to implement this "improved" system. What up?!?	The federal role is need when states/localities are ignoring basic environmental/health needs of our citizens. Blanket approaches like "too much federal overreach" is insane. Look at the issues/needs. May the federal role isn't always all bad!	LISTEN! Listening is something that hasn't really been done since January 20. Citizens want environmental protection! For example, eliminating EnergyStar! Nonsense! The people want this program! Why would you eliminate it?!?	Ridiculous question. You've already made your decisions.	Doesn't matter. New technologies and new ideas are decided from above.	Look at Canada. Look at Environment Canada. We should emulate their model. I have been around long enough to know that changing the bureaucratic organization is nearly impossible, but look at the missions of EPA, USDA, Interior, and subsets of Forestry Service, Weather Service, NOAA, etc. Tremendous overlap! Waste!
276	275	5/3/2017	The one I would say hurts employees (especially the Scientists) is when the First Line Supervisor deliberately tries to prevent an employee from following the instructions/orders on assignments from the First Line Supervisor's Supervisor, the Division Director, or the IO Director. I have witnessed first hand my First Line Supervisor ordering me follow only her and her instructions/orders alone. This is not only wrong but extremely disrespectful and unprofessional and provides for an extremely hostile and degrading work environment where nothing will get done.	For achieving better Environmental Results from partnering states, tribes, local communities, and private sector, we need to work more closely with them and keep them in the loop of events related to our work with them and their work related to us with each other. There is a need for continuous communication with these and the agency. Also	The Agency and its partners all need to be as transparent as possible and also need to work for the protection of public health and welfare. Honesty needs to take a play in all interactions between the agency and their partners and the general public at large.	The agency needs to implement the process of 360 Performance Reviews for First Line Supervisors and the Employee in their branch who has the most seniority with the agency. While many Division Directors are presently reviewing the work accomplishments of First Line Supervisors during performance reviews, input should also come from the Employee in the First Line Supervisor's branch who has the most number of years with the agency. Employees should also have the right to write up Reprimands for Misconduct on each other and on First Line Supervisors when misconduct is in fact the issue. Often too many First Line Supervisors are placed into	Everyone at the agency should be using the latest Windows program and Office from MS that is available. Many divisions are still using Windows 7 while there is Windows 10 out on the market. We should also be using the same ADOBE software for 2017 so that we will not be on different pages.	This would be very difficult as Selective EPA offices and Divisions are very critical. Switching to states having to do the jobs that EPA is doing will make for a burden on the states as most do not have the manpower to do such nor can their budgets hire such highly skilled employees to do what EPA employees are presently doing.

AMERICAN OVERSIGHT

	I
275	Office of Policy -- a waste. Get rid of it.
276	As for reducing cost, a Wasteful First Line Supervisor or Manager is a useless employee and needs to be removed from federal service. An EPA Accountability Board needs to be created to deal with such issues and they should have the teeth and power to discipline employees who violate EPA Standards of Conduct.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
277	276	5/3/2017	Entering and approving time into People Plus before the pay period ends leads to the need for amendments and extra approval work. The Agency should change time approval day to after the pay period ends. The mail that we receive poses an undue burden on staff to code for the file room and the Agency spends millions of dollars per year to store in climate controlled space our paper files. Rules should be written to allow for electronic reporting by regulated entities and the Agency should devote resources to scanning the paper files we have and developing a true electronic data and document system.	Doing Lean projects with the States on each of our shared responsibilities would clarify roles and responsibilities and streamline processes by eliminating unnecessary process steps. Hold meetings with our States and let them tell us where we are needed in each of the programs.	Instituting more electronic reporting and data/document management would allow the Agency to respond more quickly to issues by identifying them earlier, and being accountable for results.	I cannot overstate how much cost and inefficiency reduction we would get from a national electronic records system. We devote far too much time to manual records management and moving paper around. Some processes that can be automated include nearly all of our administrative processes (reporting, timekeeping, routing documents), and many of our programmatic processes.	We are in desperate need of experienced and capable IT people who can develop systems that automate our processes. Throughout the Agency, documents are still routed manually for concurrence (R6 is in the process of automating that system). Reporting is done mostly manually (some Regions have automated the WAR reporting systems but there should be a national standard).	Again, in an environment of declining resources at both EPA and the State, we should not be duplicating efforts. We should work together, perhaps through facilitated Lean projects or other means, to determine who is responsible for what and then communicate effectively.
278	277	5/3/2017	1 - Excessive mandatory training and annual refresher training requirements, many of which are not mission-related or else are not applicable to all positions. Eliminate altogether "social engineering" training courses such as Anti-Harassment and Domestic Violence. 2- Excessive number and length of "litigation holds" on records. These requirements to maintain all communications, however trivial and in their original location, wreak havoc with records management efforts and clutter employee e-mail boxes. Either file the case or release the hold, so that normal records management can proceed. Many of these have gone on for years with no movement.	More meaningful implementation of the OneEPA concept to organize by geographic area or watershed rather than just by program/statute. Currently, most work in stove-piped by program/statute and collaboration between programs working the same geographic area is limited. At the Regional level, programs do not interact much with each other. Since some programs are delegated to the States, an effective team would include representation from State and local. With regard to private sector participation, potential conflicts of interest would have to be considered, especially where redevelopment efforts are concerned.	Allow Regional offices more flexibility to manage within their Region. Under the previous administration, control became centralized at the Headquarters level for all aspects of the work. Regions have been functioning as subordinate even to Headquarters contractors in some cases. Flow the funds down to the Regions where more experienced/less politicized staff can manage the work more competently and efficiently. Many Headquarters staff have little practical experience, but were given power over those at similar or even higher grade levels only by virtue of their choosing to live in the DC area as opposed to some other city. The Agency did not operate this way prior to the previous administration. Regional staff can accomplish the "back to basics" course correction.	Eliminate overly restrictive accreditation-type policies such as Quality Assurance Field Activities Procedure. Re-examine the cost-benefit of EPA participation in field and laboratory accreditation programs in general. Focus is often on minutia such as how logbooks are page numbered and not on meaningful measures such as environmental benefits. Efforts to maintain these bureaucratic structures waste time and resources that could be redirected to basic work, while providing little to no benefit in environmental protection and restricting flexibility and creativity.	Not familiar enough with IT to have specific ideas, but the contracts and invoice payment systems should be examined. Presumably, other organizations have contracts and pay invoices from their contractors. We have a lot of problems with the contracts system EAS and the finance system Compass. Maybe something better is out there. In fact, our older systems were probably better, at least from the staff perspective. Constant e-mail traffic to mass mailing lists on system down, system up, problems with system, etc. is distracting.	This concept has been tried in the past, where multiple Agencies focused on a particular "showcase community" with regard to redevelopment type grants. Not sure why it has not been pursued further, but a joint grant program where communities would compete for a grant package from multiple Agencies might be useful. Currently, leveraging from other Agencies and State and how they will be involved is considered favorably in the Brownfields grant selection process, so there is coordination at some level. Re-visit Brownfields "showcase community" concept

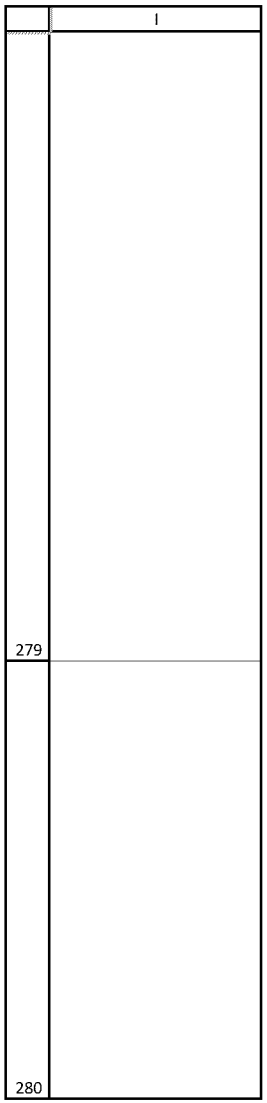
AMERICAN OVERSIGHT

	I
277	Region 6 has streamlined our inspection report process and we share a copy of our inspection reports with the facility and the public within 60 days of the inspection which has increased accountability and transparency and leads to faster resolution of compliance issues. We have templates and SOPs that we have shared with other Regions but only Region 9 has adopted them wholesale. That is emblematic of an issue with EPA, which is that each Region is given a lot of latitude to develop its own processes, systems, and efficiencies and there isn't a culture that encourages the wholesale adoption of efficiencies discovered/implemented by one region to all regions,
278	Technical review and other national level workgroups are a best practice at this Agency. Collaboration amongst Headquarters, all Regions, and research functions on specific contaminants or media is critical to maintaining the best science. Communication is key. Some State involvement may be useful, but obviously expanding a 15 person workgroup to a 65 person workgroup is not feasible, so State assignments would need to be considered relative to their interests and expertise.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
279	278	5/3/2017	There are multiple levels of accounting for work schedules, leave, training, conference attendance, etc. I have divisional paperwork, that is repeated in different formats at the office level (and potentially beyond). It is inefficient, and seems that the paperwork requirements could be streamlined across EPA.	I work in chemical risk assessment. I would like more opportunities to interface with private sector and states on best practices and modeling/estimation approaches. Due to the confidential nature of our assessments, however, we are often unable to use external programs - they must be on our secure system, not housed on a remote server, and fit to the (very limited) level of information we receive per chemical submission. This, along with entrenched practices, makes it very difficult to update existing models or implement new tools.	My field is really best suited for the federal level. Having 50 different regulations for chemical assessments sounds like complete chaos. But I do feel that my Office has given many opportunities for public and regulated community comments - either through public meetings, open comment periods, or focused meetings with stakeholders. We consider the comments we receive carefully. I appreciate the cooperation we have with industry and they information they are able to provide to inform our assessments. I don't know how, or even if we should be working more with states and local groups.	I benefit from, and feel protected by, secure Federal employment. However, I do wish it were easier to remove a poor or non-performing employee. I still think there need to be worker protections, but Federal has gone too far in the direction of retention at all costs. These poor or non-performing employees drain resources and give the rest of us a bad name. I also think the GS system could be revised. I appreciate that step and grade increases allow for good workers, with on-the-job experience, to move up the ladder. However, there are some increases that just don't make sense. For example, why should an employee with a lower degree, and less experience in general automatically be bumped to	We are hindered from adopting new technologies because our computers systems are outdated. Modernizing IT might go a long way in improving efficiency. I don't feel like my Division has an issue with accountability - at least not one we can fix. The work we do is confidential, and we cannot release proprietary information publically. In terms of personnel - I feel my Division is overly accountable - I have multiple/redundant processes for accounting for my time and effort.	There are likely overlapping projects and programs between EPA and other Federal agencies. For my Division, we generally are the only Agency tasked with our work. However we cooperate, when appropriate, with other Agencies that might be required for regulatory reasons (for example: OSHA or FDA). We have had employees serve on Details in these other Agencies and I think that form of knowledge sharing, cooperation and relationship building is very valuable!
280	279	5/3/2017	ORD is under a matrix management structure that was originally intentioned to facilitate collaborative research. This has not worked. Instead, the addition of national program research directors added a costly secondary management structure that ballooned over time (e.g. addition of deputy national program directors, matrix interfaces, project leads, task leads etc.). This second management structure is costly (e.g., 15-20% of matrix employees are non-research administrators with GS 14-15 salaries), administratively burdensome, and has effectively led us away from our core research competencies.	Go back to the original national research laboratory/center structure to completely remove matrix management structure (~15-20% of current ORD FTEs). Effective implementation will get us back to actually conducting core research to actually solve/prevent environmental problems involving our air, water and land.			See answers to question 1 & 2.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
281	280	5/3/2017	Having additional employees would greatly help me to do my job. We have statutorily mandated, as well as litigation driven, duties that we must complete and do not have sufficient staff to complete those tasks in the most efficient and effective manner.To address this I would hire additional staff	It would be helpful to have additional liaisons to work with states. We are constantly hearing requests from states, tribes, and communities for technical assistance. It would help to have additional staff to create more dedicated relationships with states so we can determine their needs and address them appropriately so that they can do their jobs more effectively.	It would be helpful to have additional liaisons to work with states. We are constantly hearing requests from states, tribes, and communities for technical assistance. It would help to have additional staff to create more dedicated relationships with states so we can determine their needs and address them appropriately so that they can do their jobs more effectively.	No	The Lotus Notes platform is archaic and inefficient. It would be helpful to migrate that tool into one that is more integrated, modern, and efficient.	Our effectiveness in preventing many forms of pollution crippling our nation's waterways is severely limited by our regulatory scope regarding our ability to address non-point pollution. We need additional partnerships with other agencies to help us with this.
282	281	5/3/2017	Get rid of all of the contractors and NOWCCs and let the civil servants do all of the work.					
283	282	5/3/2017	People plus, we have hacked a very simple and useful system apart and we should have just left it alone. Its a powerful system in its own right and we didn't need to make all the changes that made using it more confusing and less effective as a time management tool. Ebusiness and CDW: we have access to salesforce now. Salesforce is a much more user oriented system, and could replace both of these systems. It is a much more user friendly interface that is designed to handle these kinds of issues. It would make the entire process run a lot smoother, and much more intuitively. Management would be able to break down their expenditures much more efficiently, it would be a huge win for the agency.	Start targeted direct citizen outreach for some of our programs to engage citizen scientists. We have an app for tracking mites on bees called epa hivescience to help track some of the possible causes of hive collapse. This is a huge issue with beekeepers. We should be contacting beekeeping youtubers and telling them about this app. Not only do we get that person involved, but we also get everyone viewing their videos involved. It might seem like they have a small viewership for youtube videos 7-15k per video, but its our target audience. This is just one example of how we could be leveraging social media more effectively in the agency.	More face to face interactions. If there is a state fair, have a booth talking about what we have done for the state. We need to focus more on individual one on one connections. Those are what will help us, and they usually don't cost much except time. You have one face to face interaction and it can change a persons mind. Citizens think they know what the EPA does and doesn't do, we need to be telling them what we actually do for them and how we do it.	Supplies and printers. The way we are approaching this is ridiculous. We should be charging each individual a printing fee and a supply fee in ebusiness and having the printers and supplies be ordered an agency wide level. We would save money buying in bulk, we would have the tools to do our job, and we wouldn't have to wait a week to get post-it notes that you need today. If you charge everybody a supply fee (whether they are full time telework or not) it would come out of everyone's budget systematically (which would make it easier to anticipate for forcasting) and it would free up the offices to focus on their mission work rather than admin tasks. We could even move PRs into the system and have it fully	Update Webforms into a cloud based system and so that we can fill out and sign all of the forms online rather than having to print anything out.	We have just started an exploration into how to utilize salesforce as a project tracking tool. It will have all the projects within a ticketing system so that management can easily track what stage different projects are in the office as well as who is attached to the project and what skills that person has. So we will be able to quickly see who is on what project so we can make sure that people are being used effectively. The other good part of this program is that you as a manager will be able to see everyones skills in your office. So if you have someone who has experience with waterfall and you want to have them learn agile

AMERICAN OVERSIGHT

	I
281	No
282	
283	We should be tracking when people are here more efficiently. As we are moving into a Maxiflex environment we are going to have to start figuring out a way to tell when people are actually here. I am the timekeeper, should I be tracking down our Maxiflex people to make sure they are here when they say they are here? what is my responsibility on this? the only way I can figure is to track with the PIV card or login.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
284	283	5/3/2017		Having open lines of communications with these stakeholders is essential for achieving better environmental results. This means listening to them and, at times, traveling to meet them in person.	I have hosted several different monthly calls where EPA and states participate to discuss a particular subject matter. EPA and state participants find these to be helpful to share problems and learn from others.		Video conferencing that actually works. While we can't travel, we need to show states and other entities that we are serious about their environmental issues. When states want to meet and dedicate funds to travel but we cannot, that shows to them that we aren't serious about their environmental issues. Video conferencing that works with states, while an upfront expense, would improve our communication with states and would obviate the need for travel costs.	
285	284	5/3/2017	Now that Trump has become president, I am hampered by the desire of my management to try to make it easier for the states to skirt the requirements.	This question is an oxymoron. Due to political influence at the state and local levels, many of the states do not want to achieve better environmental results-they want to appease their main customers, who are not the public but the private sector. The private sector is almost always only interested in maximizing profit and if left to their own devices would freely pollute.	The best customer service we can provide to the people of the United States is to enforce the laws Congress has instructed us to do. This administration seems to want us to do the opposite.	The best thing that could happen at EPA would be to increase EPA's budget so that the Agency could more efficiently do its work. Decreasing its budget and getting rid of those pesky staff who are continuously trying to get states and industry to follow the law only places more of a burden on the remaining staff. Those remaining staff then must take short cuts and make risky decisions which invariably get litigated and introduce inefficiencies. Eliminate all contracting and instead hire EPA staff who will do the job better and cheaper.	Eliminate paper submissions from states and industry. Provide the staff with better, more powerful and more reliable computers. Provide real, meaningful technical training that actually has something to do with the daily duties of the staff. Improve EPA's teleconference capabilities. Obtain the next tier up version of SharePoint to improve its capabilities and make it more reliable.	Re-align the responsibilities of sister agencies like DOE, the Corps, the Dept. of Agriculture, etc., so that all environmental responsibilities are housed at EPA.

AMERICAN OVERSIGHT

	I
284	My management trusts the work that I do. They don't second guess it and they expect that I will deliver top-notch work, which motivates me to do so. Many managers in other organizations don't expect high caliber work and micro-manage, which creates distrust and produces inefficiencies. Defining roles is an important one. When we work on a case (between regions and HQ) or on a policy documents with many offices, many times it is unclear what each person's role is and what the plan is. Encourage staff to develop a plan from beginning to end of how to complete a project. Encourage offices to have
285	Incentivize advanced degrees and professional certifications and subsidize them so that more staff obtain them.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
286	285	5/3/2017	Too much middle management !!!!! Some Office Divisions have only 10 staff but 2 managers before you get to the Deputy Office Director level. EPA has a bloated middle management structure of GS 14 Branch Chiefs and team leaders, special assistants, and GS 15 Deputies and Assistant Directors. If GS 13 staff were given more responsibilities, empowered to make decisions, work without having to report to 2-3 supervisors, and achieve results without micro-management, you could eliminate 100s of these positions. Middle management stands as a roadblock to staff doing their jobs effectively and efficiently. Middle management prevents staff from communicating with upper level management which leads to redundancy and inefficiency.	Some staff and managers refuse to accept the unique relationship that the federal government has with tribes. We should be more proactive with tribes. In our office we often react to tribal issues instead of asking what can we do for tribes so they can better address issues without relying on EPA or the states. Tribes often lack the staff and resources to address environmental problems that states usually can with less EPA assistance. By only focusing on "high priority" regulated areas we neglect tribes and their failing infrastructures and polluting activities that need to be inspected. Any polluter in a tribal area is a high priority for that tribe. EPA has to start thinking that tribes and Environmental Justice communities are just as important as large cities/population areas or wealthy areas when it comes to prevention of oil and chemical	Tribes need EPA to be more present on their lands to enforce regulations. The tribes themselves are often the polluter so the tribal members have to fight their own governments since EPA isn't there to help. Large private interest are also still exploiting tribal lands and people for over 200 years. EPA needs to have the budget and staff to dedicate more enforcement in Indian Country. This will save EPA massive amount of funds that wont have to be spent cleaning up pollution from industrial activities, oil spills, chemical storage etc. Inspecting these facilities cost pennies compared to having to clean them up after years of unfettered pollution and neglect.	We have to let trust funds/dedicated funding sources be tapped to do more prevention, clean-up, inspections, enforcement, and training. Because funds like the Oil Spill Liability Trust Fund can only be used within the constraints of the overall budget for EPA, this $2.5 Billion pot collects dust and interest instead of preventing pollution. Being proactive saves money in the long run. If EPA is allowed to use more from the fund, then we must make cuts elsewhere so we don't ask Congress at all. However NOAA, Coast Guard and other agencies ask and receive more funds regularly. This is ridiculous since the trust fund isn't funded by tax dollars. By allowing EPA to utilize trust funds without penalizing the	LEAN is a exercise that saves EPA money. Travel is a MAJOR area of abuse. $100,000s in travel dollars go to a few staff within each office/division as perks when professional duty/development travel funds should be more evenly distributed to staff. Managers often allow 1-2 GS13/14s to travel at will while most 12/13s have been denied basic training or denied travel even when the staff were invited to speak on important topics relevant to their job and expertise. In other words, travel is abused by management to hand out to their favorites and "pets". A solution and money saver would be to restrict travel even more by giving each staff person a travel budget based on their documented invites and professional	Cross agency activities are usually monitored/staffed at the highest levels only. With rare exception, staff are not allowed or encouraged to work with other agencies as much as we should. High level committees discuss mutual interest but often we find staff working on similar issues without knowing what the other agencies are already doing or how we could work together. This relates to the fighting over the smaller slices of pie issue.
287	286	5/3/2017	The Correspondence Management System (CMS), it serves no real purpose and is slow.	Protect and create more programs like Energy Star that award companies for innovative environmental practices that make them more competitive. Customers want to make good choices, let's make it easier for them. The grants we give to states, tribes and local communities don't get much publicity. I bet many organizations in the enviro field have no idea that they exist. Let's publicize them to create healthy competition for this free money. More proposals coming in = better programs. Also, when we sue foreign companies like Volkswagen, Hyundai, etc., we are protecting American business! Let's look for polluters in the places that pollute the most and then hold them accountable: India and China.	Do a marketing campaign at the local level showing before and after pictures of Superfund projects. Gowanus neighborhood now has one of the best ROI for real estate buyers, thanks to superfund - local companies there are thriving.	Go paperless. It is embarrassing how much paper we waste at an ENVIRONMENTAL organization. I would love to see the byline in our budget for paper. At the very least we need to be treating paper for the expense that it is and put a cap on how much paper an office is allowed to use. People think it is an unlimited resource.		

AMERICAN OVERSIGHT

	I
286	Empower staff to make decisions! Every AA wants to protect their kingdoms so shared responsibility is hard to achieve when the feeling is that every Office and Division is fighting over a shrinking pie. This breeds redundancy and cost EPA and the tax payers money.
287	Apparently our Microsoft Outlook deal was more expensive than it would have been to use Google Chrome. Even GSA uses Google Chrome.... GSA.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
288	287	5/3/2017	The outright denial of scientific facts and findings prevents me from doing my job (to protect human health and the environment) effectively. Leadership that rejects science and innovation and instead clings to dangerous, archaic, polluting industry in exchange for a paycheck from those industry's leaders prevents me from doing my job effectively. I would address this by imploring leadership to heed the advice of the scientific community and to stop doing the bidding of the fossil fuel and agrochemical industries. Or, if that is impossible (given current leadership's parasitic relationship with these industries) I would suggest an immediate change in leadership.	Not cutting our funding and thereby allowing us to actually do our jobs would be a great start. Not holding up our scientific findings and documents would also help.	Allowing our documents to publish in the federal register in a timely manner would allow for better, more effective communication with the public.	I see an untapped opportunity to replace current EPA leadership with someone who actually cares about our mission, which in case you've forgotten is "to protect human health and the environment".	More streamlined, modern database infrastructure would greatly increase my efficacy at work. Currently I use at least 6 different databases on a daily basis, this creates redundancy and waste. However, in order to fix this problem we would need funding to pay professionals to create a solution, something which given the current budget proposal seems unlikely to occur.	We could actually focus on protecting human health and the environment through the use of sound science.
289	288	5/3/2017	Too many layers of GS-15 management with no scientific credentials and no understanding of what is important. Scientists should answer directly to political appointees so that they can focus on and solve the most important issues. Lay off and fire as many GS-15 managers as possible.		Be responsive. Don't presume to know what is needed.	Payroll could be greatly reduced if you look at all the GS-15 management that is wholly redundant.		Reduced management allows the scientists to be directly responsive to the needs of appointed directors.
290	289	5/3/2017			Move more functions out of the Washington DC area to be closer to the customers. This approach is especially attractive where EPA is occupying rental office space at significant cost to the government and government-owned space might become available due to workforce reshaping efforts. For instance, the Office of Pesticides Programs is in the DC metro area occupying a rented building in Arlington VA. The biggest customers for the program are the regulated community (chemical manufacturers) and pesticide users with agriculture being the largest segment by far. If adequate government-owned space was available in a place like RTP, NC where OAR and ORD currently have a significant presence moving this function there might make sense. Practically all of the major chemical producers are either headquartered in that area or have a significant presence there which might facilitate those interactions. Smaller	Consolidate lab operations. Many lab functions are not directly impacting statutory and regulatory obligations and the costs of operating these facilities can be high. The key lab activities that need to be performed to support statutory obligations should be identified and opportunities to reduce the footprint and perhaps rely on private sector, university labs and/or other state and federal government facilities explored. Also, duplicative activities, even when key to fulfilling statutory obligations, should be reviewed to see if centralization is an option.		

AMERICAN OVERSIGHT

	I
288	A best practice that has been effective in the past is to fully fund our agency and to take scientific findings seriously.
289	
290	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
291	290	5/3/2017	At the NVFEL we do not have any specific admin requirements, management procedures, or organizational processes that prevent the job from being done. The travel system can be a nightmare and is incredibly complicated. Is it this way for a reason?	Provide better education to all regarding hazardous waste and its proper disposal. This could be in the form of webinars and/or hard-copy handouts at community centers. Also, if something is deemed unsafe for one area, don't put it somewhere else where the people have fewer powerful voices speaking on their behalf. What's bad for one or two is equally bad for others. It goes back to the Golden Rule and it's not hard: Do unto others as you would have done unto you.	Those providing customer service should realize the taxpayers are not only customers but are also our boss. Customer service classes should be provided to all those who deal routinely with the public. Many people do not know the basics of common courtesy.	While this may not be an untapped opportunity, please consider not getting rid of research and programs that work. Also consider treating all regions of the country equally.	Our computer systems are so far in the past they are almost dinosaurs. Programs that have been on our computers will disappear. Updates that should happen automatically every Friday night have to be manually triggered on Monday mornings. We should bring IT up-to-date.	There is much overlap, but perhaps it is needed. An example of this is the Flint Water Crisis. It's good someone was watching, although it appears none of the government entities was doing its job in this one. For an individual to spot this issue and bring it forward makes one wonder just what happened. Where was the State of Michigan DEQ and where was the EPA? Maybe if there was communication of ANY kind more would be accomplished. All governments seem to think of themselves as fiefdoms and woe to any other government entity that tries to accomplish anything within that fiefdom's borders.
292	291	5/3/2017	When an employee does not have to commute to the office every day of the week, it allows the employee to be more efficient in their work during their tour of duty for that day. Extensive and more accepted use of telework will provide the EPA employee with an opportunity to be more efficient and provide quality work. Generally, it appears that management at EPA has an extreme aversion to allowing the responsible employee to telework even though there may be no reason to deny it. This leads to time filing union grievances, wasting valuable staff, management and agency time. Teleworking allows EPA to save space and money - two things EPA can use more of. Money spent on commuting costs for employees can be cut by taking advantage of hoteling. EPA employees have video teleconferencing equipment available to them, but very rarely use it. Most EPA employees do not know how to use it. Being in the office every day means I cannot efficiently or effectively do my job due to constant interruptions. Implementing	Allowing the states to take more responsibility for decision made in their state. EPA should have oversight, but not choking control.	Saving money is imperative. So much money is wasted at EPA on unnecessary travel and extraneous programs funded by contractual money that had to be spent, otherwise it would be lost. Much of which, the functions have been lost, materials are stacked in a storeroom, and practices are no longer upheld, but the staff remain. Allowing employees to telework and hotel would save EPA an incredible amount of money in commuting costs, spacing costs, supply costs, utility costs, and would increase productivity if managed well.	Teleworking and hoteling. Most all work at EPA can be done remotely. Teleworking and hoteling programs save the government money and most importantly, save EPA money. If managed well, teleworking can transform EPA and pull it from the archaic business practices that cost EPA money.	Video teleconferencing for teleworking and hoteling such at the high-definition PolyCom and other screen-sharing VTC equipment. Managers can hold meetings with their entire team, share screens for illustration, and call employees anytime during the employee's tour of duty. Employees can be managed at a level that makes them accountable to their supervisors, who must manage differently, the same as when they are in the office. If managed well, employees will be more accountable than when they're in their office. Their work is qualitatively measured and the employee is available any time the supervisor calls.	

AMERICAN OVERSIGHT

	I
291	Most processes and practices in government are there for a reason. Too often government steps on the "little person." I like the checks that are in place that keep government from overstepping its bounds. That being said, I'm sure there are areas that could stand to go through Lean/Six Sigma exercises.
292	Please see all comments above regarding teleworking and hoteling.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
293	292	5/3/2017					There are so many needed enterprise systems, including records management, document control, training tracking, field equipment tracking, audit tracking and corrective action tracking, etc. these nationally supported systems will reduce duplication across organizations who manage these systems differently and locally.	
294	293	5/3/2017	The paper concurrence process is cumbersome, antiquated, and highly inefficient. That we can't somehow track concurrences electronically in this day and age is shocking.	My experience is not to trust the states to do their job. They are frequently "captured" by local industries, with friends and acquaintances working on both sides, and locals fearful of losing industry to another state. Moreover, the states I work with lack resources to do even the most basic tasks.	EPA's mission to to protect human health and the environment, not provide "customer service." We aren't a cable TV company. Our longstanding education and outreach efforts seem like a great thing to continue.	Letting EPA staff do their jobs without fear of retribution from the new Administration would be a start. I'm not joking. Currently, some managers with whom I work are fearful of "rocking the boat" and don't want to be singled out by new appointees and senior staff. They are fearful of bringing new actions and continuing ones that may be seen as controversial by senior staff. This is shameful and leads to tremendous inefficiencies. Senior Staff, including the Administrator, need to identify priorities and direction for staff. The silence from HQ has been deafening.	See my response to question 1 -- we need to somehow digitize the concurrence process. I'm not a tech guy, but am shocked there is not some sort of software that would allow us to electronically sign concurrence packages.	My office can't. We are already short-staffed due to the shrinkage from 2-3 years ago. It's physically impossible to do more with less than we have; unless, of course, that is the goal of the new Administrator.
295	294	5/3/2017	In the air enforcement program, almost every case is considered national significant under HQ policy. The extra review process on all of these cases is not necessary and the Regions should be allowed to settle the majority of their case without the HQ review process.					

AMERICAN OVERSIGHT

	I
293	
294	EPA is the leader is best practices in my area. The states follow our lead.
295	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
296	295	5/3/2017	Senior management is the impediment to almost all things. The organization needs to be streamlined to get rid of excessive high ranking positions that provide no benefit to the government and create cushy do nothing slots for people who then create pointless policies, guidance, and agendas to justify their positions. An example would be FOG (formally QAFAP) for compliance inspectors: so many restrictions and controls over inspectors that they can't effectively do their jobs anymore without passing through multiple hoops. In brief - get rid of deputies, Chiefs of Staff, "senior advisors". Make the organization flatter and more equalized in pay and responsibility so that the staff that currently actually do the work feels they are truly "OneEPA" with the management. Right now you have two EPAs - management and staff and one controls the other - so there is no sense of equality.	Don't dictate to the groups - let them tell us what they need and what leadership they want from us.	We do a fine job of this now. Again it more about listening to them rather than dictating.	Here's a scary thought (for management) - senior management should truly partner with the leadership of labor unions at EPA - so you they can actually get real insight into how to make things better. Union leadership represents the voice of the common worker at EPA and have a much better pulse where untapped efficiency are. Senior leadership is generally clueless about what the rank and file need. For example - if you are going to do a round of buyouts or are considering restructuring of the Agency - have the union leadership at the table on day one. Do not come up with a plan and then later share this already invested plan with the unions as an FYI. Have them	I can tell you this - Microsoft products are not the best and we lost a lot of efficiency when we switched 100% to them. The deal to make MS the sole provider of office tools for EPA only made some big shot money - it did not make us efficient. There are better, more stable tools out there for cloud sharing, word processing, data management, etc.	Again - talk to them and listen. What do they need from us.
297	296	5/3/2017						
298	297	5/3/2017	training may be necessary, but the way it is done, particularly for COR recertification, takes a tremendous amount of time. an integrated platform with straightforward guidance about how to fulfill requirements would make the process far more efficient. it feels like the agency skimps on the IT tools that would make it easy, at the expense of staff time and frustration.	Partnership programs like ENERGY STAR provide a model of how a small investment from the Federal government can provide leverage for significant private investment to be a powerful force for environmental protection and other public goods.	An integrated reporting platform across EPA programs, and Federal reporting programs in general, would significantly ease the burden on the regulated community without sacrificing environmental health.		Our IT processes and product have improved significantly in the last 5 years, but there is plenty more opportunity for modernization.	

AMERICAN OVERSIGHT

	I
296	Just partner with the staff - as equals. Not as a command and control hierarchy. Less secrets more openess. Less elitism and more equality.
297	
298	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
299	298	5/3/2017				The Cross-Media Electronic Reporting Rule (CROMERR) is overly burdensome to both the Agency and users of electronic reporting systems. For the Agency, the development of CROMERR-compliant electronic reporting systems is significantly higher than might otherwise be the case, and O&M costs over time will also likely be higher. For users, CROMERR-compliant systems result in extra paperwork burden in order to use the system. For example, the eManifest Fee Proposed Rule RIA (Document ID: EPA-HQ-OLEM-2016-0177-0003) estimates that if generators of hazardous waste are required to use a CROMERR-compliant system, the costs will be over $123 million over 6 years (See Exhibit 6-		
300	299	5/3/2017		Many of our states complain that we are not present enough at their events, planning sessions, conferences etc. Maybe a higher and best utilization of travel.				

AMERICAN OVERSIGHT

	I
299	
300	Maxiflex across every region and not just one. A better worklife/homelife balance reduces missed work.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
301	300	5/3/2017	Reduce number of managers and focus on right people/right job. Review the number of sections/section chiefs and require the managers to reapply/compete for their positions. Several technical positions are filled with employees without appropriate credentials or educational background. There are too many environmental protection specialists positions - most of these should be eliminated. Without the appropriate engineering and scientific background, the environmental issues/problems are not understood. A majority of the workforce "works from home" two days per week. while some employees are productive most appear to view these days as a day off e.g. I can't participate in a meeting because I am "working from home". There are not effective tools in place for the manager to ensure work is done and results are achieved. Changing the EPA culture starts from upper management and HQ. Consolidate the Regions and reduce the number of regions. By eliminating some of the regions, you would reduce the	Better results start with the right workforce. Unless the EPA employee is knowledgeable regarding the program and also with the right educational background better results will not be achieved. Employee attitudes need to improve - we are paid well to perform a service and protect the environment. EPA needs to work with the partners, be actively engaged, committed to achieving results - better attitudes is the first step to improving results.	Better customer service starts with the right workforce. There is not a focus on customer or public service. EPA is often confrontational instead of collaborative. The prevailing employee attitude is how many days can I avoid coming into the office and what's in it for me (more flexiplace, benefits, etc.). Eliminate daily flexible schedule work hours - it is nearly impossible to know if someone is in the office or late to work.	Reducing costs and inefficiencies starts with re-examining the workforce and changing the agency climate. Raise expectations and demand excellence and results. This has to start in the upper reaches of management. Begin by reassigning (moving) SES senior managers to encourage change in attitudes and challenge them to start asking questions as to why certain things are done, what results does this program or individual produce, do we still need this job and/or program. Challenge the SES managers to reinvent EPA making it leaner and more customer focused while still protecting the environment. Tie the SES performance to this. Scale back to the regulatory requirements and eliminate	EPA does not have an electronic document system to store/retrieve information. Paper copies are maintained at great expense and file rooms require resources (contract dollars) to support. The U.S.Government should have one HR instead of all of these individual HR centers. Just like OPM handles the retirees, one HR/personnel should manage all of the federal employees. There should be one pay center instead of each agency having their own pay center.	EPA could share lab space with other federal agencies instead of maintaining all of the individual lab spaces. By working with Corps of Engineers and USDA and others, the number of labs could be minimized yet still remain effective. Consolidate HR and pay centers into one federal system. This would also make it easier for the federal employee to change agencies.
302	301	5/3/2017	This survey is a perfect example of our managerial ineptitude. Online surveys are a well-understood and readily available off-the-shelf product. It is by now well-known that open-ended questions like this will both reduce response rates and make it very difficult to collect meaningful aggregate data. But as usual, EPA does not consider basic best practices and tries to forge ahead with a custom application that is broken from the start.	Stop this farce. The problems we face require very large sums of money to fix. In the absence of us getting meaningful funding to address things like lead pollution, nitrogen pollution, etc., we are simply rearranging the deck chairs on the Titanic.	They don't want better customer service. They want meaningful solutions. See my response to question 2.	No. In spite of the common narrative that government is wildly inefficient, I have not seen much evidence of that in my 13+ years here. We run a very tight ship. Yes, things sometimes take a long time and yes, there are sometimes frustrating layers of bureaucracy, but I don't see any huge amounts of waste.	We need to be able to improve our sensors and monitoring capabilities and use real time data. But many of our legal staff are hung up on absurdly long approval processes, often many years long. The tech world moves fast and we need to figure out how to move along with it. We cannot sit on our hands and ignore the sensor and data revolution happening around us. We also need to find a way to reshape our NPDES permitting processes so that manufacturers can start making modular, scalable treatment plants that have a very broad customer base. This will drive down costs as manufacturers achieve economies of scale and ship identical units all over the country, vs. our completely	We can't. The states have no interest in taking on the areas we currently fund, and no money to do it.

AMERICAN OVERSIGHT

	I
301	Have a "stand down". Stop regular flexiplace for a certain period of time (3 months or so) in order to re-engage the workforce. Employees who are using regular flexiplace for substitute childcare will have to make other arrangements. A change in employee attitude is definitely needed - perhaps this would be one wake up call.
302	Keep pushing on LEAN and consider adopting ISO standards wherever they are applicable.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
303	302	5/3/2017	There are requirements for peer reviews on contracts that are more burdensome than effective in most cases. Understanding the need for a "second set of eyes" look at what we're doing, it makes more sense for the Service Center Manager to determine what actions need to be peer reviewed rather than a blanket standard of everything over $3500 for which the person preparing the action is the same person signing the action. Requisition for Modifications (i.e. funds shifts) are extremely burdensome for contracting professionals.	Let the states tell us what they need rather than us tell them what they need, as appropriate and applicable.	No comments at this time, but I would like the opportunity to be able to provide input when the time arises in the future.	No comments at this time, but I would like the opportunity to be able to provide input when the time arises in the future.	I am not certain on the name of the technology, but we need to have our contract writing system to speak to our financial system to speak to our invoicing and payment system. There are a lot of manual entries being made to connect the data of these systems. Other agencies are already on board with the connected systems and it works very well.	Strategic use of existing agency vehicles through streamlining the IAA process.
304	303	5/3/2017	The COR certification process is very time-consuming and very uninformative. You don't come out of the training knowing anything more than when you started, but it takes dozens of hours every year in order to get it done. The agency should revisit its policies around COR certification to make the process less burdensome and more meaningful.				SharePoint and the G Drive are ineffective for group-based, real-time work. The agency should identify alternatives that would allow us to be more nimble and collaborative in our work.	
305	304	5/3/2017	Need electronic document sign-off		Electronic document sign-off	Electronic document sign-off	Electronic document sign-off	
306	305	5/3/2017	The Analytic Blueprint Process is tedious and time consuming, as is the ADP guidance. Using the ADP, quality actions take a minimum of 1 and a half years. There are many iterative processes that are inefficient. The entire process could be streamlined without losing the benefits the process produces.				Our electronic systems do not interact. Consider contracts. We use FAITAS, DOD, and numerous other sources to track contracts training and management CLPs. These systems do not interact. For example, when I complete annual security or ethics training, I must separately enter that I completed these items in FAITAS, which then undergoes multiple reviews before it is approved. Why does it need approval when it is mandatory training? Other systems that are not the most user friendly include travel and EAS.	

AMERICAN OVERSIGHT

	I
303	No comments at this time, but I would like the opportunity to be able to provide input when the time arises in the future.
304	
305	
306	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
307	306	5/3/2017	Asking scientists with PhD's and Master's degree's to doing administrative work is extremely wasteful of their time. You can hire someone with a high school degree to do some of that work (time keeping, purchase cards, etc), it really takes no degree of specialization. It just baffles me that some "higher-up" would create an administrative efficiency plan that gets rid of all administrative support staff and puts those duties on scientists. The scientists were hired to do science, not basic paper work that a high school student could do. It is a waste of expertise to have higher educated individuals doing these "administrative" tasks. Also, it would be much more helpful if we had an actual HR official present at EACH EPA location. When I was hired on it was impossible to communicate with the HR officials in RTP through email. They were over worked and were extremely slow in responding to emails. I had trouble getting basic things (health insurance, IRA contributions, leave bank) set up because NO ONE would answer my	n/a	n/a	Get rid of the matrix. You could reduce the number of FTE's significantly if you did and we would all be more productive as a result.	If we were allowed to use laboratory organization software such as LIMS or quartz to manage inventory and track lab supplies and orders.	n/a
308	307	5/3/2017		End the 30-day EPA review of state Title V permits. I used to do those and I never heard back yea or nay. It was simply a roadblock to me issuing the permit. Give them 5 business days at most. As for this office we are busting it every day responding to lawsuits from environmental organizations. Everybody. I don't see even one slacker (lots of slackers at the state).				

AMERICAN OVERSIGHT

	I
307	n/a
308	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
309	308	5/3/2017	There is a conflict of interest, of sorts, in who decides whether Influential Scientific Information or Highly Influential Scientific Assessments needs to undergo peer review. This problem exists in both Republican and Democratic administrations, and involves program managers who are responsible for developing a policy also being the ones tasked with deciding whether the factual supporting materials (and their technical interpretations) need to undergo peer review. As a result, regulations and policies are put into place that are sometimes not factually supported. The Executive Branch would be well served by establishing a policy that creates some kind of independent body -- preferably external to -- each agency or department, that can make such judgment calls about whether peer review is needed.	I think that it is imperative that we (EPA) stay within the legal boundaries of the federal legislation enacted by Congress when performing our activities. In many instances 'partnerships' stray into legal gray areas and, once established, create continuing expectations that require staff salary money and/or grant money funded by US taxpayers. Ask the career civil service managers to give you the legal citations that underpin every single thing they're doing in their offices. (And increase staffing in the Office of General Counsel because we're going to need a LOT of lawyers to sort through stuff like this and any changes to the status quo.)	I think that it is crucial for us (EPA) to be honest with these stakeholders. That means doing things like admitting when the state of the science isn't quite there for us to be able to say whether something is "safe" when compared to some kind of benchmark; refraining from 'partnering' when there is no federal environmental legislation that authorizes a specific type of 'partnership' (see response to Question 2 above).	See response to Question 2. Please be aware, that aside from activities that stray outside legislative mandates - EPA has been through several rounds of pruning of its regulations from the William Clinton administration on, so in one sense there's not a lot left to 'prune' without endangering the plant's viability. On the other hand - I think that there may be some areas in the information collection realm that probably could stand some pruning. The hazardous waste biennial report, for example, is a big production for the regulated community, states and EPA that occurs every two years and has been going on for three decades. We could probably live with an every four years (or maybe six) schedule just fine - but that	Revamp the website: 1) just develop basic explanations of the different federal environmental laws 2) publish organization charts that show the links between those laws and the offices responsible for them 3) publish lists of staff, with their duties, in each box in the organization chart so that people on the outside world can find us; 4) publish ALL policy statements like we're required to by the Administrative Procedures Act. Also: work very hard on the nuts and bolts of the information systems and their linkages, and make it all publicly accessible. Huge needs there.	We've been at this for the past several administrations - not sure there is much 'realigning' that can be done with states. However, other federal agencies - I wonder why we have very little to do with the Interior Department. Seems odd, with the mutual interests (USGS, Bureau of Land Management, Fish and Wildlife Service....) and the Commerce Department (NOAA) and NASA for satellite imagery.
310	309	5/3/2017		We do a lot of partnering already. However, the biggest hurdle for the federal EPA is that we don't have all the tools and authorities that are states are able to have. For example, they can adopt state regulations to require electronic reporting of monitoring data from the labs, directly into a database. We cannot require that of labs, can only beg for it. So we get results by email, FAX, paper, duplicate results. Huge inefficiencies. Please pass electronic reporting requirements NATIONALLY			Yes, electronic records systems that work. We do Direct Implementation (run programs because our States or Tribes do not have primacy for various reasons) and our processes are antiquated (paper records for example). Our states are able to leverage their IT resources (across state agencies, not just their EPA) to develop robust Data Management Systems (using commercially available systems) to do this. Because of our inadequate IT, heightened security concerns that States have less worries about, etc, we at paralyzed. EPA does not have decent electronic recordkeeping in any areas.	

AMERICAN OVERSIGHT

	I
309	no
310	Electronic records (with robust IT support) mentioned above.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
311	310	5/3/2017	PeoplePlus is clunky and inefficient.		Being as transparent as possible.	Better centralized system for accessing resources such as Agency guidance/policy/memos/delegations, etc.	Improved interface for OneDrive or SharePoint so that using those platforms actually streamlines access to information or development of guidance/policy/rules, etc.	
312	311	5/3/2017	We need additional travel and training budget so that I can get the correct training to do my job	We have a great relationship with the states tribes & local communities. The private sector seems to want to get away with everything and not play by the rules. I think we need much more Money to pay for additional enforcement	Our web presence is antiquated. Documents produced on cleanup are not searchable and take way too long to down load. we need additional upgrades to the IT department	none-	I'm not an IT person, so please ask them	none- states don't have the money to cleanup hazardous waste sites that the government polluted
313	312	5/3/2017				Hire contractors as federal employees. The argument I have heard is that contractors are used to provide flexibility so they can work on just one project and then be done. Well guess what? Those same contract employees get hired for the next contract and the next and the next because they have the skills and experience for the job. I know many contractors who have worked here longer than me, some for 20 or more years. Overhead for contractors is a ridiculous waste. You are paying for them to manage these employees and paying EPA employees to manage the work and contract. And the TIME it takes for training and paperwork for the contract officer and work assignment officer (whatever all those		

AMERICAN OVERSIGHT

	I
311	
312	none
313	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
314	313	5/3/2017						
315	314	5/3/2017	The Office or Air Quality Planning and Standards (OAQPS) in OAR needs to reorganize. The work is not equitably distributed among the 5 Divisions and it's possible to realign the work into 4 or split up other work and more evenly distribute it. OAR should look at the overlaps between OAP and OAQPS as well as see if any efficiencies can be found there. If OAQPS went to 4 Divisions, I would realign the work in OID into the other four. The IT systems can go into AQAD, tribal into AQPD, EJ into HEID and training into PACs/CORE. This can be done without reducing staff. They can be reassigned. Group Leaders, Division Directors and Office directors and staff need more autonomy and trust. This goes for the last 8 years as well. We should not have to take every small decision and powerpoint up thru multiple layers of management. This is inefficient and slows us down. The administration should lay out the priorities and goals and have check-ins but not	In 1997, we partnered with state and local agencies, industry, and environmental groups to address regional transport of ozone. We negotiated together NOx requirements on power plants that resulted in the "NOx SIP Call" and included a model trading rule based on state wide NOx targets. This rule accomplished 1 million ton of reductions and reduced harmful ozone across the eastern U.S without negative economic impacts. This is one of the reasons why we have clean air. We put aside SIP due dates during this time and it paid off. I would like to see another process where we sit down with the same partners and develop a smart multi-pollutant air quality management plan process as referenced in the 2004 NAS report and in the CAAAC response to that to transform the SIP process and move toward addressing multiple pollutants at once in required air	We should convene a group of states, tribes, local agencies and the public and get there ideas about what would be helpful.	See answer to Q. 1. Also, on policy decisions we need to be careful. Rolling back the clean power plan or the ozone standard is not the way to go to maintain environmental protection for all Americans.	We need to invest in our monitoring networks and keep up with private technology on sensors. We need to KEEP AirNow and keep investing in that and making improvements. That is how we get AQ data to the public and our state and local partners. Getting everyone a high computing laptop would be helpful; especially for those staff that have to have a scientific desktop now to perform modeling. This means they are not mobile which is not the way of the future.	I'm not sure we could accomplish more by realigning with other federal agencies. And with states, we should do more cooperative work, that doesn't necessarily mean realignment. We should jointly all be investing in and engaging in projects that support renewable energy (solar, wind). We should allow SIP credit for energy efficient strategies that will reduce pollution even if those strategies are hard to quantify or have a long lead time. We should allow SIP credit for land-use measures and public transportation systems for the same reason. Our SIP process has been a disincentive for these

AMERICAN OVERSIGHT

	I
314	Perhaps we should look closely at what new management processes the new administration is implementing at the Veterans Administrations (VA) based on direct feedback from VA patients. During the campaign, Trump promised veterans he would set up a direct phone line to the White House to allow VA patients to report long waiting times and other issues, and he, Donald Trump, would take action to ensure their needs were met. Similarly, perhaps a direct phone line to White House could be set up so citizens could complain about drinking water, air pollution, and other environmental problems they are experiencing, so the President could personally
315	Look to what the California Air Resources Board has done. They are much more advanced in environmental protection plans than the rest of the U.S.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
316	315	5/3/2017	In ORD there are managers managing managers managing managers. Take a look at the lateral depth of the programmatic and management level(s) and pose the question: What value is added?	Assess the impact of managers managing managers managing managers. Do not let the self-defined supervisor to staff ratio mislead you, the organizations have become very crafty at hiding their true management and programmatic footprint. Instead look at the bargaining unit to total employee ratio, this will reveal the true management and programmatic footprint. The Agency already has all of this information available.	Assess the impact of managers managing managers managing managers.	Assess the impact of managers managing managers managing managers.	n/a	n/a
317	316	5/3/2017	There is a lot of passing around of paperwork which could be eliminated with electronic approvals. This would make things move much quicker especially with people working flexiplace.	I believe we could focus our efforts more with input from the states, target areas that they have already decided are worth the effort.	I feel like EPA is very open to communicating with everyone whether they represent the public or states. Perhaps we can make this easier to do electronically, via website.	There are some enforcement opportunities we don't take because we don't have the resources, and they don't meet our criteria (e.g., not significantly over the threshold, not significantly late in reporting). I think we could do more outreach in these cases.		

AMERICAN OVERSIGHT

	I
316	40% of the EPA workforce is retirement eligible. The place is filled with elderly. Over 2500 employees are over age 60. Approximately 6000 are aged 50-59. These folks are largely visionless, and should retire. But they wont unless you make some changes. The most effective way to get fossils to retire is make changes, any changes. These folks cannot adapt to changes, they simply retire rather than changing with the times. Make the changes, the elderly will retire, the American public will thank you.
317	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
318	317	5/3/2017	There is a high degree of retaliation and vindictiveness in the Senior Executive Service (SES) leadership of the Agency. These individuals are placed in positions of leadership, then they stagnate like tenured faculty at a university, and control like dictators for many years until they retire. SES-level positions need to be capped at no more than 5-year terms, and if a term should be extended their direct reports should be involved in making that decision. It's time to drain the swamp of these crusty old bureaucrats!	Administrator Pruitt outlined this very well in his introduction speech to EPA staff. The Agency must become a better listener to ALL groups - not just a selected few. In order to lead, the Agency must act with civility, follow the law (i.e., CAA) and respect the rights of individual states. All the regulations we are currently trying to recall/redo are the result of the past Administration being in bed with the environmental communities and simply not listening to the American people, industry and states. EPA must lead by example.	Providing better customer service does NOT mean giving these groups everything they ask for. Rather, it means listening to their concerns, doing proper scientific/engineering evaluations and conducting appropriate economic analyses and then proceeding on path forward that is grounded in EPA's missions to protect air, water and land. If proceed with transparency, then Agency will garner support for all aspects of environmental regulatory policy development.	Absolutely! There is a lot of "dead weight" in EPA, and our SES-level managers simply ignore the waste. If EPA's senior-level leadership were held accountable for their direct reports and their productivity ... EPA would have no trouble getting its work done with the 12,000 employees targeted in the President's budget. The senior leadership at EPA has become like a country club of "good ol' boys & girls" and they simply cover for one another keep the truth from being exposed. Myron Ebell is absolutely right in saying that EPA needs to be reduced in size and scope.	Absolutely! EPA needs to come into the 21st century in terms of higher high-tech IT professionals. EPA maintains tremendous databases and software systems, yet offices like OAP and OAQPS do NOT have state-of-the-art IT professionals in leadership roles. Each office within EPA operates like a silo, and the OEI tries to hold these office-specific programs together with duct tape and band-aids. In 2017, there should not be any EPA office that does not have a senior-level position of Chief Information Office (CIO), and the different CIOs across the Agency should report to an Asst. Administrator for IT. Such an approach would eliminate the duplication of effort and gross abuse and waste of contract funding for individual office IT projects.	Case in point - NOAA and NASA were not involved at all in the background assessment for the Endangerment Finding or the Clean Power Plan. Really? Why would EPA not rely on some of the nation's greatest climatologists and meteorologists in justifying these two regulations? EPA needs to be forced to work more closely with the DOE on technology assessments and with NOAA and NASA on any future climate assessments.
319	318	5/3/2017	Hiring process needs to be expedited and should not take more than 30 days between posting of the position and selection of the applicant. Eliminate the unnecessary steps and people currently involved that do not add any value to the process. Acquisition of supplies is cumbersome and takes too long. Create a process when employees can obtain needed resources and supplies in less than 48 hours. Make it less cumbersome and time-consuming to fire dead weight.	As co-regulators, states and tribes should be able to have access to readily available EPA data to better implement their environmental programs. Create a one-stop center where states and tribes can receive consistent advise and assistance from EPA. Local communities and the private sector can benefit for equivalent one-stop center dedicated to their needs. EPA needs to create a culture of costumer-focused service.	See answer to #2. In addition, eliminate the need for paper and make everything electronic. Create a website that is not confusing to navigate and where information is easy to find.	EPA would benefit from applying Lean tools and methods to many of its processes. By definition, Lean looks to identify waste in time and resources and develop new processes that are more effective and efficient.	Eliminate paper-required transactions and develop the capability to conduct business online.	Eliminate duplicative efforts currently being conducted by several EPA organizations without them knowing that it's happening. Create consistency among the EPA regional offices to make it easier for internal and external customers to conduct business with us.

AMERICAN OVERSIGHT

	I
318	Our employee performance appraisal system is a farce! It's a quota system that ties manager's hands in terms of issuing poor performance ratings. This all falls back on the SES senior-level leadership, which is why something needs to be done, and done quickly. Employees should not be granted "step increases" automatically - managers should have to justify these pay increases. Our hiring practices are horrible, and the antiquated nature of our hiring policies forces managers to hire people who are not the best qualified. Once in the government, they simply take up space and resources for the next 30+ years. EPA does not value educational credentials.
319	Adopt the culture of continuous process improvement that Lean can bring to EPA. Once a process is improved in one part of the organization, it should be mandated to the whole Agency to adopt the new process (unless they can prove they can do it better).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
320	319	5/3/2017					We need to modernize our e-discovery technology. The current resource constraints and old versions of software place us years behind common industry standards. The result is more person-hours spent reviewing documents to respond to litigation, congressional, and FOIA requests than is necessary. For example, if we were able to "thread" emails (organize a chain of emails so that it only needs to be reviewed once rather than in each iteration of the chain), I estimate we would save at least 1/3 of the time an average document reviewer spends on these projects. That can be hundreds or thousands of hours on some of our larger projects. My office is told that we don't have enough server space to accomplish this. Our	
321	320	5/3/2017	EJ Screening and Next Gen Permitting. Although I recognize the importance of overburden communities in our decision-making process, this process is time consuming. We are required to perform tasks that are beyond our role in order to comply with EJ screening and Next Gen guidelines. This is causing work backlog and unnecessary delays in issuing orders and permits. I think, regulations offer enough guidelines to deal with communities and any effort beyond that should be done on a case-by-case basis.	Better communication, clear and achievable MOU/MOA and using a strategic-decision making framework involving all these partners. This would help determine what are the needs for each partner and what are their respective priorities and resources available to address them. This would help move things faster and achieve results in a shorter timeframe.	Accountability, regular meeting/roundtables/workshops to discuss challenges, achievements and products. Also, revisit established strategies to find out where improvements or disinvestments are needed.			I think establishing agreements and annual planning of the tasks that will be performed by either EPA and States, in order to avoid overlap and duplication of efforts. It is important to make sure the States comply with federal requirements in order to work together (e.g. credentials). Also, resources need to be reevaluated each year to make sure the work can be accomplished.

AMERICAN OVERSIGHT

	I
320	
321	I have seen the implementation of LEAN approaches. I think, these are very useful tools that have been implemented in the agency and should be considered further.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
322	321	5/3/2017	The scourge of all government agencies: too many meetings (and too much training!). The solution? Best to consolidate meetings into scheduled updates, and all training to an online delivery system.	That they continue to rely in the Agency's expertise in these matters. After all, is it not the EPA the subject-matter expert when it comes to protect human health and the environment by writing and enforcing regulations based on laws passed by Congress?	Continue to foster the relationships with these stakeholders, where face-to-face interaction would be the best approach to maximize them. Unfortunately, with so many cutbacks annihilating any sort of travel, this likely will not be plausible.	Let us get through VERA/VSIPs, RIFs, and accompanying budget cuts proposed by the Executive first, and then we can see what we can cut from the remains of the Agency.	No suggestions at the moment.	I do not have any suggestions at the moment, except point out that in paper, it is on paper, it is an attractive idea to "realign" shared agency responsibilities with others, but at the end, after all the reorganization, a subject-matter expert must continue to exist who can provide final and authoritative answers to very hard and specific questions. Agencies with "shared-responsibilities" who try to undertake this challenge, are often bogged down when they do not know what their appropriate roles are after being consolidated.
323	322	5/3/2017	I had a FOIA request that took over a month to be assigned to me, even though the requester put my name and email address in the text of the request itself. I responded within a week once it was in my control, but the requester was already annoyed.		Establishing awards for customer service in non-HR jobs. The current customer service awards always go to the people who serve EPA staff (FCOs, HR officials, etc.). Make a special category for excellent customer service to phone calls and emails from random members of the public, they are the hardest to prioritize, and the easiest to ignore.	Stop all the fear-mongering over our budget. The emotional toll it takes on our employees drives away dedicated civil servants. Getting asked if you're going to lose your job by your friends and parents every day is exhausting. Reward hard working early career staff. They get paid the least (would REALLY appreciate monetary awards) and they are working to build a good reputation (would really appreciate the public recognition). Continue to push honest PARS evaluations with constructive feedback. Punish workers with low productivity.		

AMERICAN OVERSIGHT

	I
322	Do what private industry does in my field to retain top talent: better pay.
323	Use young new-hires to bring new enthusiasm and energy into the workplace. We did a year-long effort to develop mission, vision, and values for our office spearheaded by a diverse group, mostly new-hires. Honest conversations about how to improve our office led to increased employee retention and satisfaction (but that's my subjective evaluation). This was the Office of Resource Conservation and Recovery in OLEM.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
324	323	5/3/2017				Place more authority and responsibility at the Regional Office level. More EPA inspectors should be located (i.e., live, be based from) in remote locations. For example, some EPA inspectors should live in eastern Iowa or eastern Missouri and conduct inspections from that location.	RCRAInfo needs to track more of the process steps and other actions associated with hazardous waste facilities	OSHA activities are very similar to some EPA activities. OSHA could be absorbed by EPA.
325	324	5/3/2017	1. Unnecessary HQs review and approvals involving legal on administrative issues. 2. Business operating systems that are outdated and irrelevant such as EAS.	3. Define "better". What is the end goal of environmental "improvements". Allow management at lowest levels and for those affected to prioritize their interests.	4. Ideas without a budgetary context are pipe dreams and wishful thinking.	5. Get people out of their offices and into the field.	look at any fortune 500 business and compare how they operate to how the EPA operates. You will see that the Government structure with stovepipes and inability to cross discipline work greatly limits talented individuals and change agents.	6. Study how agencies have combined/consolidated resources based on BRACs. There are many opportunities for Regional consolidation across agencies and for consolidating admin and other types of support across agencies.
326	325	5/3/2017	Combine the leave system with the time cards such that leave slips automatically fill in time cards when time off is approved. Entering the information twice, taking only a minute or two adds up.	oppertunities for collaboration are often missed because the state partner has funds for analysis, but we are unable to accept funds for supplies to assist- with budgets being downsized we can no longer afford to participate in some really interesting and relevant projects.		Before hiring high GS level scientist offer to train and promote mid career employees to perform tasks at higher level-PI, data analysis, research planning. Hire more entry level (lower waged) employees to replace promoted employees.		
327	326	5/3/2017	personnel decisions are really slow	involve states and other stakeholders (inc but not limited to pesticide registrants) to take part in public discussions after risk assessments have been issued and before the Agency determines what risk mitigation is a[appropriate.	Involve Regional. and/or state pesticide staff in OPP town hall meetings.	more electronic, less paper		I think we do a good job with federal agencies, but need to involve states more. That's where the rubber meets the road.

AMERICAN OVERSIGHT

	I
324	
325	7. No. Best practices are not a priority at the EPA. there are many in private industry. Also, see https://www.gsa.gov/graphics/pbs/Innovative_Workplaces-508_R2OD26_0Z5RDZ-i34K-pR.pdf and https://www.ahrq.gov/professionals/systems/hospital/pressureulcertoolkit/putool4a.html
326	
327	electronic pesticide labels

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
328	327	5/3/2017	I don't really have any complaints in this arena. Too many emails probably.	Changes in presidential administration should not automatically lead to a reversal on every single policy of the prior administration. This whipsaw effect is horrible for predictability and certainty among stakeholders. The complete 180 on every policy of the Obama Administration, simply because it was the Obama Administration, is juvenile and un-informed. I have had conversations with industry who are flabbergasted by some of the announcements of rules that are going to be reconsidered (like MATS and the steam electric ELGs). There are already huge investments in compliance technology that are happening or have happened, that are being undermined by the Pruitt Administration. When these companies go to recover costs before their PUCs or PSCs, they are now at risk of findings of imprudent investment. The Pruitt	Creating, fostering, and encouraging a culture that it is OK to communicate with outside parties. Too often, frank and needed discussions with stakeholders are held up by managers' sense of need to "control the message." While this is appropriate and needed in some contexts, in many others, staff may feel unnecessarily stifled from having productive conversations outside the agency out of fear, sometimes vague and unfounded, that it will be disapproved.	Yes, a new political administration that takes the mission of the agency seriously. Hiring up so that we have all the FTE that we need to do our jobs. Implementing the statutes on time and in good faith. Providing certainty to stakeholders. Embracing sustainability and GHG-reduction as a voluntary effort in the private sector, which even the Bush Administration was capable of. Understanding the science, and allowing it to inform policy, rather than denying it. Gosh, the list goes on....	Going electronic with most filings - but this was already happening in the prior administration.	Giving staff the room to work with their counterparts to come up with pragmatic solutions. Politicizing these interactions is often unnecessary and happens too frequently. The need to elevate an issue can be important in order to resolve a dispute. But when staff don't feel they have the authority to resolve even minor differences, the process gets bogged down.
329	328	5/3/2017	1. We need to plan for a multi year budget. 3 years minimum. Seems impossible but the organization cannot run with out a three year plan 2. EPA strategy MUST be tied to Human Resources and Equipment/Admin resources (travel budget, field gear, vehicles, computers, office space). Previous EPA strategies are not tied to HR and Facility capacities/needs 3. Outside of Superfund, none of the core programs utilize workload models. This is a must. There is no way for management to plan or attempt to meet goals without knowing how much work certain employees can do. Superfund has a workload model due to its inherent need to bill work hours against the trust fund. Core programs are not doing this, so you cannot answer basic question like how many POTW CWA inspections can a single inspector due in a year? How much travel will the inspector need? How much equipment do they need . . . . W/O this information the programs cannot plan for or explain how they will meet the goals within a	Contrary to some of the current discussion, you cannot create partnerships with the States and local communities nor the private sector from Washington D.C. nor in some cases a very centralized Regional Office. The brownfields and superfund programs have the best models for how to work closely with private industry, States, and local governments. They put their employees in the fields in field offices or directly in State or Local offices. The close proximity has paid off in huge efficiencies and project successes. Region 10 has a excellent set up with field offices in each state that are staffed by the programs from the Seattle Region 10 Office based on the needs of the State. For example Oregon has a lot of air quality issues from wood burning stoves. So Region 10's Office staffs an Air person in the EPA Oregon Field Office with expertise in wood burning stove air quality	See answer to Q2. Also supporting more IPAs where EPA programmatic people server 2 or more years working at and with our local and state partnerships has proven incredibly cost efficient and effective. See work done in Milwaukee, Cleveland, Chicago, Detroit . . . The brownfields Program has experience with IPAs but other programs have also utilized the tool.			

AMERICAN OVERSIGHT

	I
328	Foster staff creativity and empowerment. Ensure managers take deep training on best management practices so that they understand how to do this. Historically, the agency has many managers who came up from being in the weeds on technical issues, and are unable to shake their interest in the details. This leads to a tendency to micro-manage. I think my office does a good job of training managers to be good at managing, which usually means empowering and mentoring staff, and then entrusting them with responsibility.
329	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
330	329	5/3/2017	Collection of documents for FOIA, congressionals, and e-Discovery is a painful process in the agency because of a resource issue. Issuance of litigation holds is also painful because, in my opinion, we purchased the wrong software. I think with all software solutions we seem unable to choose something that is user friendly because we are being penny wise and pound foolish. You need to put someone in charge of the process that understands both hardware and software, and who also understands the legal requirements related to both defensive and affirmative litigation. This person or couple of people need to be able to communicate with the legal and IT communities and need to be able to make decisions that affect both the legal and IT processes at the Agency.	We should be able to speak to get a list from the states, municipalities, and communities about things they feel they need help with, and then work on those matters with the state.		Travel authorizations for no cost TA's should be easier to process. Employees should be able to make changes to leave in peopleplus and then have the supervisor approve. Right now they have to contact the supervisor who has to go in and cancel for them, and then reapprove, wasting lots of time. There should be more flexibility with the work at home days. People should be approved for X number of days per pay period and use them in the best way possible to allow flexibility for everyone without having to reapprove many times along the way. An email to a supervisor should be enough letting the supervisor know that they		Wetlands enforcement should be done either by the Corps of Engineers or by EPA.
331	330	5/3/2017	The review process for reports seems arbitrary and tedious at times. I would give each level of review a clear and communicated purpose so that reviewers aren't making comments that need to be addressed simply because they feel no comments mean they're not doing their job.	By focusing on the environment and taking scientific research into account when conducting audits and issuing recommendations. This includes climate change, air quality, and clean water findings whose application are essential to protect human health and the environment.	We would need to assure them that the Environmental Protection Agency is actually there to protect the environment. By simply stating that it will come from promoting business doesn't say anything substantial or even logical about how that would be achieved. I think if we had a mission more applicable to the goals Richard Nixon founded the EPA on, mainly protecting the environment, than states, tribes, and the community would have more confidence in our work.	I think that we're already stretched too thin.	None that I'm aware of.	I'm unaware of any other federal agency that performs the same functions as the EPA. The idea of realigning activities with another agency just for the sake of doing it seems as if it would dilute our mission and just be an inefficient bureaucratic move to make it look like we're streamlining and creating efficiencies when that isn't actually happening.

AMERICAN OVERSIGHT

	I
330	
331	I think a better streamlining of the report review process and clearer guidelines to each level of review would improve our efficiency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
332	331	5/3/2017	Incredibly, much of the way that EPA does business still feels very much like the 1980s. Many frequently used administrative and business procedures are still being performed by pushing paper from one desk to another. Maybe the process is slightly better, like filling out a spreadsheet template, and then printing or emailing it, rather than completing a form entirely by hand. But, the EPA has a long way to go in standardizing its work processes, and moving toward operating like a 21st-century organization. More investment in IT is the way to go! Instead of more environmental scientists, the EPA needs more business analysts and application developers to assist in standardizing work processes. These business analysts and application developers do NOT need to be federal employees. The private sector can help. Spreadsheets over email is NOT the way to conduct repetitive business processes. Doing it that way only leads to inaccuracies, confusion, and inefficiency. Only with standardizing our work processes will	The private sector should be provided opportunities to assist the EPA with bringing its business processes into the 21st century. With input from state, tribes, and local communities, private companies with huge amounts of expertise could help the EPA achieve better environmental results, that would be transparent to the public. Companies that specialize in IT and Information Management would have an incredible opportunity to parse out the individual steps of current common business practices, and make them part of a database or electronic system that would, for lack of a better term, force EPA employees into compliance with our own business rules and processes. The business rules and processes should be Agency-wide. This would ensure consistency on a national level, rather than just an EPA-regional level. This is an incredible	EPA's business processes should be modernized. Creating better online tools and log-in portals for states, tribes, local communities, the regulated community, and the public at large, should be a primary focus! Those entities could interface with the EPA in a more efficient, effective, and transparent manner. This modernization initiative could create many high-paying private sector jobs in the IT and Information Management fields.	The private sector should be provided opportunities to assist the EPA with bringing its business processes into the 21st century. With input from state, tribes, and local communities, private companies with huge amounts of expertise could help the EPA achieve better environmental results, that would be transparent to the public. Companies that specialize in IT and Information Management would have an incredible opportunity to parse out the individual steps of current common business practices, and make them part of a database or electronic system that would, for lack of a better term, force EPA employees into compliance with our own business rules and processes. The business rules and processes should	EPA's business processes should be modernized. Creating better online tools and log-in portals for states, tribes, local communities, the regulated community, and the public at large, should be a primary focus! Those entities could interface with the EPA in a more efficient, effective, and transparent manner. This modernization initiative could create many high-paying private sector jobs in the IT and Information Management fields.	Can't help you with this question. Sorry. That's more policy-related. Outside of my area of interest.
333	332	5/3/2017	EPA's use of three timekeeping systems, i.e. Lotus Notes, People Plus, and DFS are repetitive, duplicative, and excessive. We sometimes wonder how many IT companies lobbied Congress to buy repetitive systems. It is nearly impossible to remember to go to Lotus Notes for credit leave, administrative leave, input time to the minute in DFS and record other leave there as well we in People Plus.	Region 7 already works very closely with the states. You may not want to hear this in this environmental climate but the State of Kansas refers Superfund removal sites not based on risk to human health but after they have exhausted all mechanisms which takes years to get PRPs to enroll in their voluntary long term care agreement program b/c the state of Kansas gets money.	EPA already does everything possible in the Superfund arena by scheduling quarterly meetings with states, taking phone calls whenever the states call, drafting their environmental covenants for them only to see the states sit on them for years, doing PRP searches and turning them over to the states, taking the lead after the states have stalled doing remedial work b/c of political pressure, being pressured by states for results on remedial enforcement after we have the lead for only a month after the state did nothing for 5 years.			

AMERICAN OVERSIGHT

	I
332	Just look at the way that most large private-sector companies interact with their customers (and their employees internally) using online tools and apps! Why can't the EPA do that?!? EPA needs to simplify and streamline its business processes and procedures. That would automatically improve our efficiency, increase accountability, or reduce costs. The private sector can help EPA do it!
333	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
334	333	5/3/2017	The onboarding process for new hires (FTE/grantees/contractors) needs to be streamlined and improved. New hires often start working without a computer, an Epass badge, or even a desk, which means that they can't start working properly for some time. Additionally, new hires don't get important information that could help them do their jobs efficiently. For example, it takes people a long time to learn the organizational structures of offices, people's names and what their duties are, who to ask for certain questions, where things are located in the building, what important acronyms means, etc. Some offices have better onboarding protocols than others. I think the process should be standardized across all offices/labs/divisions. I would suggest a new hire checklist that would require new hires to meet each member of their division/office/lab and briefly chat with them to understand who each person is and what their role is. Additionally, it would be extremely helpful if every staff member at EPA had an online profile on	More integration of social scientists into programs and projects could help facilitate community engagement and make sure that our work addresses the needs of stakeholder groups. If the community is an active participant in our projects, and feels that their concerns have been respectfully incorporated into our programs, they will have more trust in the EPA. I believe that better participatory regulation and citizen science, coupled with improved trust, will lead to better compliance to regulation and better environmental results.	I think good customer service begins with good communication. If we improve our communication, make it easier for stakeholders to contact us and interact with us, it could improve customer service. I think another part of this is increasing our public communication with the media - getting our message out to the public more. Many people do not know all the things that the EPA does besides just regulation. We need to get that message out more, inform people about the amazing research we do and how we work with communities.	One way to reduce costs would be to allow grantees/contractors to have flexible work schedules and telework opportunities, like FTEs already have. It's been proven that people are more efficient workers if they have flexible work schedules and can work from home a few days a week. This also improves worker morale which in turn improves productivity and efficiency. Overall, I think this would be an easy way to cut operating costs if people are teleworking more.	All our facilities should use 100% Green energy and have recycling and composting. Water efficient toilets should be installed in all locations to help conserve water and all water infrastructure should be upgraded. I know in some locations, the drinking water coming from the water fountains is unsafe or unpalatable to drink (due to old pipes) and water coolers are in use. This is ridiculous considering that we are a public health agency! How can we expect the public to make efficient technology changes to their homes and businesses if we don't do it in our own offices? I think every EPA office should serve as a model for energy efficient infrastructure so the public can visit and see how great it is.	I think this boils down to better communication between agencies about what their missions are, what projects they have going, and what research they are funding. We shouldn't all be spending money on doing the same thing, we should share more data, collaborate on more projects, and reward sharing of resources and information.
335	334	5/3/2017	Please fully fund the IT project that the Office of Ground Water and Drinking Water is developing called SDWIS Prime. Implementing the Revised Total Coliform Rule with a computer database that is not set up for the rule is very difficult.	Fund travel dollars for EPA Regions and HQ to be able to go onsite to States and work together in person. So many potential misunderstandings can be solved by simply being in the room together and putting a face with a name. Bringing people together to work together is what it is all about. Fund EPA staff to go out to do trainings for states. Webinars do not serve all purposes. Many times people are letting the webinar run while doing something else and not paying attention. In person training works much better.	Fund travel dollars for EPA Regions and HQ to be able to go onsite to States and work together in person. So many potential misunderstandings can be solved by simply being in the room together and putting a face with a name. Bringing people together to work together is what it is all about. Fund EPA staff to go out to do trainings for states. Webinars do not serve all purposes. Many times people are letting the webinar run while doing something else and not paying attention. In person training works much better.	No. EPA is so cash strapped and the hostile climate of the Administration towards the employees make things even harder. Defunding staff and calling it an improved efficiency is not ok and will only hurt environmental protection for future generations.	Funding SDWIS Prime (in OGWDW) would help states and regional Direct Implementation programs a lot!	realigning activities in areas of shared responsibility and mutual interest with other federal agencies would end in disaster. Most likely the primary agency left with the responsibility would ignore the nuanced differences of the agency from which it was taken away from. For instance, if environmental emergency response were taken away form EPA and left only at FEMA then they would not have the expertise or focus on helping water systems come back on line after a flood or similar disaster. EPA has heard from ASDWA and ECOS and other organizations

AMERICAN OVERSIGHT

	I
334	
335	EPA should not be making a general call out to cut regulations and roll back protections just because there is a new administration. If there is scientific evidence to make a rule change then take a look at it, but none of the stays that are going on seem to be science related, they seem to be politically and lobbyist driven stays.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
336	335	5/3/2017	We create "blue folders" for every regulatory action that comes out of our division. That blue folder contains a communication plan, fact sheet (that is later uploaded to the website for the rule), action memo to the Administrator that describes the action, and a printed copy of the FR notice. These printed copies are then reviewed and comments/edits are made in writing on these which then are returned to the rule lead for them to incorporate into the electronic file. The hard copies are then sent to the recycle bin. With the technology and file sharing capabilities we have today, having these printed copies is a waste of resources. Not only is it a waste of paper (something that we should be limiting given our work), but a waste of time with having to go back to incorporate comments that could have been added via track changes electronically. We should eliminate using hard copies where appropriate and encourage senior levels to review electronic files to ease the review process and avoid additional holdups	In the projects I am on, we already work closely with these groups. I think there is a misconception from the new administration that EPA was going rouge and out to get industry. It doesn't help that so far the administration has had minimal contact with staff level employees that work day in and day out on regulations and work with these outside groups. Just this week I have meet with 3 industry groups on one particular rule, I have met with representatives from several states on another rule, and I have been working for the past 2 years with municipalities to ensure that the regulation I am working on does not cause unnecessary burden. Coming in with the assumptions about how we work and not taking the time to speak directly with the staff has put this administration at a great disadvantage and has prevented it from learning how much we	I think we are doing this already. My only suggestion is to have this administration stop attacking the staff and the efforts that we have put in simply because their political agenda is different from previous administrations. There is a lack of understanding that work we did under the previous administration was at the direction of political appointees (like yourself) and not at the discretion of the career level staff. We as public servants take the brunt of the blame for the actions of the political agendas of whomever is running the country. Even when we do not agree (and we actively voice our disagreement) we are ultimately forced to move forward with regulations that may not always make sense simply because of the political motivations of those in charge. But make no mistake, this new administration is doing the exact same thing that previous administrations has done. The biggest difference here is this	See my response to Q1.		
337	336	5/3/2017	Wide use of contractors to perform EPA work - inefficient and often ineffective - solution: hire more EPA FTE to do the jobs right the first time Obsolete equipment and software - limits productivity of staff - solution: provide more current and available hardware and software	Empower and staff the Regional offices to work more closely with the states, etc. Use Chesapeake Bay Program (partnership of EPA and 7 states) Restoration efforts as model for other watershed/landscape problems; Chesapeake has shown success by combining federal and state resources devoted to collecting and assessing environmental data; collaborative decision making and accountability provided by EPA	See Chesapeake Bay Program example above: put in more resources devoted to solve a widespread problem in a collaborative framework. Bring back the construction grants program to support rebuilding the crumbling drinking water and waste water infrastructure; the original CWA program (1970s and 1980s) was very successful and cost effective in achieving its mission	My perspective is that EPA does not now have the resources necessary to carry out its Congressionally mandated mission to protect human health and the environment; Increase support for state environemental program while maintaining a robust and active EPA accountability and oversight	Stop changing the travel, personnel and other cost accounting contractors every 1-3 years - hire more EPA FTE to build and maintain these basic human resource functions Harmonize the data collection/storage and keep the data publicly accessible (including climate change data)	EPA already partners with many federal agencies and states in accomplishing our mission. Continue to provide resources to empower both federal and state staff communication, data Continue to collect water and air quality monitoring data and making that publicly accessible (including restoring all climate change data); transparency of information helps EPA, other agencies and the public advance the environmental mission

AMERICAN OVERSIGHT

	I
336	
337	Chesapeake Bay Program (partnership of EPA and 7 states) Restoration efforts as model for other watershed/landscape problems; Chesapeake has shown success by combining federal and state resources devoted to collecting and assessing environmental data; collaborative decision making and accountability provided by EPA

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
338	337	5/3/2017			Centralize web content services and support so that customers get better web communications from us	Centralize web services and support to reduce inefficiencies. We have zillions of people each spending 10% of their time on web. Makes no sense.		
339	338	5/3/2017	Inappropriate political influence, too many upper management layers and inadequate staff that are the result of ill-conceived recent hiring and internal transfer limitations adversely affecting the ability to get the work required by law done in timely manner.	Insure strong federal oversight and support since states, tribes, local communities, the regulated community, and the public (despite what is assumed) do not have the ability to address cross-jurisdictional issues such as downstream or downwind impacts as the EPA does.	Provide adequate staffing/funding for all programs. Otherwise, it erodes the ability of EPA and individual staff to provide the very support states, tribes, local communities, the regulated community, and the public deserve and depend on. Keep the for profit political bend out of science-based decision making if the administration really wants to be even handed and provide better service for the public at large.	Reduce the dependence on contractors. While difficult to quantify because most agencies do not make "widgets," unlike a business. A federal agency like EPA does not work for profit, but for the benefit of the public and environment. Keep politicians and business people out of science driven agencies as it distorts the performance of those agencies and causes higher cost and inefficiencies.	Simply adopting a new technologies or processes will NOT make us more efficient, effective, or accountable. It cannot be done without a revamping of the entire IT structure, from replacing old outdated hardware, software, security and inadequate support and training that would enable staff to get work done as efficiently and as effectively as possible.	Those agencies where EPA has specific shared responsibility are limited given current law. Where those responsibilities overlap, most agencies, particularly at the regional level, tend to work closely on their own, utilizing their separate authorities in an effort to protect public health and the environment. Keep political and big money influences out and there would be even more cooperation. A realignment of agency responsibilities - their actual authorization statutes and core requirements is only something only Congress can do.
340	339	5/3/2017	I have to fill out a form to go to the bathroom at EPA. Notifying the state of a inspection is a waste of time. When I go on an inspection I have already talked to the state inspector and his/hers supervisor to get back ground information. Also, the state inspectors always attend the inspection with EPA. Most, if not all of my inspection are at the request of the state, so what is the point of notifying the state when they already know of the inspection and have approved it.	the best way to improve water quality is to conduct sanitary sewer inspection of WWTP's collection system of medium to small wastewater treatment plants. The small WWTPs either do not report sanitary sewer overflows to the state or they are not aware of the overflows. SSO inspection of a collection systems can identify ways wastewater systems can improve practices and O&M to prevent SSOs.	EPA and state inspectors need to go into the field together more often to conduct inspection. This will improve communication between the state and EPA. Also, its a good way to exchange ideas and work together.			

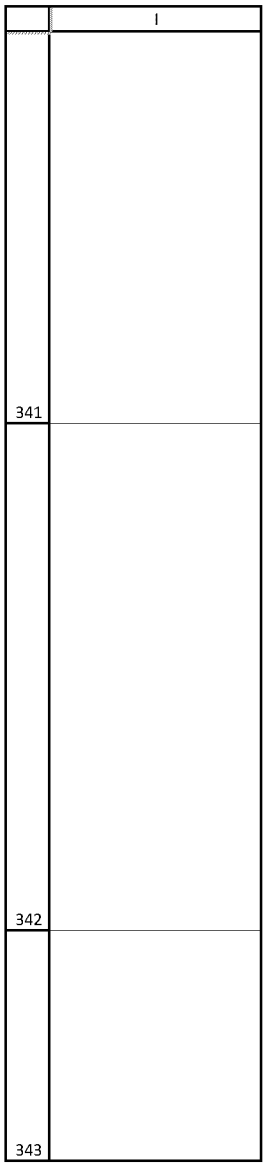
AMERICAN OVERSIGHT

	I
338	
339	That's not possible as long as politicians rather than legislators are involved, working to ensure profit for large corporations rather then protection and benefits for the public. What tends to happen is those agencies missions become distorted as is happing now. That impedes those agencies from doing what they are mandated by Congress to do. Stop trying to make federal agencies work like for profit business by placing people at the head of those agencies that do not support their mission and keep millionaire and billionaire business people and their politics out of things and work for the people.
340	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
341	340	5/3/2017		Strengthening EPA's connection to the private sector should be an agency priority, whether it be small businesses or American multinational corporations. Environmental education should not just focus on youth, but also serve businesses. EPA should work with environmental offices in Department of Commerce to engage the private sector. EPA's international efforts should also include a private sector component as business is increasingly global.			Encourage EPA staff and all government agencies to use less paper. Lead by example.	EPA should improve its engagement of military and veterans.
342	341	5/3/2017		EPA has enormous, excellent data systems underlying all our programs. We can use these in a more coordinated fashion. For instance, any staffer visiting a facility (for enforcement, informational visit, permitting, etc) should be able to go online, enter a facility ID, and quickly generate a comprehensive summary of the facility's environmental data -- TRI reports, water and air permits, hazardous waste status, compliance history, etc. Envirofacts gets us part way there, but the process should be as easy as using Google, and should be a routine part of every site visit we are involved in.	Citizens need EPA to be an effective ombudsman when they have unresolved environmental problems in their communities. There should be a simple 'complaints' process (toll free #, online form) that does much more than result in a message for the person to contact their local authorities. We should be actively engaged in solving problems, coordinating other agencies (federal, regional, state and local) as appropriate, and seeing the process through until a situation is resolved or an explicit decision is made that no action is called for. This would have been valuable to have in place for, eg, the Flint water crisis.			
343	342	5/3/2017	When I was first hired it took months for EPA to issue me the correct high performing computer I needed to start my job and learn about the work I was doing. It was beyond my control and the control of my manager. It has something to do with the way EZtech manages things.	Having them at the table for discussions is best. I have seen people from other agencies in other states come to work at the EPA on details. That kind of thing can be helpful and bring specific perspectives on local issues people may not be aware on the federal level in DC.			I think the EPA should be embracing new technologies, even crowd sourcing for some activities we do.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
344	343	5/3/2017	I believe that policies and procedures governing record retention and storage, primarily storage and destruction at the appropriate end of record life cycle should be looked into. It seems no one person knows what to do at the end of record cycle stage, including shredding of ordinary and sensitive information. There is ambiguity on where to send them and at what point in time -- I believe this is because the policies seem disjointed such that a complete picture of what to do does not come together. The travel system and policies of recent months has resulted in a great deal of confusion and unnecessary changes. Perhaps it is "changes by exception" rather than what generally should exist. Every office should have two persons who handle the administrative responsibilities for travel requests and vouchering, training requests and vouchering, and records administration at the base level (not high level or in addition to the higher polity level). This is because few employees travel all the time and changes occur in between	Adding benchmarks to the equation. As of now, in at least some areas, the process of benchmarking is absent. There is the presence of goals, outcome, outputs, and activities used to determine results but the benchmarking of these actions and activities to aid in determining or measuring interim progress with these environmental partners is absent from policy.	Holding these partners results accountable without unnecessary oversight just for the sake of justifying roles. Ensure that assistance "funds" are being granted to organizations and entities for a true public purpose by "reviewing the policy definition of such and the practice."	Look into levels of oversight. In some areas it may be excessive or these multiple levels have served its purpose on a situation that has now been remediated or resolved. However, companies should be held accountable because if no one is watching they will pollute excessively and quite often without concern for the dangers to the surrounding communities. Focus oversight on states excessively friendly to the types of industries that might pollute waters, ground, and air.	It is my understanding from the ISO at several levels in our AA ship (top level included) that the network drives are not set up to handle CBI. This is astonishing to me. I had been using the I drive because it had been previously communicated by both the division director at that time and the office ISO that the I drive could be used for that type of information. However, now we are being told that it should not be and that these files should be removed. I am reluctant to delete these files although I have been given a secure thumb drive to put these files on. I have copied these files to this thumb drive but I do not feel comfortable deleting files from the I drive. The agency should ensure there is at least one drive for	This concept is an interesting one. It sounds similar to the shared service center concept and the sharing for payroll entities. I feel certain this could be accomplished for the purpose of environmental protection. The agencies that come to mind that are similar to EPA or at least some areas are similar, include Depts of Interior and Agriculture and the Corps of Engineer, and in come cases Dept. of Energy.
345	344	5/3/2017	Fear of losing my job because laboratory leases are not being renewed and there has been no word if the laboratory will be moved to another location or if employees will be transferred to another location.	Continued work with our state, tribes, local government and the private sector is very important. We work for the American people. More outreach to state, tribes, local government and the private sector is a must. This is done by meeting with our counterparts on a monthly or quarterly basis. The meeting should be a casual event and not to discuss work, but to meet with one and other and to see each other as people first.	Outreach to the community is also very important. The American people need to understand that no matter what our political views are they should play no part in keeping all communities safe from pollution.		yes, use the talent within the employees of the EPA. Challenge us!!	
346	345	5/3/2017						

AMERICAN OVERSIGHT

	I
344	Use of SEE enrollees is a best practice. The SEE enrollees have been an invaluable resource. (Some of what I mentioned earlier in number one, could be achieved by SEE enrollees but I am not certain of the regulatory or policy restrictions concerning those administrative areas.) Also, not certain where I should be putting this: Phased retirement requires that employees use or lose their leave in excess of the 240 max for carryover. Employees entering phased retirement should be permitted to carry over at least 104 hours in excess of 240 for a total of 344 hours. I was told the current practice is the law. It it is, there should be an amendment to address
345	Check out LEAN process for buying our equipment.
346	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
347	346	5/3/2017	Too much overlap from the HR and Program Analysts in the Regions and AA's with the SSCs (Shared Service Centers). These positions in the Regions and AAs should be reviewed and recommend elimination as they are duplicative.	Reduce so many burdensome regulations and programs	Reduce so many burdensome regulations and programs	Yes - we have too many regional offices and administrative functions being performed by too many offices. Why do we need so many Regions? (for example NY, Boston, and Philadelphia are driving distance to each other; why have all three? Eliminating two or three Regions would help and consolidate into another Region. Allow the SSC's to perform the HR functions and consider consolidating other admin functions to these three locations - goal: three administrative service centers which will reduce administrative functions in so many offices.	Get rid of PeoplePlus for timekeeping purposes and utilize the IBC System for timekeeping	Eliminate and consolidate two to three Regions; consolidate more admin functions to RTP, Cincinnati, and Las Vegas; reduce the number of Program Analysts performing HR functions; and there are too many Environmental Protection Specialist positions with overlapping work and functions.
348	347	5/3/2017						I believe that a centralized procurement office would benefit the EPA. All the major contracts could be procured/maintained at headquarters and simplified acquisitions procured in the regions. Expand the headquarters contract office and reduce the regional contract offices.
349	348	5/3/2017	It would be beneficial to have electronic concurrences for all letter routing.		I would like to see a strategic effort to identify opportunities to consolidate digital data base infrastructures for better ease of use for internal stakeholders and better service delivery for external stakeholders. The power of data base management is key to a full functioning and effective organization, but without proper investment it can be difficult to achieve desired results.		FACTtool is a new software product that allows for better reporting and maintenance of financial assurance instruments by streamlining and centralizing the data involved. The more regions that utilize this tool, the more effectiveness gained.	

AMERICAN OVERSIGHT

	I
347	Reduce the number of SES positions; we have too many and one should take a look at the number of GS-15's (supervisory and non-supervisory) So far, it appears that this administration is going in the right direction with the EPA. This agency was out of control under the prior administration.
348	
349	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
350	349	5/3/2017	The Information Collection Request (ICR) requirements sometimes inhibit or prevent us from maximizing our interactions with the state environmental agencies and from gathering information that the public requests.		We should bring back the RCRA Hotline, which was a free service that provided answers about the regulations to thousands of callers each month.		We need to invest more widely in webcasting technology so that we can provide training more efficiently and effectively to our stakeholders. This would save money by reducing travel to off-site training locations.	
351	350	5/3/2017	We do not have enough administrative support help. Having to do administrative work (e.g., managing files, emails, document reviews) takes away from the work I was hired to do and is way more costly because someone with a lower pay grade can do the administrative work. This is especially true for discovery in litigation and FOIA responses. We should have several FTEs solely devoted to responding to FOIA requests and discovery.	States, by a long shot, do not have the resources to carry out all of their responsibilities nor their responsibilities well. They often try to skirt legal requirements in an effort to reduce their workload or to create efficiencies. The statutes are flexible in some areas and not in others. We see this all too often. As such, EPA's oversight role is extremely important. EPA's assistance to States is essential. EPA's enforcement authority where a state fails to enforce is paramount with respect to protecting public health. EPA must maintain a strong oversight role with States. Also, given EPA's paramount roles and responsibilities including State oversight and assistance, there should be more of an EPA presence locally than less, as such, eliminating/consolidating EPA offices/regions/labs will result in worse environmental results.	EPA needs to a much better job educating all stakeholders, particularly the public at large, about what the Agency does, the benefits of Agency actions, the risks of Agency inaction, and the role we play vis-?Â -vis the states, tribes and the regulated community. When our budget is cut, public relations and public educations programs are often times the first to get cut. Without a proper understanding of EPA's extremely important roles and responsibilities, the public and others are not informed or misinformed as a result of misinformation from EPA skeptics. I have supported EPA management's testimony on Capital Hill and have watched Congressmen ask EPA managers questions only to walk out of the room and not listen to the answer. If EPA cannot have an avenue to educate the public, the Congress, the regulated community, and all other stakeholders, it is very difficult for the Agency to effectively and efficiently carry out its duties.	We can barely pay for our paper and pens. This is not an exaggeration. Our budget has been persistently reduced for the past several years. Our current budget, let alone the cuts the Trump Administration proposed for EPA in FY 2018, is not enough for the Agency to properly protect public health and the environment. Reducing costs will only contribute further to our lack of resources which will in turn, prevent us from adequately protecting public health and the environment. Also, given EPA's paramount roles and responsibilities including State oversight and assistance, there should be more of an EPA presence locally than less, as such, eliminating/consolidating EPA offices/regions/labs will result in worse inefficiencies	EPA's roles and responsibilities should be well known to all stakeholders and the public at large. They are not. I am often asked about this from both Democrats and Republicans. As such, we should use appropriate technologies to get the word out on a regular basis with respect to the Agency's roles and responsibilities as well as the Agency's achievements, benefits from those achievements and the risks of Agency inaction. This should be accomplished through avenues additional to social media as EPA skeptics/opponents do not follow EPA on Twitter/Facebook, etc. Joking aside, EPA should run ads on FOX News and other conservative networks/media.	There needs to be a robust national EPA with distinct authorities and responsibilities from those of other Federal Agencies and States. EPA's expertise is needed to set public health standards that are federal floors to prevent a race to the bottom by States. EPA's oversight role must be robust and distinct as well as the statutes for which we derive our authority are highly complex and specialized such that EPA's experts are essential to proper implementation and enforcement of those statutes. EPA should have more resources to assist and educate states with the implementation of these highly complex

AMERICAN OVERSIGHT

	I
350	
351	EPA's roles and responsibilities should be well known to all stakeholders and the public at large. They are not. I am often asked about this from both Democrats and Republicans. As such, we should use appropriate technologies to get the word out on a regular basis with respect to the Agency's roles and responsibilities as well as the Agency's achievements, benefits from those achievements and the risks of Agency inaction. This should be accomplished through avenues additional to social media as EPA skeptics/opponents do not follow EPA on Twitter/Facebook, etc. Joking aside, EPA should run ads on FOX News and other conservative

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
352	351	5/3/2017	I spend too much time with employee onboarding/exiting the facility, and navigating forms and processes for travel (Concur), spending (PRs), and training. These are all administrative functions that have been pushed onto the staff and prevent us from getting to our job. The inefficiencies are substantial, because we touch these systems infrequently enough that we consistently get the forms incorrect, and the job takes twice as long (or more) than it would take someone whose job it is to routinely work with these systems. To address this, I would hire more administrative support staff. We also spend a great deal of time routinely training new term staff. While the FTEs at our facility have declined by ca. 33% over the past 10 years, we actually have about the same number of staff working to complete the same or more work. The difference is that a large portion of our staff are term employees, and maintaining their associated contracts and training them requires	Where we seem to do well is where we have long-term relationships build on credibility and trust. Conversely, where we do poorly seems to be where our operating mode is to help in a reactive manner, and leave when the job is done. We should use ECOS more to establish firm times (EPA liaisons?) between the states and EPA.	Similar answer to Q2. In that context, we can use forums (such as ECOS) with these organizations to gather information on what they perceive are their biggest needs. For example, I have been active with the EPA AOC meeting, and a concern the local communities and states presented to federal partners was the need for help with monitoring and assessment designs and resources. The next step would be to have someone at EPA who is accountable for tracking the request and identifying ways to provide that support.	We have a legacy of an extensive hierarchical structure. Shifting to a more horizontal structure (more people engaged with the work, fewer layers of management) would allow us to increase service and thereby protection. Our IT systems are highly underfunded, but with some investment they could be brought forward to this century to facilitate a more horizontal organization.	See above. We are bogged down by Byzantine purchasing systems and clunky databases. This slows the work. Encouraging more use of shared work platforms would allow greater integration and facilitate efficiencies across different offices and regions.	We serve a unique role in the federal government. I do not perceive much opportunity here.
353	352	5/3/2017	FLEX TIME, compressed schedules, DFS, People Plus... all impede important work and create obstacles to getting things done. If EPA worked like most businesses where EVERYBODY works from 8-5, productivity would soar and there would be no need for TIMEKEEPERS! Some employees are actually at their desk 2 days a week, routinely. Ridiculous when you can never find people you need because they're out of the office.	More informal meetings (including phone conversations) would open up discussions. As it is, any face to face meetings are so rehearsed and controlled to be sure EPA retains control, very little gets accomplished. It's a case of telling them what we want them to know and nothing more.	Stop threatening the public with ridiculous fines for not responding to information requests. Screams BIG BROTHER when you throw the threat of a $54,000 penalty into every PRP letter.	Get rid of nepotism so that other families have a chance to enjoy the benefits of having a federal employee. There are currently at least 6 married couples working in the Superfund Division alone. Not to mention nieces, nephews, sons & daughters. Supervisors sometimes allow married couples to work in the same section (avoiding scrutiny by not using the same names). Most top management has family working at EPA.	All technology is handled by contractors since being technically savvy isn't a requirement for working at the EPA.	Clear lines should be drawn about EPA's role in cleanups. Because our employees don't actually do the work, but rather supervise contractors, it's absurd to charge businesses tens of thousands of dollars for monitoring chemical spills, etc. We have scientists and engineers who do nothing but stand around and watch contractors do the job.

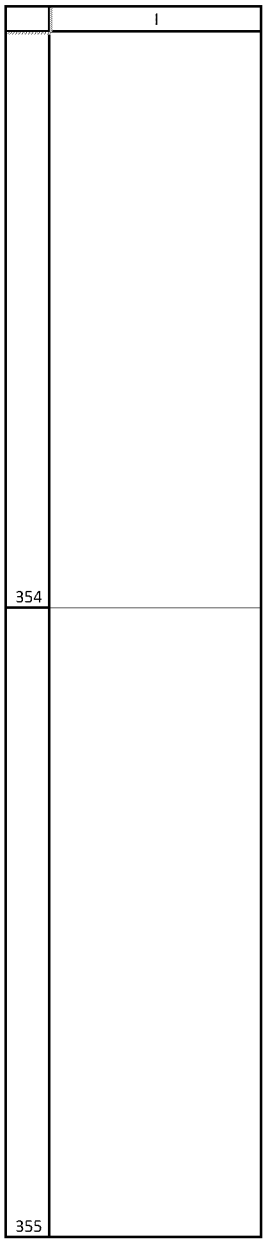
AMERICAN OVERSIGHT

	I
352	I am not aware of any practices with other organizations (I routinely work with staff from USFS, USFWS, NOAA, ACOE, USGS) above and beyond the practices at EPA.
353	Standard work hours for everyone, NO flexiplace, DFS, compressed time; reduce nepotism; actual penalties for being caught sleeping/working out/leaving building for coffee/holding social gatherings DURING WORKING HOURS. Some employees routinely disappear in the afternoons, not being seen again until the next day. Some supervisors are only in the office 2-3 days a week.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
354	353	5/3/2017						Centralize the contracts/procurement office in the DC area and reduce the regional procurement offices. Having the contract officers closer to all the training opportunities in the DC area would be more beneficial and cost effective. Contract officers have warrants that require 80 hours of training every 2 years. Also this would reduce costs by reducing the cost of having a GS-14 Procurement Section in each region and just having one Department Head/Section in one central location.
355	354	5/3/2017	The fact that GS 12 and GS 13 scientists in EPA-ORD were forced to take on administrative duties that could be done by a GS-7 is a SUPER waste of tax dollars. **[REDACTED B6]**"centralized" admin duties with his "administrative efficiencies" project in 2006 by taking away admin personnel from labs and placing the work onto the shoulders of the scientists. Hire some GS 7s to do this work, and let us scientists actually do the science we went to YEARS and YEARS of college for!!!			The fact that GS 12 and GS 13 scientists in EPA-ORD were forced to take on administrative duties that could be done by a GS-7 is a SUPER waste of tax dollars. **[REDACTED B6]** "centralized" admin duties with his "administrative efficiencies" project in 2006 by taking away admin personnel from labs and placing the work onto the shoulders of the scientists. Hire some GS 7s to do this work, and let us scientists actually do the science we went to YEARS and YEARS of college for!!! Also, please take away the many layers of management in the national labs and research programs in ORD. Years ago ORD implemented "matrix management" style that stacked layer upon layer of management and created		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
356	355	5/3/2017	Concur (The travel software) is not efficient, and although it SEEMS intuitive, when you actually use it, it does things that make no sense. Same for People Plus, which can tell me it's a holiday, but can't just enter that information (or leave slips or.. anything really). our time should be entered automatically, and only changes if we put in a leave slip. Teleworking should be encouraged more, and fewer hurdles set up for it.	I think we do a great job of partnering with States Tribes Local communities and the private sector, and we should continue.	more in-person meetings with all of the above. although video and teleconference meetings can be effective at times, nothing creates the sort of personal connection that a face to face meeting can generate.	improve contract management, in particular the time it takes to get a new contract in place. While this has improved somewhat over the years I have been here, there are still significant delays and inefficiencies in securing the best contract for the job. Competitive bidding is important, but there are times when you know that X contractor is the best for the job based on past experience, and there should be ways to get work started promptly, while still maintaining objectivity in the selection process.	keep more up-to date with technology in general. We are often years behind in terms of latest software versions and hardware.	
357	356	5/3/2017	There is too much emphasis on administrative preferences and not enough on scientific integrity. We have to follow where the science leads to remain credible. Management should have a stronger understanding of the science and new organizational tools like division or office science councils should be developed to bring more realistic scientific goals and directions to the decision making process.	Maintain strong regional presence. The regions are our link between EPA research and state applications. Strengthening capabilities EPA regional offices would be the best way to ensure a strong relationship between EPA and states.	I'm not getting this. We work together with states to protect public health. I think of it as partnering. In my mind better environmental results IS better customer service. Being an effective partner is how we provide customer service????	First we have to ACHIEVE environmental protection! Then we should worry about becoming efficient. Instead we are backsliding, e.g. Flint, Deepwater Horizon, decades of severe health problems for asthmatics in communities with high air pollution, obvious environmental justice issues. Support for solving environmental problems facing our country is woefully inadequate.	Absolutely. These are best taken advantage of by the experts and scientists in the specific fields where advances are occurring. When new technologies open we should be among the first to evaluate and apply them. Where simultaneous advances in dozens of fields create problems in competition for resources, scientists working in those fields should have a strong voice in decision making by elevating leading scientists into decision making positions or through science councils with real authority.	I have had very successful interactions with the National Park Service on air pollution monitoring, National Institute of Standards and Technology for development of analytical standards for air pollution measurement, and National Science Foundation for developing international air pollution research programs. The main problem is that these were too short-lived and resources were inadequate for maintaining more long-term relationships that could have benefited not only both partners but environmental science in general. More environmental literacy

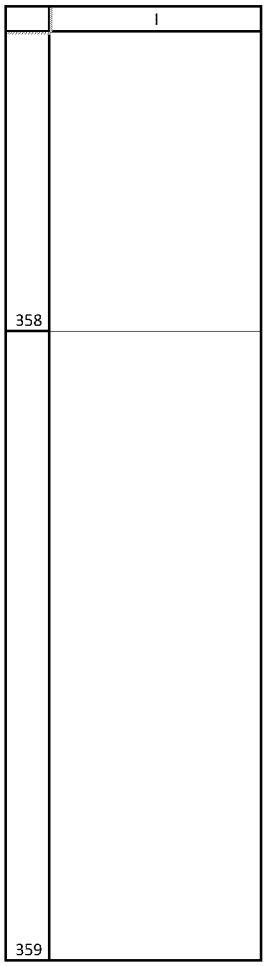
AMERICAN OVERSIGHT

	I
356	
357	The military. When there is a military threat we are prepared to make tremendous sacrifices and devote massive resources to protecting Americans. We need to approach environmental threats like we approach military threats, acknowledging that they can also have major impacts on safety and health. A low income child who loses a chance for a livelihood because there is so much lead in his blood it reduces his IQ, or one who dies from asthma in an inner city neighborhood is as American as anyone, but faces as much of a threat from environmental toxins as from North Korea or ISIS.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
358	357	5/3/2017		Allow the federal government to set stringent, yet sensible, environmentally protective standards as a baseline that all states need to achieve. Do not lift environmental protections and let states engage in a race to the bottom.	Do not stress economic benefits provided to businesses when promoting EPA's actions. EPA's actions are meant to provide environmental protections to the citizens of the United States.			Do not defer to states and businesses, who are trying to maximize profits, when setting environmental standards. Take note of the overwhelming number of commenters that want EPA to continue to fulfill its mission by protecting the environment.
359	358	5/3/2017	Electronic routing system for reviewing and signing off on documents through the concurrence chain which can incorporate/track changes and re-route through the chain rather than individual paper copies and adjustments after each reviewer with multiple printed versions and that way you also don't have to be physically in the office to review and approve of documents.	New York State currently has a back log of permits to issue/modify and could benefit from EPA's assistance in more actively reviewing, updating and modifying these permits.	More outreach to the public regarding how to submit tips/complaints of environmental violations. Send periodic mass mailings to a targeted regulated community regarding requirements which based on enforcement lacks understanding of regulations. Such as MS4 requirements when a municipality has changed administrations or there's a new permit (so every 5 years) and copies of the construction general permit to all newly permitted construction projects in New Jersey (the state doesn't send a copy of the permit to the actual Site, only to the individual filling out the paperwork who may never set foot on site). This will give the regulated community an opportunity to comply with the full scope of their requirements prior to enforcement.	Consolidate databases. We currently use concur, peopleplus, employee express, docket, lotus notes, dates, outlook, NETI, skillport, onedrive, inspector wiki, adobeconnect, ICIS etc. for a variety of overlapping and redundant uses which can be consolidated.	Electronic routing system for reviewing and signing off on documents through the concurrence chain which can incorporate/track changes and re-route through the chain rather than individual paper copies and adjustments after each reviewer with multiple printed versions and that way you also don't have to be physically in the office to review and approve of documents.	We currently have a SNAP list we coordinate with the States, where regulated communities in significant noncompliance get flagged by EPA for EPA involvement and we coordinate with the States enforcement and follow up. This program is effective and useful and should be expanded and should form the basis for EPA enforcement due to the need for escalation. For example, New Jersey posts all inspections and enforcement results for the public, this information is in the process of being carried over into a shared database with EPA: ICIS. Instances where year after year the States

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
360	359	5/3/2017	There are to many obstacles. HR Liaison positions are redundant and get in the way of the Shared Service Center HR specialists ability to consult and advise managers properly. Information is received third hand from the Liaison office and often not communicated correctly. Position management and classification processes are disjointed. The liaison office is tasked with position management while the SSC does classification. One is needed to perform the other to ensure proper grading of positions within the organization. Signed organizational charts are not available in order to compare to alpha rosters to ensure recruitment requests submitted do not exceed authorized FTE ceilings. Liaison positions are over-graded and redundant.	Not applicable to my position.	Open lines of communication are required with any form of customer service. Providing more on-line resources and involving local communities, states and tribes in the development process will achieve greater results. When people are allowed to participate in the development process they feel a sense of ownership and are often times more willing to work harder to achieve mutually agreeable end results.	Yes. Positions within the agency appear to be over-graded. A consistency review of several key positions within the organization would likely result in the downgrading of positions. The complexity and performance of duties actually performed do not warrant the higher grade. An annual cost savings from salary dollars and administrative costs could then be redistributed into the programs designed to address on-going environmental concerns and threats.	This agency is very paper intensive. Programs with the capability to streamline processes and go paperless are currently available, but not used to their fullest capability. However, the people in charge of oversight for these programs have not been held accountable for deploying all of the components purchased by the agency. By using the systems as they were intended the need for physical records storage could be eliminated. The ability to access raw statistical data would be more easily accommodated, as well as routine audits and spot reviews.	Consolidating and realigning processes could potentially save of overall real estate costs. Utilizing a more "Virtual" approach for positions suited to this type of work would also reduce the need for office space. Many of the field offices are closely situated (Boston, PA, New York- Seattle, San Francisco) they are also located in high locality salary areas. The cost to initially relocate these offices would result in an initial monetary cost to the agency but the overall savings once accomplished would be long lasting. Many of the functions performed by the agency are transient. Centralizing regional offices to places like
361	360	5/3/2017	I recommend getting rid of the level 2 (minimally satisfactory) performance rating. Beyond the fact that the AFGE CBA definition of minimally satisfactory describes performance that we should not tolerate, but are required to as long as the level 2 remains, the AFGE contract requires that PIPs be written to the fully successful level, while the law/regulation requires our PIPs to be written to the lowest acceptable level--in EPA's case the level 2. This causes difficulties in writing the PIPs and in writing performance standards--supervisors must always be able to articulate levels of not great performance, as well as causing confusion and potential difficulty in supporting removal actions based on performance. I also recommend getting rid of PAPs.					

AMERICAN OVERSIGHT

	I
360	Nothing comes to mind.
361	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
362	361	5/3/2017	Being able to collect information from the public is crucial to identifying how EPA should achieve its mission, yet the Information Collection Request (ICR) process at EPA and OMB often prevents or delays EPA staff from collecting the necessary information.	Measuring environmental results over time and space in a systematic and scientifically defensible manner is necessary to determine whether EPA and partners are achieving better environmental results. In addition, past results or ways to report past results seem to have undergone pressure or political influence. EPA and its partners should identify and implement a process to report results that provide scientific information in an accountable way.	The Regional Offices that support customer service seem to be spread to thin, but this is true for EPA staff that is not outward facing as well. A clear way to do so would be to hire additional staff to provide customer service. If EPA is to stay below its current employment level, there are no clear ways to improve customer service without hurting other EPA areas, given how historically small EPA is relative to the US population, economy, and federal budget.	Despite attempts to centralize certain supporting duties (HR, IT, grants, contracts, etc.), there is still a need for primary offices to retain expertise in these areas. In my current office, many generalists end up spending or wasting time trying to work in all of these many areas, as opposed to working directly to maintain environmental protection.	Creating the ability for the regulated community (and EPA partners) to report information electronically is important and should be done, yet it is not sufficient. There will also need to be some incentive to encourage reporting this way (or disincentive to not doing so).	EPA is unable to regulate certain environmental problems (ie, nonpoint source pollution), and does not have the budget to influence preventing these problems through grants to the polluters. Providing a larger budget and visible support from all levels of EPA, and aligning activities in these areas with other federal, interstate, and state partners would help better achieve environmental results in areas where EPA does not have the authority to regulate.
363	362	5/3/2017	The reduction of multi person (>6) person conference lines has created a bottleneck in scheduling conference calls. I have to share a conf line with my BC and five other staff. It makes scheduling next to impossible. We often end up thinking we have scheduled a call only to have another one layer on top and have to cancel. Everyone's time is tight and this pushes the needed call out 3-4 weeks in order to get a clear schedule again. I try to use the six person line as much as possible, but many of my calls are multi-regional and it fills up too quickly.	Working within our statutory authority to craft clear and enforceable regulations with adequate monitoring, recordkeeping and reporting. Working with the partners when confusion arises. Providing compliance assistance and inspector training and using enforcement, when necessary.	I am in OC and my experience with states, tribes, etc and the private sector is that they come to us when they want clarity. I work hard to ensure that I am responsive to their requests, evaluate all angles, and ensure the decision is validated through the regulatory language. My experience is that the partners appreciate this, even if they don't agree with the answer. I also try to be creative in using existing regulatory structure to achieve a win-win, especially when a regulation is old and might not have anticipated an advancement in technology. The best environmental results are achieved when the regulations are clear and understandable; if a site specific application may create confusion it is important that EPA Is transparent, fair and responsive in working towards an answer. No one likes it when we have a real problem at a source and we have to say we can't do that without a rule change. We also work with the state when a	Everyone I work with has defined and important role in the process.	See my comment above about conference lines. Also, we need a drop box for large electronic files. Our server strips .zip files and is limited to 20 MB. I receive large performance test reports that require much creativity and time to receive.	Absolutely we should leverage resources - for example, cross training with BLM inspectors.

AMERICAN OVERSIGHT

	I
362	EPA often hires young staff, and after gaining experience they leave the Agency because they are either disillusioned with the pace or with opportunities for career growth, salary growth. This is an area where EPA can learn from successful private sector organizations. This is true also of highly specialized staff at EPA. EPA should focus attention on retaining staff, by making a difference in the environment at a visible pace, providing monetary bonuses and wages similar to the private sector equivalent, and providing a workplace that is attractive to the best candidates. As Henry Ford demonstrated by implementing "efficiency wages," offering a higher wage to retain and attract
363	We have a great process in our office which tracks formal responses to incoming requests from states and industry. It is easy to use and widely popular. We are currently looking at it through a LEAN event to make it even better. Any tool which creates transparency and streamlines the review process is worthwhile.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
364	363	5/3/2017	The constant requests for compliance screens to ensure environmental awards are not given to entities with compliance problems. Although I think this is a good thing, in times of short resources, it seems a wasteful use of FTE, and certainly not in line with the Agency's core mission. The compliance screens require many people in many programs in all the Regions and states, to first, try to decipher the all but unintelligible list of entities which are to be screened, then take the time to check databases and files to determine compliance status- many man-hours per compliance screen. I would end the awards programs until such time as our core mission needs are met. Companies should understand the value of being good environmental citizens by now, without having to get "gold stars".	More grant money available for projects. This seems to be an extremely efficient use of resources for projects that are important to the community, and builds good will for future endeavors.	Quit taking material down from our website-many entities rely on our information.	Empower the Regions more.	Reduce the time it takes to acquire new hardware and software. Approvals are often done electronically now, so the process should be faster. Often, by the time we receive new hardware or software, they are already obsolete or no longer supported by the manufacturer.	There is not much overlap that I see. Where there is overlap, it seems a meeting of the local staff of the involved agencies would be the most efficient. MOUs and other agreements take way too long for the benefit they achieve.
365	364	5/3/2017	a) The NEPA Policy and Procedures Manual was written in 1984 and needs a complete overhaul. The rating system for NEPA projects is too complicated for project owners to understand and should be simplified so that everyday Americans can understand it. b) Many records officers insist that every piece of correspondence is an official record and must be categorized into a "records schedule." This mandate wastes way too much of the staff's time. If everything is being monitored on the servers and being kept anyway, why should staff waste time categorizing emails between them and coworkers about their plans for the weekend? Please ctrl/alt/delete this mandate. c) In some regions there are 3-4 different timekeeping systems/software a staff member must use to input payroll timekeeping. Here in R7, we have "People Plus" (official); "DFS" for inputting time in and out, and calculating credit time; "Lotus Notes" for asking for	Train our staff to know the difference between law, regulation, guidelines, etc. There are many times I have been at a State meeting and had to explain the difference between EPA policy, CEQ guidelines, and law. A state partner will ask about a project violating a CEQ guideline and I would have to explain that guidelines are guidelines. Do you have a good reason for implementing this decision over another one? Yes? Great! Start building. If they violate a law in their decision, that will be explained and cautioned against, but ultimately it is that agency/state/community's decision. Also explain to new staff that science may be a truth, but if the law permits a certain practice that conflicts with the science, then the law permits it. Don't overreach.	Honestly, the lack of a travel budget to meet our partners in person has been the worst for customer service. It is hard for me to empathize with a voice on the phone. Likewise I cannot see the expressions on ones face to determine if I may have said something that they might disagree with. Also, making sure we travel to meet those people for NEPA Projects is very important. Much of my advice to move a project forward cannot be put into emails or formal letters for fear that the 280 lawyers in Counsel might object. I cannot help a pipeline company navigate the perils of permitting and get the project started, if I have to write formal letters that have to be approved by activist lawyers.	Hire lawyers that know the difference between law and activism; overreach and jurisprudence. Cut back on those that don't get this concept. You have already considered doing this with the scientists and engineers. Lawyers provide counsel. EPA's mission is not to provide counsel for environmental problems, but to act. We need good biologists, chemists and engineers to provide solutions for clean up. Under NEPA, we need those same people to advise lead agencies on their projects so that they won't be sued later on for creating an unhealthy situation. Also, take a look at Regional NEPA staff. In R7 we have three staff for four states. Other Regions have 30.	Under Superfund, we have Emergency Response personnel that are relying on a large airplane that is stationed in Texas to provide air coverage of hazardous spills. This is unacceptable and expensive. Each region could buy 50 UAVs with air monitoring equipment at the price it takes to employ this one aircraft. Have EPA write their UAV Standard Operating Procedures (which were due two years ago and have not been written) and get those UAVs out for emergency responses. DO NOT use them for enforcement purposes! Only employ them for spills and natural disasters. If you need help with writing the SOP and getting FAA approval there are plenty of former military that can help.	There has been a lot of talk about cutting NEPA because it delays projects. NEPA at other federal agencies slows down projects. We have a set timeline in order to comment on a NEPA document (45 days). Recommend consulting other agencies to determine what types of projects to Categorically Exclude from NEPA Review and get it approved by CEQ. Conversely, having the states oversee their own environmental laws would result in states suing the hell out of each other for damages. Even if we screw up (in the case of Flynt, MI) we still provide the fear that we could take back the

AMERICAN OVERSIGHT

	I
364	Not at this time.
365	UAVs to reduce emergency spill response cost (see above). Use electronic signatures on official documents. Lawyers say it is illegal at EPA. Our military uses digital signatures. Again, find dumbass lawyers like this one and fire them. Get electronic signature up and running. This will save paper printing costs, AND it will save on having to contract out a "records center" that stores paper copies at each region. Standardize...standardize...standardize. Stick to the standards. Why does one region have an EJ section of 30 personnel and another has no EJ Section at all? Why would a Region need Endangered Species law

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
366	365	5/3/2017	Don't punish a region for spending less that their budget by cutting their budget for the next year. We should be rewarding regions.	Because diluted bitumen crude has different physical properties that regular crude, it needs a different leak prevention and clean up response that regular crude and therefore should have strict requirements and the local communities should be informed and trained appropriately.	Remove exemption on oil and gas waste Require ground water sampling before and after gas drilling begins. Require oil and gas drillers to recycle their waste water. Require publically accessible CO2 monitoring at power plants. Require site wide output based emission limits of 800 lbs CO2e/MW. Ex: Palmdale Energy Project Retire fossil fuel subsidies and meat and dairy subsidies. Tax carbon.	Take advantage of purchase reward programs to earn points toward discounts on future purchases Paint the Addison facility and the Houston Lab roof white to save on energy costs in the summer. require Low rolling resistance tires on all cars. replace can light bulbs with energy efficient light bulbs. Allow the option to buy nonrefundable plane tickets which can be half the cost of non-refundable. Currently we are only allowed to buy nonrefundable and yet we do not cancel flights nearly enough to justify the added cost. change the dress code to allow for more weather appropriate clothing so we don't have to pay for AC as much. low flow shower heads and	Utilize the video conferencing equipment we already have. We are spending too much money flying to DC all the time when we could just have video conference meetings. GSA has even more sophisticated equipment and have offered to share their meeting rooms with us. We could travel to a GSA office instead of DC.	
367	366	5/3/2017	The EPA's recent removal of climate change information and the reassignment of EPA staff working on climate change is a huge mistake. Climate change is the biggest, current risk to all life on the planet. We know this. We caused it. We can change it. But delaying action and allowing greed (more profits at the expense of the environment) to interfere are the wrong choices. EPA's Administration does a disservice to current and future generations by ignoring and denying climate change. I urge the EPA's Administration to listen to its own experts and follow their advice.	Working with partners is a great idea, but EPA should continue to lead the nation and to set an example for the whole world on how to combat climate change. Ceding our role as a protector of the environment is not an option.	EPA's budget should be expanded and staff should be added. EPA's mission is critically important to the nation and to the whole world.	Removing or retraining leaders who do not understand EPA's science, facts, and mission would greatly increase the efficiency of the agency. Being led by people who do not understand or do not want to understand scientific facts is hugely problematic and a waste of effort when other qualified leaders are available to lead the agency.	Online training and presentations could be used to train leaders who do not yet fully understand EPA's mission and science.	EPA's budget should be expanded and staff should be added to amplify the good and critical work that EPA is capable of doing. This would increase the efficiency of our fight against climate change.

AMERICAN OVERSIGHT

	I
366	Half of the 8th floor is dedicated to storing paper records. This is a waste of rent money. We need to move to digital record keeping.
367	Yes, the EPA's administration should accept and embrace the science behind climate change. If they are unwilling to do so, they should resign and offer their spots to other qualified leaders. The mission of the EPA is more important than one person or one administration or one political party. The good of all US citizens, all world citizens and all life on the planet far outweighs the benefits for a small group of misguided extremists.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
368	367	5/3/2017	National rules written without adequate input and /or adequate consideration of input from Regions, states, the regulated community and the public can hamper our ability to be "nimble" and to appear "in-touch" with our communities. It is important to have BALANCED input from all before making decisions. It is also important to recognize that while it might be desirable for public health protection purposes to move from point "A" to point "F", in many cases it is more "regulatorily sustainable" to move from A to C and then evaluate the results and look for future opportunities to make additional progress, as needed It would be a mistake to conclude that EPA can function best through a centralized, consolidated office in DC/RTP when most of our stakeholders live in a world/culture which is far removed from that environment.	We need to improve our ability to explain complex issues in every day words that our partners, regulated community and public can understand (must be based on the best science available). Science and facts are important and should be given high value. The policy that surrounds them can be flexible but should be well-explained. It is also important to realize that there are many advantages of choosing a simply written rule that maybe only gets 75% reduction on risk/exposure or emissions over a overly complex rule that may claim get 90% reduction. The benefits range from better compliance by the regulated community to simpler explanations for the public and other stakeholders. We "missed the boat" on this choice in a number of areas.	We should focus our conversations on shared goals and complementary skills and resources. Sometimes we can't agree on all issues and that's ok. In those cases, however, it is important for EPA to establish a national regulatory floor so that there is a level playing field and certainty for industry (e.g. all states require element x for each like facility in a multi-state company) and the public (e.g. not matter what state I vacation in, my drinking water meets minimum federal standards). EPA should continue to focus on performance based standards that allow states and industry the flexibility to determine how best to get there.	EPA and all federal agencies are "punished" -not rewarded for managing budgets wisely and building surpluses of unspent appropriations at the end of the fiscal year. So much money could be saved if such behavior was incentivized (business acumen). Also, EPA's management of contracts is also not done as efficiently as possible. We don't always negotiate smart, performance based contracts, hold contractors accountable for poor performance and close out contracts in a timely way. There are also many obstacles to promptly addressing poor performers at EPA which is very costly to the taxpayer.	EPA is behind on electronic records and data management. Updating our approaches would allow us to be more responsive and transparent to FOIA requests and litigation discovery (save huge amounts of staff hours) and would allow our managers to better track progress on active projects through performance dashboards which could pull data from fully supported databases.	In areas where our missions overlap, incentivize managers to develop productive, collaborative relationships and to build cross-agency teams to accomplish common goals with specific timelines.
369	368	5/3/2017	The EAS procurement system is a nightmare. The centralization of procurement meant long delays. 30 year veteran of EPA, ordered >$350K of equipment, and its never been so bad.	Have EPA staff conduct field auditing and get rid of contractors. The contract work is not done at a high professional level, the contractors shift from contract to contract, oversight is a labyrinthine bureaucratic nightmare of memos and work order requests.	This is one aspect we are doing right, in my Region.	Get rid of non legislative programs.		

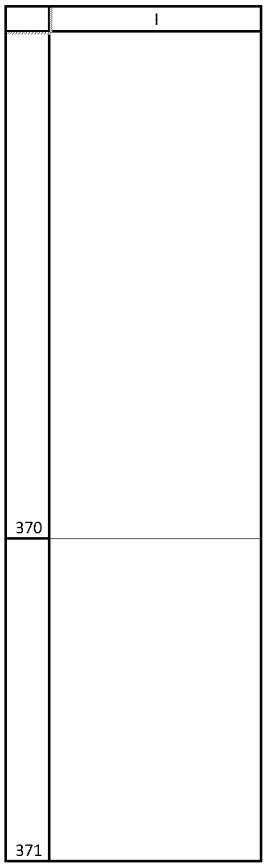
AMERICAN OVERSIGHT

	I
368	I think my Region does one of the best jobs of working with communities (states, industry, enviros and the public) to understand issues before taking any action. I also believe that our actions are moderated to the extent possible (see Q1 response) to take advantage of common ground rather than to push for extremes. Sometimes, relationships, commitments and incentives are the best approach (e.g. compliance assistance and the "audit policy"). However, there are some situations where nothing short of a firm regulation or enforcement action gets the results which are needed and in those cases, the Agency must act promptly and decisively. Do not underestimate the
369	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
370	369	5/3/2017	Look for opportunities to consolidate functions that are duplicative and flatten the organization to remove unnecessary management layers. Consolidate all mandatory training requirements in one place and make it easy for people to access and take training rather than getting many e-mail messages throughout the year telling you to take different required training. Centralize all administrative functions within each region and nationally to simplify and streamline these functions for employees. IE., Travel, Taining, Awards, FOIAs, IGMS, etc. should be done by a limited number of people rather than having so many high graded staff spending a lot of time performing these administrative tasks.	Utilize Sharepoint sites to collaborate and share information (may require more IT support). Maintain adequate funding levels to supplement state/local environmental programs which historically have had severe funding shortages within their agencies to address environmental concerns of the public.	Improved tools for collaboration such as SharePoint and improved data management systems to share information (requires IT investment). Again maintaining grant funding resources to assist these underfunded state/local programs.	Move to electronics records management and electronic signature concurrences. Invest more heavily in IT technology, support and tools to expedite work processes and move the Agency in the direction of operating a seamless mobile workforce. Drive culture shift from top down to promote mobile workforce environment which will ultimately save time and money. This includes moving towards hoteling of office space in the future (will need Union buy-in).	Electronic records management, Electronic signatures, expanded sharepoint collaboration. (We need to improve on the technology and functionality rights that we purchase with Microsoft Office). Leverage resources across programs to improve on data management and sharing of information.	
371	370	5/3/2017	I would suggest making the telework policy more flexible. I could do some work, make calls, keep up with emails, etc. on the train or at the hospital or even for an hour a day while on vacation. I could call into meetings and keep up with projects more easily while not in the office if telework did not require you to be at a specific approved location. That would be a huge efficiency for people.	We already do a really excellent job of partnering with most stakeholders. We could perhaps do more with the private sector through P3 guidance, but we need more direction on how to do that.	They seem to be most pleased when we visit them in person, so it would help to have more travel dollars for in person meetings rather than less like it is now. They really react well to interpersonal connections and seeing that we made the effort to come to them, visit their projects, see their cities, etc.	Again, more flexible telework policy. It saves the environment through less transportation pollution and saves costs by us not being in the office every day.	We use skype at work intermittently, but I think everyone should be required to sign into it (and we would need better wifi and assistance when it doesn't work). It makes it easy to instant message each other for quick responses and not waste time with phone calls or emails. Also, it would be nice if we could all access work emails	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
372	371	5/3/2017		Utilizing innovative technology more effectively; e.g. Remote sensors. Reduce the use of paper and create efficiencies using technologically viable solutions, especially for states, local governments, and communities that lack resources.	See Q 2 above.	Standardized technology across the EPA. There are too many EPA information systems that do not communicate with each other; therefore, you cannot - or it makes it difficult to - aggregate data and use it to make informed management or funding decisions.	See above for "technology adoption." Streamline business processes, using Agile and Lean practices, across media by standardizing reporting requirements from states, local government, tribes to the EPA. Processes are different from state to state and region to region.	
373	372	5/3/2017	The tendency to fund purchase card transactions and track them on an individual basis requires a significant amount of time with very little benefit gained. The agency should promote the use of blanket DCNs which is similar to how other agencies fund and code small purchases when they are purchased rather than when they are approved.			We need to continue to aggregate basic services performed by FTE's or contractor's in order to achieve savings. We also need more people who can integrate the functions that deliver a program or product. Program offices struggle to integrate the different administrative functions provided by the Agency. We focus on perfecting the function, while the program struggles to deal with several functions to try to implement a program. For instance, we seem to prefer FTEs to contractors without doing the analysis regarding whether the skills we need are long term or short term skills.	We need better project management and reporting systems that pull data from our multiple systems, so the program managers making decisions have relevant data when making the decision. Our systems aggregate information at a very high level and make it hard to integrate project information kept in multiple functional systems (People plus, EAS, IGMS, Concur, etc.). If decision managers had better project level data, more efficient decisions could be made earlier. The concern is transparency.	Consolidation of functions should continue. It should include simplification as well as consolidation. HR, budget, extramural, etc.

AMERICAN OVERSIGHT

	I
372	Implement a full telework program within the EPA and use better technologies we currently have (MS 365, Skype) so we can more easily accomplish our work regardless of location. Implementing an EPA-wide telework program will increase employee satisfaction, save employees money, time and frustration from commuting, provide a better work-life balance, and reduce costs by eliminating real estate holdings. By reducing our real estate footprint alone will cut costs by millions alone.
373	My understanding is that other agencies use blanket DCNs to fund small dollar level purchases. The driver for EPA to not do this is because budget staff (funds control officers) code agency purchases. In other agencies, the coding is done by the person who initiates the action. Using the funds control officer as a control point at this level drives transactions exponentially and significantly increases the resources necessary to track and fund relatively easy purchases.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
374	373	5/3/2017		EPA needs to be able to provide more funding in terms of grants and loans to these entities.We cannot do that if our budget is cut.		There are many long-term tenured EPA employees who are doing next to nothing and being paid for it. Civil service protections are important, but they go too far, in that we can't seem to fire employees who are wasting taxpayers' money and causing inefficiencies at EPA.		I don't think we have much overlap with other federal agencies and should not be realigned or combined, because the agencies check and balance each other. States and EPA have appropriately separate responsibilities.
375	374	5/3/2017	PURCHASING... when ordering items or consumables, a paper copy is submitted to management, then we have to wait for them to approve it (if they are not in the office we have to wait) then it goes to the back card holder who places the order. This can take a day to a week. The bank card holder will sit on orders until he collects so many of them and them he will place the order. If there is a discrepancy with the order it goes back to the originator and the process is repeated. There should be a common inventory of regular bought items/consumables and an associated vendor with each item. It would be better if there was an electronic way of submitting/approving and ordering items that would be faster, more effective and efficient. The originator should not have to do market research and should not have to find the cheapest pricing for consumable items. There should be some type of log or inventory region wide and for each division where someone can go into and request an item or items that will then	Each region should use a comprehensive data request and reporting tool. Many use LIMS, but I feel the agency should use a specific LIMS system where all data requests and reports would be the same process across the board. Many regions use different systems/software. ORD and the OW should find a more stream line process for approving analytical methods. At the end of the day we need to provide a product to our partners that provide exceptional scientific environmental results. The agency should provide updated guidance's on a routine basis and not every 10+years. The Lab certification guidance needs to be updated and approved to reflect the newer processes, equipment and methods.		We need more working managers/supervisors/team leads and not just those who oversee their employees/teams but those who are actively involved in there section/teams and who can work side by side with their employees.	the purchasing process really each region should be running the same processes and not doing things differently within each division. For example, the LAN network, each lab should be connected and have the same processes within security measures and equipment software programs that allow them to be the same as our own PCs/Laptops at our desks. This would allow scientists to work more efficiently in the lab as they would at their desks. All areas should be or have the same processes, training requests, travel, time keeping.	USGS shares science and the same environmental data. Though USGS has their own methods and protocols, maybe combining methods or having equivalent methods would better align our practices and research.
376	375	5/3/2017	I don't know of any	MY program is voluntary. Partners are rare..	WE do a pretty damn good job at customer service, if I do say so myself.		We could probably find a better travel management program than CONCUR.	I don't think we can do anything more.
377	376	5/3/2017	The most important factor that prevents me from carrying out my job more efficiently and effectively is a presidential administration that is working against protecting human health and the environment. I would address this by asking the top political leadership to resign and be replaced by people committed to the mission of the agency.	This question promotes the lie that we are not already working with states, tribes, local communities or the private sector. To do so more effectively, I would start by dispensing with this lie.	Add staff. Refrain from political attacks on the agency. Provide a good working environment. We can go further by not regarding people simply as customers. We are tasked with ensure the public's rights to clean air, clean water and a healthy and productive environment are upheld, not to sell a product.	I see untapped opportunity to protect human health and the environment. But this survey and this administration are not interested in that.	There are, as always, but since the intent of deploying such technology would so clearly be connected to job cuts at the agency, I have no interest in suggesting any.	"Realigning activities in areas of shared responsibility and mutual interest with other federal agencies or states" sounds like a euphemism for cutting jobs. So if the question is how could we accomplish more by cutting jobs, my answer is we can't.

AMERICAN OVERSIGHT

	I
374	
375	thanks for hearing us out and working with us to continually improve our goals and missions.
376	Not at this time. Sorry!
377	One "best practice" is to remove leaders who actively attempt to dismantle the ability of the organization to carry out its mission.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
378	377	5/3/2017	Printing of files, wastes paper, we should not have to keep paper files but digital files should be enough. Paper files take up too much space and paper.	The EPA should be able to sample air, water and soil with their lab and college labs using the correct qualitative method. Also, the state oversees the prisons wastewater and drinking water. Prisons most likely have trained prisoners running those systems and if they would like to report issues how can they do that?	Some might say travel more but I think digital video meetings are sufficient enough and could be used more often. The capability is the available but it could be used more often.	Less paper files or no mandatory paper files. Too much paper is required. Expertise in house. Do not print any paper but use tablets glow readers to read PDF's. All trainings and workshops should be recorded to be used for others at a later time..Meetings that are recorded should be recorded with a video camera and have great sound and great picture quality, because not everyone in the office can travel to that destination. We have a video man in external affairs lets use him! More good quality film and recording to connect with others.	We should keep the Houston lab and use less contractors just change the location if the lease is not going to be renewed.	Working with other federal agencies is important more planning can be done and promote the use of max.gov. Have quarterly meetings with other federal agencies employees that are in the same area in your agencies funding people, lab employees, and be aware how each federal agencies connect with you and affect one another.
379	378	5/3/2017	It takes a minimum of 3 months to place a work assignment, task order, or delivery order onto an existing contract. This causes slippages in schedules and is inefficient and an inhibitor for completing projects. This time should be reduced to 3 to 6 weeks. Also, after a certain point in June, during the end-of-year auditing period, no new contract vehicles can be added to existing contracts without an extraordinarily high management level approval. This process should be reviewed and re-engineered to be more efficient and effective.	We should cut the amount of funding provided for research grants to academic organizations (universities and colleges) by 60% and transfer those funds to in-house research and development projects. There is no overhead when using in-house scientists and researchers, as their pay and benefits are already paid for, and this will reduce our reliance on grants and contracts to accomplish our research mission.	In our research and development projects, we should develop more research programs based on the community-based participatory research (CBPR) model where scientists and community members work together to design, implement, analyze, document, and present research that is relevant to solving community environmental issues. Good science and relevant science is accomplished through this approach.	Our hiring process is slow and cumbersome, and this prevents us from attracting and retaining highly-skilled research professionals at EPA. The periodic and regular hiring freezes provides uncertainty to potential research candidates, and they respond by accepting job offers in academia, industry, or other federal research and development agencies.	We should upgrade some of the models that have been developed in older programming languages such as FORTRAN to more modern (and supportable) computer programming languages such as C, C++, Java, Javascript, Python, etc. Converting a program from FORTRAN to C or C++ would save approximately 40% of the storage space required for the program and would increase the execution speed of the program by at least an order of magnitude (10 times). Also, there is a large base of capable programmers in these modern languages, making it easier to find in-house staff or contractors who can further modify and develop these programs.	Our Office of Air and Radiation, Office of Water, and Office of Research and Development should work more closely with states and tribes to implement air pollution and water pollution (prevention) programs and strategies. We should work directly with states and tribes, through some sort of working alliance, to develop procedures and processes so that they can properly implement the laws and regulations and statutes relating to both air pollution and water pollution.

AMERICAN OVERSIGHT

	I
378	People often forward their phones from the office to their personal cell phones...Some agencies have their phone connected to their computers so you do not have to forward your phone when you work from home or on travel. The price of plane tickets is more expensive for federal employees....
379	We should develop a standardized approach towards model and software development. At the present time, we have only general software development/model development guidance, and that guidance is not specific and does not incorporate the modern software engineering principals that lead to easier to develop, deploy and maintain software. We could use an approach such as the Capability Maturity Model (CMM) developed by and for the Department of Defense for developing software development capability.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
380	379	5/3/2017		In OPP we've communicated well in the past with all of the partners listed here, including industry. Recently we've moved away from that as a result of complying with senior manager demands to make non-science-based decisions - these senior managers from the previous administration are now mostly gone. To fight this issue, we need current senior managers to take an unbiased view, which I currently do not see. We need to stop making radical left environmental decisions which cost industry money unnecessarily, but we also have to stop pretending real risks don't simply because the fix might be expensive. Bottom line recommendation, be honest in decision making from both perspectives which will bring us back to a point where we were a decade ago when each of these partners had significantly more trust in our decisions, whether	See response to Q.2 and Q.7. A decade or so ago people often disagreed with our decisions, but the decisions were transparent ad clearly science- or benefit-based so there was more trust between EPA and these groups. This has changed over the past 2-3 years dramatically because of radical, scientifically-unsupported decisions made by the Agency. This needs to change to increase trust again. But it has to change in BOTH directions -- don't create un-real risks, don't hide real risks, and be transparent in all decision making what the risk-benefit balance is that drove the decision.	Get rid of redundancy. OCHP, NCEA, OEJ, and consider themselves to be the police of other parts of the Agency - much of their work is duplicative of work done in other program offices, but done from a different perspective / viewpoint where they are not responsible for the consequences of their decisions. I'm not suggesting firing the staff, but am suggesting moving staff as appropriate to other parts of the Agency which will avoid duplicative work, and where they will be held responsible for any decisions they make.	(1) Cross-EPA ability for electronic signatures, (2) Increased required real training rather than fluffy training, e.g., how to use tools such as Excel to its full advantage	As in a previous response, OCHP, NCEA, OEJ work is mostly duplicative with other offices where the real responsibility lies. I suggest phasing out those programs, without firing people unnecessarily, but moving them to different areas where they would be more useful.
381	380	5/3/2017	Honestly, things had been moving pretty smoothly until the transition team came onboard. The additional briefings and approvals needed for what we consider "routine" activities has been quite frustrating and counterproductive to cutting out the "red tape."	Based on my experience and talking with co-workers, State/Tribes/Locals, etc. seem to work well with EPA staff. The problem comes in when Senior management has to make decisions, but can't because of the political gridlock above them.	I work with the money, so delaying the budget (as far as getting one approved) is always my biggest challenge. Grantees can't strategically plan well if they have no figures to base present and future needs on. They really need to know, at least 6 months to a year in advance, how much money we'll have to give them in support of their programs/projects/activities. Working on continuous CRs is not efficient (AT ALL) and the grantees are the ones who suffer the most.	If you want to make cuts to save money in the budget, then we should really be taking advantage f the Telework program. There's no reason why EPA (or any government agency for that matter) should be renting more office space than is absolutely needed to maintain a cohesive staff for that Office/Division/Section. Not only would that save the tax payers money in overhead cost, but it would cut down on sick days, etc. Most of us already work independently and communicate via email or phone - even if the person is only a couple of cubes away.	Yes! Pretty much everything we do is electronic so certain policies requiring us to still maintain paper files and records is somewhat outdated. I understand why having hardcopies is important, but it just adds to the deficit (i.e. storage expenses). Maybe we could have EPA staff start utilizing the existing databases to store electronic records and one entity in HQs could act as the HUB, if you will, to make paper copies and maintain (per the records retention policies) so we don't lose everything in case all electronic devices fail one day. Could help make FOIA's more efficient as well.	The only thing I can speak to is regarding tribes...Instead of having Tribal funds that are allocated for the various individual media (Air, Water, RCRA, etc), EPA staff working on Tribal issues should be located in the Tribal Office and coordinating with the technical staff in the other media. For example, I work with Tribal Air Grants and these funds tend to be an afterthought for the overall program because the States take most of EPA's attention. However, Tribes feel more comfortable working with the Tribal Office, because they make them feel like a priority.

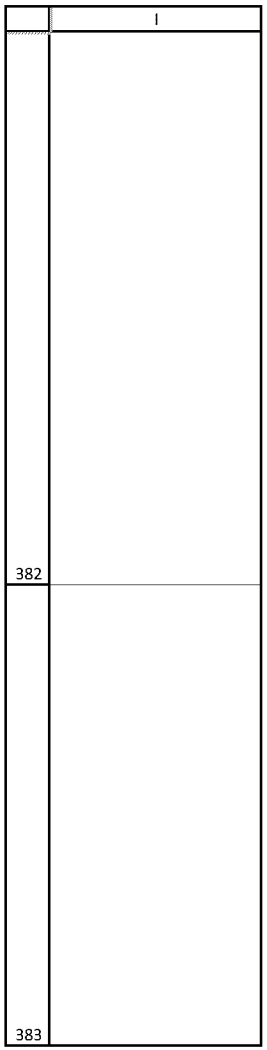
AMERICAN OVERSIGHT

	I
380	Many scientifically unsupportable decisions have been made recently by EPA, mainly driven by senior management from the previous administration who are now gone. However, there are still people who will bend/cherry-pick the science to get answers consistent with their view of how the world should be, as opposed to those supported by the science. This makes us all look bad, when it's really only a few. To minimize this, I suggest that for major chemical decisions (e.g., chlorpyrifos), scientists be allowed to anonymously provide information to decision makers at senior levels which might be different from the party line they're hearing. I think this
381	Please refer to the answers above. If you implemented some of these suggestions appropriately, you could get more staff buy-in to skip a few yearly pay increases (for cost of living) because we'll be able to save money by not having to drive into work (gas & parking money) - not to mention, the travel time wasted going to/from the office. This not only would help cut down on vehicle emissions (which is one of EPA's goals - or used to be) but it would help with staff moral.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
382	381	5/3/2017	The Superfund Records system (SEMS) could be vastly improved for efficiency. Currently it takes a great deal of time to enter a record into the system. In the past before this system came along you could put a cover slip on the document and submit to the records center for entry. Now all the data entry is essentially the responsibility of the Project Manager who are typically at a GS-13 salary. This is not an efficient use of their time. Other electronic systems such as people plus could be improved. Sometimes it take a long time just to submit a leave slip because the data entry is confusing and not straightforward.	I actually believe we have a good working relationship with states, tribes, and local communities.	I think one thing that could help is to offer more training to these entities, particularly in the Superfund Program, so that these groups better understand the CERCLA process and our restrictions and limitations on how funds can be used on cleanups implemented.	I have been in the Region 10 office for over 30 years and I think continuing to maintain a region 10 dive team is a very large cost and not particularly necessary. All told there are probably over 30 people involved in this program, multiple vehicles and boats and state of the art equipment. In addition all these people go through multiple training sessions every year. EPA contracts out nearly all other services of this type so it has never been clear to me why we have EPA personnel conduct this work. Many options exist to contract out this work whenever needed.	None come to mind	
383	382	5/3/2017	There are too many administrative tasks placed on employees that reduce the amount of effective 'real' work time we have. Much of this should be shifted to administrative staff. We also need to find ways to streamline concurrence of documents, delegations. We also have too many electronic tools with too many different passwords that we spend too much time setting, changing, fixing when forgotten, etc. There are too many non-core work related days that pull people off their real function. how much food events should we have? Between internal festivals and appreciation days, we lose weeks of valuable time with no benefit I can see.	Put EPA staff on details to state agencies to better understand how that organization runs.	Get rid of hotlines and let employees speak to the public so we can better understand their complaints and needs.	Get rid of the dead wood. There are people who haven't performed in years, but here they are earning GS 13 salaries. Their lack of performance places a higher workload on others and they make the office an unpleasant place to work.	provide more cell phones. put more AV equipment in rooms so that we aren't having to borrow and relearn how to use projectors, etc.	too many agencies do the same emergency response to the point that we are falling all over each other and can't accomplish a thing.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
384	383	5/3/2017	Organizationally, we are fairly streamlined with few obstacles to being able to perform my job efficiently. One thing that could help, being out in the field interacting with responsible parties and contractors is very helpful but often times, our travel budget is too tight. Sr. management seems to be able to travel at will, perhaps at the expense of mid-level people that actually do and oversee day to day operations. This answer is based on continuity of operations as they have existed over the past 20 years. The answer would be significantly different if you were asking me what I would do to make real, lasting change to the agency's operations.	The grants we give to states and tribes can be effective and achieve great results, but, all too often, states and tribes want and pander for the money but, want the money we give them with "no strings attached" or no real accountability from states and tribes for what they do and accomplish with our federal funds. I would make any and all grant funds carry very strict accountability language for states and tribes with measurable outcomes built into the grant language. This includes the State Revolving Funds that often contain millions of unspent dollars. States and Tribes like to "bank" that money for supposed future usage, but, they are largely unaccountable for the money the Federal government has provided them.	For the public, we need to communicate to EPA staff and management that we work for them and not against them. I would make it mandatory that all public phone calls be returned within 24 hours and all written correspondence from the public be replied to within 7 days, even if only to acknowledge receipt of the correspondence and let them know a more detailed response is being prepared. All too often, the public calls or writes to some government staff person, then never hears from them again. This is very poor service.	There are many programs at EPA that truly are a waste of tax payer dollars. If I were to be given full control of the agency, I would prioritize each program (and individual projects) according to immediacy of threat to human life and measurable benefit to carrying out the project. There are programs within the agency that have huge sums of dollars appropriated to them (Superfund and underground storage tanks for example), but that there is no real immediate threat to human life or health by not spending some of those dollars on specific projects. Projects should be evaluated based on how they can alleviate immediate risk to human health or life, how they can alleviate some long term health effect and,	Many cleanup sites should be evaluated based on actual risk, short and long term, to human health and the environment and monies spent on them should be prioritized accordingly. Cleanup sites are like fires that have been smoldering for many years. If a cleanup site has hot flames and poses real and immediate threat to communities, then that site should be given a high priority for funds being spent on it, but, if like most of the cleanup sites, there is only remnant smoke from a flame that once burned hot, but the site poses no real or immediate threat, then that site should be given a lower priority for spending of funds, if any should be spent at all. A risk-based approach should be implemented on all projects.	This is a tough one as each agency or government entity functions as a stand alone business or profit center. Each entity will always act in it's own self preservation interests, similar to how the various branches of the military view one another. If there were some way to make each entity more keenly aware of what things actually cost and make them weigh that cost with actual need, it would help. I do not know how this might be accomplished when the government is set up on these use of lose budgets each year. Managers of agency departments act first in self preservation, so will
385	384	5/3/2017	EPA is a science-based agency with a long history of protecting the environment, while also promoting economic development. EPA has helped reduce air and water pollution significantly over several decades since its creation, while GDP and other economic indicators have grown considerably. Our country enjoys more prosperity AND a cleaner environment in many respects. The toxic political atmosphere and agenda being pushed by the current administration is counter to the EPA's mission and disrespectful of EPA career staff, many of whom are experts in their respective fields. Shifting priorities and uncertainty from management is extremely counterproductive to staff completing their work and providing value for the American taxpayer. The direction and nature of EPA's work should not change with a new political administration or shifting political winds, but rather continue to be based on a firm scientific foundation. EPA officials with extensive scientific backgrounds and credentials	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.

AMERICAN OVERSIGHT

	I
384	I would start by questioning everything an agency does and get to the root reason for each agency action. I would set up some sort of agency prioritization list of actions based on immediacy of threat and need and appropriate staff and resources accordingly. Many agency programs that have been in existence for decades could probably be put to rest and unfunded as they serve no real public need or public benefit. This sort of prioritization would need to occur across the entire government and all agencies.
385	EPA officials with extensive scientific backgrounds and credentials are needed to help provide clear, consistent, and scientifically-based direction to the agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
386	385	5/3/2017	I???m at the top of the GS scale; so, ideally, I should be spending as much of my time as possible producing results for the Agency that match my pay grade. But I spend a lot of time on support services such as scheduling, meeting logistics, document management, records keeping, administrative travel functions, resolving IT issues with computer/phone/video conference equipment, etc. This problem could be resolved by hiring people who specialize in these support services and adequately training them to do their jobs.	Working well with outside parties requires relationship building. We need resources for travel, conferences, and training to build relationships with these parties, exchange ideas, and work together. We also need resources to be responsive to these groups. For example, when a state asks us to streamline our regulations to match the state???s regulations, we need to have the staff on board to do the job. A similar example is that the auto industry gets frustrated with the systems in place for manufacturers to submit data and information about their vehicle fleets, but we don???t have the staff or the contract support to upgrade these systems.	This Administration seems confused about what our core function is. Our core function is to fulfill what Congress has asked us to do by statute. Our core function is to uphold the law. Our core function is to protect public health and the environment. The staff who remain after the budget cuts of the last several years are holding on by the finger nails to fulfill these true core functions. Focusing on small businesses, industry, and states may be great public policy, but we can???t do it without adequate funding. We need the staff and resources to meet our true, core obligations, and then we need additional funding to fulfill these added policy goals of working more closely with states/industry/etc.	Create a more meaningful system of performance review. Reward good performance and create a path to dismissal for poor performance. Do more to attract, maintain, and motivate good employees. Create a culture of accountability. Providing employees with adequate support and resources says, ???You???re a professional. You???re accountable.??Â Not providing adequate support and resources says, ???We won???t even provide you with the most basic tools to do your job,??Â which creates a culture of ambivalence, and doing just the bare minimum	???We need an efficient, user-friendly system for approvals. It???s archaic that we still use paper sign-off packages. Ideally, the system/software would have a process for approval of packages coming up from staff, as well as a process for incoming correspondence from citizens and Congress. ???We need in-house, in-person tech support for videoconferencing and computers. ???Professional staff should be equipped with smart phones. The phone is essential for teleworking ??? without it, we have to use our own personal phones. The phone would make us more responsive (to each other within the Agency and to outside parties). It would enable us to manage email more effectively. It would	We need more transparency about who???s doing what. There should be a searchable federal database that lists all government agencies and offices and what each one does. For example, if I???m working on a project about ship emissions, I should be able to find any other EPA office or federal agency who works on similar issues.
387	386	5/3/2017		Protecting our environment and public health is a complex situation with many stakeholders involved. Greater communication and engagement between all entities (including EPA) is needed. I suggest greater emphasis on multi-stakeholder, collaborative, decision-making to come to better environmental outcomes. These efforts take time and money in terms of meeting capacity, facilitation required, travel funds required, etc.	Good customer service means having a good understanding of what is happening in the field and out in our communities. EPA staff need more travel funds to be on the ground in the communities we serve so we can better understand the public health and environmental issues which our States, Tribes, and local communities face. In addition, having EPA staff interact more often with the regulated public builds trust and can more quickly resolve issues by all-party problem solving. EPA staff could better understand the issues the regulated public faces while the public also could better understand EPA's mission and what our job requires us to do.		Technological advances is incredibly important to getting our job done. EPA staff should have easy access to updated laptops, monitors, easy access to more IT platforms than just Microsoft products, and provide sufficient IT resources so teleworking can be accomplished. Video technology is moving rapidly so communicating more often and with better resources for VTCs internally and with external partners.	

AMERICAN OVERSIGHT

	I
386	???To achieve more of a private sector mentality of efficiency, you have to provide EPA staff with the resources they need to do the job. Set clear goals, and give staff the tools and support they need to get the job done. ???When you strip the agency of staff and resources, you create a culture of ambivalence, and you don???t attract or keep the best talent. ???Give staff the tools needed to do the job. Don???t pay an attorney???s salary to do the job of secretary, legal assistant, janitor, HR specialist, etc.
387	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
388	387	5/3/2017		For emission limit exceedances, state and locals should report the penalties paid per pound of excess emissions into a centralized database for review by EPA. This would help ensure a level playing field across states, and increase accountability to ensure these serious violations are properly addressed.		Better electronic data reporting, particularly for emissions data. I would envision something similar to what was done with the GHG reporting rule, where data was electronically submitted and there were checks for accuracy on the spot (like a facility reporting more than 8760 hours of operation) and other things that were flagged (like using an emission factor outside the normal expected range for that source). This would take a while to implement, but eventually would help streamline reporting and compliance reviews. A system like this should flag reported noncompliance (i.e. emissions reported over the limit) for follow-up by a compliance officer.	Electronic sign-off of official documents (at least through sign-off chain up until the final signatory).	
389	388	5/3/2017	Some contracting service centers administer too many contracts and other contracting service centers administer too few contracts. Let's try to blance the work load.	Let's encourage the private sector to propose solutions to make environmental remediation less expensive.	Encouraging a more open communication environment between stakeholders and EPA employees with expertise in certain program areas.	Yes, lest's reduce our existing office space. We should encourage more EPA employees to work from home more often. This has been done successfully at the General Services Administration. This would reduce each EPA employee's impact on the environment by reducing his/her use of agency resources and decreasing his/her need to travel too and from work on a daily basis. We need to take a more proactive approach to utilizing agency resources more efficiently. We could reduce the amount of office space that we would need if we would encourage EPA employees to work from home on a more regular basis. If we reduce the expenses associated with	Let's try to reduce the use of in-person conferences. In these times when many meetings can be held using Skype and Adobe Connect, let's reduce the need for traveling to conferences.	We should take a look at ways to combine the functions of the Department of the Interior, the Environmental Protection Agency, and maybe the Department of Energy into one single agency. Perhaps we could combine some of the functions of the EPA and DOI into one agency. And then we could combine portions of the EPA and the Department of Energy and the Bureau for Mining Reclamation into another federal agency.

AMERICAN OVERSIGHT

	I
388	
389	Let's use a budget based approach to account for more of EPA's productivity. Let's show how much we spend for each of our major activities.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
390	389	5/3/2017	Concur is a cumbersome programs. A lot of time is spent to make sure that things are updated correctly. If there was a way that we could cut down on the steps that it takes to get traveled process that would save time.	I think it would be helpful if we could do more joint projects with these sectors. For example, our voluntary programs have traditionally been helpful in getting results from industry in a way that is a win-win for both sides. For tribes and local communities we need to keep our investments in these areas, as we have found in the past that local on-the-ground community based work is most effective in addressing environmental and health challenges. Additionally, this model allows tribes and local communities to self sustain their work. I think it would be a great idea if we could fund more site visits to industries. Rule writers and others involved in the regulation process have seen their ability to conduct site visits, be reduced due to decreases in travel dollars. It is imperative that we have on-the-ground exposure to the industries that we are	I think working with them directly at both the regional and HQ's level is most appropriate. I found that these stakeholders like to get information directly from us and like to be involved in the rulemaking and voluntary program design process. Public hearings, tribal consultations and one-on-one meetings are most effective. Ensuring that vulnerable communities have a seat at the table is especially important, as these communities often do not have the means to come to us.	I think if we can get technology (i.e., I-pads) so that we can become as paperless of an agency as possible that would result in a lot of cost savings. Also, if we can move away from printing materials as much as possible, that would not only help save money, but also protect the environment.	As I mentioned above our computers and other technologies are medium grade. When we take our laptops off of their docking stations they often do not work and it takes a long time for information to come back up. I think if we made the investment in higher quality computers and I-pads or another type of device this would make staff more efficient.	I think that we need to have on the ground conversations to discuss paths forward for getting work conducted collaboratively. We do currently do a lot of work in close contact with other federal agencies and states, I think we should highlight those current success stories and work to replicate them.
391	390	5/3/2017	Reduce reliance on delegating duties to outside contractors and to the practice of performing work by agency employees, or, at least, with in-house contractors. The move towards gradually relying more and more on contractors has resulted in increased costs and longer timeframes, overruns that could have been avoided if work had been performed in-house.	Better communication with these outside parties, and accountability on both sides for living up to obligations.			Update servers and computer systems to ensure proper preservation of records for FOIA and legal discovery purposes.	

AMERICAN OVERSIGHT

	I
390	I think the HR model in the private sector is an effective one. We as managers are often limited in actions that we can take to address conduct and performance issues. These limitations result in a lot of time of management time (that could be used for other activities) and results in poor morale in our areas, because performance and conduct issues impact the whole area that we are responsible. Also, I think more incentives need to be placed on employees to work in teams. I came from local government and the private sector before coming to the agency and in those entities team work was valued and encouraged. At EPA team work is valued, although are awards (sometimes) and
391	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
392	391	5/3/2017	I have a recommendation that the HR department at SSC RTP would create a Records Management Section to manage the day to day (uploading of documents, etc), backlog and management of eOPF (requesting missing records, close out, etc). Currently the bulk of this work is managed by ESS. For this work to receive the full attention and to meet agency needs a section properly trained and staffed with defined processing in place would aid in better results during audits, employees expectations and timeliness of availability of documents, and constant pressure to manage workload with these added duties. There truly is enough specialized work in this area if employees are just moved around. Flexibility in the work staff and cross training will only better a employees resume and ability to be the best HR Specialist well rounded able to fit in where ever the need.	na	na	na	na	na
393	392	5/3/2017	We have too many "mandatory trainings" to complete every year. Many are too long and redundant. Classes have deadlines for completion, or we are on the "bad" list. Taking all of these trainings (every year) is disruptive to our everyday work. Maybe EPA could require each employee to devote one whole designated day for all the training classes required each year, so that we are not constantly reminded via e-mails and through our managers to stop what we're working on and complete this one, then next week another one, etc.	Travel money is extremely limited and managers use up most of it. Let the Staff who actually do the work get out and meet with some of the stakeholders and talk with them. Ground level communication is helpful; trickle down communication often garbles the messages (if staff gets any message at all).	Stop rotating managers all the time. Some rotation is good (cross training is good), but we have too much at the agency. We have some managers who come in for a short period of time and dont know anything about the program they are managing. Staff has to teach them what is going on -- this is very inefficient - and impacts communication to our customers. Managers need technical backgrounds to manage technical programs and people. When they dont, they dont understand the issues and then sometimes make inappropriate decisions, impacting our customers.	Stop with all the "fancy" projects and stick to implementing the basic programs required by the statutes. Cut back on all the volunteer training classes that occur during the work day; voluntary lunch-time training is fine (it's on the employees time), but many volunteer training takes place during core hours. That takes away from time we should be doing our required duties.	Group computer updates - and make them happen on sign-in. We get messages every other day requiring us to stop working so that another computer update can be installed. We have to stop what we're doing, save our work, let the update occur, then reboot the computer. This is really disruptive and time consuming -- and incredibly inefficient to have to do during the middle of the day. Group them, and force them to occur upon signing in (in the morning), before we start working.	

AMERICAN OVERSIGHT

	I
392	na
393	It would be great to have more Administrative Assistants to perform administrative tasks. Technical staff should be doing technical work, not printing envelopes and licking them shut (which we do, since we dont have enough administrative staff to help).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
394	393	5/3/2017	Most of my colleagues are challenged by the low level of funding we have been forced to operate at for the past several years. Our computers and IT system, in particular, are outdated, slow, and inefficient. A one-time investment in bringing the agency up to 21st century computational and internet standards would do a lot to help me do my job more efficiently and effectively. The current requirement that headquarters oversee nearly any significant issue/development severely hampers my ability to efficiently and effectively do my job. Forcing me to brief headquarters staff, many of whom are interacting with our environmental statutes for the first time, requires that I take time out of my busy day to brief staff who don't have a full understanding of the issues.	The states want money, full stop. If you want states, tribes, and local communities to achieve "better" environmental results, then give them more money. Cutting budgets has a place, but the agency is operating at 2011 funding levels and 1989 staffing levels. There aren't a lot of places to save by simply taking away. Give the states more funding and they'll want to participate more and, in many cases, do the job faster than we can.	States, tribes, and local communities are not "customers," they are stakeholders in a healthy and protective environment. The agency is already very responsive to these stakeholders. My idea is to continue what we are doing: building healthy and cooperative relationships with these stakeholders, providing them with the funding they need to protect their local environment, and continuing to provide top class oversight when we do.	Reinstating the Superfund tax on oil and gas would reduce costs at EPA by giving us the funding needed to cleanup sites quickly, efficiently, and effectively. Right now, reliance on PRP funding requires us to delay cleanups in order to prioritize chasing funds. It also requires us to go through lengthy reviews of fund-lead cleanups that delay the cleanup while headquarters reviews our plans through several layers. Additional funding for the CERLCA trust fund would give the agency the freedom to more effectively and efficiently clean up contaminated sites.	We could use better IT software and hardware. We could avoid political attacks on effective systems like IRIS.	
395	394	5/3/2017	Immediate Division Directors budgets are controlled (micromanaged) by Senior Management. They hire these directors for their expertise. They need to let the Directors make the most efficient and accountable use of their Division budget without letting politics and too much company policy get on the way thru all the layers of approval. The role of the on site representative in construction contracts needs to be either eliminated or defined in the CFR (Code of Federal Regulations). This title has been used for years at EPA for construction projects funded at HQs level but monitored on the field by local EPA offices. Some redundancy could be cut or managed more efficiently and with better accountability.	EPA should do more partnership work. For example, we own a facility that is located at the Metropolitan Sewage District, with all the access to treatment plants, ideal for pilot research and development studies in association to water treatment technologies. The EPA could do better partnerships for the utilization of this facility but first the facility conditions would need some investment to bring up to codes and productive environment to attract partners. Also, federal government agencies/departments need to do a better job to work together. They have plenty of resources that they can share - from people to similar interests and space. Our facility space currently seem a little underutilized. We just went thru a major mechanical renovation that cost million of dollars. Why not allowing other	Be more present and engaged in the community, listen to their needs/concerns. There is too much hiding and layers placed in between to reach authority figures, particularly with the use of computers. The use of computer "customer service" sites has alienated the human treatment / rapport / aspect hence creating detachment between regulation/or and ultimate group/people impacted. People don't talk any more, common sense is for most part lost in the multiple policies been used all around. If regulations are dictated to the real world, why don't the ones placing the regulations follow them too? Because the cause too much money for taxpayers of course! This approach, that has happened for years in the government also put engineers in bad spot as sometimes they could be asked not to follow codes and regulations.	Balance in types of contracts been used by Agency. In the recent years there have been a push to move to performance based contracts and IDIQ contracts. While I am not saying this is totally a bad idea, a closer look should be taken as to what situations are these contracts better to be used. For example: IDIQ Contracts use could deter or impact small business participation, specially those labeled as disadvantage. When these multi year, multi cost contract are awarded they facilitate government work but they also diminish the distribution of money to develop community businesses. They can also lend themselves to abuse by the winning contractor by	The Contracting process leaves out in many instances the COR. Once the PR is entered to fund a project, as COR, in many occasions you are not notified when the procurement is out for bid or negotiation until contractor(s) start contacting you. Flexibility to move skills at work, rather than grades or pay series would be good. Information sharing among peers would also be great to help develop knowledge and skills.	Take a look at common areas of interest, expand communication among leaders on those areas and open up doors for people to move easier not only inside their own agencies, groups but also at other agencies or departments based on skills not on position series. Bring back pride on work. Bring tours, consortiums, conference or some sort of clusters that can bring people together to brainstorm and explore opportunities to work together. Share the wins and the loses.

AMERICAN OVERSIGHT

	I
394	Reducing costs is not just an up front exercise. As the experience in Flint shows, when administrations take a myopic focus on the immediate bottom line, they miss the potential for astronomical future costs. Reducing costs in FY18 may seem attractive to an administration interested in "limited government" but it runs the risk of future problems erasing those savings. In Flint, short-sighted cost reduction plans led to the lead contamination, the response to which has far outpaced any initial savings. In other words, in an effort to save funds without thinking about the future impacts, Flint officials squandered tens of millions of state and federal dollars. Administrator Pruitt and
395	Rotate and train people often, but I am not talking about canned training, I am talking about experience training - good role models / mentors to learn from. Create a clear path for progress for your employees. People learn better by exposure rather than by threat. Have managers with genuine interest and knowledge on what they manage or lead, these are secure managers and bring thrust and esteem, rather than micromanagement and fear hidden among so many policies. Take a look at the retirement system, after a certain age and depending the type of work, are people been really productive? How can you use the institutional

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
396	395	5/3/2017	Contract reporting requirements are through the roof. Our IT people spend much of their time accounting for tickets, as opposed to actually doing the work to clear them. If we reduced the reporting (e.g. not having to report every two days that a ticket has not been cleared because I am on vacation for three weeks), then we might really save some money. The biggest problem is that the Agency is operating under threat of budget cuts, and staff reductions. It is impossible to do your job effectively if you are wondering if you will have a job in a few months, and difficult to plan ahead if you have no idea what your budget will be like in the future, and what staff you will have to accomplish it. We need to restore the country's faith in EPA science, starting with our own administration. When I started at EPA we did the science for the water quality criteria in house, because we knew that it would be done correctly, and in an	We need to put more money into communications. We talk about how important it is to communicate with the public and our elected officials in order to complete our mission, but we continue to run our communications efforts on a shoestring, often with re-purposed scientists, instead of communications professionals. We need improved communications to better market our research, but also to help us to make sure that we are doing the right research, the right way, and then getting it to the right people.	My model is to start working with the stakeholders before the research planning begins. Working with the stakeholders to find out what their needs are, then doing the research and developing the tools to meet those needs, keeping the stakeholders in the loop. Then you get the word out to the people who can use the new tools (not just in peer reviewed journals), and provide support in their use. Then you work with them to decide what the next problem should be that you can work on together.	One thing I would love to see us get rid of is false efficiency in centralization, particularly in administrative tasks and information technology. More and more the Agency has centralized admin and IT activities, which has allowed staff reduction and apparent savings. The trouble is that the work does not go away, just because the secretary has. Now, paperwork that was done in an hour by a GS-5 is done in two hours by a GS-13 (who is less efficient because they do not do it every day), at 10 times the cost. Of course, the cost is hidden, because the GS-13 was already on staff, but the cost in lost productivity and morale is real. With IT I spend time in contacting a central contractor, who then sends an email to my local	n/a	n/a
397	396	5/3/2017	Accountable management: There seems to be a pervasive leniency with 1st and 2nd line management on holding them accountable for performance matters. Poor managers tend to stay in their jobs and continue being poor managers. They do not appear to be held to the same standard and expectations as staff. Poor performance ranges from time and attendance (some managers are just scarce/not in the office) to an inability to lead effectively or even speak in group/public settings in a coherent manner. As a consequence, in some cases, staff "work-around" these managers, find ways of accomplishing their work in spite of these managers, or just plain avoid working with these managers. This is quite inefficient.	De-centralize the Regional offices and place-base staff in geographic areas of the Regions to support key state, tribal, local and/or stakeholder communities. An added bonus would be a reduction of costs in maintaining large Regional Offices in high-rent locales. We all don't have to be in the same physical space to do our jobs effectively! Technology is great (and cheap)	Again de-centralize Regional Offices and place-base staff in key geographic areas to support counterpart stakeholders. The old concept of having large Regional offices in large metropolitan areas has been rendered moot/obsolete by the plethora of technology available to do our jobs. We don't need large offices. We can be more effective being parts of "communities" - by working and living in areas proximate to our counterparts.	There's still a few "unfunded" mandates that linger and take resources away from the Agency's core job. If we are going to get back to basics let's re-invest in what the Agency does well which is clean up hazardous waste sites and oil spills - let's fix these problem sites so communities can safely rebuild and reinvest these contaminated lands.	We need to be able to use drones as platforms for sampling, monitoring, and assessing cleanup sites and responses. These are incredibly cheap and efficient and just about every other federal agency uses them. We can be more efficient (and spend less money) in doing our job.	Again - I believe de-centralizing Regional Offices and place-base more staff in key geographic areas (i.e., communities) of key counterpart stakeholders will significantly realign activities between other federal/state agencies. We need to be "members" of these communities to be able to be more responsive to our counterparts. We're too HQ focused in the Regional offices.

AMERICAN OVERSIGHT

	I
396	n/a
397	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
398	397	5/3/2017	Management can start by appreciating the hard work and dedication of the employees here at EPA. We want to apply the laws and enforce them however politics and big money distorts the facts and make EPA as the over reaching scapegoat. for example, The Coal industry....FACT, The Natural gas industry is killing the coal industry not The EPA!. Mr. Pruitt needs to step up and concur with that fact.	Being able to continue to communicate via phone, email and in person with them. I would like to visit in person and establish relationships with our partners. There has been no money for travel.	Travel dollars to visit and become a part of the community we serve...We have no money! and you're cutting funds by 31%. makes no sense.	Training and informing the public... I visit High Schools and most kids don't even know what EPA is. Lets do more public service announcements. Educate the public in what we do....put more eyes on reporting non-compliance of our environmental laws. Environmental Advocates are our friends...they have the money to take things further into investigating than the EPA.	Yes, put an internet channel in our schools.	Yes aligned EPA with the CDC. and The Office of Noise Abatement and Control (ONAC) was created within the Environmental Protection Agency (EPA) to oversee the impact of noise on the general public, However, In 1982, funding to ONAC was virtually eliminated, depriving citizens of federal protection against noise and its deleterious effects. I review projects and attend community meeting all the time. People mostly complain about is noise. We the Administrator to request funding to support the Noise program.
399	398	5/3/2017	IT is an issue. Our computers and software are old compared to the state of current internet requirements. For example, Internet Explorer is the standard web browser, but many sites, including some government sites return a message that the browser is no longer supported. It creates difficulties to have to figure out which software to use for each site. Frequently, we have to use government computer interface sites for administrative purposes, and they are only partially functional. I think it would help to have more extensive support for existing sites, and beta testing of new sites before they are rolled out to the workforce.	Funding is a major limitation for effective environmental protection. When we partner with sites, limited funds prevent fully characterizing potential human health risks. For example, we need methods to understand contaminants in wild fish and aquatic foods that many tribes subsist upon. However, we do not have funding to support development of these methods to assist tribes. We do not understand the extent of lead contamination in communities as funding is insufficient for localities and states to do the testing of children's blood and environmental sources of exposure.	See above, greater support for local programs would help them greatly.	I am not sure I have the big picture to be able to answer this. EPA has to be very careful with using science and with making rules because we always get sued when new rules are issued. The Agency culture is cautious and careful; care and extreme diligence adds costs to doing business, but at least we know the results will be robust.	Better IT function and some administrative support for senior level staff would improve efficiency and save money overall. Right now we have GS 15s making copies, taking out their own trash, doing some of their own travel legwork as admin. and janitorial support has been cut. Most office equipment is not functional (copiers, fax machines) as there is no money for maintenance or repair.	It is important to continue multi-federal agency initiatives and workgroups. By talking together on topics of mutual concern, we can better divide up work, have each agency focus of core strengths and abilities, and collaborate together on multidisciplinary end products.
400	399	5/3/2017						

AMERICAN OVERSIGHT

	I
398	Keep engineers and scientist trained and learning. Cross train them between other similar federal agencies and have funding to train and freely exchange professional staff.
399	We are getting very good at communicating among multidisciplinary team members. This kind of cross team communication and coillaboration is what will be needed to address the challenges of the 21st century.
400	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
401	400	5/3/2017	Travel and timekeeping responsibilities have been shifted from administrative staff to technical staff. This is inefficient. One administrative person employed at a GS7 level and trained in these tasks would be much more efficient than GS11 engineers and scientists taking care of these tasks.	Tribes need civil service protection for their employees so they are not simply fired every time a new administration takes over. They also need to offer better wages so employees stay. We wind up "starting over" with new tribal employees frequently.	Field offices would be a big help. Large regional offices with high rent, cost of living adjustments, transit subsidies, etc. are not cost effective. The Region 10 model with field offices in each state provides easy access to those we regulate and need to coordinate with. Rent for office space is less expensive, cost of living adjustments for employees are eliminated or lowered, travel for inspections and meetings is much less expensive. It makes EPA staff much more available to people who need their help.	Yes, in November, 2006 the Region 10 office conducted a study regarding the efficiency of their field offices. It clearly showed a savings of over $1 million/year to locate staff in field offices rather than in Seattle. This also provides the public, local, tribal and state governments much better access to EPA staff.	Electronic records; we still must print and keep a paper copy of official records.	CWA 319 funds should be taken from EPA and given to USDA Rural Development to administer; they have a very similar program and are much more knowledgeable about agricultural practices. AND USDA Rural Development Funding for Drinking Water and Wastewater infrastructure should be taken from USDA and given to EPA to administer. USDA does not understand what a good vs. bad drinking water plant looks like. They have built many facilities that do not meet the requirements of the CWA or SDWA from the day they start up.
402	401	5/3/2017				It appears some of the offices are having to give up office space due to excessive rent. Those spaces are now being provided to non-government entities, creating some security issues. What if we considered doing what some of the private sectors do, wherein they create a day care facility within the building in the open spaces for employees in the building, funding by those parents using the services - and excess funds going towards rent, etc? It would be significantly convenient for employees who have to drop off/pick up young children elsewhere in the large metroplexes / use public transportation. It would also be a great recruiting option for younger folks into the EPA		

AMERICAN OVERSIGHT

	I
401	EPA employees are held to a very high standard for ethics. This is appropriate and should be the case throughout the federal workforce. I could not even serve on a small local school board without prior approval of the ethics officer in my region.
402	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
403	402	5/3/2017	Because of all of the scrutiny of every EPA and federal employee- often exacerbated by politicians and people who have decided all EPA employees are focused on job killing and destroying the entire country- the administrative processes to do our jobs have become incredibly bureaucratic and cumbersome so that we are held "accountable". For example, to buy work boots so I can go out to sites and ensure the contractors aren't wasting tax payers dollars, I have to: put in a purchase request; that request must be signed by my manager, the purchasing official, an my associate director. Then I have to have the purchase card holder accompany me to the actual store because I am not allowed to use a purchase card- so now you have two FTE going to buy work boots. After all of that- it still didn't work out because there was a person in HQ that needed to authorize all of this. So I ended up paying for my work boots out of pocket and am hoping to get reimbursed.	Don't hack our budget because most of our monies end up in the hands of the local and state governments. And don't assume that they want EPA to go away- we actually help support them a lot and sometimes they need us to be the gorilla in the closet to achieve their objectives. And the private sector- I guess the same thing. They get a lot of grant monies from EPA. And pretty sure they aren't super excited by the idea of having all of the federal work delegated down to them with no funding to do the actual work. And Tribes! Well, right now they are just totally freaking out because the political rhetoric implies that they are no longer going to have their treaties honored. Recommend that you do some major outreach to the tribal governments and start trying to clarify if this Administration intends to uphold those federal requirements given	Stop attacking EPA employees. Stop saying that the priority is jobs and reigning us in because most people know want to know that the priority is the mission and upholding the laws that keep air clean and waters drinkable/swimmable/fishable. And stop micro managing everything- it looks really wacky and you are freaking out both the regulated community who likes to know what the expectations are for planning/budgeting and the general public because they don't trust you. All you are doing is eroding public trust in government.	Stop trying to micro manage the entire agency. It is way too large and there are too many projects to run every single one of them through HQ. It slows everything down, and eats up time. And as you all know, time is money- especially when someone is hiring contractors, legal counsel, etc. And don't waste time trying to figure out why permits are slow to get out the door, etc. It's a simple answer. Because we have the lowest level of staff since 1989. Because Congress/politicians keeps saying inflammatory things about federal employees and EPA- adding additional layers of bureaucracy and process to the most basic things we have to do under the banner	Not new technologies that I know of. But stop entering in to piecemeal software contracts that then end up eating a huge amount of time because the softwares aren't compatible and then there are a bunch of agency resources and monies eaten up trying to make them compatible.	Provide funding and technical support to our partners because we have expertise that no state can ever have and cannot be replaced. And we have lots of funding vehicles to help support that work.
404	403	5/3/2017	Better organization of the training requirements would be helpful.	More outreach and more opportunities to meet with our partners in person,	More true dialog with opportunities for the public -- not just paid representatives of organizations -- to voice their thoughts and ideas. More public meetings outside of DC.	Distribute a list of federal facilities where meetings of various sizes can be held around the country. With efforts to keep costs low, we have limited our reach to meetings held in regional offices. Have OPE be in charge of facilitating meetings outside of DC.	Is it possible for Americans to post videos expressing their views to the docket or an EPA website? Younger citizens may want to share information from their phone, including videos, and do we have a way to receive that? Further increase the education about what 508 compliance is and how to make our work more accessible to everyone!	Continue to work closely with other scientists on climate change. Support interagency agreements to share staff and develop expertise. Support rotational assignments to the Hill and state-local agencies. Good for EPA and good for the receiving organizations.

AMERICAN OVERSIGHT

	I
403	Yes. In many other sectors, they actually trust their employees and treat them with respect. For example, they wouldn't have a giant signing ceremony with pomp and circumstance for a policy that tries to roll back a bunch of their work. They wouldn't put a leader in charge who has publically attacked the entire organization and the people in it for years, or challenged the work of that agency on multiple occasions in court. They wouldn't put a bunch of people who don't trust science or scientists in charge of scientists. For example, when I worked at a biotech company, our CEO was a MD, and all our directors were PhDs, because they all could understand the science we scientists were doing. Super
404	Concur is the worst travel system. It is not allowing us to choose the cheapest options and it is bureaucratic and unwieldy.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
405	404	5/3/2017	One thing that has crept up on everyone is the accumulation of training requirements. From an organizational point of view these should be looked at top to bottom with a view towards streamlining them. I also hope you will look at removing several which I personally object to as vaguely disguised "Leftist Indoctrinations" which have inappropriately politicized the Civil Service. Also, the last Administration used many devices to "Socially Organize" the EPA workforce. I also object to these activities for the same reasons. The Civil Service System and we as Civil Servants, at all levels, should be held apart from the political philosophies of any political party in power. This is an intensely serious and important reform that needs o be put in place. Also, hire more for Merit than shall we say "Political Compatibility," which I think most in this Agency feel that the Obama Administration flagrantly did.	EPA has a very intelligent Regional structure. In the past years HQ in DC has usurped more and more of that. I recommend that the Agency return to a greater Regional focus. Among other things this will provide a better collaboration with Regional politicians who, after all, have legitimate rights to pursue activities in their respective Regions. They want us to "Do Things" not pursue thinly disguised Leftist political agendas.	EPA has a very intelligent Regional structure. In the past years HQ in DC has usurped more and more of that. I recommend that the Agency return to a greater Regional focus. Among other things this will provide a better collaboration with Regional politicians who, after all, have legitimate rights to pursue activities in their respective Regions. They want us to "Do Things" not pursue thinly disguised Leftist political agendas.	EPA has a very intelligent Regional structure. In the past years HQ in DC has usurped more and more of that. I recommend that the Agency return to a greater Regional focus. Among other things this will provide a better collaboration with Regional politicians who, after all, have legitimate rights to pursue activities in their respective Regions. They want us to "Do Things" not pursue thinly disguised Leftist political agendas.	If you look carefully at some of the technologies that have emerged from our nations efforts to prepare for a large scale terrorist event, and most of the technologies came from DoD through the Army as the R&D lead, you will see that they have found applications to all kinds of environmental clean-ups. I think that within this Agency you may be surprised to find how useful efforts made to study the decontamination [still disinfection to most people outside of EPA, particularly in Medicine and Public Health] are actually providing outstanding dual use value to healthcare. Our work looks at decontaminating [disinfecting] real world surfaces. This fits with our disinfectant registration functions. It's a big win-win.	OSRTI and OLEM need to consolidate their Emergency Response functions. Specifically, the Environmental Response Team (ERT) and the Consequence Management Assessment Team (CMAD) need to be consolidated. This has been impossible, despite the obvious sense of it, because of intra-organizational turf and personality problems. It needs to be solved at the Administrator's level. It makes good management sense and needs to be done. The Administrator also needs to read a report compiled by a Senior SES Region II DRA named GEORGE PAVLOU on these subjects. George
406	405	5/3/2017	The structures regarding resource allocation (FTE and other) seem to be managed for staff/manager numbers and other considerations rather than for efficiency and effectiveness. In other words, the management process seems confined in such a way that sound organizational innovation dies on the vine. I am currently involved in just such a situation.	In my area of work (program communications), I advocate improved use of distance communication tools (like Adobe Connect) for training, compliance assistance, and oversight functions. These tools can extend our reach so we can better meet the needs of our States and Tribes. For example, exploring strategies for virtual, on-demand training could help leverage our technical expertise to provide more consistent guidance and support from EPA while addressing challenges from staff turnover and travel restrictions seen across our 5 states. This would require linking technical and communications expertise.	In my area of work (program communications), more effective use of distance communication tools (like Adobe Connect) saves travel but also allows better communication in general across our 5-states. The result can be greater transparency, more inclusion, more involvement at all levels of government and with the public. We have barely scratched the surface in using these tools.	Again, since I work in program communications, I see great potential in virtual and/or on-demand communications tools. We have the software tools, but have much to explore in how these tools are actually used and put into real service.	We have many wonderful technologies available to us but, from my perspective, our staff have barely learned how to use them. In my own work, I think virtual communications could be utilized for many purposes, even as a means to re-invent our processes for State/Tribe oversight and program review. Of course, sometimes the States/Tribes are unfamiliar with the new technology, too. There are many applications possible for use of virtual tools, and I think if one is to serve a 5-state Region really well, this technology is practically essential.	In the programs I am familiar with, perhaps creating a more clear hierarchy of Agency involvement would help. There sometimes seems to be "too many cooks in the kitchen." Some Agencies responsibilities need only be review and concurrence while only one or two have a lead role.

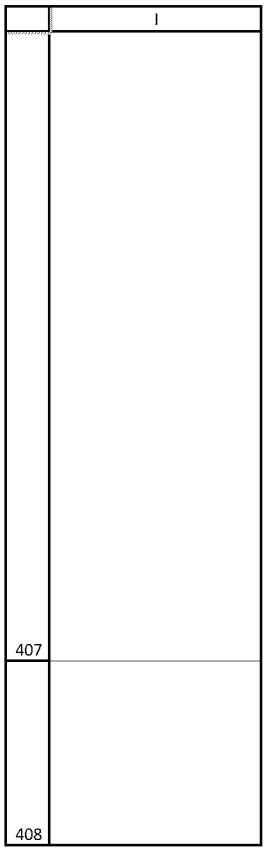
AMERICAN OVERSIGHT

	I
405	We need to get back to hiring and promoting based on the Merit System. This Agency for Social Engineering purposes, that is installing people of a political and social orientation favorable to the Leftist cause, has turned the Merit System on its head. They have by-passed it. That is not only a disgrace but as I imagine this has gone on across the entire Federal Government I view this as having inflicted serious damage to the Civil Service as an institution. The role and function of the Civil Service as a crucial and non politically aligned part of our government has to be reasserted. AND, we CANNOT PUNISH CIVIL SERVANTS for policies of the previous
406	Well, I work in communications and see great potential there. We need to be talking more, collaborating more, and assisting more, sharing more with our States and Tribes. From my perspective, we have seen great and positive results from using virtual resources as effectively as possible. However, our results have been quasi-experimental...we have a long way to go before this technology is fully integrated organizationally. As I see it, we seem to have new solutions pushed our way all the time, but we don't always now how to implement it on the ground. This may take time and experience, training and re-thinking.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
407	406	5/3/2017	This is not an EPA-specific problem, but a government-wide one. I am providing the comment in case EPA has the opportunity to weigh in on broader reforms across the government. All government agencies are required to have their printing done through the Government Publishing Office. GPO doesn???t do the printing itself, but contracts it out to private vendors. (Although GPO charges a fee for this service.) Everyone I know at EPA that has tried to do printing, publishing, or large mailings has horror stories about it. The requirements are a morass of paperwork and red tape, without clear explanations or guidance. The process of bidding and awarding contracts is slow, creating significant delays that affect project schedules. And the low bidders that win the contracts sometimes provide poor quality work, so there is no real savings.					
408	407	5/3/2017	The paper concurrence process should be replaced by an electronic concurrence process. Training should be made available to those unfamiliar with features useful for the process such as MS Word TrackChanges, SharePoint and OneDrive.					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
409	408	5/3/2017			Risk communication training - the art of communicating science concepts in plain English without losing complexity and without ignoring the emotions associated with the ideas being discussed - should be a standard skill set for all who work with states, tribes, local communities, the regulated community, and the public at large. The scientific skills that serve us well internally are different than those that serve us well with our partners and those that we serve. In addition, some focused immersion experiences - working for 1-2 weeks from a remote location where a project is located or will impact - would give perspective. For instance, living in an area where rural broadband internet is slower, where the volunteer ambulance service is 20-45 minutes away, and groceries are 30-40 minutes away add perspective to the policies being written. What works in an urban area			
410	409	5/3/2017	The requirement in appropriation law or policy that limits the fungibility of funds across appropriations. If these limits were eliminated or relaxed, we would be in a better position to apply funding where it is really needed. Our contracting mechanisms also need an overhaul to standardize policy across the country. But the end user needs to be consulted when changes are made.				Our software is woefully out of date. We are still in the early 20th century with some of the legacy systems we are forced to use.	
411	410	5/3/2017	I am an attorney. We get paltry litigation training, and the training we get is from EPA attorneys who are rarely in court.	As an attorney, having Government field/regional attorneys attend and participate in more CLE events with the private bar. Currently, we have little to no interaction with the private bar outside of negotiations, and because we have no travel budget, there is little face to face time, and so few opportunities to dialogue and build relationships with members of the private bar.	Free up additional travel dollars for face-to-face meetings. It is difficult to provide customer service only over the phone, or via EPA's generally unreliable video capabilities.	Currently, this regional attorney has almost no reliable admin/paralegal support staff. Instead of taxpayer dollars spent on my legal salary going to me doing legal work, I instead must act as my own secretary - literally prepare and arrange mailing of my own documents, do my own bulk copying, arrange my own meetings, and meet with paralegals from the private sector firms. Embarrassing.	Tech is sufficient. We (ORC) just need more admin support.	More joint field meetings.

AMERICAN OVERSIGHT

	I
409	
410	
411	Other federal agencies have competent paralegal support to handle FOIA and discovery. EPA does not, at least in the regions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
412	411	5/3/2017	Administrative requirements: There are too many administrative assistances in the agency. I recommend streamlining administrative assistances, there is no need to have too many. Every staff has the tools needed to do their jobs, we are in the 21st century with 21st century technology. The Agency has invested a lot of money on bringing the technology needed to do our job in an effective manner, so that the need for secretary or administrative assistances has been reduced. Of course, some limited administrative assistances are needed for the upper/senior management positions. I have noted that some directors have a secretary and an administrative assistance with similar tasks. Clear definition of the roles and responsibilities of a Deputy Division Director should be stated. Some divisions have an administrative assistance that perform duties related to the Deputy Director (i.e., travel budget, tracking commitments, etc.). I recommend reviewing the Position	Working with states and tribes on their programs work plans to ensure consistency with federal rules and regulations. Provide regulatory assistance to private sector to ensure compliance with permits and statues. Empower communities to report environmental crimes.	Working with states, tribes, local communities and private sectors has been a challenge for EPA. In my 28 years working with EPA that has been the case. I have been extremely successful working with states, territories, tribes, local communities and private sector using a collaborative approach instead the enforcement approach. Provide assistance on grant management and provide support on this area is crucial for states to succeed in compliance with their work plan. Provide assistance and working with private sector on how to comply with permit and regulations is valuable. Listen and be engaged with the local communities is the key of success on building credibility.	I believe the agency should consolidate some regional offices to reduce costs. For example, why EPA is paying for satellite offices with one or two employees? I recommend closing those offices and move the staff back to the central hub or share a space with a sister agency or state agency. In addition, I suggest combining. For example: (1) R1 with R2 (transferring the Caribbean territories) (2) R-4 (transferring KY and adding the Caribbean territories) (3) R-5 (adding KY) (4) R-6 with R-7 (5) R-9 with R-10 Another suggestion is to centralize the all Tribal affairs and all Territories affairs in HQ. Combine laboratories will reduce the cost of leasing.	I believe there are many technologies available. EPA has adopted several of them, for example: Skype for business, Video Conference, SharePoint, Outlook, and SEMs (filing database). The issue is not having the technology; the issue is more related to not using the available technology by the staff. I recommend establishing clear guidelines for using those available technology, encouraging the staff to use them. The use of tablet or iPads on the field during inspections will facilitate and expedite actions. Having a central e-file room would be fantastic to improve our response to inquiries (FOIAs, congressional, states, local communities, etc.) and to reduce physical spaces (cost a fortune).	Kind of tricky, since EPA has specific authority under the law to carry out some responsibilities that cannot be delegated to other federal agencies or states. There are programs that can be delegated to the states, and we have done that, however, there are states that don???t have some of those delegated programs for various reasons. We can continue working with those states to assist them to obtain the delegation, but keep in mind that some states clearly stated that they do not want those programs. For those states with delegated programs, EPA can continue providing financial assistance to
413	412	5/3/2017	I am an Acquisition Manager responsible for a Regional office. I report to a Regional manager for day to day operations and to the (HQ) Senior Procurement Executive who has functional (Acquisition) authority for the promulgation of policy and procedure relevant to acquisition regulations (FAR and EPAAR...) and in issuing warrant authority to all agency Contracting Officers. While I have a wonderful boss and great working relationship with both my direct supervisor and functional authority (HQ), there is a continual challenge that exists when applying business decisions and operational matters that cross regional lines. Business operations are often fragmented and inconsistent under existing silos and productivity is diminished.	Within the acquisition community, the interaction that takes place with external stakeholders is largely driven by the program offices in which we support. However and specific to partnering with the private sector, standardizing business practices and awarding contracts with a stronger emphasis in shifting risk from the EPA to the contractors using firm-fixed price agreements would lead to enhanced performance management and likely result in cost savings. While a lot of the work the EPA does, for example in remediating hazardous sites, cannot be sufficiently defined in advance due to the nature of the work, a deliberate approach to maintaining engineering and contracting expertise in the fields of design, construction and related activities would benefit the EPA by enhancing ownership and defining process where the	Efficiency, economy, the application of best business practices and accountability should be the first goal in recognizing our positions within the agency and the government. The term "customer" needs to be defined such that it pertains to those entities listed above and not to internal members of the EPA; this will enhance teamwork, define ownership, delineate lines of authority and ensure everyone is performing as equal members of a team in which responsibilities are recognized and respected across all business and program lines; all of which relate eventually to cost and delivery to our public and taxpayers at large.	Yes. Standardize the acquisition of goods and services across the agency, consolidate like and or similar items and formulate budgets such that delivery of products and services are procured both to meet agency needs and to satisfy efficiency and economy. Reduce unnecessary duplication of effort by increasing collaboration with the principle stakeholders (i.e., contracting, fiscal, programs...) to better leverage resources both in human capital and finance for creating an emphasis in conducting business sensibly and responsibly.	In the world of Acquisition, methodologies such as "Category Management", "Strategic Sourcing", "and Centers of Expertise" have been used successfully by other agencies to create efficiencies, enhance specialization and standardization and to contribute to cost savings through enhanced competition and in some cases obtaining volume discounts. The EPA has initiated some of these concepts but not to any degree of adequacy. Specific to technology is an electronic procurement system that functions well and with the ability to capture and manage data for reports and workload management; the current EAS system is inadequate.	Realigning activities within the agency is a good thing as long as it is done properly. Aligning activities with other agencies comes at a cost both financial as well as functional. For example, offloading work to the Army Corps of Engineers typically comes with an overhead cost of 10% for each project; this equates to millions of dollars potentially coming out of the EPA budget in lieu of hiring at a much lower cost internal employees and in investing in the EPA human capital infrastructure for long term stability.

AMERICAN OVERSIGHT

	I
412	Collaborative approach vs. Enforcement approach. Effective use of IAG and MOU/MOA Use of best technology available.
413	Yes; I was responsible in my previous agency for developing what became lauded as "best practices" relative to workload management, quality and compliance, and training. The challenge is implementing any best practice across fragmented business lines which constitute decentralized programs. The EPA represents a decentralized acquisition program which makes it difficult if not impossible to implement standardized best practices and a coherent supply chain that operates with optimum efficiency. At the EPA, we should simply maintain regional acquisition presence in the Regions to support our major Superfund program activities and a handful of

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
414	413	5/3/2017						
415	414	5/3/2017	EPA Headquarters Staff turn-over; there are too many rotations and personnel changes for reviewers of Regional documents. Changes of Formats for EPA documents back and forth every few years; it is unnecessary. Managers assign Superfund projects whimsically with no consideration of experience, or understanding that "Learning Curves" take up more time and expense. I would address these by eliminating HQ review of every document; resisting the urge to constantly change Document Formats; and teaching EPA managers that frequent turn-over of Superfund project managers delays final achievement of cleanups.	Eliminating the involvement of State Agencies in the Superfund process. Superfund projects cannot be deleted from the NPL or declared clean because State Agency Staff personnel constantly require more data and refuse to accept PRPs' or EPA's decisions that a Site is "clean." If the Superfund program is delegated to the States, Private property owners will never receive approval that their real estate or groundwater is "clean." [State Agency Staff require that Sites be "studied to death"]. Also, Use EPA Guidance as "guidance" and not as "mandatory."	Provide the US EPA Superfund program with Funding and eliminate the requirement for consultation with State Agencies. US EPA Superfund Project managers need autonomous decision making authority, and the authority to budget and approve direct spending on Cleanups. If US EPA is ready to approve a Cleanup by the Regulated Community (i.e. Private Parties), State Agencies almost NEVER recognize or concur with US EPA's acceptance of a Private Party's cleanup achievement. Also EPA managers are forced to use Guidance as "dogma," instead of having Guidance "guide" ... a manager here actually said once that following Guidance is "mandatory."	The Burdensome process of awarding Government Contracts. In Private industry, Project Managers are allowed a Spending Ceiling for which a Purchase Order can be directly issued (after getting 3-5 quotes). At EPA it takes 6 months to develop Contract Bidding packages, 2-3 months to advertise for bids, 2-3 months to review and evaluate bids, another 2-3 months to announce the winner and appease the losers, and another 1-2 months to get the Funding approved and Contract Awarded. What should take several weeks (finding and approving and scheduling a contractor) takes the US Government 1-2 years to award. US Government contracts also require anywhere from 3 to 10	Actual Computers and Laptops and Internet Servers that actually function would be a nice start. The previous 8 years' Administration's "austerity" policies have left EPA far behind when it comes to I-T. I can do better individually by picking out old Laptops from Recycling Piles and fixing them myself in my basement, when compared to the computer equipment provided by EPA.	Have each Agency maintain their own Procurement Staff, instead of relying so much on OMB. Use Corps of Engineers exclusively for procurement for EPA, because USACE already has the procurement infrastructure in place. Eliminate the partnerships with States regarding the Superfund program because State Agencies are the SOLE REASON why NPL Sites cannot be declared as "clean." State Agencies have Private Parties in their crosshairs, purposely (because of all the State-perceived "profit" that private parties have in their pockets). US EPA tries to be flexible but the States
416	415	5/3/2017	slow processes new regulations hamper efficiency overworked - new tasks compile, old tasks remain slow to change too many people have a say (too many cooks in the kitchen) and not enough employees to carry out the work very very weak leadership I don't get paid enough to come up with ideas and have them "implemented" - no need to waste any more money or time on it.	I don't care anymore - I have given suggestions for improvement and have been dismissed too many times.	I don't care anymore - I have given suggestions for improvement and have been dismissed too many times.	cut the EPA budget further to force people to change their ways of thinking and doing things.	I don't care anymore - I have given suggestions for improvement and have been dismissed too many times.	I don't care anymore - I have given suggestions for improvement and have been dismissed too many times.

AMERICAN OVERSIGHT

	I
414	Move Regional Offices from high priced rent cities to cities that are cheaper and need the gov't's investment. I.e., Region 5 move office from Chicago to Detroit, Region 1 Boston to Hartford, Region 3 Philadelphia to Scranton, Region 9 San Francisco to Oakland, Region 10 Seattle to Tacoma
415	Eliminate the arbitrary assignment of Superfund project managers to Sites. For example, the private sector understands that changing project managers "willy-nilly" costs money and time. At EPA, any old manager can decide to change project managers at any time. I have a project that has had 10-12 different project managers over the past 15-20 years. Also race, gender, and sexual orientation are the main drivers for deciding whether individuals are promoted at EPA. EPA needs to eliminate such informal Quotas because people who are not the best are now the ones who are currently making decisions.
416	I don't care anymore - I have given suggestions for improvement and have been dismissed too many times.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
417	416	5/3/2017	Consolidate all FACA Committees in the Agency under one administrative organization with centralized support and administration. Each committee would still have its own DFO, however full support would be more efficiently centralized. Furthermore, this would provide better separation (more independence of the committee) from the programs that the committee is associated with.					
418	417	5/3/2017					Paperless technologies are badly needed. This includes the ability to sign document electronically and store/manage agency records electronically.	
419	418	5/3/2017	Professional and technical staff are currently required to perform their own administrative functions. I would address this problem by adding more FTE for administrative professionals. Certainly, we don't need as many as we used to have, but we have come to far away from effective administrative support.	Working with States happens throughout the Agency. Staff working with States and local agencies don't have enough communications training or support. Additionally, State and local liaison duties take considerable time away from other official duties. Reducing the amount of funds passed to state and local partners would allow for additional staff to better prepare staff and support EPA staff working in these positions. I can think of no better way to make a gold-plated partnership.	Hiring professional customer service staff and putting real resources into costumer service tools.	Updating electronic resources would improve efficiencies and reduce long term cost. Minimizing the use of long-term contractors, as in I.T. for example, and converting those positions to full time supported EPA FTEs would reduce cost by eliminating the need to pay for third party profits. Contracts should only be used for short-term projects with a defined scope.	Google Chrome, Word 2016, Access 2016, Skype Sampling drones would improve air and water quality monitoring. Emergency response robots would allow for safer hazardous area monitoring. Continuous remote stack monitoring requirements would allow for better coordination of Agency resources.	As illustrated by the Flint Water Crisis, we need to proactively identify those partners that are in the process of disinvesting from areas of shared responsibility and mutual interest. We need to redefine relationships on a continuous basis and treat disinvesting partners more skeptically. We need to focus on the big picture and ensure that when we have handed off the responsibilities outlined by Congress to another party, that those entities remain accountable to the American public. We cannot wash out hands a state that it's now someone else's responsibility. These responsibilities remain

AMERICAN OVERSIGHT

	I
417	
418	
419	Moving to an electronic concurrence, many industrial site are not using and all-electronic system for moving documents through necessary concurrence, consultation and notice. Electronic tracking of documentation will allow for greater efficiency through immediate and non-location specific access. Increase accountability as choke points are identified and reduce costs of printing and office supplies.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
420	419	5/3/2017	Having to complete a webform with information on my work at home workload every time I do episodic. This is not required for regular work at home so it makes it harder to sign up to work at home when you plan in advance.	Making sure to add grant conditions only when they are necessary and not having them carry over every year. A lot of activities that are performed per grant condiditons the state agreed to and should be put in a workplan or supplement	Agreeing to current state workload and working on next years grants at different meetings. These tasks are often done at the same time and the customer service is not .		We have put up many barriers to sharing information with our state and tribal partners in SharePoint if the technology could be made to access in an easier format that would help greatly.	We should share more of the workload in maintain databases and doing QA on data that the public has access too. It seems a great workload that the states maintain databases and do their own QA/QC when EPA is working on on the data too.
421	420	5/3/2017	In our Regional office, there are many fire drills apparently aimed at educating the new leadership in Washington DC. These all take time away from doing statutorily required direct implementation work (work NOT delegated to some other agency such a State agency). Furthermore, it is a significant challenge to work in an environment where we never hear one word from our new Administrator, environmental actions (e.g., Executive Orders) seem to be for political purpose with little to no basis in scientific rigor, and the federal government as a whole is generally treated with disdain by the highest offices in the Executive Branch. If senior leaders in Washington wish to win over employee allegiance for the many actions being taken through fiat, please first demonstrate an understanding of the requirements, and second supply the unbiased, peer-reviewed reports (not just assertions) that demonstrate whether or not there is an overall harm from EPA	I support the idea of electronic reporting that actually cuts down on paperwork and time. It needs to be accompanied by reasonable accuracy and accountability requirements. In my 25+ years of experience, EPA and States mostly stay in their lanes. Where States have statutory authority given them by EPA, EPA does not overly interfere with their implementation beyond tracking the expenditures of federal dollars. Similarly, where States do not have statutory authority, EPA works hard to implement the requirements directly and expects to do so without interference from States. Do not forget that not all of EPA's requirements can be legally carried out by States. In most of Indian Country, EPA has a duty to carry out statutory requirements, as well as in those locations where States have	We already ask for comparatively little accountability for the grant money given to carry out environmental programs (which often is insufficient anyway). If we were to include the "public at large" as a customer, we would have the ability to actually respond to complaints and the authority to conduct investigations. In my experience, attempts to respond to complaints from "the public at large" are met with resistance from industry and other agencies (notably States) and interference from politicians.	We change Windows operating systems regularly which results in disruption to our computers. Probably everyone everywhere experiences these necessary upgrade problems. There is also a lack of support for the many different data systems that exist, especially beyond the big, well-known systems. The changes in operating systems can negatively impact legacy data systems, which then requires hunting for resources to either fix them or re-create them.	Maybe use of flying drones?	Create workgroups with other agencies that discourage turf battles and encourage cooperation.

AMERICAN OVERSIGHT

	I
420	Using the existing tools in Outlook/Sharepoint to share information on workload and tasks that are being completed and needed to signed off on.
421	The peer-review process within EPA's Office of Research and Development can be outstanding. I am doubtful they are the least costly, but when done properly, they save money in the long run by producing high quality products that stand the test of time.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
422	421	5/3/2017					EPA is probably not the best agency at managing data. Each national program and subprograms and each region seems to have their own home developed set of databases for tracking Air, Water, Land activities, inspections, number of permits issued and compliance assistance, and enforcement. This results in a number of inefficiencies, not the least of which include: 1. no regional or national dashboard for executive decision making. 2. inability to conduct what would otherwise be simple searches for responsive documents to respond to FOIA requests (must search across multiple databases by multiple people in multiple programs. A more effective and	
423	422	5/3/2017	When the Administrator's office makes decisions without any briefing on the issues (which would discuss options, consequences, and vulnerabilities), it prevents everyone else from doing their jobs efficiently and effectively. The program offices and OP are experts at explaining options, interests, and consequences, OECA has expertise in identifying enforcement and compliance-related issues, and OGC can elaborate on the legal options, issues, and vulnerabilities. Taking all of that into account BEFORE making a decision is A) what it's our job to do and B) a lot more efficient for everyone. Because when those factors are not briefed and considered beforehand, it results in unintended consequences and vulnerabilities, which the agency either has to correct (through additional action) or litigate. Moreover, in some situations, it has been even worse because the Administrator's office has not even informed the relevant offices about a decision until after the fact ??? so the implementing office (not to	Next-gen enforcement strategies that incentivize or otherwise automate compliance are critical (e.g., real-time monitoring). In my experience, states, tribes, and local communities only want to take the lead in delegated programs if there are resources available to offset the costs. In the absence of such resources, states, tribes, and local communities have tended to withdraw from implementing programs rather than enlisting. So without more funding at one level or another, I don't know how the states, tribes, or local communities would maintain the human capital to achieve better environmental results, as they often look to EPA to provide technical help on a variety of issues (e.g., toxicology, modeling, etc.).	Due to staff shortages, people are juggling so many different assignments and need to coordinate with people across various offices who are also juggling many different assignments. So when a particular issue needs resolved, it ends up taking a lot of time for each person who needs to focus on it having the time to actually focus on it. The dividing up of FTEs to cover multiple areas also diminishes the expertise in each of those areas (as the employee might only have the capacity to deal with it a couple times a year). Another consequence is that oversight of the Regions and coordination with one another is diminished ??? as those are things we should do but just can't given the constant fire drills.		Virtual Desktop for remote access from any computer instead of the multi-step VPN or proxy access	

AMERICAN OVERSIGHT

	I
422	
423	More use of performance-based time-off or cash awards to recognize and incentivize good performance

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
424	423	5/3/2017	None, everything works smoothly in our office.	First, let the people at EPA who know how to do this job, do their job. Most are career employees who have acquired institutional knowledge that takes many years to understand. Second, please question carefully the potential impacts of implementing policies and directives that do not support or provide little support for protecting public health and the environment. The states need EPA as top cover and rule makers to help them carry out their state regulations or they will get challenged through litigation and frivolous law suits by their permit holders. On the other hand, EPA welcomes law suits as it makes us work better and harder to support our rules and regulations with scientific evidence.	It's not about providing better customer service. The EPA IS NOT a business but a government REGULATORY agency. EPA develops, implements and enforces federal rules and regulations to protect the environment and public health. Don't get the two mixed up. EPA is charged to protect the people and environment of our country and to represent our country in related international affairs. EPA authorizes the states and tribes to carry out Clean Air Act and Clean Water Act programs but if they cannot function and do this effort then EPA will do everything it can to support the state in their effort or EPA steps in and does the work for the state or tribe because it is required to do so. That is what I call EPA Customer Service.	None, all is operating smoothly.	All the equipment, technology and software provided to us for carrying out our operations works effectively.	I don't think this is possible. Other government agencies are not charged to protect the environment and public health of the American people. This is the unique role of the EPA. We work directly with and also fund the states and tribes to carry out the federal laws. The EPA allows the states and tribes all the flexibility they need to execute their regulatory programs to best meet their interests and needs (population, resources, capabilities, economic, etc.), all of the states and tribes are different and have to be worked with carefully, with much attention because of their differences. We cannot afford to put the
425	424	5/3/2017	Reduce senior management levels by 30%. There are too many chiefs and not enough Indians at EPA. AAship staff levels should be not more than 5-7% of the program population it oversees. Implement direct reporting for all programs. Is it really necessary to report to OP on rules/policy that only impacts one program? Why does it take two or more years to make technical corrections to rules and policy that would streamline or clarify information to the regulated community? (e.g., getting old regulation off the books). Favoritism, cronyism and nepotism have destroyed senior management ethics. Instead of creating more senior management positions, reorganized the entire Agency and streamline the organization. AAships should not have more than 5-7% of the program staff population. Any remaining staff needs to be downgraded and the FTEs put back into in the program as worker bees. Listen to the EVS survey - Get rid of bad management. .Eliminate cronyism, favoritism, and nepotism and clean up	EPA has a long history of partnering with states, communities and tribes. The tough job is for the Administrator to help keep the balance in the community. Everybody comes to the table with an agenda and the hope of "feeding from the federal trough."	Make states/tribes more accountable for use of grant funding. A report card?	Use sun-set provisions on significant rules and policies and mandate reevaluation of such every decade. Make it a goal to reduce the number of unnecessary cross office reviews. Implement a judicious use of tracking systems and do not track activities just to "count beans."	IT modernization. Electronic portal for data transfer and submission should be the number one priority. Force industry into reasonable IT upgrades that can be passed on to the next contractor. Way too much "proprietary" IT is integrated into government database systems that have to be rebuild, for a higher cost, when the next contractor takes over. This is not a good use of tax payer dollars. .	It would take more EPA budget. Most of the responsibility of sharing between government agencies relieves on bringing some budget to the table. It can be cost effective, but EPA has no leverage unless it can contribute.

AMERICAN OVERSIGHT

	I
424	Decision Making. Follow the ProACT system for decision making.
425	Happy workers do better work. Bad management means unhappy workers. Get rid of bad management. Reduce salaries for high level senior management and/or give them term limits to help eliminate stove piping. Reduce percentage levels of senior and middle management. Implement consistent salary levels across the agency. Eliminate cronyism, favoritism, and nepotism. Reorganize and consolidate the agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
426	425	5/3/2017	1. Please lean hiring. Our hiring process is long and tortuous, and the shared service centers are a DISASTER. 2. As a manager, it is a long and tortuous process to fire a poor performer. I don't mind doing a PAP or a PIP, but why do we need to do both? Please streamline the process to fire people who are not performing. 3. Also, as a manager, I am upset that we are negotiating an agreement with the union(s) that will allow people to work from home five days a week. It's difficult to manage them under those circumstances. I wish we could cap telework at 3 days a week. 4. I also feel like a number of administrative processes were put in place after John Beale's abuses of the system were uncovered, that punished everyone equally for one bad apple. Please take a look at how long it takes us to do our timekeeping and travel, and make sure that it makes sense.	We already do an excellent job of partnering with states, tribes, local communities and the private sector.	As a manager, I can tell you that the more you cut our FTE, the more you slow down the work. I used to have 3 people who ran the PCB program. Now I have one. That person has the same amount of work, the same number of phone calls, the same number of companies and citizens to help. If you want better customer service, protect our FTE.	Lean the hiring process. Get rid of the shared service centers for human resources work - return those resources to the regions.	Dear God, yes. Please support projects to take hardcopy records electronic. The RCRA program was trying to modernize their records, but they don't have the resources that Superfund does. Give financial and political support to Barnes Johnson in ORCR to take those records electronic. Also, support E-manifest, that will be one of the legacies you can leave in the agency.	EPA has a unique mission, and we already work very well with states.
427	426	5/3/2017	The fact that we have to lock in a work day that can not be changed without prior approval is very difficult. I know other agencies have the flexibility to adjust their schedules without prior management approval. For example, most federal and private sector employees have the ability to arrive earlier than normal, or leave later than normal, as long as they get their 8, 9, or 10 hours in. We work with stakeholders all over the country (world at times), so having to commit to begin work at 8 am and stop promptly at 5 pm inhibits our availability to work seamlessly with certain stakeholders. It would be much easier and more efficient if we had the ability to adjust our schedules to the work load as needed. We can't always foresee a last minute phone call or face-to-face meeting two weeks in advance.	I came to EPA from the private sector within the last twelve months. In my previous roles with small and large companies, my work was directly impacted by EPA programs. These voluntary programs were instrumental in building the businesses I worked for, and in some cases those businesses relied solely on EPA programs. Since I've been an EPA employee, the businesses I used to work for, and the industry I worked in have expressed to me personally they are very concerned for voluntary EPA programs such as Energy Star and Indoor Air Quality (radon, asthma, VOC's, etc). These voluntary programs work and have created millions of jobs (https://www.e2.org/energyefficiencyjobs/). Making buildings and homes healthier and more energy efficient protects the environment, creates jobs (millions of jobs), saves American	As in my answer to question 1, we need to be able to make ourselves more readily available to our stakeholders. The inability for us to adjust our schedules to match our stakeholders on a day to day basis is very obstructive to customer service.	I came from the private industry within the last twelve months. I've heard all my life about how inefficient government is, and I've made the jokes about government workers not actually working. To be perfectly honest, I have been blown away by the efficiency the people at EPA work and get their jobs done. I've answered two questions already with the fact that we do not have enough flexibility with controlling our own schedules. I see 8 hour employees consistently taking it upon themselves to put in 60 to 80 hours a week to accomplish their work. These are the most productive and dedicated employees I have ever worked with. A job in my private sector work that		We are reaching out to other federal agencies, but we have ongoing working relationships with many agencies already. As we see someone else in the federal or private sector working on something similar to our projects, we always reach out and collaborate.

AMERICAN OVERSIGHT

	I
426	Lean! Please lean processes such as grants, contracts, hiring. Getting a contract out of HQ is positively painful. Processes that used to take two days now take six months. Help us cut through the red tape.
427	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
428	427	5/3/2017	1. The procedure for sending and receiving e-mail from one's personal smartphone is tedious, cumbersome and maddening. There must be a solution available that makes it easier to access work e-mail remotely while satisfying the security concerns of IT. 2. For the subset of staff who use their government-furnished computers for tasks other than using the MS Office suite, the existing hardware is inadequate. Investing a modest additional amount of resources in higher-performance computers that include more RAM and a solid state hard drive would be greatly appreciated. 3. Ease the procedure for purchasing software (including software subscriptions) whose total value is < $500. The value of the staff time required to procure inexpensive software is often an order of magnitude greater than the value of the software itself. 4. Consider hiring software programmers to develop and maintain mission-critical software packages.	Within the air quality program, more work can be done to implement standards in a way that both improves air quality while also maximizing public health. Projects like the Detroit Multi-Pollutant pilot and the South Carolina Ten-at-the-Top project each demonstrate that this procedure is far less costly, and yields greater benefits, than traditional pollutant-by-pollutant approaches.	Continuing to fund travel to conferences. There is no substitute for interacting on a one-to-one basis with stakeholders.	Consider reorganizing the Human Resources department. It's currently understaffed and overburdened. The HR office servicing OAR is located in Las Vegas. Consider relocating it to either DC or RTP (where OAR staff actually work).	1. The procedure for sending and receiving e-mail from one's personal smartphone is tedious, cumbersome and maddening. There must be a solution available that makes it easier to access work e-mail remotely while satisfying the security concerns of IT. 2. For the subset of staff who use their government-furnished computers for tasks other than using the MS Office suite, the existing hardware is inadequate. Investing a modest additional amount of resources in higher-performance computers that include more RAM and a solid state hard drive would be greatly appreciated. 3. Ensure that every EPA-developed or funded software package is open source. This is currently not the case--for example, the	Working more closely with the Centers for Disease Control and Prevention to ensure that EPA and CDC are not duplicating efforts--particularly as it relates to techniques and tools to characterize the health benefits of improving air quality.
429	428	5/3/2017	As a timekeeper I am greatly impacted by the payroll software (PeoplePlus DOI) that seems to be outdated and not unable to adequately meet the needs of our agency. This causes all types of inefficiencies such as an inability to fix issues locally (tickets are required but often ignored), requested audits take almost a year, leave bank isn't and apparently can't be coded properly causing all types of problems. Policies require employee's time to be submitted prior to end of pay week causing a high percentage of amended timesheets due to site charging requirements. System closes down three days for processing but does not lock employees out causing problems (delayed pay) when employees accidentally reopen timesheets. Other systems we use seem old and have similar issues. We have workarounds for most of the inefficiencies but would be better if systems were updated and worked well because workarounds use more resources and take more time.				New fax technologies. Right now we have no way to receive or send faxes except from a few public use copiers in the region. I am surprised we still have the need for fax capability but we do need a secure way to receive faxes when needed.	

AMERICAN OVERSIGHT

	I
428	Because our EPA-provided computers are so craptacular, we've purchased our own personal laptops to do our work. So, maybe everyone who is doing more than writing memos or developing powerpoint slides should take the same approach?
429	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
430	429	5/3/2017	Approval to engage with our stakeholders is unnecessarily burdensome. We need more meetings and conferences with stakeholders,not less, so I would like to see encouragement from this Administrator to engage all of our stakeholders EPA-sponsored meetings have been very successful in the past, and I hope that we will be active encouragement from management, and approval of meeting requests, to improve our ability to meet our stakeholder's needs. Engaging with the regulated entities provides EPA with insights and ways to reduce unnecessary burden.	Better environmental results will come from a partnership on improved environmental monitoring and sharing of data. Continue the dialog with the states, tribes and local communities that we already have. Continue the collaborative conferences and meetings that remove communication barriers and allow us to better understand the state, tribal and local communities needs and what works best for them. These partners have been tremendously helpful, but removing these opportunities is a detriment to achieving better environmental results.	Better customer service includes better communication and access to data we have that is submitted by states, tribes, local communities, and the regulated community. Our data is open for the regulated community and others to see and to use, not merely as a repository to meet a requirement. When the data is seen and used, errors can be found as well as cost-cutting ways to manage the data. Electronic reporting is a huge burden reduction for everyone as well as a process for improving the quality of the data, which then creates less false alarms and additional burden for the reporters.	Collecting better monitoring data, not less, will allow us to understand where the most serious issues are so our resources can be devoted to those. Engaging citizen scientists can fill the gaps in monitoring where EPA and the states are unable to provide it. Providing better access to our data, as well as improving the ability for others to find, understand and use our data is critical to making sure we are focusing on the right issues with the right amount of effort. Less data creates uncertainty as to where to focus our efforts, as well as follow-up monitoring to makes sure any corrective actions of any type provide the desired results.	Data analytics is being adopted slowly, and should receive more encouragement and funding. This is also question for the scientists and engineers in ORD who work on cost-effective pollution control technologies.	This has been occurring for decades at EPA, but due to the different missions and authorities of the federal agencies sometimes this goal has been difficult. Agreements should be made based on a core set of needs from each agency that all can agree with, while encouraging additional agency-specific requirements to be met.
431	430	5/3/2017	I can't think of any major ones. Most requirements and management procedures are focused either on increasing transparency or accountability. Those requirements reduce efficiency, but we've had to make that trade off in the past.	EPA should focus on desired results and minimum standards in regulations, as opposed to prescribing methods or techniques for achieving them. Alternately, we could give regulated entities the choice to follow a defined prescriptive path or a performance goal path. Either path would be considered an acceptable way to follow the requirements of the regulation.	Support and develop approaches such as E-Enterprise (https://www.epa.gov/e-enterprise) and e-Manifest (https://www.epa.gov/hwgenerators/hazardous-waste-electronic-manifest-system-e-manifest). If we make compliance easier, we can reduce the regulatory burden without having to get involved in contentious regulatory situations. Continue to invest in our relationships with the Environmental Council of the States and the Environmental Research Institute of the States. Use third-party arbitration approaches to help us resolve conflicts and minimize lawsuits.	Yes, we can enhance our scientific research and technical support capabilities to serve as an efficient shared resource for all 50 states. This would keep the states from having to recreate these capabilities on their own, which increases overhead costs and duplication. Under this approach, grant funds could be focused on implementation, instead of recreating the scientific foundation for decisions.	Please see remarks regarding E-Enterprise and e-Manifest in Q.3.	As mentioned in response to Q4, the more EPA serves as a central clearing house for environmental research and technical expertise, the better we can share this responsibility with the states. This approach also helps create a shared understanding of the relevant science, encouraging EPA and outside parties find common solutions to areas of shared responsibility.

AMERICAN OVERSIGHT

	I
430	Electronic reporting reduces regulatory burden, improves data quality, transparency, and access. Working with all stakeholders to help them find, understand and use data that the taxpayers and regulated community fund. We should expand our use of data analytics to find pollution prevention opportunities and provide incentives for companies to improve environmental performance.
431	I have worked in the private sector, non-profit sector, and in state and federal government over the last twenty years. The EPA is currently one of the most dysfunctional places I've been because it is not following essential best practices common to these fields. All of these best practices are inter-related: 1. Transparency- Frequently, the EPA staff are surprised by important management developments or decisions and do not know how to react. We learn about significant changes in policy from the newspaper or television and do not know if the changes are real or how they will be implemented. Increased transparency would help people know how to make decisions,

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
432	431	5/3/2017	We have several time keeping systems. We only need one.	As a former state employee, there is a good relationship between EPA regional offices and the states. We need to increase opportunities for communication to go from the regional offices and states to the programs. Often situations at the state level can be resolved with EPA at the regional level, but the programs intervene and slow things down then take away regional office ability to meet the needs of the states.	Put more faith in regional office capabilities for regulatory decisions and let the regions coordinate without having to go through the program offices.	Yes, contractors cost twice as much, take twice as long and have half the quality. Our labs can do our own analyses with better quality control. Our field sampling staff can innovate faster and respond faster to situations on the ground without having to go through the contracting office.	We are already working on integrating cloud computing to our operations. We need to allow our staff with expertise in these fields to work with other executive branch departments to create one system that works for timekeeping and asset tracking.	We are already working on integrating cloud computing to our operations. We need to allow our staff with expertise in these fields to work with other executive branch departments to create one system that works for timekeeping and asset tracking. There is also a lot of training that is common between departments that could be shared.
433	432	5/3/2017	NULL	NULL	NULL	NULL	NULL	NULL
434	433	5/3/2017	NA	NA	Expand our use of tools like SharePoint to collaborate both internally and externally. Additionally, invest in more modern data visualization software like Tableau or IBM's Cognos across the agency to improve the quality of work products and reduce the amount of time it takes to develop meaning and insightful	NA	Replace the current paper-based performance management system with an electronic performance management system. Doing so would greatly reduce the amount of paperwork associated with mid-year and annual reviews, mitigate the need to file paper copies, and streamline the uploading of PARS to the electronic Official Personnel Folders (eOPF), further reducing the number of work hours spent administering the program. I recommend reviewing the Department of Energy's ePerformance system as one example.	
435	434	5/3/2017	NULL	NULL	NULL	NULL	NULL	NULL

AMERICAN OVERSIGHT

	I
432	No.
433	NULL
434	
435	NULL

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
436	435	5/3/2017	Requiring paper deliverables is outdated. Electronic submittal should be the new norm. Fast track implementation of regulations requiring electronic deliverables, such as RCRA eManifests and CWA electronic reporting.	Sharing compliance and enforcement date with states, tribes, and locals in various media (air, water, and land) is critical to achieving better environmental results. Electronic data sharing via internet would make this communication possible (see answer to Q1).	Post inspection reports and enforcement actions to EPA's web site. Have a search engine on our web site that actual works.	Move away from paper and to electronic deliverable/receivables. Have a robust and working web site.	We should adopt existing technologies and drag the Federal Government into the 21st century.	We should stop wasting time on plans and EOs that are not realistic and will not come to pass. When a budget has been passed through Congress and signed by the President, then we should spend time on planning and executing those plans. Until then, all that time spent by management and staff is wasted on ideas that have no basis in reality.
437	436	5/3/2017	Office of Policy seems to be a duplicative office considering each AA ship has a similar office.		Town halls for AAs and RAs.	1. Combine offices that have similar responsibilities, FFRRO and OSRTI. 2. Incorporate Contracting Officers and Attorneys into program offices.	Expand our current GIS capabilities and create a GIS office.	Cancel EO 12580 If we consolidated remediation programs from all the Federal Agencies into EPA it would cut out numerous billions of dollars of duplicative jobs. EPA has the CERCLA law the EO allows other agencies to use it.
438	437	5/3/2017	Clamping down on our ability to put regulations out for public comment and to the docket severely restricts our productivity, sets us back multiple quarters, and angers registrants.	We are very transparent in our actions and I feel we do a good job staying in tune with our partners.		We use way to much paper here at EPA. Some people are swimming in paper inside their cubes. I feel we need to restrict access to paper waste and discourage the use of printers for every document that can be viewed and edited electronically.	Everything needs to be switched to digital. There is no reason why EPA needs paper copies.	Assignments switch so quickly between us in the office that inside and outside the office, people are confused whom to contact. Our registry databases open to the public are not updated quickly to reflect recent changes.

AMERICAN OVERSIGHT

	I
436	Spend time and money on planning for the future. Invest in slowing climate change. Invest in nuclear fusion research. Invest in high efficiency electrical infrastructure. Invest in drinking water and wastewater infrastructure. Invest in road and bridge infrastructure. Reduce investments in war. The DOD should focus on defense not war. The DOD budget should be reduced and the money saved should be used to fund American infrastructure. Bottom line: Spend money to build rather than destroy. That should be the American way!
437	Allow full-time telework. Allow employees to work at GSA approved telework facilities. Have an EPA magazine for each AAship monthly.
438	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
439	438	5/3/2017	-for label amendments/notifications: receiving 5 copies of the label. Only one is needed, and an electronic version is preferred. -For child-resistant testing: submission of data requiring a full review instead of submission of a certification accordin				-Increased adoption of the EPA pesticide portal to have fewer paper submissions -Adoption of new technologies such as smartlabel and e-CSFs to move us away from using more paper	
440	439	5/3/2017	Currently, due to the new administration ALL communication needs to be cleared very far up the chain This action prevents basic web pages and other information from getting to our stakeholders and our regions. It is very difficult operating in this environment. Also using DRUPAL for web pages is very difficult takes a long time to get web information up and running Also the way things are structured if we need to reorganize it takes a long time to do this process. Travel admin is also very restricted More importantly the PPlus entry for keeping track of leave is not good. We need a better system to do this. If you are on medical leave the codes in PP do not meet the codes in Denver, so there are issues with pay. The entire PPls system needs to be revamped. There is no one to go to with these issues you have to submit a problem to HR HELP, and they close tickets without really solving the issue.	Our program secures a lot of good performance results, what is often realistic is the ACS commitment, I believe we need the ACS system to go away, projecting out performance measures ahead of time is quite difficult from each region standpoint. We need to coordinate outreach to the public and communities through the Public Relations contact but we need better collaboration with this office, we need better ways of understanding the political environments we are working in, something needs to be shared so we know the pulse more.	We uses to have open forums with the public and critical stakeholders but due to budget cuts these meetings were not continued.	Our database systems need to be updated, once that occurs they also need to talk to one another but this does not happen, often we are entering in data several times and in several places. Overall technology would go a long way in efficiency.	See above Also, need better project management tools, salesforce is terrible We need a way of managing our projects and training! Microsoft project???	We could align more with TSCA We could align more with sustainability, meaning all those that work on sustainability should be housed in one area, teams should be developed to work towards common objectives

AMERICAN OVERSIGHT

	I
439	
	I came from the private sector and we need to know what is being used for efficiency
440	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
441	440	5/3/2017	I work in OAR and have major problems with the contracts-management and -awards process. A discussion and six suggested action items follow. Over the past two years it has become increasingly difficult to get contract task orders awarded through the Office of Acquisition Management (OAM). Contracts management has never been very easy at EPA, but recently I have found that many new contracting officers (COs) hired to "fix" problems are ineffective at best, and in some cases incompetent, rude, and/or purposefully obstructive. More-established OAM personnel do not, in my experience, do anything to ameliorate situations that many program staff find demoralizing and at times bordering on toxic. The rules that COs seem to follow appear to be made up on the fly. The guidance documents from OAM that I have seen most recently, comprising information about procurement processes and requirements, processing						
442	441	5/3/2017	Everything the new "leadership" does prevents me from doing my job efficiently or effectively. All decisions are couched in secrecy for the politicals, and career staff are left out of meetings and discussions that directly impact our daily work. To address this, political staff need to recognize the value of career staff here at the agency.	Give states, tribes, and local communities more money	Give them more money and technical assistance. Craft regulations and policies that actually protect the environment, not just the economy. Stop ignoring environmental justice issues.	PRINT CORRESPONDENCE DOUBLE-SIDED - this saves money, time, and trees. It's shameful that the EPA only prints on one side of the page.	Replace the Correspondence Management System with something more user-friendly and less cumbersome. Also, instruct politicals that CMS is the process we use - stop circumventing the program offices and writing your own responses to letters without telling anyone else.	Focus on environmental protection, not economic protection. This is not the Economic Protection Agency. The Agency's purpose is not to end the "war on coal" and start a war on the environment. EPA is a public health agency.

AMERICAN OVERSIGHT

	I
441	
442	Get rid of people who don't believe in climate change

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
443	442	5/3/2017	By reducing overall bureaucratic/administrative burdens involved in agency procurement, contracting, and internal work flow (i.e. approval chains, paperwork, etc.).	Better dialogue, collaboration, and focus on organized action on initiatives and issues.	Focus on streamlining procedures, administrative burdens, and actions both internally and externally.	Focus on streamlining and improving the process of acquisition and contract management to (1) lessen burden on limited technical staff and (2) improve efficiency of time and dollars spent by both agency and contracting staff. Hire skilled and qualified acquisition staff with a commitment to excellent customer service and the Agency's mission.	Encourage conversion to 100% (or as close to 100% as possible) electronic file use.	Open channels of communication with other programs within the Agency and other agencies to establish a dialogue and lay out on the table all programs striving toward common goals. Then, focus specifically on efforts to consolidate, merge, or collaborate on work between and among programs in order to reduce redundancy, inefficient expenditure, and discord between organizations.
444	443	5/3/2017	Anything involving IT is really difficult. Software developers in my office struggle to get access to the tools that they need. Any non-standard software (e.g., a statistical package) requires great hoops to purchase. There need to be ways for exceptions to the standard package to be implemented quickly and easily.	We have federal laws that require us to operate at the national level. It's not our job to rewrite those laws to dump our requirements on others. In terms of partnering, in my office we already work very closely with a very wide range of stakeholders.	By doing our best to protect public health and the environment as required by statute.	I think we already do as well as we can, given the statutes under which we operate.	See the comments above about IT.	We already work closely with other federal agencies and states.

AMERICAN OVERSIGHT

	I
443	Focus on institutional memory and knowledge transfer through technical and general mentoring programs, establishment of accurate and up to date SOPs, open channels of communication between staff and managers on evolving technical work, etc.
444	1. Show some trust your employees. We do good work. So much of what we face -- audits of expenses, layers of approvals for anything, trainings piled on trainings -- are aimed to the few problem employees, when most of us are scrupulous in making wise use of public resources. 2. We're understaffed. We can't do more with less any more. With all the mandates we're required to achieve, we either will do a bad job and get sued, or not get the job done and get sued, unless we have adequate resources.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
445	444	5/3/2017	Addressing performance issues: I have addressed performance issues within my working unit. Yet I see performance issues not addressed in other units. Performance issues with the Shared Service Center for hiring, and with the Contracting Officers for purchases affect my ability to hire a chemist or purchase a critical piece of equipment in a timely manner. I have been through the hiring process for a chemist three times in the last 8 months and was not able to hire a single person. This is a waste of my time as a manager. Lab Supplies BPA: The previous lab supplies BPA had several good companies and the bulk of the purchases made were from the BPA. The current BPA has run into many difficulties (all were reported), and we order less than 20% through the BPA. The main reasons were excessive cost (greater than 100%), and poor searches on their websites. If the BPA is not used, additional documentation is required to justify the alternate purchases. If the	If the burden remains on the states, tribes, and local communities for sample analysis, then it becomes imperative that EPA maintain a cadre of very experienced chemists who can assist with method improvements and data interpretation. Region 7 has built a good relationship between our partners and our chemists to the technological issues. It would benefit both the states and EPA if data could be shared in a central location. States could use the wealth of information for contaminated areas to be used for their targets and enforcement. New approved analytical methods: some of the older methods need revisions. New methods should not use the most expensive equipment because most states and local	The best customer service comes from people who live in your community and understand your needs. I hear rumor that the regional laboratories are going to be consolidated into three megacenters. This will make it harder for chemists to make the connections to the state and local chemists who need our support. The regional laboratories generate the bulk of the sample data used for emergencies, SUPR site removals and responses, and for enforcement. Removing the chemists from the project managers will not allow chemists to assist with project plans using the right analytical methods for the selected site.	Increasing capital equipment budget for the laboratory. Over the last 10 years, the budget has decreased while instrumentation costs have increased. EPA regional laboratories have old instrumentation. The new instruments do have more automation and use less hazardous solvents as compared to the old instruments. Higher initial investments on the capital equipment side would see reduced staff time and reduced costs for hazardous waste disposal. These reductions would outweigh the initial costs for the new instrumentation. Because the laboratories do not have representation at headquarters like the programs, our capital equipment budget is usually	Electronic Sample Data Records: Currently, laboratory data is generated on paper and saved as records on paper. When one small laboratory generates over 150 boxes of paper a year to produce data for enforcement, Superfund activities, and emergency responses, this is a costly effort. Currently, many of the attorneys are stuck on the paper record. Analytical data is generated electronically, could be reviewed electronically, and could be stored electronically. This would significantly reduce the costs of data storage and improve data retrievability. Single Data Base: Currently, responses for FOIA requests need to have data searches in over 15 distinct databases.	Currently, the chemists at federal agencies in the Kansas City area are sharing the experience and knowledge through once a year or twice a year meetings. In developing this relationship, we could be in a better position to respond to emergency situations. One such event (Overspray of dicamba in Missouri) could have been improved by better coordination between FDA, EPA, and the state of Missouri.
446	445	5/3/2017	Property Management Officers have been greatly hindered in their work due to lack of barcode scanners. Each physical location has property management staff on site who have been forced to manually enter decal numbers into the required Agency property system. FIMFIA requires annual physical inventory of every decaled item. Barcode scanners were promised several years ago when new Sunflower system was pushed out. Still no barcode scanners available to most locations. Most property managers hold a number of other job assignments - having barcode scanners would great improve efficiency and accuracy. Thank You.					
447	446	5/3/2017	Multiple passwords. EPA specific software should all use the same lanID and lanPW. I should not have to enter my ID and PW multiple times when moving around within the EPA system of software.	Meet with them and understand their concerns. Work with them and include them in my work.	Listen to their needs. Learn to listen.			

AMERICAN OVERSIGHT

	I
445	The EPA Regional laboratories are more closely working as a network over the last couple of years. In this manner, when a large event occurs, chemists from multiple regions are used to accomplish the work of the agency. For the Region 7 chemists, their focus is on "green" analytical methods with high automation producing high quality data. Remote data reduction would be one of the needed items to improve operations within the laboratory.
446	
447	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
448	447	5/3/2017	Credit hours tracking -The process was developed before our payroll system had the ability to include credit hours. Credit hours can be reported to People Plus now and thus should not be required to be tracked outside in a separate spreadsheet and submitted every two weeks. Traveling - Concur system should issue all EPA official travel to include TSA pre-check or equivalent. EPA staff would then be assured expedited processing at airports and therefore could arrive at airport at later time resulting in government salaries savings. Additionally, this would put less burden on TSA, which is now screening government employees on government sponsored travel that are not a treat to national security.			Contracting Officer (COR) training is somewhat irrelevant to EPA's mission and tremendously burdensome. Process needs to be streamlined.	We are still writing inspection reports old fashioned way. Take notes in notebook and then write report. Seems like we could have a more streamlined approach.	I think it would be good to provide more opportunities for EPA employees to be embedded for a few month assignment into to state/local agencies to see what they do and how they do it.
449	448	5/3/2017	Most every administrative and management process is a vestigial tail from the 1970s. Paper documents often dominate over electronic documents. Eliminated paper documents and switch completely to electronic.	Minimize interactions and let States, etc decide what is best for their situation.	A centralized, uniform response to inquiries from states should be implemented. Region specific responses leads to confusing and contradictory implementation of	ORD: Eliminate all post-doctoral (Post-Doc) training opportunities. These scientists in ORD, are by definition, directed to NOT perform Agency directed work. This wastes FTEs as well as research effort.	1) Implement modern (and transparent) accounting 2) Move from Microsoft (i.e. Windows) based computing and software to cloud (i.e. Chromebook) 3)	Clearly define lines and reduce duplication.

AMERICAN OVERSIGHT

	I
448	
449	Eliminate Matrix Management in ORD. It is duplicative and redundant.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
450	449	5/3/2017	1. Information Collection Requests (ICR) - are part of the Paperwork Reduction Act, but is cumbersome, imprecise (hard to estimate), and takes up considerable EPA time and resources. The form is complex, the process is outdated as it mandates hardcopies and the use of CD-ROMs, and it is required if collecting information from 10 or more people, which is a low bar. The form could be simplified, requests fully digital, and number of people necessitating submission could be increased.		1. Public Engagement - Our mission is to protect human health and the environment, though a lot of information we produce and work we do isn't communicated or doesn't reach the public. There could be better partnering with non-profits and communities.	1. Personnel Structure - I am a GS-9 doing the same work as GS-13 and GS-15s in my branch; that is, our day to day job responsibilities are the same in practice (and frankly, I believe I take on more responsibility), though their PARS might be worded differently. I have heard this almost across the board from the newer cohort of employees. It seems cost inefficient to have a GS-15 doing work a GS-7 or GS-9 can do. This speaks to the nature of our government system, based less on performance and more on tenure. 2. Contracting - It seems due to the nature of politics, there is focus on reducing size of staff, but reports suggest this means more work is outsourced to contractors, who charge an	1. Technical Employees - There is a significant shortage of computer/tech experience at the agency, particularly computer programmers. All our main databases such as ICIS-Air and ICIS-NPDES along with ECHO are oracle based, and require complex programming which is contracted out to the likes of Booz Allen and others for 10+ million a year. That money would go to much better use and the product a higher quality (since they would know likely be closer and learn the content) than if contracted out. The challenge is retaining these technical employees because they can earn much more as contractors or in private industry.	
451	450	5/3/2017	The increase in the number and fluctuation of political appointments has created a significant amount of extra time and effort to complete routine agency actions.	Ask states, tribes and locals what has worked already and what can work better. Don't assume that the prior Administration did not have any effective partnerships.	Maintain open communication and transparency.		Utilize SharePoint more broadly to reduce paperwork and increase timeliness.	
452	451	5/3/2017	No comments	No comments	No comments	No comments	No comments	No comments

AMERICAN OVERSIGHT

	I
450	1. Performance Reviews - 360 reviews where employee is reviewed by multiple parties (direct supervisor, subordinates, co-workers, customers, etc.) instead of only direct supervisor. This type of review would also apply to managers, so employees could provide feedback on manager performance. This would improve would accountability and I think overall performance.
451	
452	No comments

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
453	452	5/3/2017	Redundant oversight by OP in the rulemaking process and the rule package signing process. Do we really need two different Divisions in OP to do this? The procurement process at EPA is moribund. Not a single procurement supporting our programs is issued on time. Staff turnover is very high, and procurement managers are ineffective. Sad. HR service centers are woefully understaffed and undertrained. They are not capable of meeting time-related performance targets, and don't communicate clearly and consistently with hiring officials or applicants. This results in discouraging otherwise highly-qualified and highly-coveted applicants, who end up looking elsewhere for employment. Very sad.				We lack a system for nationally tracking state-issued air pollution permits under PSD and Title V. Regions provide inconsistent oversight of state programs and actions. A national data system that states or Regions would be required to report to would help ensure companies with sources in multiple states get consistent and fair treatment from all permit authorities. Invest in a national data system for submitting, tracking and processing air pollution State Implementation Plans (SIPs). States complain that EPA Regions do not provide timely service on submitted SIP actions. A national data system would provide centralized tracking of workflow, and help manage	All air pollution-related permitting on federal lands and the outer continental shelf should be consolidated within EPA (not split with BLM).
454	453	5/3/2017	"Bean counting" in order to meet projected results for Congressional reporting is out of date and creates busy work/enforcement for the sake of a bean instead of enforcement for the sake of addressing a real threat or release of chemicals to the environment or human health. Instead of generating yearly projected enforcement cases, I would focus instead on reporting the environmental/human health impact driving the enforcement and then follow up with the improved environmental/human health outcome from completed/resolved enforcement, i.e., pounds of pollution current released followed by pounds of pollution reduced; emergency personnel being uninformed about potential chemical releases from companies failing to file forms followed by communities being protected from potential releases of chemicals through proper reporting by companies; and potential number of people/communities receiving contaminated drinking water followed	Similar to above in that if EPA started reporting outcomes of collaboration or consultation with states, tribes, local communities or the private sector instead of focusing on enforcement results, I think that would provide an incentive to do more partnering over enforcement. Enforcement would be reserved for those situations where it is really needed to achieve the desired results.	EPA overall must do a better job of working cohesively as One EPA instead of presenting a stove-piped front to the public and our state and local partners. This starts with different program offices within EPA working together to understand how all our programs intersect. Even now, enforcement by air, RCRA, and SF against the same company do not coordinate. I think the public and regulated communities find this confusing and frustrating.	Yes - EPA does a poor job of prioritizing enforcement. For instance, in my Region, cases are brought against companies for violations of filing forms years after the violation occurred, and despite the fact that the companies have returned to compliance within months of the violations having occurred. This kind of enforcement is encouraged as a way for the Region to meet its "bean" commitments, and it does not result in any greater protection of the environment or human health. It also takes staff time (both program and attorney time) away from focusing on addressing through enforcement or counseling, those environmental and human health issues that are truly	Yes - EPA should employ an app that can capture and store text messages among employees and between employees and outside parties. Texting is a particularly important, effective, quick and easy form of communication during emergency situations (i.e. spills into drinking waters supplies), and the agency's current policy for capturing text messages to preserve them as records is very cumbersome and inefficient.	Two easy areas for realignment are to allow HUD sole enforcement of the lead disclosure and lead paint rules, and allow ACE or EPA the sole responsibility for wetland enforcement, not both.

AMERICAN OVERSIGHT

	I
453	
454	I recommend focusing on mediation and providing compliance assistance more as a way to reduce enforcement costs. Enforcement should be reserved for the more egregious cases where compliance assistance and/or mediation do not produce positive results.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
455	454	5/3/2017	HQ should allow the Region to serve its constituencies; oftentimes an edict would be imposed that does not serve the communities in our region. We know our region better than anyone. It goes to accountability. All the Region to take action and live with its outcome. Whether the outcome is good or unfavorable, empowerment. That's how government becomes better.	Communication, timely involvement and recognizing the added values.	communications in the process	Accountability on all performance measures and consequences for not meeting expectations; career employees are under the mindset that they cannot be reprimanded, or terminated for non-performance.	Yes, we take perfectly good computers, wipe all the programs off and reinstall the EPA image. What a waste of time and resources. Stop that practice. We have networks and other security controls in place where this practice is just over kill. I like having the IT resource center to help with solving solutions regarding desktop programs.	Let folks do what they do best and when they need to come together, with other federal agencies, states or tribal governments, polish the finished product together.
456	455	5/3/2017	the rule development process is still cumbersome. Steps like Analytical Blueprints for many tier 2 or higher rules end up developing formulaic products and are more or less check boxes to fill. In particular, there's an imbalance of power in these pre-rule stages, with the lead office often restraining options and not really taking input from other offices seriously.	Greater use of pre-rule vehicles like ANPRMs, or more casual, issue-focused fora like one-time roundtables on topics. These can be balanced so that there is genuine exchange of ideas rather than chanting back and forth about fixed positions. Also, more issues should be run through FACAs, which are by law balanced and capable of giving consensus advice. While you folks will not want to hear it, a good model was the prior administration's outreach in the development of the Clean Power Plan. You may not like the results, but the effort was there, and many issues were at least raised if not worked out.	Maintain strong regional offices that are closer to the states and the public than DC. Air more issues before documents hit the federal register (rules, proposals). Make the notice and comment process more useful to outside groups by soliciting comment on multiple options rather than rifle-shot proposals.	Writing more flexible, multi-option proposal will reduce the need to reopen and reconsider rules and accelerate the rule development process. The period of 2001 - 1017 saw a big growth in the number of reconsiderations because we were too restrictive in our consideration of options in our proposals. This led to 4 FR notices for many rules rather than 2.	More use of video conferencing when conducting outreach during policy development stages.	Create more issue-focused working groups across agencies. These would not have rule-writing authority, but would ensure more coordinated policy development.

AMERICAN OVERSIGHT

	I
455	IT should be in-house. If we are going to adopt the Telework model then cubicles need not stand empty for days at a time. Create shared divided bull pens and smaller conference rooms for those needing conference calls, or consultations., etc.
456	.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
457	456	5/3/2017					In acquisitions, the contract writing program (EAS) does not interface with the financial system. This means even though the funds have been obligated in EAS, the transaction doesn't get processed in the financial system until we email a copy of the contract or modification to RTP and someone there manually obligate the funds. Not only is this an antiquated and inefficient process, it also greatly increases the probability of errors. Along this same line, if we had a financial interface, we could process invoices electronically through a system like the Treasury Department's Invoice Processing Platform (IPP). They allow other departments/agencies to use	
458	457	5/3/2017	Within the Criminal Investigation Division (CID), special agents have recently been instructed to use a system called CaseMap. CaseMap was introduced in 1998 as relational database software for law offices to store and retrieve evidence and sources of evidence in litigation. The CaseMap website is a sales pitch for law firms, it was not designed for special agents to conduct their investigations or a means for them to store data. The training provided on how to use the system costs money and after receiving it, agents are still not left with a solid understanding of it although they have a GS-14 helping manage it. To my knowledge a survey nor study was done to determine whether or not DOJ, other federal agencies, or the agents prefer this system. In the conversations had with other agents, DOJ nor the agents want this system. In addition, other law federal law enforcement agencies don???t use it. I	Within CID, there is and has always been a big push for liaison with our counterparts. A majority of the investigative leads come from those counterparts asking for assistance. In my experience CID has a tougher time from our own civil enforcement not wanting to share information.	Keep doing liaison with our counterparts and the public.	CID should be run as a law enforcement group. Unfortunately, CID falls under OCEFT then OECA and too many times our upper management comes from the civil background with no true understanding of how a criminal investigation is conducted or how to run a criminal division. CID should be moved out of OECA and OCEFT and placed under the administrator as a primary office. This would allow for restructuring to eliminate or reduce unnecessary layers of departments and inefficiencies.	CID has a case management system called CCRS. It is dated, but it functions as intended and agents know how to use it. There were talks to upgrade CCRS at the cost of 1-2 million and an employee was even hired to further that effort. However there have been no major upgrades Since the system is working and agents can use it as intended, upgrading CCRS should wait until there is a better understanding of the budget.	EPA-CID agents receive specialized training above and beyond title 18 investigations and we have a specialty skill that other federal agents and agencies don???t have related to environmental crime.

AMERICAN OVERSIGHT

	I
457	Generally, agencies base the ceiling amount of a Contracting Officer Authorization (COA aka Warrant) on the stated needs of the office requesting the warrant. Recently the Office of Acquisition Management (OAM) changed the way EPA issues warrants and based the ceiling amount on the grade of the Contracting Officer. That change made warrant amounts arbitrary and seems to prevent individual contracting offices from being able to fully function.
458	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
459	458	5/3/2017	Databases: Concur, People+, FPPS are all cumbersome and don't communicate with each other. Changes need to be made to make them more useable. For example, there is no way to track awards in FPPS. The leave slip process in People+ is ridiculous. Also, the position of the Administrative Assistance needs to be revisited because the needs of that position have changed. Seems like there is not enough work for some and way too much for others. There should be a fitness for duty test because there is no retirement age requirement. It is sad to have to go through the removal process when someone has been with the agency for 40+ years but doesn't realize that they cannot do the job any longer. Even when management goes through the removal process, the MSPB often delays any action for months, to sometimes years. While this isn't a frequent issue, it takes a lot of time from the manager. Also, hiring freezes do not help the agency. The last hiring brought in capable, young people who will be with the agency for a long time unless	EPA has done a great job partnering with states, tribes and local communities, and in some cases the private sector. We provide funding through grants to help states and tribes develop programs. We have developed training for states, tribes and other federal agencies; conducted joint site inspections, and presented together to the public. Knowing your state, tribal and federal counterparts is key to establishing those relationships; we need more opportunities to do that.	Let us do our job and the public benefits. EPA is implementing laws created by Congress but it seems some feel each individual staff member has written a regulation for personal gain or intent. Having enough staff and resources to travel to states/tribes in the Region or to give presentations or meet with the public is necessary. Showing that we apply laws and regulations consistently across sectors is important.	Fix the administrative inefficiencies as noted above.	See above, better databases for administrative actions and tracking.	Reducing the number of Regions is not an effective way to provide assistance to states, tribes and the public. Regions cover several states and the questions above about providing improved customer service to state, tribes and the public would be reduced. There are programs at EPA that used to be critical but have either played out or are not an issue anymore. These should be identified and staff used where resources are necessary.
460	459	5/3/2017	There are no "institutional" processes in my direct organization inhibiting my ability to do my job efficiently and effectively. Overall, however, the overlap of EO's, circulars, guidance or regulations, etc., can make things difficult. Often like too many doctors prescribing too many different medicines for one patient. Individually the medicine might make sense, but piled on top of many others they can be harmful. Like evaluation of individual patients, various requirements should be assessed periodically for individual programs, or duties, to evaluate the practical effects of all of the applicable requirements applied as a whole. This would have to happen on a pretty low level, however, which is too complicated and take too much time for any given political cycle to get behind. Even though would be a huge help in helping us do our jobs better.	Environmental results from partnerships happen when there is a vested self interest; otherwise, profits, and short term priorities always win out over longer-term environmental results. How do we create or appeal to those self-interests is always the question. In my experience it comes down to the tried-and-true "walk softly, and carry a big stick," and lots of money. That almost always means regulation, and grants or incentives. Since the environment is a public good, but the "rational actor" is only about their own self-interest, so regulation or incentives become the prescription to make environmental protection relevant to the self-interested.	As public servants our jobs are about implementing regulations and policies. While they may be partners in our implementation efforts; states, tribes, local communities, regulated community, and the public at large should not be viewed as customers of the federal government. It's not a market-based relationship. So, the #1 thing would be to stop considering those outside the agency as customers, instead consider them part of a network for the implementation of policy and regulation.	Even good regulation on top of good regulation can "gum" up the works after a while. A purge once in a while would be beneficial. However, every regulation at some point had a reason. Before regulations are purged there must be an effort to take stock why it was enacted and whether it's been effective. If the reason no longer exists, or if the regulation hasn't been effective (however that is objectively measured) then it could be eliminated. This is not an easy task and would take a long time. I don't have confidence that there is ever the will to eliminate regulations with such forethought, but in the long run would increase efficiency and effectiveness.	More flexibility for staff to identify and access software we feel would help in carrying out our jobs. Right now it is very difficult to get authorization for software that isn't "standard" for our agency so we do without and this can be very inefficient.	First is to identify what those shared responsibilities and interests are in law and practice. Without knowing that there is no way to make improvements at the margins. Which is what this questions seems to be getting at.

AMERICAN OVERSIGHT

	I
459	Treat employees with respect so they feel empowered to do their jobs. The public sector is different than the private sector, I've worked in both. And although there are similarities, the difference is that most EPA employees believe in the mission of the agency and want to feel like they are contributing to a better environment. Awards and recognition is nice but most do not believe those are necessary if they are allowed to do their job. Having educated, experienced, motivated employees is the best way to increase efficiency, effectiveness and reduce costs. Workplaces like Google and Facebook have also shown this to be the case.
460	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
461	460	5/3/2017	Admin-type duties and paperwork related to travel, time keeping, etc. I'd address these by hiring additional administrative support.	Continue an open dialog with states, tribes and local communities. We already work well with our states. We rarely have the opportunity to interact directly with industry (not sure why that is). Communicating directly with industry representatives would help to ensure all needs are met.	Increasing opportunities for EPA to participate in stake holder meetings would help us provide better service and greater accessibility. This would require increases in travel funds.	No. I think we would all be better prepared to handle new technologies and industry advances if there was more funding available for training.	Increase network bandwidth so that computers don't get hung up when accessing things like permits or state databases. Single login for all internal sites, rather than separate logins with different password requirements for every individual site (training, payroll, records, etc). Communication from the Administrator so that we are aware of what the new priorities are, and what is and isn't "off-limits." This would avoid the time wasted speculating over whether or not we should continue the job we have been doing or if it is completely off-limits to work on science-based tasks like climate change. Running every task up the chain to our regional administrator to make a decision based on what we "think" the direction	Better communication and face-time with other federal agencies and states. Increase opportunities to discuss common goals. The administrator should clearly lay out his goals.
462	461	5/3/2017						
463	462	5/3/2017	In recent years the Office of the Science Advisor has initiated scientific reviews of scientific reports generated by the Risk Assessment Forum prior to sending the reports to the Science and Technology Policy Council for concurrence to release for public comment, external peer review or as final documents. The reviewers in the Office of the Science Advisor do not have the scientific expertise that the Risk Assessment Forum has gathered from across the agency to comprise the Technical Panels that develop the reports. This process has delayed several projects by 6 to 12 months. There is very little value added for the significant time delay. Additionally, the volunteers from across the Agency that participate in Risk Assessment Forum Technical Panels are increasingly frustrated and less likely to participate in this valuable Agencywide forum in the future.	The International Life Sciences Institute (ILSI) has a long history of bringing government, academia, industry and the NGO communities together to improve environmental sustainability and human health. Their model of bringing everyone to the table as equals to solve specific problems should be incorporated when working with states, tribes, local communities and the private sector.	Our first line of connection to the states, tribes, local communities, the regulated community and the public at large is most often our internet site. Our internet site has been problematic for many years and the recent renovation of the EPA.gov was not well thought out or executed. This needs to be a high priority and not left up to student services contractors. Our content needs to be concise and easy to find. If our search engines are not improved we should remove them and advise the public to do what Agency staff do - Google!	The biggest area I see in reducing costs and inefficiencies is to do something about the slackers who are not performing or who are underperforming. My office has several people in both categories. One of the worst examples of the latter is that my time keeper is a GS15 Program Analyst! Most time keepers in the Agency are GS 7 or 9. The curse of the competent is rampant at the Agency, those that can do the work keep getting piles of work, while those that can't or won't are left in their cubicles to waste the days away until retirement. Managers who won't do anything about the problem employees create morale problems with the hard working employees.	We need to have greater utilization of the Adobe Connect web conferencing system for audio, video and document sharing. We need to quit relying on the very expensive 1-866-299-3188 teleconferencing system. For workers who telework, we need to reconfigure office space for increased utilization considering hoteling or office/cubical sharing.	Proposal for reducing to Agency to eight regions is as follows: Region 1 - gains New York Region 2 - eliminated Region 3 - gains New Jersey Region 4 - gains Puerto Rico and Virgin Islands Region 5 - gains North and South Dakota Region 6 - stays the same Region 7 - gains Colorado Region 8 - eliminated Region 9 - gains Utah Region 10 - gains Montana and Wyoming

AMERICAN OVERSIGHT

	I
461	Communication from the Administrator. Best in Class practices include having a communicative "leader" who provides clear, concise messages and believes in the mission. When I worked in industry we had weekly or biweekly updates from the CEO, demonstrating that he was engaged and interested in the work we did, and updating any changes to the company's mission. Even though this was a global Oil and Gas operator, messages of positive reinforcement well outnumbered coverage of what the CEO viewed as negative. This type of communication and attitude helped motivate employees to do their jobs and do it well. We did not
462	
463	Increased use of telework, flexible work hours and credit hours while working with supervisors to address productivity and accountability issues.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
464	463	5/3/2017		The EPA is a more appropriate part of our government to release the dietary guidelines for Americans. The EPA's stated mission is to protect human health and the environment. The USDA's stated mission includes furthering agriculture. The USDA's industrial interest creates a conflict. The EPA's stated mission encompasses a human's largest interface with the environment. This interface is the gastrointestinal(GI) tract that comprises the greatest area of interface between a human and his or her environment. My next suggestion is to cease pasteurizing our food to death. Food preservation could benefit from embracing a healthy fermented preservation technique.		The EPA could foster cross-pollination of ideas and excitement by encouraging workers to present on interesting topics in their work to interested coworkers.	Introduce workers to and further utilize the Revision-Control-System(RCS) named git for document-tracking and quality-assurance.	Team up with the USDA to mitigate industrial interests' biasing effects on the dietary guidelines for Americans.
465	464	5/3/2017	I do not work in contracts management at this time; however, the system involves a lot of duplicative forms and processes and too many levels of signatures.	We should continue to support Brownfields, which usually result from a partnership between EPA, states, local communities and the private sector. These partnerships help turn urban blight into urban successes.	Make more information available to them on our website; for example, the pubic wants to know about climate change and what actions they can take to mitigate it.	Reduce the number of upper managers, deputies/associates, senior advisors at all levels, and special assistant GS-15s. Many of these people are overpaid, go to meetings all day, and produce no measureable output. Yack, yack, yack. They are paid a lot of money to pontificate. Why does the Immediate Office of OSCPP have so many high paid GS-14s and 15s who provide information to the rest of us on employee benefits, training, etc? Seems like a waste to me.	The Office of Pesticide Programs (OPP) uses an antiquated, DOS-based information management system called OPIN that is about 20 years old and was outdated back then. This system is a shock for new employees who never needed to learn to "write click" or constantly hit "save" before they came to work here. OPP's information management system is in desperate need of modernization.	Not sure.

AMERICAN OVERSIGHT

	I
464	I suspect it would be a beneficial practice to spur intrigue in employees' work by letting employees present to a voluntary audience about interesting work, useful tools, and exciting knowledge.
465	DOD encourages its employees to stay physically fit and provides state-of-the-art facilities and equipment. EPA's gym is a joke. Lack of exercise and increased stress leads to fat, sick employees and increased absence sand medical bills. This costs tax payers money.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
466	465	5/3/2017	We continue to be burdened with administrative procedures while seeing reduced administrative support. The purchase card program is one example. I have to get the total cost of a purchase approved prior to purchases. This frequently causes me to travel to a vendor pick out the items get a price and go back to the office and request approval. Once that occurs I go back and get the item. I then have to go through the tedious PNET approval process. Be aware that these steps were put in-place because of an overreaction to an IG audit. This is just one example of many Administrative burdens placed on technical staff. Streamlining these requirement would help, but the IG would not like it.	Working with private sector entities is difficult because everything is deemed a potential conflict of interest. It is difficult to achieve much with States and local communities due to lean budgets. Working with tribes is hit or miss depending on politics.	Our office is at half staff due to retirements and unfilled positions. We do what we can but project work consumes about 80 percent of work time. We proactively work with the States in our area by conducting training and out reach. Cleanup and assessment work takes priority. More staff would be the solution.	We have seen staff reductions and significant cuts in contract dollar support. Management within the Agency needs to try to understand where the priorities are. There are several pet projects within our program that do not protect the public or environment. We have a saying, "There are those that do response and there are those that play response." . Take a look at the underfunded oil response program (training, outreach, response equipment evaluation). Some Homeland Security priorities are a stretch.	We used to have funding to evaluate equipment developed by vendors for emergency response equipment. That funding no longer exists. Response contracts have been cut significantly over the last eight years. Response readiness is declining. A mentoring program for new staff is needed. Much technical and institutional knowledge is leaving the Agency due to many factors.	My program has few duplicative efforts with other Agencies.
467	466	5/3/2017	There are numerous procedures and processes that create a burden on employee's time but do not improve our ability to do our work. EPA offices should undertake systematic use of lean-in type exercises to uncover and correct these many inefficiencies.	Increased research and utilization of social science-informed methods for collaboration and engagement that can respond to local values and priorities. Expanded use of voluntary programs to broaden the scope of approaches used to protect human health and the environment, while also encouraging innovation.	Continued presence of Regional offices.	There are many things about EPA's internal processes for getting things done, involving multiple software systems, convoluted approval processes, and the ad hoc addition of new processes, that greatly slow down the work the agency is able to accomplish.	Have a single way of tracking products in progress, instead of separate systems that each need to be logged into for contracts, clearance, and other functions. Another solution is not just to purchase a brand new technology, but rather to provide greater instructions and context for the business solution software, webforms, and other processes that EPA already uses. There are many forms that we have to fill out, for example, that provide no instructions. Inevitably, we fill it out incorrectly or send it to the wrong person. Then we don't get the response we need in a timely manner.	While more than one agency has a mutual interest, they work on it with a clearly distinct lane. There is not a great deal of redundancy across agencies even though nominally they cover similar issues. What redundancy there is can be reduced with increased communication. It is very important that EPA continue to be in conversation with other federal agencies with shared responsibilities and mutual interests. This can be facilitated by OSTP committees and other ways of promoting peer-to-peer contact and learning e.g. at scientific and professional conferences.

AMERICAN OVERSIGHT

	I
466	Limit flexi-place to one day a week. Our group has many technical experts and scientists with years of experience. My immediate managers are technical and trust their staff . This is not the case further up the chain. Empowerment is the key to efficiency. Management for a scientific organization should be comprised of scientists. There are too many political scientists and attorneys in management positions.
467	Right now, offices are rewarded for spending all of their extramural funding. Not spending the money means it may get swept up and you will not be given as much next fiscal year. The incentive should be reversed. There should be rewards for not spending all extramural funding.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
468	467	5/3/2017	The Concur travel system is not intuitive and it is cumbersome to use - to the extent it could be made more user friendly, that would save many people a lot of time and could save money as well. We have improved some processes in my Office via use of Lean, which has been helpful. I also appreciate that the many required annual training courses have now been mostly synchronized such that we receive notices about them all together (rather than piecemeal) and most of them are available in one central location (Skillport) rather than multiple locations.	To the extent budgets for in-person training/discussions/conferences may be more limited in the future, EPA would benefit from increasing support in the form of webinars, pre-recorded videos, on demand training courses, and other forms of remote interaction.	Listening sessions are a good idea and it is important to have a plan for how verbal and written input will be reviewed and handled - attendees want to know how EPA plans to take their diverse views into account (S/L/T governments, regulated community, other stakeholders, public). EPA should support states' regular meetings (e.g., annual meetings) and be available in person to share information.	I am a fan of webinars - not that the opportunity is untapped, because we do provide them, but we could provide more. They are a good, low cost way to share information. The hiring process seems very inefficient, but I'm not sure what to suggest as far as ways to improve it.	More training on Drupal/web work and common webinar software (Adobe Connect, GoToMeeting) would enable more people to tackle these tasks, which would loosen up the strain on IT staff already tasked with these areas. EPA is generally far behind the rest of the world in terms of computer upgrades - hardware, operating systems, etc.	
469	468	5/3/2017	N/a	The relationship between Federal EPA versus State governments, Tribes, municipalities, and the private sector needs fundamental change. The Federal government should not impose its environmental policies within States; they are democracies and can make their own decisions and be held accountable for these policies by their voters. This is not a legal opinion, neither a self serving suckup, since this survey is reputed to be anonymous. Offices with Federal regulatory authorities should delegate their authorities fully to States and Tribes, to adopt and adapt, as they alone choose. USEPA should orient itself toward customer service and to supporting each of the 50 States and all the Tribes, at their request. USEPA employees will then aim to serve State, Tribe, and local needs as regards environmental matters.	EPA should cease issuing environmental regulations that apply within the 50 States. EPA could, for instance, instead provide health information about a range of possible exposure levels protective of human health and provide supporting information to buttress these numbers. (Supporting information would acknowledge uncertainties, sometimes substantial, associated with calculated estimates.) Regional offices could be converted into environmental assistance offices, aiming to support needs as defined and sought by States and Tribes. Headquarters offices can likewise be turned into State and Tribe support offices.	Fundamentally changing the relationship from imperial central policymaking premised on Federal primacy thru the entire nation to instead aiming to help customers in States, Tribes, counties, towns, and rural areas, could render great service to USEPA employees. It could give them more meaningful work. USEPA employees tend to have empathy for citizens and the environment. They also have knowledge and talents and tend to be laudably inspired to serve others. But many work in the difficult regulatory context of endeavoring to apply Federal environmental policy omniscience. Sometimes their efforts are very helpful, yet other times inevitably must be less so.	No technology can effectively substitute for fundamentally altering the mission of the Federal EPA from dictating to industries and towns, to instead collaborating with and helping them. The main challenge is one of responsible and enlightened governance. Technologies come and go. They are trivial, in contrast to decentralizing environmental policymaking and respecting local values and leaders.	There will be specific opportunities that will become apparent after steps to delegate environmental policymaking fully to States and Tribes is accomplished.
470	469	5/3/2017		Continue support for Local Environmental Observer (LEO) network which provides on the ground observations about unusual animal environmental and weather events. Integrates traditional and local knowledge with scientific knowledge. and Much more.				

AMERICAN OVERSIGHT

	I
468	
469	Ask industry groups for their ideas about how best to practice Responsible Care. Ask the private sector about best practices within the private sector. If the tone and fundamental relationship of the Federal EPA toward industries, towns, States, and Tribes becomes supportive, rather than prescriptive, then industries will likely be able to be more forthcoming about their best practices. The Federal government can transition to becoming more supportive of local leaders and State economies than is generally the case today. Thank you!
470	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
471	470	5/3/2017	The process that HQ and the Regions go through to evaluate the annual Brownfields assessment and cleanup applications could be greatly improved and it is very time consuming. The program is wonderful and it is one of the best the Agency has to offer, but the competition process needs to be streamlined. Our "FY17 Proposal Guidelines for Brownfields Assessment Grants" is 73 pages. A version of this document with modification is published annually for applicants to follow in order to submit an application. This in itself creates a huge demand on anyone applying to read and understand the Guidelines. Consultants prepare applications for the applicants because of this. The applicant must submit a narrative that is typically 15 pages of text addressing our ranking criteria. We have three reviewers from across the regions reviewing each proposal and then painstakingly evaluating each one. Hours are spent on this from January to March. It is not just the number of reviewers that is the issue, it is all of it,	Let the states have more flexibility in their implementation of the 128(a) state response program grant funding and also make it easier for them to get their annual funding!! Significant time is spent by the state in preparing the same documents each year and EPA in reviewing those documents. You should just have tiers of performers, so for states performing well, they just need to supply the basic and get additional funding each year. Also HQ requirements are much too stringent for state 128(a). HQ focus is on the four elements in the statute rather than the actual response program work. HQ guidance states "The primary goal of this funding is to ensure that state and tribal response programs include, or are taking reasonable steps to include, the elements of a response program and establishing a public record.??Â But the statute says	Keep giving them funding that they deserve to improve their communities and address the contamination that no one else is going to address	Yes, see above. Also please expand the travel budget so we can once again do the needed outreach to these communities.		
472	471	5/3/2017	A more flexible workplace would be helpful, with employees measured by their ability to produce timely, high-quality work (not necessarily within a pre-established 8 or 9 hour day). My experience has been that colleagues are extremely competent and committed to good work.	We already have several processes in place to engage the public (through public comments) and the states (working through our regional structure). Some tribes don't necessarily get the protections they deserve and, unfortunately, we don't always honor tribal treaty rights (for higher-quality air and waters) as much as we should. Working with the private sector through accreditation programs like Energy Star, WaterSense, and Vehicle Emissions ratings, are good examples of how we already work with the private sector.	Develop user-friendly apps so that our customers can track important processes (e.g., rulemaking) and so that customers can also better understand the breadth of EPA's work.	Most employees are reasonably paid a select few are over-paid. For example, I know an employee in AO/OP/ORPM/RMD whose salary increased from GS-9 in 2007 to GS-15 in 2012. When you consider that those increases took place throughout the economic recession years, it's quite remarkable. As a result, she is a non-managerial GS-15, doing essentially GS-9-level work. A review of promotion decisions for cases like this (full-grade increases for four consecutive years under otherwise fiscal austerity) is warranted and corrections should be made, if possible. The agency could save a lot of money by reviewing non-managerial GS-15 positions and positions whereby the staff rose through the ranks literally as fast as legally	A greater use of video conferencing and collaborative tools, like WebEx, can help to bridge the slight gap between EPA headquarters and staff in EPA regional offices.	Review GAO reports on duplication, overlap and fragmentation. To the extent that any programs relate to EPA's mission -- protecting human health and the environment -- consider inter-agency partnerships with other agencies working in those program areas.

AMERICAN OVERSIGHT

	I
471	
472	Greater interaction between the Administrator and career employees would help to garner trust and mutual respect for the work we do.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
473	472	5/3/2017	eliminate the ADP tracker! Most of the items being tracked are normal everyday business that shouldn't need to go to the administrator. I mean really, does he really want to know about all the PSD permits???? As a region we have the opportunity to review over 600 permits a year!! And seriously... SIP compilations??? It's just sending all the things we've already approved for the past 3 years to the Office of Federal Register!! Why would that be something worth tracking?? The ADP tracker is just one more tracking spreadsheet that we have to update and keep on top of... I swear I spent 2 hours yesterday updating 8 spreadsheets/trackers/lists on all the things I've been doing. If the administrator wants us to do our job more efficiently, then let us do our jobs, we know what we're doing!	Achieving better results starts with the ability to use every tool in your tool belt both good and bad. That means being able to threaten states when they tell you they're not doing something, when the administrator says we're not going to use sanctions legally given to epa by congress then that's one less tool to use. It also encourages states to do less than the bare minimum because they know we don't have the spine to do anything about it. On the opposite end of the spectrum we should make quicker decisions on topics of interest and provide more timely guidance. Allowing lower levels of the agency to make	not having to go through a public relations person every time we sneeze! The roll of the pr person is to answer questions from reporters/etc, having to go through a pr person for regular business is ridiculous, time consuming, and just one more set of eyes on a simple letter that doesn't mean anything.		Allow us to use free licensing applications on our computers: For instance for internet access allow us to use things like Chrome or Firefox. Restricting us to use only one program hinders our ability to access information that's only available on other apps	We cannot accomplish more by giving states more responsibility or delegating programs down to them. States are already financially strapped and when they do take control of a program epa is required by law to oversee their work. The best way we can accomplish more is by requiring states to increase their fines and penalties for environmental violations... by doing this the states will be able to take on more work and the consequences for violators will swing from worrying about epa to worrying about environmental harms they can avoid
474	473	5/3/2017	Lack of communication between the political leadership and rank and file. A lack of direction and communication is making the agency ineffective. Address the staff, share your plans, publish the administrators speeches, let the staff know what your expectations are. Staff shouldn't learn about internal decisions from the press. Clearly articulate to managers and staff what is expected. The agency needs to address timekeeping systems. In region 7 managers have three systems to monitor (four if you include telework requests). We waste hours on basic administrative tasks. The agency needs to provide one-stop shops for staff and managers on all administrative systems. If I have a question about my pay stub, I should need to understand if it is an OCFO or an OARM question. I need to be able to go to one place and quickly get the answer. We need to become more mobile. We	Process Improvement is a very effective tool in mapping out roles and responsibilities.		Streamline administrative processes through Lean. Hold senior managers accountable to implementing changes.		

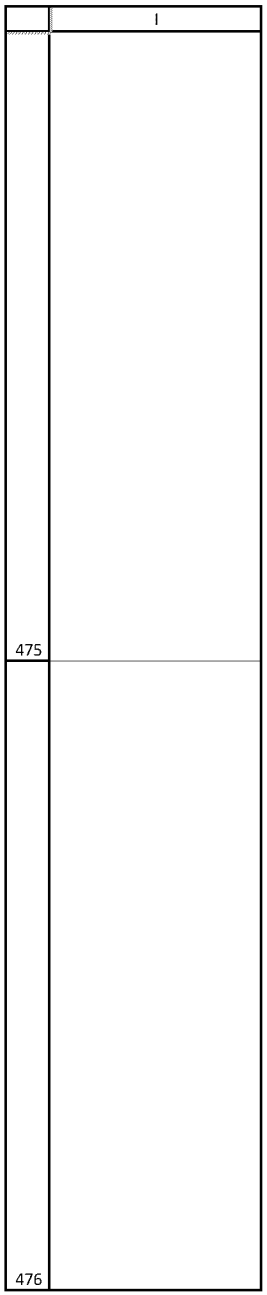
AMERICAN OVERSIGHT

	I
473	getting rid of the biennial appraisal system PARS! private sector has long found that appraisal systems such as this are ineffective and pointless. We should research and find better ways to appraise employees
474	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
475	474	5/3/2017	The contracts situation at EPA is a nightmare. There are constant hold ups in OARM because of lack of contracting officers. Please let them hire the staff they need to address the back log or someone should work to revamp the contracting procedures at EPA, in the federal government or wherever so that we can get contractors on board more easily and swiftly so we can get our work done in a more timely manner.				Yes! EPA does not appear to have an agreement with a program/software that can help us easily make infographics, flyer layouts and other graphics for use in house or for outreach materials, announcements or rulemakings. Last time we asked OPA they said they did not have any intention to obtain an agreement. GSA has a negotiated terms of service agreement with Piktochart (see https://www.digitalgov.gov/resources/negotiated-terms-of-service-agreements/) but we were told that we cannot use it without EPA also having an agreement with them. It would help our job in communications to have access to such a program so that we can easily and quickly do some graphics in house instead of sending them out	
476	475	5/3/2017	Using the PeoplePlus system for Superfund site code charging is cumbersome and laborious. It takes me 30-60 minutes to fill out my e/o week timecard. (If you multiple that by 1,000 employees 26 times a year => that's a lot of money/time). I feel like some changes could be made to streamline the process. ADDRESS THIS: By hiring a consultant to streamline the process using the systems we ALREADY have, develop guidance and training, and implement the change. Taking poorly designed mandatory training . I learn little and it takes up time for each employee. (The largest most horrible example is the contracts officer representative training that occurred in 2016-2017. Most of the content/process described were NOT relevant to most COR activities. I realize the Agency is trying to save money by using other Agency's training, but if the content /processes are NOT relevant, than you are wasting time/money at a very high level.) Managers are pushing	Allow EPA employees to travel more to create "opportunities" to convene these partners. Have appropriate grants to involve states, tribes, and local communities (like EJ Grants or State/Tribal Cooperative Agreements). When grants can be too cumbersome, allow the Agency to create contracts to serve such needs (like EPA's Superfund Redevelopment Initiative or the former EPA CARE Program). Allow the Agency to serve food at these events (nothing helps build relationships like "breaking bread", which is why the President hosts meals during important meetings). Continue to fund and promote programs that push for collaborative function, like facilitation services from EPA's Conflict Prevention and Resolution Center and technical assistance services from EPA's Superfund Technical Assistance	Hire social behavioral scientists at EPA. Bring back the climate adaptation team. Create more opportunities for EPA staff to share lessons learned and best practices within the Agency (across programs and regions).	Cultivate better first-line supervisors. ADDRESS THIS: By creating a group of EPA "consultants" to work to improve the effectiveness of first-line supervisors. Better process for awarding contracts. It seems that we are awarding contractors who bid the lowest, not the ones to can do the right job (most effective and efficient). This would greatly reduce inefficiencies by not having subpar work that EPA employees need to improve.		Invest more in those relationships by building EPA staff competency, supporting travel, and supporting mechanisms to build competency within our states and tribal partners. Allow EPA to host conferences, workshops, etc. to convene those critical conversations.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
477	476	5/3/2017	1. Way too much time is spent having highly trained scientists and engineers having to do episodic administrative work. Much greater efficiency would result by having dedicated administrative staff perform these tasks. 2. Eliminate many procedures. Instead, hold people accountable for being good financial stewards. 3. Streamline the performance evaluation system. PARS is so broken that it is useless and counter-productive.	1. Give grants to local communities to hire their own experts to advise them on cleanup issues. 2. Simplify EPA regulations and guidance. We produce way too many verbose reports written by contractors that no-one ever reads let alone comprehend.	1. Recruit new staff to perform these duties. Bring in more scientists and engineers who know how to communicate.	1. Eliminate matrix management for research in ORD. This has doubled the size of management and high positions without any real benefit. Eliminate Title 42 positions for National Program Directors. 2. Make the polluter pay for Superfund cleanups. The easiest way to get better leverage to accomplish this would be not to allow the polluters to conduct self-serving studies that downplay the extent of contamination and risks. Have EPA do all the site investigative work and then negotiate with the polluters to cleanup the site. This would save the government lots of money in the long term. 3. Simplify all regulations. To do this, you need to bring in new EPA managers for each	1. Better use of video conferences instead of traveling. Too many folks still prefer to travel than work. 2. Better use of on-line surveys.	1. Clear roles. 2. Better EPA oversight using random audits.
478	477	5/3/2017	My management chain is highly supportive and helps me do my work efficiently and effectively.	I believe that OPP works well with states, tribes, local communities and the private sector.	Improving record keeping. If all interactions are kept between the Agency and the regulated community then all interactions are on public record. If people are aware that there interactions are part of the official record and open this may improve customer service. Trainings on how to provide good customer service might also be appropriate. If people are aware of what the standards for customer service are they may be more inclined to reach for them or meet the standards. These trainings should also include how to say no to customers. Saying no, is an important part of our job. Knowing to effectively and with good customer service say no is difficult and a fine line to walk.	Embracing electronic submissions of documents. Moving to a digital workflow would reduce costs and reduce inefficiencies after an initial investment.	Please work with OPP on the Smart Label project. This project is working to make our labels searchable and introduce a digital workflow. This product needs support and funding now in its infancy but will hopefully reduce costs and inefficiencies in the long run.	I believe that OPP has good relationships and shared interests with the states and other federal agencies. We should however work toward becoming more transparent with other agencies and the states.
479	478	5/3/2017	hiring outside government entities every 3- 5 years to manage electronic databases/tracking systems such as travel "concur" as this puts our PPI at risk as well as national security riscs		regular coordination meetings, training sessions on new technologies, policies etc	more telework opportunities		

AMERICAN OVERSIGHT

	I
477	1. Zero-based budgeting. Although not a new idea, it is greatly needed in the federal government. Right now managers still waste funds by spending just to use them up so they can get more $ next year. 2. Rotate SES staff into new positions. Most of them are too stale and comfortable managing their personal fiefdoms. A shake-up is long overdue. Originally, SES staff were supposed by be rotated every 3-5 years. Now they often stay decades in their jobs. 3. Continue to solicit ideas from EPA staff. Many of us are non-political and just want to make EPA a better agency and more effectively serve the American people. 4. Reward offices for not spending all their $. Put a
478	In my department there is open and clear communication between and among managers and staff. This clear communication between everyone can reduce inefficiencies. If everyone is on the same page, then there are no miscommunications and work gets completed, without a duplication of effort.
479	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
480	479	5/3/2017	Many of the systems used to manage employee activities are overly complicated. The most glaring example is business travel procedures. The amount of work required to schedule, procure lodging, flights, car, etc, and get reimbursed is obnoxiously frustrating. If it were allowed, I would pay for my own travel just to avoid the headaches. CONCUR just plain sucks, period. For whatever reason, the federal government insists on relying on 3rd party contractors to manage such things, and once these contractors obtain their contract, they are not properly held accountable for the quality of their product. Here???s how travel should work: 1. Employees are issued a travel card, 2. They charge travel expenses on the card, 3. The agency pays off the card. This seemingly simple process has become overly complicated out of fear of abuse. But, the last time that I traveled, my reimbursement forms were routed through 22 different people. 22!!	Regulatory agencies exist because regulation is required to prevent greed motivated, detrimental, runaway effects of a capitalistic society. A centralized federal agency is the best case that we can ask for from this perspective, as it can ideally maintain an unbiased, subjective, fact- and science-based perspective on the situation. The private sector represents the opposite extreme, as we have to assume that their agenda is primarily greed motivated. With this in mind, we should not make partnering with the private sector a priority. We exist to enforce rules upon them to prevent impacts on human health and the environment, not to compromise, negotiate, or pander to whomever has the biggest wallet. State???s desires to be individual self-governing entities is, to a lesser extent, representative of	The major hurdle in providing efficient customer service is the arduous process that we have to go through to even provide a response. A technical staff person evaluates a situation, characterizes the important parameters, applies evaluation methods, reaches conclusions, and tailors a response. That response then has to go through a supervisor, which requires that the material is explained by the technical person. Then it has to go through their supervisor, and their supervisor, and technical explanations are required at every step along the way. Then the lawyers get ahold of it and butcher every point that you are trying to make. Because legal ramifications are possible, and highly likely in a greed motivated world, we have to say things to people without really saying anything at all. This of course is difficult (impossible) to do, so the technical person has to start over again and try to come up with some	We could hire more scientists and engineers and hire less lawyers. We could also preferentially promote people into management positions based on their technical expertise, which would eliminate the need to educate supervisors every time a new subject hits the table. Environmental policy, analysis, and decisions should be made by environmental scientists, not lawyers, politicians, and special interest groups.	The biggest example that comes to mind is data management. Each Region maintains individual databases, and when states have primacy, they maintain their own individual databases. There is no continuity between the databases, which means that the data contained within them are not universally compatible, and nationwide data cannot be accessed from one centralized resource. We actually have to put in many hours worth of effort every quarter to obtain datasets, change headings and formats to make them compatible, and upload them to a national database. All data from all regions and states should be managed in one database to begin with.	As long as everyone???s priorities are aligned (protection of human health and the environment), then collaboration is easily productive. We simply need to eliminate those with mis-founded priorities (like Fossil Fuels lobbyists that have been appointed to important agency positions).
481	480	5/3/2017	The state of environmental protection has made Great strides over the years (since the 70s and 80s in particular). The model to develop federal regulations that are delegated to the States is a good one. Unfortunately, once the States were authorized, the Agency should have done some downsizing. Instead, we developed new areas of emphasis and embarked on mission creep. Consider sunset clauses in new regulations for program reviews. Read the GAO's 2005 report 21st Century Challenges: Reexamining the Base of the Federal Government, especially Section 3: Where Do We Go From Here?	For the Air Program, let the Regional Offices run things. Stop letting Washington DC run it. They are too theoretical, not practical and way too political especially in the last 8 years. DC could be a monitor of what's going on in the Regions and a resolver of disputes between Regional approaches.	Many Regional staff are very experienced in their field since most staff stay at the Agency because we believe in the mission of protecting HH&E. As you may know, many State agencies have high staff turnover, poor pay which leads to few and inexperienced staff. Maybe Regional staff could provide more hands on technical assistance in coordination with States to achieve goals. It may mean more travel dollars to the Regions.	As mentioned in response to Q3, EPA staff are dedicated to the mission and have much experience to share with States in their times of reduced resources. Intergovernmental Personnel Agreements (IPAs) may be a mechanism. With regard to the land cleanup programs, Marianne Horinko coined the One Cleanup Program. Need to revisit. SF and RCRA cleanups should be done the same. We can streamline RCRA, why not SF.	The military services are continually inventing and using new cleanup technologies. Maybe look to better coordinate between DOD/DOE and EPA ORD research programs.	See response to Q1

AMERICAN OVERSIGHT

	I
480	Formulate policies and decisions based on science and reality, not greed motivated fairy tales.
481	See the Region 6 Corrective Action Strategy for expediting cleanup https://19january2017snapshot.epa.gov/tx/hazardous-waste-corrective-action-strategy-epas-south-central-region_.html Region 6 also has a Ready for Reuse program that has been a catalyst in site cleanup for reuse.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
482	481	5/3/2017	Limit the number of meetings we have. Our monthly OPP-OECA meetings are ridiculous. Things are still in pending, no hard deadlines are made, and apparently it is acceptable to say you are ???just working on things??Â. No way that would fly in a corporate world or any other office. People sitting in HQ or in other region say that things are still in process without a reasonable explanation, take leave on due dates, and lack of accountability. People should be given hard deadlines. Large call such a monthly call that have all 10 regions and HQ should be styled like a war room call with a concise agenda, no room for side distraction. Calls should be short (less than 45 minutes). 25% of an employee time should not be spent in meetings. Quality Assurance training is a waste of time. Having sat through the 3-day event, I would say that it is not in the interest of the employee. This is a waste of money and time a simple webinar could replace this. There are several EPA databases in EPA,	I have found that when partnering with someone for a common goal, things are more enthusiastically achieved when both parties have something to gain. Partnership should include public awareness; people should be awarded/recognized for their efforts to further their own or EPA missions.	Get on social media- snapchat, Instagram, Facebook, twitter, make YouTube videos. On social media you can show how to check your home for mold, lead paint, how to limit standing water in your yard that attracts mosquitos during peak Zika time. Showcasing the effects of pesticides on fruits and vegetables. Doing a video showcasing local farms and how they incorporate pesticides or don???t in their daily activities. Make PSA announcements to the public, like ???the label is the law??Â. Create webinar for respective party and inform them of changes happening within EPA (i.e. make a webinar for importers/brokers on the new ACE system). Have a presence in the scientific community like American Chemical Society, where we can present about cases. These can be at small gathering at local university to international/national conferences. This is important to do because it	We need to partner with local government/ local groups organizations (religious groups, community centers, large high schools) to further the aim of the EPA. Encourage sorting trash, composting, recycling	I would suggest that specific programs should be able to open to the public 24/7. For specific work, like imports that have a constant flow throughout the regions. Being in region 6, there are up to 100 imports in just pesticides coming in every day. In today???s world it is unrealistic to have imports sitting at ports Friday after 3 pm till Monday morning. We cannot stop because it???s the weekend. I recommend that staff should be given the offer to work weekends instead of days during the week. Also taking notes for ANY meeting is a waste of time, recording the meeting with conference calls or someone???s cell phone is way easier. This way we have higher accountability of what someone said.	Things become a priority The burden of costs, time, and resource do not all weigh on one specific party or agency. Every agency, or person for that matter brings something unique to the table. For example, the state of AR agricultural department has a good relationship with the FBI. While working on a project together you might be surprised by the contacts and resources agency have. Being able to work with different agencies is the most rewarding way to learn about your own program, others, and how you both can benefit each other.
483	482	5/3/2017	Too many managers at the SES level in a very small office is wasteful and wholly unnecessary. OITA, with approximately 65 to 70 total employees has 6 SES managers. Not too long ago (less than 10 years) there were only 2 SES level managers, with a few more total employees. These SES level managers travel all the time, and it is not unusual to see 2 & 3 of them traveling to the same meetings. It is embarrassing and an unnecessary waste of our resources.	The EPA can reduce global and transboundary environmental risks using our technical assistance, training, information exchange and technology demonstrations to match environmental problems outside our borders. Enlisting the expertise and resources of our private sector will greatly expand the range of environmental protection options that we can offer the world. This is what OITA had done very well under previous Presidents, but with the expansion of the SES core in such small office, the time & resources are spent as they travel to UN-TYPE meetings that don't get us any concrete results.	Focus OITA efforts on eliminating environmental forces that threaten directly the health, prosperity and jobs of American citizens, such as the pollution coming from Mexico, China and other underdeveloped countries. The environmental side agreement to the NAFTA & the CEC has become a way to funnel money into the pockets of corrupt Mexican politicians and to give Canada a free hand to overcharge us for important resources needed in this country. We need to focus on stopping pollution reaching the US by including environmental issues in the mainstream of American foreign policy where the decisions are made by our political leadership.	Ensure that all SES managers rotate positions every 4 or 5 years (which they are supposed to do anyway) so there is no opportunity to create fiefdoms that are so hard to identify from outside the offices. Our political leadership are rightly focused on making sure the President's agenda gets implemented, while these cadre of high level decision-makers make sure that there are as few changes as possible to the status quo.	US technology is the best in the world and the International office of this agency should be doing more to promote our environmental technologies to sell around the world.	EPA can provide important services to our States and Tribes by ensuring that serious environmental problems are confronted at the global scale. For example pollution of our oceans and losses of species and habitats have a widespread and long-term consequence and EPA can help protect our population by ensuring that our international agreements obligate them to take key basic environmental protection such as ensuring the availability of clean drinking water.

AMERICAN OVERSIGHT

	I
482	Allow employee to work on a diverse range of projects. Employee that work hard, doing their work in a timely manner, and do good work should be rewarded with a raise, responsibility and other privileges such as working from home more than 2 days a week. People who don???t work hard, have poor relationships with their team mates, and don???t do good work should be penalized. I feel that everyone is awarded benefits (pay raises) for having loyalty to the government, this is a counterproductive approach. Just because you have been here for over a decade or 30 years doesn???t mean that your quality of work shouldn???t be called into question. Completely removed paper
483	Establish tracking systems to monitor emissions and tracking international pollution of our oceans and drinking water resources.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
484	483	5/3/2017	The difficulties in buying things and hiring people in the Agency are the main impediments I see to efficient and effective operations. OAM and OHR are largely regarded as being broken. It generally takes months to get any acquisition made or to get a position defined and filled. Until these processes work, little else is going to work well. The conflicting requirements for cloud-based information technology to use Trusted Internet Connection (TIC) and use of FISMA-compliant (FedRAMP-certified) cloud IT services create inefficiencies. GSA needs to resolve the inherent conflict of priorities this entails.			The overlap and duplication of "shadow IT" operations in OCFO, OIG, OPPT, OARM, and some other offices largely duplicate many functions of OEI. Consolidating those functions could reduce costs and inefficiencies substantially.	The Agency's new implementation of SalesForce offers a lot of efficiencies in business process automation, though it will take investment in more licenses to bear the most fruit and save the most money overall. Other uses of cloud-based information technology holds potential for added responsiveness and flexibility (though not as much for cost savings as the cloud vendors may claim).	
485	484	5/3/2017	When I travel I spend a lot of time figuring out the travel system - both before and after. It would be much more efficient to have support staff who are very familiar with the travel process do it for the Division or Office, rather than each person in the office, most of whom travel infrequently, try to figure it out each time.	We should be investing in collaborative work on a holistic, e.g., ecosystem level, with these partners. Addressing air issues separately from water issues and separately from land issues is inefficient and won't yield the optimal environmental and human health results. What goes into the air falls on the land and water. What goes onto the land gets blown into the air and leached in groundwater and run-off into surface water. Etc. Yes our statutes reinforce the silos, but we should be able to build systems to bridge the authorities - federal, state, tribal, local, etc.	Allow for more participation in meetings with states, tribes, local governments, public interest groups, the regulated community and the general public.	Not really. Although I do hear that the efforts to undo current regulatory requirements will lead to increased costs and inefficiencies. For example, the production manager at a large local drinking water utility says NOT to withdraw/suspend regulations. They have systems in place that are responsive to current regulations and that work well to protect the public. EPA cutting back on those regulations will lead to confusion and possible disaster (his words). EPA should make much more aggressive use of cutting-edge monitor and sensor technologies to reduce costs and inefficiencies -- and perhaps improving environmental	Monitor and sensor technology is amazing and could be applied and many scenarios to make EPA more efficient and effective. This technology is especially useful for data collection and for emergency response.	I think in many cases we are already well aligned. Plenty of exceptions, of course.

AMERICAN OVERSIGHT

	I
484	Agile development principles (e.g., http://agilemanifesto.org/) -- iterative development starting with a small initial increment to get real feedback and accommodate change over time from real users interacting with a working prototype -- can be applied helpfully to many disciplines besides software development.
485	EPA should invest in drone technology for monitors and sensors. Other federal agencies are well ahead of EPA on this technology. It will greatly improve our efficiency and reduce our costs. Rapid approvals of monitor and sensor technologies for data collection and reporting will benefit the private and public sectors.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
486	485	5/3/2017	The review and clearance process for the publication of scientific research results is overly burdensome. Management seems to have spent a lot of time coming up with new requirements to make sure the agency is not embarrassed by any published work. Hiring qualified and talented research staff should be sufficient. Scientists themselves are responsible for the products they publish. If those products are sub-par, it will show by their submissions being rejected by reputable journals. The fact that ORD has added multiple layers of approval for clearance to publish could appear to the public to be intended to censor our scientific findings. However, I don't personally think that is the case.	All parts of our society have a stake in making sure our environment is protected and should be involved in deciding the proper actions to take. However, disagreements are always an issue and very rarely will everyone be satisfied. This situation cannot be allowed to prevent reasonable actions to be taken, but politicians and government officials seems to be unable to take on this challenge. One dissenting option seems to often able to prevent any action.	Let EPA do what it is supposed to do, and only what it is supposed to do. Middle- and upper-level management seems to be preoccupied with growing the organizations they control rather than producing quality products that address existing requirements. Bigger and better are two different things!	As a scientist, my research is greatly hampered by lack of computational power within EPA and the lack of funding to provide secure communication to larger computing systems outside of EPA. I am forced to employ simplified methods that degrade the quality and applicability of my results. I perceive this to be a result of poor management structures and lack of communication within them. This has been an unresolved issue for two decades now.	Yes, but they would require an up-front investment that EPA does not seem able to afford. Management seems to be rewarded more for cutting costs and less for increasing efficiency and productivity. EPA either needs more computing resources within, or it needs to facilitate the use of external resources.	Let the National Institute for Environmental Health Studies (NIEHS) deal with issues like human health and indoor air quality and let EPA focus on air, water and ecosystem pollution. We have to understand those environmental processes first before we can decide what needs to be done to protect them.
487	486	5/3/2017		We need to support economic development in states that need help transitioning from industries that are never coming back, such as coal mining, to the jobs of the 21st century. Beyond that, we have already been doing a very good job of partnering with states. There are more states in this country than Oklahoma, and we have had very good working partnerships with many, if not most of them. I have been part of these partnerships and have spent time at a state agency. You should talk to staff directly about our programs and learn these things. You can even read about some of these partnerships on our website!!	The public is not our customer. We work for them. They are our employer. They employ us to ensure clean air and clean water, which is necessary to sustain life, prevent disease, and allow people to be productive. Rolling back regulations that ensure clean air and clean water will not help people be more productive. Nor will it help the economy overall; when business profits by making people sick, the overall economy does not benefit. If you think it does, you are conflating the short term profits of a few with the long-term economic health of the many.	I see many opportunities not to cut the legs out from under programs that provide much needed guidance to states, that most states actually want and need. You should talk with the other 49 states, beyond just the one you come from.	Yes, in the real world. For example, last year the solar energy industry in the US hired more people than coal mining employs (look it up). China is leading the world in investment in the technology of the 21st century (renewable energy and energy efficiency, the fastest growing industries worldwide). Do we want to lead in the technology of the 21st century, or cede that ground to China in our zeal to chase the technologies of the past?	You mean through budget cuts? Not going to help you there.
488	487	5/3/2017	Eliminate all need for Lotus software. It's email function was eliminated years ago, but is still used for grant management tasks. Help Desks are helpless with Lotus support, and it is far past time for Lotus to go.		Develop and keep up-to-date a roster or directory for Regional points-of-contact on various issues. Then inquiries can be directed to the appropriate person to give the best response.		Revisit and streamline grant review process if possible. Also provide more openness for reviewers that participate in terms of the selection process. The selection process is a bit of a "black box" for everyone except the Coordinators.	

AMERICAN OVERSIGHT

	I
486	Empower employees to do what they need to (legally, of course) in order to get their jobs done. Then hold them accountable for any waste or abuse of authority. But first you have to have a talented and motivated work force. Pay attractive salaries for talent and performance.
487	
488	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
489	488	5/3/2017	1. Purchasing: For all micropurchases (<$3,500) for which a government purchase card is used, there are 3 separate electronic systems required with 3 different user names and 3 different passwords. The first is the approval system that routes procurement requests to various approvers and the FCO for funding. The second system is the allocation system in order to pay the vendor post-charge. The third system was implemented strictly for electronic documentation following an audit that identified localized abuse. Those staff committing abuse should have been punished and/or fired. Instead, all purchase card holders got slapped with more administrative burden (this is an ongoing theme also happening in other administrative arenas). Some foresight and up-front investment should have resulted in a single cohesive electronic system that can handle approvals, funding, allocation and documentation. The current system(s) impart unnecessary administrative burden on	In some areas of research, partnerships such as these make sense for achieving better environmental results based on specific issues that affect localities. However, modernized chemical safety research inherently serves everyone due to chemical screening approaches that evaluate potential modes of toxicity across broad swaths of chemical classes including pesticides, food additives, cosmetic additives, pharmaceuticals, etc. Exposure to man-made chemicals knows no boundaries. An impartial national research program, free of special interest, to evaluate chemical safety is imperative. On the one hand, many would argue that tight partnerships with the private sector regarding chemical safety research would be a conflict of interest and have great potential for corruption. In the case of federal chemical safety research,	Lift administrative burdens and red tape in order to allow more efficient execution, completion and communication of science. Increase level of trust in federal staff and alleviate these extra administrative burdens that have been added on to everyone???s workload due to a few incidents of abuse that should have been dealt with locally on a case-by-case basis.	This has been addressed in multiple other questions.	Standardize business practices. 1) All government purchasing, macro and micro, should be facilitated by a single cohesive software-based system (see also Q 1). 2) Record-keeping policies should migrate away from paper to electronic and have a sensible software-based system that can handle/archive research records, administrative records, etc. all in the same system and be consistent across the agency.	We???ve already done this to a large degree in the latest round of research planning. For chemical safety research, there are only select opportunities to partner with other federal agencies and/or states. As stated earlier, partnerships with states or other private or local entities for chemical safety research has potential to impose special interest on the process, which can undermine impartial federal research that is inherently serving the whole US and other nations throughout the globe.
490	489	5/3/2017	For many many many years now, EPA has been eliminating administrative support employees/positions. While EPA has become much more efficient with electronic ways of doing things (voice mail, email, payroll etc) there is STILL the need for administrative support personnel. Otherwise, highly grade employees, GS 14s, are spending too much time doing their own administrative work. That's not an efficient way to use a highly graded, highly educated employee's time.	Better environmental results can be achieved by working WITH EPA employees, not against us. And by cutting out the rhetoric. We are the experts and should be treated as such. Communicating things like 'the war on coal is over' and pitting the 'environment against jobs' is not helpful and not even true. Environmental protection CREATES jobs. Green energy CREATES jobs. EPA has never had a war on coal. Coal is a throw-back to the 1940s and 1950s. Its not a cost-effective source of energy compared to, for example, natural gas, and to tell coal workers their jobs are coming back is untrue. Not to mention that putting a few dozen coal miners back under ground is hazardous to their health. It would make more sense to invest in environmental (and health) protection and green power and retrain coal miners to work in green technologies where there is	By cutting out the rhetoric. EPA is not the enemy. We have always worked with states, tribes etc. There is always room for doing a better job, and as professionals we strive to do this.	There is too much focus on cutting costs without seriously considering the human health and environmental consequences. Cutting back or eliminating important programs like WaterSense and the vast array of other voluntary and partnership programs EPA has developed over the years may reduce costs but they won't protect health and the environment. They will endanger public health and lead to a less sustainable environment - of which we all depend. Lets put the focus on being more effective in protecting the public and the environment.		The federal government's role can't be passed on to the states. Many environmental issues cut across state boundaries. And resources vary from state to state. That's why the federal role in human health and environmental protection is so important. Of course, federal-state partnerships can always be strengthened, and they should be. Its destructive and counter-productive to have a negative attitude about the federal government's role. I do think there should be some focus on where federal agencies overlap and how federal agencies can better

AMERICAN OVERSIGHT

	I
489	Take a look at the way the private sector handles purchasing and tracking of supplies and equipment needed to perform their duties. What is the margin for when the cost of the effort involved in accounting for something exceeds the value of the item being accounted for? I guarantee, the effort EPA spends to account for trivial items far exceeds the value of the items themselves. It would be more economical to accept losses sometimes and move on with more meaningful work. The appropriate utilization of supplies and equipment should be evident in product output. When funds are allocated to a project to produce a product, the measure of whether the funds were
490	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
491	490	5/3/2017	Management Procedures: Too many layers for review before signature approval. Unnecessary, multiple reviews slows down approval time, halts work to wait for review and hinders efficient processing. One less review would save time and improve efficiency. Eliminate at least one layer of management before subordinate employees are RIFed. Management does no work, only shuffles papers to sign. Regional Administrator, Assistant Regional Administrator, Deputy Regional Administrator, Deputy Assistant Regional Administrator, are they all really needed? How much income do they generate for the agency? Could any of their ???work??Â be contracted out or placed under a term/temporary status?	Encourage states, tribes, local communities and the private sector to use more of their funds to achieve better environmental results. Develop new ways to produce better environmental results that decrease the federal government's funding contribution and increases the private sector's contribution.	Hire contractors to act as government liaisons to the states, tribes, local communities, the regulated community and the public at large. Contracting this work out would save money and improve efficiency. Look at site inspector positions, Information Technology (IT), records management and building security. All are using contract personnel and working just fine. Contract employees are easier to manage and provide flexibility.	Telework is an untapped opportunity and an underused perk. There are employees in offices with little work and work in offices with few employees. Establish more shared service centers like the IASSC and allow employees to work on personnel, finance, grant preparation, etc., that they now complete online anyway. College courses are taught online, why can???t work be performed online outside of an office? To attract the best and brightest you need incentives and perks???don???t get rid of them! Two employees who telework 4-5 days a week could share office space because neither would be in the office at the same time. Save on rent, utilities and	Immediately change regulations to allow electronic signatures, use of electronic forms and make all forms electronic and fillable online. Start moving files to electronic versions. We already use the computer to process, send, receive, approve and close projects. Prepare regulations that require electronic files be used and save a boatload of money on paper and warehouse storage. Electronic files allow agency flexibility when assigning work so employees won???t have to be where the file is located to work on it. The agency will need to scan mass amounts of files when they move to an electronic form. Hire a contractor to do the scanning and leave the employees to review the	Our agency utilizes 2 shared service centers to process interagency agreements. This concept can be used for other actions/work done in all 10 regions. It will allow the agency to provide more uniformity with their actions, utilize employees where they are located and reduce the workload impact of departing workers. We utilize another agency to process our payroll and I believe we use other agencies' contracting services.
492	491	5/3/2017	The hiring of SES or upper management that is not qualified for senior level scientific positions contributes greatly to the inefficiencies at the agency. Senior management hired in from Social Security, GSA, or other non-scientific agencies , following the ill logic of I don't need to know what you do to mange you is false with respect to scientific organizations. When senior management is quoted as saying they do not want science or like scientist's, why are they hired? I would solve this by having an outside agency, such as DOI, have the final hiring say in hiring technical senior management positions at EPA. They would pick qualified candidates, not personal friends.	Better outcomes require more dialogue at the start of the process and then holding people and schedules near the end. The agency has a severe lack of planning and a little preparation up front, coupled with consequences at the end, would go a long way to improve results.	See above.	Several untapped opportunities come to mind. 1) the organization of all of the regions should follow a single model. Some at centralized, some are matrix, some are hopeless. 2) Hire technical staff for technical positions including management. 3) Look at grant and purchasing rules. Every time one person tries to manipulate the system, all the other staff are punished. Why add or change rules constantly? Punish the rule breaker and go on. If you review, streamline, and eliminate redundant positions, punish those who abuse the system, and you will reduce costs.	Review and then centralize the purchasing, property, potential QA, and other functions tracking processes. The agency has so many home grown systems, (based on stove pipe thinking) that a review would identify numerous cases of duplication. Then agree on one and enforce the use of it.	We do well in Region 8 with this. I see us as an example for the rest of the agency.

AMERICAN OVERSIGHT

	I
491	We utilize a mail room that orders and distributes supplies, distributes mail, prepares large copy jobs, etc. All copy machines have a default setting to print on both sides of the paper. We only have one machine for color copies in our building. The mailroom also has bins of ???recycled??Â office supplies that are free. We separate and remove our own garbage from our cube. We share office space, a file room and a conference room with another unit. My former agency USDA, Rural Housing Service moved their mortgage application process online and allowed the work to be completed by any employee located in any office in the state. This
492	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
493	492	5/3/2017	It seems like we are always patching things together to accomplish administrative functions and one of the reasons for this is that we utilize different programs/applications for one specific process. For instance, Procurement is done in EAS, Timekeeping is in People Plus, Budgeting and Spending is in Compass Financials with duplication of another finance system called IRMS for tracking research support dollars is done in another system (IRMS is ORD specific). One solution I have always believed in is for the organization to utilize an integrated enterprise application that allows for all functions to be tracked in one application. The system contains cross functions, and it automatically communicates and provides multiple functions from one point of entry. These systems can be tailored to the needs of different offices (Regional Offices have a more standard application, ORD or other offices that have a more complex need can utilize a more tailored version).	No comment.	No comment.	No comment	Enterprise Resource Planning (ERP) and data management programs - one stop applications to fulfill multiple functions (accounting, procurement, human resources, timekeeping/payroll, ...). We have some of these systems on the ground, but we only utilize them for one function only. This seems costly not only on a financial standpoint, but also on a time standpoint for employees (labor costs are higher because of this).	No comment.
494	493	5/3/2017	Acquisition process in the EPA is extremely cumbersome and archaic. Requirements to purchases a product or service on behalf of the government are not either not clear or constantly shift. OAM should make the purchasing rules simpler and expedite purchasing of small business products and services as well as micro purchases so the government can pay the small business faster and acquire the needed product and service faster as well.	More stakeholder/public engagement in form of a digital dialogue would be a good way to enhance the services government provides. This could be accomplished through a social networking model such as Facebook/Twitter, or through the old fashioned way of gov delivery time notifications which solicit feedback via email or a docket like system.	I am not why we don't solicit feedback from our customers in forms of 'Customer Satisfactions Surveys' as the private sector does. That is the only way I can think of that you'll know for sure what to improve. We should always follow up with our customers or a representative sample of our customers if the customer base is too large to determine what the experience was like and how we could do a better job.		I am an information technology professional. My suggestion would be to require all applications being developed to be only deployed on the Cloud. The agency recently acquired Microsoft Azure Cloud services. We should add to that selection other Cloud providers such as Amazon Web Services. Deploying all applications to the Cloud would move us away from purchasing and keeping large amount of local infrastructure costing millions in contractor support and licensing costs. I understand that there will always be a need to keep some databases under government control so a much smaller footprint of infrastructure would be needed to safeguard the most sensitive PII or CBI on	More MOUs with other Federal Agencies in information sharing would increase awareness of each other's work. We should also launch a government version of Facebook where Federal employees could share ideas about innovations and efficiencies internally.

AMERICAN OVERSIGHT

	I
493	An example from the WEB of a state government solicitation for Enterprise Technology can be found here: http://www.doa.state.wi.us/divisions/enterprise-technology/erprfo There are many others - mostly county and state offices that are turning to this technology to provide efficiency.
494	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
495	494	5/3/2017	The Criminal Investigation Division has historically not had much administrative support. As a result, higher paid employees are often forced to do work that could and should be done by lower paid employees. A simple remedy is hiring more administrative support in the Criminal Investigative Division to free up agents to do agent work instead of admin work. Along the same lines, large law enforcement agencies have investigative assistants to handle some of the tasks involved in investigative work, such as records searches and criminal history checks. Hiring lower grade investigative assistants would also free up agents to do 'agent work.' While these suggestions might not save money, they would make CID more productive without hiring additional agents.	Unfortunately, in Florida, the state agency has been gutted to the point that they are not effective. We really don't partner with them much, because it does not seem that their mission is actually protecting the environment. I'm not sure this can be fixed by the federal government, other than taking the programs back from the FDEP. That would not work either, as EPA does not the resources to run the programs that have been delegated to the state. Fortunately, some (but not the majority) counties have effective environmental protection programs.		As previously stated, hiring additional administrative employees to remove administrative duties from case working agents and hiring investigative assistants to help with some of the tasks of an investigation that don't require a sworn law enforcement officer.		
496	495	5/3/2017	Travel administrative burdens like Travel Comp Time forms, inefficient and buggy computer systems (Concur), lack of access to travel card account information are an overwhelming burden to staff, and are exacerbated to staff who travel more often than others.	Building Grant management capacity within these partners.	More Public Participation Practicioners would help facilitate necessary neutral communication between partners and the Agency.	Eliminating evacuation authorities during an environmental emergency response to anyone outside of EPA.	Development of national resources to address the Region's needs for translation/interpretation, graphics support, and mailing list collection, management and database needs.	By increasing enforcement and penalties on States who violate clear Federal environmental statutes.
497	496	5/3/2017	Since January, all communications materials have had to go through OP for approval. This is creating an incredible backlog of work and shows lack of trust in staff and senior level management to review materials within AAships. Any project that has a communications piece tied to it has to add an additional MONTH to its timeline in order to accommodate this longer review chain. Add to that the fact that OP is like a black box at this point, where no information is forthcoming. Even routine emails to stakeholders in EPA programs get caught in this web.				New technologies are not necessary at this point--rather better trainings for existing tools are needed. To roll out systems like SharePoint, older staff should be required to go through basic training in order to ensure office-wide capabilities.	

AMERICAN OVERSIGHT

	I
495	
496	Our region has interdivisional events / brownbags to help EPA staff learn about environmental programs across the Region that are lead by those who work on them. It is an amazing way to increase interdivisional collaboration to improve environmental results.
497	Morale within the Agency is abysmal, largely due to the fact that information is leaked to the press before it is sent to staff. Internal communications need to improve drastically by sending updates more frequently and providing actual information. Acting AAs and DDs are having to pick up the slack by sending out the little information they have or can share. Increasing morale would lead to a significant uptick in office efficiency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
498	497	5/3/2017	Too many different inspection and enforcement tracking databases. ICIS is the main inspection and enforcement tracking database. However, each program has its on inspection and enforcement database. States also these individual program databases. The ICIS database is archaic and the facility data has not been cleaned up in years. For example, there will be several different listing and addresses for the same facility. Only one correct facility name and address should be listed into the system. Ideally, EPA would develop a comprehensive database the captures required data of interest to management, elected representatives, and the public.	Joint inspections with state, tribe or local community where the state, tribe or local agency is the lead for the inspection (assuming the program has been delegated to agency) and EPA provides technical expertise. The local agency would be the lead on the enforcement whether formal or informal. This way local agency and the company or government agency (U. S. Army National Guard) will benefit from EPA's experience and understanding of the application of the regulations. It should be clear that if the state, tribe or local agency does not have the expertise or the resources to follow-up on the any identified violations, the state, tribe or local agency can ask EPA to do the follow-up, if any.	Better communication equals better service. EPA and EPA Regions should contact states, tribes, local communities, etc. to develop individual, informal communication plans. These plans should be followed through and not just placed on shelf in order to check a box.	EPA should be receiving more money not less. There are inefficiencies. One way to identify and accomplish this is to have a truly outside, objective consultant that understands how the government works perform a study of EPA as a whole and each EPA region separately. The consultant would review processes, procedures compare that with what Congress has mandated and identify probably 1,000s of improvements. Some improvements would undoubtedly Congressional approve before being implemented. To do this right would take time and money, but in the long run would be good for the agency and the environment. If you are looking for quick, overnight	See Item 1. State of the art, up to date databases that user friendly.	Each state and EPA Region should meet and determine areas the State needs support and where EPA can provide that support, other than money. States are always happy to receive money.
499	498	5/3/2017	1) Purchase Card purchasing has too many (unintegrated) databases which require mandatory input from each purchase card user. These software systems (PNET, ORD Purchase Card System, EPA Cost Allocation page) all need to be integrated into a "one stop" shop for PC data input. 2) Project Action Lead Time for Contract procurement is too long. More Contracting Officers need to be hired to process the various contractual needs for ORD. 3) The Office of Research and Development needs to be reorganized to remove the redundant secondary tier labs (i.e. NHEERL, NERL, etc.) The positions within this level of management are all redundant to those positions that already exist at the local laboratory level. They are redundant to the necessary and crucial positions which already exist at the local laboratory level. Often times the NHEERL/NERL level of management gets	Local laboratories need to have the autonomy to engage with their local neighborhoods and communities in providing sound data and cleanup solutions rather than having to vet everything first through the program offices. Citizen Science initiatives are a great starting place.			IT contract should all be centralized and dispersed from headquarters. There are too many private sector IT contracts that are not integrated and do not share their information with one another. ORD has a separate contract for IT services than Region 5, etc. Often times there will be 5 help tickets from 5 different IT contractors to support one employee help request to correct a simple IT problem. There has been too much privatization of our IT support and no integration of the various contracts. In addition, the contracts are changing every 5 years and each new vendor has a hard time integrating with others or its predecessor.	IT support should be one centralized agency. Contracts support should be one centralized agency. The duplicity of these two areas throughout the executive branch is redundant, not cost effective, and extremely inefficient. Take example from the DoD and create one "DCMA" for the Executive Branch. Take example from the DoD and create one centralized Executive Branch IT "Department" for deployment of unified systems and softwares that are integrated and have a "one stop" shop for customer service

AMERICAN OVERSIGHT

	I
498	See answer to Q.4. Too many decisions for reorganization, improvements are made from the top down. To achieve real improvements, best practices, the ideas need to come from the bottom up. Again a 10-minute survey cannot accomplish this. It is just seems like you are trying to check a box that you reached out for idea and probably only receiving a few, if any, real suggestions that would improve how EPA operates.
499	The DoD "DCMA" Defense Contract Management Agency should be studied for Contract Award and processes Best Practices. Like the DoD, the EPA should study its systems for integrating its workforce with its facilities footprint and real property. There should be justifications for the amount of office space and laboratory space vs. actual FTE/Contract staff and the workforce mission should equal the Facility real property mission. These two are currently disconnected.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
500	499	5/3/2017	HQ Contracts is a broken organization. Contracting specialists and contracting officers DO NOT respond to e-mails from their customers. The ORD OARS organization is filled with incompetence and disorganization.	Getting rid of Scott Pruitt	Getting rid of Scott Pruitt	Yes, getting rid of Scott Pruitt will improve employee morale (hint: look back at the Gorsuch days in the Agency).		Getting rid of Scott Pruitt
501	500	5/3/2017	In OGC, senior GS-15 attorneys end up spending huge amounts of time doing data entry regarding their cases into databases, photocopying, and other things that could easily be handled by a GS-12 paralegal. The current system is a waste of money and valuable attorney time, and the Employee Viewpoint Survey indicates that having to deal with such issues in OGC significantly lowers morale. Hiring paralegals to do appropriate work in OGC would be a big help.		Increasing our staff size so we have time to adequately respond to their needs.			
502	501	5/3/2017	Many regional decisions on sub-regional implementation of regulations have required briefing at every level up the chain all the way to the HQ offices and OGC, which can significantly delay often routine decisions, particularly in the current state, where very few of the political leadership at HQ is in place (the sooner this could happen, the better). Placing more trust in the knowledge and experience of regional career leadership and staff would help improve this process, as the Regions have valuable experience and insight into sensitivities of relationships with local stakeholders, Tribes, and States. Possibly more willingness to produce guidance to the regions on relatively routine decisions would help assure the Administrator and AA's that regional decisions are consistent across EPA.	Encourage EPA-convened stakeholder working groups compliant with FACA, and EPA participation in working groups convened by Tribes, States, regulated industry, local communities and environmental advocacy groups. Continued/more funding for public stakeholder outreach and transparent information sharing.	Allow regional leadership more latitude to make decisions on routine implementation of regulations at the regional and sub-regional level. Place greater reliance on experience and knowledge of career staff. Continue and enhance regional involvement in national rulemaking to ensure input from the staff that implements the regulations. More funding for agency licenses and staff training of softwares used by regulated community to demonstrate compliance with regulations.		Seek to consolidate appropriately various national databases used for tracking implementation activities and reporting to Congress. Several track the same or similar information and it becomes increasingly cumbersome for career staff and management to keep track of which databases need to be updated. Funding to develop an implement electronic submittal and reporting systems for regulated entities to demonstrate compliance with regulations such that the information can also be made publicly available.	Cross agency stakeholder working groups are already being implemented for several areas of oil and natural gas development that appear to be beneficial in information sharing and relationship building. Allow more memorandums of agreement between agencies for establishment of lead agencies for federal government compliance with common requirements/obligations, provided there is adequate public input.

AMERICAN OVERSIGHT

	I
500	Ignoring the existence of Scott Pruitt and continuing to accomplish the goals of the Agency.
501	Hiring paralegals to do data entry, proofreading, filing, and other tasks in OGC, instead of GS-15 attorneys.
502	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
503	502	5/3/2017						
504	503	5/3/2017	I've worked for EPA for 25 years and the Federal government for 33 years. The mandatory administrative and training requirements have become crippling. We no longer serve the public. We serve ourselves and the tax payer takes a back seat. A good example are the contracting requirements. Penny wise, pound foolish! On the administrative side, we increasingly have high paid staff doing administrative work. Work that can be more efficiently done by a lower paid administrative professional.	Many areas of our work is duplicative of efforts undertaken by other governmental entities. Specifically in the area of grants. Funds could be more efficiently distributed by the State and local governments. Grants to tribes are currently distributed to the tribes by a large cadre of EPA grants officers. The Government could relies great efficiencies by contracting the issuance of these grants out to the private sector.	Remove crippling administrative requirements . This would allow staff capacity to focus on the "people's business" and not on self imposed internal requirements.	Yes, again by stripping away onerous internally focused administrative requirements. Also, empowering staff to have flexibility, with in the law, to immediately address the public's concerns.	No comment	Generally speaking, empowering and funding sister state agencies to the maximum extent possible with minimal EPA oversight would reduce duplication and increase efficiencies ! Ultimately reducing EPA expenditures.

AMERICAN OVERSIGHT

	I
503	https://nicholasinstitute.duke.edu/sites/default/files/publications/ni_wp_17-01.pdf https://law.ucla.edu/~/media/Files/UCLA/Law/Pages/Publications/CEN_EMM_PUB_Legal_Pathways.ashx https://www.epa.gov/sites/production/files/2014-08/documents/reduction_strategies.pdf https://www.nap.edu/catalog/12209/science-and-decisions-advancing-risk-assessment https://www.nap.edu/catalog/18949/sustainability-concepts-in-decision-making-tools-and-approaches-for-the https://www.nap.edu/catalog/18764/review-of-epas-integrated-risk-information-system-iris-process https://www.nap.edu/catalog/18950/rethinking-the-
504	Contracting out the issuance of grant funds. Reduce administrative requirements. Reduce "red tape" and needless bureaucratic processes ! Focus exclusively on "core" programs with direct statutory empowerment from Congress. Disinvest in all programs that have no statutory authorization . Refocus staff in serving the public.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
505	504	5/3/2017	In the last several years, EPA has made great strides to update our information systems (mostly related to the Office 365 switch that happened in 2013). These updates are great and significantly improved our ability to do work in the 21st century. However, for example, we still have a situation where technical staff (engineers, scientists, etc.) are obligated to do administrative work, such as moving records received by email to a database system, or records received in hardcopy that must be scanned and then entered as well. This means you are paying someone $40-50/hr to do this. This could be solved with updated - agency-wide - databases, where information is submitted directly to an electronic database system. This would eliminate the administrative requirement on our side. AND, would ensure we are actually tracked all of the records/submittals we receive. There is no such process for that in my region. Historically, it has been on individual regional offices to find solutions to document receipt and retrieval. A	This is almost always completely related to funding. Give EPA money for us to give to states/tribes/locals that requires deliverable environmental/health improvements.	Due to budget cuts we don't have sufficient travel funds to visit these groups. Especially in cases where we have oversight of state/local/tribal programs, it is difficult to develop the needed relationships to provide assistance if we never have an opportunity to regularly meet our counterparts. States/locals/tribes seems to always want more support/interaction with us. It really helps us to learn a local perspective since we are often far removed from their issues. This is specifically in reference to staff and interactions and not manager/director interactions. Staff are the ones doing the real work and need to understand the "on the ground" issues.	All electronic documents storage/retrieval. I previously worked for a state agency and they made the switch to all electronic records, in one system, over a decade ago.	Electronic systems. Office 365 was a very good addition. But, it seems like we purchased the cheapest version that doesn't have all of the available options.	I think we do a pretty good job and this, and are always finding ways to improve.
506	505	5/3/2017	For scientific research, a more efficient purchasing system is required to ensure that senior research investigators and their staff are able to fulfill research aims mandated by law and considered in our strategic plan. States, tribes, and local air pollution agencies require the expertise of ORD to help address their specific air pollution issues. I believe the credit card limit for purchases should be increased to $5,000.	I believe we need the staff which has expertise in sophisticated pollution measuring research instrumentation to conduct localized studies to identify pervasive and intractable pollution issues that prevent attainment of air pollution standards. Neither the instrumentation nor the personnel exist within the states, tribes and local communities for pollutant measurements needed to understand their specific issues.	I believe e-mail is over-utilized and distorts communication. At present, the phone (cell or landline) is far too underutilized. Customer service is best achieved by talking with another human being without annoying voice-mail systems. In addition, we need a better publically available database of EPA personnel, phone numbers, and areas of expertise available to citizens, states, tribes, local communities, and the regulated community.	Quite honestly, I believe we are tapped out. Even within our laboratory - NERL - we have lost one-third of our technical staff in the last 10-15 years and our administrative staff is mostly operated with temporary personnel. Sorry to say it but research is expensive. However, there is no other alternative of trying to understand air quality issues without high-quality data and interpretative skills to match. In the great scheme of things, it's relatively easy to collect data; understanding what they mean is far harder.	An e-mail system that is far more functional. Our Internet browser is completely outdated and slow. An investment in more up-to-date technology would make the workforce, especially researchers far more efficient, effective, and accountable.	I believe that EPA ORD should better partner with the other atmospheric chemists in NOAA, NASA, DOE, and the National Labs.

AMERICAN OVERSIGHT

	I
505	Kentucky DEP has a department-wide electronic recordkeeping system that also does workflow. This means all records are stored in the database, but when permits/reports/etc. are submitted it creates a workflow assignment that ensures someone is actually assigned and accountable to the action. Furthermore, you can easily find out who is assign to something, saving a lot of time finding contacts. It's also helpful that you can access everything you would ever need from your computer. EPA has a very annoying patchwork system. I'm sure some offices/regions are good at tracking some things - but there is no uniformity to it.
506	Contracting with private science and technology companies to provide technical expertise that is needed far more quickly than can be achieved through Federal hiring procedures.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
507	506	5/3/2017	Mandated agency-wide training on topics that are not relevant to everyone. For example, training on working effectively with tribal governments is not relevant to my job. I do not and will never do anything that touches tribal affairs. Another example would be continuity of operations awareness training, which teaches that coop plans exist and generally what they contain - but my organization does not have and probably never will have a coop plan. I would address this by allowing first line supervisors to determine what training their employees need. Also, oppressive requirements for documenting and obtaining approval for micro-purchases with government purchase cards (credit cards). It is almost easier to process a formal purchase order than to use a credit card to buy a box of paper clips. This is symptomatic of a long-standing management philosophy in EPA of punishing the entire agency when one or a few individuals abuse privileges,			Mandatory rotation of all SES personnel every three years to a different AAship to eliminate "empire building."	Replace MS Windows and MS Office on desktop computers with Linux and open source software alternatives. This move would both improve IT security and radically reduce the costs for IT security, as well as eliminating software license costs for standard desktop productivity software.	
508	507	5/3/2017	Timekeeping: People + and the other systems for tracking time/hours are poorly designed, difficult to navigate and take time away from substantive work just to fill out and maintain. Disruptive to accomplishing mission goals. Upgrade to systems that talk to each other and do just as good or better job on accountability of hours.	Make it easier for EPA to LISTEN to all stakeholders. The formality of current communications discourages the flow of ideas from states to EPA and back again; keep an open window for communication without obstacles of triggering FACA every time EPA wants to gather input in broad terms. We get better environmental results when we LISTEN, so make it easier for us to actually LISTEN.	Why are so many technological solutions that move us away from tracking volumes of paper prevented by regulation and costs? Why isn't EPA 99.9% paperless? Moving to the cloud should not be expensive and burdensome. Customers have better service when they don't have to deal with paper burdens. Regulatory changes may be necessary but are not huge obstacles - the main one is getting easy, reliable access to the cloud.	Yes. See #3 above. Evolve toward a paperless EPA.	Ibid.	How willing are you to use public disclosure of compliance reporting?

AMERICAN OVERSIGHT

	I
507	I am aware of very large amounts of money being wasted on service contracts because the senior management that approves the requests are technically incompetent, i.e., they don't understand the request and are afraid to admit that, or are easily hoodwinked. As an example, I work in an office where the staff are scientists doing very technical work, and for a number of years our office director was a history major. Wasted funds could be reduced by assigning technically competent people to senior positions who can and will challenge requests for service contracts.
508	Some agencies are able to access cloud hosting quickly and cheaply such as Dept of Interior. EPA does not. See # 3 above.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
509	508	5/3/2017		Enable Federal Register notices to resume being published in a timely manner, both by streamlining internal review processes and by adding FRN processing staff. Since January 2017 a backlog of unpublished FRNs has accumulated of my office's work. If our documents can't publish, we can't receive or respond to public comments from states, tribes, local communities, or the private sector.	Increase or at least maintain funding for the Agency.	Improve employee development and cross-office knowledge by providing more encouragement for details within the Agency.	Please allocate funding to repair or replace the built-in and portable projectors in the Potomac Yards building. On my floor we have one portable projector to cover for 4 conference rooms, and the built in projector in our main conference room is broken. Not being able to project meeting materials if someone else is using it slows team communication and can comprise the quality of meetings with visiting industry representatives.	
510	509	5/3/2017	Our time-keeping system is arcane. I would, if possible, try to reduce our time-keeping system to one.	We should be aware of unfunded mandates. Where they exist, we should make sure Congress is informed.	Focus on and modernize the EPA's internet tools. For example, the current Chief of Staff (Ryan Jackson) is not listed on EPAs website (as of 5/3/17). Out of date internet information - like missing contacts and broken weblinks - make it harder for outside stakeholders to figure out how to engage the EPA.	An ounce of prevention is worth a pound of cure. Strengthening EPA's pollution prevention actions (like Financial Assurance Disclosure for Mining), helps to reduce future costs and inefficiencies for the taxpayer. Once a site is full of toxic waste and it falls to taxpayers to pay for the cleanup, it is very inefficient to clean that site up to the point where future businesses can operate there.	Investment in EPA website is key. EPA depends closely on information, and information flows mainly on the internet. Fixing the gap between EPA's dependence on information and the quality of EPA's website would make EPA more efficient, effective and accountable.	Because public health and environmental protection is complex, there are overlaps or partial overlaps among federal and state agencies. The different agencies may not be aware of the overlap. One way to help with this situation is to do our work with specific geography in mind. Regional offices help with this. So also do geographic programs, which are designed to cut through various programs to solve specific sets of problems in a specific place.

AMERICAN OVERSIGHT

	I
509	
510	In our organization, we have a LEAN process. More LEAN processes would likely help with efficiency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
511	510	5/3/2017	EPA Region 6 recently conducted training for what it calls Applicability Determination, Alternative Monitoring, and Compliance Assistance Projects (ADAM-CAP) - this unapproved training is a complete waste of time and effort. It basically trains EPA staff to interpret confusing and misguided rules and then posts its response for others in the regulated community to view. These EPA regulations are part of an overburden regulatory system that has hindered economic growth, while at the same time angering and threatening the regulated community. See the following link for more information: https://ofmstage.rtpnc.epa.gov/apex/tocar/f?p=149:700:14121138680666	Have EPA staff co-located with its State partners to better coordinate and save taxpayer dollars.	Have EPA staff co-located with its State partners to better coordinate and save taxpayer dollars.	Consolidate Regions into West, Central and East Regional offices with smaller satellite offices. Save taxpayer dollars by having all labs partner with local universities to share costs, resources, and staff.	Streamline management positions at all levels from SES to GS-14. Currently, at a number of Regional and HQ offices there are too many managers and not enough staff.	Consolidate functions and avoid duplication of offices at Regional and HQ offices.
512	511	5/3/2017	People plus is very inefficient! If I submit a leave slip, and then need to change it, my supervisor has to go into people plus and return it to me. I should be able to pull it back myself. Also, people plus doesn't deal very well with submitting multiple leave requests for the same day (different types of leave), wasting staff time and timekeeper time. Concur is also a very fussy, finicky system that gives errors all the time for things that are not errors (i.e. tells me I didn't pick a city pair when I did, but gives me the error anyway).	Continue the EJ grants, children's health grants, asthma grants, indoor air grants, and environmental education grants. These grants are so important for the work being done in communities. Administrator Pruitt should meet directly with communities. Based on his facebook posts, he always meeting with various industry groups or states. He needs also to meet directly with communities and tribes and hear about what's most important to them.			We need new computers! Our computer are old, outdated, and always having problems. It was a bad idea for EPA to purchase tablets. They don't work very well, and they can't do all the things that we need to do.	

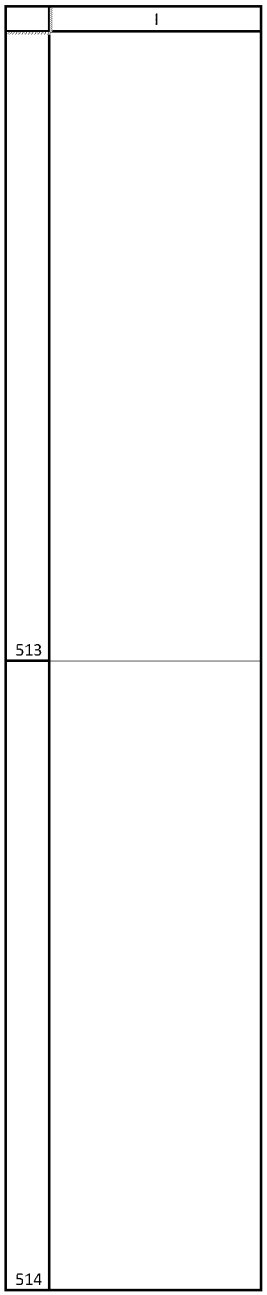
AMERICAN OVERSIGHT

	I
511	LEAN methods to reduce lengthy and overburden processes, however, the real issue to too many high paying managers. EPA is a top heavy organization and many manger positions need to be converted to staff positions at a lower grade to save taxpayer dollars.
512	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
513	512	5/3/2017	FMFIA - Most of it already has drafted responses provided. Why do those responses have to involve everyone? Do it centrally, send the draft and ask each location to verify (and add a local spin if needed). So much wasted time on stuff like this. EMS Reporting - Spend way too much time documenting how much we've done to reduce our overall usage, etc. Too many people investing time in this report. This is one EO that should go away...It's a waste of time and takes away from the important work that needs to get done. FAIR ACT Inventory - Terrible system. Can't tell which person each record relates to. Waste of time. PNET - Is TERRIBLE and wastes so much time for cardholders and their approving officials. Go back to paper, it was more efficient and we have to keep the records anyway. Another alternative - Why not buy the EAS expansion and			Consider fully utilizing space available at OWNED facilities instead of spending money on rent. Just like a home...cheaper to own than rent.		
514	513	5/3/2017	Thank you for taking the time to seek input from EPA staff. I???m a project manager in the Superfund Program with 28 years of experience, with an additional six years of experience as a contractor. My comments are more programmatic in nature and could be difficult to implement without changes to the National Contingency Plan or the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and/or the Superfund Amendments and Reauthorization Act of 1986 (SARA). 1)Greater emphasis is needed on the completion of cleanups and deletion of sites from the National Priorities List (NPL). In my 34-year Superfund career, I???ve only been able to delete two sites from the NPL. The process of characterizing the contamination and risks at a site and making a decision on a cleanup plan takes too long. On average, it takes about five years to make a					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
515	514	5/3/2017	I require an administrator that thinks anthropogenic climate change is an actual scientific truth. It's quite disconcerting to hear him belittle the organization every day on the news. Also, can we agree the "back to basics" idea is just political bullshit disguising an agenda of dismantling regulations that affect the oil and gas industry. Surely, not everyone in Washington is buying this?			Impeach the president.		
516	515	5/3/2017	The requirement to get approval from Headquarters for every press release and press response is burdensome and highly inefficient. Similarly, the need to get HQ approval for even relatively routine actions such as review of required state submissions is also inefficient, significantly extending the time required to process such actions. The amount of mandatory training should be reviewed and could probably be reduced.			Return decision-making, particularly for relatively routine matters, to the regional offices; significantly reducing the types of actions that require HQ review/approval would reduce inefficiency and accelerate our activities.	The FPPS system is outdated and inefficient. It is counter-intuitive, organized poorly, and requires an excessive number of key strokes.	
517	516	5/3/2017	I love our work flexibility - but it would be nice to not have to enter time in to a leave request and then have to enter it into People Plus (and we also have to enter it into another couple of systems due to our flexible systems). Which individually doesn't take long, but in aggregate, takes a while over the year.			Push delegations down as far as possible - less review and briefing time for senior level managers.	Electronic Records (from both the regional record center and the federal record center) that are accessible anywhere - often I need records while doing work at home and I have to wait till I come into the office to obtain the records because they are not available electronically.	

AMERICAN OVERSIGHT

	I
515	There's this one thing in the private sector they do. It's known as firing managers that underperform or don't believe in the company's vision.
516	
517	Electronic Concurrence

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
518	517	5/3/2017	The administrative tasks that are performed by the administrative staff in this region make the staff's daily activities much easier and their assistance/knowledge provides a good foundation for the staff to not have to handle all administrative duties themselves. I have worked in other agencies where technical staff also needed to complete administrative tasks and it prevented them from doing their primary duties. If anything, with turnover occurring in the administrative staff, we could probably use more staffing for administrative duties.	Better environmental results from partnerships can be achieved if funding is not cut. With the proposed funding reductions in FY18, states, tribes, and locals would be unable to perform their base duties which are required in the CAA and CWA. More money, not less money would allow for better results to be achieved. A shift in approaches can help bolster private sector partnerships, but that will not be achieved by slashing funds to the EPA.	Better customer service to SLT communities, regulators, and the public will once again be achieved by providing funding to those parts of the agency. Communication with the public is not going to be maintained if those programs are eliminated. The staff I come across doing SLT, regulator, and community work are highly efficient, and sought after by local communities. If funding is cut to those programs, there will be a large void left unfilled for those community and SLT groups.	Effective communication from senior leadership at HQ that addresses the administration's mission would provide a clear message of what the objective is. As it currently stands, there has been no reassurance by senior HQ leadership that EPA primary objectives since 1970 are being maintained. This would allow for staff members to not be worrying about potential cuts, layoffs, region closures, and would allow them to continue performing their primary duties in their positions. In terms of reducing costs, hiring more staff that have modern technological capabilities will streamline processes, while maintaining the older, institutional knowledge employees will allow for a coordination that	Updating some of the back-end administrative software with provided training can make some administrative tasks more streamlined.	Shared responsibility does not exist in the program I work in, there is oversight, and separate duties that are performed on the federal level that are different from what state agencies are doing. EPA is viewed as an indispensable source for these state agencies for questions that are not able to be answered by other state agencies. EPA's duties and activities are very exclusive and do not overlap with other scientific agencies such as NOAA, USGS, Army Corps, NASA, HUD, NIH, and others. There is not overlap with EPA, but instead, very productive coordination and collaboration between
519	518	5/3/2017	Training - we have too many trainings (Information Security, Records Management, COOP, FOIA, ethics, health and safety, etc. etc.) to take and we take them too often. The substance of the courses rarely changes. We should be able to get a certificate & be done....or at the very least take the trainings every 5 years. If there is a legal requirement, then we should have the option of taking the test first (& then not needing to go through the powerpoint or in person training if we pass). Timekeeping - get rid of redundant systems. Transit - the system we have now is overly cumbersome. We get $ on a credit/debit card, then have to transfer funds to our bus pass monthly. Either we should find a way to put the funds directly onto our bus passes or we should only have to do this annually. Performance measures/program evaluation - too many measures, too frequent reporting. Our success in environmental protection should be measured by actual environmental	We need to ensure that environmental laws and regulations are carried out. We should not assume that the new administration will change things, until Congress & the President actually change the laws. Enforce the laws and regulations as currently written. When States fail to act, we need to be ready to act in their place. We should focus on core programs and less on fluff (e.g sustainability, trash-free waters, etc.). We need to ensure that our air, water and other resources are monitored, so that we know if we are achieving results.	We need resources to travel. On the phone, conference calls and video conferencing do not replace in-person contact to build relationships.	We have some efforts that are a luxury that we probably can't afford anymore. For example, in Region 10 we have our own dive team (most regions don't have one). They use a lot of staff time, training time, travel and equipment resources - this is work that we could contract out for less money. Any of the small (15-20 people or less) field offices (for HQ, labs, ORD) should be consolidated. Paying for rent, computers and cars for these offices is expensive.		The states are already facing budget cuts at the state level, if we reduce our funding to them & reduce our staffing levels - then we will not be able to do our jobs of protecting human health and the environment. The idea that there is all sorts of duplication of effort ("fat") in the system is ridiculous.

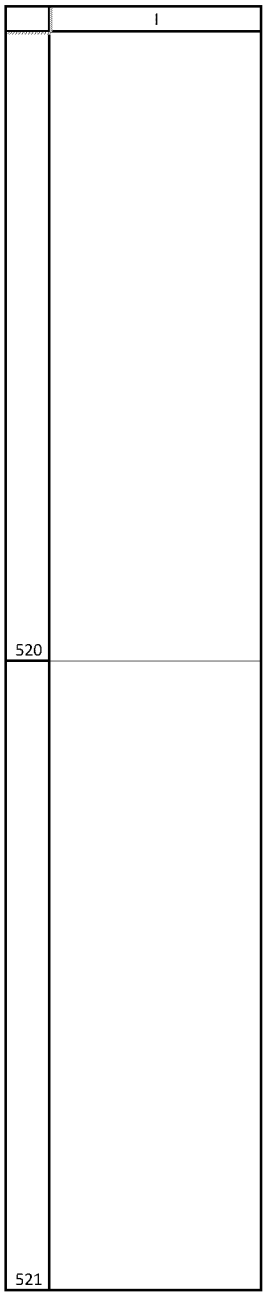
AMERICAN OVERSIGHT

	I
518	Transparency between upper management and staff level of the direction of the company/agency. This is conducted in all best businesses and it would be useful for the HQ administrators to provide a clear and reassuring message to its staff and not to external entities. This would improve efficiency so staff is not tirelessly worrying about closures, layoffs, etc.
519	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
520	519	5/3/2017	1) Microsoft Outlook is terrible. -Mail disappears from my inbox all the time and ends up in other folders (sometimes). -Sometimes I do not receive incoming mail until the next day and when you look under "unread mail" those messages are not always there.My supervisor actually thought I was not working because I did not read nor reply to his email messages. -Important mail gets sent to the junk folder -mail in archived folders disappears 2) Way to shortcut the administrative process when there is an emergency: example flood on a floor. Secretaries coming out elevator see water heading to elevators and they call facilities as an emergency. Facilities is insistent that secretaries put in a work order and refuse to call plumbers to shut off water. Whole process takes 20 min after call for plumbers to show up 3					
521	520	5/3/2017				I think we could save a significant amount on FR printing costs if we dropped all or most of the Statutory and Executive Order review section from our proposed and final notices, and instead included them in memos to the docket for the rulemaking generally. The sections usually just include a rote recitation of the existing templates and have little-to-no environmental benefit or other usefulness for our actions. To the extent a particular EO or statutory requirement is especially relevant for a particular action, it could remain in the preamble. But this section generally takes 1-2 columns of FR text, so excluding it would have the potential to save $150-300 of printing costs for each EPA rule notice (at		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
522	521	5/3/2017	De-regulating is unnecessary, inefficient, and damaging to public health and the environment. Re-organizing wastes time and money Eliminating staff loses institutional knowledge and long-honed skills Cutting budgets stymies work and creates inefficiencies driven by rubbing nickels together Lack of leadership stalls everything we do Answering thinly veiled surveys like this wastes our time...but, since you asked, read on.	Cutting more staff and budget hurts everyone: private sector, states, tribes and federal employees. Did you know that a large part of our budget goes to contractors? It takes EPA staff to responsibly manage taxpayers' money. EPA CREATES jobs - we don't kill jobs. Market forces are more responsible for job loss....and creation of new industries. EPA simply responds to the challenges of modernization to keep the public healthy and our natural resources productive in service of the economy.	More emphasis on vertical interactions - it takes time and money to engage with states, tribes, communities and the regulated community. And it requires trusting staff to be professional in those interactions. Provide us with the resources and the mandate and we can do it. Cut resources but add mandates and that is a recipe for failure.	We are actually already quite lean and already struggling to get our work done. If you could tell us what inefficiencies you are seeing, we could suggest how to improve them. But really the main inefficiencies comes from not investing in good technology, hiring new people with new skills and recently acquired knowledge, and keeping our skills up to date through training and professional development. Getting rid of people with institutional knowledge will set us back and create inefficiencies that stall environmental protections. To "maintain" environmental protection you have to not let up on the victories and you have to tackle the new emerging challenges. Yes, like climate disruption, population	All of our technology lags behind by several years. but again it takes money to keep up to date. it isn't a simple thing. I would welcome technological leaders to help us in this regard.	We already work together collaboratively! Let us continue! It is true though, since we all have different missions, priorities and budget constraints we are somewhat stymied from more effective collaboration. Part of the difficulty with more collaboration is driven by the congressional committee and approps structures. part of this is driven by sheer lack of resources to engage in a timely fashion and not enough flexibility to work on common ground.
523	522	5/3/2017	(1) poor relations with the state environmental agencies who may be uncooperative; (2) poor maintenance of state websites and online permit files; (3) re-reviewing cases at upper levels of management and at DC headquarters slows down the process	(1) networking events and annual gathering with state, local communities, and tribes; (2) town hall meetings with local communities; (3) encourage private sector to reach out to EPA on maintaining compliance; (4) open and encourage lines of communication to private sector to discuss environmental concerns anonymously	(1) stricter environmental regulations that will help the public and local communities; (2) providing EPA employees with information on updated industrial trends of different types of industries; (3) getting access to the documents and reports that companies provide to the states so that EPA doesn't have to ask for them again	(1) decreasing amount of time spent on sending out notices and documents to companies by not having to reroute cases to the DC headquarters	(1) new and more equipment to measure air emissions; (2) more training on certifications to use monitoring equipment	(1) having access to state files and reports; (2) form of inter-federal agency communication to share new developments and projects

AMERICAN OVERSIGHT

	I
522	There are lots of best practices for achieving environmental protection, but cutting budgets and staff can't get you there. We are at our lowest budget since 1989 and the fewest employees since 1966. What are you thinking? Again, if you tell us what you want to accomplish for environmental protection, we can propose a variety of efficient ways to do it - your choice. But if your goal is to simply reduce the size of government...well, I am not sure what we are being efficient at.
523	In the air enforcement and compliance assurance, the environmental engineers and environmental scientists are involved in the whole life process of each case, from inspection through to the end

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
524	523	5/3/2017	There should be fewer restrictions on how staff can use social media and other opportunities to get our messages out. These restrictions have become more onerous over the years and now that we are for the most part unable to send out press releases, it is very difficult to communicate effectively. I would decentralize the press function out of HQ and allow regions to message directly to their partners through frequent twitter/facebook feeds.	EPA/States/Tribes should convene regular conversations to discuss each other perspectives- and not just at the senior management level. EPA should not be the ones to organize all of these discussions. The responsibility should rotate.	On the whole, I think we do provide good "customer service". I take issue with the way this question is premised on the idea that we are not responsive and do not have good relationships with the public and others. The best way to provide "customer service" is to develop relationships. Relationships are best developed in person and are maintained by regular/frequent interaction that doesn't only occur when we have difficult issues to tackle. This means regularly-scheduled meetings to discuss common goals in person. It also means listening to all perspectives - which the current administration seems - to date -unwilling to do as it may up-end some of the preconceived notions about EPA and its employees.	The Superfund cleanup program needs to be more aligned with the Brownfields program. Part of the reason it takes so long to clean up a Superfund site, is that in many cases we are cleaning to extremely stringent standards that do not result in risk reduction. We must align our cleanups with future land use and work closely with local government and organizations to realize redevelopment. We also need to ensure that sites that present the highest risk to human health and the environment get addressed first -which are often sites that do not have a Responsible Party and the Superfund Cleanup Fund is tapped out.	We should not always purchase the cheapest version of software. In particular, we spent a lot of effort on rolling out SharePoint, but we purchased the version with very few capabilities and then we don't have an IT workforce that can support employees. This is also true of our travel software, Concur and our payroll software, PeoplePlus.	In general, I think we can partner more closely with other federal agencies on common issues. This needs to be done at all levels, and not just at senior leadership. Regularly scheduled discussions where the organization responsibility rotates among agencies is a good way to achieve this. I also think referring to entities to whom give money as partners is a misnomer. While I do think it is very important to collaborate to achieve common goals, the fact is, we provide significant funding to states and we have a responsibility to ensure that it is spent wisely. The states are able to carry out many activities, but not all of
525	524	5/3/2017	We are required to do lots of reporting on meeting where the public may attend - this wastes time and seems to be for no purpose. We report on measures and the measures do not seem to be an accurate assessment of the environmental benefits. management spends a lot of time tracking people's time and making sure that employees have signed and attested their time card, and that the supervisor has approved. 1-3 hour every other week per unit is spent on this. Amounts to hundreds of hours every pay period. Also, to make changes to a leave slip that has been submitted, the supervisor must locate the leave slip and return it to the employee. This is new, and a big time waster for all. the employee should be able to retrieve, make a change, and return for approval without involving the supervisor. Time Waster!!!!	The EPA can play a stronger role in bringing partners together and having the partners develop solutions that will improve environmental conditions. At every level, EPA should be encouraged to foster relationships. In particular, EPA would be a more trusted agency if stakeholders have the relationships with EPA personnel. Especially with agriculture, there has been so much misinformation spread and EPA has not take an active role to tell the story. If people knew us, and trusted us as individuals that work for EPA, we would have better results. EPA has allowed outside organizations with an need to gain power over a voting block, to spread mistruths about our agency and what we are doing. This would not have happened if the relationships were there. So, travel money and a mandate to make sure that EPA personnel are out in the	See Q. 2	NRCS has a great program - Soil Health. Good for the farmer and for the environment. Saves $, more crop, less pollutants run off. Most state env departments are unaware of the benefits. EPA works with state environmental departments and can help tie all the players together.	Soil Health as a process. Internal to EPA - more transparency around what happens in EPA. We are still very stove piped to this day. However if I could see what other programs are doing, via the emails that are sent, I could see where my program can connect. There is the technology to do this.	EPA should have the ability to sit down with other agencies - such as BLM and BIA to simply talk about what they are doing and how we can interact. Currently, there is somewhat of an 'embargo' from reaching out to other agencies and sharing information. We don't do the same things, but we may share mutual goals and could more effectively align tasks so that we are not at odds, or we can do more with less money if the activities were knitted together.

AMERICAN OVERSIGHT

	I
524	We should not be outsourcing all of our IT work. It costs the agency more money and we get much worse service. In particular, our shared service agencies are overworked and don't know enough about the work we do, to provide good customer service. This is especially true in the hiring process.
525	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
526	525	5/3/2017	Burdensome Freedom of Information Act process. A typical request is overly broad requesting all emails related to a project or a specific issue. This can be a massive time drain with little useful information provided. Streamline with direction to minimize time working on information searches and stricter policy on the requestor narrowing the scope of the requested information. Loosen the requirement to scan massive reports and electronic FOIA online uploading that is another time consuming process with little value.		Reduce tribal consultation requirements when there's no clear nexus. Tribal concerns can be unfounded and used to discourage decision-making.	Reduce management layers.		
527	526	5/3/2017	Administrative Requirements: Employees who work "credit hour" schedules must fill out a separate spreadsheet chronicling their hours and leave, even though all of this information is recorded in People Plus. Duplicate paperwork for no reason. Also related to People Plus; employees are required to "attest and submit" before the end of the pay period. For Superfund workers, this means they must go back the following week and add in billable hours worked at the end of the week. This often leads to lost billable time.	We work very hard to build relationships with all of these groups. Limitations on our ability to travel makes face-to-face meetings less frequent and causes us to be less effective in doing so. Especially with states, tribes and communities, they cannot afford to travel to see us; we used to travel to see them but not as much with budget restrictions.	With regard to the public, we need to increase communication so the public understands the full range of services and information available from EPA. For this purpose, up to the minute web presence and frequent press releases and other media outreach are crucial. As to states and tribes, we again need to be able to connect face to face whenever possible, as appropriate.	We have been engaged in "leaning" process as much as possible and have achieved a lot of efficiencies, such as cutting out redundant steps in the grant process or the FOIA process. We should continue with those honest efforts to streamline process at the Agency without sacrificing environmental protection. At the same time, we cannot sacrifice substantive environmental standards in the name of reducing cost or achieving efficiency.	The Agency is increasingly inundated with FOIAs and with litigation discovery requests. In the electronic age, this can lead to crippling, time-intensive and labor-intensive efforts to search for and produce documents. We have substandard software for these purposes and this leads to waste of time and resources. This is not "new" technology; just technology we can't afford or don't invest in. Similarly, our computers and software are often old and outdated.	Our mission allows us to work collaboratively with other federal or state agencies in many areas. One area that is always contentious though is where the state or federal agency is a liable party. We often find that other agencies or states lack the budget to work cooperatively with us or with the private sector on cleanups that would be efficient and effective and a lot of time and effort gets spent resisting responsibility rather than stepping up, because the states and federal agencies can't afford to do otherwise. Relationships are damaged in this way. Adequately fund federal agencies to handle their

AMERICAN OVERSIGHT

	I
526	LEAN process. It was discussed a lot in 2016 as being successful elsewhere, but I have not seen any EPA progress on implementation of LEAN solutions. Continue Employee input to streamline processes.
527	None at this time.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
528	527	5/4/2017	The yearly required credentialing and training process is now so burdensome that if an inspector were to "maintain" credentials in all required fields of expertise for a "multimedia inspector" they would spend the entire year doing nothing but training and would never be able to conduct a single inspection.	Individual inspectors rarely team up with local Health Department agencies. We will deal with state agencies regularly but we hardly ever interact with county of city personnel. We appear to have a very poor local government outreach program.	Have a better relationship with the local inspectors within that community. This way a federal employee can understand the local community needs and desires.	The EPA conducts a security screening of new employees no matter what. Even if the employee already has a security clearance through the military. OPM is in charge of both DOD and EPA background checks, but they demand on doing a second background check even if the employee already has a current security clearance through military service. This policy is not just with the EPA, but with many federal agencies.	We are pretty lean in this regard, but a possible improvement would be to use more ambient monitoring stations with centralized data collection through existing commercial networks. This could potentially reduce the number of field visits required.	Two thirds of the agency is stationed inside Washington DC. How can you be a national agency when two thirds of the organization is inside one city?
529	528	5/4/2017	The HR process historically has been long and drawn out due to backlogs at the Shared Services Centers. While I understand that hiring will not be a priority in the near future, it would be helpful to have the centers well staffed in order to keep things moving. In addition, when changes to internal process are being made, it would be helpful if these changes are discussed with the stakeholders BEFORE decisions are made. For that matter, there should be a collaborative approach for infrastructure changes in general. Doing so will save time and money associated with having to reverse the changes after they've been found to be ineffective and not efficient.					

AMERICAN OVERSIGHT

	I
528	The EPA sends two inspectors to each site for "safety reasons." When I worked for local government they sent one inspector to each site and if there was a problem they called 911.
529	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
530	529	5/4/2017	for bankcard holders, the P-Net system is redundant and VERY time consuming. It has at least DOUBLED the admin work associated with EVERY bankcard purchase. The bankcard is just a tiny portion of my job duties, but it is the most time consuming. ALSO, I deal with the Environmental Management System (EMS). I pay monthly water, gas, and electric bills for two locations, then post the cost, date, amount used, etc. to the EMS database for quarterly reports. This is VERY time-consuming for unknown benefit. I also pay for daily fuel charges for all our vehicles. In addition, I post the miles driven, amount of fuel purchased, gallons purchased, etc. into the AMS system. Again, very time consuming for unknown benefit. I also process Purchase Requests in EAS....again, the requirements for the mountain of paperwork is overwhelming: 508 compliant, Sole Source Justification, FITARA approval, quotes, market research, etc. The list goes on & on. The purchasing process should be streamlined. Also, RAISE the limit on the	unknown	unknown	reduce the worthless, over-whelming amount of paperwork associated with every purchase. Increase the limit of the purchase card to at least $5K, which would eliminate some small purchases being sent to the contracting office (a PR must be prepared in EAS for every purchase in excess of $3500). When we make a small purchase on the bankcard, even if it's $10, the originator creates an order form and signs, gives to his supervisor for signature and before I can purchase, I get my approving official's signature. This goes on for EVERY purchase. In the field unit, the MAJORITY of their purchases are tiny: bolts, screws, hoses, etc. to make repairs to boats, generators, equipment. The volume of paperwork	unknown	unknown
531	530	5/4/2017			EPA could consider going to a one cleanup approach/standards.that would merge RCRA Corrective Action, Brownfields, TSCA, USTs, and Superfund. Currently industry at times has to implement 4 different cleanup standards with completely duplicative but unique administrative processes and obligations to come into compliance at one property. Such an approach working closely with States would save significant time and money while speeding up cleanup providing better protection. In addition EPA working with States could come up with a prioritization process that would prioritize High risk sites based on contamination concerns and regulatory concerns. Sites with low prioritization should be made eligible for State Voluntary Cleanup programs. Currently property owner cannot easily if at all cleanup PCBs, Tanks, nor address RCRA Corrective Action via a State voluntary cleanup program due to eligibility concerns.	-rebuild Multimedia core of inspectors. Having a core of inspectors assigned to a centralized work unit in each region trained and credentialed to conduct 3+ types of inspections (e.g., one inspector could inspect for compliance under CWA, TSCA, and SPC		See answer to Q4

AMERICAN OVERSIGHT

	I
530	unknown
531	EPA like environmental consultants whom assist industry should get back into the compliance assistance game. Every time EPA assists the regulated community comply with how to comply with complex Environmental Regulations EPA saves money reducing the work related to pursuing enforcement. As an example a compliance assistance document along with some inspections and technical assistance concerning the regulations that apply to residential demolitions; EPA themselves and States by reducing the numbers of complaints from residents concerning local demolition operations and reduced dramatically the numbers of NOVs to local demolition

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
532	531	5/4/2017	My apologies, however, I do not have a sufficient level of trust in Agency leadership to allow me to answer these questions. I am concerned that no matter what answers I provide regarding activities that are effective or ineffective, there appears to be a substantive probability that the answers will be used against the mission of the Agency and against what I believe to be best for America and the environment.					
533	532	5/4/2017	The biggest issue in preventing me from doing my job is any side-tracking away from the EPA's mission of protecting human health and the environment. Any stakeholder pressures and/or political whims that take the focus away from the mission impedes all progress towards meeting our mission goals. Addressing this issue is simple... EPA should stay focused on its mission of protecting human health and the environment (while still considering stakeholder concerns) - that should be the priority; all other political and stakeholder pressures should be secondary.	I think that increasing the interactions and improving the communication among EPA staff and management from HQs and EPA regions could improve our process. HQs is needed to ensure human health and environmental protections at the national-level, but to implement the national-level protections, the regions are needed since they are the 'feet on the ground' for enforcement and localized implementation of protection goals.	I think that customer service involves making sure that stakeholders are heard and their comments and concerns are considered. EPA already has a very robust approach for incorporating feedback from stakeholders throughout our processes.	The biggest change that EPA could make to reduce costs and inefficiencies, while still maintaining environmental protection for Americans, would be to put Americans first. Our mission is to protect human health and the environment and not to aid industry and big business - there are other agencies in the government that have primacy over that. Focusing on issues not related to our primary mission creates confusion and inefficiencies.	One improvement would be to make all of the data used in regulatory decisions publically available. Currently some data are only available via FOIA requests and FOIA, although valuable, is not a very efficient way to share information.	The work done in my office is unique to EPA, so I'm not aware of any opportunities for 'shared responsibility' with other federal agencies or states. However, there could be 'lessons learned' from other organizations - e.g., there could be processes/methods that are working very well in other regulatory agencies that could provide insight on process improvements for EPA.
534	533	5/4/2017				At some point we have to put on our taxpayer hat and question the practice of 100% telework. A few days here and there, but not 100%. People need to come into the office at some point.		

AMERICAN OVERSIGHT

	I
532	
533	The FDA has some databases that allow for public reporting and access to data (e.g., for pharmaceuticals) and the Patent Office has a very good program for searching patents - these could serve as models for how to handle data in EPA.
534	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
535	534	5/4/2017	Lack of dissemination of information from the Administrator's Office. We need things like the Administrator's Priorities in order to respond to a request for quarterly measures. Kind of hard to map the measures to the priorities when you don't have a copy. The link to the priorities on the EPA.gov webpage is broken. This is just basic management here.		See #5 below.	In Region 4, we have a large amount of FTE resources being used in our EJ Office and with an initiative to partner with minority institutions. The EJ office spends a lot of travel resources and overtime hours, but there have been little to no results. We have the largest EJ office in the country, mostly pushed by the last 2 Regional Administrators. Also, the 2+ FTE that travel to minority academic institutes and sign agreements with them use lots of resources. Although we have these agreements, not much work has been achieved through them.	We have been working on moving inspectors from a paper-based process to an electronic one. This would speed up the pace of inspections and provide the facility with information on getting back into compliance quicker. It would also be much more efficient from data entry stand point and provide a higher quality of data in our systems. We have been working jointly on this project with ECOS under the E-Enterprise for the Environment. The contract for the initial phase is close to being let, but we have no additional funding to see this project through to more programs - right now it is only funded for RCRA.	In Region 4 and in a couple other Regions, there is no central enforcement office. Activities are managed through a coordinating office so that the Region has one voice when communicating with States, tribes and HQ. This is an effective way of operating but not very efficient. We have to coordinate among 4 different divisions. Each time information is needed, we have to disseminate it out to the Divisions, then get their responses, massage it into one voice and then transmit it. Other things like screening cases for multi-media or criminal have to be done through individual meetings instead of at a weekly
536	535	5/4/2017	Disdain from the Trump Administration and Administrator Pruitt prevents us from doing our job efficiently and effectively. Our work is depicted inaccurately and it appears to be willfully ignorant. This is a harmful distraction from our mission. I would address this issue by pleading with Administrator Pruitt to provide leadership for us to continue protecting human health and the environment rather than undermining our hard work. Our salaries are paid by the American people to protect them. Thank you for taking the time to seek feedback and for reading this comment.					

AMERICAN OVERSIGHT

	I
535	In working with our State Partners, Region 4 is really a model. While some of our States may have issues from time to time with activities we are undertaking, we have a good enough relationship in the enforcement program to have those adult conversations and maintain mutual respect. We work very hard to keep communication lines open and ensure there are no surprises when it comes to interactions with our States. I think the results of our State Review Framework reviews, the data verification stats and other evaluation tools show just how strong our States are in the Southeast at least when it comes to the enforcement program.
536	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
537	536	5/4/2017	Fix OARM. Set up a (or fix the) ticket-request system for OARM, like how EZ-Tech tracks help requests. OARM repsonse to emplyee help requests should be tracked for service response. IMPORTANT - the tracking system should be set up to that OARM employees can't just go in an mark tickets as COMPLETE when they just don't feel like responding any more. OARM staff need to act like they care about doing their jobs, because they don't act like it. OARM service and response to employees is really bad. They are slow to respond to questions about training or other HR-related things. God forbid you need to find out something about payroll, eOPF, retirement process... you get told "it's not my job" or "I dont' know" or "I'll pass along your request" and it goes into a black hole. You get the feeling that you are BOTHERING OARM IF YOU NEED HELP. DOES OARM MANAGEMENT	Consider the VALUE of regulations, not just the costs.				
538	537	5/4/2017	Hiring new staff, particularly Peace Corp graduates, should be prioritized. The longer it takes to hire them, the higher the risk that they will take other jobs. Also, the previously standard annual move up ultimately to a GS-13 will keep these exceptional individuals at EPA.	Partnering with states and tribes as well as with the private sector has been very successful for EPA and partners. It should continue.	Having funding to visit states, tribes and the regulated community on an annual basis would make a huge difference for these important stakeholders and us.	I am not aware of high costs or inefficiencies that require resolution.	Yes. An electronic recordkeeping system that works for the entire Agency would be invaluable. ECMS and SEMS for superfund material and any other systems that are already doing this work can co-exist. We need a central organization looking out for EPA rather than focusing entirely on NARA.	We have done great work in eRulemaking by offering FDMS to other agencies. In addition, the availability of FOIAOn-line to other agencies is of great value to those agencies who are our partners. If we can find other areas where we can share our capabilities in the same kind of way, we should do it.

AMERICAN OVERSIGHT

	I
537	
538	Pollution Prevention efforts have been wonderfully successful.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
539	538	5/4/2017	The human resources process is very limiting and OPM policies are interpreted extremely. Even with OPM programs to attract critical fields of IT and Cyber security, the organization does not competitively go after the best talent. This leave the agency with second tier talent that prevents the organization from doing its mission. Getting an organizational change even at the lowest levels is long. We have process for the sake of process and protecting the status quo. This organization needs organizational lean six sigma processes to lean out processes. In addition to HR, the acquisition office is severely understaffed and is unable to move in an agile fashion. There are many Agency doing agile contracting, but EPA cannot get anything in a timely fashion out the door. This hamperas the ability to deliver services which impacts the customer. It starts with contracting.	IT supports every single part of the agency. IT is hampered by cyber security but this is due to habitual underfunding of IT and Cyber security. There are many things that cyber can enable to "achieving better environmental results from partnering with states, tribes, local communities, or the private sector" but this requires leadership to funding, strategic planning, structuring and staffing IT appropriately.	We are in need of trusted connections to "states, tribes, local communities, the regulated community, and the public at large", we need collaboration suites that can work securely inside and outside of the EPA network. We need to consolidate our web presence to send a single message that has consistent messaging. We need a way to engage these communities and properly review, staff, fund and plan needed initiatives.	IT consolidation. Every program office and Region has an IT arm. There is significant redundancy throughout EPA and Millions of dollars in savings to be realized. This is a HUGE undertaking and should not be approach in a lackadaisical manner. This requires hard decisions by leadership and planning to ensure that OEI can raise the level of service and quality as this is undertaken. That will mean creation of a competency model, robust governance and increase of funding to deliver optimal results. The framework exist from FITARA. This will be transformational for the EPA if done correctly but will take years and will require both strong political and career leadership for the next few years.	Collaboration suites, mobile applications, trusted platforms, etc. There are so many but to adopt this posture requires the EPA to get their IT infrastructure healthy and robust to be able to handle the changing requirements.	The current environment cannot support full automation across the enterprise. Development work should be centralized, IT Operations should be centralized, cyber should be centralized. Then the Program Offices and Regions can focus on the environment and OEI can build the necessary expertise to deliver the mission.
540	539	5/4/2017	The nearly absolute lack of communication between new political appointees and career staff is severely and negatively impacting my ability to do my job efficiently or effectively. For example, the shutting down of websites while reconsidering content without discussion with affected programs and without providing direction on what programs are to do with ongoing work intended to flow through those websites results in massively inefficient and ineffective efforts by program staff. The Administrator in his one and only address to career staff, 11 minutes in duration, stressed the importance of listening, both in his listening to career staff as well as career staff listening to him. Yet, other than interaction w/ Acting AA's, his and his senior staff's interaction w/ career staff has been virtually non-existent. How would I address this? I would prioritize staffing of political appointee slots and re-prioritize Administrator and his senior staff time to meet w/ career staff, become educated on programs and					

AMERICAN OVERSIGHT

	I
539	There are so many. Each organization should look into it and adopt it. Then the Administrator should create an award for the best ideas and adoption. This will motivate the staff to look for change. We also need to create a messaging platform. We will only be successful if the organization is marching to the same drum and speaking from the same script. This requires robust communication in each major office. Additionally, the organization needs to invest in leaders in training. Teach this organization to be innovative but at an enterprise level. Then charge each leader to take this training and train their direct reports and cascade this down until everyone has been training. This
540	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
541	540	5/4/2017	Upper management review of working papers, Federal register notices, training requests, and just about everything is burdensome and taking way too long.	Rely on science, not politics, to develop policy.	Rely on science, not politics, to develop policy.	Rely on science, not politics, to develop policy. Upper management review of working papers, Federal register notices, training requests, and just about everything is burdensome and taking way too long.		Rely on science, not politics, to develop policy.
542	541	5/4/2017	The contractual review process is tedious and understaffed. It took me 6 months and a special request chit from our IOAA to get a priority completion for a $13K contract. My guess it took several thousand $ of staff time and tracking to get this through. Staffing and some tracking process on line with limits for each step might allow and push things forward. Tiering so that trivial contracts go through with minimal but adequate check and balances to ensure ethical issues. In my 33 years in EPA the process has encumbered by a factor of 10 at least.	There already is a lot of state and local interactions - mostly done as daily activities and cooperative efforts. Most is below the radar of senior folks at the Sate and Agency level who generally are not here long-term and don't see the granularity of staff efforts. Most folks feel this is essential to the Agency mission. As with everything, there could be more but many state and local activities are ad hoc needs and requests. As such, with monitoring of performance metrics set up in planning activities and OMB assessments of progress (by meeting these metrics) there is an embedded disincentive to address many ad hoc needs which when complaints rise up to those who don't see what already exists get the impression there is lack of responsiveness - this is a design flaw in management control to meet strict metrics. I don't have a full solution but part of one would	See above. provide also incentives which include funding to support that does not cut into the pre set plans that have established and funded tightly. In the last 10 years the program I'm in focusing on air quality has lost 30% of staff and more of funding - especially if inflation is included. The demand=s have not decreased.	Most costs and inefficiencies have been accumulated management controls over the last 25 years. Having been here for longer than that period, I've seen the layering of oversight upon oversight and the disincentives applied to innovation and straying out of the box. What comes with this is a lack of trust that pervades from top to bottom and bottom to top. Clean up the excesses of oversight and apply true accountability rather than lip service to that end with over management. Problem is that there are those within the senior levels of the Agency and at the political level who look only to critique for self gain - no matter what administration is in power. The energy and trustworthiness of the	These would come about naturally and in fact mostly exist. is the system or process and oversight that needs attention.	Moving things around and reorganizing is an excuse for dealing with issues. I've been a senior manger in the Agency for a long time and this panacea is a Spruce Goose of optics.
543	542	5/4/2017	There are no administrative nor management, nor organizational processes that prevent me from doing my job.	We have good working relationships with stakeholders in Region 8. We partner with them to achieve environmental goals. Current regulations help to define mutual goals.	Provide EPA with an appropriate budget to permit us to do our job and to hire and keep the best professionals. EPA's budget is very small compared to other federal agencies. A little here can go a long way to protect the environment and the health of the American people.	Provide EPA with an appropriate budget to permit us to do our job and to hire and keep the best professionals. EPA's budget is very small compared to other federal agencies. A little here can go a long way to protect the environment and the health of the American people.	Provide support for continuous improvements to IT support to improve data management and security.	Provide EPA with an appropriate budget to permit us to do our job and to hire and keep the best professionals. EPA's budget is very small compared to other federal agencies. A little here can go a long way to protect the environment and the health of the American people.

AMERICAN OVERSIGHT

	I
541	
542	IBM revitilized itself 20 years ago getting rid of over-burdensome management practices and the many of the people whose sole job was overseeing processes and not processing themselves. I'm not disgruntled - quite the contrary. I've learned to navigate the system well and get crap done but I've seen the system clog ceaselessly motivated by the false belief of accountability and perception of effectiveness. What's happened is the output of the pipeline has fallen dramatically.
543	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
544	543	5/4/2017	We are forced to have many, many needless meetings. For example, our section meets every two weeks whether or not it is necessary. The worst offenders are our managers. They spend countless hours huddled together is secret meetings. Why do they need to send so much time meeting? What are thy doing? Every meeting without exception should have an agenda that is distributed prior to the meeting. At the end of every meeting there should be a survey to determine how useful the meeting was and whether or not it accomplished its goals. If a meeting is not needed it should be canceled.	The environmental issue of our age is climate change. Scientists now say that 80 percent of the monthly and daily events where heat records are exceeded are directly related to climate change. The path that we are on to deemphasize and ignore climate change will result in incredible suffering for humanity and massive environmental upheaval. Indeed we are already seeing the effects and they will continue to grow exponentially. The current administrations position on climate change is anti science and will hurt states, tribes, local communities and have devastating impacts on the private section. Addressing climate change must be the number one objective of EPA in order for us to achieve better environmental results. EVERY action EPA takes should be measured on how it helps to address the issue of climate	One of the worst things that has happened in the last few months is to have an Administrator appointed who has fought EPA efforts to protect human health and the environment in fourteen lawsuits designed to cripple our activities. Now that he is inside the Agency he seems to rarely miss an opportunity to slam our work. "Back-to-Basics" has become a code phrase of carrying out a political agenda designed to cripple the agency. The most useful act to improve our customer service would be to get rid of the political cronies and the political agenda designed to weaken the agency.	At my location we have needless layers of managers. They consume huge amounts of resources because they all have to have huge travel budgets, and large offices and produce almost nothing of use. Almost none of them have educational credentials that match what they do. We need more resources directed to staff and much less toward layers of bureaucrats with huge offices who don't appear to do much.	EPA travelers are forced to use CONCUR for making authorizations, travel reservations, and submitting vouchers. The CONCUR software is very poorly written and difficult to use. Sometimes I have to spend almost as much time as I spend traveling trying to deal with CONCUR. EPA should not purchase software that doesn't work well. It may have been cheap to purchase but CONCOR is huge waste of resources.	
545	544	5/4/2017	Purchasing supplies & equipment are difficult in Cincinnati and the process needs some tweaking. The only individuals with a purchase card in Cincinnati are in EMMD. I've gone to them a few times to ask about purchasing something and have been told that I have to go through my division in order to get something ordered. However, no one from my division has a purchase card here in Cincinnati, so supply orders are time-consuming and complicated (e.g. the Cincinnati card holders can order us office supplies, but not computer supplies, etc.). Either every division needs to have a purchase card holder at every location so each division can take care of their own supply/equipment orders, or there needs to be something in writing that states that supply and equipment purchases are done on a location basis, regardless of which division a person belongs to.					

AMERICAN OVERSIGHT

	I
544	The private sector frequently sets a poor example for our work at EPA. We know that oil and coal companies have contributed huge sums of money to the people who control the current agenda. Cash buys influence as we see our laws and regulations now under attach from inside the agency. A pesticide company makes a generous contribution to the inauguration and finds its toxic pesticide which harms children will not be banned. People who have taken money from polluters must be banned from participation in any decision which impacts that polluter. People who sue EPA must not be allowed to set our agenda.
545	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
546	545	5/4/2017	Approval of budgets(State Allocations) in a timely manner.	More community outreach initiatives based on the mission and goal of the EPA.	More community outreach initiatives based on the mission and goal of the EPA.	Yes. Removing the threat of government shutdowns will always reduce costs and improve any inefficiencies.	No additional comments.	Remove barriers on data sharing between federal agencies.
547	546	5/4/2017	There is a great need to streamline the procurement process for EPA getting work done by external contractors. The current process is overly bureaucratic and actually costs the Agency money in numerous delays in getting new contracts awarded and funds placed on existing contracts. This waste taxpayer money, but also delays getting useful funds to the private sector doing much of that contracting work. There seem to be too many hurdles in the process and not enough staff in the procurement office to make these actions move quickly.	I think EPA does a tremendous job interacting with our state, local and tribal partners. One way we can improve upon that partnership is to increase the travel funds for EPA staff to have more face-to-face interactions with those partners. Video and conference calls are great, but nothing enhances a relationship better than the opportunity to have face-to-face interactions and getting our policy and technical staffs more engaged with our partners would be a great improvement.	Again, we do a good job of that already, but more interaction with those folks will lead to better customer service. There is also a great need ot increase state and local grants, specifically in the ambient monitoring area. Equipment is now dated and old, staff resources have decreased significantly over the past 10-15 years and as a result data quality is suffering. States regularly complain to EPA about needing more resources in these areas to better manage their programs. Also, EPA programs tend to be very territorial and we could provide much greater customer service, if for example, data reporting programs were more coordinated across program offices. We routinely run into stovepipe programs that refuse to work closely with other similar programs and thus we often duplicate effort with our state	Again, streamline the procurement process will save money and make for cheaper and better environmental protection. Reduce some of the mandatory training required for staff that is often not applicable to their jobs, yet takes hours of their time to complete.	EPA continues to be a leader in evaluating new technologies and routinely, the hold-up on those is the legal challenges, not the technologies.	EPA does a great deal of leveraging technical work with both NOAA and NASA and well as other Federal agencies like the NPS, USFW and UFS. The scientist in all of those agencies are keenly aware of the individual skills and talents in each agency and we routinely work together to share those expertise. More easy ways of formalizing those partnerships would be helpful and support from senior management within the Agency would also be helpful.

AMERICAN OVERSIGHT

	I
546	No additional comments. Stop the threat of shutting down the government and stop cutting the budgets.
547	To be honest, we work closely with all of our stakeholders and currently utilize many of those best practices in our daily work. Over the last 10 years or so with declining resources, we have made great strides to bring new technology into our work, leverage work by others in both the government and private sectors and are actually doing much more work with less resources today that we ever have. There is no lack of interaction with all stakeholders in looking at new technologies and practices. The biggest challenge is often, to get a long-term win on a best practice, you need to invest some up front capital and historically, EPA has been risk adverse to investing money in the short-term for

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
548	547	5/4/2017				1. Increasing the use of Telework and "hoteling". This could reduce the agency's office space and save the government money. Increasing the use of telework also has many other benefits including; easing traffic congestion, reducing gasoline usage and air pollution, saving money for the employee (reduced transportation costs), improving job satisfaction, and the ability to continue operating when there is a weather event or emergency. 2. Eliminate or reduce the amount of mandatory training (i.e., e-learning courses required through skillport.com). I have no idea how much the agency spends on these e-learning courses, but they are		
549	548	5/4/2017	With the change of administration, I have not been able to move forward with my assignments due to micromanagement scrutiny that has passed down through all levels of management before it goes to the administrators office for release. These are simple regular assignements that help businesses to operate legally with permits that normally would be processed timely are now taking two to three to four reviews internally from supervisors to legal counsel etc etc etc. Morale is extremely low in the section	Give the top level managers empowerment that should pass down to the regional supervisors and staff	We try our best to explain why the delay in providing decisions from management in writing!!!	Yes reduce the micromanagement and levels of management . Never seen so much micromanagement in private industry. Even my counterparts in private industry find it hard to believe that senior profession staff that are licensed are not empowered to make any decision. It is only " managers" not even first line supervisors. This " power " element needs to go away to make the agency more efficient.	The technology to make processes more efficient are used in business is LEAN. However the assigned leaders are totally inefficient in employing this technology in the region and also at EPA. It would appear that the upper level managers and decision makers at EPA only adopted the LEAN technology for their performance indexes- not to improve or empower the agency staff. So unless empowerment happens and the " power" of managers and levels of management in the agency is reduced- I do not see any possible improvement. They are the roadblocks to improvement at EPA	Communications- Real communications. Staff between agencies always communicate openly and have trust between them- once again the issue is the " management" whose only concern appears to be the " performance factors" frankly put- extra bonuses and money in the pocket

AMERICAN OVERSIGHT

	I
548	
549	Yes : Stop micromanagement practises. Empower the staff that know the real issue- Failure results in the Michigan where the EPA Region 5 staff told his supervisor and management the concern and it got lost in the Region 6 management administration because they were keen in fullfilling their performance goals rather and wished this trouble will go away. Power given to these managers definitiely need to decrease especially when managing " professional talented employees that have multiple college degrees". Managers need to have sufficient capabilities in managing " degreed professionals- Many are totally raw and have only

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
550	549	5/4/2017	The current acquisitions process hampers me from my job. Even with all approvals it took over 2 years to purchase some software that will help our office mission. I just got notified that even though my license does not expire until December I need to submit a PR for renewal - close to 7 months just to process a renewal seems a bit extreme. Additionally, access to various tools we use to monitor the Agency for cyber security issues takes several months, again even after all approvals have been received.		Inclusion of other groups when attending meetings, conferences, etc. with external entities. I am in OISP (Cyber security) and we frequently get questions from other groups that came from the states, tribes, etc. If we had been included in the original meetings/discussions this may have increased efficiency by being able to answer questions then rather than later.		More sharepoint staff resources; a BYOD policy; from my perspective the acquisitions process needs to be modernized	
551	550	5/4/2017	The 5 tier PARS system we have. Its too difficult to parse performance into 5 tiers; too much pressure to inflate ratings. And, having Minimally Satisfactory as an acceptable level sends the wrong message. We should get rid of MS; perhaps go with a 3-tiered system - failing, successful, and outstanding. We can also streamline addressing poor performance by eliminating the PAP aspect prior to PIPs, and shortening the PIP time to what is required by case law.					
552	551	5/4/2017	Why do we have THREE time and attendance reporting systems? It is ridiculous.					

AMERICAN OVERSIGHT

	I
550	Cybersecurity staff should have access to tools that are needed to monitor and identify security issues so more proactive steps can be taken. Currently this does not happen or it takes several months (still not achieved as of this survey) to get this access. Also a best practice is to have some sort of content filtering capability, to include some level of monitoring, for blocking common attack vectors of malware.
551	
552	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
553	552	5/4/2017		We need more travel dollars. Building effective, trusting relationships with our partners is critical to achieving the next level of environmental protection. We need travel dollars to have that face-to-face time to effectively discuss issues, address challenges, and celebrate successes. More travel dollars is a resource that we MUST have in order to partner with our states, Tribes, local communities and the private sector.	We need more travel dollars to build effective partnerships with our states, Tribes, local communities, the regulated community, and the public at large. We need that physical presence, to be there for public meetings addressing environmental challenges, and to celebrate successes.	By working off-site more often - ie, telework and/or flexiplace, that allows for more time during the day devoted to actual work - not sitting in traffic or on a train commuting back and forth to the workplace. By working offsite more, we can reduce our physical footprint (office space needs), and reduce traffic, but increase our productivity and actual work time, to be more responsive to the American public that we serve - communities, industry, and the public at large.	Again, more effective use of the telework/flexiplace program would allow us to be more modern, efficient, effective, and therefore accountable to the public we serve.	
554	553	5/4/2017		EPA could develop more electronic tools, experimental test methods and alternative regulatory standards that would allow states to have more flexibility in running their own programs while achieving equivalent or improved environmental results. EPA has vast internal technical knowledge that could be more directed towards assisting states.	There should be more staff level meetings between headquarters staff, regional office staff and state agency staff so that knowledge and ideas can be transferred and emerging issues can be communicated to EPA via EPA staff briefing EPA management.	Telework should be treated equivalent to working the office. Those who are teleworking should be effective at using Skype/adobe connect/email/call forwarding to communicate with their coworkers. Once teleworking standards are improved, the agency could then reduce physical footprint and "drain the swamp" allowing employees to live at remote locations with full time telework. ORD should be realigned or in some way prioritized to actually help program offices meet program office and state needs. There is currently a negative opinion of ORD amongst many staff in my program office and this is counterproductive to collaboration. Improved	Telework should be used more effectively. There should be a system in place so that staff are aware of who is teleworking and existing services such as adobe connect and skype should be used more effectively.	

AMERICAN OVERSIGHT

	I
553	1) Increased use of telework and flexiplace options. That would reduce cost for office space, and allow employees more work hours each day to be more productive, more efficient, and therefore, increase our accountability.
554	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
555	554	5/4/2017	The inability to hire replacements before people retire or leave is extremely hindering because often times there is no training for certain aspects of a position and no one to provide insight. This makes new-hires inefficient. Making an effort to preemptively hire would help fix this.	none-regional staff would be a better resource for this.	none-regional staff would be a better resource for this.	ORCR has already been working on making processes and procedures more efficient, and has been using SharePoint to distribute fact sheets and example documents for employees to use, which has reduced the number of people who need to train others on routine duties.	All of the computer systems that EPA uses (concur, people plus, EAS, webforms, etc) are the opposite of user friendly. Upgrading these systems and integrating certain ones would make things much more efficient. Employees would spend less time using these systems, which would save money.	increased collaboration with other federal agencies
556	555	5/4/2017	Getting our routine federal register notices generated in the region reviewed by OGC and HQ offices seems wasteful. We should be trusted to understand what the regulations are and be able to send our notices out without this extra layer of review. HQ and regions should come up with a system that identifies only those most critical scenarios where extra review is needed. I would imagine the amount of notices needing review could be cut in half, if not more. I understand being cautious about setting legal precedent, but in my experience, there is too much caution.	Have EPA employees interact more with those in the private sector. If more EPA staff understood that those in the industries we regulate were interested in their economic and environmental well being, we would do our jobs better. Too many times, industry is viewed negatively. These are real people with real jobs and sometimes we fail to understand that. Of course, bad actors should be prosecuted to the fullest extent of the law. Some examples of how to improve this relationship would be to set up "technology sharing" workgroups. Industries that emit wastes are interested in technologies to clean up or reduce that waste. So are we. We should convene workgroups to study and pilot test various innovative ideas and write reports showing how well it may or not work.	We should get out and do more face to face interactions. We have grown too dependent upon email to communicate. We should encourage employees to give talks and presentations to all audiences, including industry and business conferences. Trust the staff in the regions to know what our message is and communicate it effectively.	Try to do something about the clean air act that reduces the amount of federal register notices that deal with non-environmental issues. For example, infrastructure state implementation plans are really more for paperwork or administrative issues. They do not really get at reducing air pollution in the real world. We seem to get sued for not following this part of the act and it takes time away from dealing with real nonattainment air pollution issues when we get bogged down with minutia. There has to be some common sense solution to concentrate our efforts on what really matters for the environment.	The move towards electronic filing and submittals from our states is a good step. We should expand those efforts.	There should be more interaction between DOE line engineers/scientists who understand how the power grid operates in this country and EPA line staff who understand how harmful pollution forms from large sources (especially coal fired power plants). There is some promising research trying to link turning on and off various sources during expected ozone conducive conditions (i.e., low wind, hot, sunny summer days). A workshop that brought together experts from the EGU industries, DOE and EPA would help further this research along and put it into practice. We should be able to see real

AMERICAN OVERSIGHT

	I
555	Leaning internal administrative procedures and then communicating them in a way that is easy to understand. Using the website to communicate with the public by routinely updating the content and maintaining mailing lists for certain topics.
556	Create more workshops that emphasize that there are always trade offs when it comes to risk. We need to better communicate to the general public that complete elimination of pollution is unreasonable. Explain that small amounts will always be part of reality. Also, that exposure to pollution is the key, not just the fact that pollution exists. If we can communicate this risk message better, people will understand. Just like they understand the risks of smoking, riding motorcycles or jumping out of airplanes. We should emphasize that it always comes down to cost. How much are people willing to pay for reasonable environmental protection? People will get it.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
557	556	5/4/2017		One private sector element of vital economic import to the United States is agriculture. The USEPA does a horrendous job of "regulating" pesticides, using incoherent, every changing scientific bases, to obscure a decision-making process that owes to executive branch politics, changing thru the years. Recommendation: Pesticide registration should be moved back to the Department of Agriculture! Recommendation option 2: outsource pesticide registration and application instructions to the Chemical Manufacturers Association. Either recommendation can allow farmers freedom to choose how to run their own businesses. Farmers can then freely choose to use pesticides, if they think this confers net economic benefits, or	Similarly, the mission of registration of new chemicals should be moved out of the USEPA. Registering new chemical formulations is important for society, but EPA employees disparage all industrial chemicals, not appreciating that all molecules are toxic if served to a rat at tremendous doses, even molecules that are natural and comprise our foods. Chemical registration could be moved to a Chemical Safety Board or even be outsourced to the Chemical Manufacturers Association to perform on its own, at zero cost to the Federal government. Let manufacturers take and accept liability for their products, and reduce reliance on the Federal government to do everything itself.	Another area under OPPTS has been Design for the Environment. This seems in effect a sales pitch for favored molecules in lieu of others that are disfavored for are unlikely to be scientifically plausible, if examined by competent independent scientists. Its crony capitalism and consorting with environmental groups, under the guise of being pro business. This thrived under Administrator Johnson and presumably under the last Administration. There are products in stores that purport to be EPA approved. The federal government should not be endorsing commercial products and meddling in the marketplace. If environmental groups want to do this, then they are free		
558	557	5/4/2017	We do need to upgrade our Lotus Notes-based systems to be cloud-based, such as FIAT - the international travel approval and tracking tool. FIAT is an extremely effective tool for tracking international travel and would benefit from being brought into the cloud.	Retain the professional and effective staff of the EPA that are well-trained and responsive to stakeholder needs and work hard in a resource-poor environment. Both the long-time staff and the newly hired staff are dedicated to the mission of EPA and to serving the public to protect the environment, while also addressing questions and concerns from stakeholders.	We need to provide scientifically agreed information on the EPA web site. The country and the world look to EPA to provide the latest information about many topics, including climate change.	No, I do not. I think EPA has reached a point, where it runs efficiently on very little and achieves incredibly effective results to protect human health and the enviornment with a high benefit to cost ratio (high monetary gain compared to cost of compliance). As a result, the American people enjoy some of the cleanest air, while residing in one of the world's leading economies. This is a goal many other countries seek to achieve, including China, Germany, Brazil and other economic powerhouses around the world.	A big missing piece that I see that would greatly improve the efficacy and efficiency of our projects is to have a Project Management Tool, which allows project managers to run timelines, budgets, projects, reports to manage large projects. I have not yet seen such a tool at EPA.	No comment at this point.

AMERICAN OVERSIGHT

	I
557	Thanks again!
558	As stated above, many agencies and corporations use project management software/tools to run projects efficiently and effectively. PCmag recommends these project management tools: http://www.pcmag.com/article2/0,2817,2380448,00.asp

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
559	558	5/4/2017	One organizational process that would help me do my job more effectively would be giving career staff more freedom in advertising our services and "products." The Food Recovery Challenge (FRC), one of the programs I participate in, is based in recruiting participants. It is difficult to meet recruitment goals without better media materials or use of the EPA logo to promote participating organizations. Businesses and institutions that participate in this program are happy with it and find it worthwhile. It would be easier reach agency goals if we could acknowledge the hard work of these organizations in a more public fashion. The public is generally positive about the work EPA does and we should make these efforts highly visible, especially when we help businesses make smart decisions that save them money (which is what the FRC does).	One way to support these programs is to support them more financially. I work on voluntary waste reduction programs and often it takes studies by states/local governments or private sector to prove the work will be beneficial financially and from an environmental perspective. In the past we have supported this work extensively and it has innumerable financial and social outcomes (e.g. employed the disadvantaged, begun businesses and non-profits, kicked off well liked local programs). States and private partners want to reduce waste to save money and help the environment but it takes some seed money that we can provide. Small businesses, institutions, and governments all benefit from these small investments.	I could provide better customer service if there were more FTE working on the same projects. I am already taking on multiple projects and communications with states/tribes/regulated community/ public with little time to dig deep and really assist them. Rather than cutting more positions, it would be beneficial to hire additional staff to assist with states needs and help them achieve their goals in a partnership.	Less fear of constant review by the new administration would help reduce cost and inefficiencies. I oversee small grants (less than 100k) for my program and with the indiscriminate review of grants and contracts earlier in the year made me delay my work, work that will go to fund small businesses and organizations. I am constantly filling out material to report where I will be when out in the public when I speak about what should be non-controversial issues. This also causes delays and ultimately inefficiencies in my work. When we need to pause our processes all time we waste our time and taxpayer money, which I believe is true as well when we review rules that have already been decided on. We are good stewards of	Better IT support.	My group is attempting to reengage with states by having increased contact on voluntary programs. We could accomplish more in the mutual interest in our agencies by having more staff to help increase outreach to our states and other federal agencies. Also, having more financial resources to produce studies used by the states would help us realign. States are able to better protect human health and the environment when they have scientific resources from our agency. If we cut programs like ORD we will have less of the resources states rely on to do their job.
560	559	5/4/2017	Currently all Administrative Orders that are issued are required to go through the Office of Regional Counsel. This was a result of the Supreme Court Decision in the Sackett case. Given that our Orders all contain language approved by the Office of Regional Counsel, that invite the permittee to come in and meet with EPA to discuss the Order and contain language consistent with the Sackett Decision, ORC review of Administrative Orders should not required in most instances. This procedure of mandatory ORC review of Administrative Orders should be ended.	In some instances there are some sectors of the regulated community that can use their political influence to lessen their regulatory burden at the expense of public health and the environment. Partnerships between state, tribes, local communities and EPA are extremely valuable tin addressing these sectors to ensure that environmental laws and regulations are being complied with, and are being applied uniformly to ensure a level playing field. EPA, States, Local Communities and Tribes need to assist one another and using the best and most efficient tools that each party can offer in ensuring the highest levels of compliance and protection for human health and the environment.	EPA has a good web site to allow for citizen's complaints and the ability to track them and EPA will follow up on these or work with State, local or tribal partners to address. This is a good system. Another area that currently works in some states is quarterly meetings to discuss significant non compliance within the State. Having this routine dialogue fosters a strong partnership where EPA and State partners can divvy up the work load and ensure the best and most efficient use of inspection and enforcement resources. It also ensures that non compliant facilities are addressed.	EPA's system to process Travel Authorization and Travel Vouchers is pretty costly - it costs about $18 to generate a Travel Authorization/Voucher with Airline Tickets. And even charges a few dollars for local Travel Authorizations. For example in getting reimbursed for an $8 fee at a parking garage may require paying an additional $4 or $5 to generate a local travel voucher to get paid that $8. EPA needs to find a lower cost system for Travel Authorizations and Travel Vouchers. EPA also needs to move most of its auto fleet to plug in electric hybrids like the Ford CMAX which is very fuel efficient - around 35 to 40 MPG. Plus it can go about 18 miles on battery power.	Increased use of real time monitoring of pollutants in streams and air can help target inspection, enforcement and grant resources to those areas where water quality or air quality is impaired. The increased use of real time monitoring will help to ensure compliance with ambient air quality and water quality standards	

AMERICAN OVERSIGHT

	I
559	
560	Inspection reports conducted by some state agencies are available for the public on line. EPA does not routinely post inspection reports on line, nor are Permits always available on line. EPA should work to make its inspection reports and Permits readily available on line for the public. This will improve efficiency and accountability, and also make it easier to work with our state and public partners.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
561	560	5/4/2017	EPA can, but does not do, cost accounting. As a result, programs stray from their original legal and statutory mandates and conduct "pet projects" of interest to some but not necessarily falling directly within EPA statutory mandate. Instituting cost accounting provides a means of being able to see where and how funding is being spent and who is spending - providing a level of accountability that EPA (OCFO and the program offices) has for years resisted.	More interaction from senior managers (AAs, RAs) on both sides to communicate and fully understand the dynamics of state, tribal and local issues. Senior managers tend to be reactive and micro-manage. Senior managers should delegate which would allow them the time to focus on the big picture and work with their counterpart executive - states/tribes/industry.	The question is interesting as it assumes the all listed entities fall in the same customer bucket. EPA is a regulatory institution that works with states/tribes/local to implement regulations mainly on the regulated community in order to protect and improve the environment for the public. As such there will always be level of dynamic tension between those who regulate and those that are regulated. That said, EPA (states/local/tribes) has a tremendously difficult time demonstrating to the public the benefits derived from environmental protection efforts. This is because EPA invests very little up front determining how the benefits of the program activities will be measured and communicated. This has been brought up over and over and EPA does nothing about it but provide lip service that environmental results are hard to measure. Just because it is hard, does not mean it does not	EPA needs to implement more business minded modeling into its culture. There is a culture of mission at all cost, which unfortunately, does not factor into fiscal reality. As mentioned in number 1, EPA can, but does not do, cost accounting. As a result many programs and projects stray from their original legal and statutory mandates and conduct "pet projects" of interest to some but not necessarily falling directly within EPA statutory mandate. Instituting cost accounting provides a means of being able to see where and how funding is being spent and who is spending - providing a level of accountability that EPA has for years resisted. This must be done, not at a high level,	EPA should take advantage and/or further it use of remote and drone technology for ongoing inspections, monitoring and enforcement. EPA should take a hard look at the various tools and methods that ORD has/is developing but no one is using -research for researchers - not for EPA program use. Work done in ORD should be directly, or more directly, tied to the needs of EPA program offices. All ORD work should be tied to a customer - program or regional office.	A relatively simple organizational factor that could provide cost efficiencies and clarity to EPA and those that do business with EPA, is to have consistency in organizational structure. EPA HQ is organized by major statutory program (Air, Water etc.) When you go to the regional offices, that implement the HQ programs, there is a hodge-podge of structures that few (even with the agency) understand. This is nonsense and ineffective - there should be clear lines of authority and responsibility, as well as accountability, directly from the HQ offices down through the regional offices. Are there differences in EPA
562	561	5/4/2017	The contracting regulations are onerous. There are many times when projects stop in their tracks for months at a time because a contract is being rebid. It's not clear why PeoplePlus requires separate lines for teleworking and in-office charges, and for different kinds of telework. Why does it matter where we worked on the project in question? And why does it matter whether the telework was regular or episodic? It increases the time it takes to do timesheets every pay period. The Concur system is overly complicated.		We already do intensive outreach to industry, states, and our other federal partners. We do a fair amount of outreach with the public. We should do much more with tribes. We have state liaisons but I'm not sure if we have tribal liaisons.	The IRIS process has become unnecessarily complicated by EPA's desire to let stakeholders weigh in multiple times at multiple steps of the process. The procedure has expanded to the point that we can barely get chemicals through the system. There should be one stakeholder input/review step at the beginning of the process and one at the end.		States should be held accountable for their voluntary cleanup programs. Often sites go into these programs and we can't touch them, but nothing happens on them for ages.
563	562	5/4/2017						
564	563	5/4/2017		We could certainly promote more environmental cleanup and economic redevelopment if we had more resources to travel to affected communities and more resources to convene stakeholders and strengthen partnerships in working toward common visions.	Again, the ability to travel to the communities we serve helps to assist and support them and provide the opportunities to interact and strengthen relationships and implement program objectives.			

AMERICAN OVERSIGHT

	I
561	EPA needs to implement more business minded modeling into its culture. There is a culture of mission at all cost, which unfortunately, does not factor into fiscal reality. (a.k.a. - Mission over Management) The points below (and mentioned above) are things that others are doing and do well. Cost accounting, workload analysis, organizational alignment and to some degree performance measurement. These are well established practices in the private sector. EPA should look to make management and accountability just as important as mission accomplishment.
562	
563	
564	Convening stakeholders and facilitating better collaboration in communities where EPA works to maximize resources where programs and partnerships can complement and support each other.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
565	564	5/4/2017	Immense amounts of weekly reporting that has to be done is not consistent, have been constantly changing as far as content and requirements of what to report and what not. I do account a lot of this increase in activity related to the transition occurring in the agency and realize that this transition period requires that type of weekly reporting of information. I recommend that one framework for reporting to upper management about activities be created or utilized for the entire agency (as there may already be an appropriate framework that part of the agency is using). The hiring process at this agency (and in general the federal government) is so prolonged that most of the time we lose most of the candidates that we want. Hiring shouldn't be that difficult. And now that we are assessing our budget requirements and not hiring as much previously, this could be a perfect time to refine the process and make it more efficient. As my experience of being	Joint partnerships, inspections, trainings and consistent contact with the states. Many EPA employees already do this and have particular contacts in their agencies that work together to efficiently get things done. These joint partnerships also include EPA partnering with other federal agencies. Many agencies (state especially) relay on EPA for funding, technical assistance, and sometimes even enforcement assistance. These functions are very important. EPA can continue to increase communication with their partners, invite states and tribes for environmental trainings, and continue to engage the communities that need us most. As many situations are different there can be numerous amounts of strategies that can be used to continue to protect the public health and the environment.	I really think that we could do a much better job of getting our mission and the different activities we do out to the public. We really are not proactive about that in my opinion, and we should be. Unfortunately, a lot of our communications do not reach the public that needs us most in a timely and effective manner. People don't want their health and environment negatively effected in their community, and EPA, states, tribes, and local communities, so why should it be so difficult for us to show them how we are protecting public health and the environment. Better customer service requires building a line of communication and relationships with these partners and the public. There are many effective ways that these relationships are being built on a daily basis in the agency, and those ways should be capitalized on.	We are the leading environmental agency in the world, and we should be setting an example by our internal practices. Right now I am not proud of the lack of sustainability initiatives we have internally, and the lack of support for those practices. Sustainability practices, like the environmental management systems (EMS) in place in HQ and the regions are important, save money, and assist us in promoting our mission of protecting human health and the environment. Sustainability is not hard and is just plain common sense. How can I promote our agency's mission and values when we don't even make these practices a standard part of our operations? This would and does reduce costs and protect the	Having more than one programmer for large parts of the agency will be beneficial. Why are we not investing in the technologies to make us more up-to-date? Continue to have trainings for these tools as they get introduced. How difficult is it to combine the People Plus timekeeping system with the different log in and log out technologies? That way I only have to enter my time in one spot and attest there. People Plus is not well liked in the agency, but a much needed system! Getting help to fix things in this system in HQ is difficult and I have not received an adequate response for help on a leave slip issue for over a year. Things like this waste my time, as my timekeepers have to keep up with these	Shared database systems with shared information across agencies. And make that consistent across the nation. Overall, there's a lot of activities that get accomplished and the different agency communications is positive. Some of these databases systems link together and work well, but not all of them.
566	565	5/4/2017	All conference rooms should have plug and play capability to allow staff to flow freely from their office to conference rooms and connect to the network and a digital screen for presentations and screen-sharing for in-office collaboration. Docking stations could be installed in every conference room that would allow your laptop to project on a digital screen installed on the wall of the conference room.	Utilize federal funding to fund more local, on the ground, environmental solutions in partnership with states and placed-based programs through targeted grants. The geographic programs and National Estuary Programs are a great example of what local engagement of a variety of stakeholders can achieve through creative and innovative solutions that involve a wide-range of interest groups (i.e. state and local governments, non-profits, and businesses). By being immersed in the community, these groups are able to engage with local stakeholders to evaluate the environmental issues, work with stakeholders to develop solutions, participate in the solution, and document the success!	Create web services that help states, tribes, and local communities better serve the public and get the word out on what work is being done in the field. We need more visual/video success stories that are professionally created and published that highlight some of the excellent work that results from EPA funds.	Break down the data silos and have all of EPA's data spatially related to the geography and located and managed in one place, then build web services that point to the data that relates to what people care about most.	Replace SharePoint with Google shared-workspace platforms. Google is way more flexible and not as clunky. There has got to be a more technologically advanced way of tracking weekly hot issues than the methods we are currently using... Peoples Plus will not allow us to pull back and modify leave requests. We have to request the approver to return the leave slip and then re-submit. This process needs to be optimized. EPA's work is spatial. Everyone should have training and access to GIS (GIS online). We should be able to share information and ideas utilizing today's technology.	Where it makes sense, take restrictions out of how grant funding is utilized (i.e. OMB guidance that requires implementation in lieu of program support) to give states more flexibility.

AMERICAN OVERSIGHT

	I
565	As stated previously, having things (databases, technologies, etc.) that are linked together are much better than having them separated. They are more useful. I do not know of any specific software that could be identified at this time, BUT I hope we continue to improve this part of the agency.
566	When I worked in the private sector, there was a program called Six Sigma, which linked professional development and performance to financial incentives. Staff are challenged to find opportunities for optimization, work to implement solutions, and if cost savings result, the staff receive a percentage of the savings. I'm not sure if that is a good fit for the federal government, but it created the incentive for continuous optimization and improvement.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
567	566	5/4/2017	Our management started a travel help desk that is costing the agency way more money than the previous way of making travel arrangements. The travel desk staff make a lot of mistakes and we are paying the help desk staff salaries, the hours and salaries for whoever fixes their mistakes, the lost efficiency and work hours of the traveler because of the mistakes and delays of the travel help desk, and fees to the travel agency that have increased because the travel help desk makes so many errors. We also paid for a online travel system that is easy for employees to use but they blocked us from using it. This travel help desk is wasting taxpayer money and violates agency policy and needs to be stopped. Shared service centers for human resources should be disbanded and duties decentralized. The delays and mistakes in HR functions are costing us time and money. Plus these people don't know what scientists and engineers do but are making decisions on those positions and for organizations they	We need to make sure we have the funds to complete projects that benefit communities. Cleaning up waste, meeting with them to listen to their ideas, helping make towns in America better places to live.	Make sure we have enough staff to respond quickly to needs of state, communities, and others. If people call we need to be here to respond.	Focus resources on core programs and mission. Reduce non-core offices in regions, like administration and finance offices, and reassign staff to core program offices. Eliminate unnecessary GS14, 15, and SES positions in HQ and shared services.	Electronic concurrence	
568	567	5/4/2017	There are good reasons for why many things now require so much more paperwork.	EPA already does this extensively and it is highly effective. What is limiting is the resources available in terms of FTE, travel $, and funding and in-kind (lab, GIS support) available. All of those have been substantially reduced over the last at least ten years. Less resources means less performance, not just for us but in many cases, for our partners. Improvement may require restoration of a variety of grant programs, FTE levels, and the viability of in-kind support such as lab support that has fallen off in recent years. Active engagement in starting a new partnership is oftern a 0.5 FTE commitment to the project for 2-5 years with potentially some continuing activity after that. Grant funding from EPA is often instrumental in fostering effective partnerships AMOUNG among a variety of entities including federal, state, and local government entities, the	Improve navigation of the new website and create a functioning search engine for it. The best way to find something on EPA's website now, by anyone inside or outside of EPA, is to Google the topic separately. Otherwise we currently strive to provide the best customer service we can given the circumstances. Our ability to do so is expected to decrease. It is unavoidable that massive layoffs and budget cuts will result in a substantial decrease to customer service to everyone.	No	There is already a program and a schedule for this in terms of IT, and changes such as migration of IGMS to something other than Lotus Notes. Some of it is Federal Government-wide It would be helpful for the administration to research and understand what we do now, why we do it, and improvements already planned before instituting changes which may or may be improvements. Random changes without understanding the system is very likely to create rampant inefficiency, render existing systems less effective than they were, and result in poorer outcomes for which no one actually responsible is likely to be "held accountable".	State capacity to mange its programs varies from state to state. Very few could take on what are currently Federal responsibilities without some source of additional federal funding. Partnership, which we have now, is a better approach. Because no one can afford duplication of effort, programs look constantly for ways to better do business between the States and EPA. An example is the Grants Reporting and Tracking System which allows state Nonpoint Source Programs to upload their grant documents and data directly. EPA provides training and tech support, tracks progress

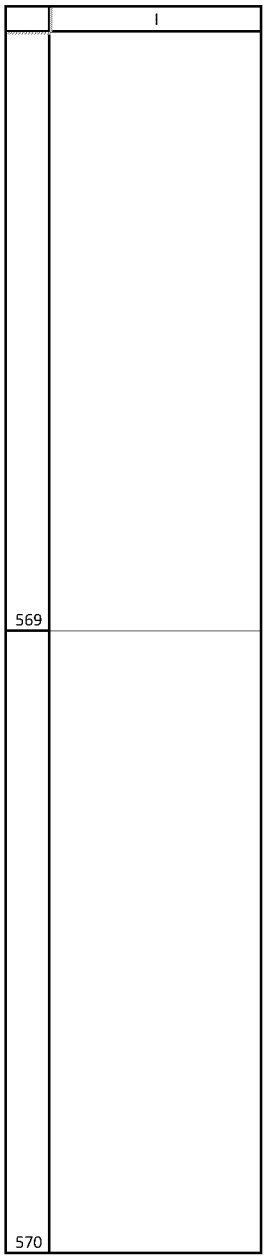
AMERICAN OVERSIGHT

	I
567	
568	No

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
569	568	5/4/2017	I would like to be able to access work email from remote location more easily. I will not use home/personal email to communicate on work issues and it would be good to be able to more easily monitor emails in the evening or on weekends/vacations from personal devices.	I believe we already do a very good job of partnering with states, tribes, local communities and the private sector. I have always done that in my own case management and I encourage each of the attorneys who I supervise to do the same. We typically find that the states appreciate our efforts and are glad we are there to assist them. We often have more expertise, funding, FTE, or authority to bring to the table and they are most often very grateful. In most instances the states have asked us to take the action we are taking; in a few instances the states have failed to act and we are required to step in -- either as a matter of statutory responsibility or to protect public health and the environment.	We should continue to do what we are already doing. We should continue to have regular meetings, several times a year, so that we can tackle issues as they arise on ongoing basis. We have very strong relationships with our counterparts and we can always build on those relationships to make them even stronger.		it would be great to be able to access our work email on private devices while allowing the emails to be captured in the government server.	
570	569	5/4/2017	EPA has a number of bad computer management systems that must be used to conduct work. The IGMS system for grants management is not user friendly and just navigating the program is a major challenge. Most EPA users go into the system infrequently (one or two times per year) so a considerable amount of time is wasted to relearn this non-intuitive system. Reports for detailed post award monitoring are have formats that are awkward and are an embarrassment to send to grantees. Other systems such as gov trip are not easy to use and waste a lot of time. The Region 8 Quality Assurance Program utilizes a 10 page crosswalk for the review of any environmental monitoring plan that in practice focuses attention to trivial matters and away from the most important issues. A more streamlined approach would take less time and provide better results.	EPA should be an organization that can provide environmental expertise to help states, tribes, and local communities with environmental problems. EPA's expertise in programs that partner with outside organizations appears to be declining over the years. In order to be effective EPA must ensure that there is skilled expertise in science and engineering at all program levels, especially management levels. State environmental programs often require Professional Engineer or Professional Geologist registration for management positions, EPA should also.	Customer service must be made a priority, recognized, and rewarded. The EPA culture should discourage talking in acronyms and using acronyms in material written for the public, The EPA guidance for Brownfields Grants is not very user friendly in organization or in terminology. Review our documents for ease of use by the public.	EPA should determine areas where they can provide a value added benefit and eliminate work in areas where they cannot. At the regional level I have seen EPA trying to promote resource recovery or recycling where we have had the highest paid persons also the least knowledgeable and effective persons in the sector. EPA should reevaluate any involvement with areas such as sustainability, food recovery, job training, and resource recovery. With resource recovery, our emphasis should be to examine and work to provide a regulatory framework that does not prevent it.		Region 8 states have been running environmental programs for decades and have been running them well. EPA can significantly reduce the oversight. EPA being in an oversight role has reduced opportunities for cooperation and assistance.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
571	570	5/4/2017	With the recent mandatory requirement to use the PNET purchase card system, we are currently using three separate websites or systems to complete a single purchase using our EPA provided Purchase Card. Because of a lack of integration amongst these three systems we must manually reenter numerous items into each system, resulting in a very large amount of time spent completing the paperwork associated with a single purchase. The three systems are: 1.ORD System is designed to a.Electronically route and obtain required approvals, including Document Control Number and accounting information from Funds Control Officer b.Eliminate the need to print out purchase orders for approval routing 2.OCFO Cost Allocation System is designed to a.Cost allocate purchases once the items have been received 3.PNET System is designed to a.Allow desk audit to be completed				EPA currently has a policy against the ownership or use of Unmanned Aerial Vehicles (UAVs). Over the past several years there has been rapid advances made in the measurement capabilities of UAVs. The use of UAV would dramatically increase safety and reduce cost since we wouldn't need to hire aircraft or helicopters to complete various monitoring activities. Can we please modify the prohibition on UAV usage so that at least they could be used for research purposes?	
572	571	5/4/2017	It's not the administrative requirements, management procedures, or other organizational process that prevent me from doing my job efficiently and effectively - it is the people. Too many managers and senior leaders are incompetent and/or corrupt and will make the "politically correct" and/or "selfish" choice over the "right/correct" choice.			An untapped opportunity to make a change at EPA that would reduce costs and inefficiencies, while maintaining environmental protection for all Americans is "trim the 'dead weight.'" Too many employees are simply not held accountable --> and this STARTS AT THE TOP. <-- When senior leaders/management is incompetent/corrupt, they mask this and doing so compromises their authority to hold others accountable.	There are no new technologies that could be adopted or existing procedures that could be modernized to make us more efficient, effective, or accountable - SIMPLY --> effectively training employees to CORRECTLY and CONSISTENTLY <-- use the technology provided would "work wonders." EXAMPLE: the MS Office suite was adopted years ago and _still_ employees cannot perform basic tasks in MS Word, MS Excel, and MS Outlook. Inexcusable, embarrassing, ridiculous.	

AMERICAN OVERSIGHT

	I
571	
572	A best practice would be "train to competence" and make, and keep, training a priority. Lead by example: senior leaders and managers should lead the way and be competent in what their employees are doing. EXAMPLE: train one level up and two levels down (see the U.S. military).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
573	572	5/4/2017	Too much mandatory training - too often, such as Tribal Training, Security Awareness, Ethics, Travel Card, ... Address: If there's not a problem, no need for ANNUAL training. Train only those new to Govt and those who don't comply...	Hold open forums - with suggested agendas so that appropriate personnel are there to hear from the public in person. conduct annual training which includes States and local muni's to offer them our expertise and to share problems, accomplishments and ideas.	Problem solving and discussions should NOT be solely by "Managers". It's the "boots on the ground" who more likely understand the concerns and can help w/formulating corrective axns. Address: Include more staff level folks on Workgroups.	Mgrs need to discipline poor performers, slackers, those who surf the internet and surf their personal cell phones. Address: An updated Policy is needed to replace Memo of 6/18/89 "Personal Use of Agency Eqpt" to include surfing the net and for doodling around on personal cell phones all day. this affects morale immensely also in many ways. Especially when supervisor finds it easier to look the other way. Implementing 360 evaluations so that staff can critique their supervisors would be helpful. As we speak, my supervisor has been MIA all morning (4 hrs.) w/o notifying her staff that she would be away, out or on leave. I have no idea where she is, how to reach	Stand-up workstations would be helpful to allow for stretching and better blood flow while working continuously on our computers writing reports, reading emails, etc.	Determine overlaps in, e.g., NOAA, FWS, USDA, etc.
574	573	5/4/2017				There are MANY EPA employees whose jobs lend to more than 2 days/week telework - many could telework at least 90% cutting down on EPA space as well as electricity. As well as reducing the carbon footprinit - taking more cars off the road, too.		

AMERICAN OVERSIGHT

	I
573	Have staff lead their section mtgs with supervisor avail for guidance and input. More refreshing and exciting. We need a better lunch/break area and more picnic tables. Our facility is the pits - EPA Edison, NJ. Being able to refresh oneself thru conversation w/colleagues provides a spunk to keep you going.
574	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
575	574	5/4/2017	It would be most helpful for approved leave slips to automatically populate an employee time card in People Plus. It would also be helpful if only supervisors could edit a time card once it's approved -- locking it from employee access.	Model the Brownfields Program.	Consider sending IPAs from the Agency to states, tribes and local communities for two to four years.	While I appreciate the focus on outside stakeholders - states, tribes, local communities, private sector, etc., a focus should also be made on the Agency's infrastructure -- IT, property, facilities, budget -- perhaps establishing one AAship that merges OARM, OCFO, and OEI -- consolidating three AAships into one.		Use Brownfields as an example -- in its early years, prior to legislation, the Agency created a Brownfields National Partnership which included over 26 Departments/Agencies. The Council met quarterly and focused on doing things together - partnering - using and leveraging existing Agency/Department Resources to provide assistance for economic redevelopment in communities across the country. It started with 10 "Showcase Communities" where we featured the partnership efforts and shared the successes with other communities across the country..
576	575	5/4/2017	EPA has too many political appointees and specifically senate confirmed ones. Other similarly sized executive branch agencies (such as the US Forest Service) have none. We should consider filling spots with career professionals instead of political appointees to ensure continuity and with less disruption to workflow during presidential transitions. Also, the ADP process is a mess and has departed from its original intent -- there is no reason why for some projects you need to develop a workgroup that consists of random volunteers throughout the agency who have zero expertise on the topic. We need to consider abolishing the Office of Policy and ORD's Office of Science Policy -- they are redundant to the policy work in the programmatic offices.	There is little else that EPA can do. States, tribes and local communities, as well as the private sector, need to do more and they need the financing to do so. The public needs to push them to do more so that better environmental results becomes a higher priority for them to use their scant resources.	No ideas, we do so much already.	EPA has too many political appointees and specifically senate confirmed ones. Other similarly sized executive branch agencies (such as the US Forest Service) have none. We should consider filling spots with career professionals instead of political appointees to ensure continuity and with less disruption to workflow during presidential transitions. Also, the ADP process is a mess and has departed from its original intent -- there is no reason why for some projects you need to develop a workgroup that consists of random volunteers throughout the agency who have zero expertise on the topic. We need to consider abolishing the Office of Policy and	We need to get all systems off of lotus notes, eg. IGMS. We should have systems that function across one another instead of different ones with different pass words. For example to sign things in our various systems, there should be a common terminology. Right now, in some we "approve", others we "stamp", others we "review", others we "sign". Just have them all be the same!	No thoughts

AMERICAN OVERSIGHT

	I
575	The initial days of the Brownfields program, prior to legislation, are a perfect example of how the Federal Government can work together to provide assistance to communities -- I was part of creating that program for the Agency - I co-chaired the Brownfields National Partnership and the Showcase Communities Project, and would be very interested in participating/helping to launch a new Federal Partnership around an area or areas of Administrator Pruitt's priorities.
576	We should look to other agencies and see if IT and personnel systems could be replaced with better programs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
577	576	5/4/2017	A customer service motivated organization should be created that aims to provide technical support of diverse kinds to meet the diverse needs of State and Tribes, at their request. This seems implicit in Back to Basics (about which I know little). Since the most important function of a federal EPA, it should be a significant organizational element within the Agency. Some existing offices within EPA could be shifted into this new entity, whereas individuals with usefully pertinent skills might be added too. For one possible illustration, the auto emissions testing office in Ann Arbor could be shifted within a new super office of assistance to States and Tribes. It could be removed from the Office of Air or from an enforcement affiliation, where-ever it is now affiliated, and instead simply serve to test automobiles, with results thereby available on the industry, available to any State or Tribe. Cost benefit economists might be added, in case they can assist States and Tribes to analyze options for	EPA could initiate a virtual network of employees who can offer diverse technical support for State or Tribe developed requirements for their industries. What could States and Tribes possibly need? Production engineering/industrial ecology familiarity. How do factories work and what kind of wastes and losses of materials arise? People with track-records for working constructively with U.S. industrial sectors Land or sediment cleanup remedial engineering. Air emission study expertise. Water treatment technology familiarity. Above all people who are client oriented and respectful. A customer service motivated organization could interview internal EPA applicants willing to			To support the Back to Basics program, I recommend sending out a survey to all EPA employees inviting them to nominate themselves for supporting the program. This would enable individuals to volunteer and to provide rationales as to why they are suited to serve such a program. If the question is posed instead to senior managers, for most their work careers have been spent as Federal regulators, so their sense of people to nominate may not be well informed? Not sure about this and am not claiming this, but it still seems a fair approach to ask all employees for nominations.	There needs to be a coordinative point of contact for each State and Tribe. This person can then consult the internal EPA network for possible opportunities to assist on a particular need in a particular State or Tribal land.
578	577	5/4/2017	Two of the biggest impediments to our operational effectiveness and efficiency are the lengthy recruitment and procurement processes. Our experience has been that within EPA these processes take much longer than EPA???s own service standards and, for recruitments actions, much longer than the metrics established by OPM. Simple procurement actions can take six to ten months, and contract extensions have become the norm because new contracts are not awarded in a timely fashion. Recruitment actions often take more than eight months. These cause delays in meeting our deliverables and contribute to poor morale. I would address these by applying the Agency???s Lean principles, focusing on eliminating unnecessary requirements beyond those necessitated by OPM and federal acquisition regulations. I would evaluate the internal EPA processes and systems, and benchmark with other federal agencies for opportunities to apply their best practices to our operations. Finally, given the	Continue to strengthen efforts in working with the Environmental Council of the States, Association of Public Health Laboratories, National Estuaries Programs, and other similar entities that represent the interests of states, tribes, and local communities. Similar efforts should be undertaken with the private sector and permitting EPA employees greater latitude in working with stakeholder groups such as the ILSI Health and Environmental Sciences Institute.	See answer to #2 re: Continue to strengthen efforts in working with the Environmental Council of the States, Association of Public Health Laboratories, National Estuaries Programs, and other similar entities that represent the interests of states, tribes, and local communities. Similar efforts should be undertaken with the private sector and permitting EPA employees greater latitude in working with stakeholder groups such as the ILSI Health and Environmental Sciences Institute.	Consider a thoughtful restructuring of Interior, Energy and Environment with a strong emphasis on research and development. This effort needs to more thoughtful and effective than what was undertaken in development of the Department of Homeland Security which continues to be a dysfunctional organization.	Continued development, deployment and use of sensors and the ability to develop an effective outreach and citizens science program.	See answer to #4 re: Consider a thoughtful restructuring of Interior, Energy and Environment with a strong emphasis on research and development. This effort needs to more thoughtful and effective than what was undertaken in development of the Department of Homeland Security which continues to be a dysfunctional organization.

AMERICAN OVERSIGHT

	I
577	
578	As an example: greater transparency and public access to scientific data as is being accomplished within EPA's Office of Research and Development (i.e., Science Hub).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
579	578	5/4/2017	Preparing travel authorizations and vouchers takes an inordinate amount of an individuals time. I've always fantasized about a travel system where I enter in some core information (dates of travel, destination, need for a rental car, etc.) and the system would debit my government credit card a total for the trip. I would then make my own airline, hotel, and rental car reservations at the government rate or lower and use my card to make the purchases. At the end of each year any unused funds would be credited back to the government. I've spoken to accounting folks about this and not sure this can be done with current regulations but wanted to share anyway.					
580	579	5/4/2017		Our state and tribal partners in Region 10 rarely implement the programs we delegated or authorized. Many past OIG audits identified states and tribes misusing funds appropriated to them by states. EPA then has a larger oversight role in those states because citizens call and complain about the state and local government not doing their jobs. I have been with EPA 13 years and consistently have seen issues with states not doing the required number of inspections and enforcement. There needs to be more accountability at the state level. EPA provides a significant amount of funding to the states and tribes, but there are rarely any consequences when the states don't follow through. Also, establishing task forces/committees that include representatives from state, federal and tribal jurisdictions to discuss the issues in each	As government employees, we routinely receive a significant amount of phone calls from states, tribes, industry, citizens, etc. I know several employees who have a hard time staying on top of work if they are having to spend 8 hours a day on the phone. It would be an improvement if there was a call center or administrative person that could take on some of these calls. One complaint I often hear is that many employees never return calls and this leads to bad customer service and poor government. Having at call center that could take care of this burden would improve our customer service.	EPA needs to do a better job of getting rid of poor performing or non-performing employees. Managers are afraid of conflict and are handing out "fully successful" ratings to employees who need to be put on PIP's or removed entirely. We need to allow management more autonomy to remove problem employees without the fear of being sued. Also, there is no accountability for employees who work from home.		
581	580	5/4/2017	Most HR processes are burdensome and the amount of time it took for me to get hired seemed unnecessary, it was over five months between my offer and when I was able to start.	We can do a better job the more we listen to local communities so I would like to see increased funding in our budget for EPA programs that deal with engagement with communities. We already have great partnerships with states and tribes.	None.	We are already operating at such low FTE and slashed budgets, I do not see how we can continue to maintain environmental protections for all Americans if we further reduce costs.	Improve Agency use of GIS, we seem to be behind other agencies and departments.	Not sure.

AMERICAN OVERSIGHT

	I
579	
580	I visited the Chicago GSA offices in 2015 and noticed that the entire office has moved to a full time flexiplace schedule which allowed for an office that looked more like an office of a startup. The GSA office had a modern open feel and docking stations so employees could come in and sit wherever they wanted. My understanding is that this model decreased office space and the operating costs of GSA-Chicago. For employees who do work from home, there should be requirements such as must be logged into Skype and must be responsive during core hours.
581	None.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
582	581	5/4/2017	Manually inputting leave that is taken into PeoplePlus each pay period can take a lot of time. I have worked at other agencies where once a supervisor approves a leave request, the leave is automatically entered into our schedule for the week and we do not have to manually enter it into the system and certify every two weeks. Streamlining the timekeeping system would reduce administrative burden.					
583	582	5/4/2017	I appreciate the tone you took in your invitation to offer feedback. This was really the first time that I felt as if anyone from the new leadership thought to ask about the view of its employees since the transition took place. I encourage you to do more of this type of thing since it helps to break down walls and build trust. To this question, I feel like the biggest problem with our bureaucracy right now is the apparent dim view that is taken of the Agency's core mission by the new leadership, the lack of concern about the welfare and opinions of the staff, and the outright hostility of the new management towards the scientific approach and data. People are afraid to engage with this leadership since it currently seems bent on getting rid of programs and getting rid of staff. This approach has been crushing for morale and has been a huge tax on efficiency. I think this ship can be righted but it will take effort and genuine interest on your part to show that you care about the	I would correct your question to add in environmental groups to your list of stakeholders to partner with. I think there are a host of issues, in water where I work, where we could use ADR approaches, such as mediation or regulatory negotiation techniques involving the key stakeholders (including the environmental groups as I mentioned) to better identify policy options where there is some common ground among groups with different perspectives. We do a good job of involving each of the key stakeholder interest groups during permit, rule, policy development, but we don't have a good way of involving them together in an efficient way. So we end up having splintered discussions with these groups. I think if these techniques were used it would give outsiders greater confidence that we were consulting with all interest	Transparency with these groups (and again the environmental community wasn't mentioned, but I would include them) always is the best way to go. There is great appreciation from outside groups when you were work with them openly and make them understand that you are taking in what they are saying and you are responding to their concerns.	Not at this point, but I know there are a lot of discussions going on about permit streamlining.	Overhaul of the conference rooms to allow for video conference calls. At a minimum, there is still an embarrassingly poor quality of AV in the office. Conference calls often have poor sound quality, and don't allow for people to hear others around the table. This gets in the way of us having good communication with stakeholders and among our different offices.	This doesn't really apply in our area of water permitting.

AMERICAN OVERSIGHT

	I
582	Increase mentoring programs, provide more funding for professional development and training, increase opportunities for details and temporary promotions, and provide more financial bonuses and incentives to reward and motivate higher-performing employees across the organization.
583	I mentioned previously making better use of ADR techniques such as mediated disputes and regulatory negotiation. These approaches seem to work well if you have the right people in the room and there is a clear policy goal.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
584	583	5/4/2017	Time-reporting in People Plus could be greatly improved. Approved absences do not auto-populate in the time card, I can't see my calculated hours until after I submit my card, I have to submit my time for several days that I haven't worked yet to get paid on time, and reporting account codes is an extremely rough estimate that doesn't provide meaningful data. We can sometimes be notified years later that there is a discrepancy between leave slips and the time card. All of this takes time and energy away from working toward the EPA mission. I would address these by both IT solutions and an examination of the time card approval process to bring it up to speed (it's all electronic but operates like a paper system).	There are certain aspects of my job that I am not an expert in (and I can't be an expert in everything), but that I am expected to make decisions about. For example, I work on pesticide labels and recommend specific label language, but as a scientist I have little training in how to convey directions so they are understandable to the general public. I also have little access to information about how pesticides are used by different groups. It would be helpful to be able to have an in-house expert, receive training, request systematic reviews, or fund research to answer those questions.			In the Office of Pesticide Programs, we do not currently have a relational database that makes all of the information on labels and associated studies searchable. Most of our data is still stored in pdfs, and in the cases where we do have metadata on products and studies, it is notoriously unreliable. This makes it very difficult to answer simple questions like "how many product are registered for use against x pest/on y surface?" There is an effort to create this database, but it will only function "day-forward" so it still will not address problems with legacy data. Poor data management reduces efficiency, increases stress, introduces preventable errors, and slows down customer service.	
585	584	5/4/2017	Currently, EPA and the States are prevented from spending CWA Section 319 (Nonpoint source pollution program) funds on restoration activities within MS4 areas due to the conflict with permit requirements. In regions in which a large percentage of NPS pollution comes from urban runoff, that restriction severely limits the restoration work that 319 funds can do. It would be helpful if that restriction could be relaxed.					
586	585	5/4/2017	Our continued use of Lotus Notes database applications is slowing us down and results in numerous redundancies. We should accelerate our move away from this outdated software.		We should reduce in-person travel to states, tribes, and local communities in favor of online and teleconference meeting options. This effort would save time, reduce costs, and limit pollution stemming from unnecessary travel.	We should reduce in-person travel in favor of online and teleconference meeting options. This effort would save time, reduce costs, and limit pollution stemming from unnecessary travel.		
587	586	5/4/2017						
588	587	5/4/2017						
589	588	5/4/2017						

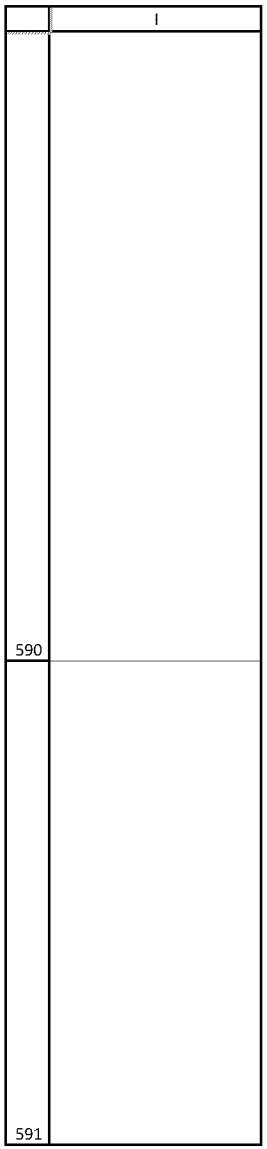
AMERICAN OVERSIGHT

	I
584	
585	
586	
587	
588	
589	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
590	589	5/4/2017	The EPA has already cut back a lot from the time I arrived nearly 30 years ago. This said, I would suggest the following to increase the efficiency and effectiveness of the Agency: --Streamline the concurrence process. Too many people are currently required to concur on an action or document. I would propose eliminating at least one and sometimes two or three of the middle managers in the chain (I don't think some of them review the document anyway). Briefings are similar and I am sure there are other organizational processes that require an excessive level of concurrence before it can be approved. This occurs across the Agency, e.g. within the Regions, within HQ and between the Regions and HQ. One way to address this situation would be to give more authority to senior staff and to cut back on the details middle and lower management concerns itself with. --Examine the management bonus system. Right now, the bonus system seems to be based on the quantity of cases settled rater than more qualitative	Over the years, EPA has partnered with these groups, come up with very creative and workable ideas, then stopped the program from going forward. I would encourage folks to re-examine and re-start the ones that worked. I am most familiar with the projects involving Region 4 and the private sector, e.g Florida Citrus Industry (Air permitting), Tenneco Pipeline (TSCA penalty/CERCLA injunctive relief), Weyerhaeuser (Air permitting). In each case, the team streamlined regulations to eliminate overly burdensome and overlapping requirements. I apologize for not remembering the names of the programs, but I would bet somebody at EPA would. . . ECOS may have been the name of one; I think Tenneco started as a Region 4 initiative. Bringing back, re-examining, improving and/or broadening these innovative and streamlined	Although I have worked in the customer service area, it has been awhile. Thus, I will defer to others on this one.	Yes. Most of the people who work at EPA are incredibly creative when given the opportunity. I would encourage a re-examination, modification to work out the things that did not work, and implementing the innovative and streamlined projects, mentioned above, including self-disclosures. --In addition, I worked with the Underground Storage Tank Program years ago as it got started. My understanding is that its focus is still on the customer and helping the regulated community to come into compliance. I would encourage you to take a look at this Program to see whether some of the things they have done could be transferred to other programs. --Enforcement is so over-	I am not a technical person, but I would suggest that many regulations could be streamlined by EPA and industry (maybe states and tribes as well) to come up with more efficient, effective, accountable AND environmentally friendly.	Sometimes it is very good to interact with other federal agencies or states since the different perspectives lead to more innovative ideas. I would need to look at the programs you are referring to to answer this question more specifically, but it seems like it would be helpful to have fewer mandatory meetings and/or interactions between them.
591	590	5/4/2017	Staff is generally discouraged from participating with the professional communities associated with the industries we regulate. However, we greatly benefit from this participation, both to get our messages out, but more to learn from those at the cutting edge of their disciplines. As our research programs have withered, the information necessary to construct cost-effective regulations comes from external sources. It is to our detriment to not stay current.	We need to be physically present at meetings and collaborative activities with our partners. Networking with individuals is essential. We are in the unique position of being able to bring parties together and seeing the bigger picture when bringing different groups together. Those entities affected by our regulations often ask for such meeting as a way to get the administrating agencies to collectively agree on how to go from no to yes. This basically means additional funding to cover such travel, which needs to be in our customers' back yards, not our offices.	We need to be physically present at meetings and collaborative activities with our partners. Networking with individuals is essential. We are in the unique position of being able to bring parties together and seeing the bigger picture when bringing different groups together. This means additional funding for such travel. We also need to be able to talk with these groups openly, so that they can trust us to provide them useful information.		We would benefit from more attention to accurately assessing and monetizing benefits in developing and reevaluating regulations. We do an ok job on costs, but not so much on benefits. Our reluctance to embrace innovative means to comply with regulations could be improved. We could allow regulated entities to pilot innovative approaches and allow provisional compliance while they do so.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
592	591	5/4/2017	I do have everything I need to do my job correctly. Everything is in accordance with 40 CFR and the SWDA.	Continue helping the states, tribes and local communities. As far as I know, they need constant help from us to achieve their goals.	We are currently providing red carpet treatment to everyone. We will continue to support and help everyone, the same way we've been doing for years.	In my opinion, to make the EPA free of political appointees will be the best for our citizens and the environment. The EPA should be an unified agency to care about the environment and the public health (Everyone & Everything).	As an EPA inspector and a trained military (retired military), I would love to use my conceal carry permit to carry my personal weapon, or issue us a federal permit to open carry while we do inspections for my safety and the safety of my co-worker. We go to places in the middle of nowhere where are not safe. There are people who do not care about the environment and others in this world. Those people usually pose a threat to our inspectors. If not, can we get satellite cell phones for emergencies only for our peace of mind?	Stop promoting job grow on social media we are not the SBA or the Workforce agency. Stop questioning our scientific integrity. This is not an efficient way to help the environment or the public health.
593	592	5/4/2017	Office of Acquisition (OAM) is unable to provide a minimal level of service thus costing substantial amounts of EPA resources. The adverse impact has been numerous delays in awards, continuing lack of confidence in projected award dates inhibiting sound planning and financial management . Given their inability to present a reasonable "get well" plan, it seems wise to provide the Agency offices a blanket waiver to use other acquisition support offices such as GSA or otherwise known as Assisted Acquisitions. The blanket waiver is necessary due to OAM's in ability to even process those requests in a timely and wise manner.					

AMERICAN OVERSIGHT

	I
592	If you look at the history of the EPA, the improvements on our environment and public health are real. The problem we face every-time is changes in a bad way due to politics, if they let us do it, we will continue to make improvements. Keep politics away from the EPA. Make mandatory for the political appointees to learn the history and accomplishments of the EPA. The historical changes made in the environment since the EPA took over are a good way for political appointees to understand the job we do is helping improve this nation. If you let the states do this job, we will go back to the horrible and contaminated days of industrialization. They couldn't do it in the past and they continue to ask for
593	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
594	593	5/4/2017	Concur is a terrible travel system and our administrative procedures for travel authorizations, booking, and reimbursement is incredibly time consuming and burdensome, to the point where I have decided not to attend certain trainings because I would rather avoid Concur. Concur makes searching for flights incredibly difficult, when we really only have one option, the contract carrier rate, so why not just show those? I do not get any administrative support for navigating Concur, and since I use it so infrequently, I need to re-learn it each time -- I am very computer savvy, so this shouldn't be this hard, it's just the least intuitive system ever. We should have dedicated travel agents doing this work for us, or get an easier system to use that looks more like kayak or flights.google.com. Our timekeeping system, People Plus, is also antiquated and inefficient; I spend so much time logging hours in two different systems, and submitting leave requests is complicated and rife with	We need to increase EPA staff to improve our responsiveness and timeliness in responding to states, tribes, and local communities. States come to EPA with questions or things that need to be approved, such as state regulations under RCRA and Clean Air Act, and we cannot respond quickly enough. I worked on one request for approval that, by the time I received it, had been sitting at EPA for several years (6-7 or more) without any action because the work unit responsible for doing the review was not provided funding to do the review. Additionally, we need to increase EPA staff members' capacity to do the review of such submissions internally instead of contracting out that review, so that staff understands the full story if the state has questions, rather than the staff member doing a cursory review of the contractor's work and not being	We should increase training opportunities for states, tribes, communities, and the regulated community. EPA currently holds some training sessions for states, but these should be beefed up and provided frequently so that states et al. know what they should do and can have an easier time getting approvals from EPA. It would also help increase capacity and knowledge in EPA by holding these trainings, which would reduce review times. As for local communities and the public at large, EPA should reevaluate its approach to Federal Register notices of proposed actions, such as rulemaking. FR notices should be made more understandable to the public. For example, FR notices often list which industries are affected by a rule, but the general public has a harder time finding out whether any affected facilities are near them and how the rule affects their environment and	Although many petroleum exclusions are mandated by statute, EPA should remove them in regulations and policy to the extent possible and petition Congress to amend CERCLA to remove the petroleum exclusion from the definitions of hazardous substances, pollutants and contaminants. Petroleum products are often spilled in the same areas and we have to use a patchwork of authorities to clean up the full mess, or spend a lot of time ascertaining whether maybe the petroleum product is mixed with hazardous waste and thus subject to RCRA/CERCLA. It is incredibly inefficient. EPA should also ask Congress for more money to hire scientists. My region currently has only two	We need to modernize all HR and travel systems, as noted in Q1 - they're ridiculously inefficient and outdated. There are so many problems with video conferencing and presentation technologies that they are unreliable. I think we need to increase IT staff to troubleshoot these problems and stay on them (and the companies that provided the systems) until the problems are resolved.	EPA should demand that the Department of Defense and other federal potentially responsible parties (PRPs) reimburse EPA for our oversight costs at federal facilities managed by the federal PRP under CERCLA. Federal agency PRPs would be able to get a faster response from EPA if more resources were devoted to it, and it's no secret that DOD's budget dwarfs EPA's. DOD in particular could be funding tens of positions in EPA if it paid for our oversight costs like any private PRP is required to. We should use political channels to encourage PHMSA to improve its regulations to redraft
595	594	5/4/2017	Brownfields Program spends many mind numbing FTE hours to run a grants program- awhile the BF Legislation is open for amendment- please form a committee that can find a way to fund programs without having an annual disruption of dealing with grants process. Superfund site that are lagging progress should be forwarded to a "some review committee" that help move the site forward.	At the end of the Obama Administration the "Making a Visible Difference program" was a good attempt in achieve greater environmental good with collaborative effort among State, Tribes, Local communities, and at times private partners. This requires federal employees getting involved in the community to better understand the needs of the community. Too often we have employees staying in their offices and let the issues come to them. EPA employee should be more proactive and getting out the communities identifying the problems of the community. It is my experience in working in Brownfields Program to help underserved communities, the community leaders do not always know what EPA tools and other federal programs are available to help address broad range of community issues.	Please evaluate each program's reporting requirements and streamline it as possible. The federal grant programs have so much reporting requirements that the people who are performing the work are overwhelmed with paperwork. In the Brownfields program -- amend the grants program funding mechanism. Brownfields program waste many hours of just running the grant process. Form a committee explore ways streamline the grant process so the municipalities BF program is disrupted because of funding disruption due not getting a grant. For cities there is plenty of need that will take decades to tackle. Congress should provide a greater appropriation for Brownfields program- this should be "no brainer". I don't know a single program in EPA that better serves the State, Local Municipalities, Communities, and Private market	Find less cumbersome and fair way to fire employees that give the Agency a bad reputation. There are many very intelligent and dedicated employees in the Agency, but it only takes a few to taint the reputation of the Agency. We have good managers and supervisors and good and bad employees. Ask the employees if there are bad managers they would demote and at the same token ask managers if they have a list of trouble employees to demote lower or dismiss. It is like being in school, most of us knew who the bad apples were. We are suppose to serve the people, employee who do not want to travel because of all kinds of reasons should find another job that doesn't	I will leave this to tech experts. b	Past Administration started the MVD program- This requires senior leaders' and managements' buy-in and regional funding source managed by (Regional Administrator) in order to get work done where there is cross program needs instead of talking about it. Regional Administrator should have limited discretionary resources not tied to any programs so when there is a need the response could be quick.
596	595	5/4/2017						

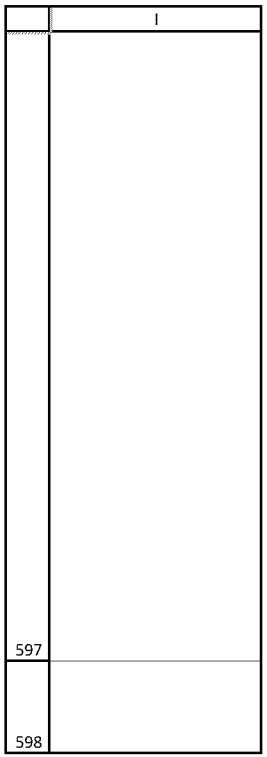
AMERICAN OVERSIGHT

	I
594	Transparency is key. Very little information from HQ gets down to staff in Regions, and when it does, it's watered down with platitudes. For example, if HQ takes down EPA's 20-year-old climate change website, it should send out an all-staff email notifying us of the change and the reason for it, instead of having staff be distracted by news reports and rumors. Internal communication of this sort is standard practice in all of the non-governmental entities I've worked at. Improve efficiency by improving morale and making EPA a desired place to work. For example, most companies and agencies issue press releases celebrating their accomplishments, and not
595	Heavily utilize Intergovernmental Personnel Act (IPA) - OPM to train senior leaders and managers to become imbedded in State/municipal/Tribal governments who deal with issues real time close to people who we are suppose to serve!
596	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
597	596	5/4/2017	The agency check-out procedures and forms are confusing and burdensome for employees (including those being reassigned within EPA), supervisors, and all the other people who have to sign off before an employee can move from one place to another, or depart the agency. The process and forms were just recently updated and still are frustrating, and there is a LEAN effort address this issue again. It is really important that this new effort "get it right" this time, and that all appropriate stakeholders get to weigh in this time.			OARM, OCFO, and OEI could be merged into one AAship to better communicate, integrate or merge related processes, and leverage technology to reduce costs and inefficiencies.	EPA has multiple systems for records management, such as ECMS, CMS, FOIAonline, and perhaps others. Some are fairly new, such as FOIAonline, and others are antiquated, such as CMS. Is there a way to have one system that can be used for records? Or at least, can the systems be integrated so they can "talk" to each other? CMS just needs to be replaced. If this is not feasible due to resource constraints, fix the reporting so offices can run a single report that includes all organizational "buckets" instead of having to run separate reports for each organizational unit. This is a hassle for AA/RA-level coordinators trying to get a comprehensive picture of what is pending, overdue, etc.	
598	597	5/4/2017		Maintaining our current regulations are key to achieving environmental results.				

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
599	598	5/4/2017				Reduce regulatory costs by increasing the applicability threshold under OLEM's SPCC program from 1320 gallons to 6000 gallons. Farms have this exemption since 2014, yet there has been no measurable increase in spills. There is no technical reason to treat farms differently from other facilities. If the regulation is overly burdensome for farms, it is likewise overly burdensome for other facilities. The issue has been studied in the context of farms. Not a single case has been identified where a farm with capacity less than 6000 gallons caused a reportable spill that would have been prevented by a prevention program such as secondary containment. To the extent prevention is effective, staff level		
600	599	5/4/2017	None.	(1) I am a CAA Inspector with years of first-hand experience working with state and local air pollution control authorities. I have found they are increasingly interested in participating in inspections where we apply advanced monitoring instruments to focus the inspections on excessively-emitting sources. My idea is to keep doing that; cases focused on actual emissions problems achieve the best results and provide first-hand experience for state and local inspectors. I believe that we could provide training to state and local authorities on how to conduct inspections where excessive emissions are the focus. (2) I have a number of contacts in the private sector (industry and consultants) with whom I share emerging issues; I believe that EPA Inspectors, who have real-world experience with multiple	See Q. 2.	Yes. (1) Having in the past been tapped to participate in reviewing grant proposals, I believe that EPA wastes a lot of money issuing grants that only result in papers, or other products that have only the slightest nexus to EPA's core mission. (2) There are boutique offices that were created during past administrations that live on, with no substantive benefit for EPA's core mission. They have good and talented people; perhaps they would like to back-fill as staff from core-mission offices retire or otherwise leave the Agency.	From a field presence standpoint, it has become quite clear that having the ability to detect excess pollution allows EPA to focus efforts on real pollution problems. This ability has transformed CAA inspections; I no longer focus on "regulatory scheme" violations that are of no environmental consequence. There are a few investments in instrumentation that could be made in certain areas of the country to advance this transformation. I suggest that someone contact OECA/OCE/AED management for the particulars; there is a lot of background.	See, Q. 2. (1).

AMERICAN OVERSIGHT

	I
599	
600	Yes. I have been impressed with the ability of private sector employees to access their firm's IT system when they are out of the office. EPA's lagging remote access capability is to some extent the outgrowth of the incomprehensively moribund Federal Acquisition Regulations, which serve special interests at the expense of efficiency. EPA should ask Congress for direct-hire authority for IT support, in the same vein as DOJ's authority to directly hire Expert Witnesses.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
601	600	5/4/2017	I work processing grant applications and the amount of paperwork required is vast. Maybe it is not practical to eliminate all of the forms and documents required but it seems counter to the EPA mission to print all of the docs for paper files vs. electronically file most of the grant docs. We are far too "paper" intensive.	Treat our partners more as true partners and customers.	Treat our partners more as true partners and customers. We're too inwardly focused vs. customer. Be more customer focused like private industry.	I realize the EPA mission supports telework but I see lots of wasted time by EPA employees using this program. Plus, our systems don't work as well in the telework environment as when employees are directly on the office network. Again, wasting valuable time and resources.	Electronically filling vs. paper files.	Better understand what the needs and drives of our customers are vs. what we want them to be.
602	601	5/4/2017	We should not be letting an individual sitting at HQ direct how innovation is incorporated into our work and how to better optimize the work we do. **[REDACTED B6]** has continually caused problems and puts roadblocks in the way of the Regional RPMs being able to optimize SF project implementation. In my opinion she needs more supervision and should not be given so much authority to interpret and direct policy decisions that prevent us from doing our work more effectively.					
603	602	5/4/2017	We track our time in two totally different systems: the Maxiflex system on Lotus Notes, and People Plus. These should be consolidated. In Superfund we bill to sites, but the billing system is complex, with thousands of possible codes. This could be simplified. The Concur travel system is difficult to use and takes more time than it should to complete TA's.			The EPA could use data science to help standardize data submissions from industry, so that data can be tagged and easily sorted. Currently, sorting through data is very time consuming. With the ability to tag and sort information on Superfund Sites, or other measures (pesticides, pollutants..), reviewing data and looking for trends in the data should be easier.		

AMERICAN OVERSIGHT

	I
601	Nope One of the things I see is how our hiring practices of hiring x-military vs. from private industry hurts our ability to get the latest best-in-class practices into the organization.
602	
603	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
604	603	5/4/2017	I am prevented from doing my job effectively when communications with the public are required to be approved by headquarters. The regions have the best on the ground knowledge and experience with how to communicate our work to the press and the public, and already have systems in place to allow for effective and accurate information sharing.	More funding should be requested and allocated to grant programs that assist states, tribes, and local communities in building up their capacity to enforce and administer environmental programs and laws. However, EPA oversight is also critical for ensuring that local and state programs are following the law and regulations and are not experiencing undue political influence from powerful local special interests. EPA is less susceptible to this pressure than state and local entities. In addition, more funding should be requested and allocated to programs that target environmental justice communities that bear a disproportionate burden of industrial pollution. In particular, targeted enforcement in environmental justice communities has proven effective in some states, by targeting areas	Transparent and open communication is key in improving our communication with stakeholders. Investments should be made in our community outreach and communications programs, and the new administration should emphasize the importance of providing swift and complete responses to FOIA requests. All stakeholders should be encouraged to provide comments to the agency on proposed actions and rules, and the agency should weigh these comments with a primary focus on our mission to protect human health and the environment. The agency should clearly communicate the basis for its actions, emphasizing the economic and health benefits of our regulations and actions. Economic benefits include not only market opportunities created by regulations that inspire and spur innovative new technology, but also the economic benefits of increased tourism, reduced damages to crops, and	Investment in effective enforcement, particularly in the Superfund program, can lead to reduced costs to the taxpayer and the agency. Enforcement allows the agency to recover costs from the parties legally responsible for the pollution and invest those cost savings into cleaning up the sites and putting them back into beneficial reuse. Effective regulatory enforcement also deters other in the industry from not complying with the regulations; increased compliance decreases costs associated with enforcement and accidents that require EPA and other agencies to respond and ensure public safety (not to mention the cost to the public from accidents and non-compliance that results in deaths, medical expenses,	EPA and the federal government continues to be behind the times on records management, especially electronic records management. There are too many separate systems that don't interact or are unable to interface with one another for different programs. It would be a very large project, but an effort to overhaul the records management system so that it uses the latest records management system that one would see in the private sector would be helpful. This is especially important as there are laws governing how government records are kept and provided to the public. The system should be user-friendly, easy to update as technology advances, and provide a way to index, catalogue, and organize	Joint enforcement programs can be powerful ways to combine resources of other federal and state agencies to target industries or areas where there are high levels of non-compliance. Another area of cooperation should be in scientific research; a lot of important ecological and public health research is conducted either by government scientists or through government funded programs and grants. State governments and non-governmental organizations rely on this research in guiding their decision-making as well. Partnering with academics, other federal
605	604	5/4/2017	The multiple layers of review take weeks/months/years to do research. Give more power to the mid-level managers.	Stakeholders like meetings, opportunity for public comment and having their concerns heard. Local communities want to be protected from companies/people that pollute. Tribes want to be protected from companies/people that pollute. States want the resources (money and talent) to be effective. How can a state hire a scientist to help them enforce the laws if they cannot afford to pay the scientist as much as a private company?	Hire more people. In 1976, EPA had 9,481 staff. The US census population was 218.04 mil. There was 1 staff for every 22,997 US citizens. In 1986, EPA had 12,892 staff. The US census population was 240.13 mil. There was 1 staff for every 18,626 US citizens. In 1996, EPA had 17,082 staff. The US census population was 269.39 mil. There was 1 staff for every 15,770 US citizens. In 2006, EPA had 17,355 staff. The US census population was 298.38 mil. There was 1 staff for every 17,192 US citizens. In 2016, EPA had 15,376 staff. The US census population was 323.15 mil. There was 1 staff for every 21,017 US citizens. The number of staff to citizen ratio is too high.	Better technology would save all people time.	Faster LAN, internet speeds, talk to text for the computers.	Remove the paperwork to work with other federal agencies and states. More collaboration could be possible if it was not so difficult. Agencies want agreements, they want to know how much resources, time and money you bring to the table. If you do not have many of those things, they do not want to work with you.

AMERICAN OVERSIGHT

	I
604	Large law firms may be able to provide information on e-discovery, records management, and record review that could be helpful in overhauling any records management systems in place at the agency. California has implemented an innovated targeted enforcement program in environmental justice communities (and I believe EPA has partnered with them in some cases on this program) that could be a model both for EPA enforcement in environmental justice communities and a model that could be adopted by other states. The Superfund program has some great examples of ways to optimize remedies that are already in place at Superfund sites to
605	Reward those who work hard and accomplish a lot.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
606	605	5/4/2017	I think the workforce is currently very distracted by the hostile messaging from the top. It's difficult to efficiently do your job while being bombarded by the top-down message of "I hate EPA" in the media.	I think that we should increase our enforcement presence in the states to achieve better environmental results. Too many times the sources have political sway at the state level, and our state partners are reluctant to take enforcement action that requires the installation of pollution controls. We at the federal level are somewhat more immune to political pressure from big sources (big emissions, but big employers) and are necessary to hold all parties bound to the requirements and regulations.	I think that as new rules are passed, we should have more face-to-face interaction with the state and local regulators, both at the time of issuance and at the implementation deadlines. This will give our state/local partners better understanding of the rules and provide better customer service to them. This will cause an increase in travel money, but provide a better educated and equipped state and local workforce.	The LEAN process (process improvement) is terribly inefficient. It utilizes a tremendous amount of resources in employee time and provides very little positive results. The Concur travel system and the Controlled Correspondence CMS systems are inefficient and unwieldy.	The CEDRI/CDX electronic reporting system is cumbersome to use - both at the regulator level and the regulated industry level. There must be a better electronic system out there that the facilities can use that is more user-friendly and intuitive for their required electronic reporting.	I'm not sure what this means.
607	606	5/4/2017	EPA's chain of command is rigid and top heavy and could benefit from a flatter hierarchical structure with cross-cutting teams that are more flexible and have greater decision-making power.	EPA could partner with the private sector on creating and promoting more environmentally-friendly brands, such as Energy Star. On another note, many state environmental protection agencies are in need of more manpower to complete their necessary compliance work. When states are experiencing budget and human resource shortfalls, the agency could assign federal staff to work out of these agencies to meet their requirements. This will help improve relationships between states and EPA, leading to greater cooperation.	EPA should strive to be as objective and apolitical as possible when interfacing with states, tribes, local communities, the regulated community, and the public at large. EPA's primary agenda should be fulfilling the agency's mission of protecting human health and the environment.	Some of our office layouts do not often reflect EPA values nor are they especially resource-efficient. Removing outdated cubicle setups and installing open office layouts and promoting hoteling and telework will cut down on agency costs, increase collaboration, and lower the workforce's carbon footprint.	Incorporating electronic signatures into forms using technology similar to DocuSign and have the capability of revising documents and sending them to users. Users will receive notifications in their email that a new document is awaiting their review and approval. This will cut down on our paper use as well as speed up the process of getting important documents signed and forwarded on to the right people.	

AMERICAN OVERSIGHT

	I
606	Our flexiplace and flexible time reporting systems are excellent. We have the opportunity to do work outside the traditional 9-5 hours at the office.
607	EPA could definitely adopt best practices and technology used by GSA in hiring and recruitment. For example, GSA has an online registration system for selectees to register for a time to get their fingerprints taken at their nearest GSA fingerprinting facility. Conversely, EPA has a number for you to call and the scheduling is done over the phone, if and only if the fingerprinting specialist happens to be available. Hiring should be seamless and user-friendly and not force the selectee to follow-up with their own hiring action. Implementing electronic forms with electronic signatures and giving HR specialists more sophisticated tracking systems will also expedite processing.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
608	607	5/4/2017	None - all encountered processes are working efficiently and effectively.	Continue with full program implementations and strategies in order to achieve long term goals and fulfill commitments.	Increase levels of funding and staff numbers across programs that have seen reductions or that are poorly staffed and funded in order to increase the extent to which involvement with states, tribes, local communities, the regulated community, and the public at large can be achieved.	Funding and staffing reductions in previous years have left no room for additional reductions. No inefficiencies are known.	Portable electronic devices such as tablets and smartphones enhance communication and allow for uses such as in-the-field mapping and up-to-date route planning. These technologies should be considered for all field staff.	Providing additional funding for travel and grants as well as increasing overall staff numbers would enable enhanced partnerships with other federal agencies and states. No areas of unnecessary overlap are evident, and increased joint work would be of great benefit in both the short and long term.
609	608	5/4/2017	Checking in with headquarters political appointees on every enforcement action leads to frustration of the enforcement team in the region as well as uncertainty and frustration for the outside party involved. The time delay while waiting for headquarters approval is also problematic for enforcement actions. I recommend relying on concurrence/consultation/notice procedures for regions to communicate with headquarters that were already in place for significant enforcement actions, and allowing regions to proceed on routine actions without such concurrence/consultation/notice, as was previously the procedure.	Allowing for open dialog between EPA program staff and state program staff would continue to help. Additionally, providing EPA regions with resources (staff and travel budgets) to meet with states, and continuing to provide states with grant money would foster good relationships and would support strong environmental results.	Asking a question about customer service is inaccurate. I work in public service. The government is not a for-profit entity with customers. We are a public agency dedicated to serving the public. I think an important element of providing strong public service is providing the public with full information on what EPA is doing and planning in local communities and across the country. Strengthening the public outreach and media elements of EPA would help tell the story of how public resources are being used for the public good.	I think less headquarters interference in normal regional processes would reduce costs and lead to better efficiency. I believe a lot of time and resources are wasted at both staff and managerial levels to prepare and provide briefings to headquarters. Headquarters needs to trust the regions to follow the guidance and procedures sent out from headquarters, rather than second-guess our work.	New technology should be applied to records management. EPA receives many requests for information through the Freedom of Information Act. To my knowledge, we do not currently have a strong system for searching electronic records. Having better technology would allow EPA to respond to requests more quickly and would provide for greater transparency as documents could be released quickly and EPA could have confidence that all appropriate records had been searched.	Cooperation.
610	609	5/4/2017	Believe it or not but we have a shortage of things like good pens and yellow highlighters, so more of each of these would be good. Just received a standup desk, which I am very appreciative of.	I think we already do a great job on this!	I think we are already doing this and have been for the almost twenty years I've worked here!	No.		States have been cut to the bone; I do not see duplication of efforts from where I sit.

AMERICAN OVERSIGHT

	I
608	High staffing numbers and incentives for long-term employment observed in many private sector businesses results in very high accountability with rapid response times. EPA should increase staffing levels to achieve this goal. Additionally, it is imperative that EPA provide as many incentives for staff retention as possible in order to enable agency expertise to maximize the efficiency and accountability that expertise provides. Promoting a culture of employee retention is one of the simplest way to maintain efficiency, accountability, and minimized cost.
609	No.
610	We meet regularly with our state, local and private partners; I'd recommend more of this.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
611	610	5/4/2017	Evaluate & reduce mandatory training: ??Â§Continuity of Operations Awareness ??Â§Domestic Violence (coming soon) ??Â§Freedom of Information Act (coming soon) ??Â§FY17 Information Security Awareness ??Â§Records Management ??Â§Working Effectively with Tribal Governments Fix timekeeping software it does not reflect how we actually work. Provide advancement opportunities for workers to prevent loss of effective workers to management. Support more workers and less managers. Support mobility of staff to improve development, currently limited to SES candidates. Make our e-mail searchable and remotely accessible. Make our internal support groups accountable to staff.	Clearly identify and communicate goals to look for common ground.	Improve IT support Consider Alphabet gmail & calendars.	More workers, less managers. Improve our performance measures to expedite incentive advancement and actions to improve or remove underperformers.	email, remote access, and file sharing Reward employees based on demonstrated benefits of the their work.	Start by identifying areas of shared responsibility and mutual interest
612	611	5/4/2017	It would be helpful to learn about major policy decisions under discussion or explanations for actions taken via direct communication from Mr. Pruitt. To date, as a regional employee, I have not heard anything directly from him other than his opening day video where he said he was here to "listen and learn". Hard to do that when you are not engaging your employees.	It is important to realize that sometimes we have to be the hammer, that in some states we are the only enforcement show in town, both civilly and criminally, and that our mission is to protect human health and the environment FIRST. Our second job is to make sure the economic playing field is level.	Training and funding to develop their capacities, with oversight as needed. Ultimately, the executive branch is responsible to Congress, not the States, etc.	1. More delegation to Regions. 2. More staff, especially in science, engineering and legal. 3) More enforcement publicity and less levels of press releases on routine matters. Very little should have to be reviewed at HQs.	Get a computer system that is at least five years within current standards, and one which is capable of responding to e-discovery and the modern legal world.	Increased funding of states and joint inspections and actions.

AMERICAN OVERSIGHT

	I
611	More worker engagement and input to Agency planning. Seek input from staff when hiring peers. Enforce existing harassment policy.
612	As in 5, invest now in modern computer systems.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
613	612	5/4/2017	Inadequate travel funds prevents me from doing my job effectively. (I am allowed a total travel budget of $1,500 a year and need to travel out-of-state since the entities I regulate are located out of state.) On site communications and observations are critical for my technical and administrative understanding of the issues that would need to be addressed, as well as how best to work with the entities that I regulate. The way to address this issue is to provide more travel funds for mission critical activities. However, with the shrinking budget forecasted for EPA, it looks like even less travel funds would be allotted for me to do my job.	More effective, two-way communications. Even though outreach is generally conducted, EPA some times does not listen to what those outside the federal government are saying because decisions have already been made. Many of the decisions made by EPA are based on politics and not science. That was very obvious when I used to work in the private sector.	Be truly transparent. Be honest. Be truthful. Do not underestimate people outside EPA. I have worked with many people outside EPA that have great BS meters. They know that many of EPA's decisions are based on politics and not science. Even though the word "transparency" is used a lot throughout the agency, EPA really is not that transparent.	Headquarters comes up with the policies and the regulations. The Regions have to implement the policies and regulations. Many times, the policies and regulations are difficult to implement because they do not make sense, are inconsistent, are vague, or cost too much. To ease this, apply less political pressure on the policy/regulation-making, but yet keeping the completion of this activity within a reasonable timeframe. Also, listen to what the Regions have to say when asking for Regional response to a proposed policy or regulation.	I chuckle at this question because government agencies are usually one of the last entities that adopt new technologies and processes. Basically, after the private sector tries it out and decides whether it is useful or not, that is when the government agencies start looking at the technologies. Then it will take quite a while for the government agencies to procure and then adopt the "new" technology. If an EPA employee cannot be physically on site, then communication technologies are the next option. However, government agencies sometimes forget that in order for new communications technology to work, the person on the receiving side of the communications may also	I do not think that for some of the programs that realigning activities are needed. Some of the programs already work well with other federal agencies or states. By working well, I mean that our respective organizations complements each other. What one federal agency cannot do, another federal agency or state can fill in the gap. However, this cannot really be accomplished unless there is a good working relationship and communications amongst the organizations. Many times, however, it takes a long time to build the relationship and communications.
614	613	5/4/2017	The grant database tools (IGMS, for instance is sorely outdated and not user friendly) and amount of time it can take to award grants/cooperative agreements to partners could be much more efficient. Could more of this award process be simplified on the number of people that need to approve/touch the award all the way from competition advocate to Grants Management Office. Raising the dollar amount for awarding noncompetitive awards to proven entities that deliver results would be extremely helpful. It seems the entities who have been proven to deliver environmental results should have some easier process for funding projects to them (grants/cooperative agreements).	Using citizen advisory councils and business advisory councils have been helpful in the past for helping programs receive unique insight into how better to achieve results and target efforts with partners. Also, working hands-on with partners, because of close location to them creates some efficiencies with staff time, travel etc. in achieving results together as a partnership team. Of course, certain staff having excellent people skills and situational awareness may be best targeted for these efforts as well.	Having staff more closely located with these partners seems to help in some cases. In my personal experience in EPA, I have found it much easier to provide great customer service (of course, this is always the goal regardless of location) when I was located in a program and/or location where I was able to meet easily with partners. It also makes a big difference if you live an work close to your partners, because you see each other even outside of work (e.g. church, grocery store, little league). Close proximity, if possible, can help make stronger customer service and partnership bonds.			

AMERICAN OVERSIGHT

	I
613	It is the practice of respecting people and hearing and considering their varying points of view. The best managers are those that are willing to listen and learn. If "staff" respects a manager and really feels the manager is looking out for him or her, you will have productive people. However, many times, respect has to be earned.
614	The National Fish and Wildlife Foundation/Southern Company Stewardship Partners http://www.nfwf.org/partnerships/corporate/southerncompany/Pages/2017-Southern-Company-Partnership-Meeting.aspx Working closely with Land Trusts to conserve habitat and water quality. This could be an area to consider to target for grant awards because of Land Trusts unique ability to engage the private sector and landowners. The EPA Great Water Body Program and National Estuary Program models of working closelywith state, local and business partners to achieve results at lower

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
615	614	5/4/2017	Inconsistencies between Contracting Officers (CO). I work with several contracts each with a different CO. Every CO seems to have their own requirements for what???s needed for work assignments, task orders, funding requests, etc. It would be much more efficient if it was consistent between the COs. Why does it take one CO a week or two to process a work assignment/task order amendment and another takes closer to two months? Why does it take so long to get funds moved from one option period to another on a contract or to get expired funds deobligated? I???ve been trying to get some funds moved on an expired contract so I can pay the final invoices for over a year (closer to two). My requests have gone through my supervisor and her supervisor, but it???s still not done. If she???s that busy, why haven???t they evened out the work load? Don???t get me wrong, I know the COs are very busy, even overloaded, so why hasn???t the Agency done something to help? Like hire more COs instead of adding a	No comments	How about better customer service for EPA offices and scientists too? Not taking so long to issue a procurement request or amendment would help the scientists do their work.	EPA is too top heavy when it comes to high level management. For example, does ORD really need an Associate Assistant Administrator? Couldn't one of the Deputy Assistant Administrators fill in if necessary? That's just one example. It just seems like there are a lot of layers of high level management before you get down to the offices doing the science.	No comments	It would be great if other programs centralized their extramural management services under one office like ORD (see Q.7). One of the OARS/EMD goals is to share contracts across programs but it's difficult to find the right people to talk to. If the other programs had a centralized office to work with, we could possibly eliminate duplicate contracts across program lines and get more participation in sharing contracts.
616	615	5/4/2017	Current requirements to provide details about any routine program meetings that might include members of the public or staff from other agencies and to then await clearance to attend from D.C. is highly inefficient and ineffective.	Consistency in program implementation and adequate, dependable funding is critical.	Consistency in program implementation and adequate, dependable funding is critical.	Consistency in program implementation and adequate, dependable funding is critical.	There must be an adequate budget available to even begin to discuss this topic. ORD must be supported in order to efficiently and effectively incorporate new technologies.	Find a role for EPA in the Louisiana CWPRRA coastal restoration interagency Task Force that does not require field work, supported by scarce travel funding. For example, EPA could focus on water quality analyses rather than on project construction oversight, which could be handled more economically by agencies located in Louisiana.

AMERICAN OVERSIGHT

	I
615	ORD has centralized their extramural management services under one office OARS/EMD with very good results. It eliminates duplication of contracts for similar services in different offices, allows for multiple offices to use one contract, greatly reduces administration costs, and frees up scientists to concentrate on science instead of extramural management.
616	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
617	616	5/4/2017	Additional layers of headquarters review for relatively routine regional office matters have the regions less efficient at handling day-to-day work.			Increased teleworking could save agency resources. Where appropriate, well-performing employees could increase the number of days a week they telework, and then potentially consolidate office space. For example, two employees that each telework half-time could coordinate their schedules and share an office.		
618	617	5/4/2017		Disregard Scott Pruitt's and Donald Trump's directives to remove regulations that protect human health and the environment. Do not decrease EPA's funding and workforce. The agency has been reduced enough.	Disregard Scott Pruitt's and Donald Trump's directives to remove regulations that protect human health and the environment. Do not decrease EPA's funding and workforce. The agency has been reduced enough.			
619	618	5/4/2017	I work in air programs in an EPA regional office. Our office processes numerous state implementation plan submittals, as required by the Clean Air Act, from our states. These actions collectively protect and improve air quality. The new administration has added another layer of review for each notice before it can be published in the Federal Register. This has created an unnecessary bottleneck and inefficiencies affecting our work, and leading to wasted time. This extraordinary and unprecedented level of review would be understandable for controversial actions, but apparently every action is receiving the new level of review.	Discontinue the extra level of review of Federal Register actions accept for controversial actions. The current approach is not adding value. In fact, it is having the opposite effect.	Being able to act on state implementation plan submittals in a timely manner is how we can best serve the public. Again, discontinue the extra level of review of Federal Register actions accept for controversial actions. This allows the process to move at a faster pace and for EPA to better serve its stakeholders.	Same comments as above.		

AMERICAN OVERSIGHT

	I
617	Expand nodes of expertise in ediscovery. Time is wasted when new people have to learn about ediscovery, when they could instead just rely on a group of agency experts to coordinate ediscovery efforts.
618	
619	If the new administration is determined to review all Federal Register actions, commit to review or pass on actions within a very brief amount of time. Otherwise, provided adequate staff so this extraordinary and unprecedented level of review is not a bottleneck creating inefficiencies.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
620	619	5/5/2017	Misalignment on prioritizing efforts and resources. For example, travel should be saved for efforts, whether business or project based, that require physical presence such as site visits, sampling activities or analysis, or first time collaborative meetings between state, local and tribal communities; but not for just meeting face to face. With current technology, we can train, discuss, communicate, present and even work on documents from other locations.	Organized collaboration, where the roles are clear, resources and responsibilities are defined. Create a memorandum of agreement that decides who will be leading based upon experience and funding; who will oversee quality assurance and controls and what approvals will be needed to confirm implementation and documentation of info	Liaisons exist between these groups but I am not clear on how this is done between each of the groups mentioned above. Therefore, if there is one person or perhaps different people whom can play this role and be involved in the conversations and planning when different stakeholders are involved in a plan, project or improvement project.	get rid of redundant/duplicative systems.	Electronic Research notebooks and project management tools that are interlinked to allow for documentation, saving of all types of documents and sharing within or outside the agency depending upon confidential controls.	Through collaboration and known resources, decide how and who can take on certain roles, share resources and implement certain aspects of projects or research. I believe some of the biggest problems are duplication of efforts or not a clear understanding on who will be responsible for certain aspects of the project and finally, what requirements such as quality assurance requirements will be followed. At this point in time, QA requirements vary throughout the agency and thus creates confusion between different offices, divisions and labs.
621	620	5/5/2017	At the EPA, there are experts in the laboratory. Their counsel could be used to avoid potential problems. Promote collaboration with the experts in the laboratory. (Overall, involve the laboratory in projects. Not just a resource, "an ally".)	"Helping hands" are thought of more fondly than a "bullying tongue". Solid expectations: I think our administrator, Mr. Pruitt, has the right idea; follow his lead.	Ask the simple questions: "What are your concerns?", "What do you want done?", "What would you require to accomplish what you want done?" Inform them of what facilities we have and the services we can provide them. Then, offer the services we can provide them. ["actively sale" the EPA services, (common business practice)]	Do not rely on contractors to do jobs we as the EPA are capable of doing. ("We are paying our people anyways, let them do the work.") However, in the event we do use other facilities other than "our own": Expand the concept of the National Lead Laboratory Accreditation Program (NLLAP). "EPA accreditation." This concept provides EPA as an "expert" organization. (This has a lot of potential; including monetary potential.)	Yes, there is much that could be changed to make things more efficient, effective, and us more accountable. Most of it is common sense; I am not going to spend the time explaining. (I apologize for this answer to the question not being helpful, but I did think it was important enough to indicate the existence of deficiency in efficiency, effectiveness, and accountability at the EPA.)	

AMERICAN OVERSIGHT

	I
620	Several but not sure if it applies to all agency needs. Some systems or programs at EPA are outdated and we could be more efficient if we begin to use modern/current applications to improve our jobs and reduce duplicative efforts. Also, telework opportunities for staff that do not require a laboratory should be implemented to reduce footprint, reduce utility cost, increase job performance (reduce traffic) and so forth.
621	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
622	621	5/5/2017	The budgetary planning process, while extremely necessary, has been the largest factor preventing my work's efficiency and effectiveness. Constant fear for the existence of my job has created large stress for me and prevented me from doing my best work. I would address the concerns of staff more openly and frankly - we understand that the president's priority is reducing the federal service and some jobs are going away, but real people and livelihoods are at stake. For example, it is extremely disheartening to see the president and the Administrator extol jobs in the coal sector while deriding EPA's work to prevent human health and environmental risks associated with coal. It would be nice if the administration showed some empathy for us.					
623	622	5/5/2017	The process for rule development and review has not changed to accommodate the frequently imposed court order deadlines to write new rules. Technical leads are given very little time to write a proposed rule or adequately respond to comments in a final package because of the lengthy and sequential review process by work groups, management, and various offices (e.g. OMB, OGC). The whole process should be updated to reflect the quicker timelines imposed by the court with an emphasis on getting the rule correct the first time around and not just putting something out to meet a deadline that we know will be reconsidered. Perhaps things could be reviewed by management or different offices concurrently with an offset of a week or two if one office really needs to have the last say. You should also consider decreasing the length of time each office is given to review, it often feels like it just sits on a desk anyway for most of the review cycle and then comments are done at the last minute.	EPA needs to pay attention to momentum in the private sector - big data providers - streaming regulatory data. Collection, storage, interpretation, and visualization of environmental data has historically been a role filled by the States and facilitated at a national level by EPA. A fundamental shift in these roles is occurring and is very disruptive in the environmental space. Big IT companies are tapping into open government data streams and building platforms that allow end users to combine regulatory data with non-regulatory measurements or other types of data (e.g. low cost sensors, satellites, health data sets from other organizations, etc). Outside organizations may use big data platform tools to characterize national or international air quality data in different ways. There will be pros and cons and a lot of questions generated that	None.	There is a general issue across government that workload is unbalanced. There are too many people that don't do much and quite frankly aren't capable of much and no way to do anything about it. Actual meaning for performance evaluations and consequences for bad performers would go a long way in retaining good talent and reducing staff/inefficiencies associated with keeping unnecessary people at the Agency.	Pay attention to air sensors (low cost, portable devices) measuring one or more pollutants. These devices will likely never be FEM/FRM quality, however, they will be deployed everywhere nationally and internationally and saturate the market (take a look at personal weather stations for example). EPA needs to help define data quality standards/protocols/application/use for these devices quickly before local, State, and Federal partners are bombarded with questions and concerns about certain readings. Big data (the internet of things, smart city infrastructure, the cloud, etc.) is really driving the ability to collect information with small, wireless devices and quickly couple that data with other data sets	E-Enterprise is a good model for States.

AMERICAN OVERSIGHT

	I
622	
623	None.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
624	623	5/5/2017	Leave requests are not necessary for managing staff. Supervisors have daily communication with staff plus Outlook calendar tools for tracking/documenting/recalling staff whereabouts, making leave requests antiquated and redundant. The labor costs for the time spent by staff, supervisors, and administrative staff in dealing with leave requests through the time system could be eliminated by removing this feature from timekeeping. Contracting paperwork is a bottleneck. Uncertainty regarding contractor availability due to paperwork procedures (e.g., uncertain timing of contract rebids or task order approvals) and/or ongoing budget uncertainty makes it difficult for EPA project leaders to plan and execute projects, particularly if contract teams are forced into frequent stop-start unknown finding mode. Additional well-training contract project officers are needed to get things done, and turnover in this department needs to be minimized.	Partnering involves traveling to meet with and interact with partners. Sufficient funds typically are not available for travel. Partners are often interested in funding from EPA. If we want to develop partnerships we should to be willing to bring something to the table in addition to our expertise. Regarding the private sector, optics can be a concern.	The EPA does an excellent job of listening to stakeholders. We are funding-limited in the guidance we can provide and results we can deliver.	Inaction from Congress and political leadership is the root of much of the perceived inefficiency. For example, the CAA is 27 years old. All too often we get wrapped up in sue-and-settle situations or court-ordered deadlines leading to rule do-overs because the outdated CAA has rule review schedules that are too frequent, and limits our discretion (e.g., no de-minimis authority) and promotes the sue-and-settle approach. The original premise of the CAA has been interpreted by the courts repeatedly, each time chipping away at EPA's discretion to customize solutions for industry-specific or community-specific problems. Changing political leadership is also resulting in rule do-overs	More powerful computer equipment would improve staff efficiency for people working on complex projects involving large amounts of data. Staff should be given reasonable options depending on their project needs as computers are replaced. Supervisors for various programs could limit the range of options as necessary depending on program uses.	Continue cross-agency teams and develop new partnerships. However, such initiatives cannot happen if not funded.
625	624	5/5/2017	Ensure the budget process is implemented across the board...all offices within the Agency follow procedures to identify their top tiered projects...which are then shared up the management chain. These are then prioritized across the Agency. If you are relying on management to follow by example...then administration should lead by example.	Need to be very specific in defining programmatic elements/environmental results within partnership/cooperative agreements.	Need to engage with our partners and listen to their issues and concerns...can not create a one size fits all across our regions and states - what's an issue in Region 1 (and their states) will be completely different to Region 10 (and their states) and should be treated as such.	Previous administrations looked at creating "One EPA" across all programs. Need to continue this approach to remove redundancies but also to ensure that program offices are not duplicating efforts and/or resources.	Not aware of any at the moment.	Creating partnerships like the National Radon Action Plan or Asthma Disparities Workgroup that connect partners (federal, NGOs and industry) to develop action plans and strategies to implement change.

AMERICAN OVERSIGHT

	I
624	Consolidate "sick leave" and "annual leave" into one category of "personal time off" with an undesignated purpose. Because its use is not restricted for a given purposes staff could accumulate fewer days (e.g., 3-5 days less of what was formerly "sick leave"). Staff can use their leave as they see fit (an increase in flexibility for staff) and there is not longer any need for the government to track separate balances (an administrative cost savings). Reframe the hiring and retention process to speed it up allow supervisors more discretion. Allow an efficient mechanism for poor performers to be eliminated and replaced. If there is a RIF, supervisors should be allowed to
625	See question 6.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
626	625	5/5/2017	We are generally limited to using Microsoft Internet Explorer (IE) on the computers in our office, but many web pages do not work with IE. I suggest that employees be allowed to choose to install one or more web browsers supported by EPA that allow them to work effectively. Chrome, for example is widely used in industry and academia. Another example is that only Microsoft Outlook may be used. In my opinion, the implementation of Outlook at EPA is very inefficient, and at times maddening. There are much better products available that allow employees to work more efficiently.	In my experience, our office works very well with states, local communities, tribes, and the private sector.	I think the EPA office that I work from provides very good customer service, which is much better than most other government agencies that I deal with. We need to continue to provide clear guidance in our rules, on our websites, and in the services we provide. Although it may not be feasible at this time, increased staff count in certain areas would help us provide improved customer support.	In my opinion there are too many restrictions on computer use. The EPA computer system must be secure, but sometimes poor decisions are made in setting us systems that cause inefficiency in our daily work. Also, the travel forms we have to fill out to get travel approved are confusing, time consuming, and don't address what is really important. We waste much too much time with these things. Someone that actually uses them should work with administration to streamline these.	Allow us to use efficient computer business tools. For example, Microsoft IE doesn't work with many websites. Let us use Chrome or other browsers. EPA's implementation of Outlook is frustrating and inefficient. Let us use Google Mail or similar. Give employees that run simulations on their computers administrator status. We can't even remove unnecessary icons on our desktop without support from EZTech.	I believe the work that our EPA office does is much better done on a national level than passed to states. A smart, effective national standard serves the industry that our office regulates much better than a patchwork of state rules.
627	626	5/5/2017			Improve the efficiency of our FOIA processing.		EPA should invest in Relativity Analytics, a tool which could dramatically reduce EPA costs in responding to FOIA and other document requests. Relativity Analytics identifies and groups "email threads" and "duplicate and near duplicate" documents. A similar tool (Equivio) saved EPA at least 24%, and could possibly have saved EPA as much as 50%, of the time needed to review documents for a large FOIA. These are saving above and beyond time saved by EPA's existing "de-duplication" software (iPro and EnCase). Such savings could be realized for the vast majority of FOIA and document requests, both small and large. EPA no longer has Equivio. Relativity Analytics is the potential replacement. It could save	

AMERICAN OVERSIGHT

	I
626	I'm copying my response to Q5 here: Allow us to use efficient computer business tools. For example, Microsoft IE doesn't work with many websites. Let us use Chrome or other browsers. EPA's implementation of Outlook is frustrating and inefficient. Let us use Google Mail or similar. Give employees that run simulations on their computers administrator status. We can't even remove unnecessary icons on our desktop without support from EZTech.
627	Email threading and duplicate/near duplicate processing for document requests, such as FOIA and discovery requests. Relativity Analytics is one example of such software. Large law firms and corporations routinely use such software to reduce their costs in responding to document requests.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
628	627	5/5/2017	Opposite a private business whereby the owner of the business is responsible for the success of the business, leaders in the EPA are not beholden to investors and employees to turn a profit. Therefore, at the end of the year (calendar or fiscal), when everyone is taking their use or lose, there is no one around to sign off on administrative products. In a private business, the owner/president puts in the most hours to keep the business afloat. In EPA, the newest, most inexperienced staff are the ones putting in the most hours. I don't know how this can be addressed. The sign-off process to get anything through is ridiculous at times. It can add a few weeks, to several months to the process. Either eliminate some in the sign off chain or give supervisors time to do their jobs.	We already partner well with states and tribes and such. They respect us and we respect them and we seek help from each other when necessary.	We already provide great customer service (?) to states. We provide trainings, money, advice, leadership, technical help, when asked. Regulators need to stop criticizing the Federal EPA to the point that if a state wants to ask for help, they are made to feel like they are asking a bunch of circus clowns to help. Our state (and tribe, etc.) counterparts respect us and undermining that is not productive to anyone.	No. I believe that Obama's cuts were deep enough and have already made it hard for the EPA to fulfill our mission. More cuts would make it so that EPA employees are demoralized. We already work our butts off and are hampered at every turn. More of that would be detrimental to the country.	Of course there are. But EPA staff is already so overworked, that no one has the time or energy to implement new processes.	Stop worrying so much about the costs to corporations for environmental regulations. The public doesn't care if a corporation makes only $9 billion in profit vs. $10 billion. States need and want a strong federal agency when things go wrong and they don't have the money to fix it. That is what we are there for.
629	628	5/5/2017	Printing out routing slips to request signature from management. I would like to see if this can be done electronically instead.	Have more face to face engagement and interaction. Provide examples of success stories or case studies that can be used to inspire more work with these stakeholders.	Call people back and be available to answer questions from our stakeholders and the community. They are happy to hear from us and appreciate that we reach out to them.	Encourage management to appreciate staff more and develop better relationships with the people who report to them.	Yes - for grant work we should be moving away from printing emails, work plans and other grant related files. This is cumbersome, wastes a lot of time and is inefficient. Perhaps a database or on-line repository can be used instead. This would increase efficiency especially if an audit is ever done on the grant.	Learn what other agencies do and see how our work complements their work and how we can leverage our resources more effectively.

AMERICAN OVERSIGHT

	I
628	We have the best staff. We are dedicated beyond words. We believe in our mission and care about our country and world. We do more than just like statuses on Facebook or speak out at rallies. We live it. We choose to make our careers all about it. Those that are engineers or lawyers could make way more money practicing in the private sector, but choose to put their efforts onto something that will benefit the people of the U.S. We are intelligent, hard working, and dedicated. Many are scientists with analytical minds that always work with accountability and efficiency at the forefront. We are criticized and made to feel like our work is unappreciated at the highest levels these
629	Consider being more flexible as needed when staff ask to work from home. Having a good work - life balance is essential to happy employees and more productivity.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
630	629	5/5/2017	Answer provided from a private/public sector procurement/acquisition perspective. A: The field overall is old fashioned and the best practices are as such (i.e. duplication of contractual filing both paper and electronic; both manual and automated document routing procedures; partial implementation of system automation). Primary example, the public sectors procurement key/bible is the Federal Acquisition Regulations (FAR) http://farsite.hill.af.mil/ and it was designed as a one stop shop but each department and agency has subparts, that add additional layers of interpretation and applicability. The layers need to be peeled back and more standard regulatory requirements applied across all agencies/departments.	Answer provided from a private/public sector procurement/acquisition perspective. A: Leading by example with clear/transparent channels of communication from the top down. Defining the core of the agencies mission/requirement and the necessary partnership with each and every party/customer. The bottom line is about creating and communicating the bigger picture of how we all play a piece/part in the achieving environmental results. Also suggest greater private and public sector cross over and a more streamlined acquisition approach. Share and reapply experiences; as the two sectors are two very different worlds and many of the professionals in the field have minimal exposure to	Answer provided from a private/public sector procurement/acquisition perspective. A: Understanding your role from varying perspectives/sectors is key. The simple term buying sums up both private and public sectors use of procurement, acquisition, contracting, etc. and no matter how large or small, the general practice/function remains the same. It is the purchase of a product or service that requires logistical supply or delivery from one point to another, to satisfy an overall customer or user need. Understanding the service or supply we are providing is key to providing better customer service.	Answer provided from a private/public sector procurement/acquisition perspective. A: Better forecasting and planning practices for more efficient execution. The terms category/commodity management float around in both worlds and the bottom line is that there are existing specialties that make current practices overcomplicated, with too much oversight. Merge the overall customer requirement(s) administrative management together (i.e. EPA Contracting Officer Representatives are similar to private sector Program/Category/Quality managers) and automate processes (i.e. system flow through, such as contractual and financial interfacing and	Answer provided from a private/public sector procurement/acquisition perspective. A: Recommend investing in one standard commercial procurement system, with applicable regulatory requirement and contractual vehicle selection; creating borders for customization and interpretation (i.e. GSA has made tremendous advancement and is under-utilized).	A: Better understanding of roles and relationships with overall environmental execution; the downstream impact or flow-through of corporate/agency action.
631	630	5/5/2017	There are too many administrative reviews for regulatory packages - the administrative reviews take up to 3 months out of the regulatory schedule, which is usually 3 times more that rule writers actually get to write the regulations. I would cut some of the reviews out - 25 people reviewing the same package for grammar and commas is just wasteful.	We need to be able to do site visits to learn more about the private sector issues with our regulations. We need to be involved more with states when developing regulations, but when we reach out, no one is interested in working with us.			We need more electronic processes for collecting data and reviewing regulatory packages	If we could get states and EPA to use the same electronic reporting systems, we would be better able to share data and help the private sector by removing duplicate reporting requirements
632	631	5/5/2017	1) Too much annual training. Stagger training, make it good for multiple years, or require a certain amount of CEUs per year. Update training tracking systems for annual EPA training, CORs, grants POs, etc. 2) Institute further use of electronic signatures on documents. 3) Simplify Concur interface for travelers - make it more intuitive. Travelers are not accountants or finance experts; the terminology and requirements are extremely difficult to understand.	Open communication with partners.	Full access to and integration of databases containing environmental information.	Yes - build climate change considerations into all projects and programs. Build infrastructure that is more resilient to reduce costs for replacement after storms, floods, etc. Set water quality standards and establish TMDLs that take into account changes in water temperature, etc. that are occurring. Being proactive in all of our programs on climate issues will make it easier to achieve environmental standards into the future.	Electronic signatures.	

AMERICAN OVERSIGHT

	I
630	A: Automation and clear transparent communication, with receptiveness and reward for change/innovation.
631	
632	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
633	632	5/5/2017	Legal Reviews: Legal reviews by EPA Attorney's (who are not prosecuting criminal investigations and nor are they appearing in court is a waste of time and money that can be spent on other important issues). U.S. Attorney's oversee or decline criminal investigations, not EPA Attorney's. This creates a conflict of interest when an EPA Attorney is telling agents what to write in reports and will not approve a legal review until their wording is placed in the report. These practices undermine the U.S. Attorney's authority and will eventually cost EPA when an agent testifies under oath that they are not the author of the report. EPA Attorney's spend countless hours on criminal cases that the U.S. Attorney's oversee, this time can be spent on agency issues rather than criminal matters being handled by the Department of Justice.	Suggestion: Ensure an EPA representative are placed in these various office as liaisons to support achieving better relationships and results.	Suggestion: Recommend evaluating customers needs on all levels to improve relationships with our customers and essentially the public at large. Our customers are made up of the public and serve those communities, so reaching out is key. Partnership and visibility on the local levels is important to understanding the concerns and issues at large.	Investigations Side: I do see untapped opportunities in investigations but many of the agenda's are forced by senior leadership who have outdated philosophies and tactics (particularly in the OIG). Within the cadre of agents there are untapped potential from agents who have been police officers, detectives, special agents in other federal agencies, and military investigators. These resources are invaluable, but these agents are leaving due to the stale methodologies of folks who did not perform criminal investigations but rather security or protective service functions as law enforcement. This inexperience has affected the agency and forced second criminal	Investigative Suggestions: There are technologies that could show leadership pie charts, statistics, open cases, closed cases, pending cases, types of cases, convictions, restitution amounts, and so much more; however, we have outdated technology because of the stale leadership philosophies or inexperience.	We can accomplish more by reducing the amount of work being duplicated. Mission and goals are key, followed by oversight and accountability.
634	633	5/5/2017				Eliminate political appointees since they come with no experience or pertinent skills, time is wasted getting them up to speed to that they can enact their political agenda, and they are undoubtedly paid more than those who have worked hard to protect the environment and the American people throughout their careers as scientists and the like.		

AMERICAN OVERSIGHT

	I
633	Yes. Currently, I am attempting to implement new practices considered by other agencies (as best practices) in areas such as evidence, ammunition accountability and purchases, training, policy reviews, and investigative processes; however, it is an uphill battle. These practices would save thousands of dollars, increase accountability, and improve efficiency all of the areas mentioned. For example, using training ammunition vs. duty ammunition for training purposes. Duty rounds cost .50 cents where training rounds cost .25 cents. If a person use 60 rounds to qualify with duty ammunition they are wasting $30.00 vs. $15.00;
634	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
635	634	5/5/2017	Recently I have noticed that our communications, interactions, and work are subject to new rules and heightened scrutiny from EPA HQs. The level of scrutiny our work is receiving from leaders who would normally not be involved (i.e. senior management to HQ hierarchical review of documents) is inefficient. Each program and office has signatory delegations for a reason...so HQs does not have to be involved in every decision and can focus on their work. It takes much more time to go through review, concurrence, and get a letter signed...and time equals tax payer money.	We already achieve good results when we can partner with the states and communities and spend time with our stakeholders. Our budget over the years has already made it increasingly difficult to travel to state offices, meetings, conferences, etc. Dramatically decreasing the budget will only hurt our ability to achieve better environmental results by hampering our ability to travel out into the community or visit the state to foster that relationship and build trust. Phone calls and emails are not a good substitutes for face-to-face interaction, and a skeleton budget will make travel and that crucial interaction impossible.	One of the complaints I have heard from the states and tribes is EPA no longer has the staff to effectively carry out its responsibilities to the states and tribes, assist them with their programs, or travel to their offices to partner on projects or attend meetings. I have watched our budget be slashed dramatically through the years, and I have had to apologize to our states and tribes for not being able to spend the time and attention they need to effectively run their programs and carry out their responsibilities. Continuing to target EPA in the budget process, and decreasing the amount of grant money available to the states ands tribes will render federal, state, and tribal environmental programs completely ineffective.	EPA's budget has been slashed over the years to the point that EPA has a skeleton crew of administrative staff. That means we have scientists and engineers (GS 9-13) doing administrative work (e.g. finalizing, printing, and sending letters out). A scientist's hourly salary is was more than an admin's salary, and this is a huge waste of taxpayer money when a scientist has to do admin. work. They often don't have the skills or resources to do this admin work, and it takes a scientist much longer to complete these task. Additionally, this takes time away from completing their actual duties: maintaining environmental protection for all Americans. Another way to reduce costs	EPA has struggled though the years to figure out a way to go totally electronic due to lack of resources. Implement an electronic records system that stores past and current records for access by all of EPA. Get rid of requiring paper documents be submitted by the regulated community, and go to electronic signatures. This will eliminate the space and resources needed to store and access paper records.	Our activities are already aligned in areas of shared responsibility and mutual interest with the states and federal agencies. We are all driven by statute and regulation, and we work together to accomplish our responsibilities under these statutes. We also partner and assist our states in areas that are not regulatory driven (e.g. nonpoint source programs). The state wants to reduce pollution, prevent issues, and protect its citizens, and we help them accomplish this absent a statute. There are also areas the state does not have the resources or political will to undertake, and they rely on EPA to step up and do
636	635	5/5/2017	It does not prevent me from doing my job, but Environmental Justice issues raised by community memebers with a lack of good faith [where EPA is making every effort to protect the alleged EJ community] are given more attention by EPA than is appropriate. EJ concerns should not be a weapon for self-appointed community activists to make ridiculous claims for the need for EPA to give special treatment for the community in question - when EPA is already doing its job. EPA tends to be overly protective if anything. I flat out do not believe EPA employees would ignore health concerns just because a community was poor or of color. The EJ staff employees in my estimation probably spend very little time doing real EJ work because there are not that many new sites to be evaluated. The EJ staff probably spends most of their time doing nothing or creating busy work to create the appearance of useful activity.					Department of Defense agencies often take ridiculous positions. For example, DoD at one time asserted the position that an explosive is not a hazardous substance. Focusing on ways to resolve EPA-DoD disputes more quickly would be helpful. A dispute resolution should be mandatory on all DoD agencies. For example, not just the Army or Navy, but rather all DoD agencies.

AMERICAN OVERSIGHT

	I
635	Electronic records management system - a lot of states, and private industry have gone electronic, and the federal governmental has lagged way far behind in this area. This will improve our efficiency by having information readily available for staff and our stakeholders, increase accountability and transparency, and reduce costs by not requiring floor space and buildings devoted to the storage of paper records.
636	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
637	636	5/5/2017	IGMS is the grants/IA database. Efforts have been ongoing to update it but they are very slow (years) and I personally haven't seen significant changes result from the efforts yet. I think changes have been recently made on the grants side but they are still in progress for the IAs. For example, in the IA decision memorandums, there are a number of redundant or unnecessary questions. Also, the programmatic baseline process needs to be revised. It is not clear who actually reviews those when regional staff submits them and what, if anything, is done with the information. The questions also need to be updated as some either aren't necessary or aren't effective.	Continue with implementing successful voluntary programs that EPA has such as Energy Star and Wastewise. These involve the private sector and are very appreciated. Perhaps they should even be expanded to the small business community if not done so already. Assist state/local communities with improving recycling rates by providing grants to better understand waste management/recycling infrastructure and to undertake studies. Also, EPA is needed to convene leaders and decision makers in recycling and other environmental arenas. EPA also can serve more of a role in providing guidance (not regulations) on standardizing approaches in recycling and other environmental arenas. Sustainability/sustainable development is also an area that EPA can focus on more and promote/support at a higher	There used to be a toll free hotline that EPA provided, however, I'm not sure if it still exists and if it does, it is not advertised enough since even I don't know if it exists as an EPA employee. EPA also needs to do a better job at marketing and improving communication about what role it plays and how it serves the public. The public at large is not very aware of EPA's voluntary programs, for example.	EPA used to make more of an effort to do compliance assistance as an alternative to enforcement, particularly with regard to the small business community. Not much of that is done anymore or at least it appears that way. This is an opportunity that will assist the regulated community in reducing costs and inefficiencies. Internally, EPA has begun promoting/implementing the LEAN concept to reduce costs and inefficiencies. This effort needs to be focused on more and promoted by management. It needs to become a part of doing business at EPA.	In the last few years, EPA has placed videoconferencing technology in it's office conference rooms. This technology does not get utilized much and it should since it cost $ to purchase/install. Instead of spending so much time and money on travel, videoconferencing should be promoted/supported more as it was intended to be.	Drinking water contamination has become a huge, prevalent issue. Most of the drinking water enforcement/monitoring falls to the states and they cannot keep up. USEPA needs to assist more with this shared responsibility/mutual interest. We do to some extent, however, it is not nearly enough.
638	637	5/5/2017		Fund states at levels that allow them to continue to run critical environmental programs. Many states do not have the budgets to completely take over programs that are currently funded by EPA. If state funding takes a big hit, then it is highly likely that states in each region will return programs back to EPA - this will effectively create more work for a diminished EPA staff.				

AMERICAN OVERSIGHT

	I
637	Program/project evaluation is a very useful effort and best practice that EPA attempted in the past but wasn't very successful at fully implementing. Management didn't support it enough so it faded. It needs to become a part of the EPA culture and fully embraced as I'm sure is the case in the private sector and other organizations. The CDC has an approach to program evaluation and implements it.
638	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
639	638	5/5/2017	The annual required online trainings are a huge waste of time. I really don't learn anything, and I try to just push through them as fast as possible. Some of them don't even apply to my job, that is extra frustrating!! The leave requesting module in PeoplePlus is way too complicated. The whole start day/end day menu does not make sense to most folks, and the system will not allow you to request 2 different types of leave on one day. It is unnecessarily complicated. Employees should be able to pull back requests as well when needed.	EPA should not maintain dive teams. The expenses associated with that are huge, and we could save a lot of money by contracting that work out when it is necessary. In our region the Dive Team has a dedicated vehicle, and the members participate in long and expensive training events. That doesn't make sense to me. We also have "operations offices" in each of our regional states. I think we need to be rethinking those. It makes sense to have an office in Anchorage, but I don't know how we justify offices in Olympia or Portland specifically.	I actually think we do this pretty well.	Yes. We have pushed so many administrative tasks onto the backs of our high graded staff because we've eliminated support staff. If we had an "assistant" type position in each work group, e.g. Budget Assistant, Environmental Protection Assistant, HR Assistant, etc., then we could increase the work efficiency and effectiveness of the higher graded staff. It is just plain silly for a GS-13 to spend time doing work that could be done by a GS-7 or 9.	Our IT tools aren't the best. Many employees still have heavy laptops that you can't really use for teleworking.	
640	639	5/5/2017		We need to be doing more community-driven and community-engaged research, answering questions that are relevant to the everyday lives of Americans with direct impact on communities. We could set up local EPA hubs across the country where researchers work directly with community members. Joining forces with citizen science would enhance EPA's accountability, relevance, and reputation.			We need larger, faster computers, servers actually. We are increasingly using large databases for our research, such as Medicare, and there is not enough space on our computers for this. Invest in technological infrastructure. Another big help would be to have tech support who are actually federal employees and who are adequately compensated. Our current tech support team (locally) is run down and inefficient because they are so overworked and undercompensated.	Share data resources and expertise with HHS. HHS (i.e., FDA) have large healthcare databases and other resources that we are replicating here at EPA. I've worked at both agencies and I find myself rebuilding the same systems over again, requiring hundreds of hours of work. This replication is time consuming and inefficient. We need to draw from the same well instead of building a whole separate well.

AMERICAN OVERSIGHT

	I
639	
640	Of interest might be FDA's Sentinel Initiative which provides real time or near real time signal detection in claims data. Pair this with environmental data and you have yourself a winning, innovative system.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
641	640	5/5/2017	Many of the administrative processes that I have to use as a supervisor at EPA are not user friendly. Because I have to routinely use them, I and other managers are constantly encountering situations where our time could be more efficiently and effectively used. Key examples are with travel software (Concur) and time keeping software (PeoplePlus). These are systems that are necessary but not user friendly. In People Plus, I would like the ability to aggregate time for a day and not see time per each accounting code. If I could do this, it would enable to get all information that I need to see to approve on one screen. Without it, I need to go back and forth multiple times between screens.	The underground storage tank program is a program that is implemented in large part by the states (except in Indian Country). The states rely on federal leaking underground storage tank (LUST) Trust fund money. The EPA provides this money via grants to the states. The states use the money largely to provide staffing to inspectors (prevention) and cleanup staff (cleanup). Cleanup money is more plentiful than prevention money yet the prevention program continues to absorb disproportionate amount of budget cuts. It would be better if the states could have the flexibility to combine their money (prevention and cleanup) and find the best way to ensure both programs work well and work together.	We already do a good job here. I don't have any ideas but I would be willing to hear what these customers suggested as areas for improvement.	I think we should seriously consider implementing all the Government Accountability Office (GAO) recommendations. They are experts at understanding how government works and they have great management and accounting skills. Every year since 2011 GAO has evaluated federal programs that overlap, are fragmented or are duplicative. It found dozens for the 2017 annual report. Rather than cutting needed programs like the massive reductions proposed by the President's 2018 budget which targeted Environmental Protection Agency, for a 31 percent reduction under we should focus on implementing GAO suggestions to make government more cost-	Not aware of any.	We already attempt to not overlap with states but some oversight of states is necessary. The only thing that I think we can do better is be more transparent about what we are doing and why we are doing it.
642	641	5/5/2017	Fear of losing my job, and watching politicians celebrate my potentially losing everything my family has...leads to the most inefficient days anyone could have at work. Give us certainty and job security and we will support your aims. We are here to work for the mission of the EPA, and support ANY current administration's understanding of it so long as it is moral, ethical, legal and constitutional. A little respect and job security will go a long way towards making you appear successful to the public. Give it a try.	Partnership building requires thoughtful training. Develop a comprehensive, sequential and cumulative training program for EPA to learn how to facilitate and be open to true partnerships.	My job is responsible for supporting dozens of good paying contractor jobs in rust-belt areas, using only American-made materials onsite. The work they accomplish remediates formerly toxic sites that can be redeveloped into new economic engines for these areas. Why do not advertise this? Why does the public not know we do this? It is insane that people only consider the EPA to be a regulation agency when so much of what we do is foster grants and contracts that lead to real trainings and jobs. We are already an economic-enhancing agency. Advertise those real successes.	Telework expansion will allow for less office space needs.	We have them already, it's just a matter of training and having internal processes change to utilize them.	Expanding telework is far more efficient than eliminating any region. The opportunities to work closely with the states and partners is then available for face-to-face because people live in that state or area.

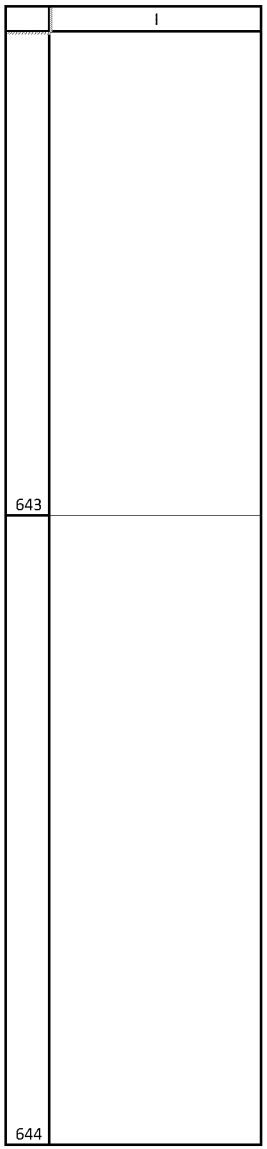
AMERICAN OVERSIGHT

	I
641	I appreciate being asked this question. We should allow government agencies to benchmark other agencies. It is difficult to take any best practices from private industry and apply to the government sector. However, we can learn from sister agencies and perhaps from states and tribes.
642	Change employee performance evaluations to reflect a simpler way to discern high performers. Give only three choices: Unsuccessful, Fully Successful, and Exceptional. This way, we can measure the person that does 100% effectively, and anything else they bring to their position allows them to be recognized as "above and beyond." Right now, there are multiple areas above "fully successful" and no one truly knows what the difference between them. Also, add 360-evaluations instead of just relying on one supervisor to rate the person.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
643	642	5/5/2017		Respect treaties with tribes, such as the Standing Rock Sioux. Don't work against states which have established more stringent standards, such as the California fuel efficiency standards. Expand programs that support private sector innovation, such as Energy Star.	Provide adequate funding for efforts to streamline regulations. There are some areas where EPA and the regulated community are working together to simplify regulations and to remove obsolete provisions. Drastic funding cuts will hamper these efforts. The regulated community would benefit greatly from a more predictable regulatory environment. When each new administration radically shifts the policy focus, it destabilizes the economy and discourages investment. Many corporations have been holding back for years waiting to see where the shoe will fall on climate change.	Focus resources on reducing emissions of greenhouse gasses, which pose the greatest risk to the health, economic competitiveness and national security of Americans during the coming decades. (see http://www.sciencemag.org/news/2017/03/trump-s-defense-chief-cites-climate-change-national-security-challenge)	Continue to simplify and modernize reporting. There are many areas where reporting can be simplified, (especially if regulations are streamlined and obsolete provisions removed). EPA's reporting infrastructure needs to be upgraded to 21st century standards, migrating to web-based forms. However, drastic funding cuts will cripple these efforts.	
644	643	5/5/2017	The communications structure within ORD needs to be overhauled, streamlined, or at least DEFINED. There is a matrix within the matrix - we have ORD comms, national research program comms leads, comms staff working under the NPDs, and lab comms staff. And there's no definition or process for who is leading what. Lab comms staff are left reacting to the needs of all the other comms staff. This structure is inefficient and redundant. If all the levels will remain, at least define who leads what and what responsibility each level has. It's unclear and frustrating to try and work within this loose structure. It leads to inefficiencies in reviews, no consistency across EPA-produced comms products, and an inefficient, non-strategic approach to producing comms products altogether. We need to take a good hard look at comms teams and activities, and determine how to streamline development and review of products. We need to develop better definition of						

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
645	644	5/5/2017	I think we are missing a crucial question in this survey: Describe any relatively minor legislative fixes (in environmental laws) which would enable significant efficiencies in the ongoing implementation of the national federal/state regulatory/environmental protection scheme? Oftentimes it is the underlying environmental legislation that causes enormous inefficiencies at both the EPA and state levels. A piece of legislation is typically well intentioned (and often bipartisan) but have well meaning bureaucrats spinning their wheels seemingly endlessly trying to implement some small aspect of the law (that was not well thought out). In all my years at the EPA I have never seen us be proactive with the hill in trying to get some minor legislative fixes. Instead we spin wheels trying to implement as is. I realize asking congress			I think we are missing a crucial question in this survey: Describe any relatively minor legislative fixes (in environmental laws) which would enable significant efficiencies in the ongoing implementation of the national federal/state regulatory/environmental protection scheme? Oftentimes it is the underlying environmental legislation that causes enormous inefficiencies at both the EPA and state levels. A piece of legislation is typically well intentioned (and often bipartisan) but have well meaning bureaucrats spinning their wheels seemingly endlessly trying to implement some small aspect of the law (that		
646	645	5/5/2017	Needing to wait on multiple levels of approval in precisely the correct order when filling out requests such as for training.	Better communication and transparency about process (not necessarily always data due to CBI concerns)	Again, better communication and transparency about both process and making them understand our perspective on regulation and assessment	Better coordinate regulatory policies, especially allowable limits and toxicological assessments, among various offices in order to improve internal consistency	Project management software	Better communication in order to find out where local governments or other agencies are deficient and where they have expertise so that we can fill in the gaps for each other.
647	646	5/5/2017	Publishing items in the Federal Register. Consider reducing the types of actions that need to be published (maybe only rules, and final decisions). Others could effectively be published on EPA's website, or in the docket. Simplify and streamline the task of hiring. The time it takes to bring on new staff is so long and difficult, it is hard to get the best people for the job.	Our public participation process is a very good way of getting input and by-in from our stakeholders. Allowing this process to continue would be beneficial. However, delays in being able to publish information on leads to distrust among stakeholders.	By sticking to the schedules EPA has established would help our stakeholders to better anticipate when our actions are being completed, and plan appropriately.	Reduce the information in FR rules, which would reduce the cost. Do away with any requirements for paper documentation and move to a completely electronic workflow. Improve IT systems to help manage the projects at OPP, and to help keep companies informed of the progress of their actions.	yes! SmartLabel would be a huge benefit to our program. All of the document processing functions should be reviewed for the Office, and standardized, to help find information quickly.	

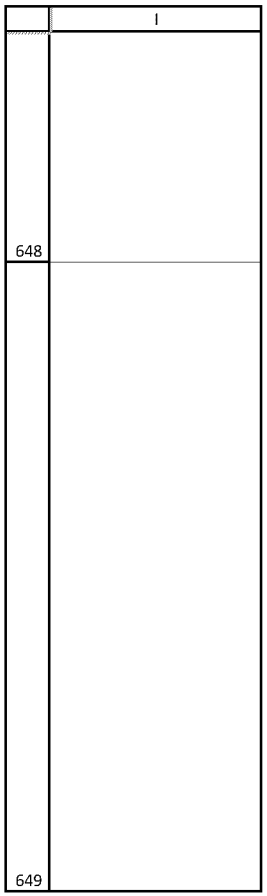
AMERICAN OVERSIGHT

	I
645	
646	Better website and PR.
647	Improving our IT systems would help efficiency greatly!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
648	647	5/5/2017	PASSWORDS: When you access as many applications as I do, it seems there is always a password to change. Changing passwords takes a lot of valuable time away from actually doing work. I propose that, where we can, we do what the FOIAonline folks did and start using the EPA Region 7 Smartcard in place of passwords.					
649	648	5/5/2017			Alternative dispute resolution (ADR), including mediation and facilitation by neutral third parties, and training in ADR and Environmental Collaboration and Conflict Resolution (ECCR) approaches in working with all stakeholders results in greater customer satisfaction with interactions with EPA, particularly when complex, contentious issues are at stake. Through a (new) EPA order, the Administrator could encourage EPA programs and regions to routinely consider using these approaches more frequently during key rule making, policy development, public engagement and enforcement activities. Use of ECCR at EPA and other federal agencies has been shown to reduce costs, improve governance, by resulting in more broadly supported solutions, support better informed agency decisions, and result in more durable agreements to resolve environmental disputes. ECCR can	When there are conflicts in the workplace, EPA incurs significant costs both in terms of the costs to resolve conflict through formal processes and in terms of lost productivity, which can often spread beyond the initial involved individuals. EPA has a highly effective, but severely limited Workplace Solutions program which addresses workplace conflict through informal processes and provides staff and managers with skills to prevent and reduce future conflict. Unfortunately, over the years, this program has lost nearly all of its resources and is currently supported by one (outstanding) expert and no funds. In addition, the location of the program, isolated from the rest of EPA's Alternative Dispute		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
650	649	5/5/2017	I would say in general that EPA, in most instances, creates workgroups to develop a project or come up with recommendations and it takes FOREVER to get any actual work done. I would like to see quicker action and decision making across all aspects of the Agency. Also, our managers are in too many meetings and are not available to staff to assist with planning and direction of work. One problem I would like to see addressed is with poor performers (or just people who are unqualified for a job) who just get transferred around and become someone else's problem. As an example, I'll just say I'm in Region A and we hired a manager from Region B and the staff in Region B were so happy that manager was leaving. That manager, now in Region A, is not (based on what I know) qualified for the job he was hired for and I believe he creates problems for the group he manages as well as the entire Region which relies on services from his group. In addition to that, he brought an employee with him from Region B because that person was	my work at EPA does not involve partnering with orgs outside EPA so I don't have anything to share on this.	my work at EPA does not involve partnering with orgs outside EPA so I don't have anything to share on this.	I think most employees in the Regional offices wonder why there are so many employees in HQ. The Regions are doing the on-the-ground work.	I think all of EPA's electronic systems are poorly designed, not intuitive nor user friendly. A few examples include putting in a leave request and travel request. Also, EPA's IT support for existing technology is poor. When SharePoint became available, there was no assistance in how to use it and no vision for using it in a way that would improve our work. As a result, it has not been utilized to its full potential and many of our work sharing processes are stuck in the dark ages. Also, EPA does not have a corporate solution for Intranet. Regions are doing their own thing and struggling because we don't have the necessary tools or resources or tech support.	There is HUGE opportunity to make improvements in this area. As part of a special project, I identified something like 21 different environmental and health topics that other Federal agencies do work on, in addition to EPA.
651	650	5/5/2017	Redundancy in a lot of administrative tasks. Update and synchronize software programs across the Agency and between sister agencies. Implement admin policies consistently between Regions. Reduce administrative staff from doing tasks technical employees could do on their own and hire more technical employees to better balance workload.	Share information more, continue to develop and maintain productive working relationships with stakeholders, continue seeking stakeholder input. Invest in compliance assistance and voluntary programs.	Be transparent and stick to good science. Put protection of public health and the environment first. Keep up funding to support these communities and the public who benefit from the work our agency does.	Update the regulations. Most of our core legislation is very outdated and cumbersome to enforce and implement efficiently and to be truly protective.		We work closely with states well already. They are key partners in almost everything we do. Other federal agencies could share information better and cooperate more on common goals. Multi agency inspections, enforcements, collaboration on planning for shared goals etc.
652	651	5/5/2017				Bring IT work in house instead of contracting it out. There would be considerable savings for EPA and tax payers. EPA employees with IT back grounds would relish the chance to be more hands on and utilize and further develop their IT skills.		

AMERICAN OVERSIGHT

	I
650	I don't have any suggestions for this topic but just want to thank you for doing this survey in a manner that people can provide real, useful feedback. The Employee Viewpoint Survey doesn't provide comment fields so if they rate something poorly, EPA has no idea why it was rated poorly, or what the details of the problem are and therefore can't take any action to correct the problem.
651	
652	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
653	652	5/5/2017	KEEP ABREAST 1-be prepared to identify and measure the obsolescence of products and services and on the shelf. 2-in a routine manner keep abreast of the inventory. 3-what can we count? what can we measure? what criteria do you use to get rid of things that are obsolete?	PARTNERING 1-reach out to achieve better environmental results. 2-set a goal of reaching all states, all tribes in the US, all communities in the sates, and selected entities of the private sector.	PROVIDE BETTER CUSTOMER SERVICE 1-identify more and better ways to identify and measure customer service.	UNTAPPED OPPORTUNITIES 1-develop a routine that will keep managers and staffs up to date on new inventory and the value/cost of this new inventory.. consider	NEW TECHNOLOGIES 1-Inventory new technologies and compare them from agency to agency, and from state to state.	SHARED RESPONSIBILITY/MUTUAL INTEREST 1-try to identify and combine activities that are duplicated from agency to agency or from state to state.
654	653	5/5/2017	I do a fair amount of emergency response work with EPA Region 7's Superfund program. EPA needs the capability to address Superfund sites that do not score for listing on the NPL, so are not part of EPA's remedial process, but also do not qualify for a removal action - these sites typical involve contaminated groundwater (EPA will provide alternate water via the removal program, but not address the groundwater contamination itself unless the site is listed on the NPL). I think the new administration's goals regarding redevelopment and infrastructure would align with addressing groundwater contamination that falls through the cracks in the Superfund process.	I think EPA must simply continue fostering open dialogue, communication, and trust with states. In a recent discussion with one of our state partners in EPA Region 7, someone from the Nebraska Attorney General's office stated how important EPA was to the State of Nebraska - that the State always tried to work with its small businesses and municipalities, but that EPA served a very important role in having the political will, resources, and expertise to take enforcement cases against companies and municipalities who will not come into compliance. He was very appreciative of EPA's role and said that EPA often gets criticized for being "the hammer", but that "the hammer" was very important and necessary to the State.	I think EPA must simply continue fostering open dialogue, communication, and trust with states. I think this includes ensuring regular face to face meetings occur with our state partners. In a recent discussion with one of our state partners in EPA Region 7, someone from the Nebraska Attorney General's office stated how important EPA was to the State of Nebraska - that the State always tried to work with its small businesses and municipalities, but that EPA served a very important role in having the political will, resources, and expertise to take enforcement cases against companies and municipalities who will not come into compliance. He was very appreciative of EPA's role and said that EPA often gets criticized for being "the hammer", but that "the hammer" was very important and necessary to the State.	EPA desperately needs a better record keeping system. The Nebraska Department of Environmental Quality has a record keeping system that is organized by facility - that is, organized by address so one can see the progression of what business operated at the facility over the years, and it is all located in the same location in NDEQ's files. They have recently upgraded so that all non-privileged information is available online, to anyone. EPA needs a system like this! It would be great if additional resources could be used to facilitate an overhaul of our recordkeeping practices.	(Same comment as above) EPA desperately needs a better record keeping system. The Nebraska Department of Environmental Quality has a record keeping system that is organized by facility - that is, organized by address so one can see the progression of what business operated at the facility over the years, and it is all located in the same location in NDEQ's files. They have recently upgraded so that all non-privileged information is available online, to anyone. EPA needs a system like this! It would be great if additional resources could be used to facilitate an overhaul of our recordkeeping practices.	I think EPA must simply continue fostering open dialogue, communication, and trust with states. In a recent discussion with one of our state partners in EPA Region 7, someone from the Nebraska Attorney General's office stated how important EPA was to the State of Nebraska - that the State always tried to work with its small businesses and municipalities, but that EPA served a very important role in having the political will, resources, and expertise to take enforcement cases against companies and municipalities who will not come into compliance. He was very appreciative of EPA's
655	654	5/5/2017				See below we have a lot of duplication between OARM and OCFO	The agency's legacy separate financial systems should all be in the Compass accounting system.	Within EPA we have many IT shops that all do the same thing. An example is OCFO and OAM and OGD. Shouldn't we have one since its all financial mixed financial data?

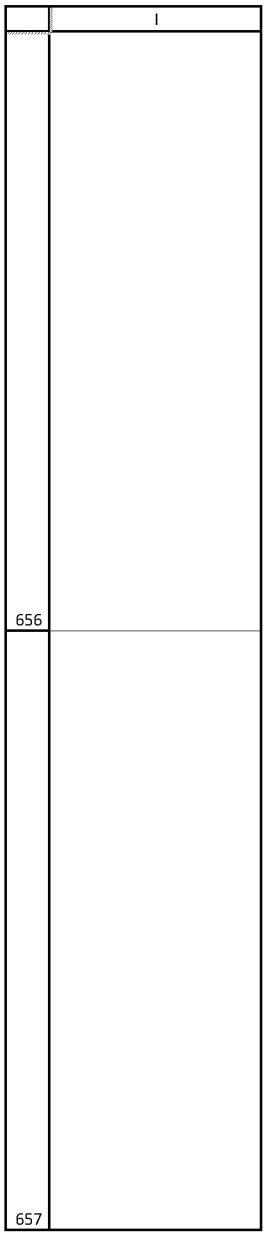
AMERICAN OVERSIGHT

	I
653	BEST PRACTICES 1-use both sides of the paper when copying. 2-use one side of the paper if there is a full blown rationale or justification to do so.
654	EPA desperately needs a better record keeping system. The Nebraska Department of Environmental Quality has a record keeping system that is organized by facility - that is, organized by address so one can see the progression of what business operated at the facility over the years, and it is all located in the same location in NDEQ's files. They have recently upgraded so that all non-privileged information is available online, to anyone. EPA needs a system like this! It would be great if additional resources could be used to facilitate an overhaul of our recordkeeping practices.
655	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
656	655	5/5/2017	Dealing with requests such as this survey and "regulatory review" of this Administration interferes with us doing our jobs well. We need to deal with real environmental and public health issues, not fake ones created by people bent on the destruction of this agency and government as a whole.	Make sure that we maintain a strong presence in establishing good science, strong national standards, and enforcement actions. We need to help the states and communities prepare for climate change, as it will have a devastating effect on many states and communities. We need to bring real science to the table and identify what federal resources are available for them to tap into.	Establish strict national air quality and water quality standards. Tackle the lead crisis in communities. They can't do that alone, as it's too expensive. Having uniform standards means there will be no "race to the bottom" in which some states will develop very weak environmental standards or have to succumb to large, politically connected businesses. Communicate with states and communities that the states and towns with the strongest, most stringent environmental standards are also the ones with the economies that are growing the most high-paying jobs for their states and communities.	Simplify the hiring process for prospective employees with college or graduate degrees. While our agency has an incredible wealth of smart scientists and other professionals, we need more smart people on board to ensure we can maintain our protection of the American people as natural retirement and attrition occur.	Stop trying to do e-discovery on the cheap. Provide sufficient resources to allow EPA to respond to FOIAs and litigation. The more quickly and fully we respond, the fewer lawsuits we will need to respond to. But we need enough money committed to the e-discovery process to ensure that it is done well, thoroughly, and in a timely manner.	Other federal agencies and the states rely on EPA to bring well researched science, strong environmental standards, and an even playing field to the table when we work with states, communities, industry, and the public. We are well regarded for our excellence in all areas. It is difficult to see how realigning us would improve our effectiveness or efficiency. Up till now, we have been seen as apolitical, and it is vital that we continue to be non-political to ensure the confidence of the American people.
657	656	5/5/2017	Dealing with requests such as this survey and "regulatory review" of this Administration interferes with us doing our jobs well. We need to deal with real environmental and public health issues, not fake ones created by people bent on the destruction of this agency and government as a whole.	Make sure that we maintain a strong presence in establishing good science, strong national standards, and enforcement actions. We need to help the states and communities prepare for climate change, as it will have a devastating effect on many states and communities. We need to bring real science to the table and identify what federal resources are available for them to tap into.	Establish strict national air quality and water quality standards. Tackle the lead crisis in communities. They can't do that alone, as it's too expensive. Having uniform standards means there will be no "race to the bottom" in which some states will develop very weak environmental standards or have to succumb to large, politically connected businesses. Communicate with states and communities that the states and towns with the strongest, most stringent environmental standards are also the ones with the economies that are growing the most high-paying jobs for their states and communities.	Simplify the hiring process for prospective employees with college or graduate degrees. While our agency has an incredible wealth of smart scientists and other professionals, we need more smart people on board to ensure we can maintain our protection of the American people as natural retirement and attrition occur.	Stop trying to do e-discovery on the cheap. Provide sufficient resources to allow EPA to respond to FOIAs and litigation. The more quickly and fully we respond, the fewer lawsuits we will need to respond to. But we need enough money committed to the e-discovery process to ensure that it is done well, thoroughly, and in a timely manner.	Other federal agencies and the states rely on EPA to bring well researched science, strong environmental standards, and an even playing field to the table when we work with states, communities, industry, and the public. We are well regarded for our excellence in all areas. It is difficult to see how realigning us would improve our effectiveness or efficiency. Up till now, we have been seen as apolitical, and it is vital that we continue to be non-political to ensure the confidence of the American people.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
658	657	5/5/2017	The Action Development Process is inefficient and cumbersome. Most participants in EPA work groups seek to advance their individual perspective and do not try to balance competing objectives in establishing policy. Lead offices are forced to compromises to face substantial delays to elevate issues to senior levels to obtain a more balanced perspective.	States, tribes and local communities need technical and financial resources to carry out the actions necessary to protect public health and the environment we need to provide assistance as possible and /or to provide them with the tools and information they need to obtain the necessary resources.	Involving State partners and stakeholders in the development or review of policy and guidance prior to release can assure policies will be more readily implemented when final.	Research activities could be more directly focused on resolving programmatic data gaps and uncertainties.	Standardized electronic reporting and recordkeeping will greatly enhance the effectiveness of the Agency and our state partners in overseeing the critical programs to protect public health and the environment.	Better coordination of activities to more effectively address multi exposure route contaminants. There are some contaminants that are present in Food, Consumer Products, Air, Soil & Dust and Water. We could better work with our colleagues at FDA, CPSC and in the various media programs in EPA to better target where we can most effectively reduce exposure.
659	658	5/5/2017	Microsoft Outlook is an amazing program with so many features but my coworkers and I experience countless issues with it and it really creates a lot of delay. Even though it is the go-to platform for federal agencies it stymies my work and creates undue frustration. A more expedient service (or an overhaul to Outlook) would be appreciated.	The state and local community rely on resources provided by EPA, so taking those away does not necessarily help lower levels of government unless they are systematically redistributed. Keep up the grant programs.	Create a definitive jurisdictional directory showing which issues fall to which authority. I receive a lot of calls for issues that the state primarily deals with and I'm sure the public is frustrated by getting redirected constantly.			Provide more resources to overarching programs like Making a Visible Difference and Urban Waters. These are programs in which EPA directly partners with other federal agencies and levels of government, but it is hard to retain partners when capacity is limited and there is a constant question of whether projects that are initiated can be continued.
660	659	5/5/2017	Having HQ review each and every FR notice we sign. Not necessary if action is noncontroversial and supported by the state.			see answer to Q1.	broader use and acceptance of Sharepoint and OneDrive for document review and approval. Use of electronic submittal of all forms for FR publication.	

AMERICAN OVERSIGHT

	I
658	
659	Our region is unique in that travel preparers create travel for all EPA staff instead of having staff prepare their own travel. This saves time and money since travel preparer staff is specifically trained in using Concur and is most up-to-date with travel guidance and policies.
660	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
661	660	5/5/2017	Within regulatory development jobs, the amount of paperwork and signatures needed for very minor rulemaking efforts (i.e., Tier 3, non-significant, direct final rulemakings that are essentially technical corrections and/or CFR housekeeping) is unnecessary. For instance, requiring the Administrator's signature to just update facility NAICS codes to OMB's updated NAICS codes (an exercise that happens every 5 years) requires jumping through many bureaucratic hoops. It would streamline processes that fall under the category of non-significant, no net burden, and Tier 3 rulemakings (again, these would primarily encompass regular updates of CFR text to note other agencies' updates) to only require the signatures of the respective office's Assistant Administrator.		Providing at least as many opportunities for disadvantaged communities (i.e., communities for whom the Office of Environmental Justice serves) to speak and present their concerns and suggestions, as are presented to industry. EPA should continually renew its commitment to protecting human health and the environment among those who most need assistance. Such venues could include webinars or town halls that are actively promoted on social media and press outlets. Additionally, encouraging (and perhaps setting aside budget dollars to do so) EPA staff to visit the areas their work affects (includes both communities and industry) would be greatly beneficial. Establishing and maintaining personal connections promotes better customer service, helps EPA staffers to understand the severity or complexity of issues surrounding different geographic regions or industries, and motivates	For reporting programs (e.g., Chemical Data Reporting), aligning their reporting software would be extremely beneficial to both EPA and the reporting community. While reporting requirements across different programs may not be able to change easily (there are many statutory requirements and bases for the regulations; submitted CBI/trade secrets also create challenges in aligning programs), streamlining the online reporting software to auto-fill in other relevant reporting programs whenever possible (which, again, may not be too frequently).		
662	661	5/5/2017	this answer doesn't directly answer the question, but in the last 8-10 years I think EPA has lost its focus. For example--why is EPA HQ spending resources and staff salary to develop what is essentially an "other" category on forms where one identifies gender (SOGI)? How is that related to environmental protection!? Why is E-P-A focusing on solely social issues. Some things have environmentally sounding titles, but don't actually do anything. My suggestion is to reduce or eliminate activities that are not related to EPA's mission--protecting human health and the environment. 2--I think all the of the restrictions that are currently in place about "external activities" are hamstringing the regular work of EPA. I realize that upper management @ HQ would want to know about press events or high profile public events, but having to report a technical meeting with a university or citizen is soo unwieldy. It's also very confusing about what upper mgmt. (I guess in HQ)	EPA used to have more voluntary compliance programs--what ever happened to those? EPA could make better use of CRADAs?--I can;;t remember what this stands for, but its some sort of public-private partnership agreement.	EPA should mirror customer service like those private companies known for outstanding customer service, Disney, Apple, etc. Disney has a leadership institute that teaches these principles. Send the Regular employees who do the work to training there--not managers/supervisors.	If regular employees had direct access to provide ideas, etc. to the highest levels. I think a lot of good ideas get tossed because they don't make it past a regular employees chain of command. When I worked at DOI they had a program called "Campfire" when Bruce Babbitt was Secretary. If an employee wrote "campfire" on their sealed letter, then it went directly to the Secretary and was opened by him directly. I did this to bring to the Sec. attention a situation that was occurring that was not consistent with our scientific practices. I heard later on that it got addressed AND I got a handwritten note back. I still have that note 20+ years later and I still remember the	greater use of tablets and smart phones, esp. for field activities. I don't know if IT can ever be more efficient because of all the firewall restrictions we have.	I think this is already been done successfully and to a great degree.

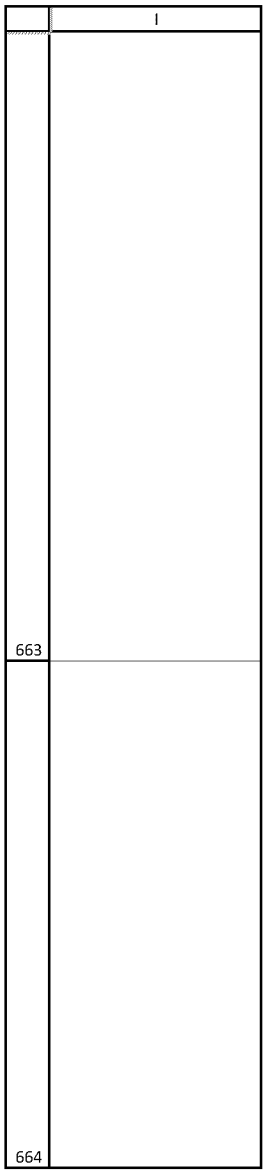
AMERICAN OVERSIGHT

	I
661	
662	See question 3. I don't think EPA needs to reinvent the wheel--just mimic those private sector companies that are leaders in whatever category EPA is interested in improving.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
663	662	5/5/2017	Getting contract task orders awarded has become incredibly arduous and, in some cases, impossible over the last 2 years. Contracting officers in OAM are constantly changing the rules and requirements for those of us who are CORs, even to the point of suggesting we write justifications in a way that is illegal because it would make their job easier. All this inconsistency has led to incredible delays of funding that threaten to leave money on the table and prevent us from implementing our programs.	State, local, and tribal communities depend on EPA to provide funding, technical assistance, and information-sharing to help them achieve better environmental results. At the federal level, we have expertise and a broader view than those who work on environmental issues at the state, local, or tribal level. For example, many cities and towns have only one employee who handles all public health and environmental issues. That employee is usually very busy and may not have time to research the best way to achieve water quality improvements. This is an example of where water quality experts from EPA can provide information about the best practices learned from communities across the nation that this employee (and thus, this community) would not have	Being able to communicate freely with states, tribes, local communities, and the public at large via the Agency's website and social media accounts is very important. Those are our main avenues to get information out to the public about the work the Agency does to fulfill our mission to protect human health and the environment. Customer service in this case depends on two things: who is the Agency's "customer" and what does that customer NEED (not want)? First, as with every other federal Agency, EPA's customer is the American public. Not a particular portion of that population, but the entire population. Second, EPA is charged with protecting human health and the environment, which is what the American public NEEDS (and usually wants). Some portions of our customers want economic protection or place other values above the Agency's mission,			
664	663	5/5/2017	We continue to be required to collect "EJ" information for the Case Conclusion Data System (CCDS) forms for our enforcement matters. I have never understood why this information was necessary or what anyone did with it. In contrast, it's helpful and necessary to know the quantifiable aspects of our work--e.g., how many tons of pollutants are cleaned up, how much of what the taxpayers spent has been recovered--the original purpose of this form in the pre-Lisa Jackson days. I also believe EPA's concurrence practice is unwieldy and time-consuming, and, with up to a dozen people on some concurrence chains and folks working flexiplace, the process takes way too long.	More communication with these parties is the best way of achieving better environmental results. I have always found that reaching out to and meeting with states, local communities, and the private sector is extremely productive. Our best assets are our people (scientists, engineers, experts), who typically want to cooperate with these other interested parties (and they with us) to help facilitate cleanups that benefit all. These "outside" parties invariably	To build on what I said in response to #2, the vast majority of these parties want a clean environment and want to do the right thing. Having a place at the table gives them a real sense that their views are being considered too.	We should have better management on the local office level, perhaps even desk audits of workers who are not hardworking or productive, but collecting a nice pay check. Reduce the size of EPA HQ. Most of the cleanup work and enforcement occurs in the Regions.	I recommend that the concurrence process I mentioned in response to #1 be done via email. EPA would save countless days throughout the year if this happened. Faster concurrence often means cleanups happen sooner.	To the extent it isn't already being done, we should be coordinating well with all the states in their delegated water, air, and RCRA programs. We should be cooperating fully with the states in coordinating any voluntary cleanups under their hazardous site cleanup statutes, so that there are no lingering and surprise federal issues that could get in the way of Brownfields redevelopment.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
665	664	5/5/2017	Webforms needs to be replaced with something that works. We used to use PeoplePlus for 182s (training forms) but someone had a "bright idea" to use Webforms - an old antiquated system. Webforms doesn't work for a lot of the things we have to use it for, including PRs. We just can't get new updates anymore. FPPS/WTTS need to be replaced with a more modern program. This one is more archaic than Webforms. It still uses a DOS environment. I thought we got away from DOS a long time ago. All of our personnel-type programs and systems could use an overhaul.	Not my area of expertise.	Be nicer and stop speaking from both sides of our mouths.	Not my area of expertise.	Our existing processes need to be replaced with more modern processes/programs.	Not my area of expertise.
666	665	5/5/2017		Establishing clear expectations in writing among all collaborators at the onset of projects, including identifying the primary points of contacts and individuals responsible for the data collection efforts, clearly defining the types of information and data needed to support the decisions and conclusions that will be inferred from the information collected, involve subject matter experts during the planning stage to ensure the information and data that will be collected is comprehensive to support the decisions and conclusions, and ensure that the planning and information/ data collection effort is documented to defend decisions and conclusions.	Clearly define the expectations of each customer and involve the customer in defining the expectations, determine how the agency will meet those expectations, and evaluate if those expectations are being met through feedback from the customer.	Implement lean techniques at the department level, establish time baselines for current routine processes (from start to completion of each activity/task performed to complete the process, including administrative and technical processes), identify the activities/tasks with the greatest lead times, and evaluate if those activities/tasks can be streamlined be more efficient. Clearly identify constraints and perceived issues and address the constraints and issues.	Consider evaluating the existing internal processes for efficiency, effectiveness, and accountability, then determine whether or not a new process/layer needs to be added to the current process to achieve those objectives.	The agency needs to engage the other agencies and states to identify and better understand their needs to determine how the agency can support those needs and what actions should be taken to address those needs.
667	666	5/5/2017	The contracting, fiscal, and funding processes have many challenges. The delays are unacceptable. The decisions are inconsistent. The delays cause increased cost to the agency and disrupt the ability of programs to function efficiently and effectively.	Increase support for EPA's voluntary partnerships programs that work with states, tribes, local communities, or the private sector.		Improvements to our internal fiscal, contracting, and funding processes. The current delays and inconsistencies greatly increase costs to the agency.		

AMERICAN OVERSIGHT

	I
665	Not my area of expertise.
666	Lean is very effective in streamlining processes to help organizations be more efficient and effective, but needs to be executed and implemented from a big picture 50,000 ft perspective. Bringing in external lean experts to lead efforts should be considered, and the external lean experts will need full senior management support at all levels to be successful.
667	Performance-based metrics and accountability for internal administrative and fiscal functions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
668	667	5/5/2017	Work to move the entire Agency to electronic concurrence/signature and filing systems. We are now using both paper and electronic methods to obtain concurrence and signatures on documents and in our records storage practices which is wasteful and environmentally unwise. Eliminate the recently established requirement for non-funded Purchase Requests to track and document contracting activities for which no funding is required. This is bureaucracy at its worst.	The Region 8 Superfund program has wonderful working relationships with our state partners. Many of our sites are conducted State Lead with EPA in a support role. We would love to see the new Administrator and his Deputy come out to the Region and meet personally with the various state leaders involved in the Superfund program to find out first hand how this works.	Increased focus on and use of Alternative Dispute Resolution and community involvement tools would be of great benefit to our local, state and tribal partners. The public would experience a greater level of engagement and support if this were to happen.	End the wasteful practice of sweeping funding at the end of each fiscal year. This long time practice forces federal agencies to spend funds in the last months of each fiscal year that might not otherwise be spent, which is wasteful. The ability to roll funds over from one year to another, with limitations of course, would be good for the government and good for taxpayers as well.	Our IT support is poor. We need to find a way to hire truly qualified individuals to provide IT leadership and support services to the Agency. Being able to use available technologies starts with having IT management and staff that are experts and fully capable of using these tools themselves before the Agency attempts rolling out or implementing the use of new technologies.	I don't honestly know.
669	668	5/5/2017	Production of formal audited financial reports for the FIFRA, PRIA and eManifest. Although required by statute these reports have effectively zero interest on the part of external or internal stakeholders. The reports are expensive to produce and are expensive to audit. A legislative change is required.	EPA should become a center of excellence for the entire government for producing cost recovery packages to support litigation. Justice Department attorneys involved with litigation consider EPA the Federal government's "gold standard" for producing cost recovery packages.	See 2.	Eliminate conference reporting requirements.	Modernize our cost recovery system (SCORPIOS) and make it available government wide.	see 7.

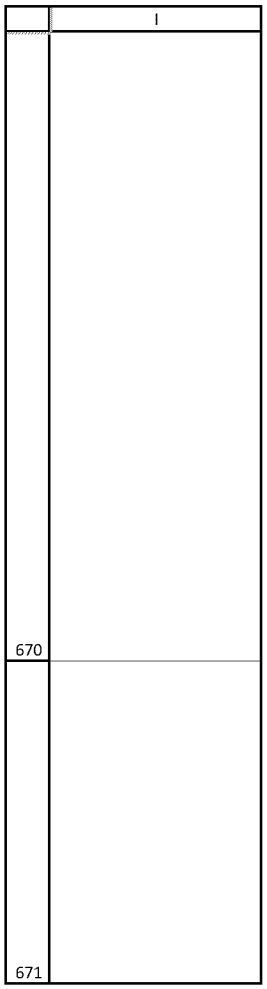
AMERICAN OVERSIGHT

	I
668	Move the entire Agency fully into the use of Lean process improvement tools and leadership techniques. Region 7 is the national leader in this area for EPA. Spending time in that region and learning how they have accomplished what they have in making theirs a true learning organization that understands, embraces and uses Lean practices every day of the week would be tremendously beneficial. Thank you for asking these questions and providing us an opportunity to share our thoughts and ideas with you.
669	Move financial operations to one of the four designated government wide financial shared service providers. EPA is too small to achieve needed economies of scale to run basic financial operations.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
670	669	5/5/2017	The following addresses People Plus: Leave is still not populating automatically as it's supposed to once approved. That needs to be fixed. People Plus does not allow one to withdraw or cancel a request for leave. That should be fixed. One cannot move one's CWS day in People Plus once approved. Instead, one needs to request an administrative assistant to do so. This is inefficient and should be addressed. Lastly, the Superfund site charging system in People Plus is antiquated and difficult to navigate and to add sites to one's "favorites." Also, one cannot add a Superfund site charging action code without requesting it be added by the administrators, which is very inefficient. That option should be a given for every site charging action code. The Superfund site charging system in People Plus should be fixed to make it easier to search for and add a Superfund site and its action codes to one's "favorites." With respect to enforcement-related decisions, there are too many layers of	With respect to enforcement, partner with states, tribes, local responders and the regulated community to offer workshops and training as a means to aid in response and compliance. Also, encourage states to partner as co-plaintiffs with EPA/DOJ during judicial civil penalty enforcement cases. Usually, such joint enforcement can lead to negotiated settlements that allows for not only the payment of civil penalties for state coffers but also supplemental environmental projects that benefit state and local communities, colleges and responders.	EPA needs more staff and resources to improve its ability to provide better customer service to states, tribes, local communities, the regulated community and the public at large. Years of spending cuts have jeopardized EPA's ability to perform its mission of protecting human health and welfare and the environment and providing better customer service to the public. EPA should post as much publicly releasable information as possible online, including validated sampling data, Administrative Orders on Consent and Consent Decrees, Unilateral Administrative Orders, Administrative Consent Agreements and Final Orders, RJO decisions, etc. This would cut down significantly on FOIA requests from the public and regulated community, thereby reducing agency resources and the time-intensive work from staff necessary to respond to FOIA requests. More importantly, it would	Please see my response to Question 3, above. With respect to judicial referrals, having a handful of attorneys specifically designated as Special Assistant U.S. Attorneys (SAUSA's) could help avoid the delay and downtime often experienced after a referral. This would also help especially with emergency referrals.	Superfund cost accounting needs modernizing to not only quickly determine past costs already incurred for a particular Superfund site but to also account for costs already paid. Often, a Superfund summary cost report of site past costs does not account for costs already reimbursed, thereby showing an inaccurate balance. Modernizing accounting software to address this would help provide more accurate cost reports and reduce wasted resources in having to search for reimbursed costs for a more corrected balance. There is a need to explore, perhaps in conjunction with DOJ, existing "legal/litigation hold" software that can be used to quickly and efficiently capture relevant	EPA has the experience and expertise in CWA/OPA civil penalty enforcement that the USCG may lack. Allow the USCG to continue as lead for cost recovery on taxpayer-funded oil spill responses while allowing the EPA to take over as lead for enforcement on civil penalties for all oil spills, both onshore and off-shore.
671	670	5/6/2017	Needs: 1) Electronic records database with OCR for all programs 2) Fully functioning databases for all programs that are utilized nationally amongst all similar programs 3) Automation of letter creation that includes all respective attachments 4) Regularly updated computers to minimize freezing up				See answer to question 1	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
672	671	5/7/2017	I am unable to produce good news stories or tweets from my office, because when they are submitted to the communications department higher up the chain, they die in a bottleneck somewhere. This has only been a problem since the transition. So perhaps ask the communications team how they did things before the transition and re-adopt some of those practices.	Money. Or miracles.	Perhaps not having an entire agency of dedicated public servants watch their work collect dust, die in other offices, be undone, and then be given a meager attempt at morale building through profiles of our colleagues would inspire us to provide better customer service.	The EPA has undergone budget cuts every year since I started working at the Agency. We have been working to find ways to be more efficient and save costs for years now. This question is like a track coach repeatedly dropping a cinderblock on your foot and then asking you how you think you could run faster. The Agency needs more money, not less, if it is going to be more efficient. Then it could tap contractor support to modernize or speed things up. At this point, the only thing that will come of continuing to press staff to find new ways to become more efficient and do more with less is worsening morale.	Since the existing technologies are already not being used to make the agency more accountable, there is no point in seeking out new ones. If the communications department would actually release tweets or press releases that showcased accomplishments, this question might be worthwhile.	Many of the administrator's authorities cannot be delegated to other agencies or states, so regardless of mutual interests, final responsibilities still lie with the Agency. The states rely on grants from EPA or from their tax bases to pay for environmental work. With less money to be distributed, they also are being asked to do more with less as well. Perhaps we should pray.
673	672	5/7/2017	Several years ago EPA migrated to a Shared Service Center (SSC) model for hiring and most other human resources functions. This model should be re-evaluated. Although it seems obvious that efficiencies and associated cost savings should have been achieved by consolidating this expertise, that has not been the result. Hiring is taking longer than ever and SSCs struggle to provide an acceptable level of service to the Regions they support. This SSC model also seems to fall apart when there are other organizations involved, in particular the Personnel Security Branch (PSB). It is not uncommon for actions to be stuck between our SSC and PSB for months. The Director who is responsible for our SSC is not held accountable for its poor performance. The concept of SSCs should be revisited. In addition, the hiring process would significantly benefit from a LEAN exercise, which would clearly identify roles, responsibilities and turnaround times so that SSC employees could be held accountable.	Our Region has excellent relationships with our state and tribal partners. We also expend a large amount of resources to work effectively with affected local communities and the regulated community. Everyone would benefit from better environmental results, and perhaps a cost savings, if we could expedite project schedules, but this is something that the regulated community is not always interested in or would support.		We have been a shrinking organization for many years and many efficiencies have already been put in place. Reducing our real estate footprint within the Regions would reduce costs. Some Regions have a physical presence in all of their states and that is not needed. Consolidating laboratories will also reduce costs. Consolidating libraries into a single library at HQ with virtual libraries in the Regions seems like an obvious cost savings.	EPA has many old software tools that are not just out of date, but archaic, such as WTTS, FPPS, Maxiflex, PP+, etc. EPA also has a bad habit of trying to design and develop its own software programs rather than purchasing proven systems from the private sector. I am sure these decisions were made because it was initially believed that building our own would be less expensive, but this calculation didn't take into account maintenance and the increased time it takes employees to navigate through systems that are not only slow but often do not communicate with other systems thereby requiring duplication of effort.	

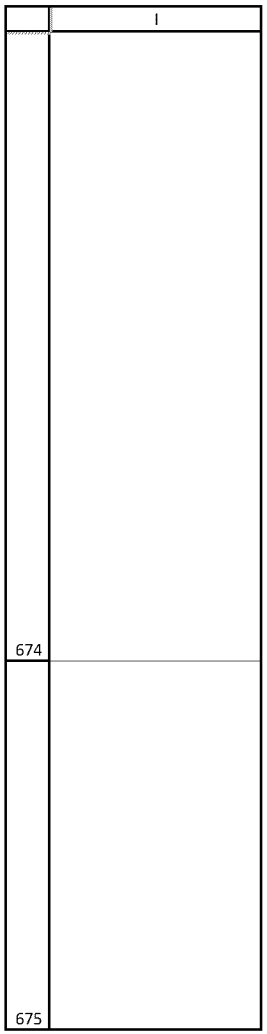
AMERICAN OVERSIGHT

	I
672	Even if there were practices that could be considered best in class, I'm pretty sure that the current political opinion would be that the Agency is actually trying to ruin businesses and put people out of work, with no regard for new jobs or technologies that are being developed.
673	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
674	673	5/8/2017	1. EPA significantly reduced the contracts staff. This causes excessive delays in simple procurements. These delays adversely affect meeting the needed environmental outcomes. Increasing the micropurchase individual threshold and monthly threshold for purchase card holders will reduce the number of transactions that need to be processed by the contracts staff. 2.The requirement to create and process a TA for travel exceeding 50 miles is archaic. This should be at least doubled to 100 miles to reduce wasted staff time and processing costs. 3.Reinstate Level of Effort contracts to provide staff with the flexibility to adjust to uncertain outcomes within the defined scope. FFP and IDIQ are appropriate tools for situations where there is a reasonably high level of confidence in the outcome (e.g., purchasing goods) but not when the situation is uncertain (e.g., nearly all filed operations).					
675	674	5/8/2017	We are a very hierarchical organization. A flatter style of management would make us much more efficient.			Teleworking should be pushed. Doing so means less costs associated with renting office space. We have the capability through Skype, AdobeConnect and SharePoint to work remotely and still interact with coworkers and it reduces employee costs associated with coming into the office. Working remotely is also better for the environment: less air pollution.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
676	675	5/8/2017				Require offices within EPA to but IT through OEI. If we have one central office buying all IT equipment, we can save a significant amount of money. We can also ensure everyone is compliant with all of the rules and regulations. When other offices buy IT hosting, etc...., they are not always compliant with all rules and regs.	Require offices within EPA to but IT through OEI. If we have one central office buying all IT equipment, we can save a significant amount of money. We can also ensure everyone is compliant with all of the rules and regulations. When other offices buy IT hosting, etc...., they are not always compliant with all rules and regs.	Work with other agencies on IT to make more central buys.
677	676	5/8/2017	High-level political appointees and managers who do not believe in core environmental science and laws prevent EPA employees from doing their jobs efficiently and effectively. The open hostility and subversive hostility that we have experienced since January is intimidating and bewildering, and inclines long-time EPA lawyers, scientists, and economists to not trust these appointees. It is wholly demoralizing to work for an Administrator who has made it his career goal to undermine and dismantle the EPA. From his interview at CPAC to his cherry-picked public appearances with white men at fossil fuel companies to his bizarre social media presence that ignores the actual environment, Administrator Pruitt stuns EPA staff daily with his out-of-touch approach to minimizing environmental protection and awareness and maximizing corporate cronyism. We cannot perform our jobs efficiently and effectively if our leadership touts an elementary and subversive ???Back2Basics??Â mantra	There is a glaring omission from this list: environmental groups. Environmental groups and concerned citizens have long been a bedrock stakeholder group for environmental progress, and it is shameful that this administration has thus far ignored their voices ??? obviously, by never mentioning them in the roll of stakeholders that this administration recognizes. Instead of viewing environmental groups and citizen groups as a threat, at least acknowledge that these groups are an important piece of the whole stakeholder picture. We can achieve better environmental results by trusting NGOs??? environmental monitoring data and by not wholesale dismissing highly qualified and objective scientists from the Board of Scientific Counselors. This administration has also never mentioned childrens??? health	Establish a credible and accurate social media presence that promotes protecting public health and the environment. Demonstrate that you value the work of women, people of color (conspicuously absent from this new staff thus far), and environmental professionals in general. Ensure that you also plan to provide better customer service to environmental justice communities, environmental advocates, and childrens??? health advocates. Stop having public appearances where the only photographs taken with the Administrator are with white males from the agricultural or fossil fuel extraction sectors.	Bring back the Greenspark Challenge, a highly popular and successful program. But more broadly, there is an untapped opportunity for the new administration to cease its hostility towards science, law, and staff so that EPA can function, as it has, as a steward for protecting public health and the environment.	Twitter, Facebook, and other social media platforms can be used very effectively, particularly in ways that do not constantly provide prima facie evidence that the new administration only promotes the interests of white males engaged in fossil fuel-based industries or industrial agriculture.	Putting aside that this is a bizarrely phrased survey question, it would help to see a more visible presence of new administration officials who value environmental justice, children's health, tribal environmental protection, and citizen participation. Thus far, it seems that the new administration would find it acceptable to decrease or eliminate such programs, and the agency has not paid any public attention to these issues since assuming office. That is incredibly troubling.

AMERICAN OVERSIGHT

	I
676	
677	Best practices include following the legal advice of highly trained and experienced attorneys. Best practices also include conducting rulemakings in a way that the scientific and legal records support, not in ways that run counter to administrative law and scientific data. Additionally, it is a best practice to have EPA leaders who believe that climate change is real and it is also a best practice to advocate for and allocate sufficient funding for studying the scientific and economic effects of climate change. Best practices include ensuring that the Board of Science Counselors and the Scientific Advisory Board are populated by the most highly qualified academic scientists and not by

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
678	677	5/8/2017					There should be wider access for staff to agency mobile devices. In this fast-paced, modern world it is difficult to keep up with communications and scheduling without a mobile device. Emails are seen too late, meetings are missed, and communications are generally hindered when staff is not able to be connected unless they are at their desk. (Even just for use elsewhere within the building, mobile devices offer great gains in effectiveness and efficiency.) Alternatively, we could change the settings on our email system to allow it to be accessed from mobile browsers. Before EPA switched to Microsoft email services, staff could at least check their EPA email on	
679	678	5/8/2017	(1) Re-examine the need for so many administrative and support personnel, given advances in technology.	(1) Co-locate some EPA Regional staff with appropriate State, tribal and local environmental programs, as the Agency reduces its footprint and works to strengthen federalism (capabilities at lower levels of government). (2) Establish EPA pilot program which would enable employees, especially those near retirement eligibility agreements, to establish 1-2 year "exit" agreements under which they would assist (and perhaps collocate with) a state, local, territorial, tribal or other governmental entity or association to (a) advance innovative approaches to environmental protection, consistent with the Administrator's "Back to Basics" agenda or other Trump Administration objectives) at these other levels of government or (b) otherwise assist these entities improve and administer			(1) Identify, fund and establish innovative state-based compliance and enforcement programs, utilizing emerging electronic monitoring and reporting technologies (and building upon some existing state initiatives), including those which more fully empower the public. (2) Utilize drones, especially in emergency response and, as do other federal agencies, in compliance monitoring.	(1) Explore transparency options for holding federal agencies more accountable to the public for their Superfund and other facility cleanups.

AMERICAN OVERSIGHT

	I
678	
679	(1) Encourage and enable all EPA employees, as part of routine Agency responsibilities, to establish occasional but regular(a) "stretch" assignments and (b) full-time details in other Agency offices with priority missions to widen their professional experience, to improve morale, and to more broadly benefit the EPA from their expertise.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
680	679	5/8/2017	The main issue that our agency has is that low performing employees are not held accountable for their work. Managers rely on high performers to do all the work and don't address the problem. Managers should create a plan to help develop non performers potential and if they still don't want to work, then they have to leave the agency. Many managers within our agency don't take the time to learn what their employees responsibilities are. A lot of time is wasted explaining your duties to supervisors again and again.	Better communication is necessary on all parts. Communication with all partners should be open and shouldn't be limited to one employee. Stop redundant work.	EPA employees need to understand the mission of the EPA and the fact that they are public servants. Employees are treated individually and not as an organization, so most employees are looking out for their personal interest, not the EPA mission. Create a more inviting and friendly organization where employees can work together for a common goal.	Salaries are too high for many employees. The main focus of many EPA employees is how to get to the next GS, not the protection of the environment and human health. A lot of decisions, projects and Science advancements occur when people are motivated to get to the next GS, once there, the work stops. Some salaries are too high for the amount of work the employee has. Create a plan to control salaries and allow a more integrated work place where employees share responsibilities and work together. Offer bonuses to the high performing employees. Right now, all employees receive bonuses regardless of amount and importance of work performed.	Travel - most meetings are offered via web. Reduce travel cost by providing better ways for employees to participate locally.	Have regular meetings with partners to create a collaborative environment. Share ideas and distribute responsibilities accordingly.
681	680	5/8/2017				Consolidate office space and reduce operating expenses by further promoting telework.	We already have many of the technologies needed (e.g., SharePoint, One Drive, Skype for Business, One Note) that allow for seamless collaboration regardless of where a person is physically located. The Agency should focus on getting employees proficient in these existing technologies to enhance productivity.	

AMERICAN OVERSIGHT

	I
680	The main item that comes to mind is cross training. It has been my experience that managers are not opened to cross training their employees. When a person is unexpectedly out of the office for a long period of time, there is no way to continue the services as usual. Telling a customer, "You need to wait until my return" shouldn't be acceptable. Another reason for cross training is that some employees are always busy, while others hardly have anything to do. It would be more cost effective for employees with a low workload to help the ones that have many pending items.
681	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
682	681	5/8/2017	Using outdated databases and data collection systems and paying tech contractors to develop unique systems that require long-term sole source maintenance. These unique sole source technologies eventually lead to dead ends and enormous amount of money spent on maintenance. Use off the shelf systems that can be upgraded and maintained by any market company that is widely used by the American population to ensure we hire well-trained new staff who can use the technology.	Data systems should be able to communicate with each other across agencies. The worst thing we can do is develop a systems that doesn't communicate/share data across agencies. We still use and develop "unique" systems that don't allow communications between states, tribes and local communities. We need to ensure all data sharing is transparent and viewable by the public.	Some of our tribes are so far behind the technology curve ball. Provide additional resources that will help them improve their technology and infrastructure, similar to what we did for our state environmental agencies.	We hire new staff who do not have a basic understanding of office technology and continue to use paper versus OneNote or online storage systems. Every new hire should know how to use MS 365 office systems if they want to work at EPA. Mandatory training for all staff on system upgrades and the use of O365 systems. An educated and well-trained employee can save valuable staff time and dollars.	Update our superfund database. It's antiquated. It doesn't communicate effectively with states, tribes, or local agencies systems and very user "unfriendly" and doesn't like to share. Require all new data follow a strict data set standards. We have everyone and their mother adding things into the national superfund database without any strict standards. Thus we are unable to view the data in any format due to the massive errors.	
683	682	5/8/2017		EPA should not continue to invest in and maintain in-house boutique services that are infrequently used and can be provided more economically by private sector vendors. One example is the regional dive teams. Scuba diving is a highly specialized, high-risk service that the Agency should contract out to experienced, skilled professionals. The costs for training, equipment, vehicles (including boats and support vehicles), as well as the salary dollars and other expenses for training and travel, are too high to justify continuing to perform this service with in-house personnel. Some dive team members have claimed that scientific diving is their specialty, however many dive team members are not scientists or have no experience conducting field studies or scientific data collection.				
684	683	5/8/2017		View stakeholders not only as subjects of regulation but also as customers.	enhance description of processes and evaluation criteria	Increased documentation of work processes, evaluation criteria, ...etc. Enhanced intra-EPA coordination	There is no lack of ideas, but a there is a lack of resources to implement ideas. Consider a one-time increase in resources to implement ideas.	

AMERICAN OVERSIGHT

	I
682	
683	
684	Our technical practices should be documented such that any reasonably qualified party may be able to duplicate our work.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
685	684	5/8/2017	There's too much administrative overhead on everything we do. Specific issues to address include: 1) Reduce the number of trainings we have to take, 2) Give us more IT privileges. Specifically, we (or certain trained users), should be able to modify sleep settings or install software (e.g. EPA software) on our computers without needing administrative privileges. We should be able to add EPA collaborators to shared folders without needing multiple approvals. 3) In general, reduce paperwork / number of signatures from different people required to do anything	In the Office of Research and Development (ORD), we should have a strong communication channel so that these groups know how to leverage our capabilities. We have a lot of skills and resources in our workforce, but finding out how to work with us is very word-of-mouth. Internally, we do not even have a directory of researchers so that I could, for example, find someone with a particular skill set to help with a project. I can only ask around.	-	We need to hire more young people with the right skills for the current tasks. This would address many problems related to costs and inefficiencies.	There's a different system for everything - PeoplePlus, Employee Express, Webforms, SharePoint, Concur. It's hard to find out how to do anything from our intranet pages, I end up having to ask someone almost always. Our online info should be up-to-date, and admin systems streamlined or procedure eliminated.	-
686	685	5/8/2017	Multiple layers of management before reaching a decision maker severely hinders the time in which CERCLA decisions are made. I'm an attorney with a second law degree. But in order to reach a decision maker I have to brief up to my branch chief, then brief my division director, then office director level (and all of their deputies) before getting scheduled to brief the AA. This is a process that can take two months or more. Flattening the enforcement office management structure so that no attorney has to brief up more than once to someone who can make a decision is urgently needed for efficiency but also staff morale. If delegations of authority need to be revisited to delegate decision making further down, do it. Eliminate the position of Regional Liaison. These attorney positions are essentially secretarial in nature and could be done by a trained paralegal to provide intake and referral to subject matter experts. Liaisons used to have funding to participate in case	Elevating political blocks sooner. Technical challenges are one thing, but when political differences prevent agreement on long term solutions, particularly in CERCLA, these issues need to be raised to political leadership, both at the agency and on the Hill sooner. Most importantly, tribal governments need to be given the same treatment as states in terms of authority and grants. Tribal sovereignty needs to recognized and respected by political and career leadership.	Remove poor performing managers. I once witnessed management set up a facilitated discussion for staff after a poor EVS showing. The managers walked in as the conversation with the facilitator was about to begin, completely undermining the safe environment for feedback the managers were "attempting" to create. One very simple idea to improve customer service is a tracking system that many retail sales outlets use. I work at a big box home improvement retailer on weekends (because of shitty government pay for attorneys). I have a weekly timer on my customer contacts with green, yellow and red indicating what needs to be followed up on. Inquiries from the public, from our regional clients, etc. could be inputted in a similar manner with requisite employee targets for responses. That way management has a tracking ability for workproduct/customer service and	Flatten management and delegate authority lower to empower professional staff. I had more autonomy and authority on the Hill as a 23 year old Legislative Assistant than I do with two law degrees and 9 years of agency experience. I continually look to return to the Hill because my talents are wasted in a bureaucracy where I have to run everything through branch chief, deputy division director, division director, deputy officer director, office director, and AA. Decisions that could be made in hours take weeks or months. And they don't percolate to headquarters until they've been elevated through the same type of management chain at the regional level. Empower professional staff.	Create a Technology Implementation Administration. EPA shouldn't be bidding out an upgrade/update to it's constituent management service. That's a technology that could be shared across multiple agencies under a single contract. Quit leasing computers. Purchasing computers is cheaper. Attorneys in enforcement don't have smart phones. Empower attorneys to record their time as they actually spend it. I was checking email last week while on Annual Leave in order to monitor several items. I did this routinely while serving in the Administrator's Office. My	Eliminate OSRE and move the enforcement attorneys into regional enforcement roles. Enforcement attorneys in headquarters cannot make good policy without having been in a primary enforcement role in the regional offices first. We simply do not have the experience nor the delegated authority to make enforcement policy. Either change the delegations to give us that authority and work experience or eliminate the positions/offices.

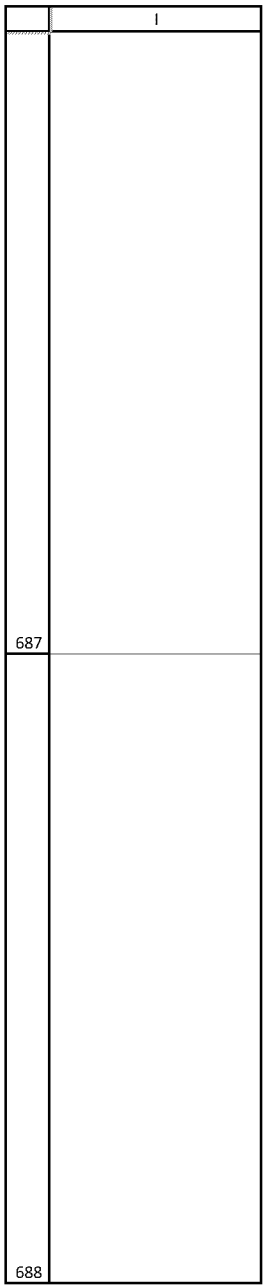
AMERICAN OVERSIGHT

	I
685	The software we use for research should be open source / open access unless there is no option for the application.
686	None. My office is a bureaucratic nightmare with no accountability for poor managers. The regional offices avoid coming to us because we are seen as an obstacle to settlement. I've had regional offices actively avoid filing general or special notice letters in order to avoid triggering policies that would require them to report on negotiations status to us. The region simply conducted the negotiations without filing notice until an agreement had been reached. OSRE is dysfunctional, beset by poor morale and needs top to bottom reform.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
687	686	5/8/2017			Station more EPA employees within State offices. It can be very effective in serving States better because 1. the EPA employee becomes much more intimately familiar with State regulations and policies, and 2. the State has an on-Site go-to person to answer questions about EPA regulation and policy and to relay concerns back to EPA.	Adopt a groundwater cleanup policy that allowed deletion of National Priorities List sites when groundwater that exceeds drinking water standards is located only on on-Site property and is naturally attenuating. Adopt a groundwater cleanup policy that differentiates between aquifers that are currently used for drinking water, planned for use as drinking water, or are in hydraulic connection to drinking water aquifers, and those that are not. For those that are not, use monitored natural attenuation as the default remedy unless that would endanger drinking water aquifers or suface water quality standards.	Research and development of more real-time monitoring devices for soils would be extremely useful and save money and time.	
688	687	5/8/2017	EPA is not an agency that has ever really emphasized the importance of administration and those within the administrative community are usually not consulted whenever new, internal, rules are published for things such as purchase card processes, contracting actions, property management, etc. There is very little leadership in the administrative field because everyone is too focused on their individual work to see or care how administrative actions operate and impact people in offices other than their own, not to mention how much time is spent making purchasing decisions and getting the required approvals for a purchase before it can be done; we often spend hundreds of manpower dollars (sometimes more) to make a purchase that may only cost $50, especially with FITARA approvals are required. It would be nice if there was an effort to establish some comprehensive, administrative SOPs to guide administrative processes, especially for lesser known topics such as inviting outside guests to EPA training,		How about providing better customer service to each other, within EPA? All too often, calls are unreturned or people don't identify when they are out of the office for extended periods. Some people don't bother to answer their phones at all, ever; I have heard voice mail greetings that basically say - 'send me an email because I'm not going to call you back as I'm probably not even checking my voice mail.' We could save so much time and be so much more efficient if folks would just communicate effectively and timely.	See above. Also, too many resources go to supporting the unions - EPA employees should primarily work for the EPA.	Make electronic signatures standard for every process throughout the entire agency, period. There are actions, contracting ones especially, that require everything to be done on paper. This takes so much time and costs so much money to maintain paper records. The same is true for reports submitted to EPA by the regulated community. We should require all paperwork to be submitted electronically and not via binder after binder of printed material. (NARA is expensive! We pay way too much money just to warehouse paper records.)	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
689	688	5/8/2017	In Superfund, the Contaminated Sediments Technical Advisory Group (CSTAG) and National Remedy Review Board (NRRB) provide recommendations on response actions to regional site teams. The regions are not obligated to follow those recommendations. It would be more efficient to make the recommendations mandatory. This would eliminate the generation of a regional response to the recommendations, saving time and resources. Stakeholders may prefer mandatory comments instead of advisory recommendations.	Communicate, communicate, communicate. However it is tough to keep on schedule every time resources are diverted to clarify misinformation circulating within the stakeholders. Bring back the Superfund tax.	Same as Q. 2. Speak the truth even if you might make people mad. We are not miracle workers. If we had unlimited resources we might be able to remediate sites to unlimited use unrestricted exposure.			
690	689	5/8/2017	Acquisition and hiring processes require excessive levels of program office participation. There is no such thing as an easy purchase or hire, regardless of the hiring category or acquisition complexity (anything beyond the purchase card). Efforts require continuous monitoring and followup by program office staff and are subject to lengthy, unexplained delays.			EPA has too many program offices providing enterprise IT hosting services.	Just quit talking about cloud computing until TIC compliance and continuous monitoring are mandatory components of FedRAMP. The costs of duplication exceed any potential savings. DHS and OMB have to fix this.	
691	690	5/8/2017		Recently, there seems to be a push to allocate more responsibilities to the states (and fewer to EPA) without allocating the corresponding funds necessary to perform those tasks. Even now, it seems that some states are not able to meet their responsibilities due to constrained budgets, and adding more responsibilities would make it exceedingly difficult for them to perform their jobs properly. EPA's oversight, grants, and collaboration with the states is critical to ensure human health and the environment is protected. Therefore, I believe these programs and relationships should continue to be supported and funded as they have been in the past. Regarding the private sector, I believe EPA needs to maintain its role as a fair and just regulatory agency. Recently, there have		No I do not. I believe our already constrained budget has forced us to reduce costs to the point that further reductions could potentially sacrifice the fulfillment of our mission. I personally perform the duties that, in past years, were performed by two full-time employees, so I feel that further cuts would be very detrimental to our mission of protecting human health and the environment.		

AMERICAN OVERSIGHT

	I
689	
690	OMB's Data Center Optimization Initiative (DCOI) may result in long term efficiencies but has substantial upfront costs.
691	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
692	691	5/8/2017	Lack of 360 management reviews. Although by far not universal, too many managers who lack management skills in both identifying and addressing problems. We promote supervisors to be manager and do not nurture potential managers resulting in some mid and higher level management positions occupied by those who can handle the administrative tasks but are unqualified to manage a program or an organization while overlooking those with strong potential management skills strictly because they do not want to walk away from their work to become a supervisor.	More integrated EPA /STL government research projects and analytical work. Both side have certain expertise and know their specific data. Combined we can leverage the best of all parties instead of relearning what someone else already knows.	Increase transparency of data limitation. List potential techniques for users to identify data gaps List potential techniques to address data gaps in analytical work involving specific EPA data collections. Stronger EPA presence at State and local government conferences to educate attendees on what resources and support EPA has to offer.	Be it a fear, lack of knowledge, or legal limitations in working with congress to address "minor technicalities". A number of regulatory inefficiencies are tied to the governing statutes from congress especially when multiple statutes are involved. Some very basic items such as when a filing or submission by a facility is due to EPA, different definitions of terms such as a 'facility' between statutes.		
693	692	5/8/2017	One example is the egregiously duplicative, parallel processes staff are required to use for submitting regulatory/policy packages to the Administrator for signature. A regulatory signature package will usually consist of an Action Memorandum, the Federal Register document (which for certain types of rules can be several hundred pages long), and if economically significant under Executive Order 12866, the Economic Analysis/Regulatory Impact Analysis (which may also be several hundred pages long and are seldom actually read). EPA staff must: (1) Prepare and submit to OP an original hard copy of these materials as well as a certain number of paper copies (the exact number of copies has fluctuated over time). (2) Send the package files in an email to OP to ensure that the requested package submission is captured as a record in the enterprise recordkeeping system. (3) Upload the files into and submit to OP using the ???ADP Tracker??Â Lotus	For as much consideration as federalism issues will receive, especially in the early days of the Trump Administration, I think addressing policy-level consultations should be considered under Question 3 of this survey. We *can* achieve better environmental results ??? and evaluate the performance of environmental regulations ??? by partnering states, tribes, local communities, or the private sector by sharing information and data that are of a substantially similar robustness. However, there are substantive statutory restrictions on gathering information that would allow the Agency to more effectively and efficiently assess baseline conditions and activities that factor into: (1) whether those conditions are indicative of more widespread, and potentially problematic, hazards/risks, (2) whether practices to manage	With respect to EPA???s Action [Regulation] Development Process (http://intranet.epa.gov/adplibrary/documents/adp09-24-15.pdf) ??? and consistent with the requirements of the Unfunded Mandates Reform Act and Clinton-era Executive Orders 13132 and 13175 ??? the various rule-writing AA-ships are expected to involve affected/interested representatives of state, local, and tribal governments early in the process of developing an action in order to formulate and present rulemaking options that already take the concerns of those governments into account before presenting the options to Agency officials for a decision. To the extent that this occurs, I believe that the Agency does this well, and I believe that most of the intergovernmental associations would agree. Where things begin to unravel a bit for the Agency is in what, when, and how the Agency communicates with those	Yes! EPA is at a unique moment in history as it is making decisions about how to implement various directives and mandates, both old and new. The Administrator???s Office could consider establishing rigorous new management controls to (re-)enforce these Agency obligations. For example, consider section 3 of EO 13563. ???Some sectors and industries face a significant number of regulatory requirements, some of which may be redundant, inconsistent, or overlapping. Greater coordination across agencies could reduce these requirements, thus reducing costs and simplifying and harmonizing rules. In developing regulatory actions and identifying appropriate approaches,	Yes. Phase-in a requirement that EPA???s Federal Register documents be signed electronically to streamline existing processes and reduce production-related waste.	No firm opinion. If realigning activities is meant to refer to a potential deference to actions by other agencies or states, they should at least receive an appropriate level of funding and technical assistance from EPA to take those actions on.

AMERICAN OVERSIGHT

	I
692	Demotion or appropriate lateral shifts. When we promote good people to their level of incompetence we keep them there instead of moving them to a position which actually meets their skills. We lack a system to identify and monitor potentially good ideas which were never well thought out. Managers who take credit for them continually spin the spin instead acknowledging the truth and bringing in the experts who knows how to trouble shoot and resolve problems.
693	No firm opinion.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
694	693	5/8/2017	Multiple time keeping sheets, Currently we have two systems (People Soft and Lotus Notes MaxiFlex). Really one time sheet would suffice. Eliminate one time sheet (Lotus Notes Format).	EPA staff with oversight responsibility should be required to stay current with field sampling and analysis procedures. They should rotate in and out of field work teams and perform field studies along side the state, tribal or contractor staff. This gives the oversight personnel more credibility with partners. Managers should be subject matter experts when dealing directly with states and tribes on different environmental media.	Bring back administrative staff to answer phones. New technology has left a large segment of the population behind who get tired of trying to navigate websites (many of which are out of date) or leaving messages. Often times, people would like to discuss their questions and/or issued with a real person with some basic knowledge of who they should refer them to.	Inefficiencies are largely the result of cost cutting without thought of the big picture. We are very short staffed in the field and analytical programs and most of us wear several hats. As technical staff, we also have to serve as their own travel agent, administrative staff, health and safety staff, janitorial staff, etc.... Also, the amount of online training we are required to take is out of hand. I think the tax payer interested in environmental results would be better served if I was able to devote more time to hand on environmental work and keeping my fingers on the pulse of the environment as opposed to managing excessive paperwork and redundant online training.	Not new. Administrative staff. It would be very helpful for data entry and paper work, responding to FOIAs, etc....	More and better managed travel resources allowing EPA scientists to attend conferences with scientists from other federal and state agencies. This is where a lot of good partnerships are formed. Also, more detail opportunities allowing staff to work in other agencies on a temporary basis would be beneficial.
695	694	5/8/2017	Processes within EPA need to be streamlined. Meetings are important for ensuring that EPA is moving in a coordinated fashion. As such, we need to minimize the red-tape for holding conferences. IT managers need to hold degrees in IT. One of our biggest budget elements is IT yet we do not have folks that are experts in this area managing those programs. Ensure that policy documents before 2005 are findable. with the change in email structure -- older documents have been lost and we will not be able to respond fully to FOIAs. The WEB Drupel roll-out was poorly done and we still do not have access to all of our documents and neither do our stakeholders. Need to determine if the way $$s are spent on computer systems make sense.	We need to learn from site such as Flint -- the people need to come first and not allow situations like Flint to fester. EPA has a role and needs to do its job. We need to work with the states but in the end it is EPA that is accountable or should be. Need to identify priority pollutants and work with the states and tribes to make sure that we are protecting the people - again look to Flint. Lead is the poster child for environmental exposure and we are using outdated information. Need to issue updated MCLs for emerging priority pollutants -- e.g., lead, PFOAs, PFC, etc. Lead -- Need an agency position on what blood lead level is protective - and suggest we go out with a FR notice seeking comment on this. Reuters report June 2016 says that many pediatricians are not testing children for lead so our data that	Need a better access channel for citizens to talk with our leaders. They should not have to work too hard to be heard by our management. By the time they often get in the door a lot of damage has already been done. What happened at Flint -- why did it take so long? What will we do so that we don't have another Flint? What will we do when it happens again? We need checks and balances -- not red-tape, but ensuring that the important issues that affect our people are not ignored. What went wrong at Flint and where is our next Flint? That should be the question that is asked constantly. We need to help industry comply with the laws -- more web based training, and more hand holding.	Do a better job of IT and ensuring that all documents are up on the web and are word searchable. If we have data about portions of the country -- the citizens should have access to the data from our Web and should be able to manipulate the data We need to do all of this more efficiently -- hire managers that understand IT and have degrees in the subject. Also -- look at our bottom line before we pay for details to HQ. We have really good people at HQ that we should be developing and we don't incur the travel costs of a detail traveling and staying the DC area. Show your EPA people that you believe in them -- make sure that the expert staff are involved in discussions at the	Make the most of the Web and IT -- do not run from it but embrace it. Data and the truth will ensure that we have credibility with the public. If things go bad -- own up to it. If we don't know -- own up to that. When we do something good or challenging, own up to that. The environment is the Space program for our citizens -- planet earth comes first.	Lead is an excellent example of a contaminants that needs attention by all parties involved. There are separate roles for each -- HUD for lead in poor housing, States for areas not covered by federal regulations, and EPA as the backstop enforcement our laws, working with all parties and industry, and helping to advance the science. We need to have the best science as to what is protective and then we all need to work together to lower the lead exposure in this country. We should view this like we did Space Exploration -- by the year XXX -- 99% of all children have a blood lead level below 2 ug/dl.

AMERICAN OVERSIGHT

	I
694	Loosen the federal procurement rules. It takes too long and there is a lot of second guessing. Having to deal with buyers with no technical expertise who second guess the technical staff is very time consuming and counter productive. It would also be good to open us up to vendors like Craig's List or EBAY.
695	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
696	695	5/8/2017	We have lost much of our clerical staff under the last administration. Administrative tasks such as filing, scanning, and records retention activities consume much of our time. We need to hire more administrative/clerical staff.	EPA should make resources available to convene and/or host partnering agencies and non-governmental interests to conduct dialogue that clearly established national standards and provides our partners the opportunity to identify success and road blocks. As an ongoing measure we need additional staff to coordinate and track state and local achievements.	We need additional staff. Under the past administration, our workforce has steadily declined, and we were continually asked to do more with less. We need additional staff to provide attention and foster trusting relationships with our partners that we serve.	With recent workforce reductions under the past administration, we have been unable to complete mandated activities which makes EPA vulnerable to 3rd party lawsuits. Our workforce is so greatly diminished that no one project receives the attention it deserves, so the workload as a whole stagnates. We have more work than workers, by increasing our workforce, we can avoid costly lawsuits and more efficiently complete critical assignments.	A full integration of National, State, and Local programs onto one common and transparent platform. Such a platform would identify all required fields to meet national standards and provide state and local governments the opportunity to expand the platform to represent all of their requirements and activities. Such a platform would make oversight more efficient, encourage more effective program implementation, and the complete transparency would improve accountability of both the regulating agencies and the regulated community.	We need to hire new personnel to serve as liaisons to partnering agencies at both the staff and executive levels. Such engagement can help to align efforts and priorities, and ensure reduced duplication of effort.
697	696	5/8/2017	Due to incompatible work tracking systems and also because EPA is under such a high level of scrutiny from Congress and some members of the public that do not share the values of environmental protection, employees are required to perform redundant work and time tracking management tasks that are time consuming. One time tracking system for leave, credit hours, site charging, travel comp time, and timekeeping should be utilized. Currently we must separately submit leave requests in People Plus, reenter leave hours in our People Plus timesheets, maintain and sign separate Excel spreadsheet forms for credit hours tracking, complete separate forms both before and after travel comp time is used, track telework site charging separately from in-office site charging, keep Outlook calendars updated, and update schedules in Lotus notes. This is a redundant administrative burden on employees.	EPA needs adequate funding to continue and expand the important work done with states, tribes, and the private sector. FY2017 funding and staffing levels are inadequate to carry out the important work of EPA. Cutting both funding and staffing at all in FY2018 is unreasonable and irresponsible; cutting funding and staffing by 20%-30% or more is reckless. These environmental partners depend on grant funding, support, and guidance from EPA in order to complete their targeted work. These partners are necessary to collaborate with EPA, help fill staffing voids where EPA funds and staff cannot, obtain necessary location-specific information to work smarter, and employ a science-based, somewhat standardized approach to environmental matters at the ground-level.	EPA can provide better customer service to other agencies and the public with more qualified EPA staff. EPA currently operates at staffing levels from the 1980s, which is unsustainable. Hiring freezes should be lifted immediately and staffing levels should be increased to at least 18,000 - 20,000 EPA employees. More student interns should be hired and utilized to provide needed work experience to qualified scholars as well as needed, low-cost support to EPA offices. The proposed staff cuts to EPA are short-sighted and must not be implemented. EPA's budget is paltry in comparison to the U.S. defense budget, yet EPA's mission impacts every U.S. citizen every day. EPA employees implement the clean air, water, and community revitalization programs that are essential to all Americans.	The first and most important way to reduce costs and inefficiencies at EPA is to remove the non-scientist, anti-environment Trump political appointee team in senior management. Obstructing science and undoing years of research and progress by instead pursuing ideological goals to undo environmental protection is abhorrent, and a misuse of public funds. EPA is a public agency rooted in environmental science and research; decisions on policy are based on peer reviewed research and the scientific method. The so-called "HONEST Act" is an insult to science, scientific progress, and a danger to Americans. Congress and the Administration's current appointees need to allow	No one at EPA should still be utilizing landline phones--especially jobs with the demanding work, travel, and meeting schedules of EPA. All EPA employees should be assigned a smart cell phone instead of a landline in order to be more responsive, efficient, and effective at performing our jobs.	There is no other Federal agency with the overarching, unbiased mission of the EPA. The EPA is the most renowned environmental organization in the U.S. and the world for a reason--the unique mission of EPA must remain intact in order to ensure that all Americans, regardless of State, territory, or income level, receive equitable environmental protection. EPA activities for the most part cannot be "realigned" to states because economic competition between states will unduly influence levels of environmental protection. State

AMERICAN OVERSIGHT

	I
696	Here are three, fairly universal and standard, best practices for executive managers that are utilized at highly successful private companies across the globe: 1. Hire enough people to do the work that needs to be done. 2. Don't browbeat your dedicated workforce by piling on more and more work with fewer and fewer resources. 3. Don't threaten the livelihoods of your workforce with arbitrary workforce reductions. They are pretty standard. Would be nice if they applied at EPA and all other federal agencies, since they don't apply today.
697	The vapor intrusion working groups within EPA regional offices are top notch; the team effort to assess and determine the most practical yet protective way forward in this emerging field are essential to solving VI problems nationwide. Ideas from working groups should be periodically assessed in order to update work practices and regulations, and incorporate lessons learned and a level of proficiency and efficiency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
698	697	5/8/2017	PeoplePlus is due prior than the end of the week. For programs, such as Superfund, where we charge specifically to a site, this requires us to submit a timecard prior to Friday night. We always have to go back and amend the timecard, requiring additional time by staff, timekeepers, and managers. Change the process so we submit the timecard Friday night before we leave.					
699	698	5/8/2017	n/a	By continuing to provide states, localities, and tribes with money, we can help them to achieve better environmental results.	Involve stakeholders early and often, and be transparent to the public throughout the entire process.	n/a	n/a	n/a
700	699	5/8/2017	I have a concern with directives from management that we must consider factors that are unrelated to the statute being enforced or the exigencies of litigation when managing and resolving enforcement actions. The worst examples happen when the defendant or its industry are favored by the current administration. The solution is to stick to the basics-- return the defendant to compliance, deter future violations, and require the defendant to clean up, or if that's not possible, compensate for the damage it caused.	I honestly think that we already do a great job of partnering with states, tribes, and local communities. I'm in enforcement, and the nature of my work does not lend itself well to partnering with the regulated community. I've negotiated industry-wide enforcement agreements that required more cooperation than usual with the regulated community, but you still have be aware that you are in adversarial relationship with other side or you risk serious ethical problems.	I have none.	The vast majority of employees at EPA are incredibly competent and hard working. However, even one or two incompetent employees, including managers, can gum up the works. I've seen several instances where everyone knew that a particular employee or manager was creating a problem, but it took years to address the situation. I'd like to see federal personnel rules revised to make it easier to both reward good employees and to remove bad ones.	Keep hardware and software as up to date as possible.	I think the current system works well with states and have no suggestions for changes. We've done a good job working with delegated states to get the job done, avoid duplication and provide assistance when needed. We don't necessarily have over-lapping jurisdiction with other federal agencies, but we are often at the same facility at the same time addressing the same set of facts, albeit with different goals in mind. For example, there might be an explosion at a facility that resulted in a harmful release and employee injuries and both EPA and OSHA might be responding.

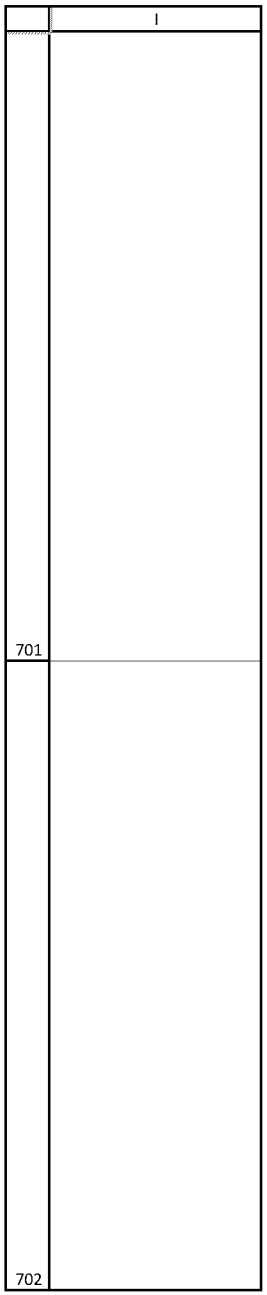
AMERICAN OVERSIGHT

	I
698	
699	n/a
700	We meet with state environmental folks all the time and have a great relationship, for the most part, with them. A similar process of coordinating with other federal agencies might improve our relationships with them and the level of cooperation as well. The goal would be to figure out how we can help each other get the job done as effectively and efficiently as possible.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
701	700	5/8/2017	Lack of training resources. We are unable to attend professional conferences to hear from the regulated community what issues are out there and we are always behind the curve for awareness of new technologies.		Responding to citizen inquires within 24 hours of receiving them. Being there for the regulated community when they have questions or issues related to their situation.			For the Aircraft Drinking Water Rule, our EPA rules need to better align with the operational requirements of the Federal Aviation Administration (FAA) and Food and Drug Administration (FDA). Air carriers wrote their operational guidelines and maintenance requirements based on FAA and FDA requirements way before EPA even came out with the rule. EPA does not take into account how difficult it is to take a moving water system and conduct maintenance to it and how to address stored aircraft due to business reasons of the air carrier. Also, EPA staff had no training on an aircraft
702	701	5/8/2017	Superfund - many sites have special account monies which are designated to be spent on site activities. It takes too long to procure these funds and thus results in delays in implementing remedial activities. The process to utilize these special accounts should be streamlined. One way would be to simply allow whichever EPA Region where the special account site resides to handle and manage these accounts. Superfund - 26 US Code 198 should be revised to allow sites on the National Priorities List (NPL) to deduct expenditures for remedial activities from taxes. Not allowing tax deductions for remediation expenditures on NPL sites does not provide any incentive for companies to cleanup sites. Allowing these kinds of tax deductions would also entice outside parties (e.g., developers) to consider performing remedial activities and thus cleanup NPL sites.	Private sector - see above comment concerning 26 US Code 198				

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
703	702	5/8/2017	Uncertainty due to lack of senior level staffing.	Commit to the mission. Provide adequate funding and maintain current staffing levels.				Question too broad to answer. I do not trust that senior level management have any interest in making EPA more effective or efficient, Actions from political leaders to date send the clear message that their only interest is in destroying the agency with glee and getting rid of employees.
704	703	5/8/2017	1. Contracts ??? EPA???s process and speed for reviewing and approving contracts and task orders needs substantial improvement. In recent years, the time needed for internal review and approval of contract paperwork has lengthened considerably, often causing unnecessary stop-work situations. OAM needs to have more warranted contracting officers on staff to handle the work and needs to have a customer-focused approach to work. 2.Hiring ??? the overall federal hiring process, as well as the internal EPA process, is slow and cumbersome. The existing system requires months and months of time and qualified candidates are often frustrated at the time and uncertainty involved. While hiring internal candidates among EPA offices is relatively fast, it typically takes 9 months to a year to bring in an external candidate. In demand labor categories (e.g., software programmers, engineers) are very hard to fill given the long time needed to apply, interview, make the	Use EPA resources to provide greater national transparency to the public on environmental results from states and private sector - greater use of real-time monitoring tools, improved websites for public access to air and water quality information	Provide resources for states to participate in meetings with EPA and to participate in national conferences - many states, localities, and tribes have limited travel dollars	Improve customer-focused service ??? Some parts of EPA, such as OEI, OCFO, and OARM, tend to make decisions that affect the entire workforce without adequate input and feedback from the affected staff. These decisions include new software changes (e.g., People Plus) and new policies (e.g., on hiring or promotions) that affect everyone at EPA. Often, by the time the working level hears of the change, we are told that the decision has been made and that there is no opportunity to provide feedback or alter the direction. Instead of these arbitrary decisions, major changes should be piloted gradually, using tools like focus groups or surveys to gather useful feedback to improve the change.	Computer hardware and software improvements ??? In recent years, computer software changes have improved, although legacy software (such as Lotus Notes) continue to be used in some applications. It does appear to the staff that computer hardware purchasing and leasing decisions don???t always provide the greatest value to the government. Laptop leasing contracts in particular appear to the staff to be over-priced, given the high cost of the annual lease and the long period of time between equipment upgrades.	

AMERICAN OVERSIGHT

	I
703	
704	Substantial improvements are needed in human resource management (particularly hiring) and contracts management to improve the time needed to hire new employees and to manage contract paperwork.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
705	704	5/8/2017	Added management initiatives have adversely impacted my ability to complete statutorily required EPA requirements. I have been adversely impacted by LEAN projects that will not reduce or eliminate any financial or staff time commitments. The LEAN initiatives appear to be an attempt to show efforts of reducing bureaucracy. However, a new bureaucratic kingdom has been created and no real analysis of results and the amount of resource time that has been spent on the projects have been completed. In addition, outside consultants are hired to shape inherently governmental functions without experience or background in the subject matter. This initiative is the latest in a long line of snake oil salesmen that will hopefully, very soon, go the way of the many "quick fixes" before it. Unfortunately, EPA will be left with a kingdom of highly paid individuals to gift back to the program areas to deal with.	Timely, direct responses from HQ on issues raised by the regions and states. Less reliance on guidance from HQ and more technical implementation assistance for the rules that they have written.	Electronic records. The ability to provide the public with an on-line tool to submit permit applications and research facility information would be helpful. If an electronic permit application tool was created that ensure that proper information was submitted, then permitting timelines would be reduced simply because the application could not be submitted without the proper technical information.	Reduce the amount of non-statutorily required "management" of media program areas.	Electronic file management systems	
706	705	5/8/2017	N/A.	Placing program people in key locations where our stakeholders are located would be an invaluable approach to improving results, providing better service, and reducing costs. A small office could be established in strategic locations in each State to ensure that EPA staff, across all programs, are available. This approach would reduce costs by lessening the amount of high rent space in Regional hub cities and would reduce travel time and funding when working in those States where we currently don't have staff. This will also provide a direct link between States/Tribes/Communities/Private Parties which has been shown to be a tremendous benefit in the few locations where this is already being done.	See answer to Q2.	See answer to Q2.	See answer to Q2. Current communications technologies will allow for a more mobile EPA by moving staff out into all of our States.	See answer to Q2.

AMERICAN OVERSIGHT

	I
705	
706	See answer to Q2. Region 10 is a good model to look at for this idea. Regions 3, 4, & 5 have multiple staff located in States to provide direct support. These Regions have all reported tremendous and cost efficient results by out-stationing staff.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
707	706	5/8/2017		Partner with state and private universities to research the vast number of chemicals in use, for the purpose of defining their health effects and properly managing the risks posed by such chemicals.				
708	707	5/8/2017	Having woefully unqualified leadership.	Not having woefully unqualified leadership.	Not having woefully unqualified leadership.	Not having woefully unqualified leadership.	Not having woefully unqualified leadership.	Not having woefully unqualified leadership.
709	708	5/8/2017	Annual refresher trainings that cover the same materials year after year. There is no reason these could not be every three year trainings. Training requests that have to go through one person in the management division, are time consuming and unnecessary. Streamline the process, my supervisor knows what classes I need and divisional staff know what funds are or more than likely not available.	While we have moved to an electronic environment, there are still times it is necessary to meet with people face to face. The yearly concerns over travel budgets makes this next to impossible.	Open up to why things are happening. We are too concerned at times with deliberative issues and rather than working with all constituents we focus on one set, whether that is industry or environmental organizations. We have become a more politicized agency over the last few years and the early months of the new administration are showing that same trend.	Consolidation of space. Hoteling or sharing of cubes as we move toward a more flexible workforce.	We are finally moving in the right direction, however still lag behind the rest of the nation.	There are multiple agencies with environmental divisions. Some are in charge of cleaning their properties (DOD and DOE) and others have remnants of programs that have been kept over the years for political reasons. Of course as an EPA employee, I think they should come to us but it needs to be reviewed.
710	709	5/8/2017	Rethink any managers who aren't skillful at messaging/targeting audiences/communications in general. This is a critical skill in this day and age, to ensure we clearly articulate that "back to basics" does NOT mean disregard of environmental protection.	It's time to be more streamlined and strategic in how we partner with all these stakeholders. At this point, the communications between HQs and regions is so poor that this weakness "spills over" into how we support the states and others. Let's take a step back and get on the same page as an agency.	Clearer, more consistent communications, focused on clear priorities (which have been missing over the last few years). This is an integral first step to many other critical sub-steps.	YES. However, mine are strictly from a regional communications standpoint- this includes rethinking all that we do; WHY we are doing it (please don't tell me again, people, that it's because "that's how we've always done it"), and stop being so reactive as communicators. We need to get IN FRONT of the message, not always trying to react to it.	YES YES YES. But unfortunately, the comfort level with using Insta, FB, Twitter, etc that civil servants who populate the mgmt levels in communications is so low, and they are so unsure of how to approach this new world of social media, that the answer, when presented with a great idea to target a great message, is invariably, "No".	I feel like this question is basically the answer to the issue- we need to do MORE realignment of activities and shared responsibility. This way, the American citizen isn't left wondering "who are these people? EPA? the state? the locals? Who can I trust? And who can't I trust?"

AMERICAN OVERSIGHT

	I
707	
708	Not having woefully unqualified leadership.
709	Technical training/trainers in the program. Too often there is a set of trainers or coordinators in charge of training who are great for the non-technical trainings, but there is not enough of a emphasis on the technical. The ORCR training team has spent several months doing this - HQ contact is **[REDACTED B6]**
710	We should be incorporating accountability measures used in the private sector for our communications work. That way, less time is spent diddling around with "should we do this, should we do that" while worrying about getting "dinged" by headquarters, and more time is spent be strategic with messaging #backtobasics- and what that means and doesn't mean. It's also time to clean house. The folks who populate the upper echelons of communications have gotten there through seniority, not skill- this makes it very hard to get good ideas through. In private industry, accountability in reaching goals prevents this from happening to such a

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
711	710	5/8/2017	none are unnecessary, using Lean to identify streamlining of identified processes is extremely valuable			Employ Lean, increase its availability across the board to squeeze points in processes	MeetingSphere is a valuable collaboration technology that has capabilities we do not currently have	payroll acquisition and procurement
712	711	5/8/2017		Reengage with the Local Emergency Planning Committees at the federal level and provide additional federal grant funding for planning and exercises.			Custom designed drones to replace existing aging technology (ASPECT and TAGA) for air sampling and situational awareness during large scale or remote emergency responses.	Using the National and Regional Response Team models in the National Oil and Hazardous Substances Pollution Contingency Plan, develop muti-agency coordination groups set in regulation or presidential directive. An example would be the interagency Alaska permitting group lead by DOI.
713	712	5/8/2017		EPA and states get great results when we work in partnership - and these are facilitated by familiarity. The more we know about each others' goals, capabilities, and constraints, the more often we'll spot places where we can work together. Personal relationships really help, too. One idea: greatly increase the number of 1-2 year details between EPA and state environmental agencies. If a substantial percentage of EPA staff had state experience - and vice-versa - we'd have much more of a sense of common purpose.	A lot of people rely on EPA's website as a source of scientific information, and this should continue. As the new administration understandably changes policy material on the site to reflect its own views, it should leave the science intact unless there's good evidence that it's wrong. Otherwise, we look like we're politicizing science. To the extent the new administration's views are based on credible science that's not yet on the site, it should be added.	National consistency is important, so some HQ coordination and oversight of regional work is essential - but there's currently too much. This creates great inefficiencies. Not only are many matters double-staffed (HQ and regional), but those staff sometimes spend considerable time resolving disagreements, which are often not issues of national consistency but simply personal views. Much HQ oversight should shift to the "audit" model, where regional work is spot-checked rather than continually supervised.	We need to find a way to get email on mobile devices - crazy that we can't do this in 2017.	

AMERICAN OVERSIGHT

	I
711	
712	
713	Joint strategic planning between Region 1 and the New England states has been tremendously useful as a way to set priorities, achieve better results, and build a stronger federal-state relationship.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
714	713	5/8/2017	The use of "Smart Cards" to operate our computers seems like security overkill and every morning and every subsequent log in throughout the day the requirement eats up a minute or two of potentially productive time. Recently I received a letter saying my photo needed updating. There was no deadline for having the photo updated and I ignored the request, expecting to be reminded. I never received any reminders and one morning I found that I was no longer able to log in to my computer. Learning that the problem was associated with the Smart Card and the fact that I'd ignored a single email from a month earlier, with no follow up reminders, took over an hour. Finally, the EPA Call Center CTS person turned off my Smart Card requirement for log-in for 30 days.There was no hesitation to turning it off. This action seems like good evidence that the Smart Card log in requirement is unnecessary and a waste of many EPA workers' time. I realize I've rolled a couple of complaints into one comment. My primary comment is to	Study the impacts of rules on local communities more closely. Use demographic and economic data to better characterize workers and communities affected by proposed EPA regulations.	The opportunity for commenting on proposed rules and other requests for information is currently provided to all these entities. In my experience, all rulemaking workgroups work carefully and diligently through all these comments. Public listening sessions are also helpful and could perhaps be increased in number.	More electronic transmission of information. For example, converting the RCRA hazardous waste manifest to an electronic system would greatly improve efficiency. Relying on paper is antiquated, slow, and wastes resources.	In general, the EPA Call Center is too slow to respond. In addition, our lap tops are very old, very heavy and a chore to carry home on weekends. Finally, access to EPA email without my work laptop is cumbersome, slow, and difficult. Bringing home the laptop is important because of the poor accessibility to work email through home computers.	Perhaps coordinate on cross-government metrics such as the value of statistical life.
715	714	5/8/2017	One of administrative requirement that I feel reduces EPA employee???s efficiency is entering our time into People Plus. In Region 5 we are required to enter our time by the Wednesday/Thursday before the end of the pay period. Being on the Maxiflex schedule the last day or two of my schedule is most likely going to change. When there is a correction to People Plus it wastes my time, the APA???s Time and my supervisors time. If we were able to enter our time the Monday/Tuesday after the pay period, my time would rarely change and there would be no need to go back and adjust people plus. I estimate that I spend at least 10 minutes a pay period making the adjustments and making sure to notify my supervisor. With today???s technology payroll should be able to turn things around a lot quicker and reduce the need for early time and attendance report. If they cannot we should look at a new vendor.	Funding is always an issue, but I feel it is the most consistent way to partner with our states. Absent federal funding, EPA needs to do a better job discussing the issues with state governors/legislatures. We rely a lot on the state???s environmental programs to promote themselves. If we had a forum or the ability to discuss the benefits of our environmental programs with state governors/legislatures maybe this would help drum up additional financial support and help run better state programs.		One of my jobs is to write enforcement action notices to facilities that are out of compliance. I don???t do a lot of them, but every time I write on I have to change the documents because it does not meet EPA???s correspondence guidance. This can be really frustrating and time consuming as well as wasteful. My suggestion is that we create a division/Section that all they do is review letters and documents to make sure that they meet EPA???s correspondence standard. Let the technical people draft the document, but have separate staff polish the documents for the public. This would save technical/supervisory staff time as well as reduce paper, by not having to redo the document so many times. I	As an inspector we should be using electronic tools to help conduct inspections. That would include using tablet or smart phones to enter the inspections. The information gathered can then be entered into the appropriate databases. Most of the states have taken advantage of these tools. This would allow us to be more consistent and save us time entering data.	

AMERICAN OVERSIGHT

	I
714	EPA could train employees to Improve group interactions by encouraging all workgroup members to contribute their own talents and skills. I read recently that Google and Apple find that productivity is highest when groups function without harsh judgment when ideas are shared, and with intentional inclusivity of all participants including those reluctant to speak up.
715	One thing that I have noticed in our Region is that we allow staff to get away with work practices that would not be tolerated in any work environment. People have gotten away with sexual harassment, lying on their time cards, and are disrespectful to supervision. A similar issue is that the same people keep filing unfounded complaints against management and other employees. This wastes so much time and energy and should not be tolerated. When people get away with this what type of message is management sending. Apparently it is okay to do these things at EPA. EPA needs to implement a zero tolerance policy and stick to it. It is okay to file a complaint against

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
716	715	5/8/2017	One of administrative requirement that I feel reduces EPA employee???s efficiency is entering our time into People Plus. In Region 5 we are required to enter our time by the Wednesday/Thursday before the end of the pay period. Being on the Maxiflex schedule the last day or two of my schedule is most likely going to change. When there is a correction to People Plus it wastes my time, the APA???s Time and my supervisors time. If we were able to enter our time the Monday/Tuesday after the pay period, my time would rarely change and there would be no need to go back and adjust people plus. I estimate that I spend at least 10 minutes a pay period making the adjustments and making sure to notify my supervisor. With today???s technology payroll should be able to turn things around a lot quicker and reduce the need for early time and attendance report. If they cannot we should look at a new vendor.	Funding is always an issue, but I feel it is the most consistent way to partner with our states. Absent federal funding, EPA needs to do a better job discussing the issues with state governors/legislatures. We rely a lot on the state???s environmental programs to promote themselves. If we had a forum or the ability to discuss the benefits of our environmental programs with state governors/legislatures maybe this would help drum up additional financial support and help run better state programs.		One of my jobs is to write enforcement action notices to facilities that are out of compliance. I don???t do a lot of them, but every time I write on I have to change the documents because it does not meet EPA???s correspondence guidance. This can be really frustrating and time consuming as well as wasteful. My suggestion is that we create a division/Section that all they do is review letters and documents to make sure that they meet EPA???s correspondence standard. Let the technical people draft the document, but have separate staff polish the documents for the public. This would save technical/supervisory staff time as well as reduce paper, by not having to redo the document so many times. I	As an inspector we should be using electronic tools to help conduct inspections. That would include using tablet or smart phones to enter the inspections. The information gathered can then be entered into the appropriate databases. Most of the states have taken advantage of these tools. This would allow us to be more consistent and save us time entering data.	
717	716	5/8/2017	After being here over a dozen years and having experience in both other Agencies and the private sector, I can say this: There are thousands of ways we could improve the way EPA operates. Start with organizing the 10 regions consistently. 2 We don't need almost as many people at HQ as we have in the Regions, most of whom have no clue as to how things work in the field. 3 Our business processes aren't even defined. Everyone does what they want/learned how to do on their own. 4 There is no formalized training, not like I've had in the private sector or in the military. 5 There is no accountability. there are dozens of useless staff sitting around EVERY day and yet they remain on the payroll. The "useless idiots" (as deemed by mgmt.) do the majority of the work, usually getting no reward other than more work. 6 We contract out all of the real work, which costs us millions each year. With no truly standardized or defined processes, there's not much ground for one to declare the contractor's proposal invalid. They	How about we start with jointly defining the problem with all stakeholders, then working to devise a solution. There are dozens of examples I could give, but admittedly, while I STRONGLY support the current administration, I'm waiting to see if anything actually happens. Usually, all one gets for trying to improve something is a at best abuse and more work; or in some cases, actual reprimands for things that never occurred. This is a very corrupt and dark place!	Begin by asking for their assistance. We have such an adversarial mindset here. During Katrina, it became readily apparent that our Response actions were used to generate Enforcement actions. No one wants us "snooping " around because they know it only means trouble. Instead of trying to demand that "we alone know what's best" maybe, just maybe, we could allow others to explain their position and develop practical solutions that allow businesses and industry to operate if not flourish, while keeping a reasonable approach to environmental stewardship	Yes, numerous ones. But these will only have a chance of occurring after you get rid of virtually every GS-14-15 and ESPECIALLY the SES workforce. They are overwhelmingly, the problem. Being lower graded, (which I'm not) doesn't mean you have all the ideas, but most chances for good ideas are going to come from those not so heavily invested in the status quo, or at least being made to support it , in order to survive.	1 You'll have to purge virtually everyone at OEI and RTP, especially the contractors. None of the technological programs work. Our software is junk and our processes are so horrific, when I relay these to colleagues in other areas, they laugh at me. Much more to add, but again, I'll believe in true change when I see it.	There are countless ways. I just floated an idea along these vary lines at a meeting at HQ in late March. Within minutes, over a dozen attendees cornered me and dressed me down for having such a stupid idea. I also got castigated for being to militaristic and as frequently occurs, "you're not an environmentalist, so you just don't understand." True enough, but I do happen to have a business degree and do very much understand this odd notion of cost/benefit analysis. However, at EPA, benefit isn't measured in economic efficiency, rather it's measured by how good it makes me

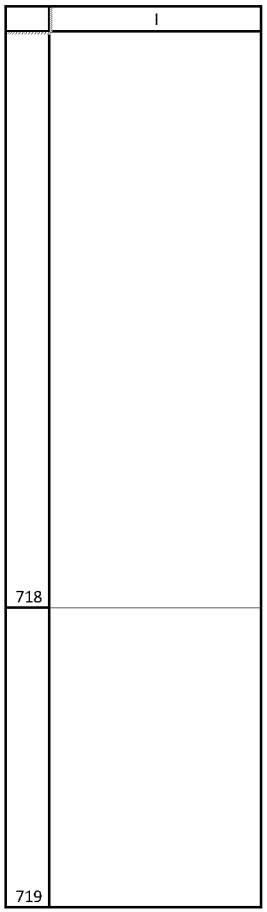
AMERICAN OVERSIGHT

	I
716	One thing that I have noticed in our Region is that we allow staff to get away with work practices that would not be tolerated in any work environment. People have gotten away with sexual harassment, lying on their time cards, and are disrespectful to supervision. A similar issue is that the same people keep filing unfounded complaints against management and other employees. This wastes so much time and energy and should not be tolerated. When people get away with this what type of message is management sending. Apparently it is okay to do these things at EPA. EPA needs to implement a zero tolerance policy and stick to it. It is okay to file a complaint against
717	I have seen nothing at EPA that would qualify as a "best practice" unless of course you had a category for making contractors wealthy. I have seen multiple practices at other Departments/Agencies and in private practice that would benefit us greatly. I'm tired of being beaten down for trying these.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
718	717	5/8/2017	We use smart cards and pin numbers to log into the EPA network. However, when using various applications, we have to use additional usernames and passwords. Single sign-on is suppose to take care of having to remember several usernames and passwords. However, each system has a different time range in which usernames and passwords expire and thus have to be changed. This results in frustration and time wasted. It seems apparent that once we are logged into the EPA system, we should not have to utilize additional usernames and passwords for any application under the EPA system. Therefore, the entire EPA computer system should be reconfigured such that once you log in with your smart card and pin number you should not have to utilize any other usernames and passwords.					
719	718	5/8/2017				1. Strengthen EPA's security program, in part by incorporating in OARM (1) the Administrator's protective detail (from OECA); (2) the Agency's new Insider Threat Program (from OHS and other EPA offices); (3) the intelligence function (from OHS), and perhaps other EPA security functions, as well.		1. Explore the consolidation of at least some EPA intelligence program components with similar program components in other non-Intelligence Community (non-IC) federal agencies to enhance performance and reduce costs.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
720	719	5/8/2017			Instead of eliminating the EPA???s extramural research grants program, transform it. Make it work for State and Local governments. Make Washington work for America. Long before the federal government was given a regulatory role in environmental protection, Congress established federal research programs to support environmental management efforts at the state and local scale. Making good environmental policy requires good science, but states and local governments do not have the resources or capacity to conduct research programs. They rely on the federal government to invest in research universities and small businesses to develop the knowledge, tools, and trained experts that they need to address their environmental challenges. However, since EPA???s extramural research grants program was			
721	720	5/8/2017	The requirements for submitting rulemakings and other federal actions to the federal register is incredibly inefficient and outdated. I don't know why the same function cannot occur through submitting Word and PDF documents. The review process is overly burdensome (for me as a non-supervisor and my supervisor). It should be done as quick and as timely as submitting a rating for a car service (i.e., Lyft) ride.	Allow scientists to do their job. They should be able to set public health standards and it is up to the policy makers to design regulations to meet those standards. Incorporating "industry" into this calculus diminishes the effectiveness of the scientists, public health standards, and EPA. If you buy into the plight of industry, go work for Dept. of Commerce to address the real economic issues.	This question implies we don't already do a good job. I don't see that -- so many of my colleagues pour their heart and soul into supporting tribes and consulting with states. We would be able to provide better "customer service" if the politically-appointed leadership would stop sending mixed messages about priorities and motives. We could provide better customer service if leadership set their agendas aside and provided support more broadly to staff -- allowing us to travel to meet with our state/ tribal counterparts and investing in technology that enables improved communications.	The hubris of this new administration exacts an enormous cost on the agency. A narrow election win should not cause such upheaval. The amount of time spent now and in the future to re-think our recent actions doesn't allow us to move forward. The untapped opportunities were already tapped, the new administration just put a cap on them.	The new administration wants to cut our budget. I'm not sure now is the time to implement new technologies. Much of our work can be brought online and made more sharable across regions, but it takes an administration that believes in staff/ technology to move something that ambitious forward.	There are federal requirements governed by federal requirements (including judicial decisions that interpret those requirements and endangerment findings) and there are state requirements, governed by state priorities. It's best to maintain an element of federalism in environmental protection.

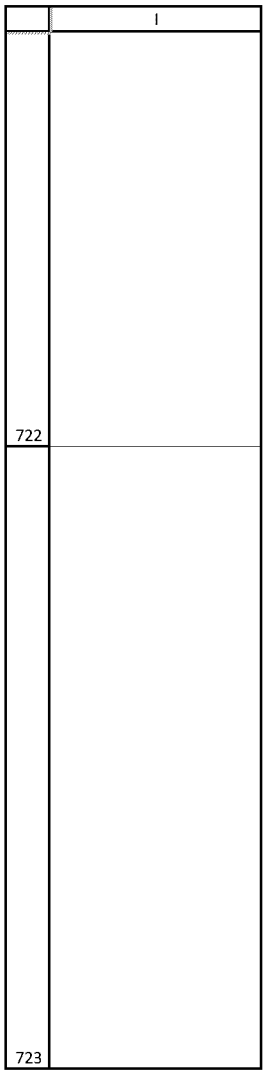
AMERICAN OVERSIGHT

	I
720	
721	Best practices that are also best in class? Is that like a super-size meal? I find it best when scientists are able to do their job, policy makers analyze and communicate scientific findings, and politicians communicate truthfully to their constituents and explain all options, that would be a best practice, or best in class, or whatever catchphrase you want. This is the federal government, good luck with improving efficiency, increasing accountability, and/ or reducing costs in four years. It can't be easily boiled down to 140 characters.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
722	721	5/8/2017	Functional directory - our office no longer has a public information desk and callers sometimes are routed to me because I've been with the agency for 28 years. As many staff are retired and restructuring, a functional directory (regional, national, state, local) would be helpful to alleviate caller frustration.	Development of rules (guides) for attaining goals instead of eliminating them. The guides help build capacity. We should be developing/implementing rules until someone else is able to take over. Eliminating rules without a replacement mechanism is chaos without limits, inefficient and short sighted. It doesn't help anyone.	Avoid voice mail jail, we should have public lines answered during operating hours.	Stop trying to rewrite how things are done and measure focus more on how we help improve the environment and who we should be partnered with, not downsizing. Collaboration takes people and time.		We can rewrite the boundaries for each agency/department as long as the public doesn't lose service and staffing moves from one to the other. We should work on a transition of resources from one to the other as part of the total plan instead of broad general cuts at the Federal level. Do the states have capacity? Are they prepared to pick up what is cut at the Federal level?
723	722	5/8/2017	we have archaic and unprofessional performance and time administration processes. To truly be an outcome oriented, and professional organization, the agency must revamp our useless PARS process, move towards a more feedback and reward/award (bonus) based system focused on results that make a difference for the mission. A component of this would also be to reduce our focus on time card and schedule management. This need and the systems/processes it requires, mandates significant administrative overhead, both in terms of FTE and time of our employees. Systems exist that more efficiently allow employees and managers to manage schedules without a blind focus on time cards, work schedules, leave slips, etc. Evaluating and updating these antiquated approaches will allow for more innovation, improved productivity, better work/life balance, and high job satisfaction.	Technology. We are purely unable to appropriately invest in technology that will make partnering, with our fellow regulators, monitoring our environment and interacting the public.				

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
724	723	5/8/2017	Most of the backbone software systems that EPA has selected are inefficient and unwieldy. These include People Plus, CONCUR, property management, document management (operated locally instead of nationally), and training. Contracting and contract management. Their use wastes many staff hours. These systems should be replaced or combined with more efficient/effective systems that are used by other Agencies. Contracting Officers and Project Officers are undertrained and do not understand or follow basic Federal contracting regulations and requirements. Existing training and operations of other Agencies (DOD) should be modeled/adopted. This would result in more efficient contracting operations for both EPA and less confusion for our contractors.	EPA projects frequently do not partner with other stakeholders or take into account the broader impact of its decisions. In cases where partnering is done, EPA has already determined the path that will be followed and does not take into account these other partner's viewpoints. By involving stakeholders earlier in the process and addressing their viewpoints, a more comprehensive approach may be used to guide planning and decision-making.	It seems that EPA's overall approach is that the regulated community is doing its trying to only the minimum regulatory requirements. In fact, in many cases they do their best to "do the right thing" but because of the complexity of the regulations they may not achieve this goal. EPA inspectors look for basic errors and attempt to identify all non-compliances no matter how minor. EPA should first assume that this is what is being done and provide technical assistance; only if the non-compliance continues should a stronger approach to enforcement penalties be pursued. In other words, assume "innocent until proven guilty" first. The latter is often the approach that is taken by States.	Project planning often does not follow the scientific method and consequently results are unusable with the resources wasted. Better planning would result in much more efficient and effective use of resources with more defensible science. The data generated is then unsuitable to address the decisions that are supposed to be based on this information. The ten EPA regions frequently operate as if they are 10 EPAs rather than parts of a whole Agency. Each has separate training requirements, operational and administrative procedures, organizational structures, etc. that are confusing to EPA employees and those that have to work with EPA on a national basis. Standardizing this would	EPA does not adopt the latest technology. Computer systems (both software and hardware), like many government agencies, are years behind what is commercially available. The use of two monitors is very productive in conducting work but few are available. In fact, even a single monitor is difficult to get. Windows 10 is much more efficient with touch screens but upgrading to this technology will take years. EPA does not provide mobile phone to managers/staff (if needed) that have a need to do so, and has not standardized the hardware that will be used. Conference rooms often do not have video conference capabilities; these frequently do not work. This is especially important with the smaller and smaller budget	Environmental data in Federal Agencies and within EPA is in databases that are not linked and do not contain sufficient metadata. It is not unusual for project data to be in a drive in a project manager's desk or CD. A national database containing all environmental information would minimize repetitive sampling and analysis and permit decision-making using existing data, or identify information that is needed. The cost of creating such a database would be far outweighed by the cost of repetitive sampling and analysis. This information will also be available to our
725	724	5/8/2017	Requiring that the office director of a program needs to sign off on all correspondence adds significant delays to communicating with the regulating community, would recommend that only legally binding documents require such a high level signatory. Notices of Violation, Warning Letters and other communicative nonbinding documents could be signed by managers or project managers, compliance officers etc.	Building closer relationships and providing more training and opportunities for collaboration on enforcement of environmental laws would benefit all the agencies and the regulated community. Enforcement practices are not consistent between states and often not consistent with federal law creating an uneven and unfair playing field.	Digitizing documents and warehousing them on an FTP website would increase transparency and the ease the level of effort when the public and other stakeholders need access to information. FOIA response would be easier, quicker and less costly, if such a system were developed and put into practice.	Increasing the number of days allowed for telework would reduce costs and inefficiencies, while greatly improving the quality of life for many employees, without degrading environmental protections.	Dual or larger computer monitors would increase efficiency and save money buy eliminating unnecessary document printing. All most all modern businesses that deal with large volumes of information provide larger or dual monitors to its employees.	

AMERICAN OVERSIGHT

	I
724	The Army Corps of Engineers has an enterprise Best Practices and Lessons Learn program that is exceptional. Sharing this information would benefit EPA, other Federal Agencies, States, Tribes, etc. The shared service centers are efficient and working well.
725	Dual or larger computer monitors would increase efficiency and save money buy eliminating unnecessary document printing. All most all modern businesses that deal with large volumes of information provide larger or dual monitors to its employees.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
726	725	5/9/2017	HAPPY EMPLOYEES PRODUCE: EPA is a dysfunction agency due to lack of properly and industrially trained people/ managers. 1.Hire only industrially experienced Managers: Managers at EPA do not have subject matter expertise and never worked a day in the industries which they are controlling. Look what they did to the coal mining industries. Managers who made decision about the industries never worked a day in mines, 2. Racism in hiring and promotions: Racism a BIG FACOR in making EPA a non-productive/ dysfunctional agency. Whites particularly white females who never worked any where else to gain practical experience are promoted over non-whites who came to the EPA with industrial/ development and proper experience,.. 3. Outside search committees of University- faculty members with subject matter expertise, and with ethnically/racially diversified background should be engaged to hire and promote employees,	1.Currently EPA has hardly any contact with the states, tribes, local communities, citizens and industries. Employees are prevented from having any contact with the aforesaid. Permitting and enforcement responsibilities should be left with the aforesaid. You need insiders' help to make changes. 2. Find out who were responsible for Flint Michigan drinking water matters-----fire those manager for their inefficiency ? Why these managers still have their jobs ! These managers are criminals not environmentalists!	1.EPA managers prevents employees to provide customer service to the said. Each employees should be allowed to meet public, locals etc to have contacts with the aforesaid without managerial permission. Each employee should actively participate in professional associations and should attend town hall meetings, 2. Employees should be allowed to meet Citizens to hear their concerns--right now employees have been told to ignore citizens, 3. Fire the managers who destroyed Coal Mining Industries without authorities. Do you want names ?	1.Unless you punish managers for inefficiency, racism, neglect of citizens---nothing will change, 2.I was called as "mold" when I told that we need industrial growth, and at the same time we can protect our environment, like we can burn clean-coal (President Jimmy Carter started the movement, and later killed by President Reagan), 3. Micro-management up-down must be abolished. My manager acts like a mommy than a manager who has no expertise in subject matter. When I have NO respect for my managers/ directors--how could I be productive? 4. Ask how many people are happy with their managers? 5. Why almost all mangers are whites--why benefit of civil rights were given to the	Current technology practice at EPA is satisfactory. The problem in not technology--the problems are mangers and under qualified employees, and racism. Read the reports of the Office of Civil Rights and take remedial actions. Have direct contact the Universities to get the academic input.	1. By transferring all permitting and enforcement functions to the states, 2. Ten (10) regions should be reduced to five (5) regions, 3. There should be direct relations with industries and business like many state agencies. My manager told me not to have any contact with industries, business and citizens,.
727	726	5/9/2017	Overall, EPA management moves very slowly. It is rare to get them to take quick action and many times even when faced with disruptive employees or entire groups, they take no action at all. Within the Office of Air and Radiation there is a group in Las Vegas (the National Center for Radiation Field Operations) that has caused many problems over the past few years and has required staff from other parts of the office to come in and fix their mistakes. There is no action taken against them but in the process other productive staff have had to spend their time correcting NCRFO's mistakes. If EPA management would hold people accountable and not continue to waste money on groups that aren't producing, then the other parts of the office could use that money to produce even more than they already are. Resources are limited and we must be fiscally responsible and use the funds as effectively as possible.		I think EPA provides good customer service to these groups. I have contacts in the states who say that they need us to continue to run the programs we run. For example, in the radiation world there are Agreement States who have an agreement with NRC to assume regulatory authority under the Atomic Energy Act. These states are also operating on limited budgets and with few staff and have expressed to me that if EPA discontinues any of it's radiation protection programs then that work will not get done because the states don't have the resources to take on the extra work. In the radiation world, at least, the EPA has a good working relationship with the states.			There are parts of EPA that are duplicative and costly to the agency. In the radiation program there is a field group in Las Vegas (the National Center for Radiation Field Operations) who's cost to productivity ratio is high. They do minimal amount of field work but continue to be fully funded. In the past they have been shut down for lack of a quality system, been investigated by the IG several times, and the staff continually submit EEO complaints on each other, which requires much time from those who have to respond to the complaints. The services they provide to the Regions are minimal. Other agencies such as DOE provide similar

AMERICAN OVERSIGHT

	I
726	1. The practices at Microsoft and Google should be implemented at EPA. 2. Teleworking should be limited to 2 days/ week, 3. I have worked in industries, government and teaching and all over the world. I have never seen such a dysfunctional/ welfare agency like the EPA.. Managers make their employees unproductive as managers were selected based on race not on expertise.
727	From what I've heard, EPA's LEAN process is a good tool for looking for efficiencies within a project or program. I am about to get involved with a LEAN event so I can't say for sure if it is as good as everyone says, but this may be an example that could be built upon or expanded to more programs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
728	727	5/9/2017	In order to get needed supplies such as pens and notepads, we need written approvals from supervisors and then have to submit requests to the mail room. This is very inefficient. Need to make it easier to get basic supplies.	State counterparts could benefit from EPA training.	EPA should make it easier to locate documents easier to find on EPA websites.	Use Energy Star only appliances.	It is difficult to sit at a desk for several hours and maintain efficiency. Incorporation of the "varidesks" in EPA offices would decrease fatigue and improve efficiencies.	See response to Q1 above. Need to provide more training opportunities for State personnel.
729	728	5/9/2017	Emergency Response: Under the previous administration, the ability for on-call emergency responders to be able to use Emergency Response vehicle to commute from home to work to have immediate access to the vehicle 24/7 to respond to an emergency was taken away. This slows response time. Solution: Allow on-call responders to again use Emergency Response vehicles to commute from home to work to have immediate access to respond immediately 24/7. Remedial Program: The process of cleaning up sites has slowed primarily because of the legal activities associated with finding PRPs and negotiating cleanup actions along with the sometime arduous process of public comment process. Solution: Stream-line the process where EPA can shorten the PRP search requirements and public participation requirements to get sites cleaned up faster. PRPs should understand that the Agency is going to clean up the sites and will go after cost	Regional Response Team: The ability of the Regional Response Team to have an industry working group as part of the organization was a benefit as EPA/USCG was able to obtain input from those companies to address response organization issues and work together with the regulated community to resolve important issues. This was taken away under the previous administration indicating that it was a conflict of interest. Solution: The ability of the Regional Response Team's to be able to have an Industry Working Group is very important.	Removal Program: The previous administration has strangled to professional emergency responders at the agency by preventing us from providing timely updates to the community by requiring us to go through external affairs prior to posting updates to our stakeholders. Solution: Restore the ability of OSCs to communicate directly with the community without the filter of the Agency Public Affair Directors. EPA Responders are professionals and typically communicate directly with politicians, media, and community verbally on a daily basis and should allow this on written communication. Its all about keeping stakeholders informed.	The Agency has reined in the use of the Government Purchase Card and made it so difficult that those that have them don't want to even use them anymore. Obviously, mistakes can be made but those that continuously make mistakes after being warned should be dealt with appropriately. This would help the agency be more efficient.	I am technology user but not a technology innovator. I know the agency has an issue with only purchasing or using portions of programs that they obtain rather than fully utilizing the power of the program. There should probably a technology person in each Branch and Division in the Regional Offices to help innovate with technology.	I think that EPA is a go to Agency for State and Local entities. I do believe that the Agency gets too involved in activities that should be done by the State Agency. EPA should be an Agency that provides support to the State for activities they don't have the expertise to perform and be a resource to them. The Agency should be hiring experienced personnel to provide that expertise. I think Regional Offices have a generally very good relationship with the State personnel but because of the politics they are forbidden to discuss. I think the Agency should be right-sizing the personnel it

AMERICAN OVERSIGHT

	I
728	Need to increase opportunities for career mobility and growth.
729	No, I am not aware of any. My wife works for a large company and she deals with similar issues as we deal with in the Government. The biggest problem in the Government is the fact that the Agency is penalized for not spending all the money they were allocated in the FY. They should not be penalized for not spending money if there is a good reason for not spending it. This is the only way you will get away with binge spending on things that is really not needed.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
730	729	5/9/2017	Lack of accountability that derives from very weak positioning with union agreements. Removing poor performing or badly behaving staff is very difficult and time-consuming. It also disrupts morale when other staff can see, but are not aware of any steps taken.		Overall, I think those parts of EPA that I have worked with provide very good customer service and interaction with state/tribal partners, as well as the public at large.	The role of the Office of Policy is questionable at the scale it currently operates. Many roles are redundant or could be rolled into corresponding program offices. While some policy should be directed for the Administrator's office, the increase in staffing over the years has been exponential and unnecessary, directly producing very little in measurable results and taking away from direct programmatic operations/needs. The appropriate offices/people should be running the technology with people who fully understand how to accomplish. I would remove the Office of Technology Solutions (OTS) from the OCFO and place it within OEI. OTS is a black	Modernize the Performance Assessment Rating System (PARS) so that it is fully electronic with a suite of standards that can be put in place. This would allow for consistency in standards (e.g., for specific jobs, like being a Project Officer) and would eliminate a lot of needless paper and time copying/sending standards and completed ratings. Most federal agencies have this done electronically now - green EPA is still doing it the old-fashioned paper generating way. Understand this was an option of our FPPS system that we chose not to purchase due to prioritization for other costs. Do a better job building in technology planning/purchasing and give	
731	730	5/9/2017	The time limits on funding are very tight, we seem to value speed of spending over quality of product delivered. Resources should be allowed to live longer to accomplish higher goals. PCs and network have room for improvement to facilitate better internal and external collaboration in research. Better ways to track progress of purchases and products being generated. Purchasing supplies with purchase credit cards is perhaps our most inefficient and time consuming process.	Increase funding to Engineering Technical Support Centers, which connect latest research with those solving problems in regions, states, tribes, communities and private sector. Much good has been done and much more could be done to resolve problems via this route. We need to increase opportunities for collaboration across the board.	Increase funding to Engineering Technical Support Centers, which connect latest research with those solving problems in regions, states, tribes, communities and private sector.	Establish a performance metric for rules and regulations, if not met in certain time period, rule or regulation self cancels and is reevaluated.	PCs and network.	Improve opportunities for interagency agreements and agreements to jointly pursue research needs with states.

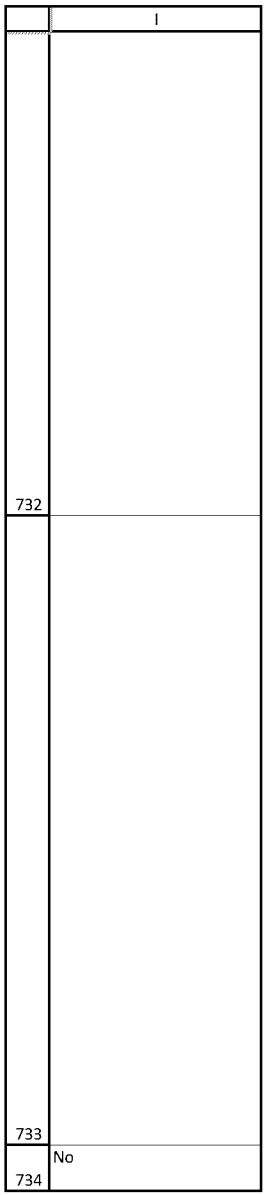
AMERICAN OVERSIGHT

	I
730	
731	LEAN efforts attempt to prioritize and work toward improving processes for efficiency. Some work to provide tools to those generating products by streamlining steps.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
732	731	5/9/2017	Reduce number of fire drills, particularly those that are driven by arbitrary media request deadlines. Prioritize "controls" so that important work is not pushed to the side to response to a second grade class that wrote a letter to the administrator. Consult with OGC to remove EPA practice of responding to every public rulemaking comment in a response-to-comments document. The law says that major comments should be addressed and this is already done in the preamble. What is the legal requirement/value of a response-to-comment document? I would argue very little.	Focus on statutory requirements: ask program offices and regions to clearly segregate activities into three buckets: what is required by statute, what is explicitly authorised by statute; what is implicitly authorised by statute (voluntary work, e.g., WaterSense, waste min programs) . Change funding so that Congress, OCFO can more clearly see resources devoted to required work vs. resources devoted to voluntary work - as long as funding is mixed together, EPA managers (career and political) have discretion to fund voluntary projects over required work.	Focus on programs implemented by EPA directly; by focusing on statutory work, EPA should be able to provide better customer service. Increase grants to states as you decrease funding for voluntary EPA programs - if you want to keep funding flat. Make an effort to prioritise projects based on risk: what exposures pose the greatest risk to the greatest number of people? This may skew efforts to air rather than Superfund/water but there may be elements of risk we are missing.	Focus on regulatory clarity (make a push to finalize all draft guidance!) and enforcement (especially at federal facilities). We have a lot of regs on the books, and we probably devote half of our resources to updating, maintaining and creating new regs while the other have goes to actually implementing the ones we have.	Focus on monitoring, remote sensing, citizen science initiatives, etc. to act as screening tools for compliance and enforcement work. Also use these tools to gather better data, rather than relaying on models. Need a robust monitoring network across all media to inform EPA's work. "Regulation through information" - motto of TRI program - could be focus of this admin.	
733	732	5/9/2017	Using the government purchase card requires more steps than seems necessary. There are paper requests to be completed and routed to at least 2 levels often 3. The purchase card approver has to sign, the office director has to sign, the forms then needs concurrence from a funding person. Once all signatures and approvals are collected the order is placed, someone other than the purchase card holder must acknowledge receipt. Once this is completed information must be entered into an web based program,PNet, which requires uploading documents the administrative burden is seemingly endless.Cut out the funding person we have a budget and the office director should be able to make these decisions.Cut out the 3rd party verifier, these are by definition micro purchases so why all of the oversight. Develop one form for record keeping and accountability. Training forms ,SF182, are too complicated and require more			Yes, our agency is overrun with poor and non functioning employees. We all know who they are and where they are. It's ridiculous that the American public is paying salaries for these people. Managers are hampered by Labor Employee Relations and bargaining unions. These reprobates are a black eye on this agency and America. Whittle down the process, reduce the documenting burden, give a strict deadline for improvement. Labor and Employee relations needs a deadline also to provide managers with what they need to fire non functioning employees. Also why the separation of performance and conduct? An employees conduct is as important as their performance. Though they may do a good job but	There are still issues with the automated time and attendance. Employees have a deadline to enter their time into the PeoplePlus time and attendance system. Managers have a deadline for approving the time entered. These deadlines are frequently missed by both entities. The OCFO and OARM are working together to initiate an upgrade to the PeoplePlus system. However the upgrade has issues. Time approvers have always had a secondary approver.. The new iteration of PeoplePlus is going to place a huge burden on several in the time entry and time approval chain by requiring someone in this chain to choose a different approver electronically when the primary approver is not available. This is risky and could lead to numerous	
734	733	5/9/2017	None	Collaboration	Quality Control over these matters	No	Not sure!	Quality Control and Collaboration

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
735	734	5/9/2017	Procurement Policies need immediate review and revisions. Procurement bureaucracy, red tape, archaic policies are just ridiculous and add tremendous overhead costs to the agency and federal government. The current procurement IT system (EAS) is terrible and we pay millions of dollars to keep and maintain this piece of junk each year.....REPLACE it with a modern system.....this system is no better than what I used 35 years ago!!	Partner with an IT provider for a best-in-class procurement system!!		Revise and update the procurement processes, systems, policies, and guidelines.	A New procurement system!	Shared services concept for business functions.
736	735	5/9/2017				Call back the senior staff, mostly SES and some GS-15s, that are on extended developmental assignments or reassigned to liaison or special projects positions. Quit moving staff into these types of luxury positions when they are not working out in the position they have. Examples -- **[REDACTED B6]** is on a two year developmental assignment to **[REDACTED B6]** is now the EPA liaison to **[REDACTED B6],** and **[REDACTED B6]** is now the liaison to **[REDACTED B6]**. It is very costly and inefficient to move people out of these high paying position and replace them with another high paying staff.		

AMERICAN OVERSIGHT

	I
735	Shared services concept for business functions. Why does the EPA need 4 or 5 procurement offices?
736	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
737	736	5/9/2017		Involve the stakeholders in the process early on. Get their feedback via town halls early before finalization of economically significant rules.	Involve the stakeholders in the process early on. Get their feedback via town halls early before finalization of economically significant rules. Have field trips to stakeholders.	Cost Savings Ideas ???Regulations: Have an Analytic Blueprint early in the process of the project that anticipates challenges, budget across years and has sign off from managers and project lead. ???Training: Encourage the online e-learning site and the books on the site for career advancement training. ???Promote detail assignments to help expand staff skills and experience. ???Come up with better way to transition retired staff knowledge to those remaining in the Agency. Perhaps require 1 or more months of mentoring from retiring staff to those staying at the Agency. ???Do cost efficiency analysis and continue to do LEAN analysis to find ways to		
738	737	5/9/2017	From where I sit it is the absence of an organizational structure that is preventing not just me, but EPA from operating more efficiently and effectively. EPA needs to develop a portfolio governance structure. This is a structure that would be charged with identifying, prioritizing, selecting and assigning resources to the Agency's most important performance improvement projects. The focus, actions and measures by which to evaluate and gauge this structure's efforts would be driven by the Agency's strategic objectives and administrator's priorities. To establish such a thing will not be an easy task to undertake.		Look for real duplication of efforts or apparent duplication and challenge it by asking, why. By way of example the process for approving the importing of hazardous material is ostensibly duplicative. There are three major steps to the process and two are reviews. The first review is done at HQ and the second review is done at a Region. The final determination on whether or not to consent to the request for import is made back at HQ. Now this process has not been looked at deeply to determine if there is true duplicative effort occurring, but there is enough on the surface to go digging and if it is found to eliminate it. If there is duplication and it's removed it will save time and thereby improve the customer experience in dealing with the Agency.	Hire more experienced Process Improvement personnel.		

AMERICAN OVERSIGHT

	I
737	
738	See Q1.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
739	738	5/9/2017	Over the past several years, the burden for information reporting to EPA headquarters OEM has become burdensome. When OSCs are deployed for smaller responses, OEM requires lots of information and asks questions which influence regional management decisions sometimes harming the relationship with states. Two examples: First, OEM spot reports involve a GS-13 or GS-14 writing reports about an ERNS report the Region has already written. Often, information we have already provided to our regional stakeholders (i.e. states and tribes), is now unnecessarily duplicated. Second, OEM now requires regions to verify that downstream notification have been made under a number of circumstances. This include for any response in which an OSC has been mobilized. In many cases, the OSC may be mobilized at the request of the state for something small, however it may be unnecessary to make downstream notifications due to the amount of material released so the state may choose not to make this	We need to be more customer service focused. Our customers are states, tribes and local communities, and sometimes the private sector. When an OSC is sent to a response, he or she should be partnering with industry and the state to help minimize environmental impact, prevent breaches in law and reduce fines from the state and federal government. OSC???s don???t write tickets or fine anyone. Often we are not viewed as a threat. However, many times during an emergency response, other EPA offices or headquarters become involved and disrupt the response. Often, there are fines or additional requirements such as downstream notifications, or questions received from EPA headquarters that send the OSC on an information collection errand. This makes EPA difficult to work with. State and private sector entities have slowly	Each of our states is different. Some want EPA to be there emergency response program. Some want EPA to supplement their existing emergency response resources. Some states don???t want us there at all. We need to learn what each state wants and incorporate it into our emergency response strategy for that state. Each Regions Emergency Response program already has a relationship with each state and knows what each state wants and needs. We just need to be able to response to each state in a fashion that suits them, not in a fashion that looks consistent to OEM.	We unnecessarily increase costs by duplicating efforts in EPA Headquarters Emergency Response program or by working on projects which are unrelated to our environmental statutes. Several examples are as follows: 1) There is already an abundance of Regional Oversite. Now EPA Headquarters OEM is now providing oversite and writing reports about the reports the regions write. This is a duplication of efforts and often, many of the information request drills we get from EPA OEM increase our project costs, which sometimes end up going through cost recovery. Additionally, there are examples of EPA OEM staff attempting to charge to regional projects and accounts. 2) There is	Currently, our emergency responders do not take their vehicles home while on call. There are many examples where this has added 3 to 4 hours to our response time. These examples are often in instances where states have requested our assistance to protect human health, i.e. when there is a chemical fire near a neighborhood and residents or fire fighters are being exposed to smoke. State can???t understand why we take so long to respond. SOLUTION: Allow EPA OSCs who are on call to park their emergency response vehicles at their residence. This is common practice for other emergency response organizations.	Over the past decade we ramped up homeland security funding and spending at EPA, yet we have very little direct homeland security responsibility. In a real-world homeland security event, we would defer to FBI, Department of Homeland Security or other federal agencies and assume cleanup responsibility after they have performed their investigation and released the Site. There are numerous real-world examples where this has happened. EPA does not make homeland security decisions. We???ve given out hundreds of expensive security clearances to OSC???s and other EPA staff who do not, and never will
740	739	5/9/2017	Frankly speaking, we don't need two section chiefs (level 14) under branch director (level 15). Branch director should know well the branch business well, and most of time, the regular employees doing the work handed out from section chief. Two section chiefs cost six figures each, you would save a lot from cut them off.					

AMERICAN OVERSIGHT

	I
739	Many organization base promotions and performance on work ethic, skills and professional standing. At EPA, these things seem to be based on seniority and personal relationships. We continuously reward the people who have hung around in a job for the longest. These are rarely the people who have the best skill set or serve the agency in the best way. There are no incentives for doing things efficiently and saving money. Because of this, many senior EPA employees make only a marginal effort to conserve resources. If I can do a project for $20,000 that a senior engineer could do for $30,000, isn???t that worth make note of. No one
740	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
741	740	5/9/2017	Eliminate the Office of Research & Development's (ORD's) Office of Administration and Research Support (OARS). This reorganization was implemented in 2009. The idea was to reduce the administrative burden by consolidating budget, human resources, travel, and contract services. Job functions were pulled from remote locations and given to others thousands of miles away leaving sites with inefficient and inadequate administrative support, and highly compensated supervisors were left with very few (~<5) direct reports. Bottom line is it proved to be nothing more than a power grab and an excuse to raise the grade of many employees. No staff positions were eliminated--only moved around on paper without a clear distinction in job functions and pay grades with the administrative burden falling on the scientific community.			Remote sites once ran like well-oiled machines, but once OARS stood up, that totally disappeared. Scientists who were once able to concentrate on science are now performing more administrative-type duties. Give remotes back their purchasing agents, travel functions (SEE employee), budget, and contract specialists. Return obligational authority to a select number of Funds Control Officers. Appears contractors have more rights and system permissions than do Feds who are more knowledgeable of what needs to be accomplished.	Reduce the number of systems that do basically the same thing or nothing at all--namely, ORD's Purchase Card System. Highly paid scientists are having to do more functions that were originally done by lesser paid administrative staff, such as placing orders and completing and revising bank card forms or purchase orders.	
742	741	5/9/2017	Place more FTE in the critical "money spending areas" such as Contracting for oversight of contractors performance, stricter compliance with contracts, less change orders, invoice approvals are performed correctly, timely closeout of contracts (ties money up). With the current staff we have nationwide, this area is getting neglected. Hire out (a Contractor) for Close-out activities if no FTE available.	Better results with Private Sector - increased emphasis on building performance based incentives and disincentives. Currently by policy only, Contracting Officers are discouraged from placing disincentives in contracts and are not trained enough to include liquidated damages (i.e. if contractor delays entire project, no remedy, just deal with it by other means). More training, more models of performance based Quality Assurance Surveillance Plans etc..	We do a good job here! We are sensitive, good listeners, and make others feel important. I see it everyday and I'm amazed at how EPA personnel will bend over backwards to help folks.	Aside from true emergencies, negotiate all work across the national contracts: Superfund Technical Assistance Response Team (START Contract) (the contract that mostly assesses the site for EPA and also, although no one will say it formally, supplements our workforce) and the Emergency Rapid Response Service (ERRS Contract), the construction contract. These contracts are HIGH dollar contracts. They are currently set-up to essentially issue what EPA (poorly trained cost estimators) estimates the costs (always high 20-30%). A not-to-exceed cost ceiling is given to the contractor to do the work. If we change that and now ask the contractor to propose their costs, I strongly believe it will	We are one of the few agencies whose financial system (called Compass) and contracts system (called EAS) are separated. The amount of lost man-hours trying to make this process work is highly inefficient. Although, this would require up front costs. You could start with making it easier for Contracting Officers to move money around within EAS. Also keep a close eye on the EAS Contractor. For every change, users go from two steps/buttons to at least 5-7 steps/buttons to accomplish same task and thus, increasing the complexity of the system, with little value to the Agency. Ask them to reduce the number of buttons for example to place an attachment in the system (currently takes 3-4!).	No response.

AMERICAN OVERSIGHT

	I
741	.
742	Our personnel time tracking process is ridiculous (3 systems must be utilized to get one picture of 2 week work period- People Plus, DFS, and Lotus Notes for specific leave requests). They say its coming, its going to get better, its been 8 years for me. I spend too much time trying to make sure each system matches the next.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
743	742	5/9/2017					Providing EPA employees with dual monitors would facilitate more efficient and effective review and analysis of documents and data.	
744	743	5/9/2017	We switched from WebForms to PeoplePlus for absence requests, but for individuals on a credit hours schedule, the system doesn't transfer absence requests to the timecard. I spend a ridiculous amount of time instructing staff to amend timecards to match leave slips or vice versa. I would make the system work for all types of schedules.	Hold states more accountable. We currently give states broad latitude and don't hold them accountable for high-quality work plans or for producing results in reasonable amounts of time with reasonable amounts of taxpayer money.	Increase staffing levels for Project Officers administering grants and technical assistance (especially Cooperative Agreements) to approach the levels recommended in the LMI Workload Model done by the Agency several years ago. The LMI Model suggested my group should have 47 Project Officers. I have 14. We don't have the time to both effectively administer a grant program and also provide high-quality customer service and technical support.	No. I think we are doing the best we can with the limited resources we have, and it isn't enough - our responsibilities to tribes and environmental justice communities and trust territories falls far behind.	Improve timekeeping and administrative processes and improve IGMS, so we can spend more time working and less time filing paperwork preparing to work.	Largely we cannot. Even if we could, if we were to shift away from things we were doing expecting that other agencies would pick up those same tasks, we would find that they already have plans for their own appropriations that don't include our great ideas about what else they could be doing. We have been burned on this topic several times in the past decade.
745	744	5/9/2017	Great Lakes office often does "duplication of efforts" jobs (water issues are handled in Water Division in R5 and other issues are duplicative to the Land and Chemicals Division's positions). Elimination of that office will result in savings to many unnecessary managers positions and will actually make better consistency in the similar procedures. (R5). International (Canadian) cooperation can be handled by 2 positions for International cooperation's (barely busy) in RAO, that are also outside of the Great Lakes Office.	More should be handled by regions and less from HQs - regions do understand local uniqueness better and can implement programs better than someone from HQ who has to travel and spend more $$ to become familiar with states, tribes and locals. That will eliminate extra steps of planning and assessments by HQs, that takes time from real work in regions. Simple HQs involvement could be done through web control via databases, etc. Some programs do not need HQs participation at all - will shrink the size of HQs and their huge compensations for lot of duplication and extra layers of control.	Creating volunteer consortium for each area of concern/program and working together to address it (will cover more than doing it from their individual points of interest). People like to be a part of something bigger than them alone, plus it serves as an educational bonus.	Limiting positions that are merit promotions due to years of service but absence of specialized educations. Some with only HS diploma working 20 years claim that they can be a Technical specialist is absurd. Job is done by others (educated professionals) who are assigned by managers to help/review and implement projects on behalf of the "long timers" anyway. That takes time from work assigned to professionals and makes them not happy at work (you do all work, but after years of college, repayment of educational loans and the same grades with the ones you do work for - they get no recognition and watch people they helping get awarded). Technical and scientific positions should not be	Many US Agencies and Departments have same area of interests with EPA. Sharing technical models from NOOA, DOA, DOE, Coast Guard and others can eliminate a need in similar models development. Interagency cooperation is the way of future savings and gains in efficiency. If EPA's few emergency responders need training that exists in Los Alamos Nat. Lab - it is less expensive to be train there, it should be doable.	By making one agency responsible for each need. For Example: FIFRA program could be described as "too many cooks spoil the broth" - done by EPA, Dep. of Agriculture and Departments of Health and each state in US with their multiple departments. Lots of duplication and far from perfect. Should be under one agency for better results.

AMERICAN OVERSIGHT

	I
743	
744	Yes, but to reveal them here would compromise the anonymity of my survey. Perhaps solicit them in a separate query, so that answers there couldn't be traced back to answers here?
745	Decrease all level supervisors and assign more people to each. It is insane to have 3 managers in one branch with 7 employees !!! Plus one adm. assistant !!!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
746	745	5/9/2017	It's hard to feel motivated when your very existence is challenged. I have worked for EPA for 30 years. I was hired during the Reagan administration and I have never felt so attacked.	I think there are many under served communities where industries park there pollution machines because they know that no one is paying attention.	Information feeds and informs customers and communities - the more information the Agency shares about resources better. Secrets and dishonesty kills.	Youth is the future. Many young people are interested in protecting Human Health and the Environment but we seem to have limited opportunities for them to get involved.	We have been too focused on survival to entertain new technologies. Advancements is technology use and applications often come when employees feel motivated and not terrified.	This administration only seems interested in destroying our interest and mission.
747	746	5/9/2017	FPPS and Sunflower are two systems that are very difficult to navigate and inefficient. Both these systems need significant improvements to be more user friendly.				Better technology. Computers are not efficient and don't have enough computing power to get most of our data intensive analyses. Current computer contracts make it difficult to purchase additional desktop machines when more computing power is needed, but at intermittent times.	
748	747	5/9/2017	Too many layers in management. In my office, things get bogged in the management chain often and as a trend there's not been accountability to correct this. Also, the lack of effective management. Correction is to install effective leaders and managers.	No comment.	We can provide better customer service at large by listening to our customers, understanding relevant regulations, providing a timely response that's in line with regulations while having a culture of government that supports the health and welfare of the people and encourages business growth and development.	Absolutely! Continuing a VERA/VSIP for employees in FY2018 to encourage transitions and allow for faster and deeper restructuring of the Agency.	Someone should be actively exploring, analyzing and adjusting the Feds approach to utilizing appropriate, productive, effective enterprise technologies.	Without rich awareness of other Agency's responsibilities, I recommend loose consolidation of duplicative functions, like travel, time card management, supply ordering, etc. where a phone call is made to a customer service center to complete these tasks and employees could focus more on mission critical work. Our successful modeling of this could be mirrored, as appropriate in the States, likewise, if a state is successful at this now, the Feds should mirror this process that's being done in the States.

AMERICAN OVERSIGHT

	I
746	EPA use to be one of the 10 ten federal agencies to work for. Since that is no longer the case I guess we could start by building morale and trust.
747	
748	no comment

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
749	748	5/9/2017				At EPA we have a habit of duplicating services. Everyone is expected to produce, travel, PR even when it is only done one or twice a year. This is a major loss of time, since doing a travel or PR once or twice a year, has a major learning curve every time you do the task.		OEI went though a reorganization at the end of the last administration that took functions in one office, and split then in into 2 or more offices. The reorganization should be cancelled in an effort to save funds. and streamline OEI. With the new additional offices each is duplicating services, budget, timekeepers, SES and additional supervisors. Also, OEI is expecting to spend 1 0f thousands of dollars to move people even though most employees work out of the office 2 days a week and have at least once compressed day.
750	749	5/9/2017	It can take almost a year to hire someone from outside of the Agency, from the time the approving official signs off on the hiring action to the time the new employee can begin work. Currently HR tracks time-to-hire, but does not include this entire time period in their metric. We should look at how long each step is taking within that time and streamline each step. It is not this bad at other federal agencies so OPM rules cannot be wholly responsible for the problem. We are losing good candidates during the security clearance step especially given how long it can take. Every single time an employee wants to take training, a form must be filled out and then sent to a single person in OARM. I am not aware they collect data for any purpose or review forms for any reason. This is an unnecessary bottleneck that prevents employees from taking advantage of last-minute training opportunities and wastes resources.	We could do a better job of listening to the public and communities about their needs and prioritizing their needs. At a minimum, we should have a website where the public can communicate their needs to the agency.	We need one-stop shopping for each customer base. A State should be able to talk to one person about all of their pending approvals. An industry person should be able to learn about all of the requirements they must meet in one place.		Currently when you call EZTech for help with a computer hardware or software issue, a ticket is created. That ticket is ???closed??Â at the end of the interaction whether or not your problem was resolved, and the contractor can count that interaction as a success. The performance metrics for computer support should track not just whether a ticket is closed, but also whether a problem was resolved in the employee???s opinion. Otherwise there is no incentive for persistence in solving difficult problems. For employees who travel or work in the field, ipads can be invaluable ??? but we have to let them on our network. Otherwise employees waste time	We should evaluate the overlap of OSRE, OFA and Superfund and consolidate efforts. We should evaluate the overlap of OHS and OLEM's emergency response work and consolidate efforts.

AMERICAN OVERSIGHT

	I
749	
750	The IT available to GSA employees (hardware and software) is far superior to that at EPA, and may even be delivered at a lower cost. It allows employees to do their jobs more effectively and efficiently. Could we just buy in to whatever contract they use?

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
751	750	5/9/2017	At this point, I think we have the opposite problem: People are acting as if we are essentially on auto-pilot because the Executive branch is managing neither the budget nor people's time. Contracts using FY2016 funds have finally been issued, so people are starting to spend FY2017 to achieve objectives that seem to have been defined by the last administration. Reasonable people and cooler heads seem to have relatively little influence at the staff level. There are modest Bush-era ideas and programs that could be resurrected, but instead we persist with Obama-era policies because the new Administration has made no effort to engage people, and staff are afraid to speak up because the new administration will just kill their program.	There are a lot of people at EPA with environmental expertise to assist many programs. If you want to downsize certain offices, you might want to let some of the EPA employees at those offices seek out other offices--and take their slot with them. For example, if the climate program is downsized, why demoralize the staff which will cause them to be unproductive and waste resources? Instead, empower them to find other offices where their skills are valued, take their slots, and get something useful done? (The slot could revert to the original office or vanish when they leave the agency.)		The phased-retirement program defined by statute and OPM regulations is not being effectively implemented by EPA, whose HR department has chosen to follow a narrow interpretation of the program so as to ensure that it is not used by anyone who was not about to retire anyway. If broadly construed, the OPM regulations would allow anyone eligible for retirement, to convert to half-time until they are ready to retire. That would free up many FTE's as there are people who would like to start up businesses or move to a new field but stay with EPA half time until the new activity is up and running . That is, phased retirement could be structured so as to encourage people who		In the climate change area, the first step is that the new management of EPA needs to engage everybody to try to learn what staff might be able to do consistent with Administration preferences. There are lots of Bush-era activities in OAR that were cancelled under Obama that could be reasonably resurrected, if management solicited such ideas. The French political term "cohabitation" comes to mind. Perhaps you did not wish to have a staff of climate-change analysts, but you have one. Why not engage them to see what they can do that--from your perspective--will seem the most constructive.
752	751	5/9/2017	Well, actually, I have found that the major employee cuts and loss of administrative staff positions in favor of requiring employees to book their own travel on Concur (or the program of the day) or do all of their own paralegal tasks like setting up and managing litigation holds or document management that have been done based on supposed cost savings and efficiency have actually made these tasks MORE time intensive and inefficient. Given that I make considerably more than the travel agents, legal assistants, and paralegals we used to have (and that DOJ still uses), I remain convinced that this is actually costing the agency more money in terms of how my time is spent than it did when we had more administrative staff. For example, every time I have to use Concur, I am basically starting from scratch because I only travel intermittently. It is a horrible program that everyone hates and as a result it takes me considerably more time to book a trip and then to file all the	Personally, I have found that we have very good relationships with the States as we routinely consult them early on and try to encourage their participation in our negotiations. I have no experience with Tribes on this, but if we are not already doing this, we should. I do think we do not do enough to involve local community groups in our enforcement and compliance work unless they have either filed a complaint or otherwise reach out to us on cases they find out about, and I do think we would be well served to have one of the steps of our early enforcement process to look into involving local government or community groups. As for the private sector, we would do well to revive the New Owner Audit Initiative, which waived gravity penalty for any company coming in to do a	I think our advocacy commissions do a pretty good job of this and I would keep and enhance them with more publication and outreach about their existence as well as doing more to incorporate their recommendations into our work.	Frankly, we have had so many cuts over the last 12 years that we are becoming inefficient for lack of personnel to do our jobs faster and environmental protection has, in my opinion, suffered because of it. We especially need more inspectors and more technical staff and we need whole teams of employees to handle all of our FOIA requests, as they significantly overwhelm our existing staff and prevent us from doing work to ensure environmental protection.	I do think we are already doing much of this in the compliance and enforcement context under the Next Gen program, but we lack major data storage and enhanced web capacity to help store, process, and publicly publish the data we receive so that they can hold us and the regulated community accountable. This is across all programs. I do think the major updates to ISIS and ECHO have been major steps forward.	As I understand it, we already have several inter-agency working groups by issue on this. I would continue to let them do their jobs rather than reinvent the wheel on this.

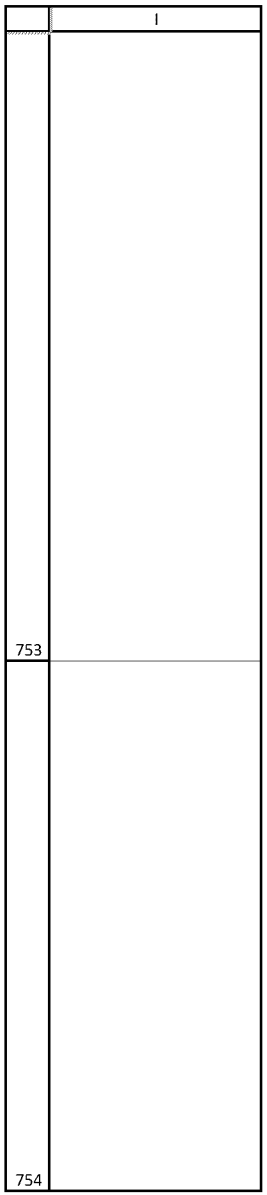
AMERICAN OVERSIGHT

	I
751	1. There need to be suggestion boxes at several levels of hierarchy--your level, the AA level, and the division level. 2. The Administrator must interact with EPA employees a lot more. It's really weird that he goes out and talks to workers of regulated industries but not his own employees. 3. I have never heard of a good corporate CEO who decided that because he wants to spin off a division, he will stop managing it for the next year and just let it bleed resources. But that is what you are doing. Resources are being wasted because FY16-17 and FY17-18 funds are being spent to carry out missions defined during the last administration which this Administration may well
752	Personally, we should align our CMS system with DOJ's so that we are able to pull documents at any time without having to have each individual working on a document pull their files. This should not be SharePoint based as SharePoint is a ridiculously inefficient system in my opinion. It also needs to be automated the way DOJ's system is so that you essentially have to take extra steps to create a document that is not automatically numbered and organized by case. This is long overdue, but every attempt to institute a CMS at EPA has been massively bungled and half-hearted. This would also make responding to FOIA requests far easier and may even allow it to be handled

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
753	752	5/9/2017	HR is short staffed and remote. Employees have to waste a lot of time trying to contact HR, waiting for HR to complete basic tasks, and following up when basic tasks are not completed. Ideally we would have local HR staff who are able to respond efficiently and effectively to our operational needs. Even if we can't have local HR staff, it would be helpful to have more HR staff so there is not such a backlog in the HR offices.		We are able to understand the needs of states and tribes, build better relationships, and provide better customer service when we are able to meet in person. Reducing restrictions on travel would allow us to meet in person and provide better customer service to states, tribes, local communities, and regulated parties.		Responding to FOIA requests is highly inefficient. With better software we could save large amounts of time and money on FOIA response. Specifically: - We need an up to date and fully functional version of Relativity (the current version has several limitations including: it does not deduplicate documents or identify email threads, the current version contains sorting and search features that can only be used by eDiscovery and not by EPA users, and the current version has limited capacity for redacting documents) - We need a searchable version of Microsoft Office (the search function on the current version is unreliable so employees cannot search their own email) - We need software that will	
754	753	5/9/2017	In my opinion there is nothing preventing or prohibiting an employee from doing their job efficiently and effectively. In my time at EPA I have experienced miss-management, a lack of integrity by management, a lack of fiscal responsibility, and many other issues that have been made public by media, the public, the courts, and the legislature. So everyone knows what the issues are however the challenge has been how do we go from business as usual to breakthrough. I would recommend that leadership read the following article and apply it. Change starts at the top. https://hbr.org/2016/03/the-most-important-leadership-competencies-according-to-leaders-around-the-world	I have had very effective relationships with all stakeholders. The key to those relationships have been 1) clearly articulating the purpose, 2) ensuring that all critical parties are at the table and have all the information, 3) the location of the communication is neutral, 4) the tone of the conversations (orally or written) are appropriate and solution driven, 5) the timing of the conversations and engagement are good, and 6) the one always follows up on commitment and show appreciation. I believe whatever the topic is (science, law, or policy) results can be achieved using this steps I stated above.	early, often, and honest engagement.	Yes. I think there are many EPA employees that would be willing to step forward and make changes. However, one must start at the leadership and make them lead/manage.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
755	754	5/9/2017	Although the PeoplePlus system has improved recently, it still needs many additional improvements to functions smoothly. For example, if one of my staff need to change their leave request that I have already approved, they need to send me an e-mail and then I need to go search for it in the system. The system should have a built-in function for staff to request an approved leave request be returned for modification/cancelation.	As a manager of a regional program, I continue to see the need for improved information systems and information exchange with our partners as key to getting better environmental results while reducing cost. Unfortunately, the hurdles at OEI are huge and there is little support for program staff to develop and improve systems. OEI and the IT staff in the agency appear to see their role as gatekeepers to assure everything meets info security policies, and they provide minimal support to programs needing to develop better systems to improve their capabilities. I think we need to focus future hiring on well rounded individuals with strong quantitative skills that can help improve systems. I also think we need to hire better contractors with specialized skills	This requires a cultural shift. We need to be less prescriptive when the issue only have localized impact . . . stay within regulatory boundaries. Issues such as brownfields sites, superfund site, RCRA sites typically only have localized impact, so EPA should look at ourselves as supporting the state, tribe (if applicable) and/or local community. State and local environmental programs have evolved tremendously in the past 40 years, and we need to defer to State/Local/Tribal programs and policies on localized issues and support these programs technically and financially. However, if the environmental issue has cross regulatory border issues, then there is a greater role for EPA to assure minimum standards are met, and assure local values are considered.	I have worked at EPA a long time. When I started at EPA, there seemed to be more people coming into work on a Saturday than the number of people now coming in on a Friday. The expansion of the alternative work schedule, flexiplace, and travel comp time policies have definitely made managing staff and maintaining a cohesive team more difficult. Much of the work we do in the agency is not tremendously measureable, so the increased flexibility has definitely enabled the poor performers to get away with doing even less.	Much better use of information technology tools. We have invested in software such as SharePoint, but very few people have learned how to use the tools we have in our tool chest.	I think we could work more with Agencies like the Army Corp of Engineers. For example, the EPA contracting bureaucracy is not great. The Corp does a lot of contracting. I think EPA could form stronger partnerships with the Corp.
756	755	5/9/2017	Currently the most inefficient thing my staff and I are having to do is get "pre-clearance" screening from new Administration for routine work such as proposing approval of SIP actions and proposing permit actions. This process has caused 2-4 week delays in routine business. We need to get back to the EPA's existing delegations and allow the Regions to process the routine work they do without micro-management. We know how to flag major issues or keep the new Administration in the loop if they high level issues of concern that they want to be consulted on. We are professionals.	EPA staff already works extremely well with States and industry especially when "political agendas" are minimized or there if there are no significant differences in "rule of law" interpretations. Often the biggest obstacle we face is resolution on "rule of law" issues....sometimes this means we and the State agree and industry disagrees; sometimes we and a State disagree. The States and industry are not always right, and EPA is not always right.....its simply a fact of doing business. We've even had State environmental staff and managers ask us to disapprove their work so that they can get a better environmental result where they believe politics sideswiped the permit development or rulemaking process. Best idea is keep politics and political agendas outside the regulatory and permitting arena....including	Stop fabricating the notion that this is a major issue is my main input. I do believe the Agency can do more upfront work with stakeholders when rules or rulemaking changes are deemed necessary. Probably one of the biggest complaints we routinely face is tied to our commitment to work with States where we believe they should have the first opportunity to address citizen complaints. Many citizens complain to EPA about the States' unresponsiveness to their complaints and come to EPA as a 'last" resort hoping EPA will step in. States have to be just as committed to resolving and investigating citizen complaints, or to carrying out the roles their responsible to implementing based on Federal authorizations/approvals.	Move EPA's entire record management system from hardcopy to electronic file maintenance. Too many times individual program offices have to create their own "quasi" electronic file maintenance or recordkeeping system in lieu of generating paper records. Moving the Agency to electronic files would assist in cutting down on our time to process FOIAs as well.....the problem has always been budgetary funding for this movement. We're in the dark ages with respect to electronic records. Everything should be done electronically.....permits, SIP submittal and processing, grants, FOIAs, upload portals for States to send information to EPA, etc..	Its not so much new technology, but using what's available and funding the use. Use of SharePoint to maximum extent by staff and management for file sharing/work reviews. Use PKI digital signature process. Full digitize document management and make searchable for staff. Electronic file management system.	This is not an issue.....this is a very "fake" and "fabricated" issue. We already do this extremely well....its just that disagreements get media attention. Most good news stories go unreported.

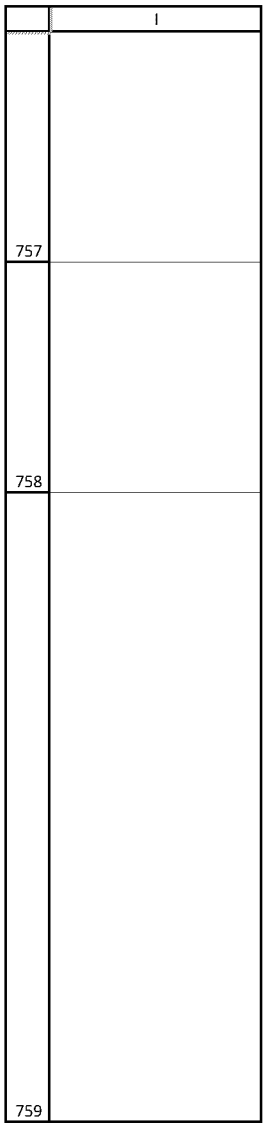
AMERICAN OVERSIGHT

	I
755	I think it all comes down to leadership, setting expectations, and acknowledging accomplishments. Leaders need to lead by example. Teams with good leaders are more likely to be productive and engaged. Leaders need to know what people down in the trenches are doing. In high school, I had an administrative job in a publishing company of about 150 people. The president of the company routinely walked around and checked in on the work people were doing. He even chatted briefly with me on occasion. Leadership in my region is ok, but is somewhat out of touch. IMO, HQ management not adequately in touch with
756	EPA Region 6 Air Program has moved to electronic concurrence of SIPs and permits, and digital PKI signature of SIP documents. This has cut our wait time to publish proposed actions on SIPs in the Federal Register. We have also move to electronic public notice platform of proposed permits where we are the primary permitting authority.....this was an effort worked on jointly by R.6 and other Regions. We rarely have to pay for newspaper public notices at this point which saves EPA and taxpayers money for publication costs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
757	756	5/9/2017	lack of interoperability between People Plus, webforms and the continued use of LotusNotes for certain tasks.	Creating more of a culture where we (EPA) insist that states and tribes perform duties within their own mandate rather than run to EPA whenever their particular jurisdiction isn't financially or technically capable of implementing their own programs.	see answer to Q.2	Reduce feel good programs, focus on the core business. Get serious about a system that tracks employee workweek/accountability.		
758	757	5/9/2017	lack of interoperability between People Plus, webforms and the continued use of LotusNotes for certain tasks.	Creating more of a culture where we (EPA) insist that states and tribes perform duties within their own mandate rather than run to EPA whenever their particular jurisdiction isn't financially or technically capable of implementing their own programs.	see answer to Q.2	Reduce feel good programs, focus on the core business. Get serious about a system that tracks employee workweek/accountability.		
759	758	5/9/2017	The sheer number of annual mandatory electronic training requirements has become ridiculous. If you multiply that number across the Agency and across government in general, the amount of wasted employee time is enormous. Things like ethics training, travel card training, tribal training, hatch act training, computer security training, etc. It does NOT all need to be annual. We are either bound by ethics regs or we are not, and if someone breaks them, they should be held accountable. Additionally, our electronic systems such as Concur, People Plus, FPPS (for personnel), etc. are purportedly to make things more efficient. I believe most individuals would tell you things are much less efficient than if we went back to the stone ages of paper signatures. In addition to being burdensome, they are designed with the end user (let's say a travel accounting person) in mind, with the user (traveler) interface not at all user friendly, and often counterintuitive. This is exacerbated by then centralizing functions so that there is no longer a	Stop all the rhetoric on both sides. Industry is not evil and environmentalists are not delusional tree huggers. We need everyone in the room.		Our legal resources (OGC, OECA and Regional Counsels) have been set up with leadership that knows the law, but has never been asked to or trained to manage. Therefore, while a legal manager could talk the ins and outs of the clean air act with you ad nauseum, they have no idea how to run an office, work with internal or external customers, motivate employees, manage work flow, etc. Additionally, the norm has become that they no longer see themselves as advisors, but rather instructors/final decision makers. I would strongly suggest placing individuals high in these management chains with some level of management experience (maybe someone with an MBA or MPA) to help them		Be careful here. We took the FPPS system from another agency so they could run some of it for us, and it is horrific. We 'centralized' the personnel functions into the abject failure that we call the shared service centers. I can attest to the fact that managers are spending (wasting) two and three times the hours trying to get a single thing accomplished through a shared service center than it ever took before.

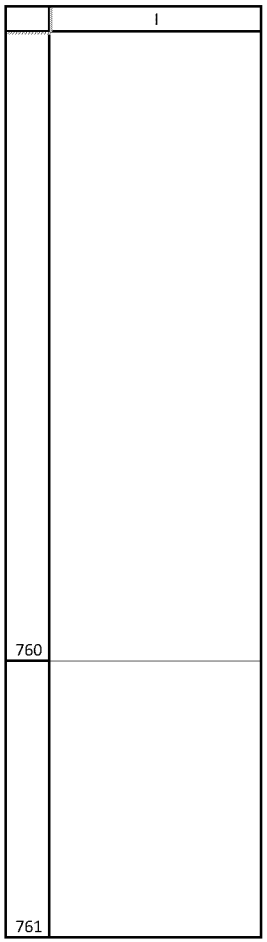
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
760	759	5/9/2017	1. Go back to having timecards due AFTER the pay period has ended, with supervisor approval on Monday. Years ago, when we went from paper cards to online submittal and changed to timecards being approved on Monday, it was a great change which was touted as allowing us to dramatically reduce the number of correction cards (and was just plain more logical and practical). When we switched payroll processors awhile ago, the Agency went back to having timecards due before the pay period has ended, which causes me to have to submit (and my supervisor to approve) correction timecards for hours worked on Friday, which also leads to my leave or credit hour balances not being accurate. The last change also led to us being paid on Fridays, even though the official pay date is still the following Tuesday. If going back to approving time on Monday would cause us to get paid on our actual pay date instead of three days early, I don't see have that would be a problem.					
761	760	5/9/2017	The Response Action Frame work contracting process adds an unnecessary burden to the project managers, reduces our flexibility to fund work as priorities arise, and minimizes the number of sites each project manager can oversee at a given time. If it is possible, this program should be scrapped or adjusted to ensure maximum flexibility.	Encourage more interagency meetings and conferences so we get to know the stakeholders and understand their needs and capitalize on their expertise and proposed solutions.	More funding for community outreach work. There should be money directly allocated for Community involvement work instead of apportioned by the region from the general Superfund Budget.		IPADS and IPhones for work.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
762	761	5/9/2017	Administrative requirements seem to be burdensome in general, but they also ensure there???s a minimal amount of impropriety while maintaining accountability and fairness. Impartiality, public trust and equal voice all come with some overhead. That said, telework (although convenient for my family) needs to be revisited and pared back because trying to coordinate without meetings and virtually isn???t working as well as being in the office.	At the HQ level there seems to be very little interaction with states - this seems to occur predominately at the EPA regional level. The local communities (e.g. watch groups, water utilities, etc.) and private sector (via associations, e.g. AWWA), seem to have more interaction at the EPA HQ level. Individuals who get recognition and awards from states and associations should get bonuses or promotions (or at least be able to keep their jobs).	EPA used to have published ???Rules of Customer Service??Â. These need to be reincorporated, e.g. ???Return all phone calls by the next business day. Respond to all email within 2-3 business days. Respond to all written inquiries within 5-10 business days. Use proper titles and greetings. Use professional looking profile pictures while in business attire or none at all. etc.??Â	Contract out more IT services, for cloud computing for networking, storage and application services. E.g., move it from RTP and OEI to e.g. Seattle and Microsoft. More use of video conferencing when teleworking. Foster more robust dialog with industry and associations. It???d also be nice to see prisoners / corrections & communities cleaning up not just roadsides, but more along rail tracks and water ways ??? especially in the winter when missing vegetation & foliage makes everything unsightly. A national ???clean up your community day??? is needed, or if existing, it needs to be promoted better.	There is a race to be smart. Smart water, smart power, smart lighting, smart cities, smart cars, etc. Leverage data analytics, sensor technology and advanced metering (infrastructure) at the state and local levels to inform regulations, promote conservation and increase resiliency, e.g. for drinking water, air monitoring, farm runoff, etc. Also, GIS data with time and date stamps is under analyzed in almost every aspect of society (in my opinion).	Rotate staff to attend interagency meetings, and allow more staff to participate & co-chair working groups. Assign HQ staff to coordinate w/ specific regions AND specific states. Create more MOUs, MOAs, and IAGs with other departments and agencies. Formally rotate staff amongst more and other D/A for developmental career assignments at the HQ and regional levels.
763	762	5/9/2017	Some documents require up to 7 people to concur before it is signed. This could be reduced to 4 concurrences and not affect the quality of the document and would greatly speed up the process of doing our jobs.	Our regional office works directly with our stakeholders (state, local, tribes, and the private sector). We have asked them how we can assist them and have implemented those suggestions. Our state and local partners also ask for money, but with years of cut backs, we don't have any grant money to give them. Our state and local partners don't have the employees or funds to take on our program under delegation. They rely on us to enforcement the regulations.	We let them tell us what they need from us. We meet regularly with our partners and try to implement the ideas they provide to us. We have an open line of communication with them.	Yes, move people from Headquarters out to the regions. Headquarters is detached from our state, local, tribal, and private sector partners. The regions are the boots on the ground. There have been many times that a Headquarters person will ask us the put together a report and then mention it is on their PARS to get it done. They aren't doing the work. It's like they are making up things for us to do to justify their existence. I have known people who have done details at Headquarters and they confirmed that the number of employees there could be drastically reduced and it wouldn't impact the work EPA does at all. Many times, they pull or put together reports that are not accurate. The regions then have to spend time to figure	Please institute an electronic records keeping system. We have a way to preserve emails. Our records center takes hardcopy files. So, if a facility emails a lengthy report to me, I have to print it out to send it to the records center for preservation. They will take cd/dvd but prefer not to. Superfund has an electronic records keeping system. Can we expand it or some version of it to other programs?	We don't have any other federal agencies or states that do what my program does. The states, locals, and tribes don't have the people or money to take on delegation of the program. They have also expressed to us that they don't have any interest in doing so.

AMERICAN OVERSIGHT

	I
762	More citizen science, and training of agency employees, universities, and schools on citizen science. There also has to be balance in everything, oversight and trust that we are professionals dedicated to mission.
763	Use the Kaizen LEAN process to identify ways to improve efficiency and reduce costs. This is working really well in Region 7.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
764	763	5/9/2017	The process to make changes to the official Agency Financial System, Compass, or any system governed by OCFO's OTS is very inefficient. A ticket must be completed and if considered a system change instead of a bug, then another form must be prepared by the user. The change then goes through three separate committees to prioritize the change. Any committee can reject the change. Changes that are rejected will then rotate to the bottom of the list and the cycle will begin again. It seems more items are added yet little gets completed. If the issue actually makes it through the committees, it is then put on the developer's "to do" list. Sometimes it takes the developer less than two or three hours to make the change, yet it has taken months even years to get to that point.. Many employees have attempted to address concerns by complaining on various surveys, yet the process remains the same. We are told to do more with less, yet system changes that will make our jobs more efficient will take years, if					
765	764	5/9/2017	Having GS15s and 14s responsible for being Contract Officer Representatives or Project Officers. This responsibility should be a centralized function in each program office at the GS 11-13 level.	By funding partnerships instead of making them "other duties as assigned". Train program and project managers in developing partnership, EPA/State agreements, Inter-agency agreements, etc.	By seeking their feedback on the value and impact of our programs and project deliverables. Agreeing on strategic goals and objectives and then monitoring and measuring results in attaining them.	YES! Make buy-outs and early-outs available to all who are eligible and volunteer to take one. Buy-outs in the past have been restricted to specific job series. Why keep people working who voluntarily want to leave the Agency?	Yes; MS 10; SharePoint; more training on how to use EPA Cloud.	Task WH OSTP and NSC with preparing annual budget request memos so that research planning and budget processes are integrated instead of stove-piped as they are now.

AMERICAN OVERSIGHT

	I
764	
765	YES: universal access to employee benefits. Federal employee benefits and ethics rules discriminate against households led by domestic partners and/or couples in common law marriages. The U.S. is the only federal government that doesn't offer universal access to employee benefits. Canada, France, Japan, et al. and most large corporations provide benefits based on very broad definitions of eligible family members. Only the U.S. restricts access based on traditional family definitions (as amended by the Supreme Court decisions). OPM should broaden access to employees who are in domestic partnerships or com on law marriages (as recognized by the states

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
766	765	5/9/2017				I think the ethanol mandate should be cancelled. Including ethanol in gasoline reduces the efficiency (mpg) of internal combustion engines. E85 gets only ~70% of the mileage that pure gasoline gets. It diverts corn for food to use in gasoline increasing the cost of food. It requires more energy to produce than does petroleum.		
767	766	5/9/2017	1) In business timing is critical and it has been my hope for many years that Government would learn this simple lesson. Seems the way to 'fix' it is to continue to spend money rather than become efficient. Currently, the EPA Superfund program is undergoing a revamp of its contracting mechanisms due to former leadership that transferred to EPA Contracting from DOE then decided that we needed to 'fix' our contracting to be like that at DOE (if you take a look at our ethics or contracting training you will note that one, if not the largest cases of fraud and abuse ever prosecuted was through the DOE/USACE, Mr. Khan). The switch in contracting cost more as you have to pay money to build another type of contract and in this case train EPA project managers to now do more tasks that are of a contracting nature and not the actual 'cleanup' however a 'easy way out' is to utilize the USACE (for an overhead price and loss of some Site control issues and being vulnerable to the same type of scenario that Mr. Khan	Many times it comes down to EPA not saying simply there is no zero as a cleanup standard. States will demand you reach a cleanup goal for a contaminant that is lower than the federal level or they will not "sign off" on Site closure and thus take over Operations and Monitoring of a Site per agreements. Interestingly enough when the State is working on a non-NPL cleanup or has the Site lead for a NPL cleanup, they will waive for a higher standard for the same contaminant (EPA should be documenting these instances and using them in negotiations.... If it is good enough for a State cleanup or State led cleanup, why isn't it good enough for a EPA led cleanup). Note: EPA tends to pay for the State Superfund (other programs too) oversight personnel via agreements so that might present a bit of the reason for continuing to prolong sites.	IF provided budget then we can do work and provided that budget is in the provided in the Winter we can get better prices and accomplish more. In addition, we can gain more confidence from all parties as we can include them in planning (not just at the last minute for a project that may not happen because budget is late) and be able to notify the public in advance about what we plan to do rather the last minute because we finally got money and no just what projects of the list of things we can actually have budget to complete (last thing you want to do is tell the public all the design you have planned as you may not get any money to do work or enough money to get all the work done and that promotes a poor view of EPA and the State).	Besides those previously listed. You want to reduce personnel, okay. Find the portions of the Agency that have a finite work assignment and complete the task as when the job is done, the worker needs to find another job or retire. An Example: Take the worst Sites in the Country and clean them up and thus the need for personnel to do the job is no longer there. One does not backfill a job that is complete. Find the Sites that can be completed for the lowest dollar and start there and keep moving until you run out of Sites. As Sites are completed then you can use more of that budget to accelerate completion of the next level of Sites.	Apple. No desk phone and no desk computer.... everything mobile and synced (calendar on phone auto loads to your laptop and vice-versa... boss or any party can text you or send a calendar invite and it is on all your devices). Face-time for webinar/training/meetings. Having lots of tech and that tech not being compatible from device to device is an issue and you have less issues with the Apple operating system and virus problems. Want less Enforcement and keep a clean environment? Be where your customers are and help them with compliance and that means mobile tech (you can face time your supervisor if you need) but there is no replacement for being where the work is located.	Co-location of personnel into offices located near the State Government counter-parts. Example: I work in the Helena, Montana Office and my primary Site work is located 18 miles from the office (3.5 hours max travel distance to my other two Sites of responsibility), approximately 4 miles to my State counter-parts, and I work often with the Lewis & Clark County and the USFS both are located within 10 miles of this location. Don't want an EPA office here? Okay, co-locate me with the USFS for 3 days a week and Telecommute (work from home) 2 days a week (keep a local IT person though to service the staff you maintain in

AMERICAN OVERSIGHT

	I
766	
767	Be where your customer is located. If you want to sell cars in Omaha, why be located in Miami? Why be in Atlanta when your work is in South Florida? Why Denver when your work area of responsibility is in Utah or North Dakota? Big consolidated Regional Offices in the most expensive real-estate in the Country as a good business model? Paying staff more to live in those expensive places? See the "United States Environmental Protection Agency Region 10 Field Office Study dated November 2006 prepared by: **[REDACTED B6]** and Field Office Managers and Staff". By the way for Emergency Response personnel, IF you choose not to 'outpost' that is accepting a delayed or

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
768	767	5/9/2017	the only one that takes more time than it should it timekeeping. We are still working with 3 systems at R7	Continue to foreground collaborative partnerships where all actors are engaged and grapple together with tradeoffs for their community, and creating solutions collaboratively. The urban waters program is one such example.	Develop a cadre of highly skilled community engagement specialists who understand can implement the most collaborative end of the range of public engagement, including alternative dispute resolution and mediation. WIth the feds, states and tribes, the regulated community, and the public working together, so much more can be accomplished that actually works. However, it takes a commitment of people resources to do it right. Not a quick fix, and not partisan.	Fix the timekeeping system and rules for paper records and get our VPN more up to speed so we don't lose time when we are mobile. Add telecommuting to the list of allowable alternative work locations so that passenger vehicle and public transport time can be put to good use.	It's called google, gmail, dropbox, evernote. Please give us back our access to what works.	use the federal partnership model as a regular thing rather than an experiement. There are several to use as models, including urban waters. However, they can't be voluntary and need accountability to be built in, otherwise they become optional.
769	768	5/9/2017						Marine Corps Base Camp Lejeune in Jacksonville, NC has an Environmental Division which monitors and assesses the impact on the local environment due to base operations. It would be great for the US EPA to partner with the base so both could share their perspectives and experiences to lessen the bases' environmental footprint.
770	769	5/9/2017	There are several small offices within my AAship (OLEM) that have Divisions of 4 or 5 people. The general understanding is that Division Directors are supposed to supervise at least 15 people. There are currently three Division Directors in our office of 26, with 5 direct reports to the Office Director.	We should make sure that funding to sates, tribes, and communities are not cut. Many states rely on EPA funding to staff their environmental departments. Cleanup programs should be funded at adequate levels, because local governments and tribes often do not have the necessary resources to cleanup contamination, protecting their citizens from dangerous pollution.		I think that we should continue to pursue our policy of not fining companies that voluntarily acknowledge a spill or audit irregularity. By volunteering information such as that, they are reducing the amount of work on the Agency and are also proactively being good corporate citizens by protecting the environment and human health, not to mention avoiding fines that they would incur by not notifying us. We should publicize these companies when they do this.		

AMERICAN OVERSIGHT

	I
768	Already stated - better public engagement. The standards are set by the International Association of Public Participation and the National Coalition for Dialogue and Deliberation. Look at their spectrum of public engagement. It will not shock you that most government engagement is traditional and does not create solid lasting, collaborative solutions.
769	
770	Many state agencies allow inspectors to use electronic forms that are instantly transmitted to their offices. Not being in a program that does this, I'm not sure how common it is in the Agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
771	770	5/9/2017	Reduce the constant pressure in ORD and NERL to put out peer-reviewed scientific publications in prestigious journals at the expense of providing assistance and support to states and / or completing congressionally mandated work. The EPA should not be a place for scientists to advance their personal careers and agendas by pushing out publications. Although publications are important for maintaining the EPA's scientific credibility and expertise, it should not come at the expense of supporting the agency and it's clients (states, local communities, private sector, etc.). There are managers at various levels in ORD and NERL who push scientific publications, evaluate employees / divisions based on publication counts, or focus almost entirely on publication statistics (number of citations, peer-reviewed publications per FTE). This creates an environment that punishes the scientists who focus on performing congressionally mandated tasks, advancing the mission of the organization, or providing	We already do a lot to provide support for the states and local communities. In particular, the EPA provides a centralized scientific and technical resource to assist states and communities in dealing with pressing environmental issues, responding to environmental disasters, and assisting states and the private sector with following the regulations in an efficient, cost-effective manner. EPA (particularly the science) should refocus on how to better provide support to clients and stakeholders. We also provide a repository of methods, instruments, and expertise that is available to states to support them, and we have actively been involved in states that have asked for our support. We need to better advertise the EPA (particularly the scientists) as a resource available to assist	See Q2.	Reduce the dependency on contractors - while it is important to have some contract support for critical tasks, contractors should not be substituting for federal employees. Federal employees should use contractors to support their work or provide expertise not otherwise available, not to do their work for them. Federal employees should pull more of the weight themselves rather than having expensive contractors do it. Streamline the purchasing process. In some cases, purchase requests take months (or longer) to process, and by the time they are processed the needs change or the items are no longer required. Focus on making it easier for	We should have a centralized IT system (with a single sign in) responsible for all the subsystems. Having to deal with multiple different subsystems (Lotus Notes, People Plus, SharePoint, Concur, etc. etc.) that all use different credentials. Make it easier for EPA researchers to communicate publically about their work. Although it is important that all communications be reviewed, we should be encouraging EPA researchers to share their work with the public. After all, taxpayer dollars are going to support the EPA research, the taxpayers should know what the EPA is doing with that money. This will also help to garner support for the EPA (provided the work being done is actually worthwhile).	For ORD (or individual laboratories), focus on one or two key research areas important to public health and focus on those. Try to stick to congressionally mandated areas of research (i.e. Clean Air Act, Clean Water Act, etc.). Research that does not support one of these key areas should be considered very carefully. Right now we are spread too thin, in too many different directions. We need to refocus on key areas and assess what the needs are in those areas, and then focus on what we need to do to meet those needs well. We also need to foster collaboration, both within the agency,
772	771	5/9/2017	Offices are more interested in spending the funds they have and in maintaining those levels of funds, not to "lose" them, than in saving money to the American People. Managers openly ask or order to spend the money as quickly as possible, even if we don't need those services. Managers promoted based on love for our country, knowledge, skills, abilities, and consciousness about the large government debt, instead of aptitude to "manage by fear" would solve this and many other problems. There is no way to produce effectively in this environment.	I believe Administrator Pruitt is right on target: Why do we maintain this inflated sense about ourselves thinking that we know better than all states, and that states cares less about their environments than us? We should send as many programs as possible to states, local communities, and tribes to be managed by the people that are actually knowing what is going on first-hand. Private sector will also be more dispersed all over the country promoting economic growth, job creation, and innovation, instead of all being concentrated in Washington, DC	Attitude and transparency are key. We need to stop "talking down" to them. They stop listening as soon as we adopt that arrogant attitude that they need to learn, when in reality it is us that need to learn from them. Being more humble and more understanding and again, delegating a lot of the work we do to them will improve their environment and will reduce waste, fraud, and abuse.	I strongly support putting America first, and stop sending money to countries that keep polluting and financing international organizations as the UNFCCC that has a large number of "scientists" who only dedicate to travel all over the world adding nothing to knowledge on climate change and other issues, actually distorting the truth, and paying their lavish lives with the American worker taxes. When it comes to enforcement, let's start by focusing only on what is purely about environmental protection. EPA became too political, too abusive, and that shrank the economy and reduce our capacity to protect the environment. Let's bring back costs to our analysis, and let's stop	I worked with the Department of Energy and private sector in promoting American environmental technology. Americans were at great disadvantage because it took years in getting approval, energy stars, avoiding penalties, and so on before being able to promote, and commercialize our innovative technology. China, Japan, Germany, even Brazil do not have the barriers that we have. It is impossible to innovate with so many regulations and threats from an Agency that became rogue. Once our "survivors" are ready for the market, the product is already obsolete.	You need to have better leadership in the Agency. The problem does not reside on the scientists, engineers, and other professionals, but on the fact that top management has been formed for the last two decades based on "who you know," instead of "what you know." With such level of incompetence at top levels of leadership at EPA, knowledge have been stunt, innovation is dying, collaboration is only among their equals: Nothing good can be obtained. You need to clean house, first.

AMERICAN OVERSIGHT

	I
771	No specifics at this time.
772	America has a surplus of innovators, but unfortunately the surplus of incompetent bureaucrats is even larger. Reduce the latter one, or better eliminate them, and our country will have a large menu of new technologies, knowledge, efficiencies and opportunities that will be able to select. The wall that separate us from all of these existent potential opportunities is thick and tall in the current environment.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
773	772	5/9/2017	We now have a travel group who has us put information into a travel form, they then take that travel form and populate information into a Travel Authorization (hence, information is being entered twice), and then the TA gets approved. Anytime we need to make a change (like in schedule) we have to enter all of the information into the form again rather than just calling and telling the person to make a change. We used to be able to have a person that worked directly in the program enter the information directly in the TA so it skipped a whole step in the process. This is very inefficient and effective. In addition, back in 1995 the enforcement programs were all split out from the other programs and it has made things very ineffective and inefficient. Currently we have people that do more "outreach and compliance assistance" that work in the programs, while having others that are completely focused on "enforcement" in a totally different Office. This is difficult when the program is so small to begin with,	Continue to work with states, tribes, and locals as partners and leveraging those program areas where we each have our strengths.	Consider the state, tribes, and locals as our partners. As for the public, we all need to remember why we are working in the government and that ultimately we are responsible for reporting to the communities we represent.	None at this time.	I believe some of the dbase systems we have could be more modernized, but not sure if we have the funding to support changes.	
774	773	5/9/2017	1. Front-line Supervisors need to critically access their staffing levels and workloads on a routine basis. Staffing levels should not be maintained at historical levels just because. Supervisors should be looking at trends to see if work has increased or decreased in certain areas and be able to shift FTEs appropriately. At a minimum, this assessment should take place every time an FTE is lost. 2. Workload should be compared within a unit (peer-to-peer) and outside the unit (other regions, states, tribes, private) to determine appropriate work expectations and FTE numbers. 3. Programs that are obsolete, are not required by law, or are duplicative within EPA or another federal agency should be eliminated. For example: Environmental Justice, Energy Star, Children's Environmental Health, Making a Visible Difference, Field Operations Guidance, etc. Many of these programs are staffed by engineers, scientists, and environmental specialists whose skills and experience could be used to fill	EPA is already accustomed to partnering with states, tribes, and local communities because many of EPA's programs are administered by the local agencies. However, there are a number of things that the EPA can do to improve on those relationships and take the term "partnership" to a whole other level: 1. The EPA needs to truly understand that our states and tribes are on the front lines and often have the primary responsibility for implementing environmental programs. 2. The EPA needs to understand that our states and tribes are staffed with highly qualified scientists and engineers dedicated to protecting human health and the environment. Often, their staff is just as qualified or more qualified than EPA staff because they have first-hand implementation	Decentralizing the agency would help EPA to provide better customer service to the states, tribes, local communities, regulated community, and the public at large. 1. Why have Offices like OECA in headquarters telling regional offices and states how to monitor compliance and enforcement activities? Regional compliance/enforcement offices are way more in tune with what is going on in their regions. Regional staff are on the ground - they understand the industries, the states, the tribes, the politics, the local economies, etc. Headquarters staff, such as OECA, only know see the numbers within a computer program and often the data within that program is in correct or out of date. 2. EPA should incorporate more FIELD OFFICES!!! Region 10 and Region 8 have successfully incorporated field offices into their region. Field offices are closer to their work which allows them to	1. There are entirely too many managers within the Regions and at Headquarters. In the regions, there are front-line supervisors, program directors, deputy assistant regional administrators, a deputy regional administrator, and a regional administrator. In Headquarters, one office may have a program manager, program deputy director, program director, associate assistant administrator, principal deputy assistant administrator, and the assistant administrator. 2. Reduce the size of Headquarters and have them work/coordinate with the regions more often. Why have redundant staff, management, and attorneys in Headquarters weighing in	The agency needs to continually self-access and see if processes, technologies, programs, FTEs are out-of-date or no longer needed. This assessment needs to begin at the lowest possible level and not only supported, but replicated by senior leadership. This will keep agency expenses down and help us to operate in the most efficient manner.	If there are current EPA programs that better align with other federal agencies, EPA should step aside and allow the other agencies to be the lead for those programs. This will allow EPA to better focus on its mission to protect human health and the environment. It will also ensure that federal funding gets to the proper agency, are not split amongst numerous agencies, and therefore, can be more effectively used.

AMERICAN OVERSIGHT

	I
773	
774	The EPA needs to take a critical look at their contracting processes and see if there is a better way. Superfund contracting has been changed to pattern a failed DOE process. Some EPA programs give their money directly to other federal agencies to award (i.e. Army Corps, IHS, BOR) and these agencies aren't the experts. EPA should award EPA money to ensure the money is spent on the appropriate projects.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
775	774	5/9/2017	Some of the trainings are completely useless. Any person with common sense should know the material.		Allow more telework. People are more efficient and more available via cell phone.	Why does each office have an HR, training and a budget person? Can't that be centralized? These people are typically underworked from my experience.	BYOD- Bring your own device. Why can't I check my EPA email on my cell phone? It's a time-saver and a money-saver for the government.	Follow the idea of other agencies with more teleworking and "hotel-ing" so you save office space.
776	775	5/9/2017				EPA has already begun the process of becoming a more mobile workforce. I truly believe that increasing the ability for employees to telework would open the door for sharing space while in the office. I know several companies that offer this "hoteling" where you can go into the office and reserve a cubicle for the day. I work in the information technology section and could easily do most of my job remotely, and the times I would need to be in the office, I would have no issue using a common workspace.	Virtual Desktop Infrastructure is something that EPA and Region 1 (my region) has done substantial testing with. I know the use of this would allow remote workers to function as though they are in the office while maintaining security by not having government information on the remote computer.	
777	776	5/9/2017	Federal Acquisition Regulations! While there needs to be regulations for contracting/purchasing, the FAR can sometimes be restrictive. As an example, there should be more of a push to make awards to small and socio-economic concerns. We do have set-asides but we should loosen further to help these type of firms do business with the Government.	Not a Scientist. But, I believe they need to take more of an active role rather than the USEPA taking the lead. Appears we take the lead too many time and this does not incentivize these groups to lead the efforts.	Quite simply - HONESTY!!!! Once you are not forthcoming, credibility tends to be lost and at times, unrecoverable.	Yes, allow contracting personnel to make decisions on how best to procure items. Do more regional purchasing for economies. As an example, years ago I used to purchase one expensive IT item and so did all of the other EPA Offices. Anything we need to purchase, should be purchased one time versus multiple contracts for the same item by multiple offices. The price for 1,000 each of anything will always be less than the price of 100 each times 10. Also, the EPA has multiple Gyms for its employees. Now, that is a nice perk but it is used by a small number of employees and the price tag is high. I see where we have started to not renew. It needs to be done across	At time, we do not seem to learn from any lessons of the past. We need to start a mind-set of applying lessons learned to most of our daily functions.	There is always a savings when you utilize a shared responsibility mindset. Simply by making multi-regional purchases we could save money and administrative effort which, also equates to money.

AMERICAN OVERSIGHT

	I
775	
776	
777	Purchase smartly, utilize in-house capabilities versus spending tax payer money to receive a service. You should not have to do this but, there needs to be a culture of self responsibility by our staff. Each of us has to look in the mirror and say we are doing what we are supposed to be doing and completing it correctly and efficiently. There is some waste and it has become normal. Funny to see people want to purchase something and not care about what it will cost. Nobody would do that with their personnel checking!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
778	777	5/9/2017	RTP (EPA Finance Center in Research Triangle Park) needs to electronically interface with EAS (EPA Acquisition System) and with CDW (Computer Data Warehouse). Right now, RTP does everything manually leading to financial errors, inaccurate records, and downtime.			See response to Question 1.	See response to Question 1.	
779	778	5/9/2017		Listen. Be trustworthy. Use science (and joint fact finding if you can't agree on the science).				
780	779	5/9/2017	We are unable to move appropriated funding to contractors to complete core Agency work. We need to hire more contract officers and streamline the process. Contractors are unable to predict workflow from the Agency, plan their hiring and resources for the year, and sometimes need to lay off junior staff with critical expertise.	I do not work directly with tribes, but for many years we have had a good working relationship with states and the private sector. We can of course always improve, but it would be a shame if the success we have achieved in this area were not recognized as part of this survey process. One example we of a previous achievement, which could be a model for future improvements, is technical cooperation with state counterparts to make it possible for industry to report the same information (e.g., on emissions) to states and EPA simultaneously, thereby ensuring the minimum burden for reporters, and consistency of information for states and EPA.	States, tribes, local communities, the regulated community, and the public at large depend on timely and high quality EPA scientific information and data. In many cases, EPA stakeholders do not have the resources to collect the data themselves, or prefer consistency in approach across the country.	Again, I think this survey misses the opportunity to ask for examples of successes with respect to costs and efficiencies, which could be replicated across the Agency.	The administrative processes for time sheet management, employee travel, and allocating extramural funding, are inefficient and could benefit from modernization.	We currently have good working relationships with other parts of the federal government, such as EIA, USDA, USFS, USGS, and DOD. Senior EPA support for these relationships, via signed Memoranda of Understanding, would do a great deal for supporting cooperative work and making sure that missions and activities are aligned.
781	780	5/9/2017						
782	781	5/9/2017						

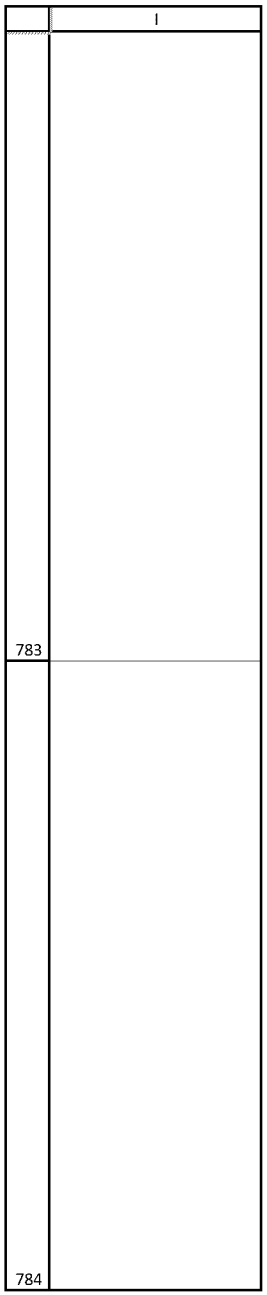
AMERICAN OVERSIGHT

	I
778	See response to Question 1.
779	
780	The private sector, and agencies such as DOD, are more open to providing mid-career educational and training opportunities to improve the effectiveness of staff, learn new ideas, promote morale, and incentivize retention. These opportunities would do a great deal for the health of the agency during an era of hiring freezes and reduced budgets. Similarly, a more encouraging environment for details & secondments to other agencies, the Hill, States, and international organizations would also be welcome.
781	
782	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
783	782	5/9/2017	Throughout EPA, administrative support functions lack a basic customer service focus and require too many people to implement those functions. This is true of both OARM staff throughout the agency and their counterparts in the Regions and Labs. The leaders and managers of these functions have long resisted any effort to streamline their organizations and question the need to streamline their processes. Efforts to improve the services provided by these organizations have always been thwarted by "digging in" and outlasting the political appointees attempting to improve and increase the efficiency of service delivery. In my own experience, this was true for both the combined 16 years of the Clinton and Bush administrations. Should the Trump administration hope to make improvements in this area, it needs to not rely on OARM to study or implement the proposed improvements. Surely, these organizations need to provide input into changes, but left in		Customer service within the regulatory programs is an afterthought.			
784	783	5/9/2017		Using the private sector to help with site cleanups and protecting the environment is good, but we should choose companies that are environmentally conscious. Selecting companies that have a good public track record with promoting things like recycling, green initiatives, and other pro-environment things help businesses and reflect positively on the agency. We should employ private sector resources that are good examples. The public will see we not only support businesses, but we also ???double dip??Â by employing the environmentally conscious while being environmentally conscious ourselves.		Idea for reducing costs: I recently updated my life insurance beneficiaries with my local HR office. Our current process is completely inefficient and not cost effective. Under the current process you have to fill out form OMB No. 3206-0136 and MAIL it to the shared services center. If anything is not filled out correctly the shared services center MAILS it back to you and you have to pick it up at the post office (added inconvenience) and re-mail it. If they EPA has 15,000 employees (source was the Washington Post, I am approximating the numbers) and each employee updates their life insurance once per year then it costs the agency 15,000 x $6.65 (USPS 2 day priority mail small envelope	E-signing documents like the good example provided in question 4. We should be moving away from paper based systems.	

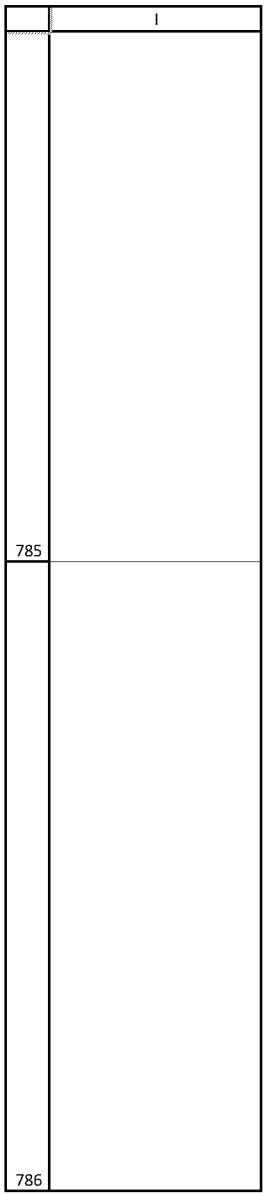
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
785	784	5/9/2017				In order to save money and be more efficient, EPA could utilize the contracts it put???s in place and eliminate the duplication of efforts within these contracts. Specifically, the Office of Water (OW) has a number of contracts that overlap some of the services. For example, most of the contracts have a section that says something similar to this, ???The contractor shall also provide administrative support in the planning and execution of workshops, conferences, training sessions, symposia and public meetings.??Â		
786	785	5/9/2017		I'm not an environmentalist, I just joined EPA recently and I work on the administrative side. Removing Scott Pruitt as the EPA Administrator is required before we can achieve any improvement on environmental results with our stakeholders. There is no trust between EPA employees and the EPA Administrator. Scott Pruitt has proved that he's more concerned with protecting businesses than protecting the environment. The new posters posted around EPA showing Scott Pruitt shaking hands with coal miners is very demoralizing to EPA employees. The jobs of 20,000 or so coal miners should not take precedent over protecting the earth's environment. I think I can speak for most EPA employees when I say, my children and grandchildren's having access to clean air and water is more important than protecting the jobs of a few thousand coal	Appoint a new EPA Administrator. Scott Pruitt has shown very little respect for the EPA and it's mission. If EPA employees don't trust their leadership, how can we convince our stakeholders to trust them. When Donald Trump, Scott Pruitt and Rick Perry came to visit EPA Headquarters a few months ago, they showed up with a group of coal miners and had them on stage. Similar to my comment above, this was very demoralizing to the EPA staff. It made it seem like protecting the jobs of coal miners was EPA's most important mission. Protecting the jobs of coal miners is not part of EPA's mission, that mission comes from the Trump administration and their desire to reward the coal miners who voted for him by a large majority. I'm not an environmentalist, but this was one of the most disgraceful acts I've ever witnessed in my life.			

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
787	786	5/9/2017	Having technical staff do all the administrative functions for ourselves (records management, travel, timekeeping, data management) which used to be done by administrative support staff in the past interferes with our ability to stay focused on the technical work for which we get paid. The administrative functions are necessary, but it would help to reinvest in more support staff to ensure that scientific and technical personal are not spread thin doing lots of administrative functions which takes us away from our core program, technical and scientific work	The program I work in already has strong relationships and partners with state, tribal and local community partners. We also have strong partnerships with other federal sister agencies. What limits our ability to support states, tribal and local jurisdictions more is our limited staff and limited grant funding. Increasing our budget, rather than decreasing our budget would help us to ensure we maintain and support strong state, tribal and local environmental protection programs. We have cut programs in the past that helped to foster public-private partnerships, pollution prevention and innovation. Providing more resources (staff and funding), not less, to these ends would help us support better environmental results through partnering.	EPA's budget has been declining over the past 17 years and went through a reduction in force with an early retirement buy-out in 2015. Staff and programs are already stretched to deliver customer service to states, tribes and local communities as well as be responsive to the regulated community. We need more staff and grant funding support to be able to do a better job at timely, effective and efficient customer service not less. Staff are already doing the jobs of 2 or more people and are over-whelmed. Reductions in force and funding will not help, but only hinder the EPA to provide quality customer service to the public at large and work closely with our state, tribal, other federal agency and local partners.	I do not actually see untapped opportunities for large scale changes at EPA that involve big reductions in costs. To be more efficient and effective we actually could really benefit from increased support. We have been operating with a budget and reduced staffing for the last 5-7 years. These levels have been insufficient to ensure as high quality technical support and capacity building for our state, tribal and local jurisdictions. Continuing to move forward on ensuring adequate water and clean water is available to all citizens, ensuring that the air we breath is clean, and that the food we eat is clean, and communities are not disproportionately exposed to contaminants requires ongoing support and	Yes, supporting local scale , more biologically diverse agroecosystems that are less reliant upon industrial levels of pesticides, herbicides and fungicides; supporting and creating incentives for more use of renewable energy sources (wind, solar, water) rather than de-regulating and promoting large scale mining of coal and extraction and expansion of oil and gas.	Look at areas where EPA has not yet delegated programs that can be delegated to states (e.g., National Pollutant Discharge Elimination System programs), ensure EPA has adequate funding to pass through the states so that states can develop adequate water quality standards, address required Total Maximum Daily Load Allocations, and implement protective water quality and water resource protection programs; continue to support Tribal approval for receiving EPA approved Treatment As a State, provide ongoing funding and technical assistance to tribes for their development of
788	787	5/9/2017	I manage grants. For every grant that I manage, I have to go into the IGMS pre-award system and manually download every single file that the recipient has uploaded. It takes between 3 to 10 minutes to do this depending on the amount of documents, file size, recipient. According to quik reports (5/9/17) , EPA has 7125 active grant. A minimum of two people need to access the files for the official record (project officer and grant specialist). Using a minimum of 3 minutes and two people to download, my estimate is that EPA has spent 29.6875 days downloading files. This administrative tasks prevents me from engaging with our partners and providing customer service. There needs to be a download all button to greater reduce the time being wasted on this function. My name is **[REDACTED B6]** I would relish an opportunity to discuss this simple fix that would greatly reduce staff time. It is a small update with a enormous benefit.		See number 1	See number 1	see number 1	

AMERICAN OVERSIGHT

	I
787	Adopting and supporting the use and application of technically sound rapid functional assessment tools for evaluating compensatory mitigation banks and in-lieu-fee program performance standards. Support evaluation approaches and methods that incorporate environmental costs in accounting for economic impacts. Look to economic markets that are inherently interdependent upon the condition and quality of the environment and find more ways to ensure longer term sustainable and resilient outcomes for humans and the environment. Mitigation Banking and Conservation Banking may be good models to look at in terms of important businesses that exist due to
788	Updating our IT service. On computer infrastructure in out of date and our programs are not compatible with the latest technology. We are relying on internet explorer that is being phased out and our forcing our partners to have older computer with those systems. We are still using lotus notes for a majority of our functions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
789	788	5/9/2017	"A manager is a manager is a manger" has been the agency justification of filling management positions to fulfill social economic engineering agendas. Your sex, sexual orientation, race, religion, etc are more important factors than ability to do the job. The agency does not require managers that have technical background, yet these managers are often called upon to improve processes or interpret information. This problem propagates into new new problems. The incompetent manager uses hiring authority to create a buffer of assistant managers and other odd ball management positions--all to mitigate the short-comings of the original manager. Clear goals, real managers, clear priorities, and proper training of staff are a good start.	Clarity, simplicity, and common sense revision of all work processes with genuine listening to input about priorities from private sector. Embed employees/co-locate with our partners/customers. Use of IPA's has historically been used to get rid of problem employees or sometimes as a favor to relocate managers to where they will ultimately retire. IPAs should, rather, be used to develop close relationships and effective partnerships to get work done.	Get rid of non-value management who engage in politics. Get rid of 90% of the Assistant and Deputies--not reassign them---get rid of them. Rotate SES employees immediately and every two years thereafter. The manager is a manager concept is probably applicable to SES employees (but the concept is often extended to first line supervisor) Most SES employees live and die in the same position and create mini empires populated by friends and family. Long term---convert Regional Adminstrators to career employees--too much change with every election.	Streamline regulations and remove ambiguity. Without litigation, the Agency would have no where to turn to resolve ambiguous and sometimes conflicting requirements. Bring back common sense.	No. Any attempt would be a facade. Work processes often incorporate subjective determinations or logic that Agency does not publish. Agency has wasted money trying to automate processes over the years and spends a substantial amount of money for rework. Agency is good at reworking email systems and databases, over and over, for little benefit and high cost. But tasking it to improve systems without changing culture and leadership would most likely lead to more written guidance with little practical benefit.	Stop duplicate oversight efforts with States and other Federal Agencies.
790	789	5/9/2017	Throughout my over thirty-year career at EPA I have not really had problems with administrative requirements, management procedures or other processes. I have been blessed with managers who recognize the need to get the job done and have been very flexible in helping me address any obstacles I may encounter. In my experience, the above listed processes, while sometimes seemingly onerous, are there for a reason. They help ensure that we meet legal and procedural requirements, that we receive proper sign off on actions, and that there is a paper trail to provide accountability. Now that I am a manager, I fully expect my staff to let me know if any of these procedures are negatively impacting their work and I have not had any such complaints. I'm not saying there aren't procedures that could be changed, but I feel that we have already held discussions on that and have already made significant improvements where needed.	Considering that states, tribes, and local communities lack the resources to implement environmental controls and run enforcement programs, it is essential that EPA maintain a strong role. While some states are forward thinking in promoting clean and renewable energy and protecting their citizens, others lack the vision and frankly ability to do so. It is erroneous to think that pollution respects boundaries, so even states with stringent environmental regulation risk having the health of their citizens impacted by lax regulations in other states. EPA is responsible for setting minimal standards and must maintain that role or the health of future generations will be negatively impacted. Existing partnerships are working as well as they can, but without federal support (including but not limited to financial resources) these	EPA is known for customer service to all of these parties already. However, if someone believed the regulated community should set the agenda, they might disagree. The Agency has a history of effective regulation and has crafted that regulation in a way that avoids the loss of jobs, as some have insinuated. Any changes to our existing relationships with stakeholders needs to be carefully evaluated and not rushed into. I worry that the answer that some would seek for this question is that we need to regulate less. If we ever reach the point where industry is not complaining about regulation we have already failed the American citizens and fallen short of meeting our mandate to protect human health and the environment.	This is a discussion that should be held across the Agency, I have been here for 30 years, but even with that amount of time I only know my own program. Any serious effort at making changes has to be organizational. There are most certainly things that can be done, and have been. It is important to note that staffing for EPA is at the lowest level it has been in about 20 years. I only mention that in case some would promote a reduction in staff as a means to "reduce costs and inefficiencies". There is not a person in the Agency who wouldn't welcome a thoughtful discussion of ways to improve efficiency and reduce costs. This has been done on numerous occasions, so any discussion	The Office of Research and Development at EPA is one of the strongest in all of government. The Agency is recognized internationally as already being in the forefront of technology. There are processes that can be improved, such as the correspondence system, grant preparation, awarding of contracts, etc. Again, and I can't stress this enough, this should be the topic of discussion and not be decided through surveys. A lot of manpower and brain power has already been devoted to this area. The problems that do exist are generally the result of government-wide requirements and not anything that is EPA specific.	I can only speak for my office. We already have regular conversations with other agencies. We already devote time and effort to sharing information and working collaboratively. These efforts have resulted in significant savings of time and resources, and have led to stronger decisions. Of course these decisions are driven by science, so as long as that is the guiding principle there can be agreement across jurisdictions. The problems that are encountered are primarily the result of differing statutes, which is the purview of Congress and not EPA.

AMERICAN OVERSIGHT

	I
789	No. The Agency has picked the low hanging fruit a long time ago--e.g. double side copying and taking work generated trash home (to increase recycling versus landfill stats at office) are all a done deal. The Agency needs to take a long pause and rework many work processes (after getting rid of non-productive layers of management). Regulations and guidance have ballooned faster than staff can keep up with. Most meaningful work is done by contractors with little retention by the Agency after the contract ends. This probably can practically only be accomplished quickly if you perform a massive reorg to change the culture of the Agency; if a long-term horizon is acceptable.
790	In my work with international organizations I repeatedly hear that EPA already follows best practices in many areas. For example, our use of independent scientific panels for peer review is recognized as cutting edge. Without that impartiality, our decisions may be influenced by politics. As long as we let science drive the decisions we will continue to be respected and our policies and regulations will continue to be held up in courts, where we have a tremendous history of overcoming suits intended to undermine our protection of human health and the environment.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
791	790	5/9/2017	I don't know of any in my current office.	My office frequently works with states and the private sector, with no need for improvements that I can think of. There is little intersection between my work and either tribes or local communities.	I work very hard at doing excellent customer services to everyone who relies on me, including the public in other countries. We've all been on the other end of the phone.	No, not really.	I'm not familiar with technologies that we don't yet have.	In my area, we already partner with other agencies and states.
792	791	5/9/2017	The requirements for maintaining certification as a Contract Officer Representative (COR) are burdensome and not necessary for most of us who manage work assignments for contractors to perform technical reviews. The COR requirements are government-wide, not just for my agency. Most of us spend less than 15 percent of our workhours managing contracts, yet we are required to renew our certification every two years by taking 40 credit hours. There currently are 3 Tiers of COR certification. There should be one more tier between the first and second tiers, for those of us who manage non-construction work assignments.		All oversight for the US VIrgin Islands should be moved from the Region 2 office (NY) to the Region 4 office (Florida). It takes a full day to travel to the USVI, and a full day to travel back to NYC, because there are no longer non-stop flights to the USVI. Consequently, traveling from the R2 office to the USVI is a waste of time and money. It makes no sense for someone at R2 to travel to Miami to catch a flight to the USVI, if the Regional Office can just be moved to Florida. It is true that there is an EPA field office in Puerto Rico, which does inspections in the USVI, but upper management at Region 2 is in New York City.			
793	792	5/9/2017	Time and attendance is very inefficient. It leave requests do not link up with the time card in People Plus. It creates errors and costs time making correction. Our grants and contracting systems/processes are overly concerned with competitive fairness that they have lost their effectiveness. We the process discourages applicants from competing. Managers can keep track of all of the time systems - Telework (regular and episodic), flextime, compressed schedule, comp time and travel comp time (why 2 types of comp time),	We have significant obstacles with working with the private sector. We should be encouraged to work with corporations. There are two good exemples where we are allowed to work with corporations. One is the 5-Star grant program where we partner with the Southern Company and FedEx to administer a good grant program. The other is the Corporate Wetlands Partnership where companies like CH2MHill help local communities implement environmental projects. We should send EPA staff on assignments to work in state and tribal offices. States and tribes have so much staff turn-over due to their low salary structures that EPA can increase its role of technical and policy support. A primary role EPA plays is to help states and tribe rebuild technical and policy skills after staff losses.	We need more travel money. We have strong expertise but our staff and we need to get that expertise out in the states and communities to help them in their mission.	If we improved our very in-efficient administrative systems we could do our jobs some much more effectively. Time keeping, contracting, grants management. We could do "more with less" if our systems didn't take so much time. Giving managers more time to deal with problem employees. 95% of EPA employees do a great job but we cannot get discipline or get rid of the 5% of poor performers and disruptive staff.	We need to make better use of the technologies we have. We need better in-house one-on-one technical support to implement systems like SharePoint and OneDrive. On demand technical support for our mobile devices is needed. We do not make the best use of them.	More interagency agreements. We can partner with the US forest service to improve urban and rural forestry. We can partner more with USDA on agricultural chemical reductions. This is a larger opportunity.

AMERICAN OVERSIGHT

	I
791	No.
792	
793	I'm a manager in the wetlands program R4. I use my incremental funding to train my staff along side of the US Army Corps of Engineers. Training together means we share the same knowledge and develop better working relationships. We are seeing significant improvements in our ability to process 404 permits and to help establish better wetland and stream mitigation banks. Conducting more joint training with our fed and state partners is quite valuable. We need more travel and training dollars to do this better.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
794	793	5/9/2017	We need better ways with fewer administrative requirements for groups (other than states and tribes) to receive and manage EPA grants. We have had many tell us that they no longer will apply for EPA grants because the requirements are too onerous. We need to find best practices from other agencies and figure out how to streamline the number of requirements we place on grant recipients. On the other side, we have given so much flexibility to state and tribes that it's hard to keep them accountable for the money received. Every project officer's income is on the line when we sign off on a grantee's paperwork. We need to find some halfway point where grant recipients can handle the paperwork, and EPA project officers are confident that the grant money is being spent well. The world is no longer run by handshake agreements.	We need clear guidelines on how to work all of these groups as partners in ways that do not break any ethics rules. Now, we can nearly count on being told it's an ethical problem if we ask for guidance on what we can or cannot say. It is very hard to talk to groups about potential activities they can do when they only thing EPA can offer are competitive grants. We also can not bridge the ethical gap to talk to the private sector about ways they can participate to help communities. We need clear guidelines so we know what we can do, say and when.	The Urban Waters program is a national leader in working across agencies and organizations with communities to make real-world improvements in their economic, social and environment. https://fcw.com/blogs/lectern/2016/07/interagency-collaboration.aspx The emphasis is on agencies working together to combine our statutory authorities to do activities that none of us can do alone. By working closely and collaborating with communities it builds political support. And no less important, the Urban Waters program has established a dedicated infrastructure that supports, provides a knowledgeable network, and manages partnership efforts. Through this program, it has become apparent that having a dedicated "ambassador", a person who has dedicated time to learn about everything happening and of interest in that community, has built relationships and trust, and has the	We need to work better across programs to build on each program's strengths. Reduced staff has decreased our ability to take our own personal initiative to make those connections. Somehow, making these connections across geographic locations while maintaining cross-program consistency is needed.	We need better GIS skills and tracking systems to see activities across federal agency and across programs. For example, knowledge of the geographic scope of grants paying for tree planting in an area 303d listed for urban pollutants where TMDLs are being written. We need better ways to see cross program/agency activity. It needs to be segregated by issue area so we're not wading through inconsequential minutiae.	Again, I reference the UWFP program where a dedicated person building partnerships across agencies makes everyone more successful and efficient. The Community of Practice is the initiation of this kind of effort to build staff networks and knowledge across the federal agencies, connecting staff who have been doing the work with those beginning to share their knowledge. This example is working to make these activities more aligned and to share the information across all federal community engagement practitioners so we can be more effective. We have many shared
795	794	5/9/2017	1) Uncertainty in the future of EPA programs is not effective. Please provide more certainty. 2) Reporting on every public meeting we attend where press may be present is not effective. We will do this as it is currently required, but it is an ineffective, inefficient administrative requirement that has been newly instituted by the current administration. 3) Fear of losing programs that already consider the economy and work closely with communities to identify their needs. Please support these already excellent programs more rather than less. And then we will be efficient and effective again.	Base decisions on science and community input. The way to do this even better is to provide more funds and staff for gathering community input on existing or potential EPA programs that the community supports and targeting science to meet those community interests and legal requirements. Support EJ 2020.	Listen to them and act with respect. Especially listen to the poor, the elderly, the children, the chronically ill, and the traditionally underserved communities. Also, do not use double-speak in internal or external communications. Our partners see right through it and so do we, the EPA work force. It is embarrassing to try to serve our community when they see the double-speak that is put out in communications. Luckily, they know that it does not come from their trusted EPA long-time dedicated partners.	Yes. Restore the staff's faith in executive management. This would reduce inefficiencies of us worrying about what lies ahead and if we will still be able to protect human health and the environment. EPA employees will continue to do our good work to protect human health and the environment and we will continue to do so in a fiscally-responsible manner for our contracts and grants; for our community work, for our public-private partnerships, and for our responsible permitting and enforcement. We are professionals and we are American citizens and we care deeply about this country.	Bring current EPA technologies up to private sector standards as this makes good business sense.	We are already doing much to align activities in areas of shared responsibility to support synergy and minimize redundancy with other federal agencies and states and tribes. The best thing you could do would be to support the most effective partnerships through public and internal recognition. Ask the states and tribes which of our programs they like best and where we can improve. Ask the EJ communities where we could do better, and where we have done well. Ask yourself what you can do to realign your own communication and actions with the EPA workforce so that the

AMERICAN OVERSIGHT

	I
794	Again, the UWFP model helps with all of this when working in areas or communities with intractable, complex issues that have been unable to be addressed by programs working in our usual processes. With sufficient funding, resources provided and time allowed to build, it can tackle the hardest of challenges. While it can not make some processes work faster or more transparent due to litigation requirements or other activities whose timelines are not controlled by any agency, it does have a built-in process to be responsive to community needs, increase our efficiency and accountability and thus reduce costs and effort. It has the structure for this to
795	I am fearful of pointing these out to you in this forum as I do not want you to target them for cuts. What can YOU do to build trust with the EPA workforce so that we are better able to work with you in good faith? What can YOU do to show your respect for this world class organization of dedicated professionals who already care about the American economy, the American environment, and the American people; and show up at work every day to make the world a better place?

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
796	795	5/9/2017	1. We should allow 24-hour noncompliance reporting under NPDES permits by e-mail. 40 CFR 122.41(l)(6)(i) states that ???The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances.??Â This requirement for reporting ???orally??Â means this reporting must be done by telephone instead of e-mail, when, as a practical matter, e-mail would be preferable for a number of reasons. I realize that e-mail does not comply with the Cross-Media Electronic Reporting Rule (CROMERR), but neither does voice mail (which is how these ???oral??Â reports are currently received and stored). 2. We should eliminate the prohibition on using subsidized, unlimited transit passes for local work-related travel. In Region 10, we have been told that we may not use our subsidized transit passes for local travel (e.g., using transit	We should strengthen and expand our pollution prevention and resource conservation programs (e.g., Safer Choice, Energy Star, and Water Sense), which are private-sector partnerships. It???s generally cheaper and more effective to stem pollution at the source than to treat it or clean it up after it???s been released.	1. We should finalize the 2016 Methods Update Rule which was signed by the previous Administrator, but which was not published in the Federal Register. https://www.epa.gov/cwa-methods/methods-update-rule-2016 2. To the extent that approved Clean Water Act analytical methods cannot quantify chemicals at or below the EPA???s recommended water quality criteria for those chemicals, we should develop and approve more sensitive analytical methods for use under the Clean Water Act. 3. We should complete the effort to modernize our website, including Regional pages.	We should standardize around a single tool for web conferencing (i.e., screen and webcam sharing and audio conferencing). Currently, we purchase both Adobe Connect and Skype for Business, which have duplicative capabilities. I would think it would make sense to standardize around Skype since it is integrated with other Microsoft applications and with Windows.	1. We should replace our current paper permit application forms with electronic application forms. 2. We should eliminate paper records in favor of electronic databases wherever possible, including but not limited to files related to National Pollutant Discharge Elimination System (NPDES) permits. 3. We should allow outside parties to communicate with us through Skype (as long as such communication is work-related, of course). The last time I checked (which was in 2015), I was told that we could not add people outside of EPA to our Skype contacts, even though Skype for Business has this capability. https://support.office.com/en-us/article/Allow-users-to-	1. We should work with the US Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) to streamline the Endangered Species Act (ESA) consultation process. Consultation with the USFWS and NOAA for EPA actions that may affect threatened and endangered species is frequently a lengthy and difficult process. We should also ensure that ESA consultation is not just a paperwork exercise but actually results in better protection for threatened and endangered species and the environment in general.
797	796	5/10/2017	The new administration is requiring a level of review and scrutiny of external engagement and website management that is overreaching and detrimental to the the Agency's ability to share basic information with the public in a timely fashion. The administration would be well served - it it would be in the public's best interest - to consider a more targeted approach to what requires senior-level review prior to release.	Collaboration and achievement requires engagement and mutual respect. The Agency should be mindfully deferential to its external partners, but we also need to strike a reasonable balance and step in where mediation is required.	To the extent that external antipathy toward the Agency exists (a significant majority of the American public supports our mission and our work), it is due to a lack of positive in-person engagement to understand issues and constraints on both sides of the important issues we are trying to address. Engagement requires resources - it can't be done effectively with our online communications or conference calls.	Gmail instead of Outlook, Google Chrome instead of Explorer, Google Drive instead of OneDrive. Free vs Fee. You get the idea.	Incorporate more modern and effective collaboration technologies such as Slack.	

AMERICAN OVERSIGHT

	I
796	We should make use of SharePoint, including its workflow capabilities, to reduce e-mail and paper traffic. https://support.office.com/en-us/article/Overview-of-workflows-included-with-SharePoint-d74fcceb-3a64-40fb-9904-cc33ca49da56
797	See above regarding technology. Also, procurement protocols need a radical overhaul to improve or remedy timeliness, resource-intensivity, and bureaucratic obstacles to using lowest-cost options.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
798	797	5/10/2017	Finding paper copies	Hiring a ton of GOOD software developers that can develop user-friendly databases, interfaces, softwares and other tools so we can all better organize things and find things. There are plenty of technological capabilities that are available that we just don't currently have resources for. If we all had one place that was easy to use in which we could all communicate more effectively, it would make being consistent and transparent much easier and much more efficient. Right now, these are what make up our triple constraint. We can't do all three with so little resources.			Workable, user-friendly, job-specific software and programs.	From experience in the industry and working with state agencies, there are a lot of redundancies at the state level that the federal level encompasses. Most companies end up doing things multiple times to relay the same information just in different formats depending on which state they operate in. Having an overall federal standard that encompasses all of these requirements would help to cut down on unnecessary paperwork and relieve a lot of pressure on individual states in redoing the work that is already being done on the federal level, allowing for
799	798	5/10/2017					Review Region 2's CONNECTr2 system - see video: **[REDACTED B6 Internal Webpage]** If you like the above system at all - I have a video that describes a "Subject Matter Contact" system that should be added on to increase agency interaction and accountability. If you want to see it - send an email to the designer **[REDACTED B6 Internal Webpage]**	

AMERICAN OVERSIGHT

	I
798	Training. Proper training would require an initial investment of time and money, but would cut, exponentially, those costs in the long-term. For example, if you spend 6 months properly training a new employee, that employee could be 5 times more productive in doing his/her job for the rest of his/her federal career. Right now, our "orientation" is one day, half of which is spent waiting on a badge. I have experienced much more rigorous trainings in the private sector but felt fully prepared and more efficient in performing my tasks after being trained properly. Training that I experienced in the private sector consisted of 1 week of administrative training (how to set up your
799	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
800	799	5/10/2017	set up a standard understandable tiered organizational structure. get rid of silly notion of having offices within offices, etc reevaluate notion that all regions 'roll-their-own' organizational structure that sometimes is not aligned with HQ Water programs and enforcement should be in one contained organization - bifurcation makes no sense & drift results in eventual non-alignment.					
801	800	5/10/2017	The administrative requirements, management procedures, and other organizational processes are in place for a reason and do not prevent me from doing my job efficiently and effectively. Due to the important and highly visible nature of our work, it is important to ensure that all work produced within my office and this agency is accurate and appropriate. Thus, there is nothing to address.	I believe the EPA already does a great deal to work with states, tribes and local communities to ensure that when EPA action is required in a town, the local community is involved and aware of what is going on. Superfund is a good example of EPA working hand and hand with these stakeholders to ensure that positive and effective relationships are forged. I would say that it is a great idea to partner with any and all parties whose primary goal is the health of their local population and the environment.	Improving the technological capacity and understanding of the EPA staff could prove very useful for improving customer service. There are a number of communication tools available which due to a lack of training, many staff do not understand how to use. Having Skype meetings to improve professional relationships, using OneDrive to collaborate on work simultaneously with states or local communities, and using SharePoint to provide a single location for all information related to a community would do wonders for providing better customer service to our stakeholders.	As stated in question 3, investing and improving the technological capacity of the EPA would greatly improve the efficiency of the EPA without large changes in staff or policy.	1) SharePoint - Adopted (isn't universal) 2) OneDrive - Adopted (isn't universal) 3) Skype - Adopted (isn't universal) These are technologies which the agency already has access to which are under utilized. Before spending more money on new technologies, it would be smarter to truly invest in what we have now and find ways to improve our use of them.	This is a question for a subject matter expert in this area, which I am not.
802	801	5/10/2017				There is so much paper being wasted during the concurrence process. The concurrence package is created, it is reviewed and edited by first line supervisor. If there are edits, new paper copies are reprinted. Then if upper management has edits, the concurrence package is prepared again. This can go through 5 or 6 iterations before the final package is mailed off. I would suggest electronic concurrence on letters using track changes. After receiving all edits, then the paper concurrence package can be sent out.		

AMERICAN OVERSIGHT

	I
800	
801	There are plenty of examples of companies using OneDrive and SharePoint more effectively than the EPA. It is always important, however, to keep in mind the unique role the government plays and its accountability structures. It is easy to say "let's do it like they do" but much more difficult to implement.
802	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
803	802	5/10/2017	When filling out your timecard and you have taken leave in the morning, you put in a leave slip for that time. Then unexpectedly you have to take time off in the afternoon that same day. The system will not take a new leave slip since there already is one for that date. So then you have to contact your supervisor to cancel or disapprove that leave slip so you are able to put in one slip that combines the two different times. You then put a comment in telling them what times you have taken. The system needs to be able to handle more than one leave slip on one day. This will save time and money in putting your time in the system. You won't have to bother your supervisor to cancel your leave so you can do another leave slip for both times. I have ran into this situation a few times and had to get my supervisor to cancel the first so I could do another.					
804	803	5/10/2017	Lack of funds at the Branch level. Branch Chiefs should be enabled to send their staff to training and for necessary travel without higher approval.	Increase travel budget	Increase travel budget.	Watching a bee do its thing this morning I was reminded of how heaps of research suggests that the concept of cross pollination of ideas is one of the keys to more creativity and innovation at work. The more people from different areas of expertise mix and mingle and share ideas and perspectives, the greater the likelihood of truly novel ideas rising to the surface. Here are a few ways you can encourage cross-pollination in your workplace: ???Hold job shadowing days where employees shadow someone in a completely different department. ???Hold job swap days - where feasible have employees take over each	More use of skype share screen.	Have us work closer with NASA on environmental issues. - and don't forget Tribes.

AMERICAN OVERSIGHT

	I
803	
804	Enable employees to do their jobs by giving them the resources they need, instead of continuing to remove them.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
805	804	5/10/2017	The procurement process is very inefficient and is a major hurdle to doing my job. Currently, we need to get 3 price quotes for items, even as small as a pen, before we can even place an order. We also need multiple sign offs when receiving orders, such as the person who ordering the product cannot sign off that they received it, another person must do this. We also need to get 3 price quotes for items that have a sole source, making the purchase of these items near impossible. Overall, the process takes a considerable amount of time, that prevents everyone here from doing their job.	Learn what methods they are using to generate scientific data for their work. Often enough, there are new advances in science that EPA does not implement or takes several years to implement. These scientific methods are very quickly adopted by private and state corporations.		One of the biggest inefficiencies is the number of meetings and webinars we have. I have been in more meetings at EPA in the first 4 months I have been here than in 5+ years working for DOE and DHS, and I am not in a more senior position to constitute this increase in meetings. Most people that I work with cannot get their work done in an efficient manner because they are overwhelmed with the number of meetings they have to attend.	It takes several years for EPA to implement improved scientific methods, that the private sector implements very rapidly. EPA scientific methods are at least 5 to 10 years behind science that exists in either the private sector or at a university. Ways to speed up the process of updating the current EPA scientific methods to better meet what is available in the private sector is necessary.	
806	805	5/10/2017	The agency's lack of access to common software tools (ie. Autocad, Photoshop[, Indesign) used by the private industry adds a hurdle in the efficiency and accuracy of our work. As EPA Staff having access to these would facilitate the workflow, lessen time-frames and allow for a more direct and efficient communication with our partners and stakeholders.	In order to achieve better environmental results, the agency must make it a priority to always work with a "user centered design" approach in mind. Where states, tribes, local communities, and the private sector take on an active and participatory role in the development of rules, regulations and volunteer programs.	Better customer service comes down to serving the needs of the public. The use of technology - social media platforms, apps, forums - are all great tools. However, there is still a need for "on the ground" access where individuals can connect with each other face to face.	Increasing telework opportunities throughout the agency would reflect a savings to EPA's operational costs.		
807	806	5/10/2017	Mandatory training for multiple reasons. Consolidate mandatory training requirements for managing contracts, conducting laboratory and field work, ORD requirements and agency requirements. We have too many administrative staff that all they do is police us to fill out this that or the other. What they should do instead of being policeman, actually fill out the administrative requirements for us if we supply the information.	We have excellent examples of these in our National Surveys and our Great Lakes Areas of Concern efforts. We collaborate to collect data and share that data across federal agencies, states and communities. The problem with the private sector is they want money. What should be done to engage the private sector is tax incentives if they collaborate with the federal government. Not pay them.	Need more travel dollars in order to meet with the states and regulatory community as well as attending town hall meetings. Our problem is we have too limited travel funds to outreach, understand our client needs better so we can be a more effective partner. when I worked in the Regional Offices I made it a priority to visit each state in my Region once per year at least. They respected me for doing this.	Pretty hard to say given the reduced budget EPA has been working with for the past 10 yrs. If you adjust the budget for inflation you will see EPA has not really been increasing. I think that there are too many people in Washington. 30% of the FTEs in Washington should be moved to the Regions and ORD labs. Look at the manager/administrative staff to scientist ratios. Reduce the management layers and administrative staff for more boots on the ground.	Many of our regulations are 10-20 years old. There should be a 5 year review process for all regulations not to get rid of them but to update them with the latest information that is available. For example, the guidelines for setting ambient water quality criteria for the protection of aquatic life we finalize in 1986. The science has really advanced since that time and newer approaches are available. Have a 5 year review process for all EPA guidelines with an update option	Ambient monitoring is spread across, NOAA, USGS, Army Corpse, EPA, USFWS for water. Develop cooperatives across these agencies to address multiple agency responsibilities. Why is the geological survey monitoring water quality, conducting toxicity tests and sampling wildlife? Focus them more on geochemistry. See how much of their budget comes from other agencies. USGS works more like a contracting firm than a federal agency when it comes to biological issues.

AMERICAN OVERSIGHT

	I
805	As I stated in some of my previous replies, making the procurement process easier is a start. Also, implementing more Lean Six Sigma processes and having management more open to them is another start.
806	
807	Sorry this is a little out of my field. But I would consider reorganization of ORD more along the lines of media than the Risk Assessment process. The risk assessment process is outdated. We need a more media approach to research or problem oriented approach.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
808	807	5/10/2017		Make science the foundation of our decisions, not some secret political calculus. Since our Administrator and Chief of Staff are unqualified and completely conflicted, they cannot serve in their respective positions. EPA therefore no longer has any credibility.	Get new and legitimate leadership			
809	808	5/10/2017	eDiscovery tools are extremely limited, do not de-dupe, or sort.	Proposed rules could have a listening session for each sector, including NGOs. Your question does not include NGOs.	EPA could host regular meetings with these entities. However, you could change the EPA representatives to include both managers and staff.	EPA invests significant resources in promulgating and defending rules and agency actions. Prior to withdrawing or engaging in any agency action, a comprehensive legal risk analysis should occur because defending actions (and potentially losing these cases) are expensive.	Better eDiscovery tools for processing litholds and FOIA requests.	EPA needs to first determine what the mutual interests are, and then both entities need to develop a mutual action plan.
810	809	5/10/2017	The biggest issue is that EPA Offices/Regions/Labs do not work together to ensure that their processes and procedures comport with one another. So, many procedures and processes are duplicated or triplicated to accommodate various overlapping jurisdictions (even when there is one clear or key decider). Much work is needed in centralizing and harmonizing all administrative, management and organizational procedures and processes. At the same time that procedures/processes need to be harmonized and centralized, more delegation of action items needs to take place. The lack of appropriate delegation of work leads to confusing and convoluted procedures and processes for even the most simple tasks (e.g., sending a response to a citizen inquiry).	All of the aforementioned partners in this question should have a more active role in developing KPIs for the agency as part of the strategic planning process. All too frequently, EPA is writing its own KPIs and performance measures that it knows that it will meet. However, were these stakeholders allowed notice and comment periods that more specifically addressed metrics, EPA would need to reach further in achieving results and be held more accountable by the public more broadly.	Management needs to be better held accountable for customer service to external stakeholders. Few if any managers have KPIs that explicitly evaluate much needed skills in providing customer service. It is only through holding them accountable through a KPI on such a matter (tied to bonuses, performance reviews and more) that customer service will be a priority in the Agency at manager and staff levels.	Yes. Certain support functions could be consolidated to produce significant savings. Human resources, information technology, grants, and contracts could all be further consolidated into fewer and larger service centers which would not only make such functions more economical and efficient, but also more equitable to citizens and accountable to elected officials in the Executive and Legislative Branches. Also, EPA facilities staff could be significantly consolidated and reduced in size. For instance, within multiple Regions, there is a facilities section that exceeds the size of most program sections in which activities are stovepiped (e.g., one staff person addresses one type	Software and hardware need to be significantly upgraded in the Agency. Of highest importance are digital workflows and big data tools. In all cases, with respect to the procurement of technology and use of it, EPA also needs to better hire top IT talent. Frequently, IT and Procurement staff do not have expertise in the technologies that they are procuring or managing, leading to increased costs and great inefficiency.	

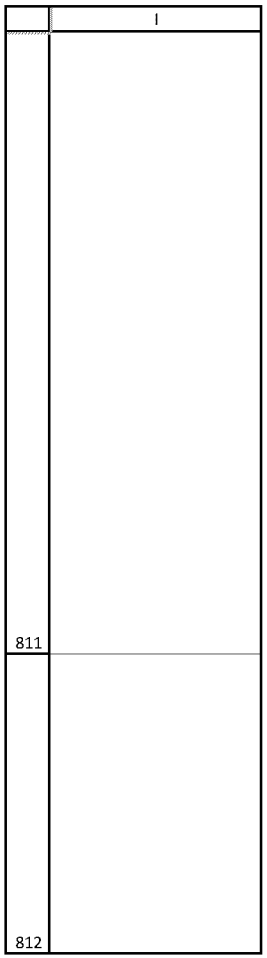
AMERICAN OVERSIGHT

	I
808	
809	Energy Star. This is an incredible program.
810	We should be using LEAN and Six Sigma (both together for some activities and apart for others) in improving all aspects of the Agency. Management should be held accountable in undertaking such efficiency and improvement seeking. All too frequently, managers avoid these processes because the additional waste identified personally them (e.g., a "bigger 'kingdom'," a bigger budget, etc.) Also, we should be setting an example in the environment by certifying ourselves to the Standards we promote industry using, such as ISO 14001, various lab accreditation standards, and more. EPA should be audited by third-parties as part of that work, to show

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
811	810	5/10/2017					Efficiency could improve if many senior managers and senior scientists would use the technology we have. I say "senior" only because it seems to be the older folks who won't even sign on to Skype. When Skype is active I can tell at a glance when someone is in their office and available, in a meeting, or not in. But the user must be set up for automatic log-in. I do a lot of unnecessary walking if folks would simply sign in to Skype. Also managers would get much better evaluations if their subordinates knew who they are. If a manager can't get around and be seen, at least he/she can post a picture on Outlook to let staff know who they are.	
812	811	5/10/2017	I was working with a vendor, and the person handling the purchase was about to go on leave. When she went to submit an invoice electronically, she got a message saying that they needed to first submit for authorization to do that. So I had to step in and triage the situation, taking time from other needed work. Why in the world is an authorization needed for electronic invoices, when it's more efficient, saves everyone time?!			Remove the requirement of authorization for electronic invoices.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
813	812	5/10/2017	We have repetitive systems to document and account for work, scheduling, case development and conclusion that I would be nobody really looks at but a few folk and just adds to the paperwork in the office. I often get the idea that someone that has nothing better to do just continuously dreams up things for people to do and forms for people to fill out instead of letting people do their work. But that is what happens when you have too many people and unnecessary levels of management.	We used to have a self disclosure policy in place and that has pretty much gone by the wayside I think that was helpful. With states it is a mixed bag as to the cooperation that one will get on case development. Often times they will just refer the case to us and let us handle the work.	More education on the pitfalls tha industry can get into and more regulatory assistance across the board.	Although no one in my area will ever admit this I believe that we have too many people in our area. I am an attorney in Region 5 and people fight for new cases. I think it is because we just have too many people and not enough cases to go around. My current case load at the moment is ridiculous. We also have several unnecessary levels of management with too many Assistants and Deputies and perhaps not enough emphasis on Senior Attorneys that can assist the younger attorneys. There is no reason why some of these Deputies spend every afternoon walking around visiting with their friends except that they have nothing better to do. In fact if you ask the line attorney about what all these	Up to date software would be nice as well as hardware.	No answer.
814	813	5/10/2017	1. EPA has a long-standing, chronic problem of not clearly identifying decision makers, which results in a variety of negative outcomes, including painfully slow decision making and wasting significant personnel time in the process. Outside EPA, the agency is frequently criticized, and oftentimes fairly criticized, for our inability to make timely decisions. To improve, clearly identify decision makers, and hold them accountable for making timely decisions. 2. EPA culture relies upon too many meetings, with too many people in those meetings. As a result, we waste significant time. To improve, create a culture in which meetings are limited and focused, and in which people are expected to show up to meetings prepared, instead of doing their thinking out loud during a meeting. We could be far more efficient if we truly valued our time, and viewed it as a valuable and limited resource that we should carefully allocate, instead of wantonly overscheduling ourselves in meetings.	For starters, EPA should engage more frequently with those partners. Like many federal and other government agencies, EPA is far too insular. There is a world of environmental professionals outside of EPA, but many EPA employees are not in touch with that world.		1. Outside EPA (and other federal agencies), EPA (and other federal agencies) are often criticized for the "cast of thousands" that work on every project. For example, our state partners will deploy a lean and focused team to address a problem, while EPA will assign seemingly dozens of people to the same problem. While coordination within the agency is valuable, we too often assign redundant levels of staff to the same projects. If we gave work to smaller teams, we could accomplish more with less resources. 2. Media stories report that the EPA political team is looking into closing regional offices. That's not an effective way to reduce costs and inefficiencies. However, there are many	EPA wastes significant attorney time on document review due to sub-standard software. If we invested in the full, updated versions of the Relativity software, as DOJ does (but EPA does not), we would spend some initial capital, but regain hundreds if not thousands of hours of attorney time that is current lost in document review. The private sector and DOJ do a better job with investing in the right software, and as a result, they save substantial attorney time.	

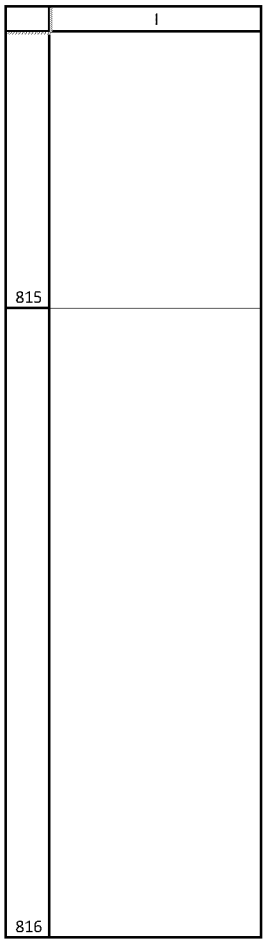
AMERICAN OVERSIGHT

	I
813	Don't hire people if you do not need them. Prior to the change in Administration we got a large influx of new attorneys and our general case load per attorney suffered. It was totally unnecessary.
814	In Region 8, we've formed a Content Management Unit (CMU) to centralize FOIA work in the region. It's more efficient and produces better quality FOIA work than distributing that workload to program offices without FOIA expertise. Similarly, the FOIA Expert Assistance Team (FEAT) in OGC centralizes FOIA expertise on large and contentious FOIA projects. Therefore, I'd recommend replicating the successes of the Region 8 CMU and OGC FEAT throughout the agency - centralize FOIA work. With a relatively small investment of FTE, we save significant time throughout the agency, and we produce better and faster results in our EPA FOIA workload.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
815	814	5/10/2017				Provide incentives to individual offices to save money (e.g., travel dollars). Currently, the incentive is to spend allocated dollars for fear of having the next year's allocation reduced. Removing that fear and creating alternative incentives will save money.		
816	815	5/10/2017	I work in a regional office. EPA HQ has a lot of expertise, however consulting with HQ is inefficient and can slow a project. I have found that often too many people have a say in a decision, some that are not currently in a role with any authority in a matter. Some of this is because there are too many layers of management in HQ. Also, if something is not working well there is no way to improve it. HQ should send out customer surveys. First it needs to consider the Region as customers. Note that I have also seen regions ignore HQ, including ignore orders. I do not understand this, but it shows that HQ and Regions can learn to work better together. I work in Superfund.	1. At larger Superfund sites, gathering folks together to see who is best positioned to address each part of the site. 1. Allow each party to have bit of independence vs everyone looking over everyone else's shoulders. This could speed up decisions. What never is discussed publicly among the regulators is the cost to the environment from delays in addressing contamination. Fighting to get the "perfect" decision can be detrimental to the environment if it causes years of delays. 2. I have seen situations where EPA has not been as respectful of tribes as we are trained to do.	I would conduct training to help EPA staff understand what it is like to sit on the other side of the table and be regulated or have to live with EPA decisions. This could lead to better cooperation, better explanation of decisions even if someone does not agree. I used to be regulated. As a result, I try hard to explain my decisions so the regulated community does not hear "because I told you to". This also leads to better decisions because it leads to more nuanced and defensible decisions. As a Superfund project manager, I often state that I am both regulator and am regulated. I have found that permit writers cannot adequately explain how to implement a regulation. Since I do not need to obtain permits, but only have to follow technical requirements, a permit writer does not have authority over me and I do not have to accept "because I told you to". I cannot always get my questions answered to the depth I need to		Over time from administrations of both parties, more and more review is needed to, for example, send a fact sheet to Superfund community. This leads to less communication because of the time and effort it takes. A knowledgeable community can hold us accountable, but also help us make a good decision the first time.	

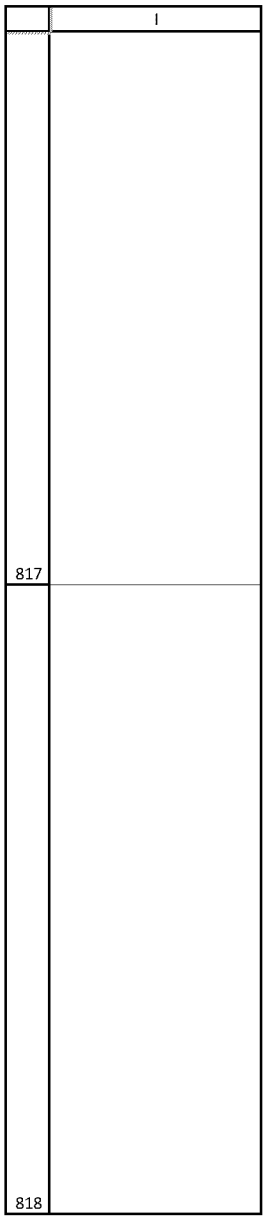
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
817	816	5/10/2017	Laboratory analytical methods using the same basic scientific principles should be harmonized across programs. Significant differences arose in methods authored by different committees at different times with little impact on data quality. This requires private, industry, and government labs to maintain duplicate instrumentation and staff to accomplish the same task.	One specific example: The analysis of water for volatile organic compounds is controlled by multiple methods ??? 524 (drinking water) 624 (surface and wastewater) 8260 (liquid wastes) and the CLP Statement of Work (drinking and groundwater at superfund sites). They all use purge and trap sampling to remove the volatiles from a liquid followed by gas chromatography separation and mass spectrometry analysis. With little effort the procedures could share instrumental settings and criteria. As it is, the steps are written just different enough to preclude a consistent, seamless laboratory procedure.				
818	817	5/10/2017				The Senior Environmental Employment (SEE) Program provides an opportunity for retired and unemployed Americans age 55 and over to share their expertise with U.S. EPA, remaining active using their matured skills in meaningful tasks that support a wide variety of environmental programs. In 1984, the Environmental Programs Assistance Act (P.L. 98-313; codified as 42 CFR 4368a) authorized EPA to establish a program of grants/cooperative agreements to federal, state, and local environmental agencies for projects of pollution prevention, abatement, and control The intention of this program was to rotate SEE enrollees every couple of years. We have SEE		Recommend realigning/centralizing FOIA and grants activities @ the Regional level vs. having these employees assigned throughout the Divisions/Offices in the Region.

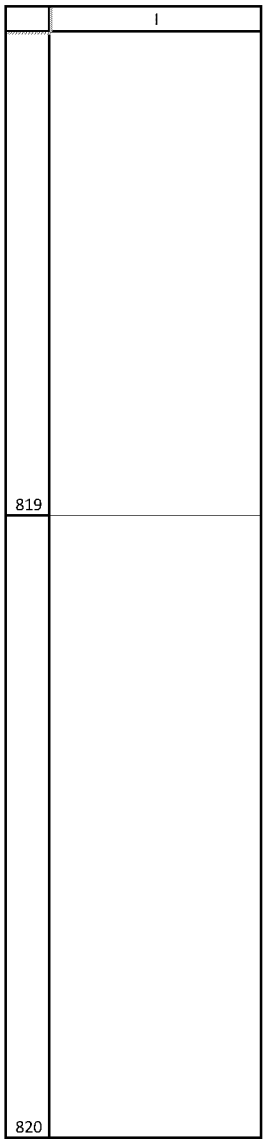
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
819	818	5/10/2017	While I like telework, I think that it may not be as efficient as it once was in the beginning. I would suggest a "redo" or "pause" on flexiplace/telework in order to reassess it's effectiveness. Perhaps having everyone report to their appropriate office for a 3-4 month time period? This might help assess whether workload efficiency has decreased/increased w/telework and it might encourage those who are not as interested in doing an A+ effort to leave/retire. Sometimes I think that people who have been here "too long" don't want to embrace creativity or innovation or even just do things in a timely fashion (not everyone, but it's enough to be frustrating sometimes).					
820	819	5/10/2017	Over the past several years EPA has increased its efforts for centralized control of information and messaging. This effort has hampered emergency responders trying to work closely with response partners and affected communities. Delays in the distribution of information are seen as problematic. In the past, EPA invested in training its emergency responders in ways to better handle media, relate to communities, and communicate effectively. Now EPA seems to want to make sure that all important communications rest in the domain of public affairs.	Actually listen to the States and enagage them - especially when things that we do require us to consider State law. For example, EPA and USCG consider owners of land to be responsible for old oil wells. However, State laws (and State agencies administering them) seem to disagree. This importance difference of opinion has strained relationships between oil and gas divisions in the States and EPA responders trying to implement oil cleanups. I do not sense much interactions between States and EPA (or the Coast Guard which administers the OSLTF) in the arena of finding responsible parties for oil pollution incidents - especially when the federal governments opinion seems to greatly affect the State's citizens.	See above - there needs to be interaction between the States and EPA specific to the issue of oil response and identification of responsible party in the context of oil.	EPA has invested too heavily in its efforts to prepare for response to WMD or similar. Many of the equipment items and personnel resources in which EPA is now spending larger dollars are duplicative of resources operated by National Guard units and other federal agencies. Too many times we find ourselves with all the equipment, but no real role in the exercises or incidents. The dollars EPA invests in elaborate labs and CBRN or WMD response should be more wisely spent on EPA's core mission.		See above. An analysis of the mission of EPA in the context of response to WMD and CBRN events should be accomplished in light of the resources available at other Agencies.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
821	820	5/10/2017	Management review and approval procedures are preventing Lean and Lean six sigma improvement ideas coming forward.	Improve regulatory work products like permits and shared business processes using the lean concept call change by design, see the book Change by Design by Tim Brown.	Develop lean projects to improve customer services for the public.	Yes, across many programs from the Lean and lean six sigma lens. For example we currently have Superfund remedial project manager spending a whole career overseeing clean up on one site where only 2 years is needed.	Lean and Lean Sig Sigma is widely accepted in industries and governmental organizations.	Conduct joint Lean project with them to map out work processes and identify overlaps.
822	821	5/10/2017	Management review and approval procedures are preventing Lean and Lean six sigma improvement ideas coming forward.	Improve regulatory work products like permits and shared business processes using the lean concept call change by design, see the book Change by Design by Tim Brown.	Develop lean projects to improve customer services for the public.	Yes, across many programs from the Lean and lean six sigma lens. For example we currently have Superfund remedial project manager spending a whole career overseeing clean up on one site where only 2 years is needed.	Lean and Lean Sig Sigma is widely accepted in industries and governmental organizations.	Conduct joint Lean project with them to map out work processes and identify overlaps.
823	822	5/10/2017	Revise and standardize Position Descriptions (PD), our current system is very outdated, cumbersome and should be streamlined. We have many, many PDs that are duplicative, even within the same series. Change performance system to pass/fail instead of five tier system. The five tier system is too subjective and not being implemented in a manner that is producing results or holding employees accountable or giving employees the recognition they deserve. Streamline performance management, increase management ability to deal with performance issues. The current process puts a huge burden on supervisors and is extremely lengthy. Improve the Performance Agreement and Recognition System. The PARs documents are not well designed, critical elements are not well written and therefore are not holding employees accountable. There should be more standardization around expectations and common elements.	We have good relationships with STLs and we continue to build those relationships. We will always have hard conversations, protecting public health and the environment is not easy, however, at the end of the day, we continue to work well with our STL partners.	Streamline processes whenever possible (grants, contracts, reporting), and continue to have conversations around expectations so that there are not surprises.	Records management needs to be streamlined. The process is extremely labor and cost intensive. Improve our electronic systems, databases, electronic submittals. We have a multitude of databases to capture data, they should be integrated, updated and/or streamlined. Some of the data we receive is in paper format, we must then hand enter it into a database, electronic submittal systems need to be invested in to reduce cost and labor.		Standardizing human resources systems, documents, across federal agencies would be a huge improvement. Why does each agency need to develop leave manuals, performance guidance documents etc? This practice is inefficient and leads to inequities between agencies and sometimes within a single agency.

AMERICAN OVERSIGHT

	I
821	Lean Six Sigma
822	Lean Six Sigma
823	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
824	823	5/10/2017	Renegotiate the with the unions to allow for: grade demotions and easier firing due to incompetence. Increase the availabilities of incentives for staff level federal employees. Many federal employees work with unmotivated and ineffective colleagues. It is de-motivating to see colleagues who do less than you get paid more than you simply because of time of service or the fact they were once during their career promoted to a higher position which they no longer serve in. It is tragic that if we undergo a RIF, the EPA loses its cheapest and most practically skilled labor component. Require middle and upper non-political managers to move periodically. Managers that stay in a program for tens of years are coasting, are not challenged, have calcified views on EPA programs and priorities, and are less prone to innovate. The 40 hour Contract Officer Representative training required to maintain certification that EPA utilizes is from DOD. As such is geared toward the types of contracts familiar to DOD and is	Defund programs that are not involved directly in the implementation and oversight of regulations promulgated by the EPA. EPA spends a lot of $ to help states and communities with efforts that are useful, but are not this agency???s role. The willingness to help people and states with public health problems where states and local communities have failed or claim not to be able to handle the expense has resulted in scope creep at EPA that spreads budget too thin (staff $ and other $). This has impacted EPA???s ability to oversee and where appropriate regulatory programs such and the Underground Injection Control Program and The National Primary Drinking Water Regulations. I suggest cutting non-regulatory programs and putting staff in regulatory and enforcement programs. Over time, staff attrition at HQ should	a larger regional and field office presence and a smaller HQ staff. to the extent possible, automate reporting done by the regulated communities and make that data available in real time to the public on the EPA website. The public is the best regulator: they are directly connected to their environmental and public health concerns. They should have access to data to make decisions on how their communities go forward. EPA relies on public information we don't publish being "FOIA-able". I doubt many average citizens want to or know how to submit a FOIA so they can find the right information that will help inform their local concerns.	Make more information and data easily available to the public so they can take action through their state and federal reps. An informed public would help maintain environmental protection better.	We need to advance our reporting in many programs to make it easier for the regulated communities. In terms of new technology for in house work, no I don't see a need. I do see a need to keep employees trained in the latest technologies. I work with many people who do not know how to use microsoft excel. I think we should have mandatory tech training in place of some of our other mandatory trainings. I think aptitude with basic computing technologies should be required to maintain a job in the federal government. A recently retired colleague of mine **[REDACTED B6]** yet she did not understand how to use microsoft word or how to organize documents into folders on shared servers. When her services	There is a huge amount of overlap in drinking water and waste water infrastructure grants and services in Indian Country. EPA, USDA, DHHS (IHS), BLM (BIA), and HUD all coordinate separate programs in Indian country (and rural US). EPA usually has the least amount of $ to invest, but is the only agency with regulatory responsibility. In fact, the other agency staff often operates in a regulation blind environment. IHS in particular refuses to help regulate drinking water utilities, thus threatening public health. Use of the EPA tribal set asides from the SRFs and service grants are often overseen by IHS. We could create an
825	824	5/10/2017	Improve the computer program used by EPA to track controlled correspondence known as CMS, Correspondence Management System. It is inefficient and Regions have already identified the problems with the system.		Regional EPA websites should be brought back and allow more flexibility in page design to meet the needs of the public. Make guidance documents and other informational materials available in e-reader format even if it means working with Barnes and Noble, Amazon, and others. This will make the information more readily available to users.			

AMERICAN OVERSIGHT

	I
824	increase agency accountability to the public by taking access to public data and information out of the FOIA process and post more on our website. in my opinion, many managers care more about the agency's rep and their position in it than the mission of protecting public health and the environment (e.g. EPA's slow action on Flint MI). We could reduce cost by changing management structure and cutting SES middle management positions. Flatten the management structure with more upper and lower management and zero to few middle managers. Given the top down management and communications structure
825	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
826	825	5/10/2017	In my opinion there is way to many layers of management that add very little to the process of protecting public health and the environment. This is true in my Region and I think HQ as well where so many people are involved in producing very little. In general HQ provides little tangible production and serves more as an impediment to progress through interference and meddling. HQ lack of understanding of what is actually happening in the field and in our communities is likely the main cause of their failure. To fix these issues I would reorganize the regional programs to remove as many middle management positions as possible. Give more responsibility to the staff to make decisions. Delegate authorities as much as possible. Why do we have administrative tasks being performed by Division Directors? As far as HQ - If the President really wants to reduce the workforce at EPA by 4,000 jobs most of them should come from Washington DC where very little actual tangible and measurable work to support our core	I think the States could be given more work within my Program (Superfund). But to do this they would have to significantly bulk up there resources and capabilities and be given a significant pot of money. In my Region we have effective States but they do not apply their resources to their environmental programs. Instead they constantly skimp and claim lack of funds. Often they try and push for self regulation which is a failure. If EPA was to scale back and rely more on the States to implement the federal programs we would have to give them a lot of money. In Superfund we already do a lot of partnering with States and local communities. It is an inherent part of our process. Other than asking more from them the only other thing I would change with the States is to try an implement improved communication between EPA and	I think in my program we provide really good service. I think we need more funding and more latitude to use our authorities to get things accomplished in the Removal Program. Superfund Removal is a fast response, high energy, goal oriented group that gets things done. Yet our low funding levels and our management's preoccupation with not doing work to save money hurts us. We should be broadening our authorities in order to use our field expertise to solve problems across the agency programs. Our management tends to be very tunnel visioned with little or no global outlook on the Agency mission as a whole. One specific recommendation as mentioned earlier would be to appoint positions to liaison with the states so that it is someone's main job to coordinate.	YES - reduce the bureaucracy by reducing the size of regional management and the size and influence of HQ in Washington. Empower the highly qualified staff to make decisions. Delegate administrative duties down to lower management and staff levels. A full reorganization of the Agency is in order but I'm not sure the Agency can do it on its own. Past reorganizations have failed. The President wants to cut the workforce - figure out how to remove managers and poor performing older employees. Change the RIF process to get away from seniority based firings. You MUST keep the new hires and the younger people - they are the future of the agency and have the	Administrative issues and responses to HQ take up most of our managers time. As a result, they have lost technical abilities, decision making capabilities when it comes to protecting the environment and general knowledge of science. We are bogging our managers down with so much paperwork they are no more than glorified secretaries. Empower the staff, delegate the minutia. Have management focus on the real work.	Obviously in Superfund if we have the states do more of the work (delegate the program?) then EPA could reduce its workforce and its role. But right now in Superfund EPA is the lead. If we were to delegate the program then the States would really have to beef up their resources and step up to the plate and spend money on the environment. I'm not sure they are up to that task.
827	826	5/10/2017	Top of the list is contracts. The contracting process is broken. It is a very rare contract which is recompeted on time. Contract extensions are routine but also last minute. This leads to additional cost and creates a planning and workflow nightmare.	Changes in technology and IT services is creating a sea change in data collection, storage, analysis and transparency. Purpose defined sensors (e.g. air and water pollution detection) are rapidly increasing in quality and decreasing in price leading to the expectation of large amounts of quality environmental data becoming available soon The easy ability to combine this data with other data (e.g. asthma medication data use) using data and tools from private companies like Google and IBM is going to reveal a much better understanding of pollution. It has the potential for revealing localized problems as well as previously unknown links between pollution and disease, pollution and life style choices etc. Working with the Googles and IBMs of the world as this technology is rapidly developing will help the public have a more	There are many vehicles for working with the States. Over the past few years, the establishment of the E-Enterprise Leadership Council (EELC), a joint partnership between EPA and ECOS, has developed a cooperative relationship at a very high level. State Commissioners have gained access to what was previously more a flow of information to them and is now a sharing of decision making and involvement. A perfect example of this is the involvement of State members of the EELC being directly involved in EPA budget discussions with OMB. The EELC has the ability to sponsor projects which can reduce burden to private companies and State agencies while improving efficiency and environmental protection. Empowering that group to sponsor work and at some level to direct resources for these investments would be a significant step in the powering sharing between EPA and the States.	There are many ancient and silo'ed information systems at EPA and the States. They waste time and money, sometimes in large amounts when the inefficiencies are factored in. However, to fix these things takes time and resources, even with the newer IT approaches (e.g. Agile design) and improvements in IT technology. Smart but not insignificant investments need to be made to make environmental protection and economic growth accelerate. Of course, the first step in looking at modernizing a system is to use a process such as LEAN to streamline the underlying program requirements.	Changes in technology and IT services is creating a sea change in data collection, storage, analysis and transparency. Purpose defined sensors (e.g. air and water pollution detection) are rapidly increasing in quality and decreasing in price leading to the expectation of large amounts of quality environmental data becoming available soon The easy ability to combine this data with other data (e.g. asthma medication data use) using data and tools from private companies like Google and IBM is going to reveal a much better understanding of pollution. It has the potential for revealing localized problems as well as previously unknown links between pollution and disease, pollution and life style	There are many vehicles for working with the States. Over the past few years, the establishment of the E-Enterprise Leadership Council (EELC), a joint partnership between EPA and ECOS, has developed a cooperative relationship at a very high level. State Commissioners have gained access to what was previously more a flow of information to them and is now a sharing of decision making and involvement. A perfect example of this is the involvement of State members of the EELC being directly involved in EPA budget discussions with OMB. The EELC has the ability to sponsor projects

AMERICAN OVERSIGHT

	I
826	Empower the staff - at EPA that is the best resource. Management and HQ are often just in the way and an impediment to progress.
827	We have many experts in EPA who specialize in data analysis and visualization. Due to the inability to access private sector tools for a variety of reasons (e.g. cost or security issues), they are effectively either doing more limited assessments or duplicating tools and approaches which already exist in the private sector. To the extent that cost is a factor in this, it is a false savings since resources used to recreate what exists in the private sector (often of higher sophistication) often exceeds the cost of purchase of the private sector product.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
828	827	5/10/2017	There is currently feeling within the EPA that we cannot speak freely for fear of retribution from the new Administration. This is the result of the new Administration's obvious efforts to undermine environmental programs (e.g., climate change, waters of the US, etc.) and silence critics. Even though this survey is "anonymous" there is fear that it really isn't. Until the new Administration wins the trust of career employees, there will be an impediment to EPA fulfilling its mission.	Act in the best interests of the public instead of trying to protect select industries (i.e., coal). Undermining prior collaborative efforts (i.e., climate change) that were underway creates a tremendous inefficiency. It only delays the inevitable and hurts everyone in the long run. Support efforts by states (i.e., CA) that wish to go beyond national minimal standards.	Be transparent in all actions. Support efforts by states (i.e., CA) that wish to go beyond national minimal standards.	Undermining prior collaborative efforts (i.e., climate change) that were underway in the prior Administration creates a tremendous inefficiency and wastes taxpayer dollars. It only delays the inevitable and hurts everyone in the long run. Embrace energy efficiency programs. This is what will lead the US to a better future. Embracing coal, a dated fuel source, sets us back and allows the rest of the world to catch up or pass us.		Undermining prior activities (i.e., climate change) that were underway in the prior Administration creates a tremendous inefficiency and wastes taxpayer dollars. It only delays the inevitable and hurts everyone in the long run. The new Administration isn't reinventing the wheel, they are destroying it. Embrace energy efficiency programs. This is what will lead the US to a better future. Embracing coal, a dated, costly, and dirty fuel source, sets us back and allows the rest of the world to catch up or pass us.
829	828	5/10/2017					We need to move to document processing electronically. Simple things like document routing for concurrances should be done electronically, but we don't have the appropriate computer programs to do that. We've attempted it in the past by trying to adapt Microsoft SharePoint to do the job but it did not work because that is not what SharePoint was designed to do. Electronic signatures is something else we need to explore doing, in order to expedite document processing. When it comes to pesticide labeling, we need some kind of label matching software so that we don't have to look at two labels manually side by	

AMERICAN OVERSIGHT

	I
828	Undermining or dropping prior "best practices" (e.g., Clean Power Plan and related climate change efforts) underway in the prior Administration creates a tremendous inefficiency and wastes taxpayer dollars. It only delays the inevitable and hurts everyone in the long run. Embrace energy efficiency programs. This is what will lead the US to a better future. Embracing coal, a dated, costly, and dirty fuel source, sets us back and allows the rest of the world to catch up or pass us.
829	We need to get actual IT software support that we can actually trust to do a good job. Every project I have heard about goes over budget and is delayed because we don't have good programmers.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
830	829	5/10/2017	I do not believe it is necessary that we report public meetings/presentations that we will be giving all the way up to our Regional Administrator and HQ. In the past, our direct supervisors and perhaps Division Directors have had the ability and knowledge to approve our external presentations, and this has always been fine. We should go back to that and trust that our appointed employees have the knowledge to accurately present topics related to EPA.	We currently work extensively with states and local communities, and I feel that those relationships are strong and vital to the work that EPA accomplishes. We should continue to harbor these relationships via grants, in person meetings and being available as technical experts if needed.	As mentioned above, being at important in person meetings, providing technical assistance, and providing and managing existing grant programs. We should not cut grant programs that states, tribes and local governments depend on.	One thing I've identified that could save money is related to travel. Currently, we receive a daily per diem for food costs, and receive that amount even if that amount is not spent. Rather than do it this way, why not cap daily food costs at a certain amount, and then only reimburse for what is actually spent, signified by receipts. As an example, if there is a $50 cap per day, and only $37 is spent on food, we should only be reimbursed for the $37 (which will be verified by scanned receipts) rather than $50. This would save on money that is currently just given to employees.	I feel very effective with a new laptop, EC500 for phones, and my own conference call line. I think all employees should have a personal conference call line if necessary. It is very embarrassing to work with the public and not have a conference call line free to use.	
831	830	5/10/2017	Pruit should resign. He has no credibility and people won't follow him.					
832	831	5/10/2017	It is very difficult in awarding grants to the states and tribes when the budget is delayed well into the fiscal year. 2-4 actions needed to be taken where one action should be all that is needed to award a grant. This is a huge waste of resources and hurts our partnerships with states and tribes.	More consistent funding. Funding levels have been dropping over the years but the need is still there for all of these environmental programs.	We are understaffed and it is getting worse not better. For improved customer service, we need more staff to be available to work with our partners effectively and efficiently. Also, keeping the regional offices intact would help maintain these partnerships.			

AMERICAN OVERSIGHT

	I
830	Empowering first and second line supervisors (and even some employees!) to make decisions and help form the direction of projects is key. Having to report high up the management chain and even to HQ on easy decisions creates log jams and wastes time. Wasted time is wasted money.
831	
832	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
833	832	5/10/2017	The updates to systems always cause problems on Monday morning for log-in. These updates should happen on Friday after midnight.	A more active role in the community, not just for major holidays or earth day events. Actually spend more than a day in a community within your region. Designate a Accountability Coach to make sure things are constantly being done to improve the environment in each region from employees already within EPA and no additional salary.	Employees at the state level should be more engaged and more active in the community. Federal programs should be introduced that actually work	Since lots of people work from home, ELIMINATE transportation subsidies. If you're not coming into the office 5/five days a week, there should be no transportation assistance to work	Apple computers and more knowledgeable IT personnel. Microsoft Office 2016 (we are now using 2010 in 2017)	Too many agencies and no work seems to be done or in a timely manner. Consolidate agencies and realign work duties. Reduce salaries (concessions to save money for the government)
834	833	5/10/2017	IT infrastructure and software is outdated and inefficient. For example, the agency has partnered with the DOI to use FPPS for HR functions. It is practically a DOS-based system that is entirely non-intuitive relative to windows-based systems used in all other functions of administrative support.	Improving and streamlining mechanisms that establish partnerships with these entities. Even without money exchanging hands, it can take months to years to establish interagency agreements, or in the case of private sectors, establish CRADAs. Most EPA staff are very familiar with and have great professional relationships with state, tribal, community and private sector counter parts, there is just an impossible amount of paper work to work through in order to establish agreements that meet compliance with statutory requirements of congressional appropriation law.	Have more public outreach. EPA has been shrinking for over a decade and some programs have had to necessarily been significantly reduced or eliminated to preserve core functions of mission. If we don't have the people and staff to reach out and communicate our actions, it is difficult to receive feedback on how to better serve the public.	While I get that the current climate in the Agency is we have too many federal staff, our contract costs are not more efficient or necessarily saving us any money. For years the question has been tilted toward replacing FTE with "cheaper" contract support. From my perspective, the perspective has been shifted to what work can we more cheaply do with FTE than with contract support mechanisms. Further, if we consider that we need significant Federal Staff levels to manage contracts, what efficiencies are really gained? All of this goes to ultimately most efficiently using resources to maintain environmental protection.	See my response number 1 above.	Because of the overall federal attrition for quite some time, much of this has been already occurring to the extent possible. I know my organization appropriately collaborates widely with other federal agencies and routinely assists states and tribes.

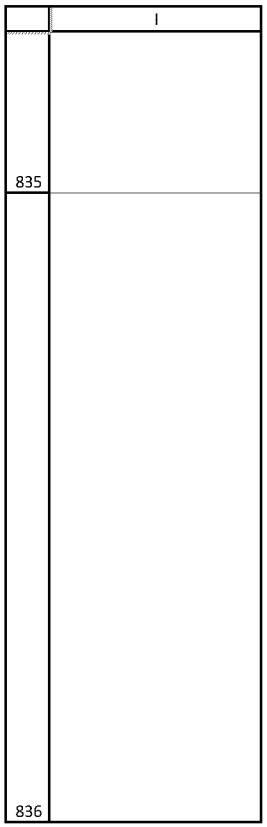
AMERICAN OVERSIGHT

	I
833	Job Share - Hire contractors as permanent employees who have a proven track record for performance and attendance, GS5 or GS6 - If more than 20 years and no advancement, the employee should retire just like in the military, if you aren't a E6 or above - Part Time employment working from home and the employee pays HIGHER medical benefits because you're not coming into the office - Unnecessary travel eliminated - Use video conference for meetings around the country on a SECURE network which reduces travel cost, hotel cost and food cost - Raises should be based on performance and not
834	Well the private sector has the advantage of being able to rely on the timing of a budget and not have 2-3 threats a year for complete shutdown. It is impossible to be responsible stewards of tax payer's money when we don't know what our budget is for the year until 2 months before we need to close out the books for the year. And then as desperate as we may need the resources in support of mission, we don't have the contract administration efficiencies to appropriately make use of those resources so its viewed as not needed. We have actually gone to planning budgetary resources on a hugely variable scale that could mean anything from flat line to decreased resources to a complete

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
835	834	5/10/2017	Excess passwords requirement. Establish the credential for logging on to your computer.			ID badges need to operate at all locations. One contract to meet the terms and conditions. Sub-contract to small businesses in the Region(s)	Periodic IT training for the staff to keep everyone up to date and reduce the need for excessive IT support	
836	835	5/10/2017	Grant reviews can take longer than needed due to complicated review sheets that break down scoring into redundant and/or too many categories. Beyond an eligibility review, the only scores needed are basically for soundness of project approach, milestones/deliverables/timeline, qualifications/expertise of applicant, soundness of budget, and past performance. It should not take an hour to fill out a proposal review scorecard.	Encourage states to integrate next generation/real-time monitoring into permits and state Performance Track-type programs. Such monitoring information might lessen the need for enforcement resources. Put more personnel and resources into compliance and technical assistance for sectors with higher pollution concerns/potential.	The current climate change denial stance by agency leadership, and other stances counter to best available science, need to be corrected. We are losing credibility in the eyes of other levels of government as well as the private sector, which will reduce opportunities to form effective, cost-leveraging partnerships with those organizations. These stances also create mistrust among EPA employees. Most of us are very common-sense people. People who review permits, state plans, etc. have very strong knowledge of changes that could be made to improve efficiency and relationships with the regulated community. They are a huge source of ideas. However, they will not want to work with agency leadership to implement those ideas if leadership is taking stances or actions that run counter to our mission. The public at large (including my Trump-voting parents) is concerned about the impacts of		Explore advance air/water/land monitoring technologies that could lessen the need for enforcement resources/inspections.	Improve cooperation with DOE on energy efficiency and renewable energy.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
837	836	5/10/2017	The PARS ranking system is demoralizing. The ranking categories (FS, EE, Outstanding, etc) are based on extremely subjective criteria. Some managers are "easy graders" and others believe that an "Outstanding" should never be awarded. (I've received Gold medals and still not received an "Outstanding" from one manager while I used to receive them annually from another) This ranking system has a very negative effect on work performance. The private sector is moving away from it entirely as it makes individuals less concerned about the effectiveness of teamwork and more concerned about how their individual contribution is viewed by management.	It's hard to partner with states, tribes and even the private sector when our scientific integrity has been compromised. In my 25 years at EPA, I never witnessed States or consultants publicly question and even make jokes about EPA's commitment to protecting human health and the environment. That has changed. EPA is now the butt of joke thanks to our recent refusal to embrace scientific consensus and the scientific method.	Integrity, integrity, integrity. We are a scientific and regulatory agency. We should take both roles seriously. Scientific and technical experts at EPA should be valued, not made to feel that if they don't go into management, they have somehow failed. In the Regions, technical experts are capped at the GS13 level (for some reason, HQ allows for a lot more employees to advance to the 14 level.) EPA needs to attract the best and the brightest if we expect to perform our duties and not become the dysfunctional and overly bureaucratic government agency that some accuse us of being.	Mu understanding is that EPA's budget represents less than 0.2% of USG spending. We are charged with ensuring that people have safe water to drink, safe air to breath, and safe soil to till. While reducing inefficiencies is always important, there comes a point where the lack of spending is the source of the inefficiencies. This is the question that should be asked. I have seen EPA waste exorbitant amounts of money "fixing" a problem through brick and mortar infrastructure that could have been fixed via our regulatory tools. The problem is that we lacked the technical staff necessary to have caught the problem. This is often times the true source of government waste.	Yes, increasing Internet speeds in offices to levels that are on par with the private sector. I worked in an ORD lab and couldn't use their GIS software because the Internet speed was so slow.	We are supposed to be providing an oversight role to States. We do that.
838	837	5/10/2017	Focusing on the best interests of industry over environmental protection prevents me from doing my job efficiently and effectively.	More resources and people to accomplish the EPAs mission.	More resources and people to accomplish the EPAs mission.	No, we are understaffed and under budget.	There are a lot of field sampling and laboratory techniques that could be modernized and make things more efficient, but we need more resources and more employees. An automated ELISA is on example of something that make ELISA analysis more efficient.	Create liaison positions for communicating with other federal agencies.

AMERICAN OVERSIGHT

	I
837	Yes, private sector provides a travel budget that typically allows for their professionals to attend trainings, speak at conferences, and maintain their technical skills. EPA used to provide for that type of training and travel budget, but those day, especially at the Regional offices, are gone. Thank you for this opportunity to comment.
838	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
839	838	5/10/2017	(1) Administrative Issues: Care should be taken not push people who are different into administrative positions. Agency Managers seem to place diverse individuals into mostly administrative positions and/or assign administrative projects to diverse professionals. I???ve seen some well-educated professional employees relegated to administrative assignments (e.g. driving managers to visit various communities, planning conferences, helping to carrying out grant requirements that are the responsibility of another office, entering information into office databases, etc.). EPA management should be sure to use the talents and education of employees appropriately. It doesn???t seem appropriate to have a GS-13 professional employee spending their time on filing and record-keeping. (2) Revise Office of Personnel Management (OPM) Retirement Rules and Remove IRS Penalties. The OPM rules are the reason EPA employees hang on so long to their jobs. The OPM rules for retirement and accessing the	Managers should be held accountable for lack of diversity: EPA management does not appear to follow the Diversity Action Plan, nor do they appear to be familiar with prohibited hiring practices under the Equal Employment Opportunity Commission. There should be some mechanism during the hiring process where they must certify they have at least read through these documents and made an effort to comply. There should be some place where the Agency managers must show they have looked broadly to try to find diverse candidates and attempt to mirror the demographics of the regional office area that is covered by the Agency. Today, the hiring of young students with advanced degrees and zero experience in the real world is the norm. They are quickly bumped up to GS-13 expert levels, not based upon experience in the	(1) Address favoritism in hiring: Take steps to avoid the constant practice of ???like-hiring-like??Â. Basically, everyone is the same at EPA ??? liberal and/or elite. Anyone that is different will not get hired. EPA is now likely facing the same situation that the Democrats/Hillary Clinton faced when the election was lost. When an Agency becomes too one-sided, like EPA has become, it creates a situation where the regulated public and stakeholders do not get a say in the process until late in the game ??? at the public comment period on regulatory development. EPA should try harder to recruit and hire the appropriate mix of diverse people with diverse perspectives and include those individuals on the Agency???s national rulemaking work group efforts. This will allow more people that can think outside the box to develop more creative options for consideration during development of draft regulations. Having an Agency	(1) Safety Issues with Federal Fleet: The maintenance and safety of the federal vehicle fleet needs to be addressed. The vehicles are often poorly maintained and dirty, resulting in safety issues for employees that must travel. Vehicles have bald tires that are well beyond the maximum mileage life. In one instance with these types of old tires, one went flat resulting in a potential stranding situation for the employee alone in a remote wilderness area. Employees often start traveling only to find the vehicle gas tank empty or the maintenance light on - requiring oil changes, service, etc. No one appears to address these issues (not the traveling employee, nor the manager responsible for the	EPA has not kept up with the private sector on technology. EPA has had the Windows 7 Operating System until 2017 when EPA finally started switching to Windows 10. Staff working at home on their own personal computers often have better technical abilities than at the office. Remote access is not reliable. It???s improved recently, but when first rolled out it was a nightmare ??? often forcing employees to call a national number to trouble-shoot on government work time, only to find it wasn???t a problem with their own personal system, but that of the government system. Computer laptops are old and slow as well. Having a screen go blank for several seconds to log in or switch to another program is	EPA provides grant funding for general water quality monitoring and assessment. U.S. Geological Survey also carries out these activities in a seemingly duplicative manner. There could be some ideas here for reducing the costs to the government.
840	839	5/10/2017	The current process and expectations for contract actions vary between Contract Officers in OAM. The creation of a consistent process with set lists of documents and requirements that all C.O.s would follow plus a set process given to the CORs and those putting in PRs would be extremely helpful.		Create a single call center / help desk for all public inquires and work with the AAships and offices to create canned language and answers for the public.	An easy way to locate what desktop software packages are allowed and preferred for various and available to users rather than referring users to the "GSA schedule".	Allowing the EPA to utilize drone technology for cleanup and emergency response	We should create a policy relating to Personally Identifiable Information (PII) similar to those implemented at the US Census Bureau (Title 13) or the Internal Revenue Service (Title 26) to consistently define expectaions for the public about what data we collect, how we use it and how we secure it, and how and to whom we release the data to

AMERICAN OVERSIGHT

	I
839	(1) The current awards system should be restructured. It seems to reward the same people repeatedly (usually legal cases) resulting in poor morale amongst those that never even get a nomination for an award. The current system (medals and regional awards) has so many categories which results in a lot of time/effort to recognize employees with very little increase in morale within the Agency. In fact, it seems to contribute to poor morale. The system also seems burdensome to management. There???s a lot of work time spent writing up awards, participating on panels and attending awards ceremonies. This isn???t a good image for the public
840	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
841	840	5/10/2017	Excessive review of work products by headquarters staff and management has introduced inefficiency into various work processes. While the regional staff and management understand the need for national consistency, standard or non-controversial actions should be left to the regions to complete, to limit the waste of time and resources. Investment in more high quality administrative staff could increase overall efficiency. In the 10 years I have worked at EPA, I have seen a large amount of administrative tasks transferred from administrative staff to the staff at large. This results in GS-12 and 13 (or higher) employees spending significant amounts of time on work that could be completed by lower GS level staff and the associated waste of money on personnel costs.	Focusing resources on the regional offices, which are closer geographically and have better knowledge of local issues than headquarters and other "centralized" offices like ORD. Making coordination with state, local, and private partners a meaningful focus of performance reviews. Minimizing travel by headquarters staff to distant (and costly) locations by focusing on having regional staff represent the agency at in-person meetings, conferences, etc. The regional staff are often more familiar with the local issues anyway and can work closely with states and localities at a lower cost than sending headquarters employees.	As stated above, making coordination with and support of state, local, and private partners a meaningful focus of staff performance reviews. Minimizing time spent on internal (within EPA) meetings and activities and focusing time and energy on relationships and support of external partners.	Improving performance reviews, including dealing more aggressively with low performing employees and rewarding those who excel to encourage high performance. Commitment to efforts such as "Lean Six Sigma," including requiring managers to implement all reasonable recommendations that result from Lean projects. I have participated in Lean activities, and employees are willing to seek improvements to EPA processes, but they need the support of high level management to get beyond the weight of "business as usual" pressure against change. Staff cuts can be made while still maintaining	Encourage continued or increased use and availability of "sharing" technologies such as SharePoint and OneDrive so as to allow for more efficient electronic transfer of documents and information. Focus IT investment on support of networking to encourage productive remote work.Also focus on deployment and training of staff on videoconferencing equipment so that staff are more comfortable and efficient at using this technology, which could save on travel costs when used appropriately.	Focus EPA staff and resources on areas where EPA has a "value-added" role. In regulatory programs this is determined by law, but in our voluntary programs, this should be determined by providing EPA expertise where it is unique and adds value, e.g. providing expertise on mitigation of environmental impacts, best management practices, avoiding impacts to air and water quality, etc., to other federal agencies as they engage in funding or technical assistance to states and localities.
842	841	5/10/2017	I think as federal employees we do way too much administrative work, whether it be running around getting comp time forms signed, filling out TA's and getting them signed by 5 different people, logging into the numerous accounts we have to have that all require special passwords. A great deal of my time is often consumed by these tasks that could be done by an administrative assistant or done electronically instead of on a paper form. It should not take more than half a day to set up your travel. When a new employee starts, why do we not already have a computer set up with the programs the division knows they will need? Instead of going through the IT department and several help-desk and form to be signed by managers stating that you do in fact need these programs and software install in order to do your job. There should already be an approved list of programs installed and ready to be used on ones computer by assigned division, type of work, by	I don't have enough experience on this topic to make a viable comment.	No comment	No comment	Having devices that allow field workers to use apps related to the work they do would accomplish wonders. There is almost an app for everything, whether it be plant identification, stream indicators, or environmental hazards. If they are not readily available or capable of doing what we want we could easily contract it out and have it developed specifically to meet our needs. Not only that, we could cut down on the numerous/repetitive forms we have to fill out for the same project or task by compiling them all into one easy to find location where you could sign into an account and put documents pending in a sort of queue that allows you to see who's "desk" your forms are sitting on and who needs to sign	Communication!

AMERICAN OVERSIGHT

	I
841	Promotions based on performance rather than tenure (example of DOD, though successful implementation has been mixed); Lean Six Sigma process improvements and implementation.
842	Amazon, Apple, google... take your pick

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
843	842	5/10/2017		Disagreements are inevitable giving varying missions of agencies involved. You can use facilitation and mediation to help those involved communicate more effectively. These uses of Alternative Dispute Resolution have been shown to produce results all involved can understand and implement without the need for going to court or getting overly political. Support the continuation of both workplace and environmental conflict resolution. Also, EPA has both an ADR Policy and a Public Involvement Policy. More knowledge and use of the best practices described in these policies would help everyone communicate and cooperate with each other. Many times a neutral facilitator (someone who is not EPA and not one of the other parties) is necessary for all to believe a process is fair. The use of neutral facilitators needs to be	EPA's Public Involvement Policy outlines how to better work with any stakeholder. Read it, google good public involvement principles. Involve public involvement experts in helping to design interactions and communications. Fund travel for EPA employees to meet communities, tribes, regulated community and others in person. It can reduce misunderstandings and build trusting relationships. Isolating EPA people in their offices without any means to see people in person unless those people have the time and money to come to EPA offices is unproductive.	Use good public involvement and dispute resolution resources inside the agency. Give these processes time and resources to work.		Connect EPA's ADR and public involvement programs with other federal agencies. Make these resources known to states. Work through varying missions, roles and responsibilities. Make sure the public and regulated industry know who is really responsible for what. Hold state agencies accountable where there are delegated programs. It was the State of Michigan that did not protect the citizens of Flint, not EPA.
844	843	5/10/2017		Regions should receive extra travel $ to use for paying for state / local officials travel to meetings with EPA (either in the office or in the field) so that the state (or local) folks can actually provide input to EPA's strategy, planning, and implementation of programs. Preferably, some of that money could come from specific HQ program budgets. Travel money is a pretty small part of our budget, but it could make it much easier and more efficient for us to support the needs and goals of the states.				

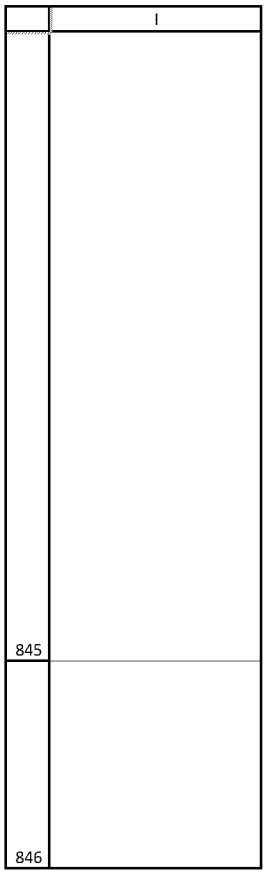
AMERICAN OVERSIGHT

	I
843	EPA's environmental ADR and public involvement programs have led the way for 30 years - establishing best practices for conflict resolution, collaboration and public involvement. Recognize that federal employees can indeed be world renowned experts in these fields and empower them to continue to educate the administration and EPA employees in best practices. Publicize when we are successful and give some credit to those who work well with others - not just in public service recognition week, but all the time.
844	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
845	844	5/10/2017	1) We still have a manual concurrence process in the Region. I would recommend an electronic concurrence process to route a documents through the concurrence process. 2) The Superfund remedial program is embarking on a large change in the contracting strategy which will impact the implementation of the Superfund program. Changes will begin to take effect in the Fall of 2018 when EPA awards the first of this new suite of contracts. One change that I think should be considered is that we do not move forward with a Remedial Environmental Services Contract (RES). I think the current model that has been set up works and is more efficient. EPA does not have the resources to manage the RES contract.	We currently partner with the States in the Superfund program and only take on Sites that the State does not have the enforcement or financial resources to address. In the SF program, the State is required to cost share 10% of the remedial action cost and 100% of the O&M at the Site. The States are under tremendous financial constraints and are often not able to fund their environmental responsibilities. This often causes issues between the State and EPA regarding responsibilities. My idea would be for EPA to have 100% responsibility for the Superfund program. However, for this to work properly, the funding would have to come with it.	In the Superfund program, we have very good customer service with our states, tribes, and communities. I think other areas of EPA could model their customer service after the Superfund program.	The current budget cycle impacts the SF program and leads to many inefficiencies. First, the budget that is provided, is often not sufficient to address the backlog of work in the SF program. As a result, instead of fully funding the work required for the investigation and cleanup of a Site, the work is phased over several years. This leads to inefficiencies and delays in completing the work.	State of the art IT services. The government often contracts these services out and we are often behind industry standards in the use of hardware and software. In the last year, things have improved. However, in the program that I work in (Superfund) tablets would be very beneficial. However, we often do not get state of the hardware because of budget constraints.	The Superfund program has the ability to use Interagency Agreements with the Army Corp of Engineers to perform construction acquisition and management at fund lead Superfund Sites. This has been a successful model for the last 30 years. However, there are acquisition plans within EPA to change that model and drastically reduce our ability to use the Army Corp. This will require EPA to be the construction manager on many fund lead SF sites. The resources have not been provided to the agency for this effort. I believe this is an inefficient use of government funds. The program should rely on
846	845	5/10/2017	Issue: Severe political interference in science issues. Solution: Remove all political appointees from federal science agencies.			Let scientists do their work. Don't burden them with mandatory non-useful tasks, such as preparing travel documents, administrative trainings, etc.	Absolutely - there are numerous new technologies for monitoring air and water quality. Funds and personnel are needed to purchase, evaluate and operate these technologies.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
847	846	5/10/2017				Outsource PC imaging / security so the entire agency has one operating system image & one security system - hopefully to NSA or DOD. That each of the 20 Regions/MNMs define their own OS/security is archaic. Each has its own regional ISO - this could be centrally managed. It is amazing the amount of down time with re-entry of LoginIDs and PassWords has to be done each day. Adopt a functioning electronic grant system from another agency that has a 'best in class' operation and revise EPA processes/requirements so EPA doesn't tailor it to their own vision. That is where we go wrong.	Outsource PC imaging / security so the entire agency has one operating system image & one security system - hopefully to NSA or DOD. That each of the 20 Regions/MNMs define their own OS/security is archaic. Each has its own regional ISO - this could be centrally managed. It is amazing the amount of down time with re-entry of LoginIDs and PassWords has to be done each day. Adopt a functioning electronic grant system from another agency that has a 'best in class' operation and revise EPA processes/requirements so EPA doesn't tailor it to their own vision. That is where we go wrong.	
848	847	5/10/2017	The administrative processes and systems in place to support those processes are nearly unworkable across the board. OARM and OEI are primarily responsible for these types of activities. Our procurement actions have been at a near stand still for several years and OAM is understaffed and unaccountable to the delays in procurement leading to inefficient use of resources and inability to perform mission critical activities. Additionally the IT systems related to contracting, HR, payroll, etc are arcane, dense and not even remotely user friendly. The IT support for our basic equipment such as computers, printers, mobile devices, etc is inefficient and baffling. All of these failings leads to loss of productivity, inability to plan, redundancy and waste of resources. Solutions to solving these issues include lifting the hiring freeze to staff up all administrative functions with competent and skilled professionals, allow stability across OARM (no reorgs, restructuring, details) to build accountability, a base of knowledge and vastly simplified	Provide sufficient resources and clear lines of decision making across all Agency activities. Engage with the career staff and experts on issue areas. This will allow for meaningful interactions within statutory and regulatory obligations (e.g., consultation, public hearings, public comment periods, transparency of calendars of senior leadership etc) and lead to improved results and actions that will garner support and withstand legal scrutiny.	Similar to above, engage the career staff and experts, provide sufficient resources, establish clear lines of decision making and transparency across all actions. This will allow the Agency, its staff and its stakeholders to interact in a meaningful way to fulfill the mission of the Agency which is actually protecting human health and the environment.	Yes, detailed in the answer to question number 1 there are numerous inefficient, opaque, duplicative, immovable processes that underline and support the Agencies work. Without proper administrative support, transparent engaged leadership and sufficient resources the Agency will not be unable to fulfill its mission.	Yes, again, the answer to question number 1 details numerous systems and process that if improved/replaced will yield significant benefits. In addition, sufficient resources and frequent and transparent communication from leadership to staff, especially in light of the drastic budget proposals will ensure the Agency is able to protect human health and the environment.	This question presumes activities need to be realigned, rather, a comprehensive review of Agency activities in light of clear Agency goals that align with its mission, statutory obligations, needs of the states, all stakeholders and the public, as well as other USG goals, functions and activities should be completed so any realignment comes from an informed place and likely reaches successful implementation. In the past, likely as an attempt to maximize resources the Agency has adopted systems or processes (e.g., FPPS, people plus, etc) from other Agencies without sufficient consider, review or

AMERICAN OVERSIGHT

	I
847	
848	Frequent meetings and transparent communications with staff.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
849	848	5/10/2017	People Plus is absurd - we are salaried employees. I understand the necessity for leave requests and tracking of those, but the rest of the system places a burden on both management and staff.					
850	849	5/10/2017	The processes for awarding contracts and grants have become so overburdened with prohibitions and criteria that staff and recipients waste large amounts of time trying to understand options and requirements. Grants and contracts staff can???t coherently explain the byzantine rules to program staff, who spend time that should be spent on core work trying to choose and execute the most efficient method of awarding federal funds to accomplish goals. Grants and contracts staff FTEs have been pared back to the point that they can???t afford the time to help much, and are reluctant to take ownership for agreements that just might run afoul of some prohibition. Staff often resort to using mission contracts because processes and criteria for awarding unique contracts are opaque and burdensome, but finding an appropriate mission contract is usually time-consuming and as a spending vehicle usually involves unnecessary overhead cost. Unique grants are similarly difficult to award, and program	Annual meetings to communicate among federal and state programs to set priorities, divide responsibility, and coordinate next steps are essential to avoid accidental duplications and omissions. Because state staff increasingly cannot afford to travel to a central location, travel funding should be provided if we want them to take an even greater role in executing federal mandates. Also, it???s become increasingly difficult to stage workshops and conferences to provide essential compliance assistance to the private sector, due to the gradual accretion of prohibitions and rules aimed at avoiding the appearance of wasting federal funds, and favoring or improperly accepting support from private parties; therefore, elaborate requirements should be re-examined and pared back.	One simple tool would be to post contact info for subject matter experts in HQ, the labs and Regions on our website. The most recent revamp of our agency website for greater uniformity and less maintenance made it difficult to efficiently reach someone who can help you. Simply posting org charts and providing an employee locator isn???t enough. An example of how to do it right: https://www.epa.gov/air-pollution-transportation/office-transportation-and-air-quality-contacts-topic Also, see answer to Q 7.	Eliminate unnecessary management layers that have been created by division chiefs bent on building fiefdoms???for example, make section sizes more standard, and eliminate the branch level where total section FTE isn???t sufficient to justify a branch. This not only saves $, but could streamline communications between programs. Sometimes staff-led teams can substitute for forming new units, and can be formed and dissolved more quickly to respond to new and/or temporary needs. Introduce more uniformity in pay grade levels: HQ staff should not necessarily be paid 1 or more grades higher than equivalent Regional staff, attorneys should not necessarily be paid 1-2	Our IT help staff & contractors are very efficient and skillful, helping all employees function more efficiently. However, delay in approval for federal use of updated versions of basic software forces IT staff to waste time patching in remedies, and the results function less well than timely upgrades would. Elaborate justification is required for installing specialized software, which can impede our ability to provide compliance assistance to regulated parties.	The most puzzling area of overlap among federal agencies is in the realm of energy & fuel efficiency programs. For example, EPA???s very lean and successful SmartWay Transport Partnership and related technology verification program coexists with DOE???s vehicle technologies program. Since EPA regulates engines, it may sense for DOE to cede transportation fuel efficiency programs to EPA. But it may make more sense to move Energy Star, another highly popular efficiency program but one that doesn???t relate to EPA???s regulatory role, to DOE???s office of energy efficiency &
851	850	5/10/2017		Create more collaboration opportunities by committing to regular conferences to discuss pertinent projects, concerns, and progress. Allow more development opportunity for EPA staff by providing EPA staff opportunities for short-terms details with states, tribes, local communities, or the private sector.	Provide EPA staff the resources (FTE and budget) to conduct robust user research and allow for continuous feedback loops between EPA staff and external stakeholders.		Yes, we should adopt agile/lean practices and methodologies, modern software development methodologies, look for tools that allow for collaboration with internal and external users.	
852	851	5/10/2017	Get rid of the silly DUNS requirement.	Have more EPA funds to work with.	More funds and FTE at EPA.	Terminate the employment of all the political appointees.	Accelerate the replacement of Lotus Notes-based IGMS.	Give EPA the statutory authority for funds in from anywhere, like USDA. Reduce duplication by letting EPA do it all.

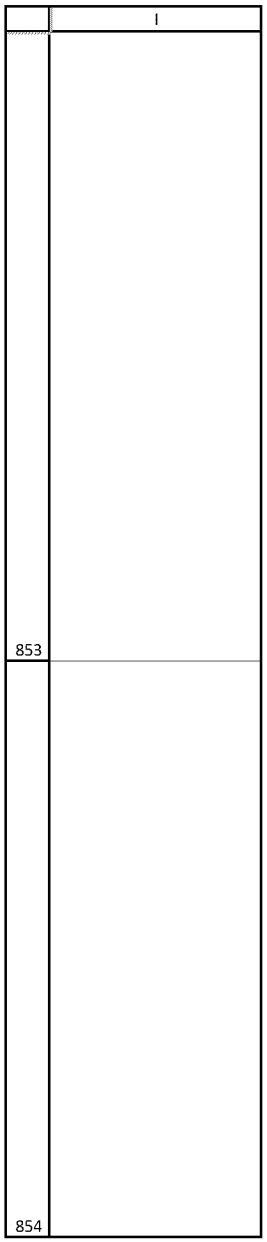
AMERICAN OVERSIGHT

	I
849	
850	Region 1 has a unique assistance and pollution prevention unit established over 20 years ago as a staff-led team, then made a permanent unit. This unit provides compliance assistance as needed on new and complex requirements, to underserved sectors, using plain-language tools (fact sheets, webinars, workshops, onsite training, etc). All outreach encompasses related federal/state requirements, audience priorities, and cost-saving ways of avoiding the use of regulated substances and processes, thereby reducing regulation. Assistance is coordinated with state agency counterparts, who often later perform additional
851	Lean, Agile, Design Thinking, User Centered Design, User Research, Cloud development.
852	We should have a leader that does not lie constantly.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
853	852	5/10/2017	My biggest concern as a worker is the time spent on bureaucracy. What I mean by this is that there are too many different reporting systems, too many people working on what appears to be the same thing. I can understand this modus operandi years ago before PCs and the web, but now is just seems to be a system of checks and balances, which ought to be streamline and trimmed.	I really don't have much to say here as I feel strongly that we already have good working relationships between EPA and states, tribes, local communities and environmental groups and stakeholders. As far as water permits are concerned there is an active & conscious decision to be as transparent as possible in our work product and good use of available technology to reach to a myriad of stakeholders.	I don't have much in the way of comments and productive ideas; perhaps just maintaining an open mind (& purse string) in pursuing all available and changing technology to maintain as much transparency as possible in all the great environmental work being done at EPA! Currently, I firmly believe we reach out as much as possible to all our stakeholders and other parties.	Less bureaucracy and more use of green technology to cut through the muck & stagnation. I believe EPA HQ as well as the regional offices need to "advertise" more of our success stories explaining in simple terms and numbers the strong environmental strides we make year after year. Have media offices proactively searching for the next big "wow story." Get more kids involved in the merits of environmental successes as they will be the stewards of tomorrow's environmental goals and successes.		Dangle a carrot in front of our stakeholders. Come up with ideas for example, giving more aid to communities achieving environmental gains. Working/training state leaders on the importance of change and evolution. EPA already has offices engaged in P2 programs, etc., but what about something as simple as, looking for alternatives to salting our roads in winter, announce a contest - - get ordinary people involved in who we are as an Agency, partnering with future leaders, listening to what the public is telling us & addressing the issues even if the answers are not always the most ideal.
854	853	5/10/2017	Because we don't typically do much travelling, when we do it's much too complicated to submit a request, and work with CONCUR. It used to be quite easy. However, CONCUR is cumbersome, and results in taking too much time for a trip that could be under 25 miles. Having to submit for Travel when going such short distances and using a government vehicle wastes valuable time and taxpayers money. This is an example of a system that has gotten bogged down by technology rather than made more efficient. I would recommend simplifying this by having an administrative assistant or some other employee trained as the Travel Assistant, and having a simpler system other than CONCUR. Also, I recommend removing the requirement to submit a Travel Authorization for local travel even when using a government vehicle to go to a 2 hour meeting.		This			

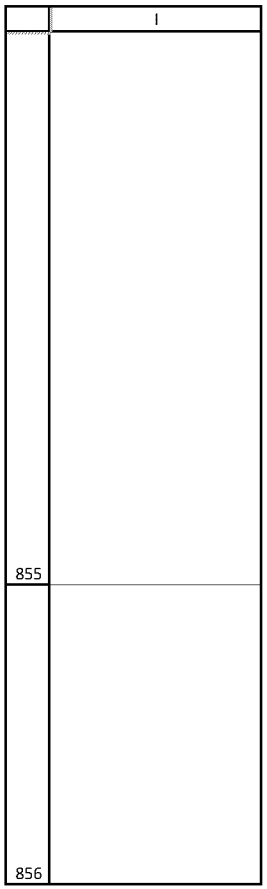
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
855	854	5/10/2017	EPA's contract management process is very inefficient (OARM/OAM). The current process for awarding contracts, processing PRs, etc., is lacking resources and could be evaluated for process improvement overall.	Re-evaluating EPA's Action Development Process such that the process for development of regulations and major policies would be much more inclusive of states, tribes, and local communities. I would not recommend being more inclusive of the private sector given the possibility of conflicts of interest.	Modernizing our processes (process improvement) but not doing it in a vacuum either. We need to include our state partners in this effort from the very beginning through the end. May be we can detail state employees into EPA (one or two for each program) to help with this effort.	IT/IM management across the Agency does not exist; therefore, there is a lot of duplication of IT/IM development across the program offices resulting in a significant loss of resources and opportunities. The one problem with trying to realize this opportunity is that OEI does not always know the business needs of EPA program offices which would make it very difficult to achieve this opportunity. Another problem is that program offices are very protective of their turf and are not open to new ways of doing business or collaborating across the Agency.	A much greater investment in IT/IM to modernize existing systems and to streamline existing regulatory requirements (e.g., investing in electronic reporting).	See response to Q #4 above, but adding other federal agencies, states, and commercial vendors to that response (i.e., taking advantage of leveraging resources for IT/IM solutions).
856	855	5/10/2017					Improvement in video and audio equipment for large meetings. Quite often there are problems with the audio and visual equipment that cause delays in meeting proceedings. Also, a way to mute individuals calling into meetings until or unless there is a need to receive comments or questions from them.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
857	856	5/10/2017	Lack of leadership, knowledge, guidance, and staff throughout OARM, especially HR and contracts management. Decentralized administrative processes at HQ, Also, the the myriad reporting requirements for EEO and diversity efforts which would benefit from economies of scale because they are not really being done in a meaningful way at the program office level though we all spend time and resources talking about it. More generally, the layers upon layers of management for small numbers of staff. The Agency's supervisory ratio is not great and the quasi-supervisory ratio is even worse. Team leaders under Section Chiefs under Branch Chiefs under Deputy Division Directors under Division Directors under Deputy Office Directors under Office Directors.	Partnerships are essential but states, tribes and local communities do not have the resources necessary to implement their programs, financially or experience-wise. Allocating additional funds may help in some instances but, at the practical level, they often rely on our expertise and guidance to help their people stay safe and their business to run efficiently.	engage at all levels of the Agency; staff need to hear the discussions to translate it into the work they do.	hiring/firing but that's a government-wide reform. coordination/consolidation of pieces of programs in the regions and elimination of not statutorily-required programs though those are often the popular ones. Also, less management of work/more management of programs; managers are and are expected to be subject matter experts; not proficient in the ECQs.	federal contracting and budget processes completely inhibit the ability to adopt new technologies or processes because it takes, conservatively, 5 years to begin to put anything into place by which time it's already outdated,	senior political leadership will need to direct this.
858	857	5/10/2017	Employees should be able to use their POVs and commute to off-site work locations directly from their residences with the standard reimbursement (not reduced millage rates). Commuting to the place of employment only to pickup a GOV and then turn around and drive to another site can be a tremendous waste of time. This is particularly for downtown offices like in Boston where sitting in traffic can be 3 hours of the day coming and going, where if one were to just leave from their suburban place of residence they would have that 3 hours to do actual work. Taking home the GOV is often discouraged, the GOVs are often not available to consecutive days, and it can be a burden to park at residences for many in the Metro area.	my manger discourages me from working on anything outside my assigned area. collaborative projects are discouraged.		Region 1 has a policy of not permitting staff to reserve their own flights or hotels, which usually ends up costing the Agency MORE since travel dept won't make a reservation until they feel it's appropriate--despite reservations being fully refundable! When we delay making reservations the cheaper rates are often taken and the gov rate hotels are booked so we end up paying more for airfare and hotel or stuck staying further away from our travel destination.	google chrome for all! google earth online was also just launched. it is embarring that scientists don't have access to these FREE tools commonly utilized by third grade students. Also, we need access to free file sharing tools, like google drive or dropbox. right now if we have a file larger than 25 mb we rely on 1996 technology: burn the file on a CD and MAIL IT to the person. computers are SLOW. for engineers and scientists that do more than just email and word with their computer we need faster processors. if I download 300 gb of data and need to process it into a report my computer just fails me. I'm told to go use the computer room, which has	

AMERICAN OVERSIGHT

	I
857	there are many really smart and hard-working employees at the Agency. They come here for the mission and to translate their knowledge and skills into something meaningful, They will help if you tap into them, Currently everyone is waiting to be engaged as we await a leadership team and some direction; a complete waste of resources for far too long. Even a video message from the administrator would go a long way towards that. We read his tweets and facebook posts about his engagement with everyone but the Agency he is leading.
858	We are too program centric. Management keeps voicing for "cross-program" work but then they dole out awards, raises, promotions, new hires by program and everyone is binned by their group.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
859	858	5/10/2017	There are too many duplicative reporting metrics leading to analysis-paralysis. 50% or more of all reporting metrics should be removed. Reporting on these is a burden for states and requires too many program analysts at EPA. More work, less reporting.	Programs that are discretionary function better when utilizing external partners or public-private-partnerships with EPA maintaining the programs through grants. Non-point source grants are a good example of getting targeted pollution control technologies to rural areas. SmartWay is an ideal public-private-partnership which reduces pollution while saving truckers money. Diesel Emission Retrofit (DERA) grants create new technologies and US business niches through grants to private partners. All discretionary programs should be tied to a grant program. Let the locals and industry promote these programs as they are the beneficiaries, and EPA can serve the role of grant management as EPA is extremely effective at grant management, solicitation, and oversight.	There is too much confirmation bias in Washington, DC (in both political parties) leading to customer service that is out of touch with local communities. More resources and programs should be focused out of the regional offices where people are more in tune with the public and the regulated community.	There seems to be a middle-management bulge at EPA. A lot of this seems to be driven by the need to respond to data requests, Congressional inquiries, and general reporting inquiries. All parties, including Congress and associated lobbyists, need to align to minimize unnecessary duplicative reporting and data requests, so the middle-management bulge can be reduced and EPA staff can focus more on performing the work than on reporting on the work that is performed.	1. EPA has the capacity to go to 100% electronic recordkeeping in all programs. This will require rulemakings like the NPDES E-Reporting Rule, but once these are in place, EPA can cut down on office space, cut down on time responding to FOIA requests, and be more transparent. One barrier to this is that the government tends to have low performing electronic management contracts. Larger companies like Oracle or Google could handle these transitions far easier, but rules like SBA and MBE/WBE seem to prevent securing more competent information management contracts. 2. All Regional web sites could be eliminated. It's too confusing for the end-user, and it is not necessary.	Training systems like FAITAS are a good example of how training can be tracked and delivered across multiple agencies through a single platform.
860	859	5/10/2017	Make and process requests for Travel Comp Time earned via People Plus Eliminate separate tracking of credit hours earned and used beyond what is already being done in People Plus	Fully staff EPA and let us do our jobs	Fully staff EPA and let us do our jobs	Allow for agency vehicles and car rentals to be parked at employee residences the night prior to early morning travel and to keep them overnight at trip's end if return is impractical. Remove Trump appointees		
861	860	5/10/2017	The changes in PeoplePlus where employees cannot "take back" their leave requests has created a huge bureaucratic nightmare. With such a challenging workload, it's rare that my leave requests match up with the time I actually take off. Many times, those leave requests need to be amended. But, the new three-step process (ask your supervisory to send it back, fix it, send it off again) is creating a lot of wasted time.					

AMERICAN OVERSIGHT

	I
859	The Brownfields program is a great example of simple and logical reporting metrics linked to a single reporting database (ACRES). This results in accountability, simplicity, reduced costs, and employees focusing on getting work done. Analyze this program and try to replicate how metrics are reported and how outreach is performed.
860	
861	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
862	861	5/10/2017		1) EPA has a long standing tradition of being a source of funding to states, tribes, local communities and the private sector for environmental and human health programs and on-the-ground projects. Ensuring that we continue to safeguard and provide this funding, and that we have sufficient staff to oversee the proper use of funding, will help achieve better environmental results. 2) Similarly, EPA has been a source of technical assistance for state and tribal environmental programs and to continue in this role, we must be sufficiently staffed and technically trained, or else a greater burden will fall on our partners. 3) Further, EPA is regarded by many of our state, tribal, local and private partners, and the public as an organization that should always be informed by sound science, and we must be able to operate outside the	EPA staff and management work hard to provide excellent customer service to states, tribes, local and regulated communities and the public, through funding, oversight, technical assistance, and interaction with the public. We are an organization of highly professional people. Our ability to maintain, and improve excellent customer service depends on being adequately staffed. We must be able to backfill positions with a range of new and experienced personnel, while providing a work environment and culture that retains our most experienced people. Only by having sufficient and experienced staff and management can we adequately implement our statutory obligations and provide the best level of service possible. Further reducing our ranks and funding is completely counter to this goal.			
863	862	5/10/2017	EPA activities should be based on science and the expertise of those with science and engineering backgrounds. Requirements, procedures, or processes that politicize the work of EPA prevent us from doing our work efficiently and effectively.	Maintain federal regulations. Having different regulations in each state would be inefficient, result in unequal protection of the environment across the country, result in transboundary pollution from one state to another, and would take our country back to days when rivers caught on fire. Show photos and historic monitoring data to remind people what environmental conditions used to be.	Host a series of training workshops across the country providing overviews of the regulations that seem to be most confusing to the regulated community. Provide Q&A time.	Maintain federal regulations. Having different regulations in each state would be inefficient, result in unequal protection of the environment across the country, result in transboundary pollution from one state to another, and would take our country back to days when rivers caught on fire.	Create an app for citizens to take pictures of environmental violations and submit them directly to our Office of Enforcement and Compliance Assistance. Photos would be time-stamped and geo-coded.	The Office of Policy should be eliminated. EPA should be primarily a science-based agency. Policy review is already provided when EPA products are sent to OMB. Having an Office of Policy biases Agency decision-making away from science-based decisions.

AMERICAN OVERSIGHT

	I
862	
863	Create an app for citizens to take pictures of environmental violations and submit them directly to our Office of Enforcement and Compliance Assistance. Photos would be time-stamped and geo-coded.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
864	863	5/10/2017	My biggest issue it our IT systems - they don't talk to each other, they are redundant and/or don't work well, they are not streamlined, and they basically take an enormous amount of care and feeding and TIME!		Less top-down micromanagement. If staff are not empowered to make even minor decisions, and/or don't feel that management will support, or worse second-guess, it adds time and inefficiency.	less regulatory uncertainty. no backtracking on previously approved regulations and programs. keep the science advisory board independent and science-oriented - not staffed with industry advocates.		
865	864	5/10/2017	The most important administrative change is to get rid of Scott Pruitt. Because he is tied to the fossil fuel industry, and his actions to cozy up to the coal companies rather than to groups that protect the environment, has made my job more difficult, because my partners know that the leadership of my organization is biased, and serves a radical republican, and anti science ideology. The back to basics agenda is also embarrassing. -- it reads like it is from the republican playbook. The recent purge of the science advisory board (not sure of the official title of that board), is also disconcerting. Finally, the staff in the front office in HQ are former staffers of Jim Inhofe, a known climate change denier. The climate change website has been deleted. Because of these reasons, it is hard to take these kinds of surveys seriously because you lack credibility. Thanks.					

AMERICAN OVERSIGHT

	I
864	for pete's sake, re-delegate the signing of Superfund Records of Decision back to the regions - the idea that the Administrator should be personally involved in all decisions over-inflates the importance of these documents, as well as will only serve to slow down the process. this is NOT the most important program EPA implements!
865	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
866	865	5/10/2017	Requirements for EPA staff to clear any public statements through headquarters are burdensome and unnecessary. Transparency and effective and efficient communication with stakeholders is facilitated by allowing EPA staff to communicate freely and without censorship.	Maintain and request additional funding for EPA programs that support the development and expansion of local, tribal, and state capacity in enforcement and implementation of federal environmental laws. Maintain adequate funding for EPA oversight of programs delegated to the states, which facilitates better national consistency in implementation, permitting, and enforcement, prevents undue political influence from powerful local special interests, and allows states and EPA to partner and share resources. EPA enforcement also allows EPA to fill in enforcement gaps not covered by states, for instance where the generators of the pollution are in one state, while the impacts are felt in another.	Transparency and community outreach are key in communicating EPA???s work to stakeholders. EPA should commit to transparency in decision-making and decision-making based on sound science, rule of law. Decisions should always key back to our central mission, protecting human health and the environment. EPA should be better at communicating the economic and public health benefits of our regulations, which have been proven by peer reviewed studies (i.e., https://www.epa.gov/clean-air-act-overview/benefits-and-costs-clean-air-act-1990-2020-second-prospective-study). Our agency has not done a good enough job touting the vast and multi-faceted economic benefits of our regulations, which has led to the mistaken belief that EPA is a job-killer (even among some members of this administration).	Effective and adequately funded enforcement can reduce costs by increasing compliance; non-compliance in the industry leads to increased costs to the agency from having to respond to accidents, releases, spills, etc. Federal contracting can be slow, costly, and subject to waste; hiring more in-house experts (scientific, economic, and technical) could reduce costs over time.	IT resources and records management should be updated and made more efficient. This would assist in FOIA response and community outreach, which would lead to greater accountability.	Targeted enforcement, for instance in environmental justice communities, can be an effective method for developing partnerships with local communities, municipalities, and state programs while targeting areas most in need of increased enforcement and which bear a disproportionate burden of illegal pollution.
867	866	5/10/2017						In the spirit of cooperative federalism and engaging our state partners, the Administrator could direct the Regional Administrators to establish an EPA office in each of the 50 states. The goal would be to improve environmental results and customer service by strengthening the symbiotic relationship between the EPA and the states, as coequals. For an example of what this might look like and how it might work, see EPA Region 10 at: https://www.epa.gov/aboutepa/organization-chart-epas-region-10-office.

AMERICAN OVERSIGHT

	I
866	Top law firms and major companies may be helpful to approach to find out best practices for records management and data management, particularly in the era of electronic discovery.
867	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
868	867	5/11/2017	We have heard of staff being able to work at home more liberally, and with many having a long commute, that alone could help staff be more productive in doing their work. In addition if more folks used teleconference or other means for staff to join in to meetings it would be beneficial as well as productive. Never mind the moral increase. Too many times does management seem to hold face to face mandatory meetings so although it appears they grant WAH they tend to counter it with mandatory in office days. Standardization of personnel rules for leave, travel, training, awards types of schedules -- as I talk across the agency to peers some seem to have different set of rules to all these items. More equity of them also would be a moral booster. they do not even seem to be the same within each organization. Travel seems we pay a lot for fees for travel, the agency should promote that calling the travel center should be rare					continue to work on ensuring processes are on line, we have single sign and/or we do not have what seems like a thousand passwords to remember. that alone times all the staff could save time. promoting better go green within epa for recycling and education of the staff of how and what they can compost vs trash or recycle	We should transfer as many of the financial, HR responsibilities out of the Agency as possible and redirect staff to work on the actual mission of the agency as possible. This does not meaning replacing but retraining, educating where possible. Contract out for facility, transit, travel, payroll, and as many administrative processes as possible, and/or centralize so at least that provides as much equity on how we do things across the agency. Look for who does it well and gain their best practices.
869	868	5/11/2017	Cooperation from all (the key to efficiency and effectiveness) and trust from management (do away with favoritism)	Continue to provide best service(s) we can	Communication - being truthful re loss of $$$ due to budget cuts		I think EPA is up to date (as far as I know) on all new technology.	more communication and working together between divisions and sharing information
870	869	5/11/2017	PROCURMENT PROCESS and requirements for 7 sign offs prior to making the purchase. Could never understand why if I see an item for $35 I need to go through a very long draw out process of approvals and research to purchase the product for $132. This obviously doesn't include the time of high paid employees that need to sign off. TRAVEL PROCESS - "It's the Law" Why do we have to select from a list of low budget hotels that a service decides are best when we can call ourselves and get the govt. rate for the hotel we prefer. Why can't we get a flat rate and pay the difference out of our pockets? By the time you pay all the people to get involved and the fees to the service, you have paid double for the cheap motel.		Partnership, Partnerships, Partnerships. Be visible, don't just sit at your desk an bark orders at your partners in projects. Get out there and show the communities that you are working with them and not here to punish them. They are more responsive and do not dread seeing or hearing from you. I have seen some grantees that have had their grant for two years and still have not met their Project Officer.			If you make it a point to include the state/tribes/historic preservation early on in the process, not only do they feel they are partners but cut some slack to the end users as they feel there are several sets of eyes that are all in agreement.

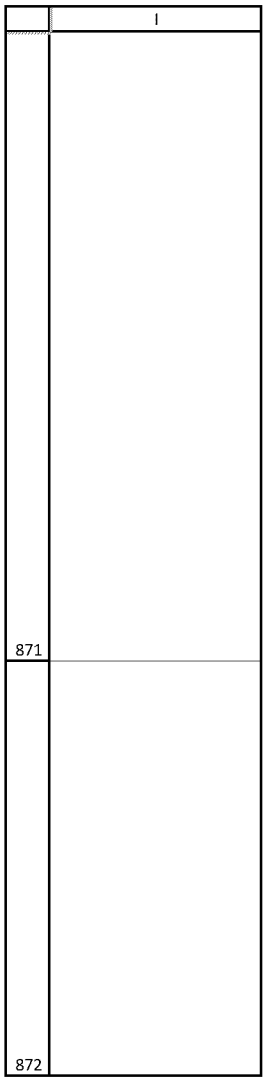
AMERICAN OVERSIGHT

	I
868	Region 1, 7, 8, ORD centralization of travel prep. De centralized financial processing of R 1, 2, 3 and 7, they can do more of the work with less staff, vs pushing the financial/budget/personnel processes out to each of their divisions. Saving staff and time, and ensuring processes are done correct, efficiently and in many cases at a savings.
869	
870	Involve them in the process. Listen to their ideas and compromise to make everyone comfortable with government.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
871	870	5/11/2017				Environmental Management System (EMS) Need to reduce the paper burden and internal process documentation and audit requirements imposed on EPA office building locations to maintain EMS programs current and up-to-date at each office building location.. To do the EMS properly as currently set forth, requires more resources than we have and I /we don't think the return on the investment is worth the additional time in EPA's office building locations where the primary activity that takes place by the workers is to sit at a computer or desk for most of the day. It makes some sense to have EMS programs at our laboratories where chemicals are used/stored but much less so at office		
872	871	5/11/2017	The only requirement/procedure/process I have encountered at EPA that seemed like an unnecessary use of time were the Federal Acquisition Institute online trainings in the FAITAS system that were required to maintain certification as a Contract Order Representative (COR). Several specific on-line trainings were required and they were generally not applicable to the type of work I would do as a COR.	Partnering with states, tribes, communities and the private sector has always been critical to achieving environmental results in my work. To sustain and continually enhance those partnerships, both EPA and states depend on having adequate staff and resources for successful collaboration. It takes considerable time and sometimes travel to develop and continually improve these partnerships. If staff is overly stretched and does not have adequate resources, these partnerships are likely to suffer.	Excellence in customer service and keen awareness that every customer we deal with is a tax-payer has been of utmost importance to me in my role at EPA and is something I strive to enhance every moment of every day. To continue this high level of excellence, it is critical to have adequate staff and resources to perform proactive outreach and timely, thorough response.	Continuing to improve our computer and information system technologies will continue to make our work more efficient and effective and enhance opportunities to work remotely.	Continuing to improve our computer and information system technologies will continue to make our work more efficient and effective and enhance opportunities to work remotely.	Any program I have ever worked in at EPA has always needed to focus on continual resource sharing and optimization with states and federal agencies.

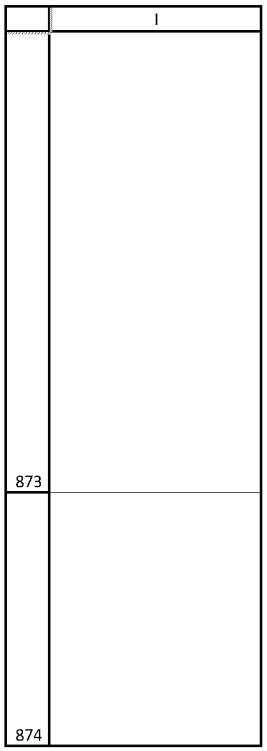
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
873	872	5/11/2017	508 Compliance - I understand the importance, but you practically need a law degree to understand this rule when trying to purchase any equipment. Here is an example of what I mean, when following "directions" on how to process 508 compliance documentation for purchase I got the following response that requires my follow-up: the vendor???s VPAT only addresses 1194.21 and 1194.31 I will need something from you not only saying that you ???have conducted product research??Â but that you have conducted product research and either 2.b, 2.c, or 2.d apply - There is no explanation of what product research. Lets streamline this nonsense.	Providing solutions rather than litigation, if we could work with rather than litigate against - that would be the best scenario. For instance I've seen EPA requiring NPDES permitees, especially WWTP - (towns) to analyze for a large list of pharmaceuticals and endocrine disrupting compounds in their effluent, at great cost to the cash strapped communities. EPA should have a national policy on what the requirements are for NPDES permits, and not require hugely expensive "research" analysis at the whim of a single permit writer.	Having these groups networking with the EPA regional headquarters and EPA regional labs, we have had great success with this, and the states really feel we are partners - this should expand out to tribes and especially the communities that may feel our only purpose is to enforce.. I know personally that many states highly respect the work we do and rely upon our expertise and our scientists to help solve problems and collaborate in times of need.			
874	873	5/11/2017				I think every dollar spent at EPA is in investment that pays off exponentially in savings with human healthcare, environmental cleanup, and long term litigation. Better to spend the money now and prevent spending more in the future.		

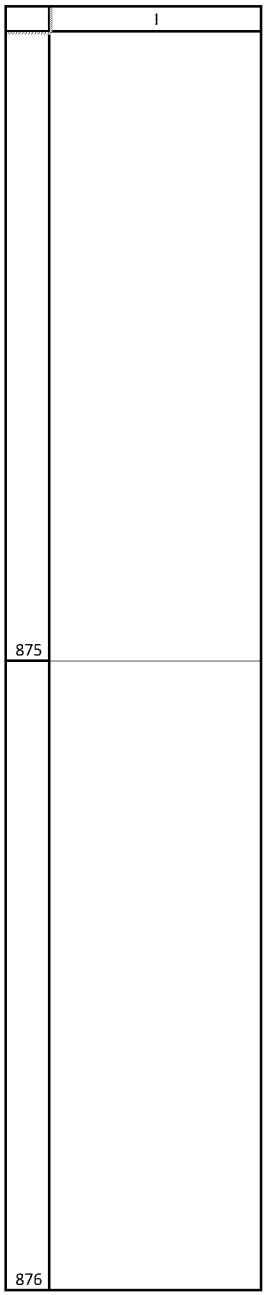
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
875	874	5/11/2017	I believe our procurement process...at least in the Region 3 area...is overly restrictive and inefficient, especially for items that are under the $3500 dollar amount. But, this is true for many of the higher cost items that involve support contracts. We have wasted much money including many staff hours trying to meet the overwhelming number of requirements (or perceived requirements!) for purchasing. I believe the first way to fix this, is to give the purchasing staff more training and the incentive to help those of us who are trying to purchase something which we need tor performing our jobs. The purchasing staff should have the attitude that we are their customers and that they should be helping us obtain the right items in the most efficient manner. But, this can't happen if the procurement staff is understaffed and under pressure. I hear more complaints about the ability to purchase an item in a efficient manner, than most anything else. Improving this area would improve our organization overall. Thank you for					
876	875	5/11/2017					The technologies that have the most promise in this regard rely on capturing and storing environmental monitoring data. Region 4 Superfund program is requiring environmental monitoring data to be submitted to the region to enter into an EQuIS database. The data can be evaluated in a number of software platforms such as ArcGIS or by EnviroInsite. I just took training in EnviroInsite. It is powerful to be able to evaluate trends in data and identify samples exceeding a standard. Graphical presentation of data and other features available once data is electronically available eliminate ambiguity in interpretation of environmental data and eliminate some of the back	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
877	876	5/11/2017	Management puts too much emphasis on fluff work like developing databases that no one will ever use. They send multiple people to events or meetings when just sending 1 person with the knowledge to answer questions and represent the Agency is all that is required. The lack of management's ability to make decisions and trying to get consensus on everything is a real detriment. Managers who ask for work updates to spend time reporting on work that does not change from week to week so they just want to get face time with senior management.	We need to do more cost benefit analysis on what we do. For example in lieu of giving out money for projects it might be more cost effective for us to provide the equipment for a project via an in-kind grant. Also this is a questions we should be asking our partners. What can we do to help them and at a minimum explaining why we may not be able to meet their needs.	None at this time.	One way is to reduce the manager to employee ratio. I work in an office that has one GS15 supervising 11 people, Of those 11 people the work could be performed by 7 people. At DOD for what my manager does this would be a GS13 position. Some branches could be combined such as grants and contracts, however if this was done they would want to GS 14s to manage each area which would defeat the purpose. Far too many at this Agency want to build empires and do not really care about improving how the mission is accomplished in a cost efficient manner. Awards are given out just to give awards. The employee review system is ineffective. Managers will not give someone a bad rating	The EAS and Compass systems are constantly having problems. Furthermore if I actually utilized the EAS contracting system as I am supposed to it would more than double the amount of time it takes me to get work done. Currently with technology as it is I can and do most of my work for my customers independent of my manager. In fact I have very little interaction with him other than his morning stop by to see if I am at my desk, or his emails to see what I am working on because he wants to meet with his supervisor to tell him what we are working on. Outside of some level above review regulatory requirements I could be more aligned with my customers and that would be 1 GS15 less coming out of my	Currently the Emergency Response Program appears to be aligned perfectly with our partners and works closely with them. One thing that might be considered is allowing for more flexibility in realigning activities to address priorities. If a certain pollutant is identified bring together a strike team to address the issue who will work closely with the states or other federal Agencies.
878	877	5/11/2017		Provide a few work stations for State and Tribal counterparts to work in EPA's office. This has worked well in the past with MassDEP in the NPDES program. The state or tribal counterpart works one or more days each month in the EPA work station. This provides ready access for in person communication. Coordination between federal/state programs is timely and collegial. I can not overstate the improved cooperation that comes from personal interaction. Conflicts with faceless bureaucrats are replaced with cooperation between respected partners.	Do away with generic answering machine greetings such as "I am on the phone or away from my desk." Such greetings are worthless. Replace with; Hi this is***, and this is the week of May 8th and I will be in the office Monday through Thursday." This gives the caller a reasonable expectation as to when the staff person may hear their message. The generic greeting leaves the caller to wonder if the staff person is on the phone or on sabbatical.	When I first started with EPA, we simply turned in receipts for tolls and parking and were reimbursed in cash. When you add up all the staff time an expense it takes to process an expense voucher for local travel, the cost of the process itself is far exceeds the reimbursement. For expenses under $100, the Region might limit approvals to the first line supervisor. A combination of random audits and ???flagged audits??Â, for requests that are too frequent or appear odd will keep the system honest. It is not cost effective to micromanage every tiny expense.		

AMERICAN OVERSIGHT

	I
877	Specifically no however there are many good corporate practices that could be brought to the Government side. As stated above more long term cost benefit analysis needs to be performed which if done correctly will allow us to make more cost effective decision for the future. Certainly senior managers need to hold the managers more accountable, and the managers need to hold the employees more accountable. One easy way to reduce cost is to reduce the number of managers. This Agency is top heavy in GS 15s and SES. There is no reason that the Regions should have SES positions heading each division. I have not seen this at other Agencies I have worked at. The other Agencies I
878	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
879	878	5/11/2017				I see individual contractors and fellows, especially recent graduates, as a greatly untapped source of potential. Although these workers bring fresh perspectives and knowledge of new technologies, many of them feel under appreciated and feel that there is no room for growth within the organization. The lack of pathways to permanent jobs from contracts and fellowships creates high turnover, draining the agency of valuable knowledge from highly skilled workers. The high turnover is also very inefficient because the agency has to repeatedly train workers to do the same job every few years. In summary, I believe that if better pathways to		
880	879	5/11/2017						
881	880	5/11/2017	Developing/Updating pre- approved letters, brochures, outreach materials. If the document had alredy been pre-approved, then there is no longer a need to re-review the materials. Provide an approval number with a sunset date. EPAR1-10-01-2017-EXP-10-01-2020.	1- Develop Consortiums, 2- Develop MOA's to streamline common practices, 3- Develop Common criteria for EJ mapping criteria,	1- Assign # CSN's - Customer Service Number - EPAR1-10-01-2017-12:34PM-jmb- T-MADLS. which Id's when the call came in & who handled it and if it was transferred to a state department.	Develop an algorithmic web site that will ask a series of rated questions to provide a estimated environmental health risk value	Generic Coupons by sector.	

AMERICAN OVERSIGHT

	I
879	
880	Giving employees individual credit for ideas they come up with. Allowing them to be part of making it happen. A great idea is the hard part, the easier part is implementation, but the credit goes to those that implement the idea.
881	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
882	881	5/11/2017	The Office of Planning, Analysis and Accountability within the Office of the Chief Financial Officer creates an exaggerated reporting burden that goes beyond what is required by the Government Performance and Results Act and OMB. Their impact is agency-wide in that all program and regional offices have to respond to their burdensome requests in some capacity. Their processes such as the annual performance plan and strategic reviews could be streamlined to focus on core requirements to abide by the law and OMB. They also have an excessive amount of staff that review and comment on each requested product that results in multiple back and forth between programs and OPAA - this not only impacts program staff assigned with responding but also within programs who are the subject matter experts whose primary duties are not on these initiatives. The agency should take a hard look at OPAA and their processes to allow the agency to better use their limited resources on our core work		Determine a streamlined way to make our SharePoint sites accessible to the public to increase transparency and collaboration. Currently, the process requires a public user to have a Microsoft account and then request access which has to be approved. This limits the accessibility and collaboration on various environmental products.	Same answer as #1.		
883	882	5/11/2017	OECA's Supplemental Environmental Projects (SEP) policy is arduous, difficult and limits opportunity. The SEP policy would benefit from sImplification. It is difficult for industry to understand.	We used to have a program called Project XL which sought to revise regulation. This method could be used to revise certain RCRA and water regulations involving industrial sectors and categories, sometimes the chemical pollutants identified were those from the seventies and eighties, but currently these sectors no longer use these pollutants (unfortunately sometimes worse but unregulated chemical pollutants are now being used). Revisit chemical pollutants used in industrial sectors.	Frankly, I think we do a great job at this.	. I think one of the most inefficient aspects of working at the EPA, when compared to the private sector are all the regulations that congress imposes on the federal workforce. There are significantly more bureaucratic hoops to jump through for any aspect of government work, and it appears congress imposes these "hoops". However, I think that many are necessary to assure that government employees meet ethical requirements, maintain proper records, and assure that we do the work of the public.	Laptops, I-pads and cell phones in the field for inspectors - with clear helpful guidance (from OGC) on electronic records developed during an inspection.	

AMERICAN OVERSIGHT

	I
882	
883	Electronics during inspections - some people still use carbon paper. Mandatory inspector electronics and software training (in person not that crap training on the computer).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
884	883	5/11/2017	The hiring system should be revamped so that we can get the best and brightest staff possible. One critical component to this would be to allow hiring managers to review all applications, rather than having the shared service center screen them.	States rely on EPA's national recommended water quality criteria which are published pursuant to Section 304(a) of the Clean Water Act. Unfortunately, many of the 304(a) criteria for protection of aquatic life are out of date, especially for metals. For example, the lead criteria were last updated in 1984. Unfortunately the branch in the Office of Water that works on 304(a) criteria is very small and woefully understaffed. EPA should expand this program and prioritize updating the national recommended water quality criteria, especially the aquatic life criteria for metals. In some cases the criteria may become less stringent and in some cases they would be more stringent, but at least they would be based on the latest available science.	States rely on EPA's national recommended water quality criteria which are published pursuant to Section 304(a) of the Clean Water Act. Unfortunately, many of the 304(a) criteria for protection of aquatic life are out of date, especially for metals. For example, the lead criteria were last updated in 1984. Unfortunately the branch in the Office of Water that works on 304(a) criteria is very small and woefully understaffed. EPA should expand this program and prioritize updating the national recommended water quality criteria, especially the aquatic life criteria for metals. In some cases the criteria may become less stringent and in some cases they would be more stringent, but at least they would be based on the latest available science.	Modernize or eliminate the awards program. The awards take so long to process that people are awarded for projects they finished more than a year ago. Also, people who are most diligently doing their work, but not on glamorous workgroups tend to be overlooked while people who had a minor role in a workgroup get awards. Many people perceive the system as unfair. It is nice to recognize staff, but the cash awards are not really necessary, and do not seem to provide any incentive to work harder or better. The money would be better spent and more appreciated if it were invested in technical training.	1. The IT department should offer training on Microsoft Access. We now have it on our computers, but there is no training available for it. 2. In this day and age all managers should have EPA cell phones so that they can easily access Microsoft Outlook while on the go. That is not the case in the region that I work in.	We are currently working very closely with our states and are constantly trying to enhance our relationship with our state partners in the region that I work in.
885	884	5/11/2017	Management MUST start allocating all (or even most) of the funding (contract funds) they receive at the start of the fiscal year. Now and for the last several years management does not really know the level of contract funds they will actually receive each year. So large pools of money are withheld/kept in reserve - again, usually 6 months or more - just in case something comes up or is changed by upper management. The "reserved" funds are not committed/spent on projects until another fear/concern kicks in - that if all funding is not allocated/committed by the end of the fiscal year, next year upper management will see the surplus and reduces the level of funding allocated. This often - regularly - means that new and on-going projects/work is put on hold for at least 6 month. Then 6 months into the fiscal year money is	Achieving better environmental results from any partner is really straight forward. EPA needs to work with the partner (this time I'm not including the private sector) by first allocating funds to assist the partner in beginning and continuing the work on a project. Almost all Local/State governments are low on money. I think they WANT to do the stated environmental project but other local issues - roads, infrastructure, etc. - have priority. Secondly, management must make sure and make it a priority that the needed EPA employees are available, have the time, and get buy in from their supervisor to work with the partner (again, I'm not including the private sector here).	Just like #2: Provide and encourage the people to do the job, make sure that management cooperates, and of course, supplies the necessary level of funding.	Correct the inefficiencies discussed in Question 1 is a start. Secondly, ALL levels of management must understand and accept that some of EPA's goals cannot be achieved on a short time scale. Cleaning up an area is good but if the source of the problem is not addressed what good does is cleaning up that area. The problem you "corrected" just reoccurs. Accepting that some goals can only be addressed from a long-term viewpoint AND allocating the budget and manpower in this manner will, again in the long-term, reduce costs and inefficiencies at EPA, while maintaining environmental protection for all Americans.	Sorry, answering 1-4 took it all out of me. Parts of those answers/suggestions would probably address this issue/question, too.	Sorry, answering 1-4 took it all out of me. Parts of those answers/suggestions would probably address this issue/question, too.
886	885	5/11/2017						

AMERICAN OVERSIGHT

	I
884	We should invest more in technical/scientific training. If we are to have a smaller staff, they should be as knowledgeable as possible. They should be able to attend conferences and take courses if it will increase their expertise. Webinars are helpful, but not an adequate substitute for in-person learning and networking.
885	Sorry, answering 1-4 took it all out of me. Parts of those answers/suggestions would probably address this issue/question, too.
886	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
887	886	5/11/2017	Shared service centers - While expected to save $ and be more efficient they are not. In hiring alone, we are having to revise and re-submit items repeatedly. There is no standard in which they work from and the standards change depending on who is looking at your submittal. Delays have resulted in not being able to bring on new hires in a timely manned. Bring HR back to the regions or at least allow the Regions HR staff to get involved and assist when the shared service centers are backlogged. Sufficient management tools do not exist to efficiently track and manage work products. Invest in tools that Regional managers need since Regional employees are the ones enforcing regulations and are the boots on the ground. Our work products are not the same has HQ.	EPA should have a significant oversight role but also a consultation role with our partners. Unfortunately Regions do not have the staffing necessary to perform these tasks. The key to better environmental results is improving the quality of oversight and being able to provide our states with consultation services (legal, technical, lab services etc.) This would require staffing and database systems that are easy to use and add value, not create more work and track metrics for the sake of tracking metrics that are not used for any purpose.	Increase Regional staffing levels to be able to properly assist, advise and support states, tribes and local communities. Provide databases that can be linked that are easy to use and capture valuable information, not jut metrics for bean counting. EPA is far behind in technology and we need systems to manage the needs of our customers and for sharing information. Following databases that cause more work for us and our partners than produce efficiency - CEDRI, TMS, WQX.	Yes. Standardizing procedures and processes between HQ Offices and Regions. Provide systems that communicate. We should not have to send in word documents and spreadsheets to report numbers to HQ-OEI QA Database for audits and inspections that can generate the reports and track findings, violations and corrective actions. Again it has to be easy to use and of value when designing such a system.	Absolutely see all comments above.	I don't think we need to necessarily realign activities. Possibly realign at a higher program level. Example-NOAA has a Marine Debris Program, EPA should support NOAA activities and not re-create what is being done by NOAA. We should be asking NOAA what they need from us to help and provide or collect the data they need.
888	887	5/11/2017	The biggest administrative requirement keeping us from doing our job efficiently is the executive order which has severely limited creating new regulations. While we understand the impetus for this, it also adds another layer of bureaucracy which makes it difficult to produce regulations that could potentially be useful. Unfortunately, there???s no easy fix for this from the EPA standpoint. On the EPA level, the biggest hindrance to efficiency is the lack of political appointees present as well as huge lack of communication between the present political appointees and the career staff. This is particularly preventing my organization from communicating our work to the highest levels ??? and this is fundamental work that LITERALLY prevents radiation from affecting individuals, tribes, and states. Having no means to reach the upper management means we don???t have advocates helping us allocate resources. This also means we go by unnoticed and it	EPA currently has good procedures in place to work with stakeholders and the public and to get their input in crafting regulations and guidance via public comments sections and town halls. However, because many of the work we do will affect people on the local level, it might be useful to emphasize more site visits and public forums at the local level.	EPA already has many methods in place to do this. However, we could provide more avenues for public outreach by having phone lines available for public comment to be recorded. This could also mean expanding EPA???s partnerships with other federal agencies working on local projects and better coordination with Congress ??? especially with representatives and senators whose districts our work will apply to. It could also mean better coordination with municipalities by finding liasons and having them have direct contact with the EPA. This could also mean expanding our use of social media.	The biggest untapped potential at EPA are the employees, their talent, and experience. The best way to improve costs and to find new innovative ways to perform our jobs is to foster avenues for the various offices to collaborate ??? even down to the branch level. Scientists in one office for example, may benefit from the experience and expertise of scientists in another office and come up with innovative and cost effective solutions to approaching an environmental issue. They may also help each other understand how to solve problems or interpret data. This could come in the form of more seminars, groups, professional development, lunch and learns, talent hub, or agency-wide events.	EPA could try to use social media more aggressively and make itself a bigger presence on Twitter, Facebook, snapchat, news outlets, and other pages. Because so many of our programs are voluntary, more than anything else, communication is one of the most important tools.	Encourage professional development among employees, especially for government conferences where other agencies are present. EPA can also host meetings and our own conferences to encourage more partnering with other agencies ??? the incident command system course is one very successful model for how EPA has coordinated with other agencies.

AMERICAN OVERSIGHT

	I
887	
888	Many of the procedures we have in place are based on years and years and years of figuring out how to stay accountable, maintain stakeholder communication, delegate our work to the states, and still enforce our ability to protect human health and the environment. I encourage political appointees to have real conversations with the employees to see just how they have learned to do their work with the limited resources available. One best practice being from my organization is the use of the available cloud systems available ??? One Drive and Sharepoint. It would be great to continue encouraging this and finding new ways to take

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
889	888	5/11/2017	OLEM National Remedy Review Board (NRRB) review process for all Superfund remedies >$25M is time consuming and costly (every Region travels 2 x per year + put together extensive documents). NRRB was originally initiated to ensure remedies were cost effective. They used to track $ saved. Over the years due to membership turnover the charge changed and resulted in the NRRB second guessing Regional decisions which in turn caused additional work (more sampling, additional contingencies on the remedies) thus increasing the cost and burden. The Board should either be dismantled or changed to only Ad Hoc membership with specific real life expertise on the proposed cleanup remedy. Membership is 1 rep per Region, OGC rep, OECA rep, OLEM reps. Sunset any OSWER Directives older than the year 2000. Most are outdated. There are at least several hundred directives. Unwritten policy on NOT using Drones.	Work with the states up front to set priorities and divide the workload since the States/Tribes do not have sufficient resources. The more complex work should be completed by the EPA in partnership with the States/Tribes since they don???t have the technology or resources necessary to accomplish the work. Use agency Performance Partnership Agreements/Grants to document the division of labor between states and EPA. Consult with OGC and OECA since they are hesitant to try anything that???s new or different. We should ???pilot??Â new approaches to determine if the outcomes are acceptable.	Allow the Regions to work with the customers to try new approaches. As noted above, any new approaches are typically frowned upon the EPA Headquarters. The communities that are served by the Regions are all very different and one size fits all does not work. There???s too much HQ overhead directing the work versus workers doing the work. Allot of HQ staff that oversee the work have no direct experience in that arena and often have misconceptions on how communities, industry, states and tribes interact. Allow the Regional enforcement programs to conduct compliance assistance visits as was done during the Bush Administration. Program staff preferred this method versus the one size fits all approach. Regions used to do outreach to industry when a new regulation was promulgated to ensure clear	OEM should dis-invest in PHILIS (mobile lab for chemical warfare agents (CWA)). DOD has that capability and it falls under their jurisdiction. OEM spends about $3M/per year maintaining it. DOD had funded 4 Regional Labs to develop the capability to analyze for CWA. Maintaining the structures and equipment for that capability is expensive and has never been used. Maintenance has not been paid for by DOD. Any equipment should be released to DOD since that work falls under their jurisdiction. Make sure that ORD research supports the regulatory and cleanup programs. They should work	The Agency time keeping system People Plus (PPL) needs to be updated to allow entry of time at the beginning of the day and end (so it calculates credit leave); allow request for telework (same as request for leave); include credit leave in the leave category. Currently each Region and HQ program have at least 3 systems to track time & attendance (1. PPL., 2. Lotus Notes, 3. Daily Flex Schedule tracker, 4. Email to manager requesting Telework). When leave is approved by the supervisor, the leave is not reflected in the system for weeks. Since the Current PPL system requires that Agency staff put in their time for the pay period by the 2ns Thurs and managers approve by Friday ??? this causes allot of rework and amendments if	Develop a joint strategic plan that clearly outlines each Agencies area of focus, measurements and targets each fiscal year. Can also establish MOUs outlining priorities, how to conduct coordination etc.
890	889	5/11/2017	Restrictions on addressing climate change prevent us from protecting the economy and the environment. This can be addressed by having senior leaders listen to and take into account independent scientific consensus instead of relying on bias fossil fuel industry interests.	Reviving scientific input into decision making that is independent of fossil fuel and business interests. The mission of the EPA is not to protect business, but to protect the environment in scientifically supported ways.	Letting states, tribes and local communities move forward on any regulations they wish to enact that are stronger than federal standards and regulations. Senior managers may have to cut regulations in the new "back to basics" agenda, but states should not be prevented from keeping or enacting more stringent standards. That is current law. "New federalism' cuts both ways - some states want stronger state rules. They should not be prevented from doing so.	The key part of this question is "while maintaining environmental protection" for all Americans." If costs and inefficiencies are reduced but at the same time reduce environmental protections, then they shoud not be implemented.	Alternative energy technologies should be promoted and given tax credits to reduce both air and water pollution. EnergyStar and similar programs should be promoted more strongly. These kinds of programs increase the efficient use of resources.	

AMERICAN OVERSIGHT

	I
889	Performance based contracting for Remedial Actions has been utilized and has reduced costs. Very resource intensive in setting up the plans and specs, holding pre-bid conferences for vendors, reviewing the bids, setting up evaluation criteria, conducting oversight of the contractor. Would require investment/re-training of contracting officers and site construction managers (foreman) to oversee the construction activities. Oversight is needed to ensure that the work is properly conducted per the specs and that the contractor does not cut corners. Centralized time-keeping. Currently Office Mangers (secretaries) spend about
890	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
891	890	5/11/2017	We should decrease the number of political appointees and build a trusted connection between career and political staff. We need to decrease the number of political staff because the Agency is relatively small, the learning curve for efficiently running a Federal agency is steep, and appointing individuals (senate confirmed or not) is extremely long. Vacant political appointments prevent two way communications from occurring. Career employees can help when they are at the table.	1. EPA is a public health agency and our first concern should be to protect people and their environments. Every person, regardless of where they live, should have the same minimum guarantee to that protection. EPA's minimum standards should be based on high quality objective science, not [state or Federal] political influence. 2. States (local and tribal governments) should have the flexibility to increase the degree of protection but not to lower it. States should have the flexibility to achieve minimum protections in different ways, as long as those methods are determined to be effective. 3. Resources should be provided to governments in a directed manner to achieve specific results. Block grants that can be redirected from their primary purpose should be avoided. 4. Technical assistance should be available to the states upon	1) Technical assistance upon request for urgent and chronic problems. 2) Two way staff exchanges - EPA staff rotating through state, tribes, community, and the regulated community and vice versa. Coordinated rotations should be for no less than 30 days, with specific assignments, and stated objectives. Incentives for participation need to be established. 3) EPA should establish a not-for-profit foundation to identify and distribute non-appropriated resources to states, tribes, communities, and the regulated community to address qualified emergency, urgent, and chronic problems impacting people's health and the environment. Note that the CDC Foundation raised millions of dollars through the Gates and Zuckerman foundations to support West Africa during the Ebola Outbreak. An EPA foundation could do something similar without relying on congressional support.	EPA needs to validate its programs and goals with solid impact metrics and timelines that have milestones.	EPA's innovation team is promoting challenges, prizes and citizen science as tools to rapidly identify and advance new technologies while leveraging Federal agencies, the regulated community, NGO's, and foundations.	
892	891	5/11/2017	There is too much consultation required with headquarters to get things done in a timely manner in Superfund. Also, headquarters staff do not always respect "team" deadlines which further slows down the process.	The state and regional offices work well together on Superfund issues.	Having less internal process from headquarters.			

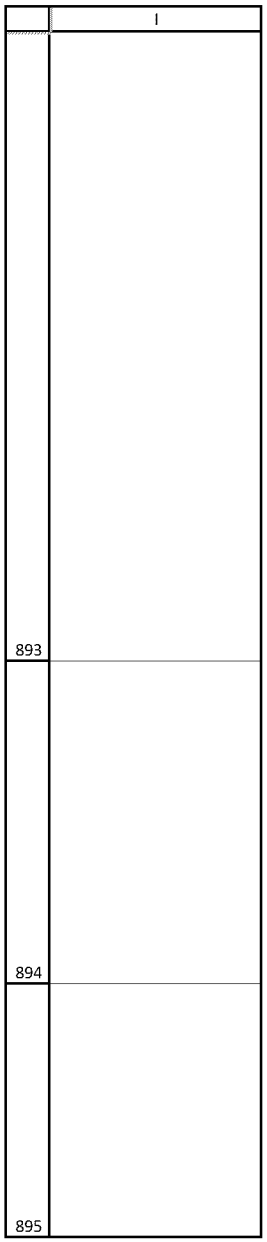
AMERICAN OVERSIGHT

	I
891	1. EPA's innovation team is promoting challenges, prizes and citizen science as tools to rapidly identify and advance new technologies while leveraging Federal agencies, the regulated community, NGO's, and foundations. 2. The CDC Foundation is a best practice that has been highly successful at extending the capability of CDC to promote public health.
892	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
893	892	5/11/2017	Streamline the levels of review. Way back, the ratio of "producers" to reviewers/admin folks was around 70/30. Today that relationship has reversed. Some review of work is obviously necessary but too may levels now exist. The tendency with each level is to find something to add/change/delete that in effect justifies that particular level of review.	Since the states are in the forefront of implementing the nation's environmental laws through delegation, primacy or outright statutory authority, EPA should more aggressively engage them early on the development of major policy/rules/ legislative initiatives. Standing committees of state officials in the several media might help. States are co-regulators so this action should not trigger the FACA. We might also just simply ask them.				There are such opportunities. For example, the administration has placed a strong emphasis on building infrastructure. In EPA's world that affects most significantly the several environmental finance programs in OW. To coordinate their activities, targeting them to priorities, and to improve personnel utilization and introduce more efficient work flow processes, suggest considering the creation of an Office of Environmental Infrastructure Finance. This would include at least, the two SRF programs, which should be merged in any case, and WIFIA.
894	893	5/11/2017	Management in Region 5 especially the Air Division does not treat staff with respect. Some managers yell at their employees and bully them. This behavior is unacceptable and should not be tolerated. Having a supervisor insult their staff creates a hostile work environment and prevents people from being happy at work and doing their best. Oftentimes these issues are brought to upper management and the behavior never stops. It is just "swept under the rug."			Some managers oversee a staff of 3-4 people. This is inefficient and a waste of tax payers money. A supervisor should have a section of 10+ people. Perhaps getting rid of some supervisors and having them work as staff would be a better use of resources.		
895	894	5/11/2017		Organize 50 state "desks" integrating reps from each HQ program and ORD, regional liaison/ops staff to assess baseline environmental conditions in each state and then develop annual work plans/agreements/priorities for measurably improving state environmental quality and health protections	Organize 50 state "desks" or virtual teams w/HQ, regional and state personnel working together.			

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	895	5/11/2017	The contracting process makes it extremely hard to efficiently procure outside services such that there is a general feeling that it's not worth pursuing. I recognize laws are in place to ensure funds are not funneled to favored contractors, but the outcome of the current model is 1) many EPA employees are needed to oversee and implement contracting processes and oversee the overseers, 2) EPA contracts are only won by the mega-contractors with layers of federal project managers ($$) between the EPA employee that needs help and the actual doer at the firm, and 3) the assistance if often not of great quality because the emphasis is on process not purpose. What would I do? Evaluate the process and eliminate inefficiencies, layers, and steps while ensuring compliance with statute, but provide the ability for EPA folks to acquire outside assistance when needed without the layers of cost and tremendous time/paperwork investment. It would be tedious and unglamorous work to untangle,	Investigate the potential for private-public partnerships in the re-mining of low metal content mine waste. Is there an opportunity for cleanups and resource extraction to occur at the same time? At what point does it become economically feasible to recover tailings in aquatic and terrestrial environments for refining? The U.S. has several large areas of mine waste where economically important metals cause environmental harm (e.g., Coeur d'Alene River ID; Torch Lake / Gay, MI Stamp sands). At these sites, full cleanup is too cost-prohibitive, but the metals are too low grade or too dispersed for industry to pursue. What type of arrangement or cost-share would get cleanup conducted at a lower cost and develop a metals recovery job sector? Another opportunity would be to		Each process (mandatory trainings, contracting paperworking, records management, hiring) layered on front-line employees lessens their efficiency and requires other employees to oversee the processes. It would be useful to eliminate the processes not fundamental to the employee's primary function and reinstate only those required by statute.		
896								
897	896	5/11/2017						
898	897	5/11/2017						
	898	5/11/2017	ORD researchers often devise their own research agendas, thus having many individual researchers pursuing individual projects. ORD can identify Program Office, Regional, and State needs and then consolidate FTE to directly address those clients' issues.	View EPA as a client-based, service-oriented organization to a better extent. Identify specific clients and needs, and approach research and policy to assist with them, especially more at the local level with states, cities, and communities.	Allow EPA staff a level of flexibility in their FTE allocation. ORD researchers, for example, are often committed to multi-year strategic plans with specific milestones, outcomes, and deliverables that commit 1.0 of their FTE with little flexibility. For example, allow EPA staff to commit 0.3 FTE to directly responding to customer needs on an ongoing basis, without necessarily tying into a specific research project, but just to assist. Milestones would come after the fact.	Simply consolidate FTE onto specific projects. Too many employees working on their own projects for too long with too much funding. Identify projects, specify amounts to accomplish them, set timelines, and assign multiple experts or allow multiple volunteers to work on them. For example, in ORD, put 20 projects on a board with expected timelines and funding, a hundred employees in the room with 0.7 FTE each to allocate across selected projects, with 0.3 FTE allowed to address ongoing 'customer service' needs.	Online wikis to identify hot topic policy or research issues to which one can contribute FTE. Portable sensor technologies are an emerging technical development that could also be leveraged, but with care and caution, to both directly and indirectly support policy and research.	In the realm of environmental protection, health is related to many inter-competing factors, ranging from chemical exposures to nutritional status. EPA has the expertise to also act as facilitator to identify these health issues and connect with other agencies (CDC, HUD, ATSDR, etc.). Formally allowing some non-regulatory approaches of monitoring, modeling, and decision science to exist within the Agency would help facilitate this effort and demonstrate that solutions can be had outside of the regulatory arena.
899								

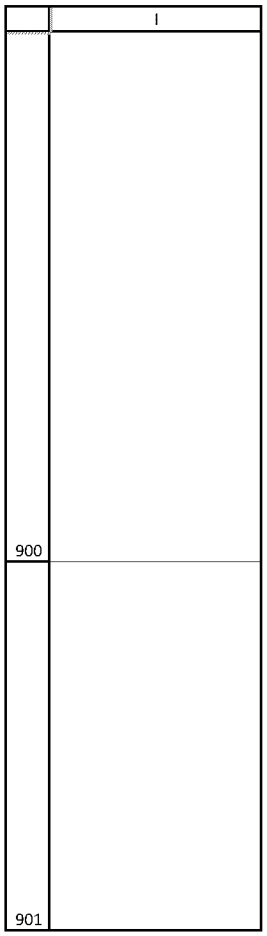
AMERICAN OVERSIGHT

	I
896	
897	
898	
899	Consolidate FTE (i.e., assign specific tasks to multiple specific people) to focus on specific projects with specific timeframes, rather than endless projects with no set endpoint and driven by individual researchers with questionable perspectives on actual relevance. For example, prior to a research effort: 1) identify specific clients/stakeholders; 2) solicit feedback for demand; 3) identify specific timeline, funding, and expectations with regular check-ins; 4) provide specific guidance on how the impact will be measured after project completion.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
900	899	5/11/2017		EPA needs to evaluate both the Kennedy test or the Scalia test in determining if there is a discharge to a Water of the U.S. Simply adopting the Scalia test will not ensure adequate protection of waterways as required by the Clean Water Act. There is no way to ensure that the physical, chemical and biological integrity of our waterways will be protected under the Scalia test only. And EPA using only the Scalia test for a Water of the U.S. goes against a Supreme Court Decision - which seems highly problematic.	EPA needs to ensure that the Carbon emissions or controlled/curtailed in accordance with the Paris agreement and that the carbon reduction goals of the Clean Power Plan, CAFE standards for autos, methane emissions from gas drilling etc. are met. Lest there will serious risks to the public at large associated with Climate Change.	It is much cheaper to protect waters of the U.S. under both the Scalia or Kennedy tests or both which help reduce pollutant and sediment discharges to our waterways. Thereby reducing flooding and water treatment costs. This is cheaper than implementing flooding controls and pollution controls after wetlands have been filled and additional pollutants added. Similarly reducing our carbon emissions will save the U.S. a lot of money in future mitigation associated with sea level rise, drought, intense storms, etc.	Need to promote renewable energy and move away from fossil fuels. This will not only reduce our carbon emissions and reduce the impacts of climate change, but also reduce emissions of mercury, particulates, NOx and SOx. It will also foster energy independence, water pollution reductions, air pollution reductions for generations and generations to come. Seems like a win win win.	
901	900	5/11/2017	Management (on all levels) will not work with, or fire (if necessary) staff that cannot or do not work. I have seen examples of staff and management arriving late and leaving early for a period of several years- with no effort on management's part to stop the behavior. In fact,one man in my branch who came in at 9:30 and left at 2:30 for over 4 years received a year end award! Also, awards and salary increases are not tied to performance, but to favoritism...and the management catchall "we don't want to leave anyone out".	EPA partners fairly well with EPA when we do not assume a "holier than thou" attitude. Follow regulations! If you have ideas other than regulations...they must be "recommendations" with explanations. I also think your question doesn't discuss working with NGO's and environmental groups. They are the public, too.	I have found that better customer service includes being polite, working to find the best answers when asked for help (even if the answer isn't in EPA's purview, try to find out where it is), and telling the truth. If you aren't authorized to help - say so. If there is a regulation that needs to be followed, make sure an applicant knows about it early and assist.	Get rid of dead wood. Teach staff that the American public are our clients. Enforce regulations fairly...and get more enforcement personnel. Take a look at the grants EPA gives. Are they really providing what EPA wants?		I work in the shared responsibility of NEPA. I work with several federal agencies to make sure environmental issues are tackled at an early point in the NEPA process.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
902	901	5/11/2017	Every employee is supposed to use a records management program to manually maintain individual emails as records. It would be much more efficient if email records were maintained on the backend at the server level. 20 hours of mandatory COR training on topics that are irrelevant to our work or contract management is a huge waste of time and resources Administrative-type tasks (e.g., travel booking) should be centralized at the Office level so individual staff at higher GS levels do not have to waste time doing it. Information Collection Requests should be renewed on a 5 year, rather than 3 year, basis (especially since the renewal takes a full year to complete).		Less process surrounding web postings to allow timely distribution of technical and support materials. All compliance dates for new regulations should be harmonized (quarterly; Jan. 1, Apr. 1, Jul. 1,Oct.1; See how Maryland has new laws take effect). A summary of all new rules coming into compliance should be summarized on a single webpage.	I've never seen anyone use the vending machines in the pantries. They are energy inefficient and make the pantries less usable because they take up space, are loud and heat up the area.	All regulatory packages should be routed electronically though ADP Tracker rather than through multiple printed copies.	The interagency review process for rule-writing needs to be improved (both at OMB and within EPA) so that the right people are aware of -and cam provide input into- other agencies' actions that relate to our own.
903	902	5/11/2017	The processes we had in place prior to January 20, 2017 were very effective and efficient, and promoted staff accountability. The process changes that have been made by the new political team make it difficult, cumbersome, confusing, less efficient, less effective, and promote less accountability. We should return to our former processes. I hope that the new political team will start to work with career staff as partners, that is the key improvement to making EPA work better.	We have done great work with our state, tribal, local and private sector partners as a matter of historical fact. We are now selectively choosing to make "winners" out of those who bore the cost of regulations to improve public health in the past. This is unfair to all of our stakeholders, who have been increasingly engaged over the years. We should strive to engage with ALL interested stakeholders, not just industry and Republican elected officials.	If the new political team were to accept the career public servants as their peers and partners in doing the work of this Agency, we would be able to coordinate and more effectively and efficiently provide customer service to ALL of our interested stakeholders, not just those that are friendly to the political team.	The career staff at EPA has become an untapped resource since January. If they were viewed as partners and respected for their expertise, they would be able to help reduce costs and inefficiencies that have been created since January.		

AMERICAN OVERSIGHT

	I
902	Hire good people and then treat them with respect. Requesting input from staff is a good step but you must also listen and act upon the information provided. Summarize the input received through this request and provide details on what steps you are taking.
903	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
904	903	5/11/2017	The Integrated Compliance Information System (ICIS) is an important database that tracks actions for NPDES, Air, and RCRA. The ICIS Support Portal includes outdated information; here's the link: https://icis.zendesk.com/hc/en-us Also, the ICIS Helpdesk (icis@epa.gov) receives questions from regions, states, and permittees; they are swamped and more often than not can take months and months to answer questions. Can you invest more funds to update the Support Portal and invest in more helpdesk staff to respond to questions, in a timely manner? That would be so helpful, esp. for new EPA staff.	Give more frequent trainings to staff and public on how to best understand ECHO, as well as clear instructions on how to make corrections to violations shown in error using ICIS.	It would be nice to meet other regional, state, and tribal/communities, in person, via national conferences. Adobe Connect meetings are fine, but would be nice to have face-to-face interactions, too.			
905	904	5/11/2017	The Agency needs to update their databases and technology systems. Nothing is more important than this. The systems we use are antiquated, look to People Plus, it is very difficult to request absences and the software is not robust and does not "talk" with Dept. of Treasury systems. Thus, if you are in medical leave status the codes you enter in PP are not recognized by Dept. of Treasury, this means that your PAY is impacted. The codes have to be MANUALLY changed to match, and I had issues receiving pay delayed over 6 months! The sales force project management is a joke, this needs to be changed. Why can't we use Microsoft office project? I used this in the private sector. instead of purchasing off the shelve things perhaps we need to speak with the employees.	It is very hard to do this in the environment we are working with, budgets are cut and the states are feeling huge impacts. We are funded at 2009 levels and making it very hard to carry out any of our objectives. Furthermore, we need to have open stakeholder engagement we used to have this through an agreement I think with ECOS where we could have citizens, manufacturers, companies, etc. present to discuss "hot" policy issues.	As a federal agency much of our work goes unrecognized until cuts are made, we have to let the communities and public know what we do for them. How much we work for them and the benefits. Coming from the private sector we did this often, we need to better market ourselves.	Don't get rid of the interagency workgroups, they are ideal for implementing policy and influencing others agencies.	ACS, commitment measures and the entire system needs to go away, give the program the ability to track their progress without having pie in the sky commitments that are not really achievable. It is often a guessing game to put forth ACS measures.	Not sure I have the best insight on this issue.

AMERICAN OVERSIGHT

	I
904	
905	As mentioned, project mgt. tools, are needed. I think having best in practice ways of managing and operating from the private sector would help a lot. However, we have to keep in mind that we are not a business, gov't was not set up that way. Inefficiency within gov't is standard due to shared powers.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
906	905	5/11/2017	I think everything I do to do my job is necessary	N/A	N/A	More work at home days would allow EPA to downsize again and save on transit. GSA has introduced hoteling so not sure if that is being considered. Consolidating space would save the agency a lot of money on rent and transit.	Not sure	
907	906	5/11/2017	Hard copy circulation for concurrence is outdated and could be streamlined by going fully electronic.	I have found that regular communication and face to face meetings are especially helpful in such partnerships. It would be helpful if there were smaller offices throughout any region so that EPA employees can be closer to our partners. I am based out of the Region 2 New York City office and my state partners at New Jersey Department of Environmental Protection are often not able to get approval for out of state funding. While EPA does have an Edison facility, the meeting space is very limited requiring months in advance arrangement.	We should a more of a presence in their communities - at least at the state level.	I think it would be a useful exercise to examine the necessity of positions for those in GS-14 level non-supervisory position. In Region 2, I know of many employees who would relish the opportunity to work out of existing Edison, NJ facility. Many employees live in NJ and endure one and half to two hour commutes each way to and from the New York City office. Employees whose permanent work location is New York City are not afforded the ability to work out of Edison at the moment. If employees were able to work out of Edison, this would further reduce the really high rent that Region 2 has. Region 2 continues to pay about a million dollars a year per floor despite the IG's report that efforts to utilize real	every employee should have access to adobe acrobat pro so we can sign documents electronically and combine pdfs.	

AMERICAN OVERSIGHT

	I
906	Hoteling seems to be a new trend .
907	Many private sector employees are not paid out for credited for unused sick leave when they retire. We, at the federal government level, should stop this practice moving forward as it isn't conducive to a healthy office environment and potentially encourages people to not take their sick leave. I would suspect that this would reduce costs overall.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
908	907	5/11/2017	In my role, the job requires I follow FAR standards, this ensures the Federal Gov't is not held liable for perceived favoritism with contractors and to ensure there is a fair playing field for all. This is a necessary regulation. Although we jump through hoops for equipment and software/tools to enhance our ability to work efficiently, this is more of a budget and resource (computing, etc) need. Having worked in private industry most of my career, I feel empowered more in the federal service.	My area is already initiating and making in roads to provide services (technical services) that can both save money for EPA as well as our constituents (states, tribes, etc...) in that they can use our technical solutions. This requires flexibility in having adequate budget and staff with technical skills.	Please see Question 2.	1. Service Oriented Architecture 2. Flexibility for hiring tech skills in house (contractor burden labor rates do not save the government $, there must be a balanced ratio of government and contractors.	See Q. 2, see Q 4. previously answered -	We do this in some areas already - shared government services (contracts); movement to the cloud. Areas for a further cost benefit may be in centralizing time recording across the government, GSA has made progress in management of space, etc...already. Outside this agency, it seems as if there are redundant services, in particular with investigative services for security clearances - OPM NBIB.
909	908	5/11/2017			There was significant fanfare when the public was asked to comment on regulations that could be eliminated. Fair enough--the regulated communities have a lot of important knowledge (though I suspect that this initiative also generated a lot of extraneous comments). But EPA staff was not asked to contribute to this. I inquired and was actually told that EPA staff are not requested to contribute ideas. That makes no sense. Lots of EPA employees have worked on EPA regulations over the years, and they are likely to know about useful examples, if asked. Sure, employees can contribute in their spare time from home, but there can be logistical problems. Why not just send a note down the normal chain of command so that Division Directors or Branch Chiefs ask each employee to contribute ideas for that initiative. You could even make it a contest or at least have an award			

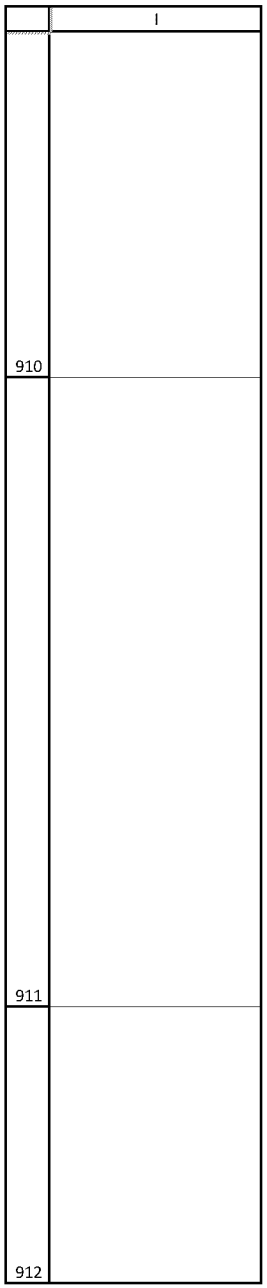
AMERICAN OVERSIGHT

	I
908	I am currently implementing many best practices in my organization, again, most of my career was with private industry. From a technical perspective: 1. Service Oriented Architecture 2. Cloud usage where ROI justifies (ROI very unique) 3. ITIL, AGILE, DEVOPS....all being implemented
909	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
910	909	5/11/2017				Provide or allow use of password managers to create and manage passwords for all of the various websites etc. that employees use in the course of business. Minimize the number and frequency of pushed software updates and passes that cause for lost productive work time in running and restarting computers.		
911	910	5/11/2017	Intranets: Currently each region and HQ office manages its own intranet site. The options for hosting these sites ranges across at least three platforms, maybe more. The methods used to develop and manage the sites varies according to available resources. HQ offices tend to have more resources than the regions for this kind of support; I think the regions struggle to maintain useful, local intranets. I feel strongly that this area of internal infrastructure and communication is inefficient and uses a lot of staff time that could be devoted to other needs. For example, some regions are moving long-held, internal content out of Lotus Notes and into SharePoint, or into a plain web server, or into a locally-managed Drupal content management system. The person(s) doing the moving are figuring out the processes as they go. I see two major issues here: lack of				Open source content management systems for online, internal communication (e.g., Drupal)	
912	911	5/11/2017		EPA needs to invest in staffing resources, software, and contractors to help us manage the wealth of data that EPA collects from the environment. Much of this data is difficult for the public to understand and access. EPA should move into the age of information technology and start sharing all the factual information we collect.				

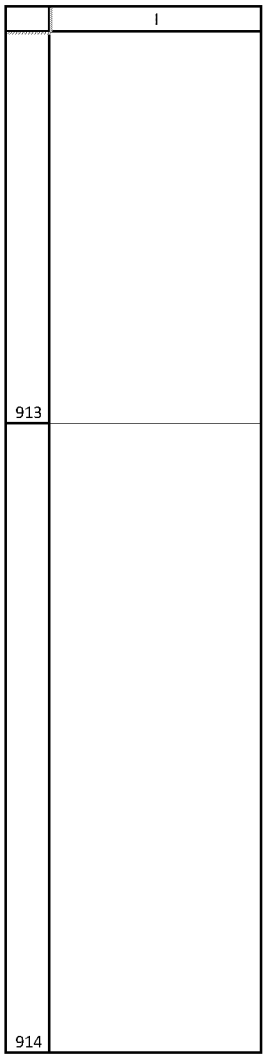
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
913	912	5/11/2017	For the upcoming VERA/VSIP a baseline expectation has not been set for each NPM or RO based upon the Administrator's priorities so the result will be inconsistent and will not meet Agency goals. A preliminary review of Regional and NPM plans should be conducted to ensure that everyone is playing fair. If RIFs are needed in FY18 - the programs/offices that offered VERA/VSIP to a large percentage of staff should not be penalized (ie., RIFs should be at the Regional, NPM/Office level versus EPA-wide) versus rolling up at the EPA level.					
914	913	5/11/2017	To initiate a hiring action, managers must fill out and sign a paper package so that someone else can enter it into an electronic system (FPPS) and they can sign it again. Very wasteful. Every year the agency loses money to treasury because the contracts office in OARM cannot obligate the money to contracts before the money expires. We must lean this process so we can spend money on environmental protection. To purchase furniture, you should simply be given a catalog, rather than going through a burdensome process involving a multi-thousand dollar ???design fee??Â to a contractor in order to buy a new desk the same size as your old desk. This is very wasteful. In last few years, OARM has implemented a much more burdensome process to even reach the stage of having the pleasure of wasting $2,000 before buying a new desk. And this whole process can take 6 months or more, since you must wait for your ???design					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
915	914	5/11/2017	One thing that is common across government is that it takes too long to get the smallest tasks done. A good example of this can be found with grants and contracts. One way of addressing this is to seek out other Agencies with similar contracts in place that will address your organization's needs. If it is so, work towards a joint inter-agency agreement. This would streamline the process and limit many of the administrative hurdles often times when trying to achieve contracts approval. The overall benefit would be a reduction in cost which translates into savings to the taxpayers.			A lot of the IT systems that we use here at the Agency can be upgraded to leverage the latest technologies available. These more intuitive and cost effective - to operate- IT systems would equip EPA staffers with the necessary tools needed to perform their jobs more quickly. This would result in an overall better use of FTE resources.	Yes there are new technologies such as many of the software as a service (SAAS) offerings with particular emphasis on the Microsoft ecosystem. This offering would work well with EPA especially since we are currently an Outlook based and SharePoint shop.	
916	915	5/11/2017	Management Procedures - If the Administration wants to implement change, Senior Executive Service employees must be managed as serving in their roles at the pleasure of the Administrator. Some SES members would run over their grandmothers in pursuit of the end of year bonus. The Administration can incentivize the SES to implement cost saving priorities, but they will be reluctant to give up their own turf. When pursuing change and relying on the SES corps in EPA, the Administrator must be willing to take on the dead-enders, bitterly clinging to the past and who are waiting in hopes of January 2021. Removing a few underperforming or recalcitrant SESers from their posts, will quickly make the necessary statement.					

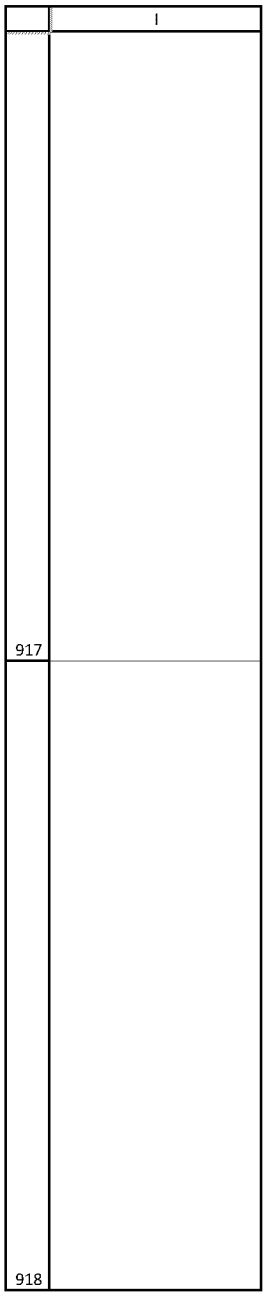
AMERICAN OVERSIGHT

	I
915	I am not aware of any precisely but we can step back, take a broad look at the many program and regional offices, have a close look at their lines of business and assess what they do and how it can be either eliminated, consolidated, or achieved in a completely different manner. All of this, while working closely with the states to ensure that we are meeting their needs and remaining the environmental stewards that we have been tasked with doing.
916	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
917	916	5/11/2017	The Agency's grants management system is outdated, not user-friendly and sometimes not accessible. The Agency needs to be provided with the resources necessary to complete work on the new grants management system currently in development.	In my experience, EPA's management and staff are very focused on developing and sustaining strong partnerships with states, tribes and local communities that promote strong environmental results. The Agency also builds strong, mutually beneficial partnerships with those in the private sector who value economic growth and environmental protection and stewardship. The Agency will continue to achieve environmental results in partnership with states, tribes, local communities and the private sector if we have the staff and resources necessary to maintain our partnerships. The current uncertainty about EPA's priorities and our ability to provide adequate support to our state, tribal and local community partners does not help us achieve better environmental results or maintain effective partnerships.	To provide the best customer service, EPA needs a workforce comprised of women and men with diverse backgrounds and experiences. We need people who are able to communicate effectively with leaders, individuals and businesses in the communities we serve. We also need to have time to communicate with the people we serve. Continued cuts in staffing and resources impairs our ability to provide good customer service.			
918	917	5/11/2017				Please, please, please invest in additional labor employee relations staff to help first line supervisors deal with low-performing employees. They are very helpful, but so backlogged it can take months to address a problem. We need them! No need for RIFs ??? just help us eliminate lowest performing 5% of agency. There are plenty of people not earning their salaries. We would easily pay back investment with increased productivity and saved salary dollars from holding employees accountable for their performance. Managers need LER support to do this. May we please eliminate MaxiFlex? The amount of accounting required, not to mention the lost		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
919	918	5/11/2017		Invest in tribal youth to care about the human health and environment AND have the skills to back up a career in managing their own healthy environments (i.e. through universities, job training internships, etc.).	Honor the Federal Trust Responsibility the US Government has on behalf of the tribes - to an equal (if not even higher!) standard than the general public, not less.	Better train EPA staff on how to work/engage with HR and Admin in tandem with technical IT training for the many resources we all have but master at different levels (i.e. using things in real time, rather than theoretical PowerPoints).	Make things even more "green" to use them more efficient (i.e. solar panels, more green roofs, more permeable surfaces, higher composting and recycling rates).	Require communication across the "silos", particularly where there are synergies between program areas (i.e. where land affects water affects air affects pollutants). Similar for common services across offices (if not done already - communication for the rest of us so we know how other offices work/operate/function).
920	919	5/11/2017	Printing and signing forms that could be signed and sent electronically with the technology we already have in place.			Require employees know how to use basic technology available to them, such as Excel. Employees seem to waste a lot of time manually processing information rather than using basic functionality (such as tables, or sum) in Excel. A lot of employees also don't seem to realize that their process is more complex because they don't understand how quick it could be by using the technology tools available.	Accessing basic agency applications while remote on a mobile device is awful. For example, trying to put an out of the office message on from your phone (if you are unexpectedly out - and after having to go through dual authentication, then workspace login) is ridiculously difficult. You also cannot access EAS, FPPS or Concur to approve documents.	

AMERICAN OVERSIGHT

	I
919	Standing meetings, with agendas, set up with advance for people to prep, templates, a CLEAR guidance and who does what when and how so efforts are not wasted/duplicated, follow-up, points of contacts for questions, get these kinds of lessons learned (positive and improvements).
920	Google for Government

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
921	920	5/11/2017	Management should get rid of all CFC-related events. These events are not necessary for raising money for the Combined Federal Campaign (CFC) and are a significant drain on staff time. In many EPA offices, one person is designated as a CFC coordinator that creates and coordinates fun events (like office volleyball games or brownie bake-offs) for their colleagues to participate in and donate money for the CFC. These events are fairly frequent during the CFC season and people in each office often feel pressured to attend the many events and donate money. It is not necessary or appropriate to use staff time to raise money for the CFC, which is a voluntary program.	Continuing to participate in a dialogue with these many stakeholders.	Change the EPA website to make it more user-friendly to the public. Many of the websites are geared toward the regulated community (like businesses), but they are often confusing to the public at large. The website should be better engineered towards key search terms and phrases that are commonly used on Google.	One great program that EPA had under the Bush administration was the Sectors Strategies program. This program was housed in the Office of Policy and created a key point of contact for each sector. The POC's job was to ensure communication flowed across the agency so that any regulations or programs that affected that sector coordinated and ensured that they did not conflict. They also provided a single conduit of information for the regulated community in that sector so that they heard EPA with one voice, not multiple voices with conflicting messages.	EPA needs an app! An app for smartphones that allows the public to find out the water quality (both water for drinking and recreation) in their community, pollution levels on hot days, safety of local fish for consumption, and places to take their recyclables. There might be an EPA app for businesses that helps small businesses comply with regulations, like information on where to take their used oil or other hazardous wastes.	We need to make sure that dialogue and communication is encouraged between the agencies. Shared websites and information resources would go a long way to ensure consistency between agencies. See www.cicacenter.org. Websites like the Construction Industry Compliance Assurance Center could be further expanded to include more information from states, local governments, and other federal agencies (like OSHA).
922	921	5/11/2017	1. EPA has decentralized various functions with the idea that individual EPA staff should be expert in and expected to complete all manner of administrative functions and online systems. It does not make sense to have professional staff at relatively high salary grades spending time on matters such as travel authorizations; these matters should be handled by administrative staff. Moreover, the vendors for these systems are changed on a regular basis so by the time people finally understand how to use them, an entirely new system is put in place, which is extremely inefficient. 2. Our automated systems for tracking the hours employees work, flexiplace authorization, and leave requests should be fully integrated AND processed at the END of the pay period. Currently these systems are not integrated and are processed before the end of the pay period leading to unnecessary time spent inputting data into redundant systems and revising hours worked and leave requests.		Provide additional EPA staff and funding, rather than cutting the EPA's budget, so that we have adequate staff to conduct the immense workload we already have in house across all programs. For example, we have limited staff to issue and oversee the state issuance of permits. Increase, rather than decrease, budget and staff for EPA as well as state enforcement of our environmental laws so that we can ensure that businesses and individuals who play by the rules and comply with the law are not put at a competitive disadvantage by those who violate the laws and get away with it due to underfunded enforcement programs.		EPA needs to find a way to better automate searches through electronic documents, particularly email, in response to FOIA requests and discovery requests.	

AMERICAN OVERSIGHT

	I
921	This agency badly needs standard operating procedures (SOPs) and standard templates for talking points, memos, and other commonly generated documents. Too often, our offices develop new processes and procedures from scratch, when a standard process/procedure could be implemented so that new ones do not need to be developed. Standard templates for commonly generated documents should also be developed and required for use, similar to those used by the Department of State. This will create a consistency across the agency and prevent employees from developing new formats for information or generating documents that do not
922	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
923	922	5/11/2017	Style Manual ??? A few years??? back, the agency started using the AP style manual that mandated putting an article in front of (the) EPA, not defining acronyms in brackets, and a few other odd rules. Generally, this makes the writing harder to read, acronyms harder to find and writing less clear and frequently annoys external stakeholders such as OMB. Suggest the EPA go back to using the Plain Language guidance that it used previously. Mandated Presentation Format ??? A few years??? ago, the agency was directed to use a standard Powerpoint template with a big green swoop at the top. This proved to use a lot of ink, be harder to read and inhibited clearly displaying charts and graphs, which are the primary purpose of Powerpoint. Most organization over time simply stopped using the format, but many are reluctant to stop without formal permission. Suggest the Chief of Staff formally rescind the directive to use a rigid template. Systems Planning ??? There appears to			Look at untapped systems capabilities ??? EPA has dozens of IT, administrative and financial systems many with duplicative capabilities and functionalities but many also with untapped functions and capabilities. The agency could potentially leverage a lot more of these capabilities if we ask systems experts ??? what else can this system do that we aren???t using? Then we can look at how we might modify processes to leverage those capabilities. Traditionally, planning tends to go the other way ??? organizations write requirements that we they shape the systems around. These might not always be new technologies but they would be a new way of using them.	CMS ??? The Correspondence Management System (CMS) appears to have the potential to streamline work but in actual use seems cumbersome. Suggest a small users group look to see what modifications might help its usability and maybe look at Dept of Commerce???s system as an alternative.	The agency uses many common systems along with other agencies ??? procurement, financial, administrative, etc. Many have user groups that have gotten stale through time. The agency could propose a combined federal effort to target a few areas, maybe beginning with procurement and financial given the importance of these systems to the DATA Act.
924	923	5/11/2017						

AMERICAN OVERSIGHT

	I
923	Creating a Chief Administrative Officer (CAO) After the CIO and CFO acts some Federal agencies created separate CIO and CFO organizations. After a few years, many of organizations created a CAO position to force the coordination of administrative, IT and financial support functions. Systems experts planning ??? the EPA has many experts in various data systems, creating small (5 to 6) groups of experts to compare notes and discuss ideas could create options for senior management to consider.
924	Yes. Many organizations value and develop their employees because they recognize that morale affect productivity. http://smallbusiness.chron.com/correlation-between-productivity-morale-10334.html Things that adversely affect employee morale- quotes from the Administrator that the entire Agency under Obama Administration didn't really accomplish anything. I know that I worked really hard and accomplished a lot of environmental good over the past 8 years- regardless of politics. Things that improve morale: respect; trust; communication; investing in relationships within your

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
925	924	5/11/2017	The Agency's Working Capital Fund/Workforce Support Budgets are not adequately funded. EPA should fully fund needed IT equipment and infrastructure. EPA is unable to replace laptops when warranties expire.	Maintain strong state oversight: Continue to conduct program reviews and share best practices across states. You need effective regional offices to deliver these services. Make sure that cuts are not prorated in such a way that the smaller regions do not have sufficient staff to manage. There is a minimum size below which staffing should not go in order to have a viable regional office. Continue to allow Indian GAP funds to be used to implement programs in Alaska. Continue to fund programs to deal with waste issues in rural Alaska. Continue targeted work in communities along the lines of Making a Visible Difference.	Maintain strong EPA regional offices, that build partnerships with these stakeholders. Ensure consistency in how we apply the regulations across the country and continue a strong enforcement program. Responsible companies do not want to see irresponsible companies getting away with not doing the right things.	Lean the process for awarding grants and contracts at HQ. Critically examine the Human Resources Las Vegas Shared Service Center. It has not worked well, and hiring is hugely inefficient. They are unable to retain good staff, and they have an extremely highly graded, inefficient structure. We would be so much better off returning those resources to the Region.	The entire hiring process is inefficient. Devote resources to leaning the hiring process. Standardized Position Descriptions and Recruitment Packages have been helpful, but not all HR Shared Service Centers use them. We might be better off without the Las Vegas SSC.	The hiring process involves OPM and other federal agencies. It could be made much more user friendly and efficient. The biggest opportunity, however, is in working with EPA's Shared Service Centers.
926	925	5/11/2017	We could see less of the great accomplishments of our great leaders President Donald J. Trump and Administrator Scott Pruitt touted on the website and other places like social media. Their greatness is a distraction to my work, here I am midcareer and I will never be able to accomplish a fraction of what these men have in their lifetimes. How am I, the average worker, supposed to feel when I compare what these great men have done in just 100 days to what I have done in over 10 years at the Agency. What I have done is a pittance in comparison!	We need to listen to the states, they have needs too and don't always have the experience, staff or other resources to get the job done. In my work they have asked EPA to help support their work and efforts. The agency has help to be a facilitator of conversations and dialogues that help all states to solve problems that are common to all states in our region.	Get good information to people the first time, via the website. In my program we refer many of the comments and complaints back to the states and local health departments as they are local issues not federal issues. Everything that I've worked on has had heavy input from the states and industries that are effected, I don't know what the administrators beef is with the way that we did things.	I think that the administrator's request for 10 staff for 24 hour security could be declined in the budget. That would reduce costs, and the amount of public affairs staff that I perceive as sitting around with nothing to because of the focused messaging on the administrator's self perceived 'successes' could be let to do their old work again. That would be a more efficient use of staff. Looking from the outside of the agency in, it's really developed a cult of personality like we've never had before. Environmental protection is more than just this 'cooperative federalism' that the administrator touts and shining the love on coal miners, it's about people's health.	Wind, solar, biomass, energy and manufacturing efficiency, these are all modern technologies that will make things more efficient, effective and accountable.	Everything that I work on is a shared interest with other federal agencies or states, I don't understand how people could think otherwise? Unless they hadn't taken the time to learn about the agency and the processes in place. Read a federal register notice and see what's in there, how all the comments are addressed, how the economic benefits are address. This has all been required before by previous administrations. People need to be willing to listen and learn before speaking.

AMERICAN OVERSIGHT

	I
925	The Air Advisor Program with the US Forest Service deploys trained EPA staff to wildfire events. EPA assists with monitoring, modeling, and communication of risks to communities, so that people can protect themselves from smoke. We could make the process of reimbursable funding more efficient, but other than that, it is an excellent program in support of the American public at risk from forest fires. The West Coast Collaborative for reducing toxic diesel emissions is a fantastic model of how EPA can work across the public/private sectors.
926	In a lot of ways the private sector is just as messed up, maybe in different ways, than the public sector. But, you don't always here the stories because they don't have some junior congressman looking to make a name for himself.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
927	926	5/11/2017	We should not be changing delegations so that the Administrator makes decisions that were once made by the Regions--this drastically slows down work getting done. Requirements for EPA staff to clear any public statements through HQ are burdensome and unnecessary. I also find myself spending hours doing administrative tasks. Our office does not have adequate administrative support.	Maintain or request additional funding for EPA programs that support the development and expansion of local, tribal and state capacity in enforcement and implementation of federal environmental laws is key.	EPA should commit to transparency in decision-making and decision-making based on sound science and the rule of law. Decisions should always key back to our central mission, protecting human health and the environment. EPA needs to do a better job communicating the vast and multi-faceted economic benefits of our regulations, which has led to the mistaken belief that EPA is a job killer.	Effective and adequately funded enforcement can reduce costs by increasing compliance; non-compliance in the industry leads to increased costs to the agency from having to respond to accidents, releases, spills, etc.	We need better IT support and updated software and adequate training on new software. This would assist in responding to FOIAs.	
928	927	5/11/2017	Delegation of authority should be rendered for all areas where this is at all possible. Generally speaking, no more than two levels above the author need or efficiently should be reviewing a document. Now of course, for really high level stuff this does not apply, but for normal day to day work it should. In my opinion, EPA has too many reviews of a average document, which can hold up progress on a project because an approval might have to go thru too many levels of review. I have previously worked in lower and middle management capacity, and as a manager, I know that if too many people look at the a document by the time everyone has made their changes it can ending up looking like the first draft, but after wasting days of review.		We should be more transparent with our documents, etc. I don't believe this is a symptom of staff not wanting to be, but that we do not have the software/databases or staff time to be more transparent. SEE Q 5		I have worked for several different government agencies and private consulting firms and must say that the lack of investment in updated, comprehensive software/databases is disappointing at EPA. We are literally over 10 years behind in technology from other GOVERNMENT agencies I have worked for. EPA is wasting a lot of taxpayer money by piece-milling so many different databases and tracking mechanisms for each different program, which is then different at each Region. As with other agencies, ideally there should be one database that has different subparts tailored to each program, not only as a document depository, but also as a tracking mechanism. This system should have the ability to allow outside	

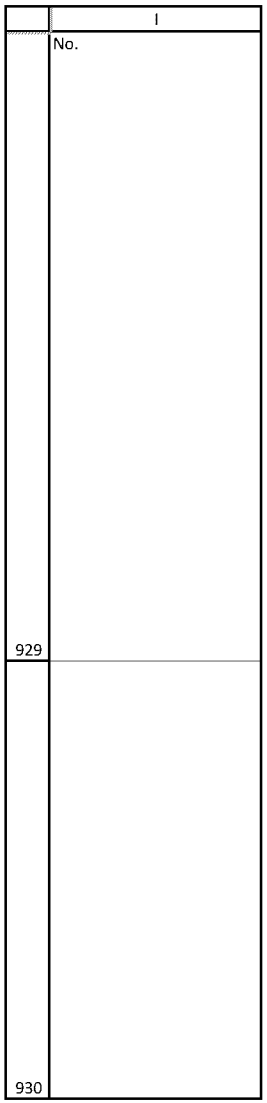
AMERICAN OVERSIGHT

	I
927	Top law firms and major companies may be helpful in assisting us with better records management and data management, particularly in the era of electronic discovery.
928	Yes, there is a lack of administrative consistency throughout the agency, which makes us more inefficient than we could be. SEE Q 5.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
929	928	5/12/2017	I fell there are too many "required" training courses, seminars, overviews for an staff worker and a manager to track. A large portion of our time is spent taking annual or repetitive training such as: sexual harassment, Cyber Security, Tribal, Transit Subsidies, Time and Attendance, Travel, etc. Furthermore, even after taking these courses there is time required to enter them into data systems or manage the tracking of such info manually. Many systems are not even user friendly and require time to understand how they work.	I do not believe we need to achieve better partnering. To me "partnering" has taken a connotation that there will cannot be disagreements or disputes. This is fundamentally wrong. Each stakeholder has their own agenda and perspective, whether that is EPA, the State, other Federal agencies, tribes, local communities or the private sector. We each have our priorities and therefore there will be differences of opinions and goals. There is nothing wrong with that. It is through the collaborative efforts that a working plan or goal is achieved.	I think you first need to ask the public what issues they have with EPA and the service they receive before asking EPA how we can make it better. There are already community meeting, advisory groups etc in which the public and other stakeholders can provide input. You need to ask them what they require.	Consistency in regulations would help. However often times there is a disconnect between Federal and State requirements which make implementation of various remedies or actions difficult. I also think the other Federal Agencies should stop disputing EPA regulations. They often try to circumvent steps in the process which creates difficulties later in the process. Also their mentality that "one size fits all" does not work. Sometimes when some "latitude" is granted or provided, they use that latitude to be applied for every situation even when the situation does not dictate it. Then it becomes a battle to justify why the latitude was granted at one	Whatever systems we are asked to use, they must be user friendly. Many are not straight forward and require training and repetitive applications or usage for someone to use them efficiently. They are created for everyone as if everyone will have a deep understanding of the system and their job depends upon it. However many of the systems require use maybe once or twice a year and the knowledge gained is often forgotten over the months.	I think this is no believing realistic. States do not have the resources EPA has. Many state counterparts ask EPA for assistance in the areas of enforcement since EPA has the resources and greater expertise. If one is trying to "increase" the economy or the private sector, then some States which have "more stringent" requirements not less may inhibit such growth?
930	929	5/12/2017	Correspondence prepared for upper management's signature is typically printed and placed in a folder so that it can be manually concurred on by the originator up through the party that signs the document. If any of the parties concurring on the document have any edits, the folder needs to be returned to the originator and the document and file copies need to be modified and replaced. To save paper and time, it is suggested that all such correspondence be circulated, edited, and concurred on electronically with the document being printed final only when the party that is signing the document has concurred.					

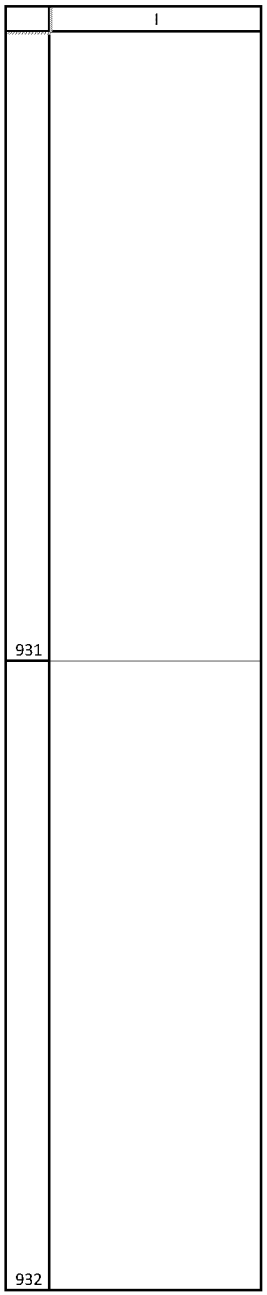
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
931	930	5/12/2017		Re-assess the regional structure and reduce the "Regional office" size by creating smaller field/operational offices in more locations instead of having a large regional office located in expensive cities. More thoughts included in #4.		Look at the current regional structure to determine if there are opportunities to restructure that would consolidate administrative functions and create more field locations and less masses in regional office. For example, do we really need 10 ARA positions for management --- contract function should be returned to OARM and the number of ARAs for management could be reduced to three where they serve that function for many regional offices (east, central, west). Another option would model after Region 10 -- have field offices in various locations placing employees closer to states in less expensive space and therefore lead to smaller footprint needs in the main regional office.	Why hasn't EPA migrated its time and attendance process to the Interior Business Center. OCFO continues to spend money on PeoplePlus when we could be serviced by another agency in a more efficient manner. EPA doesn't need to be in the business of time and attendance. Payroll and HR functions have already been migrated to IBC and as I recall the original intent was for the agency to also migrate it's time and attendance processes. What changed?	EPA migrate time and attendance function to Interior's Business Center.
932	931	5/12/2017	Computer access - currently we log into the EPA computer system with our smart card and pin - once into the system, we then have to input various user names and passwords to access various applications. This results in a lot of wasted time having to insert different user names and passwords, keep them current, changing them at different time intervals, etc. The EPA computer system should be reconfigured so that once you have logged into the system you do not have to use any other user names and passwords for any of the EPA applications. Single Sign On is suppose to fulfill this function but it is even not needed if the system is reconfigured as above. Time cards - currently we are required to complete our electronic time cards prior to the end of the pay period. This results in employees having to prepare time card amendments due to changes of work schedule at the end of the pay period due to changes in work activities, leave, etc. Time card amendments					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
933	932	5/12/2017	At my current position, I am constantly busy and deal with a lot of work. What prevents me is the open space where I sit, that I am constantly being interrupted. But the one thing that would also be great to have a higher grade and pay. The amount of work I do, both grade and pay does not cover for all that I do.	None at this moment that I can think of	none at this moment that I can think of	Our agency works extremely hard to keep the environment safe.	Yes to update all computers and programs to current modernization.	none at this moment that I can think of
934	933	5/12/2017	It would be great if we had administrative staff to help with the menial tasks, so we can concentrate on the actual work. There is way too much back and forth with concurrence's- especially when your director works in NYC and you are in NJ. It takes too much time doing it with paper, this should be all done electronically.	We work with the states and give them grants for the inspections they have primacy of. So, it would be a shame if we cut their funding by 33% - I don't think they will like our partnering anymore.	I have great relationship with our SLA's. However, we had a new regulation about 5 months into implementation and a FR notice will be sent out to possibly change elements, along with implementation. This does not help our relationship with the SLA's or the regulated community. In fact all the hard work reaching out to the regulated community, changing websites, creating materials - we now have to start over. Both the SLA's and the regulated community are not happy. They could have created a 1-2 year period of compliance assistance, without making all upset and frustrated.	I have been working here for 20 years. We are as bare bones as we have ever been. We have limited funding to travel to even complete our tasks, nevermind when public health threats happen and the need is there. We have one printer for about 20 people. No access to funding for printing, even when HQ has stopped printing materials completely and we need to print in order to send stuff to our SLA's. I think the biggest inefficiencies are the staff that do not do contribute to the teams success and are of retirement age, so no one puts pressure on them. We should be able to fire people that do not pull their own weight.	All the databases created at EPA are from the lowest bidder. SO this is an area we can improve on. Also, it makes no sense that the Virgin Islands and Puerto Rico are part of Region 2. They should be given to CEPD or R4- to make travel and better oversight easier.	We currently work well together.

AMERICAN OVERSIGHT

	I
933	To reduce cost, employees should travel less, due to updated technology of VTC etc. no need for travel.
934	We need to go electronic for getting upper management signatures. A lot of time it is delayed bc they are too busy. Better databases that actually work would help too. If you cannot get all the information you can before an inspection, it is hard to complete it well. Again, we should be able to fire people who do not complete their job tasks. If they got rid of these people and instilled fear that they may lose their job- it would make the agency definitely more efficient.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
935	934	5/12/2017			Reduce telework. EPA has a history of being early adopters of workplace flexibility programs which has led to what many, especially outside of the government, would probably consider an excessive use of telework. On any given Friday or Monday you will be hard pressed to find more than a handful of people in the office buildings we pay millions to either rent or maintain. While there are great benefits to individuals who participate like avoiding having to commute, there seems to be at least the possibility of less accountability and certainly it hinders the development of team work and esprit de corps. I know many folks who would have retired years ago but hold on because it is made easy for them to do so by allowing them to work out of the homes. The tool might be good in moderation and for people who are high performers. however, given the way we operate, there is an air of entitlement that accompanies the			
936	935	5/12/2017						

AMERICAN OVERSIGHT

	I
935	
936	The Protective Security Detail Framework (PSF) Executive Summary: The threats of the twenty first century is providing new challenges to security professionals of all disciplines. Those who are responsible for the safety and security of elected officials or political appointee???s executives are facing new challenges. These challenges are created by a shift in how senior political leaders and elected officials are viewed by society at large. In the age of Social Media, leaders face criticism and scorn for what some may deem a controversial position, and in hours that criticism can reach hundreds of thousands of people. With a negative message getting

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
937	936	5/12/2017	1 - Streamline Grant Applications. About 10 years ago, some lame lawyers added requirements to repeat information over and over again in different sections of EPA grant solicitations. This is a huge waste of time and paper for all involved. Also, small grants (under $25K) are now subject to the same massive paperwork requirements that large grants of hundreds of millions of dollars. There should definitely be a tiered system to streamline the process and requirements for small projects. 2 - The ACS commitment system is overly burdensome and does not drive the greatest environmental results. Essentially, there is a lengthy HQ/Regional negotiation process of "bidding" and negotiating on projected environmental results (ACS - Annual Commitment System(followed by mid-year and annual reporting. The "game" is to achieve the target number without going too far over which is perceived to mean that the organization has too many resources.	Encourage and reward partners to achieve and report results that exceed projected results and collect and share online and though the media our results/lessons learned so they can be replicated.	Set up a 360 degree feedback system so that in addition to EPA reviewing our partners, they review us.	Add more real time local environmental monitoring systems that are available to the public online with both environmental data and actions that can be taken 1) on an individual level to protect human health and the environment and 2) current EPA regulatory and policy information. Provide web	Publish our annual environmental results information online (ACS) with short lessons learned summaries and set up a searchable wiki-like website interface so the public can ask and EPA can respond to at least some common questions posed.	
938	937	5/12/2017	1. Requiring HQ's oversight and approval of outreach materials at Superfund and Emergency Response sites is inefficient and adds no value given that the information being shared is very site specific and HQ's does not have the depth of knowledge about the site nor what the communities interests are. Approval for development of and dissemination of outreach materials at a Superfund and Emergency response sites should only require Regional/Program approval. 2. EJ has been engrained into every Program therefore having a separate EJ Program is inefficient and a waste of tax payer dollars. Suggest having one internal POC in each Region for EJ questions and consolidation of reporting for each Region and not an entire Program devoted to it. 3. IT needs to be centralized for all Regions and contracted out to allow for consistency in services, efficient use of resources and better access to	Increase oversight of funds distributed to states, tribes, local communities, or the private sector to ensure that the funds are being utilized for the environmental goals that were identified as part of the grant/contract/IAG etc . . . and used in a timely manner.	1. Prioritize community outreach and provide resources to better build relationships with Federal, state, local, tribal, non-profit and private sector partners. Science is a priority but science means nothing if you have bridged relationships to educate to gain support for and collaborate on EPA actions.	1. Regionally centralize outreach efforts to include EJ, CIC's for Superfund and Emergency Response, Sustainability, Children's Health, EE and place them under the Public Affairs Director for each Region. Currently outreach efforts are spread across the Region which creates missed opportunities to broaden educational and outreach opportunities to the public about all of EPA's activities. By centralizing these programs the public can expect a one stop shop of information, better use of personnel time by balancing workload and focus on priorities as well as consistency in messaging. The public doesn't break down EPA in there minds. EPA is EPA. 2. Combine media,	1. Social media, photos and videos! Utilizing newspapers to get the word out is no longer effective and puts EPA behind the message rather than in front of it. Region's need resources and support for social media and need to be able to control it from the Region. It cannot be centralized at the HQ's level. It slows the messaging down which is not what social media is about. The public want to hear more about what's going on in their local world and the Region's are in the better position to do this. 2. Resources to reach out to the public during emergency response efforts. Cell phones, IPADs, printing capability, etc. Not ever emergency response is of national significance in order to justify the need for tools to perform public outreach.	In regarding to shared responsibilities across Federal Agencies - Centralize across all agencies the Human Resources, Employee Development, IT and Administrative Support. There should be one stop shopping for all these support needs and much of it could be contracted out.

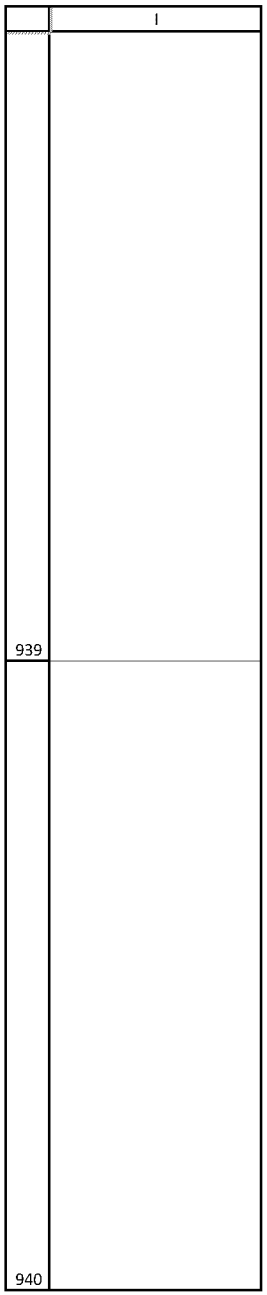
AMERICAN OVERSIGHT

	I
937	
938	We implemented a communication outreach approach that help to reduce congressional inquires, IG inquiries and build better relationships with our congressional, State, Tribe and local partners. Any time we release information we set up briefings with our stakeholders in order of State or Tribal partners first, congressional, county then city prior to meeting with the public. This build trust with our external stakeholders by rolling out a "no surprise" approach to information. It put Congressional, State and local officials in a better position to response to public inquiries and increase support for Agency actions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
939	938	5/12/2017	I have heard many complaints that the STICS database for tracking publications and data in ORD is cumbersome and time consuming. There are also rumors that this system will be going EPA-wide next year. Researcher are supposed to upload all data used in publications so it will be publicly available, but the system can't handle large files including most model results which can take up several terra bytes. While making data public is a good goal, it doesn't seem like the current system is able to handle the data requirements for this endeavor. Many/most journals now allow authors to pay extra to make an article publicly available. We barely have money to publish at all, let alone money to make our article open access. It seems like if EPA were serious about making EPA research open to the public, they would make it a priority to set aside money so that EPA scientists could pay to make their articles open access.			Bring IT services in-house. There are perpetual problems with IT systems and computer hardware supplied by contractors. Contractors have too much turnover, too little accountability, and get paid for service/help requests so there is no motivation to make things work the first time. A lot of time has been wasted due to remote e-mail access not working, new computers no being up to spec and having catastrophic failures within 1 yr of purchase, and EPA firewalls preventing fruitful collaboration with scientists at other federal agencies. New printers were first installed in RTP a month ago and are still not working properly. Contractors have been called over multiple times to reconfigure the	The systems used for pay (currently People Plus), travel (currently Concur), and contracts are constantly changing. It seems like every 1-1.5 years there is a new software system being implemented or our paychecks are being handled by a different federal department. These new systems inevitably have bugs for the first 3-6 months and take time for EPA technical staff and administrative personnel to learn. The effort that goes into constantly implementing new software systems would be better spent on work that helps further EPA???s mission.	
940	939	5/12/2017						OEI went though a re-organization just before the election, even over the objection of program offices in HQ. The reorganization was a ???waste of time and money.??Â The reorganizing took an organization of approx 5 offices and turned the organization into 7. Most of the reorg was to split functions that went logically together. For example, in the old structure, internal communications and management was in one. Now OEI has a management office, and a separate office to handle internal communication would save ten if not hundred thousands of dollars to put the organization

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
941	940	5/12/2017	1. Use of government purchase card -- FAR regulations and OARM have added so many new restrictions that we're unable to use the purchase card efficiently to quickly make purchases. Purchases that are less than the single purchase threshold are being forced through contracting. It took 2 months to make a $200 purchase that a cardholder could have completed in 5 minutes. Re-examine the rules and regulations to make the use of the card efficient -- which was the intention of the program. 2. Hiring -- There is no federal government standard for declining candidates that appear on the cert. At DoD, if you could write a short justification statement why the initial candidates weren't qualified, you would get the next batch of candidates for consideration. At EPA, HR insists on calling the candidates on the cert and asking them to withdraw their application. Unless that occurs, they won't forward the next batch of candidates. There needs to be ONE federal standard.			1. Some programs are split up into subdivisions to the point where there's duplication of effort and groups with similar missions aren't communicating with each other. Each program office should re-examine the various project teams to determine if there's duplication of effort and combine programs to streamline processes.		1. Terms of service -- GSA should be responsible for establishing terms of service agreements with vendors and should have a central inbox where agencies can submit requests for new vendors. Currently each agency sets up individual terms of service agreements. 2. Hiring standards -- There is no federal government standard for declining candidates that appear on the cert. At DoD, if you could write a short justification statement why the initial candidates weren't qualified, you would get the next batch of candidates for consideration. At EPA,
942	941	5/12/2017		1. Updating the Regional Screening Level Table used in human health risk assessment is almost a year behind schedule, and there is a significant decrease in the potency of benzo(a)pyrene and the other carcinogenic PAHs as a result of IRIS revisions which is not reflected in the currently available RSL Table. All states and EPA regions use the RSLs pretty much on a daily basis, and it is a disservice to both, as well as reducing the accuracy of risk assessments, to not have the RSL table updated on the 6 month schedule previously followed. 2. The states desperately need funds for water infrastructure upgrades to ensure safe drinking water. Increase funding of the state revolving fund so that we can assure the public their drinking water is safe. 3. No state has enough money to ensure that their children in older stock housing are not being				

AMERICAN OVERSIGHT

	I
941	1. Employee and supervisor feedback: At Booz Allen Hamilton, during the annual review, managers reach out to colleagues and clients to get performance feedback on an employee. Employees are requested to provide feedback on their supervisors during reviews as well. It helps with accountability, employee development and training.
942	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
943	942	5/12/2017	We have far too much mandatory training that does not impart any knowledge (you can usually just skip through it). They are often poorly designed (asking about irrelevant information--e.g., quizzes that expect you to know what year a statute became law). The technology supporting this is also bad--I've had to switch browsers to get it to work.			Reinstate the climate science website.	Our computing technology is terrible. Our computers weren't efficient when we got them (they were pretty cheap on the open market) and they've only gotten older. We are WAY behind on cloud computing and some parts of OEI object to us using the cloud at all while, at the same time, providing us with obsolete technology.	
944	943	5/12/2017	Both EPA's Office of Acquisition Management and Human Resources Shared Service Centers are having a difficult time completing acquisitions/HR actions in a timely manner. In part, it seems to be an issue based on staffing levels. Would it be possible for OAM and HR SSCs to leverage the extramural and HR expertise in the program and regional offices? This could be done through consolidation of all such employees into OAM and HR, or via partnerships between these vital service centers and their business partners (program and regional offices).				Instead of new technologies, providing in-depth training to all staff on the technologies available to us (SharePoint, Skype for Business, Outlook, MS Office Suite, etc.) would greatly improve efficiency and effectiveness. The Agency should have a goal of all employees being proficient in all IT tools, and aim to have a percentage (25-50%) of staff that are considered experts or advanced users.	
945	944	5/12/2017	Always look to simplify training requirements. Shared service centers are not always the best model. They eliminate face to face conversations, which are very important	Strong leader ship the has common goals of protecting the environment, not just business interests. Regional Labs and offered services and support are a key component. The first step is to review existing programs that are sucessful	Local offices, partnering projects such as NARS and national conferences. Offer training and monitoring support. Support local watershed and monitoring groups	no	not that I know of	

AMERICAN OVERSIGHT

	I
943	
944	Over the last 10-15 years, the Agency has had several efforts to develop a performance management tool/system for senior executives. However, we are still without a tool that is useful at the top of the organization all the way down to our smaller business units. Without such a cascading tool, we will never have good optics into the operations of the Agency. It starts with the data - what is available and it's quality - and empowering all levels of the Agency with access to the data in a dashboard that provides views at a corporate level and then allows drilling into data for individual business units. There are pockets of success related to performance management
945	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
946	945	5/12/2017	Agency-own initiatives would place additional workload for program offices since they would end up implementing the initiatives. Rather, workload can be better shared among offices.	Establishing clear and consistent regulatory and technical requirements, administrative procedures and goals early on would achieve environmental results more expeditiously and cost effectively.	It is clearly communicated early on what regulatory actions EPA will have to make, what are the regulatory, administrative and procedural requirements to comply with, and whether and how any comments and concerns can be addressed.		Improve the effectiveness of electronic files storage and share sites, such as OneDrive and SharePoint site so that they can utilized more effectively and agency wide. Currently, they tend to be cumbersome, slow and not user-friendly.	Establish an agreement with a state on work-share responsibilities where it is clearly identified which sites are the responsibility of federal or state agency. Any actions or cleanups performed under federal or state cleanup programs be also recognized as equivalent to the cleanup performed under other federal or state cleanup programs.
947	946	5/12/2017			Fold OLEM/FFRRO into OLEM OSRTI. It is important that we have a consistent cleanup program for Federal and Private sites.			
948	947	5/12/2017	The administrative requirement to have employees attest and submit timecards prior to the end of the pay period prevents me from doing my job efficiently and effectively. This requirement ensures a significant portion of timecards are actually incorrect when submitted and causes significant administrative burden on employees, time keepers, and first line supervisors in order to amend these timecards in arrears. The Agency needs to revise the payroll process so that employees attest to their time the Monday after the pay period ends and supervisors approve time the Tuesday after the pay period ends.	Currently, the Agency partners with states and tribes in a number of ways with the majority of the Agency's budget allocated to these partnerships. The simplest, most direct way to achieve better environmental results is to improve the data systems which EPA, the states, and tribes use to track the environmental results of their work. Improving data collection and storage will facilitate a sound assessment of areas where results from our partnerships need improvement or are very effective.	The Agency should devote adequate resources to bring major work processes on-line and upgrade existing data management systems. This is one of the most important things the Agency can do to provide for better customer service to states, tribes, local communities, the regulated community and the public at large.	Integrating enforcement functions into the environmental programs they support would reduce cost and inefficiencies while maintaining environmental protections. For example, this would provide the opportunity to have pesticide labels reviewed for practical enforceability before being approved for use thus making compliance easier for the regulated community and enforcement more straight forward for the Agency. It would also make coordination with states and the regulated community simpler and more straightforward. Another untapped opportunity is the opportunity to review Agency work processes in	The Agency needs review it's process for developing and implementing electronic information management systems (i.e. stand alone and on-line databases). Currently, it is difficult, costly, and time consuming for programs to get data systems developed and implemented. Specifically, the Agency needs to revise the current process so that 1) system users control the design and roll-out of a data system 2) the Agency can access appropriate technical expertise in a timely manner to keep up with advancing technology and 3) purposely allocate sufficient resources to both support existing data systems and upgrade outmoded systems. As a first step in this process, the Agency should develop a clearinghouse where HQ and	Within certain programs like Superfund there are established coordination groups, such as the Regional Response Team, which facilitate communication between state and federal agencies. These groups are staffed by GS-15 and lower personnel and generally do a good job of transferring information and fostering organizational trust. However, above the GS level in the Agency there seems to be a lack of similar established inter-agency groups that regularly meet to perform the same general function. This results in operational inefficiencies because when a particular decision or

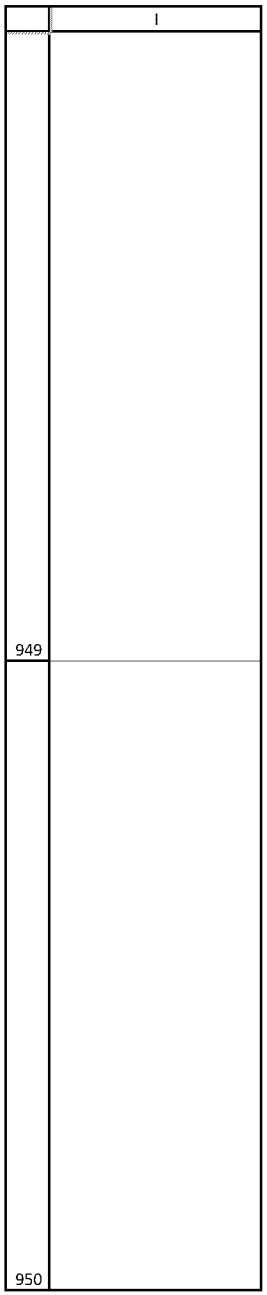
AMERICAN OVERSIGHT

	I
946	
947	
948	The electronic Daily Flexible Schedule Tracking system used by my organization is a best practice that should be considered for adoption across the agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
949	948	5/12/2017	The Credentials process is slow and cumbersome. There is a considerable amount of training for staff who need credentials. All of that is verified by supervisors. Then all the certificates are sent through several layers of staff before going to HQ for more review. The simplest thing can send the entire packet back for the approval process to start all over again instead of an easy update/fix/answer to the person needing the information. In addition, the most recently hired staff who have taken over a year to go through the training and the entire paperwork submittal and finally received their credentials in early 2017 have expiration dates of this year as well. This is ridiculous for those who need credentials to do their jobs. Management is sometimes involved in so much tracking of the details of staff that they have less time to contribute to staff needs. This may be in specific hierarchies rather than EPA-wide. But in my area the supervisors have to track	There should be more transparency with ALL data regarding chemical approvals and reviews - or other experiments, peer reviews, scientific processes, etc. Third parties, and other peer reviewers, should be allowed access to the data from EPA as well as the private sector for the purpose of peer reviews and verifications where the EPA is lacking due to insufficient funds, time, and staff. This would allow a stronger, more accurate, peer review process and help EPA make better decisions. In addition, ALL private sector data, including that which is deemed insufficient for any reason should be submitted to EPA for any chemical, or other, approval process. Data submitted should not be limited to "successful outcomes" only. Allow EPA staff from all areas to live and work in all areas of the	More money for states that have delegated authority. Some do not pay their staff very well (considering their education/experience) or have enough funds for travel, compliance assistance, etc. When this happens, EPA is obligated to step in an help the states. However, that can take time/money away from EPA priorities. In addition, "politics" get in the way at the state level whereby EPA must step in and assist again. If state staff could do their work without the politics getting in their way, there would be less disparity between larger regulated facilities and smaller ones (due to the larger ones having more money and power at the legislative level). This is simply unfair to all regulated entities. This same problem can be seen at the federal level as well. I don't have an idea to fix this, but it is an issue that needs to be addressed at a leadership level.	I suggest EPA leadership work on a better ???fairness factor??Â across the country. When a facility is in violation of regulations they need to be treated the same as others, regardless of who their congressmen are, how much money they have contributed to political campaigns, or their lawyers. Unfortunately, due to politics, it appears that sometimes companies get away with non-compliance or do not have to ???pay the price??Â in an appropriate punishment. This is unfair to companies that are complying (and paying more in costs to comply) and smaller companies with a lack of ???political clout??Â. This also encourages others to violate, as it???s cheaper than complying. Altogether, this makes our environment	Have leadership investigate the State of MI DEQ "MiWaters" program. Something similar would be so much more efficient and effective for staff, and the public, in tracking, mapping, permitting, etc. It is a "one stop shop" rather than the various websites we use now that are not connected. EPA is behind states and some local governments in the use of technology.	HQ and DOJ staff need to get out in the field more, with their enforcement staff and inspectors, to truly understand what is reality regarding the regulated entities. They just don't see the big picture sometimes, or the important details. They are stuck in their own worlds, incapable of seeing the other side. Giving them the opportunities to work with the regions more closely by sending them out to the regions would be considerably more effective. This should mean HQ actually live and work in the various regions, rather than from D.C. More communication, and follow through, in
950	949	5/12/2017	EPA and the US Archive have, for the first time ever, created duplicate websites that preserve the White House and Agency sites the day before President Trump was inaugurated. The reasons given for this is to reduce the number of FOIA requests, but I question whether or not the demand remains high so long after the initial outrage around the president's inauguration. Also, we are violating long-established web policies that discourage duplicate web content, and we are causing confusion and suspicion even among savvy web users because of it. For example, I found the snapshot while searching the internet for pesticide information. The red banner across the top doesn't load as quickly as the rest of the page, so I'd already scrolled down and didn't realize I was in the duplicate site. The information I found was outdated, but I didn't realize it until later. I also received an inquiry from the Oregon Department of Agriculture asking about a water quality standard that changed between the snapshot and		Eliminate duplicate content from our website that confounds internet searches, including the January 19, 2017 Snapshot, as well as all web material that is outside of our specific area of expertise.	One of my tasks is to respond to correspondence (i.e. letters, emails, and webmails) from stakeholders for the Office of Pesticide Programs. Pesticides are controversial, and we are positively buried with letters of complaint from people who have invested no time reading through the extensive material we provide on our website. We get buried with 'click-to-send' and postcard campaigns demanding regulatory action, as if pesticides are regulated on a quasi-democratic basis in which the loudest people shouting decide for everyone else. More recently, we have been inundated with interview requests from 3rd grade to university graduate students whose teachers and		Ensure that EPA is not providing information on its website that is outside of our specific jurisdictions, and that we are not competing with other federal agencies on identical topics. For example, we have thousands of web pages providing information (some of which is demonstrably inaccurate) about bed bugs, zika, mosquitoes, etc., when our actual area of expertise is regulating pesticides that are used to mitigate these things. Some of our information is demonstrably wrong (e.g. the page covering state and local laws pertaining to bed bugs), and the CDC has even more content than we

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
951	950	5/12/2017	The new layer of review and deep skepticism about our current work by the new administration prevents us from doing our job efficiently and effectively. Several matters have been scaled back or abandoned by the new administration, without regard for their established merits, thus further preventing us from doing our jobs efficiently and effectively. Key legal authorities that allow us to protect public health and the environment have been abandoned or diminished, contrary to the law, thus further preventing us from doing our jobs efficiently and effectively. The new administrator and president have repeatedly accused EPA staff of violating the law, taking people's property, and harming business, all without evidence, thus demoralizing the staff and reducing our efficiency and effectiveness. The new administration has diminished our proper role in overseeing the state programs, insisting on greater deference	Fully embrace our authority to protect all Americans and our environment from pollution by insisting that all states comply with federal standards in their implementation of environmental laws, and not walking away from our responsibility to do so. Provide greater funding and technical assistance to states, tribes, and local communities to help them develop the capacity to fully implement federal environmental standards and improve environmentally protective infrastructure. Send a clear signal to the private sector that the protection of public health and the environment are a priority and create a level playing field for good private actors by punishing those private actors who violate federal environmental laws. In addition, the new administration should stop playing favorites to industry at the expense of public	The states, tribes, local communities, and the regulated "community" are not our customers. The public at large is our only customer. See above suggestions about better enforcing federal environmental standards to protect public health and the environment and providing adequate funding and technical support for states, tribes, and local communities.	Keep the Clean Water Rule, in order to reduce uncertainty in enforcing the CWA, and the attendant additional costs and litigation risk. Keep the Clean Power Plan, in order to continue the ineluctable transition to a clean energy economy, and avoid the additional costs of changing direction and then, ultimately, returning to the right path once this administration is gone in less than four years. Defend all rules that reduce pollution and protect public health, and continue to follow the command of the various environmental laws to ratchet down the allowable levels of pollution, with a goal of eliminating all pollution possible, to make American great.	Restore science and the law to their rightful roles as the basis of all agency decision-making, restore all deleted/removed scientific information that is unfavorable to the current administration's mistaken view that climate change is a hoax, reveal all meetings that the administration, including the president, has with lobbyists and other stakeholders in order to restore the public's confidence that the agency is working for them, and not for moneyed interests.	This question is incomprehensible.
952	951	5/12/2017	Reporting the same, or similar, information to different levels of management in different formats is highly inefficient. There should be one or two formats selected that all levels of management are required to use. An automated system, such as Region 4's "Superfund Activities Management System" (SAMS), should then be adopted and used by all to generate these standard formatted reports. Such a system can also be directly accessed by those that might need information quickly, such as the press office or Administrator's Office. No need to send out requests that ask for information that has already been reported.	(1) Strong oversight of State programs is the only way to ensure that better environmental results will be consistently achieved. Without it, states will sometimes divert dollars to other things or succumb to political and economic pressures that may conflict with environmental results. With strong oversight by the EPA, the states (and tribes) can take the lead on more activities without compromising results. (2) We need to maintain a viable enforcement program with predictable consequences for violations. This is where the private sector comes in - large entities are motivated by the desire to keep a clean record; smaller players are motivated by a desire to avoid fines.	Customer service can be resource intensive. If our workforce is significantly cut, our ability to provide customer service will be reduced. Assuming we do delegate more to states and tribes, good reporting systems are needed if EPA is expected to be responsive to questions from the public, elected officials, etc. It is highly inefficient to expect staff to hunt down answers on an ad hoc basis when questions are asked.	I have never worked in a non-program position, but from my perspective, we have too many people working in such positions. We should put more of our resources on the front lines in the programs. This includes looking at HQs staffing levels and possibly reassigning FTEs to the regions.	Due to our variety of work schedule options and growing use of telework, we need to put some kind of electronic system in place to keep up with who is "on the clock" and where they are. I don't know exactly what is available, but PeoplePlus is not sufficient for this purpose.	Possibly with contracting. I note that we already use shared service centers for travel and Human Resource functions, but it is not clear to me that resources were saved, and customer service has generally declined when these activities were centralized.

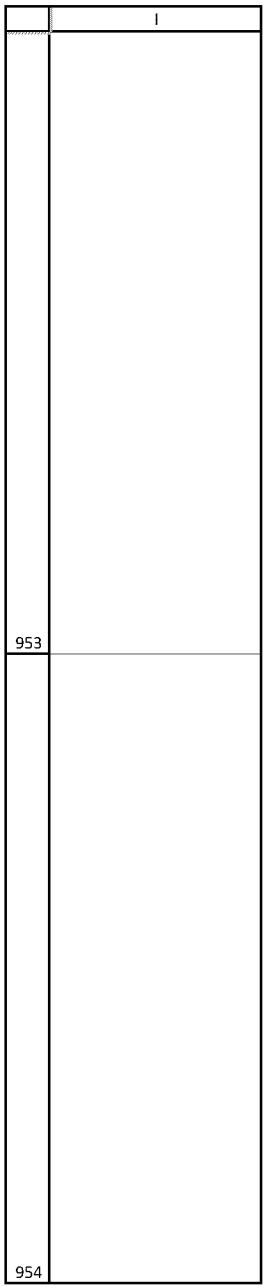
AMERICAN OVERSIGHT

	I
951	Adopt private sector compensation scales to attract and retain talented people and to reward those who have committed themselves to public service. Some of this money could come from the savings achieved if the president stops traveling to his resort for "meetings". Remove all leaders and staff who do not believe in and advance the responsibilities and authorities given to the agency by Congress and the American people to protect public health and the environment.
952	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
953	952	5/12/2017	Currently. electronic time cards must be submitted by employees prior to the end of the pay period, requiring the last day's work information to be an estimate instead of fact. Consequently, corrections must be made several days after the pay period closes if the data for the last work day differs from the employee's estimate. Time spent by employees to make after-the-fact corrections could be eliminated if time card submittal were to happen after the pay period ends. The five tier performance appraisal system would be simpler and easier for managers and employees to use if it were only 4 tiers. While the vast majority of EPA workers are skilled, dedicated professionals, our agency, like every other organization has poor performers. The process for removal of poor performers should be made shorter and less complex, while preserving vital due process rights.	Recognize that EPA is the preeminent environmental research organization the world, and that states, tribes, local governments, and foreign governments all rely on our research to set standards and develop policies. The proposed massive cuts to EPA's research and development budgets would cripple environmental and public health protections at all levels					
954	953	5/12/2017			Stop hiring introverts. Hire people who actually like and want to talk to people. Not everyone is cut out to do customer service and I am afraid, we have too many of them.	The Controlled Correspondence Process is broken. As many as 25 or more people may write, edit, compile, process, and carry a file folder for a simple piece of correspondence. Way too many people are involved in the review process. Combine OCFO and OARM Stop hiring people just because we have vacant FTEs. There are countless employees who are underutilized or bored doing less than 2 hours of work a day. Their work is project-specific, seasonal, or simply does not require the level of effort that their managers believe or have been told it takes to do the work. You could easily get rid of 1/3 of the people here and function just as effectively.	SharePoint is not universally accepted, nor ideal.	. Transfer some of our energy-related work to DOE. Eliminate OITA - Transfer resources to USAID or State Department

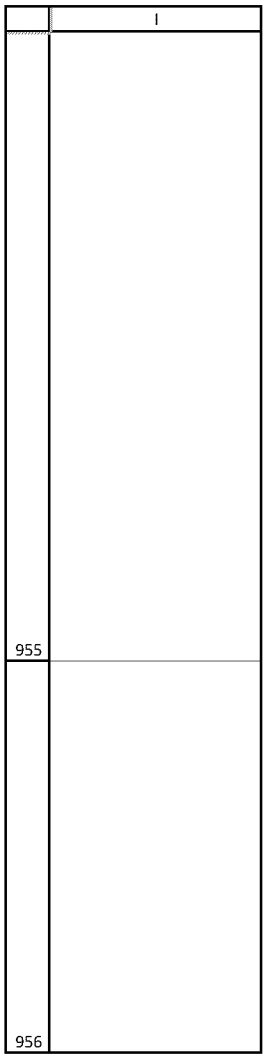
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
955	954	5/12/2017	In the Office of Pesticide Programs registering pesticides is a core component of our jobs and providing clear and consistent product labels is critical to our success. The way a label review is conducted is the same today as it was 30 years ago. The best investment of tax dollars for this program would be to support the "Smart Label" effort and to provide funding so it is fully functional. This will allow for greater efficiencies on the Product Management Teams where staff can review labels much faster and ensure consistency. This will also make the review process in the supporting divisions more efficient since the labels will be clear so the assumptions used in risk assessment will be realistic and not open to interpretation.		Train staff in customer service and make this an accountability measure.	I work in the Office of Pesticide Programs. At one point the office had approximately 1000 employees. As the increase in staffing occurred many divisions created a second position for a deputy director or assistant director so that there is a division director and two deputy positions. Now that the office has been reduced in size considerably I question the need for divisions that now have staff numbers below 100 people to have two deputy positions. I think these positions could be eliminated and deputies be reassigned to fill the many vacant branch chief positions. The program seems to be placing an emphasis on filling all the management positions and leaving vacant many staff	Spend the money and support the "Smart Labeling" project in the Office of Pesticide Programs. Modernize the data storage in OPP - do not take away Lotus Notes until there is a system in place where reviews can be retrieved and stored so they are easily found in the future. The plans to take away Lotus Notes and to rely on Documentum where reviews cannot be sorted in anyway will make this program even more inefficient and will be very disruptive.	
956	955	5/12/2017	I. The FPPS system for processing personnel actions. Outdated and should be replaced. another federal Agency must have a better system than this. 2. EPA Quality Assurance Field Activities Procedure (QAFAP-CIO-2105-P-02.0) All ten regions and 6 HQ AAships were required to develop their own management system to implement this procedure, instead of having one uniform management system across the entire Agency. Should not replicate this for future endeavors that are Agency wide. have one system for everyone to use.	EPA has excellent field resources (sampling, analytical, quality assurance) that states could take advantage of but for whatever reason are generally reluctant to ask for.	List EPA' capabilities to support States, tribes, etc. on out EPA.gov website.	Too many positions in Washington DC; would be better utilized in the 10 regions where the day-to-day interaction with states happens.	Use tablets to conduct field work and upload results directly back into Agency systems to update data systems, create reports.	

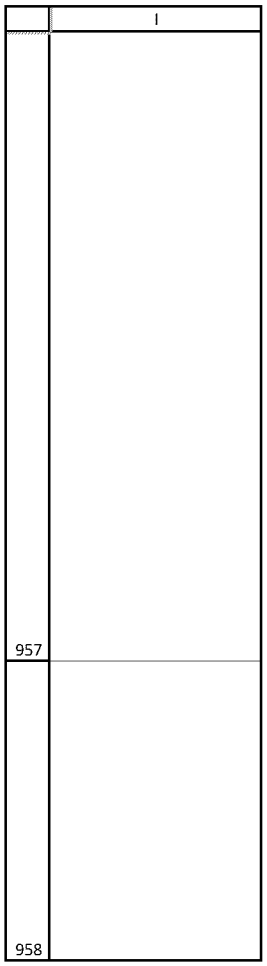
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
957	956	5/12/2017	To me, the biggest administrative hurdle I face is that headquarters approval is necessary for a lot of actions and decisions taken by the Regions. This puts a lot of onus on HQ and a lot of time is wasted in resolving issues. I believe Regions are quite capable of making informed decisions and as long as guidelines are clear and are being followed, Regions need to be delegated these authorities. This will save tremendous time and free up HQ for more important tasks at hand.	Periodic meetings and interactions will help forge better relationships. I believe where the states and private sector struggle is the lack of proper guidance from EPA regarding rule implementation, and NOT the rule itself. EPA should make it a point to disseminate implementation guidance faster and be very clear and precise on what is expected from the States and private sector. I have found that Industry does not resist regulations itself, but struggle on certain implementation aspects. So really the answer lies not in de-regulating, but in better guidance.	Frequent interactions with all these stakeholders will help reduce cynicism and create more trust in what EPA is doing.	EPA's research lab is doing wonderful research on current environmental issues, health impacts and monitoring technologies. These take time but are long-lasting. There are some activities where the costs and time taken cannot be a measure of success. The regulations that result from this research set an example not only in the US but across the world. Inefficiencies that can be reduced are administrative and bureaucratic in nature. Why should a letter travel so many rounds before getting signed? A permit takes 2-3 weeks to do the rounds before getting signed. The reason is that we are trying to make sure there is no language for which we will be held liable. I believe the		
958	957	5/12/2017	Consider moving entire headquarters components out of the beltway to increase the application of common sense in completing our jobs, As an example, an Office of General Counsel located in "fly-over" country could do the job done by our D.C, colleagues in a much more effective and efficient way because they'd more likely focus their efforts on legal analysis than grandiose visions of how the agency ought to work.	Provide states all the flexibility under the various environmental laws to design their compliance inspection programs that is most effective for their state. There should still be a process for EPA to reach consensus with states, but one size fits all policies should end or be loosened considerably.	Make measurable customer service standards part of every SESer performance (and therefore bonus pool) evaluation.	Move HQ operations out of D.C, and into "flyover" country.		

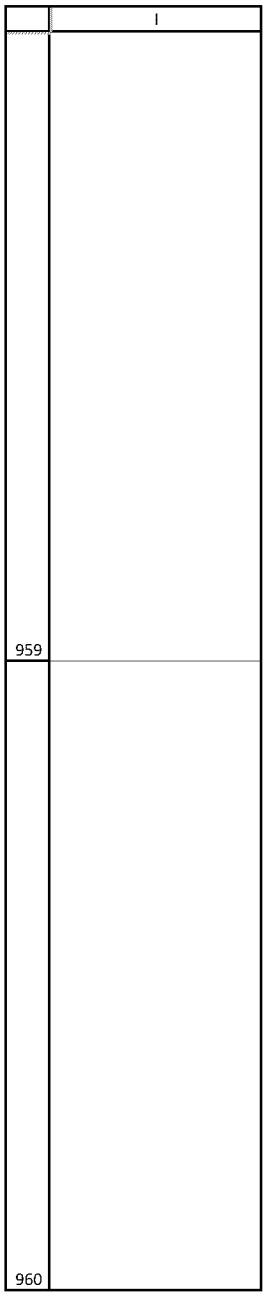
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
959	958	5/12/2017	In Region 5 Superfund, the community involvement section used to be part of the Community, Land and Revitalization Branch. Last Fall, Superfund reorganized (again), introduced the new Land and Revitalization Branch, and put the CI section into the newly-created Operations Management Branch. OMB handles records management, contracts, data and budget/funding (and now community involvement) for all of Superfund. It made more sense to have a CLRB where we worked closely (or could work closely) with our co-workers who handle brownfields, redevelopment, and tribal relations. There is often crossover between Superfund sites and brownfields/redevelopment projects and tribes. The CI section maintains relationships with municipalities, tribes, and community groups and can help identify possible brownfields/redevelopment projects upon completion of cleanups. The CI section can also help facilitate meetings with the community and the appropriate					See my comment in number 1.
960	959	5/12/2017	Criminal Investigation Division (CID): a major limiting factor to our CID's organizational effectiveness is the organizational structure under which CID falls. We currently report through CID management, to OCEFT, and to OECA. In this capacity, there are multiple layers of attorneys, many of whom have never been a criminal prosecutor (mostly within the civil programs), who many times block our efforts to conduct investigations. I would address this by taking the criminal program out of OECA\OCEFT and re-align it directly under the Office of the Administrator, with the Director/CID, reporting directly to the Administrator. This would allow for a more effective use of the law enforcement personnel, to address criminal violations of top concern to the Administrator, as well as provide additional resources to the Protective Service Detail (PSD). The PSD should be realigned under CID. Additionally, due to the sensitive nature of criminal investigations and the					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
961	960	5/12/2017	There seems to be an expectation for many of my coworkers to depend on contractors to do a portion of their work. While contractors are valuable assets to EPA operations, I believe their misuse is rampant, and much of the work can be done in-house. When a I write a document, and someone requires it to be proofed by a contractor prior to official send-out, its wast of time and money.	Allowing each region to communicate with each state/tribe in their region would be an excellent way to start. There are some very odd lines of territorial behaviors combined with a "who stole my cheese?" mentality in the regional offices. For instance, the Navajo have lands in Region 6, but Region 6 has to go through Region 9 to speak with the Navajo. So if something happens in our Region, we have to go through another to start the communication process. It really slows down everything. In what business does that type of communication process flourish? The answer is none.	Break down the barriers of stop gaps in communications due to territory or bad employees. Foster a team mentality for handling state, tribe and community outreach.	Fostering a one agency, one mission, attitude would help for a better agency. Instead of the different regional offices treating one another like foreign countries with completely opposite ideas on how to complete their mission, a top-down restructuring format for each program would aid here. Each region should have the same systems, positions and rules.	Continued reliance of automated systems instead of human-produced, paper-based ways. For instance, the agency was using sign-in sheets for Flexi-place up until a few weeks ago. That is abusive and unacceptable.	Realign agencies with similar positions that are mandated to work together on areas of combined oversight.
962	961	5/12/2017	1. Why are we required to keep paper grant files when we have so many electronic tools to store, share, access files? 2. Why do have so many shared drives? I:, G:, H:, etc. plus OneDrive and SharePoint. Too many - confusing and extra storage/resources used unnecessarily. 3. Provide snow tires for those driving in the north, in mountains. This is a winter driving safety issue. 4. Conduct a needs assessment (road conditions - off-road or paved, # passengers, etc.) to determine how many and what type of vehicles are needed (4x4 SUV or Sedan or Van) and then only acquire those vehicles - most of our driving is on pavement with 1 or 2 people. Yet we have a pickup, an SUV, and a Van. Wasteful of taxpayer $. Protect our land, water, and air - Fight climate change!	1. Rather than offer contractual services to a community or a tribe, let's give the funds to do what they need to have done. For instance, we are offering a training (by a contractor) for a very poor and needy community when they would receive a greater benefit by having some of those funds and using them in their community (employment, supplies, etc.) 2. Ask them what they want and need and then work like crazy to find out how to do it. If it's not our work, then help the community (state, tribe, industry, etc.) identify where they might get such assistance (technical, or $) Protect our land, water, and air - Fight climate change!	Ask them what they want. Listen. Be creative. Work hard, check back in. Form partnerships. Engage. Be respectful. When we leave, the stakeholders are still there - our goal should be to leave the community better than when we arrived and the community should feel a sense of ownership so that they carry on/protect/build upon/etc. what was put in place. There are often many ways to accomplish something - try to choose the manner that works best for that community. That is sustainable and good customer service. Protect our land, water, and air - Fight climate change!	Stop letting highly graded and former supervisors maintain their grade level (e.g., GS-14 or GS-15) when they are no longer supervisors. If a position is eliminated and responsibilities are reduced, then the pay should go down as well. It is hard to work really hard at a lower grade level and watch former supervisors or highly graded staff (who are no longer in their managerial or positions of responsibility) continue to draw hefty salaries with a lot less work. Unfair and a waste of tax payer dollars. Also not good for employee morale. We have 2 such instances in **[REDACTED B6]** now only supervises 3 employees, a very inefficient supervisor:staff ratio; **[REDACTED B6]**). There are	More meetings via VTC and Skype to save travel funds. However, it is still important to be able to meet in person periodically - that is the way we build relationships with our customers. Protect our land, water, and air - Fight climate change!	Form more partnerships with other federal agencies (part of the federal family) so we don't duplicate efforts and can leverage each others' resources for greater local impact. Protect our land, water, and air - Fight climate change!

AMERICAN OVERSIGHT

	I
961	
962	Listen to our customers. Provide good customer service. Show up and do your best every day for the American people. Put leaders/managers in place who believe in EPA's mission. Hire staff who believe in EPA's mission. Protect our land, water, and air - Fight climate change!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
963	962	5/12/2017	Keeping files in paper format costs more than just the amount for toner and paper, it costs to transfer and store records that we could scan and keep digitally. Look at the cost that the EPA is being charged to store paper records. We could cut that by 75% in a year with one or two FTEs dedicated to just scanning and properly filing the records that need to be stored for less than 10 years that have no historic need for keeping the original.				Using digital signature for signing documents and allowing employees to file records digitally would free up a lot of time and space. Also, if employees had the ability to use that technology, teleworking would be easier and given the option, more employees may opt to work from home. That could save money on building space as well as heating and cooling needs for that building.	
964	963	5/12/2017	1. Structure of HR at EPA - the structure of HR at EPA does not make any sense. The HR shared service centers are not in the Office of Human Resources; our local HR "representatives" are not technically HR officials (they do not have the authority to do classification or staffing); the SSCs do not report to one person; HR information systems are seemingly from the 1980s; HR policy is rarely updated. 2. Unions -- get rid of them. They slow down all initiatives and are a relic of a previous time. Government employees do not need union reps -- please ask congress to change this law (5 USC 71) to reduce the authority that unions have in the federal government.				1. The agency's payroll system (PeoplePlus) and personnel system (FPPS) do not function well together. This creates many issues between OCFO and OARM regarding areas of responsibility, payroll, etc. This inevitably results in a turf battle between the two organizations and the results are felt by those of us in the field. EPA must adopt one uniform system to handle payroll (including time and attendance) and personnel actions. The Dept of the Interior has this capability -- it has never been explained to us why the Agency didn't purchase this capability when we moved from PeoplePlus (for personnel actions) to FPPS. 2. Agency administrative processes such as	

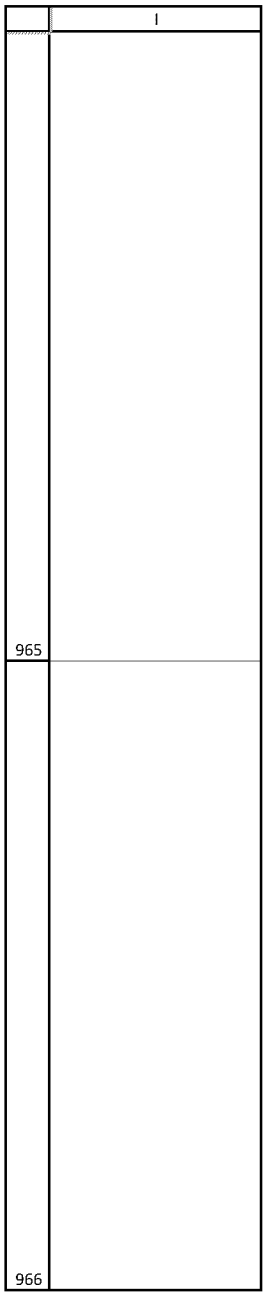
AMERICAN OVERSIGHT

	I
963	While working at the VA, all employees had to take Six Sigma training during their orientation. My boss even made it part of my performance evaluation to work on at least one Yellow Belt project per year. When an employee is empowered to seek ways to improve processes and reduce waste in their everyday jobs, even for the little things, it helps them to constantly be mindful of how they spend their time. As public servants, we should always be on the lookout for ways to be good stewards of taxpayer dollars but they also need the tools and the backing to make those changes. Six Sigma is one program that gives a clear guide for reducing waste and increasing efficiency.
964	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
965	964	5/12/2017		Agriculture is big business with big pollution. Protective language both in the Farm Bill and Patriot Act make it difficult to impossible for EPA to protect human health and the environment. We already partner because that is all we can do. More lagoons and higher density animal feeding operations lay the groundwork for problems when they fail due to age or natural disaster. Recently problems in Idaho due to flooding. EPAs hands are tied and we are unable to lead the country out of the issue. It won't happen overnight but some change needs to happen. Honestly I don't see this happening under this administration and so disappointed wasn't handled under the last but what a miracle if it did. Watch "Mad Cowboy" about the cattle rancher that spoke on the Oprah show and they both got sued because of the protective language in the patriot					SRF SDWA Tribal and CWA Indian Set aside funds could feed directly into Indian Health Service (IHS) for their work prioritizing, planning, engineering and directly building or overseeing the contactors that build or refurbish drinking water and wastewater treatment plants, laying pipes, building containment/holding tanks, pump stations etc. There would need to be some sort of continued communication from the EPA tribal Drinking Water direct implementation teams in the regions with IHS and the direct implementation group seems pretty short staffed already but if the FTE overseeing the set
966	965	5/12/2017		Because EPA grants go to states and tribes, EPA's technical assistance/partnership efforts largely focus on states and tribes rather than local governments. However, because local governments have authority over land use planning and solid waste management, their policy and program actions play a very key role in achieving environmental results. This applies across the building and transportation infrastructure sectors (notably, local government programs that support low impact development methods provide a more cost-effective, common sense approach to clean water infrastructure). Also, local programs can give incentive to recover the lost value of material buried in landfills, typically worth millions in the accumulative for even medium-sized communities. When thousands of municipalities are dealing with the same root	EPA could provide more focused technical assistance to local governments to help them meet needs they identify but have limited resources to address, specifically related to environmental issues heavily linked to local land use patterns and processes under local purview. The most efficient approach to provide better customer service to local governments is one that works across typically "siloed" federal programs and has sufficient flexibility to be responsive to areas of high priority and need identified by the local government (or group of local governments working together). Note that where coordination across EPA offices and divisions is warranted to best serve local governments, this can be difficult to inspire absent high-level organizational goals and criteria that encourage both staff and managers to coordinate across air, water, land, and other human health and environmental objectives.			

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
967	966	5/13/2017	In general the agency has allowed administrative requirements to get in the way of operations rather than require administrative procedures to support optimal operations. A few examples: People Plus system: Way too much time is required for this simple task. Why do we need to fill it out prior to end of the pay period; this almost always requires staff to go into it again and correct a prior pay period. Why not just have staff fill it out once after the pay period is over. Purchase Cards: Field staff are issued purchase cards for those infrequent times they need to purchase small items in the field. However our regional comptroller mandates that such staff will never use them resulting in needless hours and days of stressful workarounds that detracted from field operations during those infrequent needs. Note that adequate controls are in place and field purchases must still meet all the	Encourage more joint cleanup projects with the states and local government by looking at the overall threat of a hazardous waste site prior to action by any government entity. For example many situations are stabilized by local or state agencies but they lack the resources to completely address the issue and restore a site to economic or viable community re-use. However, since the local and state agencies have mitigated the risks, the site may not present a high enough remain risk to justify EPA action. However, if we would evaluate the site prior to any government action as the baseline, we would be able to leverage the state/local immediate stabilization and the EPA???s ability to complete the site.	Do a trial to re-organize me along geographic vs programmatic lines, at least as a collateral duty. This would reduce the number of points of contact to a given state or community and allow the development of personal, professional relationships. This would also improve the programmatic cross training or at least awareness of staff for professional development and reduce ???siloing??Â	The emergency response program on duty staff, who are on 24/7 duty aren???t allowed to stage the ER trucks at their standby duty location (usually residence) during standby hours. The ER Trucks must remain at either the regional office or other central location. When the duty responder is called out, instead of jumping into their truck and immediately deployed to the response site, they must commute by whatever means available overnight to get to the ER Truck. Compounding this situation in our specific region is that private vehicles are specifically excluded from the EPA garage and mass transit, which is most staff???s primary commuting method doesn???t run overnight. This policy has already	Use of drones at emergency responses and removal sites would greatly optimize and speed a response. We should undergo the effort required by the executive order to authorize such use. These could also be of much use in facility inspections, etc.	Internal: Related regulatory and response programs should be in the same division or branch so they can better work together and bring their collective authorities to bear to better serve communities. One example is our regional Emergency Planning and Community Right to Know/Risk Management Program and Emergency Response/Removal Program. Though we work together ad hoc on projects of interest if we where in the same branch or division this would be more institutionalized.
968	967	5/15/2017	To many lines of supervision. Too many supervisors without vision and lacking trust in staff to do the duties without their constant micromanagement. A new idea or project is being held hostage by the 1st line supervisor. Sometimes the ideas are presented, to later being executed by the 1st line supervisor taking away the credit to the employee. In other words, the same people are always doing the job and the staff is sitting down unable to be direct participant of the decision-making process, inhibiting the agency to move forward and be more efficient.	If the supervisory and higher management time in service be rotational after a max of 10 years- that provides opportunity to staff to demonstrate leadership abilities. The power is held by a few until they decide to retire, some of them are not efficient because they were selected due to a "like-ability" choice not by skills, experience and knowledge. It the term of supervisory is limited- rather than for life-- new ideas, new procedures can be implemented to make a program more productive. Supervisors with a history of abuse of power and discrimination should be removed immediately- waiting for a long process of investigation ended costing the agency lots of money, time and efforts to protect a manager who discriminate.	.Allow technical staff with expertise equal access to meeting with all our customers. Management keep within themselves the decision making instead of incorporating staff into the process. Again too much line of managements that is not necessary. In the private sector project are assigned to staff and the supervisor is just a liaison to move the project to fruition- not to impede it with back and forth ridiculous request that if properly assigned and discussed from the beginning it would just moved the final product to fruition. Supervisor or management delaying projects demonstrated the incapacity of that supervisor to perform efficiently trickle down to the staff an unnecessary delay and creating the disappointment and holding of creative ideas of staff since the supervisor is inefficient.	Let the staff deal directly with the states and tribes and the regulated community. Take away level of management who impede faster problems solutions. Remove all SES position and deputy positions. What type of job they do in reality ? Some of them are out of the reality of what is happening in the programs. Most of them focus their time in remove employees they don't know are performing well in their job or support discriminatory actions from supervisors.	Yes, SharePoint is a good technology to take accountability of work done and a record of productive employee- of course when micromanagement is eliminated.	Staff should be able to rotate to other areas where a project need immediate solution. Opportunity of rotational is only offered to a few, regardless of experience and interest. Usually offer to those "like" not those with expertise. A faster mechanism to facilitate rotational and supervisor removal after

AMERICAN OVERSIGHT

	I
967	The response program currently co-chairs and support the Regional Response Teams which maintains a constant dialog and contact with fellow state and federal agency partners. This concept could perhaps for of use in other programs. Our specific program uses the concept of one staff is a point of contact for each state and coordinates all program aspects with the appropriate state programs. These staff do this duty for 3-5 years to develop relationships then rotate so as to over time improve the overall group???s relationships with the states. Internal: Sharepoint has a long learning curve, but
968	Yes, the agency retain employees beyond the age of retirement. There are employees with 70 or 80years old still at the agency who have certain reduction or no productivity performance at all and no buy out plan is offered to them earlier to make them retired. That is a waste of an FTE when the employee has passed 64 years old and is incapable of being productive or is not challenged to be productive. The agency seems to be performing the duties of a senior-citizen center , it takes away the moral of staff who wants opportunities or are being working hard while others are snoozing around.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
969	968	5/15/2017	I play a part in processing FOIAs. Currently the Division Director is required to signoff on all response letters. I believe a better use of their time, and to reduce processing time a delegation to the Branch Chief for Full Responses, Partial Denials, Full Denials, and responses that are No Records should be delegated to the Section Chief.	I am a big believer in public-private partnership. However, the emphasis should be on PUBLIC. I think establishing more liaison positions/details to the states and local communities would be ideal, with a clear hierarchical order. Such as: Region X Coordinator--> 1 state liaison for each state, per EPA division (WD, ARD, SF, etc), with one of the liaison's being the lead. Taking a person-centered approach. Additionally, clear up gray areas about which responsibility is whose. Private Sector: When working with facilities (public or private), it is in their interest, EPA's, America's, the public's, and the world's to be as efficient as possible, but by not leveraging the environment and human health. I believe presenting in	Be an engaged listener, empathize with the stakeholder, and follow-up. Good customer services goes a long way with folks. We may not be able to solve everything, but sharing with them what you can do, rather than what you can't provides a positive focus.	Yes, increase the use of electronic tools. Reporting for NGO's, governments and facilities should be centralized and streamlined. We should no longer be accepting paper, and nor should organizations be submitting paper. We have secure electronic signatures, and tools at our disposal to increase efficiency and reduce costs. This endeavor should include intense and regular training for staff so they may have confidence and competency with working with electronic tools. Increase funding for LEAN. Freeing up resources will go a long way with folks, but it needs focus on leaning out processes needs to be a major priority.	SharePoint, Electronic reporting submissions, and facilities should all have registered and maintained email inboxes.	I am sure it depends on the situation.
970	969	5/15/2017		We seem to prioritize conference calls and webinars over face to face meetings. I suggest a greater emphasis on face to face meetings. Partnerships are based on trust. It is much more difficult to establish trust when one cannot see the person they are talking with. Of course, this will require a larger travel budget and prioritization of travel as a tool. Efficient and effective face-to-face meetings will go a long way to enhance our partnership efforts. We need to get out of our cubes in Atlanta and actually see what our partners deal with on a day to day basis.				

AMERICAN OVERSIGHT

	I
969	Use all available electronic tools, provide training, do not keep things we do not need to keep, reassess efficiency by inquiring to staff about issues of inefficiency, and make it a priority to cut administrative redundancies.
970	I have worked at EPA for 27+ years. When I began my career, we hired employees with a variety of backgrounds and experiences with both conservative and liberal opinions: other govt. agencies (federal, state & local), non-governmental entities, private industry, veterans, 1st job recent college graduates, interns, etc. Because we were all had such a variety of experiences, it broadened both the depth and breadth of Agency knowledge and approach to issues. We also seemed to have a greater respect for each other and our mission. Now we focus and prioritize our hiring from Peace Corps and other liberal focused groups. I'm not suggesting the new employees are not

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
971	970	5/15/2017				Considering the President's agenda to work harmoniously with business and reduce undue enforcement and regulations. Why does the EPA need an Office of Administrative Law Judges? They only rule in favor of the Agency and have a long track record of doing so. If we are reducing regulations then we should be reducing their oversight on businesses. Also it is my understanding they only hear a few EPA cases a year. The majority of their cases are other agencies. Why would we have an office wasting tax payers dollars doing other agency work?		See comment #4. EPA should use other agencies Administrative Law Judges to preside over the few cases each year. That number should be even lower with the President's agenda to reduce undue burden on private industry to be productive. Funds from that office can be diverted elsewhere and save the public unnecessary spending.
972	971	5/15/2017	Basic functions turn into a nightmare experience for staff like on-boarding, or computer service to getting a key to your own office. This can be automated as part of ticket request for service, Region 2 has a system where you apply for a service via computer without any concerns on who you need to direct a request, simply request for a service and it gets directed to the appropriate office. Additional add the monitoring or reply and resolution of requests. EZ-Tech service in HQ is absolutely terrible- get better service or remove the contractor. The share services needs to have a WAM/DOPO/COR, for each task, that is held accountable for not addressing timely response - performance based contract. OEI issues need to be address where projects still have program office control- it appears that OEI doesn't have appropriate oversight and the programs are paying for substandard service and deliverables.	Improve our database and compatibility of these database systems. Remove the program stovepipes that are blocking our ability to collaborate and cross-cutting program strategies to be leaner and more flexible. We talk a lot about this, but in practice we are weak and our own enemy. Use NEPPS better. OECA and program should have a better relationships instead confrontational.	Improve internal relationships within the agency first. See my comments in questions 1 and 2. The quality of staff impacts our ability to form relationships, the basic skills and education are lacking in the agency. EPA is heavily a science and engineering environment, as well as the need for legal skills for rule development and interruption. We need to be very thoughtful and purposeful when selecting staff for specific jobs- skills does matter for a lot of positions. As for Managers in the agency, he has many skilled engineers and scientist that don't make good managers- but the system for improving financial is to be a manager- people are being managers for the wrong reason. Lack of transition phases results in losing historical or professional knowledge, we need to be able to backfill positions before we loss the staff or manager to help the replacement in receiving the transition on knowledge.	We need more flexibility will budgeting funds like the states do under the NEPPS. Cross-cutting program strategies should be encouraged by allowing them to be funded separately to break down the stovepipes in the agency. There are some questionable selection of managers and staff that disables the ability of others to come up or even get cross-program experiences necessary to improve the staff skills and agency's ability to address the complex and multi-program issues in a efficient and effective manor.	Again, new technologies integration has been a difficult process in the government- we have too much bureaucratic red tape that inhibits that government to work efficiently and effectively and it ends up be costly to the agencies when they attempt to install technology. We need a method to get the best skilled technological experts on a temporary basis to get the technology up with agency-staff working side by side with these experts- learning the necessary skills to support the technology once the hired experts leave the project.	Tie additional funding to collaboration and integration of cross-cutting programs. Establish an efficiency or lean workgroup to assess the multi-program application to the fund allocation. The agency has to be upgraded in all aspects- staff skills, computer technology-database, modernize the office administrative abilities.

AMERICAN OVERSIGHT

	I
971	
972	Six-sigma, 3M management of their organization, or Disney corporation management style, where the form teams are based on skill required to implement the program (can be done by automation to avoid pre-selection). We need real team building abilities- not our artificial application of management theories.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
973	972	5/15/2017		I submitted some ideas last week for this question in this survey.	I think staff should be provided some customer service training.	I submitted some ideas last week for this question in this survey.	I am a fan of having easy to use IT systems for human resource functions with strong security to protect the information. It helps staff be able to self modify and update their personal records, benefits and timecards. Thus freeing up human resources to focus on being strategic, hiring and training. I wish our computers read thumb prints instead of using our badges to log on. Staff sometimes forget their badges in their computer, I have forgot a couple times too. Unfortunately, the guards downstairs have to waste time signing us in when we forget our badges in our computers. Maybe one day there will be another way via an eye scan or thumb reader to secure the computers.	Centralize some of the common functions of the Agency, but being careful not to create bottlenecks. If some roles are centralized there must be enough staff in those functions to keep paperwork and work flowing smoothly. The upside is that some procedures could be standardized if those experts worked together to come up with some best practices from across the many EPA offices in the centralized fields/expertise.
974	973	5/15/2017	Having to enact a Performance Assistance Period (informal) prior to completing a Performance Improvement Period (formal) for employees with performance deficiencies.		Having more town halls to hear how the people in communities feel about the environmental challenges that they face, especially in low-income areas where they may not have other avenues to effect change.		Use a payroll system that interfaces with FPPS instead of using People Plus which does not. This would allow for better management of FMLA leave and how LWOP affects benefits, etc.	
975	974	5/15/2017	The use of user unfriendly electronic systems that are not interconnected and are NOT systems of record wastes time, paper, and space. Paper official record files are inefficient and limit management's ability to identify both need for additional training and poor performance.					

AMERICAN OVERSIGHT

	I
973	Please continue the Skills Marketplace part-time detail assignments and offer more lateral full-time detail assignments to help share talented staff and grow their skills and experience more. Some of the best staff have worked in more than one EPA office. Expanding the regulatory and technical expertise of staff through on the job experience is valuable to the staff and Agency.
974	
975	As a longer-term investment, efficient, user-friendly, and interconnected electronic systems would lead to improved efficiency, increased accountability, and reduced costs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
976	975	5/15/2017	EAS the purchasing system is exceptionally inefficient, frustrating and just plain bad. As Management drives us to use it more and more ostensibly so they can track work, less and less gets done. It is a serious drag chain on productivity. Fedconnect is difficult and frustrating for the contractors. It is unfair to small businesses who do not have the time or resources to waste. The Agency attempts at going paperless requires double work to keep both the paper (Official copy) and the electronic copy. The Environmental Protection Agency Acquisition Guide (EPAAG)is a joke! This replaced the Contracts Management Manual (CMM) and the Acquisition Handbook. It is 50+separate word files (partial chapters) on a website. There is not a cohesive manual or volume. I	None	None	Management on the whole, lacks any kind of serious business like mentality. First line managers do not even possess even basic supervisor skills. The supervisors and managers are very unskilled. The underlying issue is the EPA???s culture combined with base line budgeting. EPA personnel are not concerned with doing things more efficiently or more cost effectively. The Programs think they are doing God???s work and Management gives the appearance of only being concerned with hiring their friends and building their kingdoms. The prevailing thought is to spend all the money so they	The problem is not the use of technology; it is the culture of EPA.	
977	976	5/15/2017	Lack of internal communication from Administrator???s and AA-Ship Offices: ???Town halls???/???All hands??? at the AA-ship level to share information; Lack of political middle management; Lack of Administration that supports overall EPA mission; Unclear procedures for document review, briefings, and decision-making: Streamline, communicate and follow a consistent protocol; IT Support limitations: o Lack of autonomy/ability to manage basic personal settings on computers vs. need for Administrator rights: Having ability to change basic (non-security) settings at a personal level (e.g., EXAMPLE) would be supportive of efficiency/effectiveness o Engaging staff in identifying IT needs (e.g., software, hardware, program development, trainings) o Frequency and timing of updates (e.g., Java; patches; badge alert) impedes work productivity: Timing could be adjusted to avoid prime work hours o Continue to support the Microsoft helpline and similar resources.	* Provide attention and funding to underfunded programs; Listen and respond to states on their funding priorities; Encourage State-Federal Employee details (i.e., IPA???s); Ensure sufficient EPA staff to coordinate with State/Tribe/Community/Private Sector counterparts; Address/support states in addressing interstate issues; Engage/collaborate with broader-based external partners/organizations - recognizing the ???bigger picture??Â of EPA???s holistic Mission in addition to collaborating with local/media-driven organizations; Enhance funding to external organizations that represent states.	Preserve funding for hotlines that serve the public (and others) and support user-friendly design that allows a caller to reach a person (rather than an e-message/menu); Ensure sufficient program funding and staffing; Prioritize communication materials for outreach; Review of communication materials; Provide training to support staff in differentiating between education/outreach and lobbying thus enhancing EPA???s ability to effectively communicate with states, tribes, local communities, the regulated community, and the public at large; Enhance depth, detail and resource accessibility on EPA???s website.	* EPA is already running at low cost/under budget ??? some programs have done so, historically. This contributes to inefficiency, ineffectiveness, reduction in environmental protections, and ultimately, a cost burden; Ensure transition/turn-over planning to preserve institutional knowledge (e.g., develop a program/protocol/process to facilitate this); Invest in robust onboarding, long-term support and training of employees as is often done in the private sector to improve retention and productivity (e.g., Fortune 100 and 500 Companies).	* E-reporting E-permitting; Encourage and facilitate data sharing across programs, with internal and external entities; More frequent updates of IT infrastructure ((Computers; Programs (e.g., Concur; Webforms; IGMS)); Frequency and timing of software updates (e.g., Java; patches; badge alert) impedes work productivity: Timing could be adjusted to avoid prime work hours; Enhance support for existing technologies and raise awareness of their availability and applicability to our work; Support increased interaction via remote communication (i.e., webcam functionality; training and instructions on accessible resources).	Recognize and continue existing strong partnerships with Federal and State agencies; Depoliticize interactions and scientific engagement occurring with Federal and State agencies; Encourage Federal partners to continue existing work; Strengthen/enhance communication with interagency offices and clarify roles/responsibilities of agencies on particular topics.

AMERICAN OVERSIGHT

	I
976	Private industry...What Jack Welch did for GE 15 years ago. Clean house on the management side, the rest will fall into line. Rules need to apply to everyone.
977	Trust and invest in workforce; Accountability/open communication from senior management; Look to other agencies that have administration that supports and trusts their employees, as well as their mission.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
978	977	5/15/2017	There is a lot of red tape to cross to get almost anything accomplished. Streamlining the amount of paperwork would really help. Consolidating the amount of website that the EPA uses and the amount of passwords there are: R2,Sharepoint, Concur, GSA, BENEFeds, EODS, eOPF, etc. Having to write a procurement to just buy duck tape seems unnecessary				Currently, several regions have multiple labs for running samples. Each lab has a certain branch they are under. These labs should be consolidated or able to work together to take care of everyone needs not just their certain branch. this would allow for less down time for each lab and would increase efficacy and would follow the ONE EPA standard. The private sector operates as one business wither they are a local, national, or international company. The EPA has not embraced this idea nor adopted the ONE EPA standard. Currently, there are ten regions with ten different ways of doing the exact same task. Some of the following include: Standardizing SOP ??? Example Groundwater SOP Having one IT department	
979	978	5/15/2017	The process for getting websites updated, or creating new informational content to distribute to the public is unclear and cumbersome.	We need to be giving more funding to states and local governments so they can build capacity and expertise in these areas. AND we need to reduce the case load/project load on EPA employees so that we can spend more time advising and providing guidance to these governments so they can make the most environmentally and economically sound decisions for long term benefit to their constituents.	Increased hiring for all EPA programs that partner with the community in any way, and reduced case load/project load on these employees to enable them to spend more time one-on-one with communities of all sizes.		Simply maintaining our meeting spaces and existing technology would be a huge improvement. Having updated computers and projectors that work every time in each conference room; I would like a computer that recognizes wifi without being hardwired into a network first.	Encouraging federal partnership and potential cross funding opportunities so that environmental protection led by EPA is met with housing and development funding from HUD, transportation funding from DOT, measurement and improvement of health outcomes by HHS, etc. I don't feel that any of the expertise or function of any other agency mirrors that of EPA exactly, each brings a context and a knowledge of their unique issues that is important to doing the best work for our constituents.

AMERICAN OVERSIGHT

	I
978	
979	Working with communities to plan and strategize well and completely prior to beginning redevelopment has shown to attract more investment from federal, private and philanthropic resources. Though planning is not fast or exciting, it is important and useful and has shown to reduce overall project completion times and costs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
980	979	5/15/2017	I believe the administrative requirements, management procedures, and other processes work together to make my job as efficient as possible; however, one area can be improved. The delivery of products by new vendors can make my job more e efficient.	We can achieve better environmental results by listening to the concerns of our partners and addressing each concern step by step.	We can provide better service by interacting with our customers. Town hall meetings, webinars and face to face conferences allow all an opportunity to get to know one another and communicate directly.	Increasing our efforts in recycling can continue to reduce costs and inefficient processes. All Americans can participate in recycling.	Continuing to explore technologies which produce energy, such as solar and wind turbines technologies can increase our efficiency.	Combining Federal Agencies may be a solution or it could produce an Agency that cannot meet the demands of the Public.
981	980	5/15/2017				Management needs to help foster a culture shift. All employees should want to make processes more efficient, which is better for us - we will complete our work more efficiently and quickly, and is better for our customers. Educating employees about process improvement tools such as Lean Six Sigma and why it is useful to them on the ground in addition to the agency as a whole will help shift the culture to wanting to be more efficient which will reduce inefficiencies and costs throughout EPA.	They problem with obtaining new technologies is the lack of funding to procure them and the lack of IT staff to help installing, maintain and trouble shoot throughout the lifetime of the technology. We need more IT staff before we can truly bring the EPA into the 21st century.	
982	981	5/15/2017				Recommendation: To reevaluate the organizational. Fewer supervisors/managers [GS-14/GS-15] levels would dramatically reduce costs. For example, within our organization, we currently have a Branch that is composed of [1 GS-15; 2 GS-14 - supervising 3 employees @ the GS-12/GS-13 levels).	Phasing out mailing EPA publications and replacing that mode of communication to the public w/social media - twitter, Facebook, etc. Of all Agencies, EPA should set the example of not using printed materials to inform the public. With the thousands of boxes of materials, often outdated, the funds associated with printing these materials could be better spent.	

AMERICAN OVERSIGHT

	I
980	Greenspark Launched in 2014, the GreenSpark program provides an online platform for offices to launch ???challenges??Â or requests for ideas from employees about how to solve a problem/meet an objective or for stories about employees??? contributions to advancing EPA???s mission and priorities
981	Lean Six Sigma A culture shift that encourages employees to want to change. Many of the long-time and/or older employees are not very open to change. And communication needs to increase among employees/sections/branches/divisions, as well.
982	The flexplace model in our organization is not be utilized as intended. Instead of adhering to the prescribed 2 days working from an alternate work location, the majority of the employees change their days on a weekly basis for their benefit vs. the Agency. Private sector would not allow such practices.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
983	982	5/15/2017	The Pollution Prevention Grants shouldn't be a competition for awards between the states. All the states that are interested in implementing a pollution prevention program should have access to these funds. Just take the pot of money and divide it among the states that will execute the program in their state. Then have the state compile the results for their state and send them to EPA. At the federal level we would advise and work with the states to implement the pollution prevention. The grants process is cumbersome. I'm not sure PARS is a good system. I don't think results are awarded. I think the "squeaky wheel gets the oil" and the higher rating. Almost like a popularity contest with favoritism built in.	EPA used to have two voluntary programs called National Partnership for Environmental Priorities (NPEP) and Performance Track that incentivized companies to make environmental improvements voluntarily. The programs provided awards for accomplishments and also gave regulatory relief if certain requirements were met. We should partner with trade organizations, manufacturers and vendors to manufacturers to capture the best ideas to improve efficiency, save money and reduce pollution. I think for profit companies like engineering consulting firms with specific qualifications should be allowed to compete for grant funds to do pollution prevention projects.	Praise, reward and promote the lessons learned from the voluntary environmental improvements made by businesses and other organizations.	Expand Flexiplace. I think many are recognized at EPA for making more noise than others rather than achieving tangible results. They seem to be the ones who get the higher PARS ratings. I think if concrete tangible accomplishments like pollution or costs reduced or projects completed were recognized with high PARS ratings or even monetary awards, the focus of people here would be more on concrete results and not on how many briefings one gives his division director, conference calls conducted, knowledge transfer sessions done or all day and more meetings that accomplish nothing.	We record data, reports and results in too many software packages and places. For example the same Pollution Prevention and Sustainable Materials Management information is reported to ReTRAC Connect, ACS, P2 Grants Plus and IGMS. There should be one central user friendly software data base for this information.	I would increase the coordination between DOE and EPA, because of the opportunities to work with manufacturers in improving efficiencies and reducing toxics use. In addition, I see possible coordination between FDA and EPA Pollution Prevention for food manufacturing efficiency improvements.
984	983	5/15/2017	We have way to many training requirements that do not directly relate to our jobs. For example, staff who manage work assignments must complete 40 hours of training every two years. Most of the training has absolutely no relevance to the job requirements. The software they have to use is not user friendly. If we need training it should be tailored to the jobs staff actually perform. I recommend a through review of administrative training requirements to focus on what is really needed, and creation of one software program that personnel can use for everything related to training (there are now several) The action development process is cumbersome and should be streamlined. The tier 3 process as practiced by OAR is sufficient to allow other AA ships to have input for almost all rules. The tier 2 and 1 designation for rulemaking should be limited to complex rules or rules that are really breaking new ground.	We need to expand and strengthen the Regional Offices so they can better assist the States in carrying out their responsibilities in implementing air rules. The States are currently overwhelmed. We should also strengthen the compliance office so they can better assist the states.	See item 2 above. Note that the EPA regional offices are the point of contact for states, tribes, local communities, the regulated community, and the public at large.	Fewer "advisors" "consultants" and "policy analysts" at headquarters. Make more people accountable for actually producing environment results (regulations and regulation implementation).	Many of the software programs we use are not user friendly. Ones that come to mind are People Plus, the Interior FPPS system, Gov trip, and EAS. We should be able to do better. Note that the average person at EPA now spends a lot of time on their computers using various software. Time wasted dealing with bad software is time away from carrying out our mission and wastes taxpayers dollars.	No suggestions here.

AMERICAN OVERSIGHT

	I
983	Our Flexiplace program saves the agency money and improves efficiency. We should increase the number of days folks can be on Flexiplace, but still make it voluntary. Most of my work can be done from anywhere or requires site visits. My commute is over an hour into to the office. So, for me it would save money on commuting costs, fuel costs and the general aggravation of dealing with traffic and an undependable train system (SEPTA).
984	None come to mind

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
985	984	5/15/2017	In Region 8, we have to copy a concurrence block template to the bottom of documents we are routing for concurrence. This block is not necessary, consumes staff time to prepare the block, and wastes at least one page of paper for every page that the block is copied on to. Instead, concurrence signatures can be captured without the concurrence block template as it has been for years.		The general public should have access to a state/community EPA liaison. A state/community EPA liaison for the general public will help connect the public to the services of the EPA and ensure their needs are being met.	We really don't need all of the space/building square footage to accomplish our mission. Instead, there should be more focus on the ability to telework in order to reduce the Agency's footprint.	SharePoint could be utilized further to increase staff efficiency and effectiveness; however, IT support and regional support for this platform is sub-par, at best.	I'm not sure that shared responsibility and mutual interest will be the most efficient. Instead, shared responsibility and mutual interest seems like it could lead to a lot of federal redundancy. The regional haze rule is an example of where there is federal redundancy...perhaps I just don't understand the question.
986	985	5/15/2017	1. Cumbersome electronic resources--Concur (for travel) and Webforms (for internal requests)--single sign on for any database accessed through our system would save time (and money). Travel policies should allow for lowest fares when staff knows they have to attend a conference or meeting (sometimes the cost savings are dramatic). Procurement procedures can take months for approvals. Purchase Card holders are held to such strict requirements, that few people are willing to "be responsible" for other branch purchases and cards cannot be used more than one month in advance--conferences often require payment for booth space up to 6 months prior to the conference. Follow-up and follow through create excessive productivity loss. 2. Streamlining approval processes--give supervisors authority to approve most staff requests. Flatten organization. 3. Clarify HQ Programs versus Regional Management--who runs the programs? For national continuity, it should be HQ Programs--therefore, regional	EPA, states, and tribes should be using the same "play book." Nationalization of good, sound environmental policies should be considered. States and tribes need adequate staff to do the duties deferred to them; many states/tribes are very lean on staff. Our program works well with local governments.	Better customer service comes from strengthening staff training--especially those that have never worked outside the federal government. As a former private-sector employee, attitudes regarding customer service are different for those that never have worked in a private sector position from those that have. "It's just the government way" is never a good response to a question as to why something is done a certain way. There is little credibility given to those of us that haven't been federal employees for our entire career. We could be very beneficial to streamlining effectiveness and efficiencies!	Biggest opportunity is forcing management out of their comfort zones and thinking creatively--how can this task be more cost effective and more efficient? Listen to former private-sector employees to assist in seeing the organization potential. Reorganization doesn't mean shifting "titles," it means doing business differently. It should mean removing (or moving) staff that is in the wrong position, it should result in visible change that makes our efforts stronger. We do a great job in protecting human health and the environment, we just aren't always doing it the most effectively. Part of that problem goes back to too many layers. (Sadly, too much military influence, "chain of command," top-	We already have the new eDFS time reporting process in place that enables accurate time accountability for those of us that are using daily flex schedules. It captures our time to the minute. All staff members should be accountable for their accurate time, as well. Staff member that work straight 40 hour workweeks, still should account for 40 hours and those using compressed work schedules should be held accountable for the nine-hour days that they have agreed to work...often staffers are someone lax in working their full schedule--coming in a few minutes late or leaving early. Over the range of offices, that is thousands of dollars that the agency is not getting value for. All staff should be held accountable.	The government has allowed mission creep, making working with other agencies more difficult. Once there is less duplication of responsibility, working together will become easier. Hand-offs and collaboration will be required for all agencies to provide the best customer service to our states, tribes, local communities and private sector. Now there is little need to work together.

AMERICAN OVERSIGHT

	I
985	Region 8, along with one or two other regions, uses SharePoint to streamline our air state implementation plan (SIP) process to improve our efficiency and reduce costs. Region 8 uses SharePoint as a collaboration and concurrence platform to manage SIPs. There could be a national workshop to help other regions and HQ use SharePoint to process SIPs.
986	Flatten organizations to allow access and interaction between staff and management. Allow for creativity and free-flowing exchange of ideas. Avoid a military-like atmosphere. Expect staff to be responsible and hold them accountable. In the private sector, staff members where allowed to do their jobs and take responsibility for their actions--if they failed, they lost their jobs. If they succeeded, they were rewarded. We allow far too many to drag our progress down by lack of accountability. Friends and family hiring practices also need to be reviewed. Private-sector best practices--if a process gets in the way of progress, it's the process that needs to be revised, not the timeline

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
987	986	5/15/2017	I would get rid of the EPA travel agency and online booking system and just have people book their own travel claim back expenses as is done in the private sector. It is super confusing and uses up way too much FTE between the traveler, management, administrative assistant, and now a centralized help desk because now we're not even allowed to use it ourselves. 99% of the time, travelers can get better rates online which they should be able to do if a refundable fare is not required. The agency fees are completely ridiculous for what the service actually provides which IMO is just another level of bureaucracy and expense. Furthermore, why is a "no-cost" TA ever necessary?	Channeling more respect for the agency's mission in the public rather than economic interests AHEM SCOTT PRUITT so states, tribes, local communities, and the private sector are incentivized to work with us and actually believe we are going to follow through on promises instead of backing out due to lack of funding and whimsical reprioritization of commitments.	More grant funding with less red tape. Literally all that our stakeholders are interested in is money and technical assistance, so if we could actually provide that without enormous hurdles, that would go a long way. In terms of the public at large, see above comment re: channeling public respect for the important work that we have been doing for decades.	Supporting money for research opportunities, either through ORD or grant funding. Research into new scientific techniques leads to increased efficiencies in environmental investigation in the future. Also, centralize EPA's contracting and staff it with people who actually know what they are doing.	More use of real-time sampling techniques that would allow for quicker decision-making in the field. Get rid of any paper-based HR processes. Get a contractor to fix EAS, SharePoint, Concur, <<insert any other electronic system here>> to make the systems more user-friendly so people will actually use it without their heads exploding.	Sponsor interagency conferences to educate all stakeholders on the latest environmental research so staff is up-to-date and there is no duplication of effort. Oh wait, that might cost a tiny bit of money and therefore it will never be done.
988	987	5/15/2017	EPA needs to speak as one voice that our main mission is to protect human health and the environment. Enforcement will proceed to ensure uniform standards are maintained, and that no one will get a competitive advantage from polluting.	States need to be held accountable to ensure national standards.			Continued and expanded use of Internet. EPA must publish all data, especially climate change data, to ensure efficiency.	States need to be held accountable to ensure national standards.
989	988	5/15/2017				Eliminate the matrix in ORD. The structure creates two forms of management (L/C/O and NPD), which are sometimes duplicative and conflicting.		

AMERICAN OVERSIGHT

	I
987	The private sector has MUCH MUCH better administrative technology systems. Reduce barriers to overtime, or better yet, comp time (a zero cost way to have employees work more when they need to, and take off when they need to).
988	
989	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
990	989	5/15/2017	In certain areas within EPA there are teams with less than 5 people with a team leader and then a program manager with less than 20 people. In those situations I don't see the real need for a team leader position which could also serve as a cost savings... Also in certain instances contractors are paid for work that could ultimately be done by a student intern however EPA no longer has a paid (or otherwise) intern program - if this was established such work could be done much cheaper and benefit entry level workforce.	We are already partnering a lot with our states and local communities through constant communication and outreach of baseline conditions, work being done, getting input from community through implementation. I can also see including the private sector when applicable (as in owned or operated property nearby or impacted by certain assessment or clean-up activities) but involving the private sector has no relevance if this is not the case.	Outreach to such groups regularly and often - this is nothing new to us we do it all the time and treat all members with respect and as part of our team/project.	The superfund remedial process is extremely process driven and as such many RPM's appear highly process driven as well, and very driven by contract support. That program could be re-evaluated to determine what steps could be streamlined. These clean-ups are also very costly due to the huge reporting requirements and contractor costs of preparing such reports. Why couldn't this be evaluated and tailored more like some parts of the removal program. Recommend analyzing each different step in the process for possible streamlining and also allowing and encouraging staff to think innovatively to save time, resources and funding .	We are currently evaluating innovative field methods to streamline sampling and assessment processes.	Definitely combining areas of expertise such as contracts and grant support would save costs. Many scientists and engineers are required to know extensive knowledge of grants and contracts which takes away project support and takes more time since such activities are not everyday activities...
991	990	5/15/2017	1. Dealing with serious employee performance problems. The federal system makes it extremely labor intensive and difficult to address serious performance problems. Entire books have been written about how to fire a federal employee with serious performance problems. That alone speaks volumes. While we must have a system that is fair to employees, it should be revised to make the system less labor intensive to address serious performance problems. The current system is a deterrent to managers addressing these problems, which ultimately prevents the agency from accomplishing its mission efficiently. 2. EEO reform. The EEO process, in which employees allege discrimination by the agency, is in need of revision. It's extremely important to have an effective EEO program, to remedy the very serious matter of discrimination. However, the vast majority of EEO complaints are from unhappy employees seeking an avenue to address their grievances, and don't					

AMERICAN OVERSIGHT

	I
990	We are currently evaluating innovative real-time field methods to streamline sampling and assessment processes.
991	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
992	991	5/15/2017	Our financial management system, Compass, does not have expanded features activated in its current configuration to allow funds tracking below the Laboratory/Center/Office level within the Office of Research & Development (ORD). As a result, ORD uses a separate system, Integrated Resources Management System (IRMS) to track these costs to a more detailed organizational or work breakdown level. IRMS requires separate data entry from information residing in COMPASS and frequently data entry errors occur. If EPA were to purchase the expanded COMPASS funds tracking modules, IRMS would not be required. Data would be entered and tracked to the lower organizational levels and actual expenditures against these resources would be automatically updated in COMPASS. This effort would save significant time and resources for the Agency. It would also streamline the functional requirements for funds execution. Implementing this upgrade should free up administrative resources		EPA currently maintains library access to its employees and the public based upon a 1971 policy. The electronic resources available from this interface are impressive and extensive, with a great deal of attention being placed on improving the software interface. However, EPA also maintains "brick and mortar" libraries at each of its facilities for its employees and the public. For example, sites such as the Robert S. Kerr Environmental Research Center in Ada, OK, is required to maintain access to a "brick and mortar" library for the general public. These libraries require funds to operate them, typically through on-site contractors. They also have footprint costs associated with them for utilities, rent and accessibility. It is recommended that the policy to have "brick and mortar" libraries be evaluated and if these are not required by law to do away with or, if required by law, investigate			
993	992	5/15/2017	The burden of mandatory on-line training classes is growing. Does anyone count up the agency wide people-hours needed for a new 30-minute class? [0.5 hours x 15,000 employees = 7,500 hours of agency time] Some of the information provided in these classes is arcane, unnecessary and won't be retained by most people. Each of these classes should be scrutinized to distill the information down into what is most needed and most likely to be retained - with the goals of making the trainings more effective and saving agency time.	In thinking of partnerships in a voluntary context, I'm concerned for EPA's voluntary programs which have all been targeted for defunding in FY18. Most (all?) EPA voluntary partnerships rely on a solid business case to demonstrate the economic effectiveness of the targeted actions - and, of course, those actions also yield positive environmental results. However, there are always barriers (uncertainties, lack of upfront capital, simple inertia, etc) to convincing folks to take those actions which will save them money over time and yield positive environmental results. When EPA can bring something of value to the table (e.g., funding, site-specific tailored technical support), we can sometimes help overcome those barriers. EPA's voluntary programs need MORE funding not less. Most businesses like (or are neutral) about our			EPA needs more sophisticated teleconferencing options: The EPA organizer of a large group conference call should have the ability to mute all lines and/or drop any lines which place the call on hold. Separately but related, why do phone lines placed on hold play music? Can EPA drop this feature?	

AMERICAN OVERSIGHT

	I
992	SharePoint and OneDrive have had great positive effects on Agency organizations committed to their use. In certain organizational elements, use of SharePoint has reduced the amount of email by over 50 percent. Continued application and expansion of these software platforms can only continue to enhance our capabilities.
993	The deadline for staff entering information into PeoplePlus is typically the second-Thursday except the timeperiods when there is a holiday and the deadline is moved to the second-Wednesday. Why not just make the normal deadline the second-Wednesday? This eliminates confusion and the need to send special announcements about the accelerated deadline 10+ times per year.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
994	993	5/15/2017	INTERNALLY:The process for the overnight use of a GOV should be electronic and streamlined. Leadership sign off should be electronic, like leave slips. If the GOV is being requested for a meeting that is 4 hours away(in 1 direction) what is the purpose for explaining why the use of the GOV is in the best interest of the government? The request form should be adjusted/edited so that the data supplied is clear and needs no further explanation. EXTERANALLY:The changes to 40 CFR Part 170 need: Time extension for outreach and compliance assistance with impacted stakeholders; financial resources dedicated SOLELY to the states--STAG funds for materials and training & associated expenses EXTERNALLY: The proposed changes to 40 CFR Part 171 need to be eliminated, and could be replaced with: financial STAG resources for tribes & states to evaluate their programs, identify areas that need adjustments,	Program results should be reflective of the program--and should be agreed upon with partners. Largely, program results are determined in at the HQ level. Requests for comments are made--but it is rare to see the comments and suggestions made actually put in place. Hours & hours are spent developing comments on proposed grant guidance, measures, reg changes, etc. yet, rarely do we see the huge efforts made reflected in the final product. Field staff are in a very helpful position to provide valuable data and perspective--as well as what will work given the present status--and yet, they are largely unheard. Preferably, there'd be a few measures that were agreed upon; versus a slew of measures that are not well understood, and may be subject to misunderstanding. Those on groups that develop program measures for results should be	To attend meetings or events with stakeholders--tribes, states, industry, etc. we are required to provide an agenda 2 weeks in advance. MOST times, we receive the meeting notice a week or even a day before the event--and as a result are not able to participate. This hampers communication, effective partnerships, and fails to support effective grant and cooperative agreement management. Additionally, in most circumstances--these events provide valuable professional development opportunities to EPA staff--which are nonexistent and have been the last 10 plus years. It's impossible to maintain effective partnerships when you're not allowed to interface with partners. It's also hard to provide timely and pertinent program support and guidance when attendance is not permitted at related informational meetings and trainings--that are no cost to minimal cost for attendance expenses.	Web site is very hard to navigate for the public, partners--such as states and tribes-and stakeholders. The web page is identified as a resource but it's hard to navigate and is not well targeted to various user communities. Not all users have effective broadband access, and have to use cell service. We need to ensure that web pages can be viewed by mobile device users as well as those with access to other hardware options. Many stakeholders still need and want paper copies of guidance materials. Despite requests--largely, other formats of very needed compliance & outreach materials were deemed unnecessary. This is NOT the case in the field, however, nor the request/perspective of	As mentioned in Q 1, above, the overnight GOV process is cumbersome, and inefficient. For stakeholder outreach--electronic resources are great--but have to be tempered with the stated needs of deeply impacted stakeholders--tribes, states and the regulated community. Electronic efforts can be very beneficial/wonderful--but must reflect the communications capacity of various parts of the nation. The efforts themselves need to be clear and targeted--ideally, stakeholders would be queried as to what they'd USE and the FORMAT that works best for them. There seems to be a lot of interest in developing "apps" but not everyone has access to "smart" technology--and if the app is seeking input or	As mentioned in Q 3 above, there are opportunities to align activities--and in the past, that was accomplished to varying degrees, but the last 6 years or so--it's been impossible to attend events where mutually beneficial endeavors took place. Ideally, each EPA office identifies their areas of direct responsibility and those that are "peripheral"--and identify who are primary as well a possible peripheral partners, as well as the status of partnerships. It's likely that many partnerships that had been established in early 2000, are no longer--or are attached via a thread.
995	994	5/15/2017		Overall Issue: Current OECA program and individual performance measures are not designed to encourage and support state compliance actions or joint EPA-state partnerships. 1] Change OECA program measures to incentivize state collaboration: A] Start counting as a success all state and federal enforcement and compliance assistance efforts (for delegated programs). - Current measures** can act as a deterrent to effective state partnerships. [**current measures of program success only measure ???formal??Â federal enforcement actions. No consideration is given to state actions nor progress from any compliance assistance efforts.] -Do not prioritize and ???count??Â formal federal				

AMERICAN OVERSIGHT

	I
994	There is value in staff having opportunities to work on special projects or details; and staff development and engagement is very important to the organization. However, before staff is able to pursue other efforts--the impact to the rest of the unit or group must be assessed. Especially when certain staff have had multiple occasions to pursue other career opportunities, and the others left must cover the rest of the workload. Minimally, some type of assessment determining how many details or special project opportunities staff is eligible to participate in and the impacts to the work load of the unit or group is needed. This assessment is
995	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
996	995	5/15/2017	I just started December 2016. Getting access to different programs has been challenging, but I do understand the need for safety.	I do not have an issue right now	More staff, but that cost money.	N/A at this time for me.	I am sure there are. I am just trying to get up to speed on what I need.	I do not know this one yet.
997	996	5/15/2017	For all of our actions that are required to be published in the Federal Register, we should consider if the benefits of publishing there outweigh the costs; if not, we should revise our laws/policies so that we may publish on our website instead. The public does not go to the Federal Register to learn about what we're doing, they go to our website. Not only do we pay by line for documents published in the FR, but the process to get things published is burdensome. At the least, we should shorten what is published in the FR and point the public to our website or the docket for further information. For example, when we publish final rules for pesticide tolerances, the FR not only includes the new pesticide tolerances (this is necessary) but there is also a narrative regarding the human health implications of the new tolerances. This second piece is unnecessary to publish in the FR; it requires rewriting/summarizing information that is already found in our human health risk assessments (this can lead to inadvertent mistakes when		When many people work on the same types of actions, inconsistencies can easily occur without staff realizing it. There should be an easy mechanism for the regulated community to bring these inconsistencies to our attention, be it a standardized electronic form or otherwise. The inconsistencies should be addressed internally as soon as possible, the person pointing out the inconsistency should be informed of the action taken to correct that inconsistency, and the decision should be electronically stored somewhere for future use.			

AMERICAN OVERSIGHT

	I
996	I am not, but I am more than sure there are several.
997	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
998	997	5/15/2017	Having worked under several Administrations, I regret to note that this is thus far the most dysfunctional political team that I have worked with in almost 15 years with the Agency. Any change in administration offers the opportunity to infuse new ideas and energy into a bureaucracy that tends to turn slowly; however, rather than embracing this opportunity to work with career staff to evolve the Agency from the ground up, the Trump political team seems to prefer a more insular approach whereby Administrator Pruitt and his staff converse primarily with fellow politicals and external stakeholders instead of generating dialogue and sharing ideas with career staff. This is increasing a frustrating environment to work in and across multiple program offices, I continue to hear the refrain that this Administration does not care to seek input from career staff and indeed, actively keeps information from career staff. This survey is a start, but far more impactful would be if the Administrator and his political staff started actively	Well, I'm not sure how much control the Administrator or members of his team have over Trump or Mulvaney, but a good start would be to stop threatening budget cuts that, if enacted, will degrade both existing relationships with states, tribes, local communities, the private sector and EPA AND expose the American public to health threats.		Offer our hardworking support staff -- especially our contracting officers-- a more appealking career ladder here at EPA. Especially with looming budget cuts, we'll increasingly rely on contractors and we need to retain knowledgeable and experienced contracting professionals. Without offering attractive compensation for their expertise, our talent will continue to leave for other agencies.		Please for the love of God drop the patently false narrative about the existence of anthropogenic climate change being up for debate. It's not -- the evidence is irrefutable and now it's up to entities like EPA to show leadership so that future generations can enjoy the same stable environment that we have now. To say claim anything else makes you either a liar or a fool or both. We need all hands on deck to address climate change and the Trump/Pruitt team could make an indelible mark on history by offering a conservative solution to climate change -- one
999	998	5/15/2017	Timekeeping requires a tremendous amount of time from staff, managers and timekeepers. While our flexible work schedule is a big benefit-and one we should keep to ensure EPA remains an employer of choice-we need to ensure the electronic systems that support our work schedules are as efficient as possible. Suggest evaluating possible improvements.	Working with each state individually on where they can best use their limited resources and where EPA can be of most assistance-this will vary by state and by env program. Then clearly communicate to state and EPA staff and the public what our respective roles are. Local communities-especially small community drinking water and wastewater systems-joint effort with EPA, state env and health agencies, USDA Rural Development, HUD CDBG, engineering organizations, developing operator training)possibly thru Brownfields Job Training, community colleges, other job training programs incl in urban areas to provide jobs to the unemployed) and private financial resources to evaluate community needs and develop cost-effective solutions. In some cases it could be reducing water consumption to allow a discharging lagoon to	Clear, easy to access education information about water and energy conservation, proper pesticide application, the importance of proper renovation of lead paint (impacts of lead exposure from paint and lead mine waste on children), protecting water quality-what citizens, cities and farmers can do, flood and/or drought preparation for citizens and communities incl dw and ww infrastructure, pesticide worker protection standards for immigrant farm workers. Basically what everyone can do to protect the environment.	Re-evaluate the many small grant programs and eliminate or consolidate to larger grants. Grants management requirements at EPA are very burdensome for the recipient and for EPA staff that manage the grants so very small grants have more transaction costs associated with them than the value of the grant. Unfortunately some grantees don't follow the rules which requires us to document and ask for grant funds to be returned to EPA. Conduct state oversight in a more streamlined focused way acknowledging good work of states and recommended improvements without lengthy reports (unless there are significant recurring issues).		States already utilize our resources on technically/policy challenging permits and inspections/enforcement cases where states have not had success or where "politically" state cannot take an action. In addition, in each state there are aspects of delegated programs where states cannot do the work due to resource constraints and rely on EPA to do this work. This needs to be a continuing coordination/communication effort with the states as both state and EPA budgets are constrained.

AMERICAN OVERSIGHT

	I
998	
999	There are many ongoing communication/coordination efforts between regions and states that are best practices that should be shared and continued. EPA HQ could work with ECOS to poll the states for their perspectives on what works/doesn't-what could be built upon and shared.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1000	999	5/15/2017	The importance of the administrative function cannot be underestimated. It is much more efficient for there to be administrative staff finalizing (formatting/packaging) and mailing documents then to have staff at a much higher pay grade spending their time doing this work.	Use of technology and holding parties accountable. States: It is necessary for EPA to insure states are accomplishing their objectives and it is imperative that EPA hold states accountable. It is likely that EPA may need to partner with them in order to meet objectives but there must also be an oversight role to ensure objectives are met.	more interaction, education and information		technology: use of electronic reporting, electronic communication It would require states to use technology more/better. If the states use technology more we can use technology more. Their lack of use of technology can at times impact our use/efficiency.	
1001	1000	5/15/2017	Please re-evaluate employee's grades every 3-5 years. All too often at EPA someone is promoted because they are doing a great job then they retire in place. There are many highly graded employees doing low-graded work now, but our culture doesn't force them to accept lower salary for the easier work. Why is it once-in, always-in? You should continually earn your check. Managers say that only an employee can ask for a desk audit. We should change that. Managers should be able to show that their employee is not performing at proper GS level and downgrade them. In all of my years I have NEVER seen anyone downgraded.				Yes, please. Please evaluate both of the systems OCFO has purchased in recent years - PeoplePlus and CONCUR. They are both reducing productivity greatly.	
1002	1001	5/15/2017	It has been extremely difficult doing my job effectively because the Shared Service Center has been very shorthanded over the past few years. We work as partners but I would say that their ineptness and lack of staff has really been an obstacle here in the Region. Also, I see a huge problem from a technology standpoint. I feel that the more basic the systems are more cost-efficient, effective, and easy to implement and learn. We keep spending money on newer, more complex technology before the field can even learn and become proficient at the older technology. This has been a constant problem since we went to One EPA. Currently, FPPS cannot talk to PPL+ which has caused numerous problems in pay, leave balances, etc. This adversely impacts employee morale and productivity.	Not applicable to what I do...	Not applicable to what I do...	Adding qualified staff at the SSC levels would help us do our job more effectively and timely. This has an indirect effect on the morale and productivity of the technical staff in the field.	I feel that the more basic the systems are more cost-efficient, effective, and easy to implement and learn. We keep spending money on newer, more complex technology before the field can even learn and become proficient at the older technology. This has been a constant problem since we went to One EPA. FPPS cannot talk to PPL+ which has caused numerous problems in pay, leave balances, etc. This problem adversely affects the morale and productivity of employees in the field.	Perhaps streamline IT and HR systems so that every agency uses the same. For instance, not all agencies use the same payroll systems, the same HR LoB systems, etc.

AMERICAN OVERSIGHT

	I
1000	LEAN
1001	
1002	Not personally. However, we should be looking at other agencies to see what works best. I think we need to slow down with the constant technology changes here at the EPA. They are expensive, difficult to implement, and not easy to learn. I'm not a fan of making change just for the sake of making change. If it's not broke, then don't fix it. Not a fan of the changes implemented since One EPA. Don't like HR LoB at all. What works for other agencies??

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1003	1002	5/15/2017	- Prior to an inspection two and most likely three documents (HASP. car reservation and TA/over-night-form) have to be generated and signed by a supervisor. It would be nice if this was one system with one signoff. -Other than the signoff sheet, Evalu	Shared data (easily accessible) would be the most important first step.	The Compliance Assistance Teams should be transitioned to be Customer Service Staff.	More image analysis and data mining should be implemented in targeting facilities for EPA attention.	When you want to popularize environmental ideas the media should be a major player. EPA should be regularly creating films, videos, and articles for print.	An entire liaison corps should be formed and imbedded into other federal agencies.
1004	1003	5/15/2017	I don't have anything to share on this one.	Ensure STAG (State Tribal Assistance Grants) funds are monitored better (progress reports are submitted, show progress, etc.) and reduce funding for non-performers. Give more money to outstanding grantees. State formulas for funding don't take in to consideration successful progress or lack of progress on env. outcomes.	Follow the EPA R10 example and have a field office in every state of the Region. Get more EPA folks out to the local state/tribe more frequently this way to assist technically and monitor progress. Field office staff are paid less in locality pay, generally, and have lower travel costs to visit grantees so are a cost savings to the Agency.	I think the field office model would reduce costs and be an efficient way to get env. protection improvements at the local level. I think we need to focus our FTE and outreach on the Statutes (Clean Air Act, Clean Water Act, Safe Drinking Water Act, CERCLA, etc.) we have to enforce and implement. This work should be primary and is our mission from Congress. Other work and programs should be secondary to this work. If an employees work cannot be quantified and measured and tied to our core Statue work then we need to rethink that position and its importance/relevance. Reassign folks in to our core mission work fields - permit writers, inspectors, compliance assistance, grant Project Officers, Remedial	We need to be using some type of email archiving on a daily basis. At least in my Region we have been told not to use this due to some litigation.	Return the State and Tribal Clean Water Act Section 319 to the USDA's NRCS EQIP program. Does basically the same thing and the NRCS agents are better educated and trained in agricultural practices and are more locally situated than EPA staff and project officers. We've been putting a lot of money out thru states/tribes under the CWA Section 319 without much water quality improvements to show for it. Time to stop this program.
1005	1004	5/15/2017	5-tiered PARS system for rating employee performance -- this system has too many categories and creates extra work for supervisors, with no benefit to the organization. solution: change PARS to a 3-tier rating system -- minimally satisfactory, fully successful, exceeds expectations	a) set annual targets for EPA, states and tribes to conduct "X" number of process improvements b) provide funding (beyond the Exchange Network grants) for modernizing and streamlining our products and services c) expand formal and informal agreements that allow use of citizen science data to compliment core program work (e.g., long-term water quality monitoring to show improvements)	states and tribes: invite early engagement and input on EPA priorities, goals, objectives and annual commitments. States and tribes: identify joint priorities and work together to achieve results have dedicated EPA liaisons an regulated community: fund EPA Portal that allows more business and services to be provided on-line public: increase transparency of EPA data, information and gather public feedback on EPA priorities, then share results with public before and after decisions are made	set goal of transferring and replicating "game changing projects" that modernize and streamline the way EPA, states and tribes deliver environmental protection. Fund good project ideas and then get other EPA regions, states and tribes to adopt them, where applicable, to realize the benefits.	expand use of software to compliment responding to citizen inquiries. e.g., analyze the most routine questions that EPA receives, then purchase and use software that searches for key words, finds solutions on internet, and provides email responses to these most common questions for EPA	look at success of HUD-EPA-DOT partnership for sustainable communities - ability to leverage resources in defined geographic area and achieve more significant/meaningful results

AMERICAN OVERSIGHT

	I
1003	EPA should be a more active player in holding regional conferences.
1004	I'm not aware of any.
1005	expand use of software to compliment the human element of responding to citizen inquiries. e.g., analyze the most routine questions that EPA receives, then purchase and use software that searches for key words, finds solutions on internet, and provides email responses to these most common questions for EPA

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1006	1005	5/15/2017						Realigning EPA's Office of Research and Development (EPA-ORD) to DIRECTLY support the needs of EPA's program offices in DC would GREATLY increase efficiency, would do away with hundreds of HIGHLY-PAID managers, and would free-up numerous SES and Title 42 EXPENSIVE positions so that other parts of the Agency can use the SES'ers and Title 42's the way they were intended to be used by Congress!!!. Currently, ORD is organized by both "matrix management" and typical line management. The "matrix" manages the research programs, where the line managers manage the people. In
1007	1006	5/15/2017	-Create flexibilities in the workplace to get our work done. EPA needs to position itself to attract and maintain the talent by offering comparable benefits and work life balance that big business offers. -Keep asking this question. EPA staff have great	-Invest and support E-Enterprise for the Environment. EPA is making great strides in modernizing our business practices and ways of interacting with co-regulators. -Move to requiring mandatory electronic reporting to EPA. -Support EPA's efforts with Ai	CHALLENGE U.S. EPA is building an integrated state plan submittal system called SPeCS (the State Plan Electronic Collection System) designed for state submittals needed to fulfill Clean Air Act (CAA) obligations. The SPeCS for SIPs Project is fulfilling the E-Enterprise goal of modernizing the business of environmental protection as it relates to management, tracking, and access to state implementation plans (SIPs) through their life cycle. An E-Enterprise SPeCS Integrated Project Team (IPT) was formed in 2015 comprised of headquarters, regional offices, and states to guide development of this shared system. In its July 2016 report, the IPT identified and prioritized recommendations for SPeCS to accept state implementation plan (SIPs) submissions and other Section 110 state plans including a dashboard for states and the public.	Investing infrastructure technology Requiring electronic reporting to better manage and track CAA requirements	E-Enterprise Projects SPeCS for SIPs Air Sensors	

AMERICAN OVERSIGHT

	I
1006	Getting rid of "matrix management" in ORD would GREATLY inmprove effiency. Many corporations used matrix management, and eventually those corporations got rid of matrix management because of how inefficient this management style causes delays and pitfalls in communication. We have the internet, we should be using THAT to communicate. We shouldn't have a group of Title 42's, GS-14s, and GS-15s acting in pseudo-management positions, traveling all over this country to have matrix management meetings. Every EPA location has video conferencing capabilities and internet. No excuse for this madness and yet ANOTHER layer of
1007	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1007	5/15/2017		-Allow PCB permits, which EPA has to issue, to be delegated to the state when a concurrent RCRA permit is required. -Consider changing the regulation of commercial Subtitle D landfills on tribal land ??? make EPA permitting and enforcement applicable to	Don't filter climate change science; maintain the integrity of peer review consistent with established practices in academia.	Adopt regulatory changes (already in draft at OCSPP) for PCBs in building materials (found in tens of thousands of buildings nationwide) to authorize their use so their existence doesn???t trigger immediate non-compliance and potentially billions in extra cleanup costs.	Reconsider RCRA BDAT determinations that require incineration (eg. PCBs) vs other technologies that are less expensive and still effective and do not create as significant air emissions or energy use	
1008								
	1008	5/15/2017	My regional supervisors are fabulous. The Oklahoma Flat Earthers (not geographically diverse, by the way) in charge of EPA now are preventing us from doing our job efficiently and effectively. Your lack of qualifications, disrespect for science, and industry conflicts of interest (and need for so many recusals) are truly appalling. EPA will be sued for everything you try to do and will lose. In the meantime, we will be bogged down with all these distractions from our job protecting humans and the environment. Pretty hypocritical for you to complain for years about EPA's mission creep and then to state publicly that Pruitt is going to bring back jobs. Please don't sully EPA with your immoral campaign.	Stop calling regulations that protect people and resources "job killers." It's dishonest and is not based in economic fact. Stop focusing on bringing back coal mining jobs - it's dying because of market forces, not regulations. Read the real (peer reviewed) economic statistics. While you're exercising mission creep by trying to bring coal jobs back to coal country (which is anathema to a free market ideology), let's bring the buggy whip industry back to upstate New York and the whaling industry back to Nantucket.	We can beef up our enforcement actions against polluters and not back down to the states who do not want us enforcing in their jurisdictions. States often do not have the power or the will to enforce against their industry friends, as you well know. Read Cynthia Giles' recent op-ed on why we cannot simply leave the enforcement to the states. She is spot-on. Region 5 EPA tried to be too nice to Michigan and the people of Flint suffered and will suffer for years. How did Michigan's GOP ideologues serve their citizens there?	STOP denying human-induced climate change. This will reduce costs by orders of magnitude in the long run. You are conservatives and should abide by the PRECAUTIONARY PRINCIPLE. Remember how Big Tobacco tried snookering America for so many years long after we all knew that smoking causes cancer? Big Oil uses the same play book and it's shocking and embarrassing that the EPA is now led by non-scientists who are so easily snookered by Big Oil. If you were scientists, you would understand that we do not need to have all the answers to understand what can and should be done about climate change. Example: 9 out of 10 oncologists tell a smoker he has lung cancer and recommend the patient stop	How will we know if you allow millions of $ to be reduced from our research budgets? How will we know if you fire real scientists from the advisory boards?	--Finalize the CERCLA 108(b) regulations to avoid future superfund sites by adopting strong financial assurance requirements for hard rock mines. Level the playing field so that the American taxpayers don't foot the bill for future cleanups. Do not make t
1009								
	1009	5/15/2017	The CONCUR travel software is overly complicated. Earlier travel systems were just as effective but were simpler to use.	Providing the Regions and program Offices with more federal staff. In most cases, delays in providing high quality service to the states, tribes, local communities, or the private sector is a result of a lack of sufficient staff.	Providing the Regions and program Offices with more federal staff. In most cases, delays in providing high quality service to the states, tribes, local communities, or the private sector is a result of a lack of sufficient staff.	Providing the Regions and program Offices with more federal staff. In most cases, delays in providing high quality service to the states, tribes, local communities, or the private sector is a result of a lack of sufficient staff.	I'm fairly satisfied with the Agency's ability to adopt new technologies for many aspects of our professional performance.	The Agency has evolved to be a organization with limited duplication. In areas where duplication appears to exist with other federal organizations, it is often not true duplication but areas where the two organizations compliment each other and result in greater efficiencies.
1010								

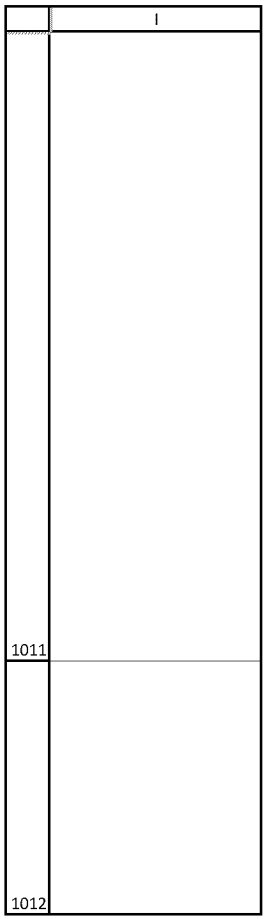
AMERICAN OVERSIGHT

	I
1008	
1009	--Accounting for the Social Cost of Carbon is extremely important. You cannot ignore these costs. They are real and should be paid by the polluters -- this will reduce costs in the future. It's breathtaking that conservatives do not accept and apply this
1010	The purchase card program is an effective tool for reducing the costs of making purchases. It should be expanded as much is logistically possible.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1011	1010	5/15/2017	The Working Capital Fund (WCF) needs streamlining in some areas. The WCF is good for bulk purchases of items such as phones or computers. It does not work well for acquiring contracted services. In some cases, it takes many months to make contract modifications before a contractor can come on board to assist with a project. Once a mistake in billing is found, it can take over a year to correct the error. In one instance, the products described in eBusiness are out of date and misinform potential users of the current products available through the contract. I would suggest that the reason for these problems is that there are not enough resources (ie, qualified staff) dedicated to these activities. It is not so much that the procedures are no good, although significant streamlining might be in order, as there may not be enough resources to do the work in a timely manner. In any case, the WCF acquisition practices are a worthy of the Agency's attention.	States need funding and training, particularly for enforcement and compliance activities. State inspectors are not well paid and they have a fairly high turnover rate. One suggestion is to insure that enough STAG funds are made available to state environmental programs to supplement states' appropriated funds. A suggestion regarding training is to ensure that state environmental agencies prioritize training, in particular enforcement and compliance training, in their Performance Partnership Grant Agreements. This will help to put training front and center. That will make it easier for EPA and states to partner on these training needs. There also needs to be more collaboration and sharing of training ideas and resources between EPA and the states to better leverage resources and to help states utilize their own		One opportunity would be to develop and utilize more virtual classroom training. We have tools for doing this, that is Adobe Connect. Virtual classroom training can reduce cost of travel and other expenses. For instance, it can bring in instructors from different locations and provide instructions to students in multiple locations without everyone being in the same room. It can go a long way to simulate a classroom experience and use a wide variety of learning techniques. We do need some better equipment such as microphones and digital cameras, and training in virtual classrooms. This could be of assistance to both EPA and states.	I would strongly suggest that EPA be allowed to purchase Apple iMac desktop and laptop computers -- equipped for our LAN system -- instead of the clunky Dell products that we now have. They operate much better and are much are more reliable. EPA also has to improve the way it plans for its IT equipment needs. It takes years to get new and up to date equipment. We are often years behind the technology curve before new equipment arrives. We get new operating system upgrades before we get new equipment, which is extremely inefficient. In other words, better (ie, Apple products) and more efficient hardware acquisitions and roll outs.	It is not clear how much realignment is needed. The states have program delegation and authorization. One problem however, is that many of these agreements are old and out of date. They do not serve much purpose anymore. We could embark on a program to revise these agreements to better reflect the abilities of states to conduct their environmental work. On the other hand, this should not be an opportunity for states to throw off EPA oversight of their programs. It could be an opportunity to improve EPA oversight of state programs and ensue that EPA is doing the right job. It should
1012	1011	5/15/2017	- EPA's historic failure to invest in standardized record-keeping processes (especially for electronic records and non-records) creates an incredible back-side burden on employees who must respond to FOIAs or e-discovery requests. - As a hiring official,				- Provide supervisors with a one-stop shop for personnel information (e.g., current PD, past performance evaluations, prior award justifications and amounts, promotion history, resume, etc.) about their employees. Much of this information (though not all	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1013	1012	5/16/2017	Filling out time cards prior to finishing the pay period is inefficient. It creates mistakes that then have to be fixed later on. Time cards should be submitted after the pay period is over, or at least, on the last Friday. Our travel system, Concur, is very inefficient. On top of that, we are required to have a TA for any type of expense. So if I drive somewhere, and have to pay for parking, to get reimbursed, I have to have a TA, and the contractor gets a fee. The contractor fee is likely more than the cost of parking. The end result is that I don't request reimbursement for many travel expenses. We ought to go back to a petty cash fund for small travel expenses.	I feel like we do a great job of this already. More access to events that they all attend, which requires travel and training money would help. If we can't attend the events where they are talking about the latest in cutting edge technology, then we will not be keeping up. Also, the agency does not reimburse for memberships in professional organizations. So our membership in those organizations is low. There should be someway to allow employees to be more connected to the professional organization that others in the field belong to.	More visibility and access. That means the ability to get out of the office more, because face to face interactions are some of the best.	Filling retirement vacancies. We have a large percentage of people who are eligible to retire. Bringing in young people with great enthusiasm and energy, but working for a fraction of the cost, is a great way to continue our mission at a reduced cost.	Finding a better balance between cyber security and efficiencies would be a good start. There seems to be a great deal of inefficiencies built in to our IT resources that really slow the system down and make it difficult to work with. We have a number of technologies people don't use because of the inconsistency, lack of dependability, and difficulty built into them. I feel like the rest of the world is debating whether to use Google, Windows, or Apple and we are stuck in IBM.	I feel like we do a pretty good job of partnering with other agencies and states. One example of an advantage the current system gives us is grants. There may be a number of grant programs for water and wastewater systems from different agencies. And some may think this is a duplication of effort. But every program has its own rules for it own reasons. Having different programs allows the utility to find the grant program that works best for its situation. If there was only one agency with grants, if it didn't work for you, you would be out of luck.
1014	1013	5/16/2017	I have no issues with our requirements, procedures, or processes.	Good lines of communication are the key to success here. Regular conferences addressing specific topics as well as an internal EPA Champion for a given area.	Again, good communication and timely response to issues assigned are key to good customer service. Also, providing a go to person within EPA for the various groups is vital.	Provide more opportunities at the GS-14 level. Currently there is a gap at the GS-14 level restricting highly qualified GS-13s from advancing to supervisor GS-15 positions.	Continue to develop and use virtual meeting technology beyond teleconferencing that the rank and file staff can use.	The big issue here is that we are not aware of what other agencies actually are doing or who to contact. Having an EPA Champion for specific interest areas who know what other agencies have and who to contact would provide a necessary link between the agencies and states.
1015	1014	5/16/2017	In general, the grant award process needs to be streamlined. There are far too many steps and far too many oversight tasks.	A simplified process for awarding funds to these organizations.		See answer to question 1.		

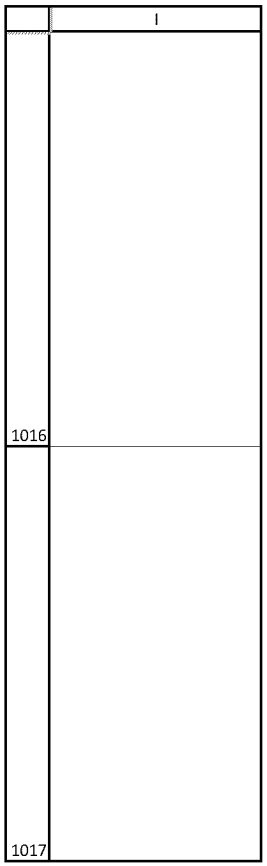
AMERICAN OVERSIGHT

	I
1013	
1014	In the Enterprise Quality Management Division we hold a monthly conference call with the entire EPA Quality Community. Ideas are exchanged, information is disseminated, and important issues are discussed. This has been an invaluable tool to keeping the lines of communication open at all levels of the community and demonstrating that EPA HQ is listening.
1015	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1016	1015	5/16/2017	As a manager, I am waiting for the new leadership to reset the balance on the unions representing EPA employees. Union-Management partnership is one thing, but having federal employees working "full-time" on union business just should not be. SES members roll over to unions based on the previous administration deriving a strong base of support from government unions. Managers need a statement of support from the Administrator with respect to working with unions, and the SESers need the motivation (performance standards) to not choose the method of least resistance.					
1017	1016	5/16/2017	As a manager, I am waiting for the new leadership to reset the balance on the unions representing EPA employees. Union-Management partnership is one thing, but having federal employees working "full-time" on union business just should not be. SES members roll over to unions based on the previous administration deriving a strong base of support from government unions. Managers need a statement of support from the Administrator with respect to working with unions, and the SESers need the motivation (performance standards) to not choose the method of least resistance.					

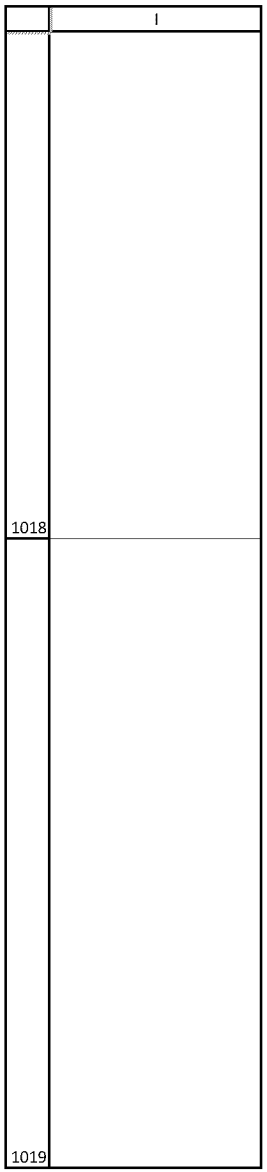
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1018	1017	5/16/2017	Under the previous Administration, first line supervisors were repeatedly undercut by upper management eager to settle any EEO complaint without an Agency investigation. Poor performers being held to account only have to raise some allegation of discrimination or harassment knowing upper management will give them anything they want to make the complaint go away. There usually won't be a monetary award, but they will get their performance appraisal rewritten to a higher rating and/.or get reassigned to manager who won't care about their non-performance. Managers need support from senior staff to not be sold out for a quick informal EEO settlement.					
1019	1018	5/16/2017			.	We need to get a better handle on processing FOIA's. We get a great number of them that eat up staff time that could be better spent on core work. Staff need to be trained in how to negotiate with requestors to narrow the scope of requests so that we may provide them with the information they need without reproducing every email with the word "and" in it. We need to be empowered to say "no" to unreasonable requests. We need to talk with requestors to really understand what they are seeking and tailor their request so we don't waste everyone's time. Also- many of our FOIA requests involve shared equities. We need other agencies, including the White House, to be just as responsive as	We need a system to process Response to Comments that everyone at EPA can use. Right now, we have to contract separately with a vendor, who has to go out and purchase software to sort and collate comments. there has to be an EPA-wide system that could be used for all the program offices doing rule-making.	See FOIA comment

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1020	1019	5/16/2017			Clearly defining the roles that the federal government, states, tribes, local communities, the regulated community and the public play in environmental protection could allow each entity to do their jobs better. With clearly defined (and agreed upon) roles, a state would know when to seek input etc. from a federal agency, local community, etc. Likewise, the regulated community would know what their responsibilities are to meet state requirements, federal requirements, and their responsibilities for the public.	At EPA Headquarters, have all staff located in the same place. Staff are now split between Potomac Yards and Federal Triangle. Time is wasted traveling back and forth between locations when face-to-face meetings are needed. Housing all of us in the same place would eliminate the need for a shuttle service. Potomac Yard is a rented space; moving those staff to Federal Triangle in a GSA operated building may also save money.		Sometimes there is a sense of hostility when multiple agencies are working together. People spend more time focused on maintaining their territories rather than collaborating to meet a common goal. I'd recommend taking actions to foster a "One U.S. Government" attitude with our federal partners. We need a similar understanding with states (i.e., we all have the same interests so let's work together). By doing these things, we lay the ground work for collaborations, sharing responsibilities, and accomplishing more together.
1021	1020	5/16/2017	The Concur Travel system is very challenging, and a more streamlined system or better support would be extremely helpful for travelers. The chain of command for doing external work is highly burdensome, as all external messaging requires lengthy internal deliberations. This stems from the political climate always surrounding EPA. Working harder to highlight the positive impact our agency makes, not on "the environment" (which many take to mean useless worms and the like), but on measurable human health impacts would go a long way. Working to strengthen the message that EPA is realistically more of a "Human Health Protection Agency" than anything else would ease much of the burdensome chain of command that all messaging currently goes through. The threat of constant shutdown is highly disruptive, and prevents us from doing our job efficiently.	My work is primarily with Tribes (and local communities), and Tribes benefit greatly from partnering with EPA. EPA is crucial in offering technical expertise and helping Tribes to grow their capacity for managing environmental statutes in the best interest of the Tribe (with Tribal members being some of our most vulnerable citizens in the United States). This crucial Federal Trust responsibility can be supported with more resources, especially in our Tribal and Grants Management programs. Tribes suffer when their Project Officers and Grants Management Officers are juggling 15 different grants, with limited resources and support systems. EPA is also crucial in working with local communities. We are uniquely positioned to bring other agencies to the table, including Federal, State/Tribal,	The biggest obstacles to providing better customer service are: technology, workload, and levels of review: - EPA technology is perpetually 15 years behind the private sector. EPA could provide much better customer service with better platforms and technology to interface with the public. This includes higher quality website, the ability to use social media, and hardware such as tablets to support our challenging work in the field. - In order to make this effort successful, staff must have time to spend on prompt customer service. We also must have adequate resources in our tech support group, which is often overwhelmed at their current staffing level. - Currently, EPA's outward facing message is tightly held, because of fear of backlash from our communication efforts. This hampers us in "telling our story" about the meaningful work that we	EPA can prioritize and focus our energy even more on the most vulnerable communities that need our assistance, in order to truly achieve "environmental protection for all Americans". Our Environmental Justice program has made great strides in identifying communities that bear the greatest environmental burdens, and identifying opportunities for our various programs to collaborate and share resources in working with those communities. Our greatest opportunities for efficiency is strengthening our collaboration and efforts in our most vulnerable communities, where our work makes the greatest impact. This must be paired with continued work at the	EPA needs support to access and use existing technologies - for example, all field staff should have field phones and tablets, to assist with complicated site assessments. These technologies should be streamlined for efficient record management, so that all field notes are captured in the record system. We need additional GIS and tech support for these technologies as well.	EPA plays a unique role in protecting Americans from the effects of pollution, and ensuring that all Americans are able to raise their children in a healthy environment. Even where EPA has shared responsibility, our expertise and mission are unique, and need to be supported and continued.

AMERICAN OVERSIGHT

	I
1020	
1021	We need a better record management system that is much more streamlined for staff. Something as simple as an option to "save as record" rather than "save as", that brings that document into the records management system. The same is needed for our email system. This would make our response time to FOIAs and to other inquires much faster, and would create huge efficiencies in staff time, with associated cost savings.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1022	1021	5/16/2017	Unify and create universal procedures for all sections instead of each section having their own individual procedures	need better communication with everyone involved. Especially better written permits that can be enforced upon.	fine tune processes to prevent enforcement actions from dragging on	close smaller offices and in-bed them with there state counterparts.		get everyone on the same page with better communication and enforcing the regulations in a consistent way. Permits need to be written clearly and the amount that is emitted should be reduced as new technology becomes available.
1023	1022	5/16/2017	The continued hiring freeze imposed by the Administrator and the limit to total EPA employees of 15,000 imposed by congress's CR prevent me from doing my job efficiently. Myself and many of my coworkers are covering the duties of multiple employees because we can not backfill current vacancies. The Administrator should lift the hiring freeze and request congress to remove the employment cap for EPA. Also, the Administrator should request an increase in our annual budget from congress in order to fill current and future vacancies.	EPA's annual budget should be increased so that we can distribute more grants to states, tribes, and local governments. I work in a regional office, so I have observed first hand and I have had conversations with our state and tribal governments in which they expressed the need for continued and increased funding for state programs. Many positions at many state governments rely solely on EPA funding. Without continued and increased funding to state governments, environmental programs mandated by federal and/or state laws will not be implemented, threatening the local health and environment of our states and tribes.	We need to increase funding for our Regional offices. Regional offices are the front lines of customer service for the public, state, and local governments. Headquarters develops and establishes federal rules and regulations. But the implementation of these rules and regulations are carried out by EPA Regional offices and state governments. Without sustained and increased funding to Regional offices and states, laws, rules, and regulations will not be implemented and enforced as efficiently as possible.	EPA should stop publishing all State Implementation Plans (SIP), Consent Decrees (CD), and Memorandums of Understanding (MOU) in the Federal Register. This is a waste of limited EPA resources and it makes the number of publications in the FR by EPA seem large relative to other federal agencies. These orders do not need to be published in the FR to have the force of law if they are violated; the existing environmental statutes grant EPA its authority to implement and enforce orders. Further, the amount of FR publications from EPA makes locating relevant national rules and regulations on Regulations.gov very difficult. By reducing FR publications by no longer publishing orders, the	EPA's adoption of newer technologies, such as shorter refreshes of IT resources like laptops, tablets, and smartphones will continue to enable us to do our jobs more efficiently. The Agency's accelerated adoption of newer IT hardware and software should continue; this has greatly improved our efficiency. The Agency's continued development of online databases for information submission and retrieval by the regulated community should continue and should receive more funding. Online database services reduce time and costs for the regulated community.	Interagency committees that coordinated national programs between federal agencies should continue to be utilized to increase collaboration between agencies. Further, Agency advisory boards and panels, such as the BOSC and SAB, should continue to rely on impartial researchers from academia to advise EPA regarding the most recent and relevant scientific consensus on environmental topics. Industry representatives have no place on boards or panels that advise the Agency and should not be considered for these positions due to their clear conflict of interest. Also, academic researchers that have

AMERICAN OVERSIGHT

	I
1022	
1023	Best practices for federal agencies are remaining apolitical and using the best available consensus science. Political appointments in our Agency, such as Administrator Pruitt and Ryan Jackson, are prime examples of the politicization of our Agency and our work at the expense of the health of our citizens and environment. These political appointees represent the worst kind of cronyism for industries that we are responsible for regulating, such as fossil fuel industries. These are clear conflicts of interest. Political appointees such as Administrator Pruitt highlight that the Trump Administration has and continues to select

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1024	1023	5/16/2017	Multiple requests for reports from management. Requests for new reports are becoming more frequent and are duplicative efforts to compile information readily available in existing reports and systems. Additionally, Management doesn't seem to be aware of the information contained in existing reports, it is often difficult to get clarity on the information sought, and there is an unwillingness to utilize Agency systems and tools. All Senior Leaders should be aware of how to use Agency reporting systems and should be facilitating adopting the Agency technology. Additionally, if there is information they are seeking, it would be infinitely more helpful if it was purpose and use could be communicated to those who need to compile it. There is likely a better suggestion for how to gather that information from the people who use it daily.	We need to better incorporate our external partners' business cycles into how we prioritize our activities to capitalize on efficiencies. Additionally we need to take a risk based approached to assessing organizations capacity to achieve the desired results.	Encourage employees to take an actual Customer Service Training. One that focuses on excellent service delivery and effective outreach to basic stakeholder groups. Everyone who interfaces with individuals outside of this organization would benefit.	We need to improve the way technology is utilized within the Agency and improve EVERYONE's competency with basic programs and existing IT Solutions. Additionally, there needs to be better communication of the available IT solutions, their purpose, and how to deploy tools in the Organization.	Improve the use of SharePoint and the Power Business Intelligence Analytics Tool. Information should be readily available online and that functionality would greatly improve HOW all employees of the agency interact with the information. Easy data access and understanding encourages users to use the platform. This would also go a long way to eliminating some of the "report" requests from Senior Management.	It would be beneficial to identify common lines of business across agencies and the common activities undertaken or common stakeholders. There are likely efficiencies that could be gained by finding a mechanism for sharing information across agencies more effectively. This type of collaborative approach would aid in streamlining activities the Agency and/or external stakeholder is responsible for, as well as developing a more effective and efficient workforce.
1025	1024	5/16/2017		Create a training center. Have a drinking water system and a waste water system there.		fully funding SDWIS Prime. Create ALL of the Functionality to do the entire Drinking Water Compliance job in SDWIS Prime.		The Data Verification of State programs needs to be contracted out to Cadmus.

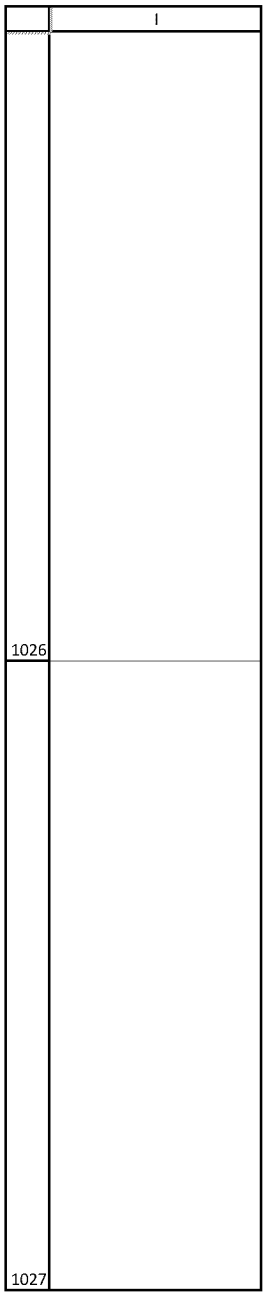
AMERICAN OVERSIGHT

	I
1024	LEAN Six Sigma. Need to have commitment from Senior Leadership to do things differently rather than "do more with less". Focus on "Customer Experience" and "Performance Management" rather than simple service delivery. Meaningful metric should be developed and deployed to improve accountability and transparency.
1025	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1026	1025	5/16/2017	Thanks for soliciting input. Here are a couple unproductive processes that could be improved: 1) Reduce the number of mandatory e-trainings that must be taken by EPA employees each year. Staff must take 5-8 of these trainings every year. For some trainings, like security awareness and ethics responsibilities, annual training for all staff is warranted. For others, e.g., Working with Tribal Governments, details on Continuity of Operations procedures, records management, IGMS (grant system) Rules of Behavior, the interval could be changed to every two years and/or the number of staff required to take the trainings could be reduced. AT 15-30 minutes per training and thousands of employees, the cumulative time savings would be significant. 2) Make correspondence with the public more streamlined. Letters and requests for information come into EPA from the public on a daily basis. When these		Programs could work with the Office of Grants and Debarment to further encourage multiyear grants for states. Some states and regions do this now in some programs. It's likely that more could productively do so. Managing multiyear grants can save effort over issuing single-year grants. We shouldn't force the practice on states, but could do more to highlight its benefits.		Continue the current trajectory (in water programs) of greater connectivity of related data systems and greater use of geospatial data to inform and describe the work of EPA and the states/tribes.	
1027	1026	5/16/2017	Decisions on administrative software acquisitions are made with little input from the actual end-users of those systems. A desire to save money on the front end of the process often results in the need to change our business practices to accommodate shortcomings of the software systems, resulting in inefficiencies, wasted staff time, and reduced capabilities. Involvement of the most-impacted users in advance and consideration of long-term costs as opposed to just acquisition costs would help prevent or mitigate the damage from these decisions. Increased demands on researcher's time by accretion of administrative duties is having an impact on productivity and morale. While each new requirement for reporting, documenting, accounting, etc., may have small impacts in isolation, the cumulative impacts are large. Review of the necessity of each new administrative burden requirement and assessment of whether administrative support staff could accomplish the goals					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1028	1027	5/16/2017	There are not enough FTE's at our Division to effective do the work that is only increasing in the admin area. The work has to be parsed out to the scientific staff, which takes away from completing the mission of the research.	I think more communication with the Regions who are in the position to communicate and partner with the states, tribes, local community and private sector. I would say that partnering with the tribes would be an area where our division could benefit.	Improving the connection between the Regions and the program offices	Untapped opportunities would be taking a better look at the EPA's administrative duties at all levels.	I think that every time there is a change in leadership at any level, the new leaders want to change effective programs to be their own ideas. This often results in doing away with a good program and instituting a bad program. This is done routinely so new leaders can make a name for themselves. This is not a good thing.	We can barely accomplish this within the EPA, let alone trying to do this with other federal agencies. That being said, there are a number of best practices at all levels of the EPA that could be shared with the other agencies. One that comes to mind is the Environmental Management System requirements for all agencies.
1029	1028	5/16/2017	Shared service center and HR processes and functions must be addressed. Processing recruitments, classifications and employee services is broken. Regions and NPMs must have trained HR professional that can work with SSC and support managers and staff with HR processes. PSB is overwhelmed and security clearance process for low to mid risk needs to be addresses -- my EPA review was more intensive then when I was cleared for DOD and DOE clearance - not sure what it is we are protecting against within EPA given most employees are not dealing with sensitive and classified materials. Regions should consider consolidation of divisions - the recent reorgs have resulted in substantive increase in 1st line supervision responsibilities as a result of not consolidating Divisions (SES cadre) and Branches and associated overhead to meet supervisory ratios. The result is supervisors do not have the time needed to both supervise 14-20 direct reports and maintaining both programmatic and national program	Invest (underinvested) and work with States to fully adopt delegations and capacity and develop and conduct effective oversight for State grants and its program performance with reinvest and focus on EPA resources once this is done to those only EPA can do -- i.e. RCRA's 2020 vision. Revise OECA goals to avoid generating orders and cases for the sake of a GPRA or ACS goal that the EPA program office and/or State (which it should be involved as a stakeholder) then becomes a long term "mortgage" that the program and states do not have the resources to support.	EPA needs to take a more external focus on its constituent services and a more moderate view of risk mitigation in dealing with the public and regulated community. EPA is to internally focused and risk adverse to the point of being ineffective in being adaptable and responsive.	Restructure SES cadre and consider activating mobility requirements to increase bandwidth and reduce risk adversion, search for perfection, and inability to tolerate or celebrate failure has in my view overtaken EPA's SES cadre and stymies and discourages staff and manager innovation and effectiveness	Under resourced for adequate ADPE gear for employees. Computer and gear should be renewed every 3 years versus the average now of 5-6 which causes lots of downtime and lost productivity. Expand and explore use of mobile work space - improve web based tools and support	

AMERICAN OVERSIGHT

	I
1028	I mentioned EMS in the previous answer which I think is a great example of a best practice for the EPA. Our program and strategies could be shared among other agencies who I am afraid have no idea of what EMS is, even though it was started in 2003 by an executive order and continues to be a mandated requirement for all government organizations. Another best practice would be in the area of scientific outreach and environmental education. So divisions do it better than others, but there is no money available to really have a worthy and effective program.
1029	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1030	1029	5/16/2017	I currently serve as an HR liaison for my office and run into issues with staff in the OAES who are not well versed in the various HR process they are responsible. This in turn makes getting my job that much more difficult when it comes to getting a question answered. EPA has in place multiple systems/program that can provide management with pertinent information on how to get this done, but access is restricted or no one knows how to access it. Trainings for the new processes also don't always trickle down to all the right players. having a sharepoint site or something of that natural that all HR assistants, analyst etc can access for instructions, trainings etc would be helpful. Having more streamlined processes move allow things to more and work more efficiently such as having to go through a 3rd party to make changes to the routing in CONCUR slows down the process significantly and is not the best use of the 3rd parties time. Allowing a single POC from the office be able to reach out and make request for routing				Better training on the capabilities of the existing technologies would help in making most processes more efficient, Things such as adopting digital signatures on documents would cut down on the cost of paper and time. Fully informing staff of the capabilities of the various software systems would allow staff to work smarter not harder.	
1031	1030	5/16/2017	Currently, there are two administrative/managerial processes that impact the efficiency of the agency's work. They are: 1. Current Administrator-level decisionmaking regarding region-specific actions. I appreciate that Administrator Pruitt is coming to this Agency with both a jaundiced eye toward its past decisions and a desire to make changes to existing policies and procedures. This is natural and understandable in a new administration. However, I think this desire is being manifested in a disconnect between regions and HQ. At the staff level we have received very little guidance on how the Administrator wishes to implement his vision: the Schnare email and the ???Improved Management of Regulatory Actions??Â memo are all we have to work with, and I think they sow more confusion than clarity. Judging a regional action against these documents to determine whether to involve HQ is a painful exercise that seems mostly to consist of more tea leaf	Comprehensive ICIS code review on a state-by-state basis. Streamline and rationalize ICIS coding so that datapulls can be done more quickly and easily, and provide comprehensive and comparable cross-state compliance data.	This is a hard one. Personally, I strive to answer every call I receive from outside parties within 24 hours, provide the best answer I can at the point of first contact, follow-up in a timely fashion (as necessary), and make sure that the caller knows they can call me back if they need additional assistance. If customer service is an actual issue, perhaps some kind of outside contact tracking system? If an EPA employee receives a call, log it, describe it, and track the follow-up. Use that as a metric in PARS?	I know this sounds silly, but have the maintenance staff fill the paper towel dispensers only 3/4 full. Typically, they're packed so full that when one tries to pull out a paper towel, you end up ripping one and pulling out three additional in the effort. They're checked every week day, so just don't fill the up all the way. We'll surely save money that way. Otherwise, someone smarter than me will have to opine.	See above re customer service tracking software. Also, please, please, please do not cut the budget for FOIA/discovery response technology. OEI is making it work now, but they need more resources and FTEs to allow for quicker, more accurate FOIA responses.	I work in NPDES. From my perspective, we work pretty darn well with our respective states providing review and oversight of state-issued permits. Over the last 4-5 years, we've had a pretty light touch in our review, really only calling out glaring inconsistencies with the requirements of the CWA. Maybe states feel differently? I don't think so, but maybe it's worth asking the States?

AMERICAN OVERSIGHT

	I
1030	
	I don't. Sorry.
1031	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1032	1031	5/16/2017	Cut out some of the bureaucracy, for example, the number of mandatory annual online trainings has risen greatly over the years. Even though, these trainings are often less than one hour to complete, nevertheless, they do cut into our regular work schedules. If at all possible, it would be helpful to cut the number of these trainings.	Periodically, the EPA should reach out to libraries and community centers by posting contact information to the EPA, if people witness or suspect that illegal dumping of hazardous materials has occurred in their area. This is a boots on the ground approach for the EPA to become aware of potential environmental problems. Often, people don't even know who to contact in such situations.	Periodically and internally, the EPA should update its Experts List, and send it out to EPA employees so that they're aware of who to contact when someone calls from outside the Agency seeking specific information. This should especially be made available to the Office of Public Affairs employees because they are often points of contact for outside parties. Also, contact information to the Office of Public Affairs itself should be made easier on the Agency's website for outside parties calling in.	Cut out the middle man. The Agency's decisions should be based on best available science, whenever possible. This means that scientists with advanced degrees should be playing the bigger role in decision making, not bachelor degree managers with over inflated salaries. Therefore, cut out bachelor degree managers and replace them with advanced degree scientists for decision making. Often, bachelor degree managers are an obstacle to progress because they don't understand the science, or are afraid of it.	Improved and intelligent Search engines to tap into online resources, as well as internal databases, to find answers to pressing questions.	Minimize the overlap and duplicate efforts that often exist among various agencies. On the other hand, minimize the minor differences that often exist among various agencies, and therefore that prevent decision making and moving forward.
1033	1032	5/17/2017	As a rank and file employee (non-Managerial and non-Supervisor), I do not experience any administrative, managerial or organizational issues in the execution of my duties and responsibilities.	What is meant by "better environmental results?" Improved communication? Increased oversight?	Be responsive to requests for support. Set goals and guidelines for customer service response actions. Increase visibility to local communities to demonstrate our desire to respond to environmental issues in the community.	Better management of personnel. Hold poor performers accountable and reward those who meet and exceed expectations of the position. Evaluate the job duties of individuals. Assess efficiencies of each position. Is each person being maximized in regards to their time and capabilities?	Invest more in renewable energy technologies at EPA facilities. In order to send a message to the Public to support these industries, the agency should lead by example. Not just by having a token system that only handles a small fraction of our energy needs, but substantial systems that can handle entire facilities.	In the areas of wastewater and drinking water, responsibility is already delegated to the States. The EPA provides oversight to these programs such as State Permitting for NPDES (CWA) and Primacy status for States to maintain Drinking Water certifications for labs within their State (SDWA). Re-alignment of activities is not necessary in these areas.
1034	1033	5/17/2017	I am in Region 2, working at the Caribbean Environmental Protection Division: One of the most disappointing aspects is working with "out dated" and or "Obsolete" Memorandums of Understanding (MOUs) with State Agencies, in this case the PR Environmental Quality Board. Also, the lack of attention to detail in to implementing and following EPA Orders, such as EPA Order 3500.1 and EPA Order 4711.	The antithesis of the above, updating MOU's, setting realistic goals and focus on better planning to achieve good executions. Historically, this office is more focused on numbers "bean counting" that actually achieving environmental benefits all together.	Provide more participation in open forums and include them in Agency "Idea banks" so we could hear, brainstorm and execute. Sometimes the solutions are in those idea banks.	Fraud Waste use and Abuse from Management. This sometimes goes "un-punished" based on a culture of "Complacency".	Next Generation Enforcement: This have been widely discussed, but poorly implemented. Using Technology (web based programs and applications). This include remote monitoring and related equipment that will help reduce costs.	Create Round Table discussions in different program areas or areas of expertise amongst sister agencies (DHS, USGS, CDC, DHHS, etc.). Redefining and re-shaping the way our agency do things.

AMERICAN OVERSIGHT

	I
1032	For starters, appoint more conservative Regional Administrators. Liberal Administrators are sometimes notorious for being big time spenders. In the private sector, such companies go belly up.
1033	Increase accountability for employees. In the private sector, poor performers are typically not tolerated. The private sector must operate efficiently in order to survive economically.
1034	Is not a matter of having Management Systems, is how EPA implement those and having the organizational culture to perform and execute (e.g. ISO 14001, Lean Sig Sigma, etc).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1035	1034	5/17/2017	Offices within the Office of the Administrator, specifically the Office of Children's Health Protection, are not given the same direction and are not held to the same level of accountability as other program offices in HQ. As a result, the Office of Children's Health Protection, and others like it, have no clear vision and often duplicates work of other program offices. I recommend addressing this by appointing someone within the Office of the Administrator to be directly responsible for the oversight, direction and accountability of such offices.	Increase meaningful outreach and actually following through on programs, partnerships, and services long-term. Ensure all efforts that result from partnerships are sustainable at the local level - this should be a primary goal/component of all partnership engagement activities and programs.	Utilize existing positions or establish new offices within each region to be dedicated to providing quality customer services to states. Establish a new office in HQ that will specialize in environmental outreach to underserved populations and dedicate another office that will target the regulated community.	Yes, reorganize offices that have a high ratio of managers to staff (e.g., the Office of Children's Health Protection). Also look at offices that are cross-organizational, like the Office of Children's Health Protection, and fold these positions into other program offices. This would eliminate inefficiencies, duplication of work, while ensuring integration of such programs and maintaining environmental protections.	Managers need to be held accountable for their ability to lead. It is completely ineffective to have supervisors in place who understand the work (technical skills) but lack the ability to motivate or work well with others (leadership skills). The existing process for rating and hiring managers needs to be modified in a way that removes poor performing and inadequate managers from supervisory positions.	As previously mentioned: look at offices that are cross-organizational, like the Office of Children's Health Protection, and fold these positions into other program offices. This would eliminate inefficiencies, duplication of work, while ensuring integration of such programs and maintaining environmental protections.
1036	1035	5/17/2017	EPA's time and attendance system - PeoplePlus. Agency is wasting money on a stand a lone system where we could migrate and get this service from the Interior Business Center --- which I believe was the original intent when the agency moved HR and payroll services.					
1037	1036	5/17/2017	Presently, the Office of Enforcement and Compliance Assurance requires that enforcement against tribally owned/operated facilities be reviewed, concurred, and approved by the Assistant Administrator for enforcement. The review, concurrence and approval process is very burdensome on the Regions and overall no additional value is added. The Regions have vast experience in developing, issuing and enforcement of legal documents. A multitude of Regional Attorneys and management are involved in the development and approval of the legal documents. We can gain efficiencies by removing the requirement that OECA must concur and approve enforcement actions against Tribally owned/operated facilities.	States have been delegated most of the environmental statues. We can achieve better environmental results by having the states focus on egregious, repeat violators. EPA should focus on ensuring that the environmental statues are implemented in non-delegated states and on Tribal Lands. We need to stop the mountain of administrative requirements that are self imposed and those we impose on the states (performance partnership agreements, mid-year reports, end of year reports, compliance monitoring strategies, strategic plans, oversight plans). Why are all these documents required and needed. We should be focused on acquiring true environmental results.		Certainly the amount of internal regional coordination and communication needs to be addressed. Efficiencies can be gained by limiting the amount of Headquarters (HQ) involvement, review, and approval. While it is understood that HQ has a difficult job of ensuring a consistent environmental program across the Nation, it needs to be recognized that our Nation is not consistent in the environmental stresses it encounters. Western Regions have different environmental stresses than Eastern Regions. We can gain efficiencies by delegating decision making to the lowest possible management level. Senior Leadership (SES level and above) have become much more	We need to be able to electronically concur, approve and sign documents. We are still in the 18th century where paper is king. We have documents that are reviewed and approved by several individuals from several different offices. It is not unusual not to know where the document is. People spend so much time trying to find out where the document is located, who has it, has it been reviewed, has it been signed? We need to approve electronic signatures. We need to be able to electronically track a document. My goodness UPS, FedEx and others can track packages, why can't we track our documents?	

AMERICAN OVERSIGHT

	I
1035	In addition to the aforementioned recommendations, EPA needs to focus on inreach and employee engagement as much as we do outreach. The Agency needs to make "Talent Management" a priority to improve efficiencies in areas including retention and knowledge management. Human resources is EPA's greatest asset and needs to be a priority...EPA's mission can not be accomplished without dedicated staff.
1036	
1037	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1038	1037	5/17/2017	Computer and on-line access - Single Sign-on should be just that. There are multiple on-line links needed to either perform your job or access administrative services. Each has a separate log-in with passwords expiring within different time frames. It is burdensome and not efficient. It would be preferable to have a more secure, robust initial log-in but then that's it - you're in.			Re-instate the "Superfund tax" Change the tax code to allow for remedy/Site cleanup costs to be deductible-written off. Currently the legal fees to fight cleanup can be deducted; make cleanup costs deductible then cleanup and environmental protections would be completed more quickly.	Give the Regions control of Superfund program Special Account money. Every year the Regions wait for HQs to move the money where it can be used. Every year. That 2-3 month lag is not efficient. It delays work and creates uncertainty for scheduling.	This is already being done. It is not a new concept. We already partner extensively with other federal agencies and states. This also needs support and money. Federal partner liaison programs' funding is being cut. The future is uncertain for state cooperative agreement funding.
1039	1038	5/17/2017	First, this seems ludicrous and presumptive coming from leadership that has not put one step forward to show they actually care about the mission of the Agency. How are any in the agency supposed to trust, or even want to support an entire leadership group who's aim is obviously to hand the mission of the Agency over to those most opposed to the Congressional intent that founded it? None in the leadership group coming in have taken any time to explore what has already been done over almost 10 years of downsizing and hard decisions to seek efficiencies. Second, all those past downsizing efforts, some really excellent in trimming redundancy and inefficiency, have taken a terrific toll on the Agency being able to perform at top form, or even keep up with current day technology. Ridiculous platitudes about more with less are idiotic and not helpful.	First, trust that EPA staff already do this very well. Second restore budgets for travel to the partners' home turf for face to face dialogue. Partnerships require trust. Almost all travel budgets have been severely cut and modern teleconferencing technology has taken the place of face to face meetings, except for the highest level of managers and leaders who believe only they can represent the Agency. Some of this has been effective. It is over used, and EPA has lost it's "this is my face, this is me, representing EPA as an ambassador" reputation and capacity. This is a very sad. The Agency's current untrustworthy incoming leadership state and work environment, growing exponentially every minute, is an impossible scenario to overcome. Better environmental results	See 2. above. The leadership needs to show it respects the work force and understands past years' efforts for economizing operations, how they have worked and have not worked.	One small example, legislatively required, is that the City Pairs travel contract can often lead to over costs in airline travel. This has never been something that has been effectively changed, yet staff usually can find more cost sensible (competitive) prices than the contract airlines. Overall, it has been explained that the Agency saves more by using this approach. It does not seem that way to non main hub destinations in regions with more rural makeup. Probably some significant savings if that requirement could be more flexible. Good luck.	Again, this survey has not chosen to understand what the Agency has done, been through, in the past decade to modernize, become more efficient, engage in automation and IT already. Given continued budget reductions, a setting of hostility toward the workforce and the Agency mission in a modern age (seriously, you take away the entire history of the Agency work on climate change and expect to have an ounce of credibility in the work force or the world!?), the past technology fixes seem close to having been competitive (or, at least that is what we are told every time a new software package like MS Outlook or people plus is rolled out). Were your predecessors exaggerating their accomplishments? Will	the best way to work most effectively with partners is to get out ahead of decision making processes early, talk often and share information as soon in any process as possible. I would put to you that the Agency does this very well in many ways. Just because one does not want to hear that the Agency is effective already, and that this results in rule making, or interactions that ae difficult for some sectors, does not mean the Agency is fatally flawed, as the current leadership has demonstrated it believes and is certain must change.

AMERICAN OVERSIGHT

	I
1038	
1039	One recommendation is to not roll out new systems, processes or procedures that are favored contracts from contacts with current leadership without extensive testing, vetting and proven results. The fix for everything seems to be IT innovation, but that innovation seems never fully tested, leaving the workforce to do the heavy lifting on living with inefficient systems, correcting system glitches over time, not having put the time and effort in up front prior to implementation. That mistake is about to be repeated given the presumptive leap of this survey. Please save us the grief and look before you leap, learn before you lead. You said you would.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1039	5/17/2017				Allow employees to work at home 5 days per week. Presently, the maximum allowed is 2. All the established benefits associated with work at home would be increased proportionally, and it create the additional benefit of allowing a reduction in the amount of office space that is necessary, thereby reducing operating cost, i.e., rent or (rent or buildings owned). This could be applied across government, not just EPA.		
1040								
	1040	5/17/2017	I work in enforcement. 1. Administrative requirements- There are too many databases that have to be populated, filling out the databases for a simple inspection where no follow-up action is taken could take 2 hours. There are national databases, region specific databases, branch specific databases, and program/sub-program specific databases. 2. Administrative/Management- There are very little standards of practice (SOP) in place, people are unsure what the processes are (administrative, enforcement, jurisdictional), and it makes everything debatable or questionable. Ten people do it ten different ways, no consistency. For instance, we should have a simple standard such that an inspection report will be sent out to the regulated entity after it is finalized so that the regulated party can begin to implement changes and EPA can talk with the state regarding	1. I have the utmost respect for my counterparts at the state, however, EPA management either do not trust the state or have power conflicts. 2. We all need to have clear lines of communication. Previous to Pruitt, I have never been encouraged to communicate with the states. I spent to much time last year trying to get involved with the states enforcement process, where a state wanted to pursue enforcement, because a power conflict between management at the State and EPA. This shouldn't happen, especially when a state is pursuing the issue. 3. I think we should be asking each state where they need assistance in implementing there program and should help in that way, in addition to overseeing and assisting in clear problem areas in the state in which there is	Customer service is not a priority to management at the lower levels. Prioritize it and set clear objectives and goals.	Standards of Practice Instead of working as "OneEPA" every branch or program are doing there own processes for workflow and file management. These things should be standardized at the national level.	1. Better file management, it would surprise you how much time staff level spends search records down for a magnitude of reasons. If you requested the all actions issued by the branch in the past 5 years it would probably take 3 months for headquarters to get the documents. It should be able to be done in quick pull from a proper system considering the state of technology.	Well I think we should be assisting the states more in areas they have problems in. More resources should be put toward communicating and working in partnership with the states. Same for other federal agencies, I would not even be able to tell you a point of contact for the other federal agencies that work on the same mission. That's a problem.
1041								

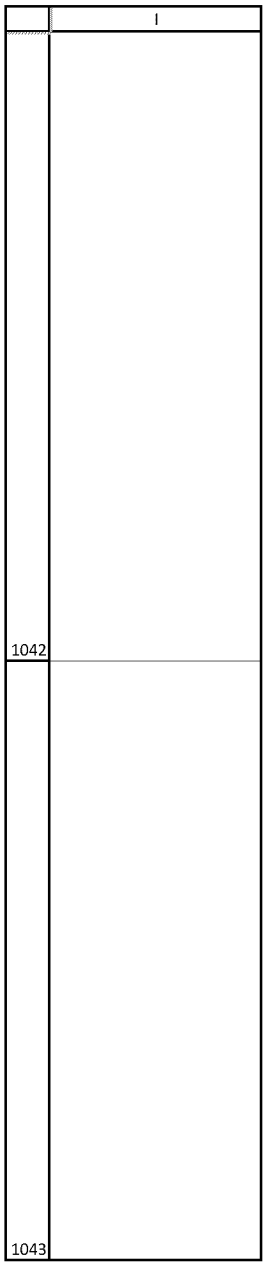
AMERICAN OVERSIGHT

	I
1040	Presently, if a budget is not all used, the next year's budget is reduced. This guarantees each person in charge of a budget will use all of it, so their budget will not be reduced the following year. There is no incentive to save money. Rather, the incentive is to spend it all (and ask for more). I don???t see my idea as a best practice implemented anywhere, but decades ago I first thought that if employees were given as a bonus in their paycheck, a percentage of the amount they reduced their budget, this would incentivize reducing cost at all levels of government. The logistics of actually getting this done would, of course, be challenging and time
1041	Yes, but, I am not going to voice them here. What I am going to voice is that management isn't always focused on management and that any of these best practices will have a hard time being implemented because resources are not put toward efficiencies and workers are not rewarded for improving efficiencies.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1042	1041	5/17/2017				Per the 2016 Civil Monetary Penalty Inflation Adjustment Rule and the Federal Civil Penalties Inflation Adjustment Act Improvement Act of 2015, our statutory penalty maximum amounts and guidance establishing appropriate penalty policy amounts are increased annually -- at a rate much faster than we typically receive updated penalty policies or matrices for each penalty policy guidance. This means that each case team has to expend a lot of time and energy trying to come up with complicated ways to account for the required inflation adjustment for each case. The fact that people all over the country are trying to come up with spreadsheets or to do manual calculations		
1043	1042	5/17/2017	Consolidate time-keeping systems and eliminate paper copies. Establish electronic concurrence processes for documents. Streamline and push delegations down to the lowest position possible.	Increase travel budgets to allow collaborative training, outreach, and compliance events at the Regional level (where the interaction occurs). Currently, state relations suffers from restrictive travel budgets. We are unable to train state staff and leverage their activities to provide compliance assistance. Staffing shortfalls prohibit the Regions from collaborating on other efforts as well, such as newsletters and webinars and staffing hotlines. All above are particularly impactful in rural areas where local and state resources and funding are more scarce. In these areas, web-based communications are not as effective or even always and option.	see 2	Headquarters and ORD are inflated. Staff and resources should be diverted to the regions where interaction with states, locals, and industry can be more effective.	see 1. Also, mobile device technology and applications are 10 years behind the private sector. OEI has largely been unresponsive. Mobile technologies for staff would increase access to industry for compliance assistance and collaborative opportunities with state and locals while reducing costs. Increase the use of outposts (even home-based work locations) to increase access to the public and industry while reducing costs.	outpost more to locations with state offices.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1044	1043	5/17/2017	First of all, it is challenging to respond to this and other questions without taking into account the President's proposed reduction in EPA's budget by 31%. This action, if carried out, would greatly dwarf any minor annoyances with administrative processes, management procedures, or other organizational processes., and would result in EPA being far less effective in achieving its mission of protecting human health and the environment. It would greatly reduce EPA's (and states') ability to implement the many environmental laws and programs that we currently implement, and would hamper EPA's ability to conduct analyses that protect the economy, the environment, and public health.	First of all, states, tribes, and local communities require financial assistance in order to function. Significantly reducing EPA's budget in areas that provide direct assistance to states and tribes -- for example, significant proposed cuts to the Public Water System Supervision Program -- would dramatically curtail the ability of states and others to protect drinking water. Partnering with states is not simply about ensuring flexibility in EPA's policies, but -- even more importantly -- it's about providing the resources that states need to do their jobs.	I believe EPA is already quite effective in these activities. EPA maintains strong relationships -- through EPA HQ and the Regions -- with states, tribes, local communities, the regulated community, and the public.	Generally speaking, no. Dramatic reductions in EPA's budget, as proposed, would significantly increase costs and inefficiencies as fewer (and less-qualified) EPA staff are required to continue to implement the statutory authorities with which EPA is tasked. This will result in cutting corners and reducing the quality of EPA's work, likely leading to increased litigation, poorer customer service, and dramatically reduced environmental protection	Yes -- there are a number of advanced monitoring technologies in the air and water areas that could greatly improve the ability for EPA, states, the regulated community, and others, to monitor environmental performance and assess compliance. However, researching and implementing these technologies requires investment by EPA and partners. Significant proposed reductions in EPA's budget for programs in the Office of Research and Development, Office of Environmental Information, and elsewhere, would dramatically decelerate EPA's transition toward these new technologies, and would result in exactly the opposite outcome than this question intends to create.	The E-Enterprise for the Environment model is a strong example of how EPA can partner effectively with states to pursue shared goals. I'd recommend this and similar work be continued. "Realignment" suggests that EPA and states are not currently working together effectively to implement environmental policies, a statement with which I disagree. "Realignment" should not mean abdicating a federal role -- particularly in areas of cross-border pollution such as the Chesapeake Bay -- as has been proposed. Moreover, "realignment" should not mean walking away from
1045	1044	5/17/2017	Lead: As specified in OLEM Directive 9200.2-167, dated December 22, 2016, regions must undergo a consultation with OSRTI regarding choice of the blood lead level of health concern and other parameters for all sites where lead is a chemical of potential concern. The OLEM Directive indicates that the Agency considers the blood lead level of concern to be between 2 and 5 ug/dL, based on sufficient evidence found by the National Toxicology Program at BLLs less than 5 ug/dL and in numerous studies examining BLLs between 2 - 8 ug/DL that are presented in the Integrated Science Assessment. Requiring each individual Superfund and RCRA site, including those without RODs, those needing removal actions, and those up for five-year reviews to undergo consultations is a very inefficient process with inconsistent approaches across the Agency. Additionally, it significantly adds to the workload of the regions, while slowing down the Superfund and RCRA programs. Instead, EPA HQ should issue	If we entrust states, tribes, or local communities with greater responsibilities, we should increase grants and funding to these parties.	We should strive for transparency, clear communication, and consistent approaches across our entire Agency to gain trust from stakeholders.	Biased parties should recuse themselves from peer review of toxicity values derived by the EPA. As an example, the military is responsible for gross contamination of our groundwater with chlorinated solvents. As primary stakeholders, the input they provide on the development of toxicity values used to estimate potential risks and ultimately derive cleanup values should be minimized. EPA headquarters should issue national direction on lead, as well as on PFOS/PFOA.		It is not in the best interest of the American public or ethical for partial (i.e., biased) stakeholders to significantly shape the development of EPA toxicity values. Such stakeholders, which includes other federal agencies, should recuse themselves.

AMERICAN OVERSIGHT

	I
1044	Cross-agency EPA Lean efforts have been quite successful in multiple areas toward improving efficiency, increasing accountability, and reducing costs. Many of these efforts have also involved collaborating with states and tribes toward achieving effective outcomes. It's important to note that efficiency efforts such as Lean require resources and management support to achieve. If staff are simultaneously managing significant reductions to the scope and budget of their programs (as has been proposed), it's exceptionally unlikely that these efforts will continue to result in successful outcomes.
1045	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1046	1045	5/17/2017	Basic requirements for correspondence are constantly changing. It would be a good practices to have quarterly updates to the Correspondence Manual and Processes. Whether it is with a Mass Mailer or meeting to facilitate these changes.	N/A	N/A	N/A	The use of mobile technology is key to be more efficient. Currently it takes a lot of "red tape" to be able to get mobile devices such as iPads. EPA employees have iPhones but they don't connect to EPA Intranet Sites to provide services. Being able to request one without the "red tape" would make efficiency improve. Also, being able to use Digital Signatures to sign documents would cut down on costs of printers, paper, etc.	N/A
1047	1046	5/17/2017	Nothing is preventing me from doing my job efficiently or effectively, however, with any process there are always ways to improve. In this light (i.e., to improve the process), a way to help streamline Superfund cleanup times would be eliminate PRP-lead sites and to have EPA employees complete the remedial investigations and supporting documents. potentially responsible parties (PRP)-lead sites are routinely bogged down in negotiations and stalling tactics which drastically slow down the investigations and response time. Of course, in order to accomplish this, additional staff levels and funding would be needed but the result of moving projects and cleanups in a more timely fashion would help the Agency achieve our core mission of protecting human health and the environment.	As indicated above, partnering with the private sector through PRP-lead investigations do not lead to better results. However, by having EPA employees perform the remedial investigations would increase the current partnering with states, tribes and local communities as staff would have more time to devote to listening to states, tribes and local communities instead of being tied up in tedious negations with potentially responsible parties.	EPA has a robust community involvement footprint and uses a variety of tools to reach stakeholders. Increasing social media outlets and promoting the science and achievements that EPA accomplishes everyday will aid the public at large, as well as states, tribes and local communities in understanding the work that EPA does, which in turn will help them provide EPA with feedback on how we can improve interactions. Improving customer service to the regulated community is a more difficult task as the regulated community needs to comply with regulations to ensure the protection of human health and the environment.	The biggest waste of resources I have observed in my 15+ years at EPA is the amount of time and money that is wasted by the regulated community trying to negotiate or stall in adhering to laws. It is not uncommon for the regulated community to attend a meeting with a roomful of people to argue about collecting a few more samples so that EPA can make a better scientific decision to protect human health and the environment, with the end result being that the regulated group spends more money in the meeting on salaries (for both themselves and EPA staff which bill hours to the project that is recovered from the regulated party) than they would save by just collecting the needed	Yes, there are always new technologies that can be adopted or modernized to make investigations and cleanups more effective and efficient. EPA's Office of Research and Development are a key factor in providing the necessary scientific research to identify and move the technologies forward for use by EPA staff, as well as states, tribes and the local community. Developing new technologies also helps to create jobs while fostering an improvement to human health and the environment.	Within the Superfund program, harmonizing the remedy with restoration activities, which are under the responsibility of NOAA and USFWS, would be a way to ensure that the environment is returned to a useful resources in a more timely manner. This could be accomplished by merging CERCLA with the NRDA authorities with a net result in reducing the sampling and analysis costs because only one set of data would be needed instead of two. This would reduce the cost incurred by the regulated community and result in a more timely cleanup, which benefits public health and the environment.

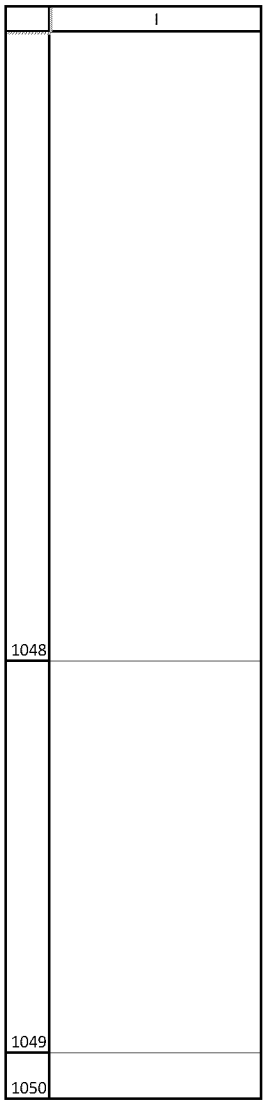
AMERICAN OVERSIGHT

	I
1046	N/A
1047	One best practice that would help speed up cleanups at Superfund sites would be to expand the flexibility of the Agency in using presumptive remedies. Currently, only specific types of sites, such as landfills, can proceed with a presumptive remedy, which means there are proven technologies that can be employed to address contamination at a landfill without conducting a full remedial investigation and feasibility study. By expanding the flexibility for EPA to use presumptive remedies for other categories of sites, such as contaminated sediment, the cost and time for identifying remedies to address polluted sites could be decreased, while achieving the core mission

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1048	1047	5/17/2017	1) Purchasing Limitation 1: We utilize the Mandatory GSA Advantage website for purchasing for our in-house stock room. When one logs into GSA Advantage and looks for one specific item, say an archivable 0.5 mm black ballpoint pen, you are instantly given hundreds of contract results for the same pen. Each option has a different "strategic buying" icon(s). We were told that out of all of those hundreds of options we are to us the one labeled "FSSI" Only! Reluctantly we chose that option and receive a pen that is 0.5mm, black and ballpoint but a subpar Skillcraft brand "similar" that is not Archivable! I read the language of the FSSI agreement and it allows the contractor to substitute, in order to save the government money, an equivalent lower cost item at their discretion. The problem here is that the Government paid the same price as list in the non-FSSI contract for a sub-par PEN! It's fine to have different buying options but it's ridiculous to have hundreds of different buying options just to tell us we can only	From my narrow perspective, I think the EPA does a fine job with this already.		Please see Q1. In general, the transition from Fewer feds to more Contractors and purchasing limitations/requirements/restrictions are making all scientists into Administration each year. Eventually, it will be hard to do any science at any of the labs.	Yes. Especially with IT and computer systems, but it seems our hands are tied up with the required contracts that are awarded to us from people that do not understand at all what it is we do in our lab.	
1049	1048	5/17/2017	Budget uncertainty is always an issue- while I understand that congress controls that timeline, it would be an advantage to have it sooner for planning with our NSSC. Or we could hire entry level scientist to provide a consistent workforce for research planning. Tying the leave system to the pay roll system. Once leave is approved it should automatically update our timecards.			More funding for replacing outdated equipment. newer equipment could reduce the sample volumes collected and transported, the run time on samples-being able to run more samples in less time, reduce reagent volume which saves in the cost of those reagents and disposal of the generated waste. Newer instruments may have less breakdowns-saving time in trouble shooting.	Increased use of crowd sourcing. New in situ instrumentation.	
1050	1049	5/17/2017					Prezi instead of powerpoint	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1051	1050	5/17/2017	Purchasing is a black hole of time. As the PO on an equipment purchase, it took 14 months to be awarded after the submission of the package to the EAS system. The National Student Services Contract has helped greatly.	EPA needs to partner better with these parties Right now, these interactions are like a big brother telling the little brother to do something. Using matching money concept, i.e., federal funds are matched by funds from state, local or other parties. Because everyone has something in the game, folks work better for a common goal.			I have no recommendations	I have no recommendations
1052	1051	5/18/2017		One of the biggest impacts that we could have is in utilizing our considerable scientific expertise to better inform and educate the public at the local community level about the established scientific facts around the hazards posed to human health and the economic costs to society of harmful chemical exposures and climate change. Scientific fact is not, and must never be allowed to be viewed as, simply a matter of opinion or policy. General scientific illiteracy poses a huge risk to the ability of local communities to make decisions in their own best interests, especially in an era of "alternative facts". EPA is in a position to explain in clear language the risks posed by various exposures and activities, and to demonstrate the science that underlies our understanding of those risks. EPA can partner with community colleges, school districts, and				

AMERICAN OVERSIGHT

	I
1051	I have no recommendations
1052	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1053	1052	5/18/2017	At this point, a significant hurdle to moving forward successfully with priority activities is the lack of senior management within the EPA and as a result, lack of direction on paths forward for critical work. This could be addressed by prioritizing the nomination of AAs for the relevant media office. Particularly useful nominees would have substantive knowledge in those media areas, as well as experience working in the government. Managing environmental obligations while providing opportunities for economic and other development is difficult and sometimes complex work that requires a balance of cost, benefits, and significant strategic analyses. Career staff can provide the information that support these analyses, but ultimately, decisions need to be made in a thoughtful and considered manner to enable forward progress. To the extent nominees for AA-ships are not available, I would recommend that political management take advantage of the knowledge and experience of career staff by seeking out	I have three recommendations for improvement in this area: 1. Moving to electronic systems for as many programs as possible -EPA has been slow to move towards electronic tracking and management systems for enforcement, permitting, compliance/monitoring, among other areas. -The slow pace of electronic transition has resulted in a patchwork of electronic programs as each media area "does what it can with what it has" to make due -Recommend a comprehensive overhaul of EPA's electronic systems to consolidate into as few systems as possible and move to electronic media for all submittals to EPA including all permits across all media -This will be a short term high resource investment which will likely ultimately improve EPA's efficiency overall and facilitate better	Communicate regularly - talk with all stakeholders and openly share information on regulatory, guidance, and other priorities/actions. Communications should occur at all levels of government from staff-to-staff to higher level. Collaborate frequently - collaboration is a level above simple communication. This is engaging with partners on workshops, webinars, meetings, and other more "hands on" opportunities to work together to achieve better environmental results Make good on commitments such as meeting statutory deadlines - follow through is important in any relationship. The EPA needs to be able to show that it can make good on its commitments to its partners.	High performing staff at EPA do not have enough upward mobility opportunities. The result is that a percentage of the highest performing staff will typically leave EPA before they are given advancement opportunities. Continued use of programs such as the SES candidate development program, SES/senior management trainings for GS14/15 high performing staff, FEI, and other similar ideas can provide incentive for the highest performing staff to stay at EPA. Staff should be given every opportunity to participate in high level briefings - even lower level/newer staff. This is how people learn. We should be building the EPA staff of tomorrow, today.	EPA is way behind in e-modernization for all our tracking and submittal systems, across all media programs. A wholesale upgrade and movement to e-permitting, e-submittal etc... would revolutionize the EPA and improve our efficiency, effectiveness, and accountability. See previous entry for more information.	There are many ways to do this and there's not nearly enough space here to talk through this. That being said, here are a handful of ideas: -IPAs with states - do exchanges between state and EPA personnel, and possibly other federal agencies where appropriate -Engage in regular meetings with states/other federal agencies -Offer within EPA details across different offices (OGC, OECA) as well as media offices so folks in air can experience how the water office works, for example -Have a strategic plan that aligns closely with statutory obligations and
1054	1053	5/18/2017	Training modules should be more tailored to our individual needs and responsibilities. ORD's matrix has increased the size of management while the overall research budget has been reduced. A slimmer more efficient managerial structure is badly needed.	More extensive processes need to be put in place to identify urgent research needs that are then fast tracked to appropriate federal laboratories. Quite the opposite occurs by which ORD does not have comprehensive research programs to tackle e.g. hydraulic fracturing or coal fly ash spills. There should also be a certain amount of freedom for federal scientists to follow their nose as they are the one's attending meetings and noting problems before that of the general public or administrative official.	There needs to be better communication about what the problems are and high level decision making that direct resources towards solving them. This needs to come as above base support else the base becomes eroded and dysfunctional.	We have world class laboratories that are woefully underfunded and understaffed because of progressive cuts in the Agency both from a fiscal and personnel standpoint. Having more flexibility to attract outside funding through IAGs, CRADAs etc that are a win-win needs to be more broadly encouraged and supported.	Documentation of Agency science (from conception to final product) relies on a smorgasbord of different computer programs that all require the same information but through a different portal. Having a better master program that all in the information goes into and gets collated would be superior and a great efficiency.	We should be able to apply for federal grants from other Agencies such as NSF and NIH. This would leverage our infrastructure and would create more bang for the buck for the taxpayer

AMERICAN OVERSIGHT

	I
1053	-Recognize high performing employees appropriately -Have equity in workplace standards (e.g., if the Agency can afford standing desks, everyone should have the opportunity to get one); everyone's office environment should be equally appropriate -Give st
1054	The pharma industry has project planning tools that are highly integrated and could be adopted.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1055	1054	5/18/2017	??? Budget process limits the ability to conduct long-term spending planning: Opportunities to improve the EPA-internal process to ensure resources get to program offices in a timely manner would reduce inefficiencies. ??? Lack of internal communication from Administrator???s and AA-Ship Offices: Initiate ???Town halls???/???All hands??? at the AA-ship level to share information. ??? Lack of political middle management poses challenges to efficiency and effectiveness. ??? Unclear procedures for document review, briefings, and decision-making: Streamline, communicate and follow a consistent protocol; delegate reviews at appropriate management levels. ??? IT Support limitations: o Lack of autonomy/ability to manage basic personal settings on computers vs. need for Administrator rights: Having ability to change basic (non-security) settings at a personal level (e.g., browser installation) would be supportive of efficiency/effectiveness	??? Provide attention and funding to underfunded programs. ??? Listen to states funding priorities and make funding decisions consistent with state/tribe/community needs. ??? Encourage State-Federal Employee details (i.e., IPA???s). ??? Ensure sufficient EPA staff to coordinate with State/Tribe/Community/Private Sector counterparts. ??? Address/support states in addressing interstate issues. ??? Engage/collaborate with broader-based external partners/organizations - recognizing the ???bigger picture??Â of EPA???s holistic Mission in addition to collaborating with local/media-driven organizations. ??? Enhance funding to external organizations that represent states. ??? Prioritize communication materials development for	??? Preserve funding for hotlines that serve the public (and others) and support user-friendly design that allows a caller to reach a person (rather than an e-message/menu). ??? Ensure sufficient program funding and staffing: People are needed to provide the services offered by the EPA. ??? Prioritize communication materials development for outreach by and to a variety of audiences (e.g., Harmful Algal Blooms group is developing template press releases) to reduce the burden on the stakeholders to develop materials themselves and to increase consistency in messaging of information. ??? Streamline, communicate and follow a consistent protocol regarding communication materials/document reviews; delegate reviews at appropriate management levels. ??? Provide training to support staff in differentiating between	??? EPA is already running at low cost/under budget ??? some programs have done so, historically. This contributes to inefficiency, ineffectiveness, reduction in environmental protections, and ultimately, a cost burden. ??? Budget process limits the ability to conduct long-term spending planning: Any opportunities to improve the EPA-internal process to ensure resources get to program offices in a timely manner would reduce inefficiencies. ??? Support budget decision-making/funding based on needs rather than historical amounts and reduce incentives to increase short-term spending to preserve long-term funding levels. ??? Ideas: o Charge permitting fees for	??? E-reporting would improve efficiency by circumventing the need for manually entering data. ??? E-permitting (e.g., electronic form or system that could be used for submissions by an owner/operator or permittee rather than relying pdf or hard copy documents) would make sharing information between operators/permittees and EPA more effective/efficient and would help with legacy record keeping. ??? Encourage and facilitate data sharing across programs, with internal and external entities. ??? More frequent updates of IT infrastructure: o Computers o Programs (e.g., Concur; Webforms; IGMS) o Broken printers	??? Recognize and continue existing strong partnerships with Federal and State agencies (e.g., Department of Energy; United States Geological Survey; Department of Agriculture; Source Water Collaborative). ??? Depoliticize interactions and scientific engagement occurring with Federal and State agencies and/or recognize the technical, scientific and non-political nature of much existing collaboration and engagement. ??? Encourage Federal partners to continue existing work that directly benefits or complements EPA programs (e.g.,
1056	1055	5/18/2017			Currently the Airline Drinking Water Rule (ADWR) is tightly controlled at the HQ level. Time and time again we see a dictation approach that excludes the regions and the regulated community in implementing the rule. We need a more collaborative approach with the regulated community and we need to be more responsive in making revisions to the ARCs tracking database that airlines use to input data into. In the regions we have encouraged collaboration in a variety of ways both between us and HQ and the regulated community. Legal has gotten involved when HQ interpretations of the regulations are off base. Just one example is where Airlines put planes in the desert until they need them. The current HQ interpretation is that they still fall under the rule since they are listed in their inventory but are also listed as inactive. They want five year self inspections on these aircraft and want us to issue violations. We are			

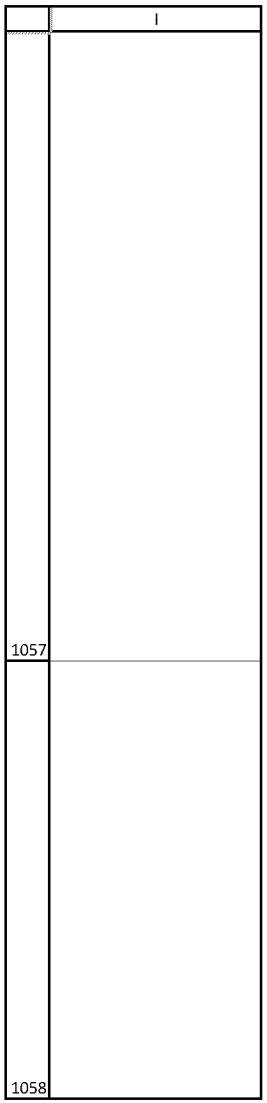
AMERICAN OVERSIGHT

	I
1055	??? Trust and invest in workforce. ??? Accountability/open communication from senior management. ??? E-reporting would: improve efficiency by circumventing the need for manually entering data and support the use of current technologies. ??? To support underfunded programs, charge permitting fees as is done in the states and in other Agency programs (e.g., Pesticides). This would require addressing the Miscellaneous Receipts Act restrictions but would support the regulated community as well as the program. ??? Programmatic/Transitional Shadowing to ensure transfer of institutional
1056	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1057	1056	5/18/2017	Problem 1: Management has been preventing our move to an electronic concurrence system. As a staff person, I am not privileged to know the true reason why; however, I have been here long enough to know that there is a political interest to keep using paper. Our paper concurrence system is one of the most inefficient parts of our internal administrative process. Solution 1: issue an Order that EPA move to an electronic concurrence system within 12 months, or justify in writing why moving to such a system is not feasible or economical. Problem 2: Once regulations are promulgated and implemented, any questions, issues, or concerns that arise are handled on a case-by-case basis at the regional level. There is no feedback loop to ensure that rules are improved over time and no sharing of information across regions. Solution 2: implement an process where issues pertaining to the implementation of existing regulation are recorded, shared, and potential solutions proposed.	We need better coordination. Specifically, we need a memorandum of understanding or agreement between EPA and each State to ensure that all activities are carried our consistently. It should be a requirement that EPA set up MOUs or MOAs with each State for all programs.	We need to be responsive and invert our "black hole" approach to customer service. I call it the "black hole" approach when customers reach out to EPA to either receive no response, or one that it is not helpful. Or, EPA may suck the customer into a seemingly endless bureaucratic process where it is unclear at the end if any benefit or solution was achieved.	Push for more State approved programs and delegations, especially for long existing rules (e.g. Underground Storage Tanks). If States do not have the necessary approval, EPA needs to understand why that is and what can be done for the State to achieve program approval. Once this is achieved, then EPA reverts to an oversight role; which requires substantially less resources than implementation.	Switch from a time based system to a performance based system. In a performance based system, a person who enters the office on-time and leaves on-time, but without accomplishing any work, would be penalized. Currently, it is not possible to penalize those who do not work if they enter and exit the building according to their scheduled hours. The process to do so is cumbersome (e.g. improvement plans) and ineffective.	There is no forum for communicating shared responsibilities and mutual interests across federal agencies, nor any requirement that I know of to do so... it is left upon the will of the administrators for each agency to seek such opportunities.
1058	1057	5/18/2017	The current Office of Policy has oversight over publication of all Federal Register Notices, even routine notices. This is a new requirement implemented by this incoming Administration. As a result, we are approaching a 6 MONTH DELAY in issuing ROUTINE FEDERAL REGISTER NOTICES. This will delay our review schedule significantly, and result in missed statutory deadlines, which could potentially place the Administrator in legal jeopardy. This could be easily addressed by allowing the program offices to do their jobs and conduct their own oversight of Federal Register Notices, as was done for many years.		The EPA website and existing blogs provide a wonderful tool for communicating with the public at large. EPA's press office and offices of congressional and intergovernmental affairs have existing tools for working with states, and EPA's tribal programs are among the most advanced in government. These should be utilized to provide customer service.	EPA has a nascent GreenSpark program that can be built upon.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1059	1058	5/18/2017	Not having attorney bar licenses being paid for. However, position requires an attorney to be in active and good standing with the bar. Having attorney bar licenses would allow for job to be done for efficiently and effectively.	More meetings with NGOs to explain the FOIA and eDiscovery process.	More local, state, and federal task force for handling eDiscovery.	Promotion of younger employees to senior management identifying key employees.	Increased paperless environment with the use of iPads and other table technology. Increased wifi at EPA campuses. Increased telework equipment such as additional monitors and docking stations to allow for more teleworking in a professional work like setting.	Conduct eDiscovery training to all of EPA attorneys and staff involved in litigation.
1060	1059	5/18/2017	We have a lot of data systems to use to manage the Agency's business side. For example, there's EAS for contracts which few people master, because it's so complicated. A couple more that I know of are COMPASS and Easy Lite. There's also a separate database for managing grants - IGMS. Then we have People Plus which has improved with time, but still could be streamlined. There's another system for managing controlled correspondence. And there are probably more I don't know about. None of these systems are straightforward. I think it entirely appropriate for someone to take a look at all of these and figure out how to make them more user friendly, maybe even merge some.					
1061	1060	5/18/2017	Processes for hiring take too long and are too cumbersome which means that the best qualified candidates are not available by the time hiring is allowed. Recommendation -- streamline Federal Hiring process. Administrative support organizations (OEI and OARM) are significantly understaffed which impacts the ability of all of EPA to get their work done. Recommendation -- dedicate resources to eliminate backlog in contracts and to help the Agency modernize IT.		Modernize our technology and systems to embrace digital collaboration and feedback.	Streamline basic business processes across the Agency. There is no need for each organization to define its own procedures for bankcards, grant management, etc.	Yes.	

AMERICAN OVERSIGHT

	I
1059	Conduct eDiscovery training to all of EPA attorneys and staff involved in litigation. Expand eDiscovery contract from 5 contractors to 30. Utilize and adopt predictive coding for eDiscovery. Adopt advanced analytics to give a more fuller picture of precase assessment for eDisocvery matters.
1060	
1061	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1062	1061	5/18/2017	Please let first line supervisors initiate termination of employees without explicit OGC approval. We should consult with OGC but not let them decide whether we can proceed and begin process. Please review every employees' grade level every 3-5 years. An employee should not retain a grade level if they are no longer doing work at that grade level. This is a widespread problem at the agency. I have never seen someone downgraded, nor can a supervisor request a desk audit of an employee.					
1063	1062	5/18/2017	I can't think of anything.	This isn't easy, but one possibility is extra efforts to hire people who have worked at state EPAs. I have worked at the state level, and you have a different perspective when you have worked there.	We just have to continue our outreach and make it part of our culture. Overall here at EPA, I think our staff is high quality (and improving!), but I don't think our managers are as good. My manager is very good, and his manager is good, but that is atypical here. I think our management needs better and more training. The transition from analyst to manager, which is typical here at EPA, is very hard. We need to train our managers to be better in all ways, especially in working with states, tribes, local communities, the regulated community, and the public at large. Extensive negotiation training for all managers would help accomplish these goals.	Better management would help. I think the SES should be better paid; right now many great managers stay as GS-15s because the pay is not worth the hassle and extra work involved in being an SES. Better management would greatly increase productivity.	Hard to say - it depends.	I don't think we can. I used to work on the state level and budgets in most states are extremely tight. Where I worked, over a period of years there had been a 25-30% reduction in personnel. This is typical of many states. EPA needs to maintain (or increase) its number of personnel to support states our shared environmental protection efforts.

AMERICAN OVERSIGHT

	I
1062	
1063	I think we should think very hard about how we recruit and train managers. Good analysts are not necessarily good managers, and many (if not most!) scientists and engineers don't have natural management and people skills. We should look very hard at different models in the private sector of companies that are engineering/science-heavy that have good management. ExxonMobil is very well-run, I think, although you'd have to heavily adapt whatever you found there because they are very conservative and we are liberal. Also, government is not a business. FERC might also be a good example; I think they are better-run than we are.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1064	1063	5/18/2017	Unfortunately, things under the new administration have not improved significantly with the passage of time. We are finding that our projects are not moving due to the organizational processes the new senior staff has put in place. It has become exceedingly difficult to publish FRNs, changes to web pages, etc., This was acceptable for the first several months, but we are now an entire semester into the school year....a freshman in high school or college has to finally learn to trust his teachers, advisors, tutors...to know they can be mentored and move things forward.	Request Administrator Pruitt to please publish his vision, talk with staff, have town hall meetings and explain his vision for EPA to staff. The staff will come on board. The staff and agency support collaboration with all of our stakeholders including INDUSTRY.	Hands on, customer service, allowing states primacy, leadership and the discretion to make their own decisions.	Hold employees accountable, set your expectations, make them clear, and hold employees accountable. Reduce printing of manuals, copies for public, etc., Reduce travel, waste, unnecessary expenses. Each office needs discretion, but encourage that within that discretion, they need to tighten their purse strings. Better support staff, allow technical experts and senior staff to focus on the science. There is a reason you utilize HR Block or a Tax Atty to do your taxes. They are the experts in that field. Treat the employees the same way. Encourage seasoned employees who have perhaps fallen victim to "this is the way we always do it" to retire to free up salaries	Instantaneous reporting and website transparency to the public.	Ask the States and other Federal Agencies what they need, then work on 1-2 priorities to meet those challenges.
1065	1064	5/18/2017	Political interference from senior Agency executives; discrediting scientific consensus, restricting scientific research and ignoring scientific evidence on the part of senior Agency executives; pursuit of an entirely political agenda on the part of senior Agency executives	Pursuing objective research, acknowledging scientific evidence, abandoning political agendas	Pursuing objective research, acknowledging scientific evidence, abandoning political agendas	Return to following and honoring scientific evidence, research and consensus		

AMERICAN OVERSIGHT

	I
1064	
1065	Following and honoring scientific evidence, research and consensus

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1066	1065	5/18/2017	Contracts Office is a mess; they need more people - who have expertise in contracting. They also need a lesson in Customer Service. The misinformation, slowness and general processes/procedures greatly impede getting work done using contractors...who really supplement our FTE a lot.	education of each of these groups about basic principles of government, e.g., Congress makes the laws, Executive implements them. Next, basic understanding of principles of particular regulations and SCIENCE (e.g., cant know what you don't know...there are limitations)	Same as Q2...service to tribes and local communities in particular really do not have very basic understanding of how things actually work.	Lots of security guards standing around chatting with one another; while ONE checks badges, etc. Mere presence of uniforms is not really a deterrent. Mandatory trainings are proliferating, for every little thing...is this really necessary, esp for things one doesn't even do?	Yes! Maybe it is insufficient resources or generally not having really good IT people, but EPA seems to have the "budget" version of all software...none of them work WELL, For Example, SharePoint has not really worked WELL at EPA. Then there are the multitude of "home grown" or stripped down versions of software for all the basic infrastructure (e.g., PeoplePlus - have never deployed the leave slips self-populating the timecard, FPPS-what a joke!, WebForms-incomplete, not everything there; only some are 'workflow" active; Concur has been broken for EVER re: proper codes and flags) NONE of these are integrated; NONE of them work WELL (crash prone, don't allow for basic flexibilities, etc.). the basic	Don't expect/direct TSCA to "take care of everything". Presumably, Congress had reasons for passing laws in addition to TSCA to take care of specific things...e.g., overlap with OSHA, other statutes that EPA implements, e.g., CAA, CWA, RCRA, etc.
1067	1066	5/18/2017	There is a lack of good mentors at EPA as there has been very little done to implement an official mentor/ mentee relationship (since I came on board there has been a talk about implementing senior fellow/ historian program which should have been there decades earlier), mainly due to managers not being experts in the field they evaluate, this is a serious problem which leads to huge frustration as you get evaluated by someone who doesn't understand your expertise and makes calls on your projects, which make little sense. Also there needs to be clear impartiality procedures as favoritism is a major deterrent to progress.	Trust building based on honesty with firm scientific evidence will convince everyone, it takes many years to change mind set, but faced with scientific evidence most of us come around.	Excellent,open, honest communication and major trust building is our responsibility as public servants.	We need clear scientific evidence based guidance and a common ground between scientists and policy makers to come to a middle ground while protecting human health and environment for our future generations, so a more unified approach to society with many town halls on this topic is essential. All stakeholders must be heard on all sides and then a clear voting process should be implemented from all sections of society to make an informed decision.	Absolutely, we as a office need to be aggressively implementing alternatives to animal testing, which we haven't done yet, while the other regulatory agencies around the world are already implementing and recommending alternatives to animal testing. This is imperative as we are already few years behind the world, throwing more money towards animal testing when there are very good scientifically sound alternatives which are available to choose from and make a sound regulatory decision.	We need more effective and open collaboration between NIH, FDA, NIOSH and other federal and state regulatory agencies through interagency bodies like ICCVAM or ECHVAM (European version) etc.. with partners from university and Industry and general public to be strongly involved in our decisions.

AMERICAN OVERSIGHT

	I
1066	
1067	OPP and OPPT have been collaborating with ICCVAM to understand and validate alternatives such as in vitro testing, which needs to become main stream to decrease use of animal testing in US, as it is now around in Europe. There is huge benefit when we use in vitro cells versus animals as they are about 1/10 cost of animal tests and we are also protecting other species with "live and let live moral policy".

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1068	1067	5/18/2017	My statutory (but non-regulatory) technical assistance program relies on being able to do outreach to the manufacturing and general business sectors. The Product Review process to create educational pieces for the public and others is cumbersome and lengthy, with many unknowns and no straightforward way to obtain answers. I'm in a regional office and our Product Review officer is often unable to get consistent and straightforward answers to questions from his HQ counterparts. There seem to be significant disconnects between the communications folks at HQ and the program offices at HQ with respect to appropriate templates, logos, style, and what content is subject to product review and what isn't. Documents submitted to the process are lost in a black hole. The process needs to be re-examined, streamlined and posted on the Intranet. Product Review officers need to be trained so they can assist program staff. Standard templates for EPA material need to be made available as well as FAQs for content preparers.	To EPA, "better environmental results" usually means measurable outcomes that meet some numeric threshold. This sounds good in theory but often results in tailoring the EPA program so that our programs (via grants, regulation, etc.) achieve numbers at the expense of developing meaningful partnerships. My program provides technical assistance to small and medium sized businesses that aren't able to make the changes in the required one-year time frame, but that doesn't mean the interaction and outreach isn't valuable. We just can't spend the time creating great partnerships when constantly pressured to produce numbers. My solution: give the regions and EPA programs a break on the numbers so we can get out in the field and develop the positive partnerships that will result in real environmental	Staff spend too much time in the office and not enough time in the field meeting with the entities listed above to create workable solutions. More travel money and more emphasis on providing customer service. Whatever you do, do not close regional offices. We serve a valuable role as a liaison between national initiatives and help tailor those to the unique needs of the stakeholders in our region.	I'd like to see the Pollution Prevention program (implemented as a result of the P2 Act) integrated with RCRA inspections. The P2 program requires EPA to provide technical assistance to businesses to prevent pollution from being created in the first place. Our work has shown that businesses save considerable money by implementing energy and water efficiency features, and reducing hazardous waste by replacing with less toxic chemicals and making process improvements. Unfortunately, it is viewed as a conflict for RCRA inspectors to work with manufacturers on implementing P2 practices. The P2 program operates separately from RCRA, which makes no sense.	I think EPA does a good job at keeping up with new computers and programs and providing training on new computer systems.	I don't see much overlap. The feds play a vital role in ensuring state and local politics don't remove key environmental protections with changes to state funding and elected officials. In the 27 years and three programs I've worked in, I thought we worked well with the states.
1069	1068	5/18/2017	Since we have smart cards, all accounts should be accessible via PINs. We should not have to remember so many passwords for all these accounts and constantly have to change them. In DoD, your smartcard allows you to log-in, once you pull it out, you have essentially locked your computer. We should use our smartcards this way to prevent leaving the building without them. Also, the amount of approval we need from our supervisors on every little administrative task is too much. Plus, most of this process isn't even electronic. It's inefficient and arduous just to change a CWS day off (for example). Processes should be more streamlined, electronic, and less burdensome to our supervisors.	It would be nice to be more in touch about upcoming laws/bills and providing input on such developments. I	Perhaps an automated message letting them know comments to the FR have been reviewed. I think acknowledging the public in particular that they have been heard will encourage them to continue connecting with us.	Yes. Less use of electricity in our buildings. Do we really need individual trash cans that have to be emptied every single day? And what is the deal with all the rolls of toilet paper being used to prop open the bathroom doors during cleanings? We could probably use less paper, email storage, and conference lines to save money. An Agency policy about the use of SharePoint might be helpful in improving efficiencies.	Yes! As mentioned above, PLEASE let us use our smartcard for all accounts and end the need for all these passwords that constantly need to change and are easy to forget. We need to maximize the value of SharePoint and improve version control.	We can ensure that there are fewer gaps in protecting human health and the environment. Including other agencies in our regulation plans/processes can provide additional perspective to help us meet needs more effectively.

AMERICAN OVERSIGHT

	I
1068	No
1069	As mentioned, DoD's use of the smartcard is ideal. EPA can certainly reduce the use of paper, simplify/streamline supervisor approval, and truly adopt an electronic process (for example, docusign).

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1070	1069	5/18/2017	My office relies heavily on review by internal committees. These committees can impede progress and slow the work of OPP. I recommend that existing review committees in OPP be reviewed for need and effectiveness. This is particularly true for conventional chemicals.	OPP is a very insular office in that it is located at HQ in Washington, DC. Staff rarely gets out to discuss pesticide health and safety issues with the public. Our main interactions outside of the office are with agricultural groups and interests. Although important the agriculture is not the only sector we should be establishing good external relationships. I recommend "town halls" with a variety of the public sector (state health officials, state departments of environment, farm groups, etc.) to assess their interests, and concerns with respect to pesticides.	OPP has poor relations with the environmental community and would benefit from efforts to reach out to the environmental NGOS to discuss issues before they lead to petitions and lawsuits. The environmental NGOs are representatives of the public at large.Currently, the National Pesticide reform Coalition (NPRC) which includes members from these NGOs meet with us only twice per year for an hour after our twice annual PPDC meetings for all pesticide stakeholders. I recommend more frequent interaction with these groups.	OPP is top heavy with management. Our office had 1000 staff in the early to mid 2000s. Since 2008, attrition has reduced our staff to 600 or fewer. However, management has not decreased accordingly. We still have too many top level managers (SES and their deputies). There are now almost 2 deputies for every division director in OPP. One is probably sufficient. Cost savings and efficiencies could be had by at a minimum reducing the number of Deputy Division Directors currently in place and putting them back into production work. This would also save on space as we consolidate as fewer deputies means fewer enclosed individual offices.	Electronic labeling is very important to more a effective, efficient, and accountable OPP. We license and label many hundreds of chemicals and thousands of products and keeping track of them and the many changes to labels has been shown to be difficult with paper filing systems. Electronic labeling technology is key to keeping our records current and accurate.	The Endangered Species Act (ESA) requires knowledge at a local level. OPP is centered in HQ WDC. Could their be a way to partner with the National Resource Conservation Service, growers, states, and local communities to minimize the impacts of pesticides on threatened and endangered plants, animal, and insects? This could reduce the burden that this difficult but important task places on the EPA and USFWS as they struggle to develop an effective approach to pesticide ESA consultation.
1071	1070	5/18/2017	Chain of approval and review for outreach communication and public databases is arduous and shows lack of trust between management and staff. Every circumstance may be different, but reducing the amount of review to lower levels would result in quicker completion of tasks. The practice of reactionary tasks with strict target dates because something is in the media does not always result in the most thought though outcome. If EPA were to increase their communication with the public on how decisions are being developed then it would show the progress in transparency.	Outreach and communication could be improved and increased in all offices.	When people call the EPA with a question they are routed around until they give up or 12 calls later reach the person they are need to talk to. This system could be greatly improved to increase the public confidence in the EPA.	Enhancing TSCA's ChemView would reduce costs for small businesses and industry that generally rely on consultants to inform them on what is known and how to comply with TSCA. It would be achievable and marketable to bring ChemView to its full potential in a reasonable timeline (2-3 years).	I would like to reiterate that ChemView is a great tool, but needs more resources (human, creative and financially) to achieve the ultimate vision. Also internal tracking systems for data submitted to the EPA is manually tracked, but with project turn around in an IT age this process could be vastly improved and made efficient.	Information, including CBI, sharing should be stream lined between states and other federal agencies (FDA, USDA, ect.) to increase the knowledge of chemicals in commerce.

AMERICAN OVERSIGHT

	I
1070	OPP's risk assessment approaches are considered very good by any standard and should be considered by other agency offices.
1071	EPA is the gold standard for chemical risk assessment because of its reliance on data. However, the strong evidence approach does slow things down. More resources should be allocated to increase the quantity of risk evaluations that the public deserve to have conducted.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1072	1071	5/18/2017	Biopesticides include a reduced data set for registration due to their inherit low toxicity. This is highly beneficial to small companies developing biopesticide products. For many of these companies an increase in data requirements is not financially feasible. Data requirements have been recently increased for toxicology, specially in the area of tolerance exemptions. Biochemical pesticides are subject to PRIA for registration. There is time constrain for review of applications. Review time is being increased due to increased scientific scrutiny and recent policies seeking to subject biopesticides to the same standards held for conventional pesticides with a toxic mode of action. Scientific reviews now have to go through a sequence of review committees outside of one branch or Division. Each branch should maintain its own policies and procedures to handle its own products efficiently. The idea of One EPA undermines efficiency within each Division by creating unnecessary bureaucratic hurdles that eventually	Industry is an important partner for pesticides. All will benefit greatly from the development of less expensive testing methods. For example, alternatives to animal and human testing are highly desirable. Industry should partner with academia and both should lead the effort in developing testing guidelines acceptable to the Agency. The Agency should not be in charge of developing its own testing guidelines or dictating testing methodologies, but reviewing and approving or adopting them, since this is not a scientific/hands-on-research institution but a regulatory Agency. The Agency should also seek to harmonize more and find more common ground with regulatory procedures for pesticide registration worldwide.	For pesticides, lower the cost of registration which translates in more affordable price for consumers. Facilitate and promote the development of safer insecticides and new technologies. Engage in more delegation to states, communication with, and input from industry and the public.	Partner with the private sector. Maintain the integrity of every branch and Division within the pesticides program. Reduce the layer of management within each Division, simplify the registration process and streamline data requirements to fit the characteristics of the products they represent.	One big problem is the routine meetings with the Human Study Review Board (HSRB or also called the Board)), which meet twice a year, for review and approval of study protocols and study reports of insect repellents tested on humans. Many mosquito repellents miss one year because they can synchronize field testing during mosquito season with HSRB meeting schedule. In order to avoid routine consultations with the Board for of the same type of studies and procedures, a standard operating procedure, approved by the HSRB, could be always followed for all testing and review by the Agency for ethics and science content. The Board should only be consulted with something is new but not on repetitive,	In some cases we need more collaboration with FDA. The rule should be revised to clarify jurisdiction of each Agency for products against human health pests, whose definition and function as pesticide & drug often overlap; i.e, lice products.
1073	1072	5/18/2017					We need IT support that views EPA employees as customers, not inmates. The lack of support for remote access and the general lack of competence is ridiculous. I'm a policy analyst: I shouldn't also have to be an IT expert in order to do my work.	

AMERICAN OVERSIGHT

	I
1072	For pesticides, work more like a private organization would in terms of pesticide registration. Reduce the layer of management within each Division. Maintain the integrity of each Division or Branch. Maintain the regulatory and science personnel working together in one branch or Division. Don't have separate regulatory and science branches or divisions. Partner with industry and academia for their input on science. Streamline and simplify data requirements; they should adhere to the nature/properties/characteristics of the chemicals within each branch or Division; Stereamline and simplify registrations process and steps (example, eliminate routine and repetitive joint reviews
1073	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1073	5/18/2017					Consistent use of Adobe Connect for meetings (e.g., All Staff). This will allow for 1) more effective participation of employees not physically present for the meeting (e.g., teleworking staff) and 2) recording of the meetings for future reference. For example, audio/video recordings of trainings/workshops can be posted on the Intranet for future re-viewing by employees who attended and/or viewing by employees who may not have been able to attend.	
1074								
	1074	5/18/2017	The HR process is broken. My Position Description (PD) hasn't been modified in 14 years. I do 15% of what the PD describes. The 85% balance is more complex, broader in scope, and requires more responsibility managing health and safety of others. With the attrition at EPA less people are doing more work and a broader variety of work. The need to shift focus more frequently has a significant cost in working efficiently.	Having an adequate budget for meeting the obligation under the various Statutes that the US EPA is responsible for administering. Having an annual budget at the beginning of the fiscal year so that we can give the states we work with answers to their question about grant amounts. Often their state budget relies on Federal funds passed through EPA. Continuing resolutions automatically create significant uncertainty at the state level for on going work.	Face time with our state, Tribal, local community and regulated communities. Physically located near enough to these groups to allow for personal interaction. Much like what EPA Region 10 does with state operation offices.	US EPA working directly with our State and Tribal partners sharing out strengths in Research and Development, our labs for analysis etc. But also recognizing and working with State and Tribal assets for monitoring and analysis. Sharing missions and the information we carefully obtain. Also, collaboration between federal partners on achieving common goals for protection of human health and the environment.	Electronic signature for Discharge monitoring reports (DMR). The ability to submit electronic DMRs	See above, we already do a lot of work together achieving a mutual interest and goal, but we have unique roles to play. They offer synergy in meeting our shared goals of protecting human health and the environment.
1075								

AMERICAN OVERSIGHT

	I
1074	
1075	We set as a goal at least bi-weekly calls with State program managers to share developments within EPA and learn of developments within the state or tribal program. The focus is media specific and is meant to keep our communication channels open and effective. We participate in 'inter-entity' meetings with State, Federal, Tribal representatives to talk about who is funding various infrastructure projects. It helps to prevent confusion and redundant funding. Great for efficiency, accountability, and cost reduction.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1076	1075	5/18/2017	1. HQ makes all of the funding decisions for grants, but the regional personnel provide all of the day to day project management to communities and states. More resources (funding and FTE) and authorities should be given to the regions who perform the work. 2, Administratively, the maxiflex and people plus system do not "talk" to each other such that time and attendance data needs to be submitted in twice in two identical but separate systems.	1. Provide more Brownfields 128(a) grants to states. The number of new tribes that are entering the program each year takes much needed funding from state agencies that cover large geographic areas and large populations. 2. Allow the regional offices more control over funding decisions for grants and contracts. The regional office are much more aware of which communities and programs are most in need of assistance and can use the funds most productively/efficiently.	Allow the regional offices more control over funding decisions for grants and contracts. The regional office are much more aware of which communities and programs are most in need of assistance and can use the funds most productively/efficiently.	Yes. Hire more scientists and engineers in the regional offices. All direct work with states and communities to protect human health occurs at the regional level. Reduce the number of managers. The employee to supervisor ration is very low and should be increased such that there are more employees reporting to less supervisors. Some sections have only 5-6 staff supervised by 1 person. 8-12 seems more reasonable. Encourage more sharing of federal vehicles and portable monitoring equipment.	Allow employees to receive and respond to emails on a smart phone. Currently, our EPA laptops are heavy and clunky and more work could be performed when commuting by train of we could respond to messages on our personal telephones.	The state agencies in Region 5 have experienced severe cuts. The regional staff is vital to assisting the states, where their programs have been decimated.
1077	1076	5/18/2017	I work in the **[REDACTED B6]** program, and this answer is very specific to that program: we spend an awful lot of our time chasing suspensions from our submitters - fifteen days is the standard, and it often happens that there are six, eight, ten suspensions sought during a review. Each may require several calls to set up, and enter into our software. It seems to me that we would save a lot of everyone's time by giving an automatic six month suspension to any submission which did not get immediate approval, and to put the onus on the submitter to request any extensions. My branch chief has noted that this is NOT what is contemplated by the statute, though!	I think chemical regulation is appropriately a national program.	My particular program **[REDACTED B6]** has a big information provision requirement, for letting people understand how to submit and whether they need to. I have a feeling that our web site could do more to enable people to get that information relative to their needing to call us. I think our web service is pretty good, but it seems to me it could be better.	We have a system, in **[REDACTED B6]**, under which approvals are chemical-specific. A result is that sometimes chemically and toxicologically indistinguishable materials face substantially different regulatory outcomes. Now that we have, under Lautenberg, and at least theoretical ability to walk back prior approvals which were not wise, it seems we might be able to establish regimes for clusters of near-identical materials, and not have to review each with great labor. Bio-fuels are an example, and the wishes of the Soap and Detergent people are worth thinking about.	I'm not at all up on new technologies, so not useful here. By the way, I don't feel any need to be anonymous here: I'm **[REDACTED B6]** and if anyone thinks my ideas are interesting I am happy to talk.	When I was at FDA, we contracted with State food and drug agencies to accomplish inspection, etc. for us. It seems like it would be worthwhile to look at FDA interactions with the States and see if we can use it as a model. Some countries have been using other countries' approval processes ('if approved in two OECD states, we can accept') - I doubt we want to go that far, but more careful look at what is approved in Europe, China, etc., might do us some good.

AMERICAN OVERSIGHT

	I
1076	Have a minimum retirement age and improve scientific integrity by only promoting scientists and engineers to oversee other scientists and engineers. All managers need better technical backgrounds.
1077	Not really

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1078	1077	5/18/2017	In ORD, the "matrix" is an unnecessary level of management that provides little added value to the work being conducted but adds significant time burdens to researchers and managers. As an example, many additional meetings are needed simply to communicate up the two different management chains (Labs/Centers/Organizations vs. National Research Programs). Additionally, there are conflicts in priorities between the two management chains, and individual staff have a difficult time navigating these issues. My recommendation would be to merge the two management chains and potentially reduce the number of people in these roles. There are many administrative burdens that could make EPA staff much more efficient. For example, (1) All training should be done through one website only (e.g., the EPA Skillport site), (2) IT systems should be integrated to the extent possible (e.g., financial databases,	My suggestion would be to make it easier to partner with states, tribes, local communities and the private sector. We do a lot of this already but it is often informal and falls under the radar. Find ways to make it easier to find partners within these sectors, share funding in both directions, and share information within EPA about the work. The Regional Applied Research Effort (RARE) program is a great way to fund timely work between EPA regions, EPA ORD and states, local communities, and tribes. This program brings local or state concerns to the attention of EPA researchers, and allows all parties to craft research efforts to investigate the problem in more detail and find workable solutions. This is a small program now, but additional funding could help enhance this great program!	It would be good to have some central points of contact so that when individual EPA staff are contacted they know who to forward the request to, someone who can make sure the request does not fall through the cracks. In my office, we get more requests than we can handle, but I am not sure if our managers up the chain are aware of this.	Yes, please see above comments.		
1079	1078	5/18/2017	As a scientist within ORD, there are multiple administrative burdens that are faced by myself and my colleagues that directly impact our ability to do science. We must enter record, and submit time; purchase equipment and supplies; serve as contracting officer representatives and project officers on contracts and agreements (reviewing and championing not only technical content, but administrative issues as well); conduct market surveys; etc. and so forth; before we can do our jobs as scientists. The administrative efficiencies that are supposedly in place only help to a slight degree, and that depends on the staff member(s) we encounter when we take on these "other duties as assigned." Administrative support in ORD does not "support" doing science. Administrative support "supports" doing administrative tasks (and then only minimally at times, again, depending on who you receive to assist with support). Scientists are still charged with getting the work done. The scientific and technical staff are held accountable. We must overcome the	If you want to increase engagement, interaction, and collaboration with States, Tribes, local communities, and the private sector, then let scientific and technical staff work with their counterparts within those entities. Too many times senior administrators/managers set up roadblocks and obstacles that prevent scientific and technical staff from working/collaborating with their counterparts (other scientific and technical staff) at the State, Tribal, local community, and private sector level. Senior administrators should spend more time determining how to overcome obstacles and tear down roadblocks, instead of building them.	Letting scientific and technical staff work directly with their States, Tribal, local community, regulated community counterparts, and the public at large, would be a big step in providing the customer service necessary to support our compatriots and these regulated entities. ORD has a technical support program (TSP) that was developed with the Office of Solid Waste and Emergency Response (OSWER; now the Office of Land and Emergency Management, OLEM) years ago. That program put scientific and technical staff in direct contact with Agency staff requiring the scientific support. It did wonders for supporting the Agency and getting the job done. Unfortunately, the program was only applied to the Superfund effort. It should have been provided to all Agency efforts. That way science would be provided directly to those who use it, directly to the decision makers. Too many times we are faced with	Bureaucracy! There are way to many levels of administration in the way of getting the job done, and getting the job done efficiently and effectively. Too many obstacles in the way of getting the job done; the job of providing sound science to the decision-makers. We need to streamline processes; from funding to administrative burdens. People use Superfund as an example. The Act, the premise, had merit, but the end goal was usurped by others (and I will stay off of my soapbox here), and it became a gold mine and delay tactic to some individuals, while those that were (are) directly impacted and needed (and still need) answers received only limited attention and limited funding. We must	We need to think outside the box in order to address this question. We need to evaluate technologies and strategies developed to address other situations and see what can be applied to resolve the environmental problem(s) at hand. The use of granulated carbon and nanomaterial technologies in certain fields will likely become important remediation technologies in the future. Developing flux-based site management approaches should be seen as inventive ideas and not overlooked by those that favor a more "black and white" concentration based management strategy. Again, thinking outside of the box, developing or adopting novel approaches will likely be key to solving future environmental issues that	Easily. I've talked incessantly about administrative burdens that scientific and technical staff are faced with. These administrative burdens and roadblocks can be obstacles to the success of a particular approach or strategy. We need to minimize the administrative burden on scientific and technical staff (perhaps by pooling limited resources of state and federal agencies and addressing administrative burdens with those individuals wanting to work on that problem) and, in turn, provide support to the scientific and technical staff wanting to address the issue and provide

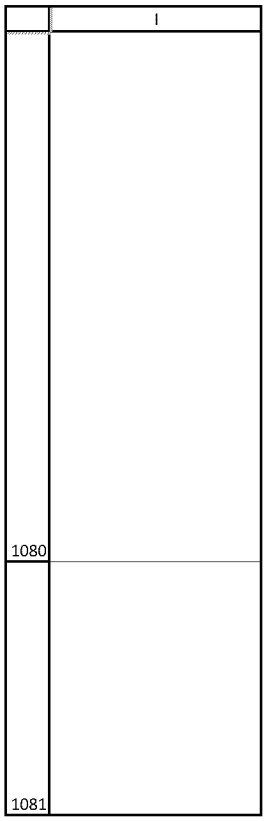
AMERICAN OVERSIGHT

	I
1078	
1079	I will need to think about this question more fully, and look at practices across my local organization and then office-wide, and determine what could be adopted more corporately across the Agency to improve our efficiency, increase accountability, and reduce costs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1080	1079	5/18/2017	The entire Agency should comply with the 2011 Correspondence Manual - no exceptions - not even for the Administrator or the Regional Administrators. This would save a LOT of time and effort spent on stupid correspondence issues that could instead be used for work that matters. Also, all organizations could become more efficient if supervisors were matched to their units based on knowledge of the program and personal management strengths. I have a supervisor that not only doesn't know or understand my section's program, she is a terrible fit because her education, experience and skills are in an area totally unsuited and unrelated to the one I'm working in. In the end she wastes a ton of time with when the employees could work better without her.					
1081	1080	5/18/2017	In FIFRA (pesticides) we are required to publish in the FR a "Notice of receipt" when the Agency receives a petition for a new active ingredient or new use of an active ingredient. This action require a 30 day comment period. I would suggest moving this activity to the website and removing the 30 day comment period. Reduces costs and burden to staff in OPP and FRC. .					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1082	1081	5/18/2017	Insufficient funding	EPA has an excellent record of partnering with states, local communities, tribes, and the private sector; with many opportunities for such interactions. Reduced funding prevents exploiting the many additional opportunities available.	More emphasis on educating the regulated community as to why regulations are necessary, and the long-term economic and quality-of-life benefits these regulations (which are based on the best science in the world) provide to society. Also, better education of the regulated community of the long-term negative economic consequences of maximizing short-term economic gain at the expense of the environment. In the long term, damaging the environment is very costly - this has been proven over and over again. Take Superfund, for example: billions of dollars have been spent to clean up environmental messes caused by industries that wanted to maximize short-tern economic gains and resisted regulations to protect the environment. Those short-term economic gains were insignificant in many cases to the clean-up costs incurred later. States, tribes, local communities, and the majority of the	Not really. It is na??ve to think this is the first time EPA has considered improving it's efficiency. Only those unfamiliar with the Agency are unaware that improving efficiency and reducing costs while trying to address the increasing demands for adequate environmental protection due to population growth and industrial expansion has been a long-standing goal. The last several years have required that more be done with fewer resources, so increased efficiency has been an absolute top priority of the Agency.	Not that I am aware of. EPA has a long-standing history of utilizing the latest state-of-the-art technology to address environmental problems, and has been very progressive in adopting processes from the business community that have been shown to improve efficiency. As a Federal agency that is constantly under public scrutiny, transparency and accountability are much greater than for the private sector, and extreme efforts have been made to continue to improve these factors when possible.	One of the major impediments to maximizing cross-agency and Federal-to-state interaction and cooperation is the notion that each agency or entity must limit their scope of activity to a narrow interpretation of what is explicitly required under the laws that pertain to that agency. For example, the EPA regulates pesticides, and the USFWS regulates endangered species, but there is a high degree of commonality and interaction between these two areas. A more "big-picture" view that would allow consideration of areas that indirectly (but substantially) have a bearing on the core
1083	1082	5/18/2017	Have a better records management training process that holds ongoing events or have activities reminding folks how and what to mark as records so we aren't stuck filing paper or email records for several hours upon leaving the agency. Have better cross training/succession planning and knowledge transfer of employees' work (via different avenues like short video interviews, employee panels or round tables, white papers on key things they want to share or that they've learned, SharePoint sites or informal lunch n learns, who have historic and valuable knowledge and experiences to share with others before they leave the agency.	First of all, don't let politics get in the way of us doing our jobs and doing them well. Everyone deserves clean air, water and land and should not bare disproportionate negative environmental health impacts because of the denial of global warming or climate change. Whatever one believes is the cause, different abnormal things are happening- more droughts, more floods, more insect diseases like lyme disease from ticks, more negative impacts on water from pesticides that are harming bees and monarchs and other animals in the oceans, and more poor people who are negatively impacted from them - Hurricane Katrina, droughts in the west, and other examples. Support more resources for trust-building, community-based, consensus, facilitation and partnership trainings focusing on better more effective and efficient ways to get	Again, support more resources for community-based,consensus, facilitation and partnership trainings or meetings or job shadowings etc. focusing on better more effective and efficient ways to meet our different customers' needs by investing in areas like conflict prevention and resolution training, alternative dispute resolution, appreciative Inquiry, along with cultural competence and social equity, and train not only more EPA staff, but also invite states, scientists, tribes and local communities and the private sector (like they do on the National Environmental Justice Advisory Council) to attend and build capacity in rural and urban communities to better understand different points of view and how to listen, leading to better customer service that reaches mutually beneficial human health and environmental results, which will in turn help build stronger relationships, safer and more	Create better on the ground marketing of successes and benefits of EPA program campaigns via the regional offices, and bring back grant workshops and the Community Involvement Training that was cancelled, and do a better job marketing benefits of voluntary programs like Pollution Prevention, Trash Free Waters, Reducing food waste, Energy Star or Grant programs like Environmental justice, urban waters, brownfields or environmental education grants with nonprofits, schools, foundations and local business and industry and other organizations, and continue to keep educating youth as well as new immigrants about environmental health risks and also how to save money	Yes teach more employees how to better use the One Drive and organize their files and schedules so they aren't wasting time looking for files or having 10-15 different versions of the same document floating around. Have better streamlined intranets with calendars of major activities or meetings going on to avoid double booking and improve the quality of internal communication. Have better communication from Headquarters on upcoming travel to regions so we are aware of and can consult on visits from the Administrator or others and are in the loop vs. left out and/or blindsided by the media.	Have better leadership investment in partnerships and MOAs and funding and resource sharing amongst different federal agencies. Devote more staff at EPA and other fed. agencies to Smart Growth, Environmental Justice, Conflict Prevention and Resolution, Community based work, and sustainable communities work like contracts and grants and technical assistance to both rural and urban communities of all backgrounds. Get the Corps of Engineers to be more involved and sensitive to tribal treaties and rights and cultures and support more climate and environmental and

AMERICAN OVERSIGHT

	I
1082	None that I am aware of.
1083	Yes. There are several excellent examples of EPA, states and community partnership projects that are part of the LEAN/Kaizen "Process Excellence" work which is what Region 7 calls it that would be wonderful examples of showing how they came together to define cumbersome processes and make them more efficient and effective, along with Conflict prevention and resolution examples of using appreciative inquiry approaches in low income and minority communities and reaching mutually beneficial outcomes, such as Proctor Creek in Georgia and Hinckson Creek in Missouri.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1084	1083	5/18/2017		Better environmental results can be achieved by partnering with States and Tribes for EPA funded projects that require reviews under the National Historic Preservation Act, Section 106 Consultation. This law obligates EPA to consult with the State Historic Preservation Officers and the Tribal Historic Preservations Officers and, the Advisory Council for Historic Preservation as necessary. EPA should enter into Programmatic Agreements under NHPA Regulations, 36 CFR 800.14 with SHPOs and THPOs and the ACHP for nationwide application in three EPA grant programs including the (1) Safe Drinking Water Act State Revolving Fund, (2) the Brownfields Assessment/Targeted Cleanups grant program and (3) the CWA Section 319 Non-Point Source Grant Program (but not SRF funding). Such PAs would assure the ACHP that EPA is meeting its	See answer to Q.2. It is equally valid to say this would provide better customer service.	See answer to Q2. It would cost a little up front to negotiate the three PAs, but it would save significant resources in long-run and many projects would not get bogged down with EPA because state/tribe would do the project and the NHPA consultation, which is a much for efficient use of everyone's resources.		
1085	1084	5/18/2017	In the last 8 years or so, one of the biggest barriers at EPA has been the ridiculously poor and ineffective Information Technology (IT) systems/services, networks, applications, patches, IT band-aides, pushes, both computer hardware and poorly designed software/applications that we're forced to use. I could write a book on this subject; yet, I won't!!! EPA's OEI management, operations, OEI's contracts and IT systems ALL need immediate oversight and investigation. There's no doubt BILLIONS of dollars have been wasted in the past 8 years since EPA's IT contracting went external to the lowest bidder!!! EPA's IT systems are beyond cumbersome; 25-40% of staff time is now wasted in limbo trying to use antiquated hardware and software. applications that don't work or respond. Come on EPA, NASA had the IT technology to put a man in space 50 years ago! For instance, having our EPA ID serve as our computer "smart card" for network entry has been one the worst ideas ever conceived and then	REWARD WHAT YOU WANT! All staff that is permanently hired by EPA should have served in the private sector for at least 3-5 years before joining EPA. This should be a requirement for nearly all professional positions! Unfortunately, in some ranks at EPA, there is a type of "white hat" mentality or arrogance that overcomes them: "We're the good guys and anyone from industry is untrustworthy or dirty."	Make EPA managers/staff listen, engage and talk to real people instead of farming out these responsibilities to external contractors. This needs to happen on a daily basis not just 2-3 times a year. Make EPA's upper management go to public meetings and set there for many hours and/or days to listen and respond. I've seen too many EPA managers/staff who want to remain/hide behind their desks/keyboards, avoiding getting out so they can remain in their comfy offices/jobs that require little extra time/effort.	EPA has had a long history of hiring young people directly from the Peace Corp (lacking any private sector experience.) While these are nice folks, they lack real-world perspective and tangible achievements. There's a hiring loophole that permits EPA to hire Peace Corp volunteers directly without advertising the position and/or without open & fair competition. This practice has led EPA to filling its ranks becoming lop-sided with returning Peace Corp volunteers. This practice should be discontinued. Another poor hiring practice of EPA's is that too often professional and management positions are listed without requiring a college education! Yes, you read that correctly! For instance, I've personally	Much like the Obama-care website fiasco, EPA's IT services (+ website) are horrible! While I am not the IT expert to recommend the latest + greatest emerging "IT Best Practices", yet, I do know when something is wasteful, cumbersome and not working nor communicating properly! Pease bring in some real-world tech gurus to dismantle EPA's OEI network and tangled web of IT gobbledygook that we've been forced to endure! BETA TEST ALL EPA applications and websites BEFORE launching them!!! Integrate the systems and databases. Get RID of OLD databases and applications (i.e.Forms and Skillport) EPA's online training is some of the worst ever conceived or launched; it's	This is tough because no one wants to identify genuine redundancies nor cut their budget--it risks their careers/jobs. You'll never get a straight answer from some offices/people. Yet there's so much redundancy across all levels it's nonsensical. Reward "Lean Machines". Engage Universities MBA/Masters candidates or industry assn. (i.e. IEEE) teams to solve and evaluate government programs as case studies or thesis. Create public forums that evaluate government programs and puts them on display--like TED Talks and/or a "Shark Tank" panel. Establish "Blue Ribbon" cross-sectional

AMERICAN OVERSIGHT

	I
1084	
1085	Firstly, 360 evaluations of all managers need to be mandatory! It's too easy for management to spin slanted/positive tales out of total messes. Some folk need to be re-assigned and/or re-evaluated by external unbiased peers and/or review committees. EPA's management is often too risk adverse and usually prefers ONE viewpoint at the table. The government must set up a different value/reward/incentive system for its managers/staff. SAVING MONEY needs to rewarded instead of spending/dumping all the funds by September 30. It must be easier to offload unproductive dead weight (not popular to say out loud). There should be a 3-year probationary period

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1086	1085	5/19/2017	The awarding and management of grants could be streamlined and made more efficient. Many of the requirements are related to the Federal Grant and Cooperative Agreement Act of 1977, but it seems that there are processes within EPA???s grants policies that lead to inefficiencies in grants competition and grants management. EPA???s grants management and competition processes should go through the Lean process to identify inefficiencies and redundancies. Current practices make it difficult for applicants that are new to federal grants to have a shot at getting an award. Additionally, from a grants management perspective, EPA???s electronic records systems to not meet the threshold for records retention so we have to still rely on paper files. OGD started an e-records project but it seems to have stopped.	EPA needs to build upon our excellent relationship with state and stakeholder organizations ??? ECOS, NACAA, AAPCA, ASTSWMO, API, AWEA, Edison Electric Institute, AWWA, etc. EPA???s various media offices already have strong relationships with these and many other stakeholders, whom we engage with whenever we make major policy decisions. The current administration would be well served to listen to the voices of ALL states. EPA could do a better job of coordinating efforts with states and local on compliance assistance and enforcement. Eliminating OECA would completely run counter to EPA???s ability to accomplish this and cooperative federalism. Also, it???s doing things like this that undercut EPA???s ability to effectively work with stakeholders to accomplish our shared responsibilities of	We need to improve our websites and do a better job of telling the story of the continued importance of protecting human health and the environment. We need to share our data on our website, unless it is proven inaccurate or false. This includes maintaining our world-renowned climate change websites and data. When there is strong consensus in the scientific community that global warming is happening and it is influenced by human activity, it sends a false message to the American public and international community when EPA removes these websites. Ignoring climate change is dangerous to the coastal communities that are already feeling the impacts of climate change (and others impacted by more severe storms/droughts), and it puts American workers at a disadvantage economically when we ignore the rapidly growing renewable fuels industry (over 370,000 people employed in solar energy compared	EPA should continue to utilize Lean to identify inefficiencies and to seek process improvements, https://www.epa.gov/lean. I think this would be highly beneficial to the regions, who tend to be operating with less but can be more important in our interactions with states and communities. Also, reviewing our regulations periodically to identify inefficiencies, while ensuring they are legally sound and protective of human health/environment, will be beneficial. EPA does need to do a better job of this when introducing new regulations. However, an arbitrary removal of 2 regulations for every 1 new one is not helpful to the American public. This also will likely hinder economic growth by	I think EPA could take more advantage of mobile technology; especially if there is a way to improve our network capabilities without sacrificing security. I find that when I???m not directly connected to EPA???s network (i.e., at my EPA desk), it can be extremely slow to access various EPA networks, which can make it less efficient to work from home even though nearly all of my work is through the computer.	I think it comes down to communication, especially when it relates to enforcement or compliance assistance. We have strong partnerships with states and their various organizations, but the one thing they tell us time after time is, ???no surprises.??Â Most states appreciate what we do and rely on us, but it undercuts this relationship when they are not consulted on EPA actions. I think EPA already does a solid job of working with federal agencies where we have shared responsibilities (such as with DOE and DOT on fuel efficiency standards; NOAA and USGS on the Chesapeake Bay; etc.). I think the
1087	1086	5/19/2017	Just to much management and micromanagement. Do we really need all of these deputy positions, especially within the regions.	No opinion	No opinion	Get rid of unnecessary internal programs reduce other internal programs. These are programs such as internal communication, best places to work, process improvement (which in most cases produces nothing). Reduce the laboratory cost by reducing the number of laboratories to possibly a few strategically places labs. Could also look into partnering with other agencies for shared labs.	Further expand the use of O365 in eliminating the need for Shared Drives such as the F and H	Reduce the laboratory cost by reducing the number of laboratories to possibly a few strategically places labs. Could also look into partnering with other agencies for shared labs.
1088	1087	5/19/2017	-Most of my duties require concurrences, which are all paper-based. Perhaps concurrence packages including signatures could be processed electronically? This could be done via a sharepoint site, where the person requesting the concurrence posts the docum		-Sharing of contacts between EPA and State partners for various outreach activities (State primacy?)?	-See suggestions made under Q1. Reduce costs and inefficiencies by doing more business electronically, using available tools, like sharepoint.	-See suggestions made under Q1.	-Align with CDC/dept. of health/local extension offices/Dept. of Housing and Urban Development on bed bug issues?

AMERICAN OVERSIGHT

	I
1086	Again, take this opportunity to understand EPA???s Lean Practices, https://www.epa.gov/lean. Senior leadership should also reach out to the agencies that are typically at the top of the Employee Viewpoint Survey ??? NASA, GAO, FERC ??? and learn from them. Also, thank you for this opportunity to provide our ideas to the new leadership - there are a lot of brilliant minds at EPA and hopefully this is beneficial to you.
1087	No opinion
1088	-Ability to make scanned PDF documents searchable and ability to extract information from PDF files (use of Optical Character Recognition software, Adobe Pro). -Voice messages going directly to email as voicemail and text. -Use electronic notebook (a

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1089	1088	5/19/2017	CaseMap. CID-HQ purchased licenses for a database program called CaseMap. It is a LexisNexis product that was developed for attorneys (not agents). CID management pushed this program onto the field staff and required that it be used to justify the $70,000 (approximate cost) price tag. The first reason given was that the US Attorney's office used it and wanted our cases in that format. The US Attorney's Office does not use CaseMap. The program is very cumbersome and not user-friendly, and the cost way exceeds any advantage used to justify the needless expenditure of funds we desperately need to run our organization.	There are not enough State/Local/Tribal criminal investigators to do the work CID does. The "ramp up" time to get the State/Local partners to the point they could begin to investigate environmental crimes would be measured in years. And, there are State/Local partners who don't have the money or desire to investigate environmental crimes. They are too busy chasing pedophiles, murders and drug dealers to deal with these types of crimes. In an ideal world they would, but simply don't have the time or resources.	We do a good job now.	Yes. EPA-OCEFT has a section called Professional Integrity and Quality Assurance (PIQA). That group has a GS-15 Special Agent in Charge and at least three agents at the GS-14 pay grade. I believe OPM requires a GS-15 to supervise more than three subordinates in order to justify a GS-15 pay grade. And EPA has an Office of Inspector General (OIG) that does the same job so why are we paying a GS-15 ($160K) and three GS-14s ($145K each) to do a job we already have covered with the IG? That is a huge waste of precious resources. Move the PIQA SAC to the field along with the agents so they can investigate environmental crimes or put them on Administrator's Pruitt's protective detail that	Move the CID agents into to "domicile" status at their homes and shut down the expensive office space we lease. The agents can take a tax break for a home office and EPA can cut millions in lease dollars spent. CID has been made to downsize the vehicles and in most areas that need 4x4 vehicles, can't get them. Law enforcement can not be accomplished in an electric Smart car. A slightly better vehicle could be achieved with home offices.	
1090	1089	5/19/2017	EPA's IT infrastructure is so old that tasks take much longer than they should. I believe that OEI's position of decentralized management is both more expensive than a centralized IT operation, and inefficient as a management procedure. Decentralization is inefficient and lazy.	Centralize all IT operations.	Provide an infrastructure powerful enough to support putting all services in the cloud, and before OEI disagrees arbitrarily, wall Ethernet ports are still CAT-5. CAT-5 was really good...in the 1990's.	EPA should stop all funding to in-house software, and move to SaaS for everything.	SaaS, modernized infrastructure that can support the move to cloud (it doesn't yet), find a solution that can replace the antiquated idea that network drives are a good idea - perhaps a DM system.	Partner with other agencies for a service desk that isn't terrible. EZTech is the absolute worst helpdesk on earth. Clearly their only metric is how many tickets they close, and how fast. Service is secondary or tertiary to actually solving problems. Basic IT language is beyond their comprehension.

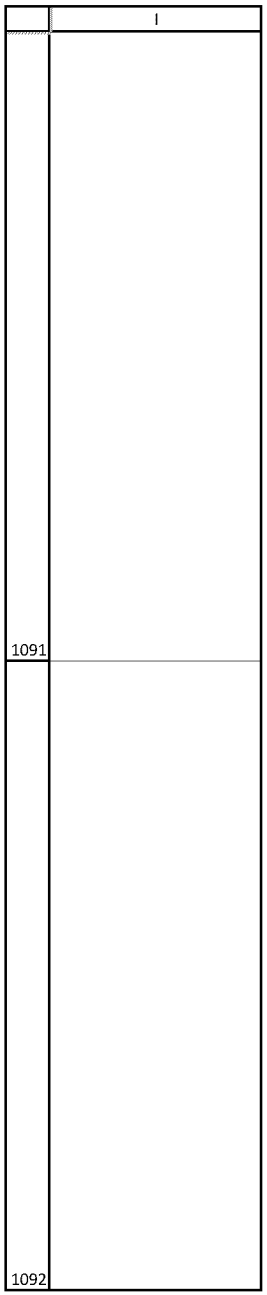
AMERICAN OVERSIGHT

	I
1089	
1090	A higher bandwidth network that doesn't get overburdened in the afternoon is a start. Poorly constructed in-house software is the next thing to be replaced. The only reason people like the software that's been created in-house is that they've only known the terrible software developed in-house. Stop being afraid to spend money on replacing the awful infrastructure and software currently in place.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1091	1090	5/19/2017	The OCFO systems governance process is a significant roadblock in the ability to work efficiently and address issues timely. The process has too many layers (ex. FRB, Stakeholder meetings, rankings, etc.) that impede the progress of getting work completed. In the past we were able to work directly with staff to address OCFO system issues generally within a few days and the overly bureaucratic process in place now can take a month for one of the groups to review and discuss an issue. The process needs to be addressed and only items that are of significant cost or time to address should be put through the governance process and operational issues that can be resolved with FTE in place should be moved forward immediately.					Efficiencies could be gained by consolidating administrative functions across the agency. For example, OCFO and OARM could be consolidated into one organization and would serve as the administrative arm of the agency. There are several functions that overlap between the two regarding financial controls, contracts, human resources, etc. In additional, all IT functions could be consolidated within OEI. For example, OARM has Information Resources Management Divisions (IRMD) in RTP, Cincinnati and HQ that perform IT functions that are already provided by OEI. Also, OCFO maintains an
1092	1091	5/19/2017				There are plenty of opportunities to reduce inefficiencies at EPA. Some of them would include automatic timing to shut off non-essential lights at the end of each workday and over weekends. Many lights stay on overnight and likely add up to significant costs over a typical year. There can also be significant workspace reduction done, especially at headquarters. This could include desk sharing (especially relevant for those who telework 2-3 days each week), reduced workspace areas allocated per individual, more open workspace designs, etc. For a range of options developed by GSA see https://www.gsa.gov/graphics/pbs/Innovative_Workplaces-508_R2OD26_0Z5RDZ-i34K-pR.pdf		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1093	1092	5/19/2017					I am sending this message in full seriousness. Can we please equip the garbage cans (those pushed around by cleaning staff) with soft, air-filled rubber wheels that don't pollute the hallways and offices with extremely loud rattling? This often results in moments in meetings where a speaker cannot be heard, and those calling-in lose touch from the meeting. I'm sure there are many others that would support this change to alleviate this daily annoyance.	
1094	1093	5/19/2017	1. The way PeoplePlus is used currently requires a lot of unnecessary re-work. We have to submit our time early, typically 2-3 days before the end of the pay period, requiring us to forecast our hours for the next 2-3 days. If we end up sick in that time frame or decide to take annual leave, the timesheet will have to be revised the following week, which requires the employee and timekeeper to interact with PeoplePlus again. In the private sector you do not submit your hours worked until after you have actually worked them! Why are we doing this? This shouldn't be allowed! 2.ORD uses matrix management which includes multiple layers of management intersecting at various levels making it very confusing. The private sector tried matrix management years ago and abandoned it. Yet ORD adopted it 5 years ago or so. Ask any one rank and file employee how it works and no one will be able to describe it. Please get rid of this management approach adopt a simpler management framework. New			More cooperation and sharing of resources is needed for the ORD laboratories. Each one has unique capabilities which should be made available across the labs. To do this they all need a common framework to allow for "customers" (scientists across ORD) to access these capabilities. For example, one lab may have capabilities to analyze for stable isotopes that others don't have. This lab should behave like a commercial lab for others across ORD. Very little of this is being done.	We tend to lag in technology and supporting software. We are still using Windows 7 and IE11. IE11 has a hard time opening documents on line. As such many of us switched to Google, which will now be rolled out to all us. Thanks! Video conferencing with the Tandberg system usually has technical difficulties with poor video and most always poor audio. I don't know if it's due to the users or the system itself but it needs to be addressed	

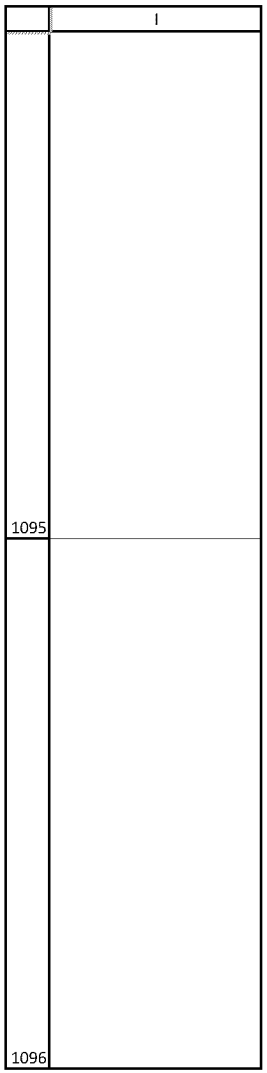
AMERICAN OVERSIGHT

	I
1093	
1094	Management in more progressive and successful organizations understand that failure is acceptable at a certain level, along with the successes. ORD management does not understand this. ORD management seems to operate out of fear and protection of their jobs. Our management seems more focused on good PR than good science. Science involves risk taking! Let ORD do this!!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1095	1094	5/19/2017	To many layers of management. Three, four and more at times to get something approved or to do your job. Need to streamline and get to a better manager / employee ratio. Process Improvement - Any suggestion, recommendation, or improvements have to go through a formal process that is very limiting and the process is streamlined or changed so that it isn't the originators request but that of a managers. To much customization and redundancy between and within the Regions, Offices, and labs because of lack of Agency wide centralization of things like Travel, HR, Training, Delegations, Record Management practices.	Get private sector more involved.	Modernize the way we do business. It takes EPA way to long to get up to speed technologically. By the time we improve a process it is outdated.	Better, faster, more efficient use of O365, SharePoint, and other IT tools. People that want to change career fields are limited and not allowed because it isn't what management wants them to do. Management has no Work Force analysis and focus on what we need for the future and not plan to move people from old jobs to new jobs / careers that are need.	O365 / SharePoint - Start using what we pay for and stop wasting money.	Centralize things that we do the same (travel, training, HR, ...) Make it easier to move between Departments / Agencies to meet the change in work from one Department to another. If one Departments work picks up and one goes down it should be easy to shift people from one to the other without having to hire more people.
1096	1095	5/19/2017		When EPA gets rid of old computers and printers we currently send them to an electronics recycler. However, this equipment very often still works and should be either sold to the public or sent to Environmental Agencies in other countries. In Region 5, Chicago back in the early 1990s we you to ship our old computers to the environmental agency in Lithuania. ISB says that its hard to wipe hard drives clean and reinstall software, but there has to be a way to do this efficiently so that working computers are sold or reused instead of being scrapped.	When EPA gets rid of old computers and printers we currently send them to an electronics recycler. However, this equipment very often still works and should be either sold to the public or sent to Environmental Agencies in other countries. In Region 5, Chicago back in the early 1990s we you to ship our old computers to the environmental agency in Lithuania. ISB says that its hard to wipe hard drives clean and reinstall software, but there has to be a way to do this efficiently so that working computers are sold or reused instead of being scrapped.	When EPA gets rid of old computers and printers we currently send them to an electronics recycler. However, this equipment very often still works and should be either sold to the public or sent to Environmental Agencies in other countries. In Region 5, Chicago back in the early 1990s we you to ship our old computers to the environmental agency in Lithuania. ISB says that its hard to wipe hard drives clean and reinstall software, but there has to be a way to do this efficiently so that working computers are sold or reused instead of being scrapped.		

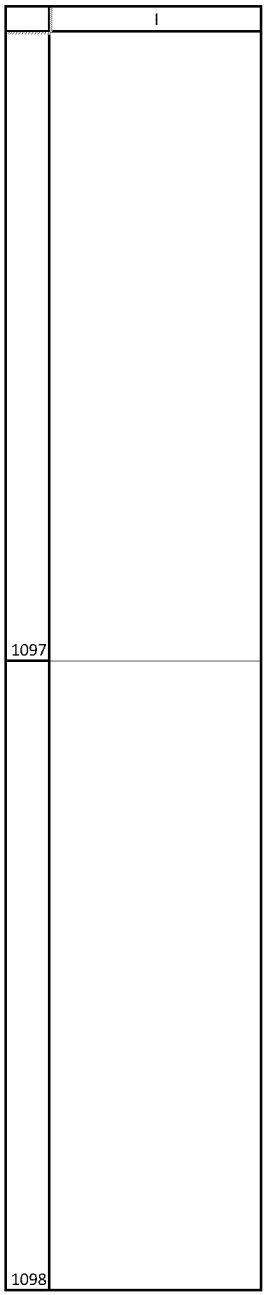
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1097	1096	5/19/2017					The agency should undertake a systematic analysis of all of its business processes with the goal of streamlining them by converting them to all electronic processes. Right now there seems to be only ad hoc efforts going on in various offices, with little or no coordination. Which processes should be prioritized (reduction of paper, impact on regulated community, need to share, long-term or permanent records, high profile, etc.)? Then representatives of every impacted EPA office should participate, not just HQ, because every perspective is important in devising processes and systems that work for everyone, and if the process has an external component, outside constituents should also be involved. EPA should	
1098	1097	5/19/2017	There are many "community based programs" created under the last administration. It is unclear where they are going so that is creating confusion and wasted time. Some programs are changing their names to rebrand the same work. Decisions need to be made is these programs will continue as there are FTE, grants and contracts tied to the work. Examples include - making a visible difference communities, CREAT, Strong Cities/Strong Communities program, "livability" programs, "sustainability" programs, etc.			The Water Infrastructure and Resiliency Finance Center is an unnecessary overlay of work already being performed by States and other parts of EPA. It is unnecessary spending on FTE, grants, contracts and travel. https://www.epa.gov/waterfinancecenter The Finance center was created under the previous Administration as part of the Build American Initiative. Staff was reorganized to do this taking away FTE from core mission. The work they do is duplicative of state and core EPA program work creating confusion and duplication of efforts. This includes: Environmental Finance Centers - give grant $ to set up 10 centers across the country. These groups have		When it comes to finding water infrastructure, the requirements are different then other federal agencies creating additional red tape and slowing down projects. For ex. EPA funds for water infrastructure and then DOT funds for the roads and sidewalks. Often times communities use multiple funding sources to do construction. There are too many and too many different requirements which causes delays. Why can't their be better alignment of federal infrastructure funding?

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1099	1098	5/19/2017	Political appointees ignoring peer reviewed science is HORRIFIC. I would fire them and replace them with someone who cares about the environment and human health and not stuffing their own pockets with money.	More funds dedicated for collaboration on children's environmental health issues. NOT removing the clean power plan. Aggressive climate change policies. no DENIAL of science.	Fully staffed EPA, with at 16,000 employees. Cutting FTE will only reduce EPA's ability to reach our constituents	FIRE POLITICAL APPOINTEES that clearly do not care about human health and the environment.	When an EPA employee has to travel, let them use the internet to buy a ticket. It is much cheaper to have a change fee than a fully refundable ticket.	FOCUS ON CLIMATE CHANGE.
1100	1099	5/19/2017	Roles and expectations for various parties within each program are not appropriately defined and focused on the work at hand. Non-technical managers trying to manage workload and highly technical staff blunder about and actually hinder the progress of work to be done. Another example involves legal counsel not merely providing counsel on their review of technical deliverables, but instead, staff lawyers spend way too much time rewriting each aspect of a technical letter (not legal documents) so that the technical points are lost in communication and the deliverable is seriously behind schedule.	Nationally, we want to provide expertise for our state partners, while assisting them in conducting their work! Partnerships are so important in terms of value added and that is the key for shared goals between partners. Companies want a level playing field and consistency across state boundaries, and that can be achieved when EPA offers and States/Tribes/Local communities accept the assistance of EPA with our partnership in mind (on both sides, we must identify and acknowledge common ground - and win/win scenarios).	Workshare agreements have worked in the past to help communicate roles, expectations, and objectives for each party. It seems these instruments are no longer used in some programs and communications have stalled at higher levels of management.	Yes - but each program office should explore options from the ground up to best identify current changes you ask about.	Yes - we live in a computer age and yet EPA is behind everyone in terms of electronic structure to replace traditional paper filing. Tools we have just been given recently are limited in options for use and in fact already outdated by the time staff learn how to use them. Updates to regulations for e-reporting were on the verge of improving things, but have been on hold since December due to the change in administration.	Believe we already do this to a great extent with our states, so not sure here about realigning.
1101	1100	5/19/2017	(a) EPA has created Confidential Business Information (CBI) regulations and internal policies which greatly exceed the statutory protections Congress provided in the Trade Secrets Act and prevent efficient sharing of investigative information with federal law enforcement colleagues. EPA???s CBI regulations should be revised to allow for information-sharing with other federal and state law enforcement organizations, so long as appropriate practices are in place to ensure confidentiality. (b) EPA does not efficiently and effectively perform mission support functions such as the provision of IT tools and services, contracting, and personnel actions (across the board, from hiring to discipline/firing). I have two general suggestions to address these problems. First, the relevant offices should be adequately staffed and structured so that they can perform their required functions. (More front-line staff and fewer layers of	Our partnerships with states include the delegation of authority to conduct a great deal of the nation???s pollution control work, along with continued federal oversight and enforcement to ensure that national environmental standards established by Congress and implementing EPA regulations are not diluted or disregarded. Each year for the past decade, EPA???s Inspector General has included among the major management challenges facing EPA the ???Need to Improve Oversight of States, Territories, and Tribes Authorized to Accomplish Environmental Goals.??Â In my view, EPA often falls short in this regard because it is unwilling to communicate frankly and publically about the challenges that states face. I would address this problem by finding new ways to communicate	My first idea is to reverse the order of that list of stakeholders: per our statutory directives from Congress, EPA is charged with protecting human health and the environment; ???the public at large??Â should therefore be the primary beneficiary of EPA???s work, rather than the last in line. Second, I would recognize the limited applicability of the concept of ???customer service??Â ??? a private sector/commercial concept ??? to improving the effectiveness of a federal executive branch agency charged by Congress with establishing and ensuring compliance with pollution control requirements. That said, each of those referenced constituencies is critically important to EPA???s work. My overall suggestion is that EPA continually strive to improve its standard-setting and compliance/enforcement work, aiming for thoroughness, expeditious	Yes ??? see response to following question.	Yes. On the technology front, accelerating the move to electronic reporting by regulated entities will save the regulated community money and allow EPA to more quickly and thoroughly evaluate self-reported pollution data. On the process front, as the recent OIG report on 2017 EPA Management Challenges observed (as it has every year for the past decade or more), the EPA ???needs to improve its workload analysis to accomplish its mission efficiently and effectively.??Â In addition to conducting workload analysis that would allow more strategic decision making about the allocation of scarce resources, EPA could also be more accountable to the public and to our state partners if	As referenced in the answer to question 2, I would suggest that EPA attempt to accomplish more where we share responsibilities with states by increasing frank and public communication about the challenges that states face. For example, every state has at least one delegated or authorized federal pollution control program and therefore faces the need to address intentional (i.e. criminal) violations of those laws. But although every state has environmental regulators, relatively few have environmental crime fighters. In fact, most states

AMERICAN OVERSIGHT

	I
1099	Use peer reviewed science to make policy decisions.
1100	
1101	Yes. Our organization has a centralized case management system that allows investigators and attorneys to create and house work product and other documents in a location that satisfies federal recordkeeping requirements, organizes material for subsequent use in prosecution, allows field managers to review and approve documents and actions, and allows headquarters management to monitor and evaluate individual cases and the overall docket. EPA has never created a similar system for the (much larger amount of) civil enforcement work conducted by OECA personnel in the Regions and at Headquarters. Though this would require

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1102	1101	5/19/2017	Management directives that would require the agency to change it's position on a particular point of law should be vetted thoroughly with EPA's Office of General Counsel, OECA and our partners at Department of Justice to avoid unnecessary disruption in ongoing enforcement actions and litigation. Proposed changed in policy going forward (what the law or regulations should be) should be clearly distinguished from the current state of law that we must currently enforce (what the law is).	EPA should support delegated state environmental programs to the maximum extent it can, while also recognizing EPA's important role in ensuring that a national baseline of environmental and human health protection as envisioned in our federal environmental law framework is achieved. When state programs struggle from limited financial, technical or legal capabilities, EPA must serve as a backstop to ensure adequate and appropriate responses to environmental disasters and instances of non-compliance. For example, many states do not have sufficient resources or legal authority to adequately investigate and prosecute the most egregious, criminal violations of our environmental laws. EPA's Office of Criminal Enforcement, Forensics and Training, along with their partners at the Department of Justice and U.S. Attorney	The agency's website should continue to be a clear and transparent way for the public to understand the scientific and legal basis for the wide variety of environmental topics that EPA administers.	EPA has been operating on a very lean budget with no significant increases for nearly a decade. While some additional opportunities for increased efficiencies may be identified, it is difficult to see how we can cut much more and still maintain environmental protection for all Americans.	One technology issue that could make a big difference in day-to-day productivity is providing EPA employees with the ability to securely access their government e-mail accounts form a personally owned smartphone device. Currently, access to e-mail is only available from a government owned laptop or smartphone, or a personally owned PC. Very few EPA employees are provided with government owned smartphones. EPA employees in the field without a government owned smartphone are often in places where it is inconvenient or impossible to use a laptop or PC. It seems that other federal agencies have found ways to allow secure access to government e-mail accounts	
1103	1102	5/19/2017	First of all, I would like to say thank you for this opportunity. While many people may not respond to this for fear of it not being anonymous (and anyways ??? depending on responses ??? writing style and context provided in answers can often identify someone even if anonymous was the sincere intent) and many people may choose this as a forum to vent all sorts of gripes ??? I am choosing to take your actions simply at face value. I am glad that you are seeking feedback from all employees ??? because our management culture I think often will just choose to tell you what they think you want to here and also quite frankly is not often in touch with issues in their own organizations. I cannot remember the last time EPA did 360 feedback on managers or whether it ever has. I have worked at EPA for a little over 10 years and have an MBA from a top school. I have also worked in a variety of positions in the non-profit and private sectors. I have worked all sides of the	Well, I think first we need to decide what results we want to see. Or maybe really what results we want to focus on. I know that regulations govern to some degree our priorities and resources limit our abilities to achieve everything we might like to achieve in a finite timeframe. But surely, e.g., we can find 1-2 things every year beyond the routine must do???s that we can all agree to focus on to drive to a higher level of results. I can???t speak to all state government cultures, but in my own office we seem to lack ability to focus. If you try to achieve 10 major efforts all at once with a staff of 2 and next to no funds, you are likely bound to fail. I think we have a real internal management problem where to do lists are developed but then thrown to the wind / forgotten. Or - EPA may write strategies that	While I think individual pockets can be helpful in their own right, you can???t improve customer service across the board and you certainly can???t build off that or track your results without a system. The Agency recently bought Salesforce ??? the number one CRM platform. I don???t know what better platform to deliver customer service across the board from. I have implemented in my own program and had amazing results. An internal enterprise Salesforce system would also help with my comments under Item 1 ??? with getting better answers to internal questions. However, too, see comment 4. I think before we go charging into serving ??? we may first need to fix out processes through efforts such as LEAN.	I think greater implementation of LEAN throughout the Agency would be great. However, see my comments under #2 ??? you don???t want someone LEANing a process who can???t think a process through. Unfortunately, I think we have way too many staff who just know how to push paper rather than want to or care to ask if they can???t do something better. I am not necessarily implying that they are not intelligent ??? I am saying you get what you pay for. And I don???t necessarily fault someone for just wanting to come to work, do what they???re told and go home. Heck ??? on my own accord I worked uncompensated overtime for 3 years to LEAN my program ??? while	I think we are already pursuing a lot of them ??? shared services, LEAN, etc. We just need to do more. I am heartened by the recent acquisition of several cloud service providers, which could hugely benefit our work internally and with our partners. EPA unfortunately has a tendency of poor IT implementations for those services that are inwardly focused (reiterating comment above ??? people are put in charge without the proper skill set; management doesn???t know the difference). Inwardly focused IT implementations would do much better if they sought feedback from / involved in their development actual EPA users.	I???m not actually sure if we have any one group just focused on service across the board with our partners / potential partners. We I think ping them all separately ??? i.e., we have OW, OAR, etc. all working separately with the state of X ??? but no one group maybe trying to work with the state of X at a high level to identify concerns / cross-cutting issues, etc. I think maybe ECOS kind of serves in this capacity I guess for the states. But I still wonder if something more might be helpful. It would be a near impossible job to accomplish, though, unless say we were tracking at least at some high level in a customer

AMERICAN OVERSIGHT

	I
1102	The LEAN program has been a very useful in streamlining agency processes, particularly in laboratory organizations.
1103	Salesforce. We need a wider implementation of Salesforce like that pursued at USDA and FDA.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1104	1103	5/19/2017	Centralization of certain functions both outside of a Region (or within a Region, but outside of a Division) have removed people with first hand knowledge of personnel needs (such as hiring or travel) to a distant employee who may not answer telephone or email. While in most instances such organization works fine, in certain instances, it removes accountability to the requestor. It wastes productive time as there is a greater need (and more steps) to find out the status of a request.	States, tribes, and local communities already provide assistance to EPA, but will not be able to assist in achieving better environmental results until they have more resources. In programs I am familiar with, the private sector actively works to problem solve and find cheaper and equally appropriate outcomes. Relationships with most are fine; for those who do not care about the environment, closer coordination will not result in a better environmental result.	More employees to interact with these communities. Employees are addressing statutory requirements and are stretched thin.	Personally, I think there are too many people in HQ who do not deal directly with constituencies. In most instances, direct interaction with other levels of governments, the regulated community and other stake holders occur at the Region. However, I will admit that I may not understand what the needs are that resulted in creation of their jobs.	See answer to 7 below.	I am not aware of any.
1105	1104	5/19/2017		We need more peer reviewed studies to identify potential advancements that are based in science. In addition, I think that program evaluations to identify what is working and what is not would be beneficial to the organization. Finally, we should use evidence in budget decisions.				
1106	1105	5/19/2017				In the Contractor Laboratory Program (CLP), matrix spike (MS) and matrix spike duplicates (MSD) are performed per sample delivery group, on PCB and pesticides organic laboratory analysis. This is very costly, and MS/MSD quality control is not cost effective. MS/MSD has ben eliminated on all other organic analysis but PCB and pesticides, and should be eliminated for PCB and pesticides. Field duplicates analysis for CLP organic and inorganic analysis should be eliminated. Field duplicate samples are a GREAT expense, and little benefit since the data is not qualified due to Field duplicate analysis.		

AMERICAN OVERSIGHT

	I
1104	There should be a focus on records retention and records management. Many other agencies are far in advance of EPA on this and electronic collection of documents for FOIAs and litigation.
1105	
1106	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1107	1106	5/19/2017				In the Contractor Laboratory Program (CLP), matrix spike (MS) and matrix spike duplicates (MSD) are performed per sample delivery group, on PCB and pesticides organic laboratory analysis. This is very costly, and MS/MSD quality control is not cost effective. MS/MSD has ben eliminated on all other organic analysis but PCB and pesticides, and should be eliminated for PCB and pesticides. Field duplicates analysis for CLP organic and inorganic analysis should be eliminated. Field duplicate samples are a GREAT expense, and little benefit since the data is not qualified due to Field duplicate analysis.		
1108	1107	5/19/2017	There is way too much mandatory annual administrative training. Such training should be required once for new employees, with refreshers at five- or ten-year intervals only. Accreditation procedures should apply only to regulatory activities, not to screening-level projects.	We should be able to provide reasonable technical assistance to all governments who request it, regardless of the level of advocacy from EPA program offices. Our travel budget should be increased to enable this assistance.	Increase our travel budget so that we can spend more time on the ground out among our stakeholders.	Prohibit contractual components in state grant programs.	We need to continue to push the envelope on remote sensing, real-time data acquisition, and GIS modeling to better target our efforts at environmental compliance assistance.	We should increase our emphasis on technical assistance to geographic programs such as the National Estuary Program.
1109	1108	5/19/2017	I object to requirements that we as EPA staff must get approval from headquarters before making public statements. Such requirements are burdensome and unnecessary and undermine the Agency's commitment to transparency. EPA has always prioritized communication with stakeholders -- members of the public, members of the regulated community, state & local governments. Requiring HQ clearance for too many categories of communications will censor the Agency and interfere with the public's understanding of what we do.	We need to maintain funding for EPA programs that support development of legal infrastructure at the state and tribal levels, so that those entities can effectively enforce and implement the federal environmental laws entrusted to them. EPA must be able to maintain its oversight of programs delegated to the states, so that the private sector is certain of national consistency.	EPA needs to improve its transparency and communication with stakeholders and the wider public, so everyone better understands what EPA is doing, the bases for EPA action (peer-reviewed science and the rule of law), and the implications of those actions. In particular, EPA should do a better job of communicating the economic and public health benefits of our regulations, which have been proven by peer-reviewed studies.	Strengthening EPA's enforcement work would increase compliance and therefore reduce costs, to the Agency, the private sector, and the public: non-compliance by industry leads to increased costs responding to accident and releases.	EPA is often overwhelmed by document reviews necessitated by FOIA requests and discovery processes in litigation. If our IT resources and records management practices were updated to be more effective and efficient, we would be in a much better position to respond quickly and with a minimum of Agency resource.	

AMERICAN OVERSIGHT

	I
1107	
1108	Real-time water quality data acquisition and web-based serving of this data to the public on a geographic basis.
1109	I am not personally aware of best practices but feel certain that we could learn a great deal from the records and data management practices of large law firms and major corporations.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1110	1109	5/19/2017				The Administration should consider revising Executive Order 12372--Intergovernmental review of Federal programs and OMB???s Common Rule implementing the Order to foster a more cost-effective means of providing elected state and local officials with opportunities to consult with EPA and other agencies on Federal financial assistance programs. EPA???s regulations adopting the common rule are at 40 CFR Part 29. The burdens imposed on the public by these regulations could be substantially reduced by eliminating unnecessary requirements and authorizing the use of modern technology. One of the key components of the intergovernmental		We should consider implementing terms and conditions more consistently across the Federal government. For example, indirect costs (IDCs) may be handled differently by each Federal agency, and it is enough of a difficult topic that it could be difficult for recipients to comply with managing their IDCs one way.
1111	1110	5/19/2017	OECA's No Action Assurance policy makes property transactions, specifically the reuse on partially contaminated properties (Brownfields, and former Superfund) much more difficult than it should be. The No Action Assurance Policy says that, outside of a formal settlement agreement, EPA will never tell a party purchasing a potentially contaminated site that the Agency won't pursue them for additonal cleanup even if the party has taken all reasonable steps to assure that contamination won't be spread. This prohibition against providing assurance to a party in a simple comfort letter holds true even if the EPA has determined that it doesn't a case to pursue against the party. Revise the No Action Assurance policy to state that parties that jump through the bona fide prospective purchaser (BFPP) hoops will be given a letter that says, unequivocally, is not a liable party. Make this apply to lessees as well. BFPP hoops could be streamlined as well: e.g. EPA regs require a BFPP to hire an					

AMERICAN OVERSIGHT

	I
1110	It would greatly help if we could hold people more accountable for their work, and/or more easily fire staff for non-performance. There do not currently seem to be repercussions for staff members who do not perform well (or at all) and there is too much work to be done to allow anyone to choose not to perform.
1111	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1112	1111	5/22/2017	PARS, the annual performance review system, is not necessary because it appears to be valueless. When a supervisor makes statements to his staff member such as "You have to walk on water to get an Outstanding" or "I gave you the same evaluation I received", that is indicative that PARS is a useless requirement. Also, preparation of a Weekly Report for management is a very reasonable requirement - - - if management actually reads the report. If a Weekly Report is required because that's the way it's always been, then that would not be an optimum use of a staff member's time.	Partnering - a relationship in which there is mutual respect - must first start within EPA. Being a supervisor should not be a license to speak to staff disrespectfully. It is never appropriate to publicly embarrass an employee. Should there be mandatory refresher training for managers?	PARS is an annual and arbitrary event. If it could be replaced with the previous performance review system, which was simpler and worked, morale and productivity might increase. Also, there is a required template for five-year reviews for Superfund sites, so why does each and every draft five-year review need to be sent to HQ for review? Let's think about streamlining the five-year review process.	PARS involves 2 meetings/year between an employee and his or her supervisor and the generation of a significant amount of paper. Unfortunately, it is not does not appear to yield any value whatsoever to the taxpayer. Does EPA need to spend the man-hours and paper to memorialize favoritism? The previous performance review system was much better. Also, the procedure for initiating an Interagency Agreement (IA) with another fed agency appears to be very time-consuming and steeped in "CYA". Doesn't it make sense for federal agencies to work together? Initiating an IA should be easy, not excessive. Let's spend time on getting valuable work done. Taxpayers want results, not	What about an anonymous electronic suggestion box that is always available? This current survey is great, but it seems like a rare event. An always-available suggestion box could increase accountability.	Not sure.
1113	1112	5/22/2017	EPA uses outdated software that is not user friendly. Instead of using maxiflex and peopleplus, employees should track their time in one system. The Concur software is overly complex and inefficient. Also, I spend so much of my day drafting briefings to the political appointees in Washington that it is difficult to complete substantive work. The new administration should delegate so as not to inhibit the process of regional work.		The one factor that I see limiting my ability to service tribes, local communities. the regulated community, and the public is lack of adequate funding. Personally, I am not authorized to attend meetings with regulated entities on enforcement activities and compliance assistance matters because the Region does not have sufficient funding. Similarly, work slows because Agency employees are assigned to too many matters. The Agency, the environment, and the public would benefit from additional qualified, hard-working employees.	Increase salaries to attract better talent. The Agency should be hiring only the best scientific and legal talent. Promotions should be merit-based and the Agency should use its authority to terminate people that do not perform their job efficiently and effectively. Employees should not be allowed to take undue advantage of Flexiplace. The Agency should somehow limit Flexiplace so as to allow episodic Flexiplace only or to cap the number of hours that an employee can work remotely per day.		

AMERICAN OVERSIGHT

	I
1112	Just brainstorming, if managers needed to attend mandatory refresher training, and if they had a trainer speak to them in a disrespectful and hurtful way, instead of in a professional manner, then maybe the manager would see how it is when they act that way. If managers could be reminded to speak in a tactful way, then there might be fewer complaints from employees.
1113	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1114	1113	5/22/2017	The Region 2 travel help desk (increases work for those who know how to do TAs, process is slow, and often TAs are incorrect) was put in place because managers want to rubber stamp Travel Authorizations instead of being accountable for reviewing them. The service should be optional and not required. If Managers are responsible for certifying hours in People Plus, then what is the need for timekeepers? Timekeepers often send needless (sometimes 7 in a week) reminders to staff to do People Plus. People who forget to certify their hours on time should just be paid late and then they will never forget again. We are supposed to be professional adults here, not children who need constant reminders to do things. Coordinator roles for programs within EPA (e.g., environmental justice, children's health) are unnecessary and lead to grade inflation (GS14s). Instead, there should be workgroups of people whose jobs actually are impacted by the	Move away from block grants. Tie state grants to performance for individual actions. The move to block grants has lead to states knowing that they can ignore parts of the performance partnership agreements and still get all of their money, so they ignore EPA requests to do what they are supposed to. This is bad for the regulated community since the states can take longer to implement a regulation (leading to inconsistency or what appears to be condoning noncompliance with federal requirements). For example, delays of states to adopt new standards or requirements in their state regulations.	The practice of going through HQ for things (e.g., public affairs) slows the process and makes Regional offices less efficient and responsive -- prolonging responses to the media and public at large (including the regulated community).	Less management layers (management does not do day to day work and creates unnecessary layers. For instance in Region 9, the Region switched to Offices instead of Branch/Sections -- This level of management seems better than the extra Section/Branch structure. Also enforcement is better when integrated into the program office instead of its own separate entity. People can have both skills (program and enforcement) instead of overspecialization and be able to follow an action from program through enforcement and back again (better for regulated community). But multi-media is too much (master of none) because then staff cannot learn anything well.	Tablets for inspectors (would allow inspectors to have complete regulations at their fingertips and make report writing faster). Would not need to have cameras as a separate piece of equipment (tablets are all in one).	Coordinated planning for monitoring and inspection needs to be flexible. For instance, water quality monitoring can be planned in advance whereas inspections can be targeted based on new information (e.g., non-compliance, PFOS/PFOA).
1115	1114	5/22/2017	One of the greatest challenges facing this Agency is the oddly out-of-balance world of public sector employee unions. While understanding the importance of ensuring a federal workforce that is apolitical and having mechanisms in place to ensure employees do not suffer from political retributions from changing winds in DC, the over-emphasis this Agency has placed on supporting employee unions has simply gone too far (and remarkably Agency management under both parties goes along with it!). The rules and regulations for addressing performance or conduct matters for underperforming employees are byzantine to say the least. The number of safeguards (mis)used by these employees and their unions make the most basic management functions many times more difficult than they need to be are incredible! While the Administration and Congress look at the larger issue of how employees can challenge adverse actions (through the MSPB, EEOC, OSC and any number of other alphabet soups out there), the	We certainly should look to ensure more effective partnerships with our state/local and tribal partners. However, the nature of our work at the EPA does in fact require a significant federal involvement. The rationale for this is simple: pollution knows no geographic or political boundaries. What happens in one city or state has absolute impacts on neighboring states. However, the important difference is that the neighboring state has little recourse to correct the problem. Additionally, state and local governments have been tightening their belts for a number of years as well. There are simply not the resources at the state and local level to address the critical issues EPA deals with each and every day. I fully acknowledge that EPA has had instances of ???mission creep??Â into the areas of ???nice to do??Â rather than the	I???m not sure ???customer service??Â is the right description for what we do as a federal regulatory agency. Customers are generally defined as ???a party that receives or consumes products (goods or services) and has the ability to choose between different products and suppliers. The second part of that definition is key. We are not making and selling widgets. We are charged with implementing environmental statues passed by Congress and signed by a President. Creating regulations ??? then enforcing them ??? are key to how a regulatory agency works. The notion that our customers (in this case the American people) can take their business to a different source is not realistic in our case.	I think some of the proposals put forth by the Administration are in fact helpful redirection of limited resources. Program like Environmental Justice, Energy Star, Bees and Other Pollinators Protection, BurnWise, Children???s Health, Environmental Education, Homeland Security, the EPA libraries, and the Sun Safety programs are all well intentioned, but I???m not sure are required (at least in their current form). These redirect badly needed resources from critical areas such as effective and efficient rulemaking and enforcement.	A basic IT infrastructure that works would be a real shot in the arm!	I think we should certainly look for any ways we can leverage our resources with our federal/state partners. However, the reality is EPA is charged with implementing and enforcing federal laws for a reason. The idea we can simply turn 1/3rd of the Agency???s responsibilities over to the states is not a realistic paradigm if we are to in fact protect human health and the environment.

AMERICAN OVERSIGHT

	I
1114	Less management layers. Empower employees to send correspondence out under their own signature (leads to more individual accountability). Delegate down whenever possible (e.g., regional pretreatment under the NPDES program to division directors).
1115	I???m going to answer the inverse of this question (sorry!). EPA has suffered for years as the most stove-piped, badly run organization I have ever seen. While everyone works towards a common goal of protecting human health and the environment, the reality is we are a loose confederation of programs and statutes joined by a common letterhead. Part of this is by the nature we implement our laws. Each AAship has its own authorizing statutes and will implement them as they see fit. I can understand and appreciate that to a certain degree. Work that is done under the CWA may have little to no impact on work being done under the CAA. Where EPA falls down

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1116	1115	5/22/2017	CERCLA: Five Year Review Process - Presently, one of the tasks to be documented as part of the 5-yr review process is to answer whether there are any new rules or circumstances that call into question the protectiveness of the remedy. As part of this analysis, the human health risk assessor looks to see if any standards have changed, in particular any standards that have been adopted that render the afore selected cleanup levels, no longer protective of public health. This is good step but it doesn't go far enough into reviewing how the remedy is progressing against the cleanup levels as laid forth in the ROD. With just a bit more work during the 5-yr reviews, we could save much time and money in CERLCA cleanups, if an evaluation of risk to public health using concentrations present in the environment at the time of the 5 year review were to be performed and compared to not only the current ARARs, but also used to re-evaluate the protectiveness finding (namely, ask			CERCLA: Five Year Review Process Presently, one of the tasks to be documented as part of the 5-yr review process is to answer whether there are any new rules or circumstances that call into question the protectiveness of the remedy. As part of this analysis, the human health risk assessor looks to see if any standards have changed, in particular any standards that have been adopted that render the afore selected cleanup levels, no longer protective of public health. This is good step but it doesn't go far enough into reviewing how the remedy is progressing against the CERCLA requirement to achieve a "protective remedy" (e.g. a cleanup that falls within the 10-4 to 10-6 excess cancer		
1117	1116	5/22/2017	I am a proud supporter of the President and the Administrator; therefore, I want them both to succeed. I can tell you this from the "rank and file" perspective, the regions and other managers, particularly the regions will NEVER execute the President and Administrator's vision. I would recommend until the Administrator is able to implement the President's vision, that funding, in particular, for the remaining of FY 2017 be solely managed directly from EPA-HQ where the Administrator can keep close taps on the programs. If the Administrator doesn't do this and continues to forward funding allocations to the Regions, they will fund known and secretive projects to keep the President from implementing his vision. Hopefully, by the time the new fiscal year begins in October 2017, the Administrator will have more staff in place and has a better handle on how he wants things to reflect the President's budget. Most if not all the managers (even to the lowest ranks) have been promoted because they are a part of the	Eliminate duplicative efforts. I have experience in processing grants in the past, and I have first hand knowledge that there is a tremendous amount of duplication. As EPA moves forward, I would suggest having a grant processing center where all employees processing grants are in the same location and can process the grants as grants AND not as cooperative agreements. There is a difference in these two labels. Also, please STOP the ACS reporting and bean counting for inspection. They both have NO value. Find a better way to empower employees to upload and certify their own inspections. Direct interaction, less inspections except for oversight or as necessary in case of public health concerns.	Have one point-of-contact for each program and all supporting personnel works with that individual to ensure transparency and to meeting programmatic deadlines.	Instead of having SESs be burrowed in managing staff and them not be spark and innovative, I think it would be great to only use SES staff for high profile and specialty assignments. For example, the Flint Michigan situation should have an SES assigned to that region for a specific set of time to assist and oversee the entire cleanup project. Let the SES be responsible for taking on assessing major conflict projects and opportunities and outreach for the Agency. For individuals who are as highly paid as the SES, they should be challenged more and rotated more and NOT burrowed in. Make it mandatory that SES can only stay at EPA for 3 years maximum and then must rotate to another Agency.	Not sure	Remove duplicated efforts among agencies.

AMERICAN OVERSIGHT

	I
1116	
1117	Reduce the amount of cell phones assigned to the overwhelming amount of managers. Remove bad actor managers who have and continue to have multiple employee complaints and lawsuits against them. Faster track with removing managers definitely. Take a look at the amount of money that the Agency has paid out to staff employees due to bad actor and in some case repetitive managers who continue to place the Agency in compromising positions for employee lawsuits. Reassess human resource departments throughout the entire agencies. Some human resource departments are not impartial in matters of employee concerns and automatically take the side

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1117	5/22/2017						
1118								
	1118	5/22/2017	In regards to ORD labs and centers, administrative burden is increasing for scientist's and staff. New requirements for quality assurance, data access and scientific data management plans should use established methods already in use by NIH and NSF rather than making an existing process more complex and should be examined carefully to be certain they do not exceed scope. For example, research designated as high visibility/high impact required review at the level of program offices; this is desirable from the standpoint of the stated purpose, which is increased awareness and review for policy implications. Unfortunately it sometimes becomes burdensome because these reviews go beyond scope, duplicate internal review already accomplished via other mechanisms and increase the review time and delay submission of research results to peer-reviewed journals.	Ask the states, tribes, local communities and private sector what additional help they would like and how they would like to partner with EPA. The listening sessions that have been going on across federal agencies are a good start. Allow more involvement of scientific staff.	Stream-lined review processes that are less subject to delays - all internal review processes should be re-examined in terms of increased time required versus value added.			Development of guideline levels for chemical exposure is done by both EPA's IRIS program and ATSDR, although used for slightly different purposes and having differing review processes, it would be desirable to seek opportunities for collaboration and consolidation.
1119								

AMERICAN OVERSIGHT

	I
1118	EPA should consider to re-designate the Security Management Division to the Office of Security, appoint a senior level manage to lead the Office of Security with a professional intelligence and security pedigree to oversee the various intelligence and Security functions and coordinate the EPA???s national intelligence and security needs. The manager must be empowered with the proper authorities to lead these various intelligence and security functions across the agency, report directly to the Administrator and must also have the complete trust, confidence and backing by of the Administrator and Chief of Staff to make this work.
1119	360 degree evaluation

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1120	1119	5/22/2017	Contracting at EPA is a major challenge. The contracting staff are under-resourced and often ill equipped to help get things done in an efficient way, and in the last several years, there have been many major contracting snafus that resulted in stop-work or loss of software maintenance or other types of issues due to the processes taking far too long. Contracting staff aren't able to be proactive. Another area that has been difficult is in getting budget clarity, which also adversely impacts ability to strategize, plan and implement. Within OEI there are a number of things that seem unnecessarily complex and process-oriented, where it comes to IT deployment, such as the ADC process and security documentation. Another thing that EPA could benefit from tremendously is more training resources, even if they are free and local. Even going to after-hours local technology meetups would be helpful and many EPA staff do those on their	Need to do a better job of showing collaborative data-driven efforts, getting states and other jurisdictions to make more robust use of EPA data, tools and resources as well as having a good set of forums for collaborating and listening to each other's requirements. The Exchange Network Integrated Project Teams (IPTs) begin to try to deal with these but in many ways only scratch the surface, for lack of resources on either side. More pilots and demonstration projects to prove and validate concepts of information exchange, analysis and other uses of the data would be tremendously helpful but resources are lacking for these.	State and local jurisdictions often ask about where they can find better resources for using EPA data, services and tools. They are often scattered around, and lack good developer resources, examples and documentation for partners to easily pick them up and use. These resources are often just put together almost as an afterthought, but we need much more robust support wrapped around them. ODSTA's "Developer Central" and the System of Registries in OIM are some of the better resources that EPA has in that regard but even they are lacking the staff, resources and more robust infrastructure needed.	The biggest area for potential improvement is on the data side. Replace remaining paper-based systems with smart electronic reporting. There are still some processes that even require FAX submissions. These can and should be modernized. Electronic reporting will reduce industry burden, and will speed up reviews, permitting, workflows and approvals, along with making them a lot more efficient and accurate. By "smart electronic reporting" what we should be pursuing is an API-first approach, in which we provide smart web forms for collecting information (which also includes validation of data entered) but under the hood, it also has reusable web services which can be used by state	Better/expanded use of cloud computing and available managed services and Platform-As-A-Service (PAAS) offerings, and streamline how EPA deploys applications (DevOps). Focus on an API-first strategy to make data and services robustly available across the agency. Make better use of sensor technologies and external data sources in concert with our own. Engage in more LEAN events and business process re-engineering to re-evaluate and streamline workflows and processes, and do more automation, whether data refreshing/loading, transformation, QA, et cetera.	There are a lot of common needs across states, tribes, territories and EPA as well as with local government. In many cases it doesn't necessarily make sense and is horribly expensive to re-invent the wheel for every jurisdiction. EPA needs to collaborate closely with state and local government as well as with other federal agencies on data standards and shared services that can let all parties do their work far more efficiently and cheaply.
1121	1120	5/22/2017	1. Software/process inefficiencies in timekeeping system: If employees need to change a leave request after submitting it in PeoplePlus, they can???t take back the request using that system, but instead have to submit a separate request to a manager by email. This is cumbersome and inefficient, and consumes email server and storage resources. The People Plus software should be upgraded to include a built-in request withdrawal and revision system. Also, the People Plus system should be integrated with our Outlook calendars, so that granted absence requests automatically populate the calendar in the right places. As it is, we unnecessarily spend time retyping leave requests into our calendars. Finally, revise People Plus so that it can show more than five accounting codes at once. There's no reason people should keep having to click back and forth between pages, and it adds up to significant lost time. 2. Password updates: Employee time is	1. Strong oversight of delegated/approved state and tribal programs. 2. Assessment of gaps in regulations that allow a race to the bottom effect among states, followed by promulgation of new regulations to fill these gaps. 3. Strong support for EPA enforcement programs. This is necessary to avoid giving a short-term competitive advantage to states that weaken their own programs. 4. Increase emphasis on sustainability in our own operations, and provide relevant information about it to the public and partners. Explore ways to build sustainability requirements into our grant and oversight processes.	1. More affirmative online posting of environmental information. 2. Abbreviate the OMB review process for EPA rulemakings. 3. In rulemaking and other agency actions, ensure that benefits are considered as well as costs. 4. Restore and implement the CPP and WOUS rule. Clean air and water are good service. 5. End excessive political review and oversight of FOIA responses, including consultation about White House equities. Issue a ???fishbowl memorandum??Â clearly mandating transparency. 6. Reinstate consideration of social costs of carbon and other greenhouse gas impacts in NEPA reviews.	1. End political review and oversight of FOIA responses. Mandate transparency. 2. Reduce political-approval bottlenecks for routine Agency actions.	1. FOIAonline needs improvement and integration with EPA systems (e.g. Relativity). 2. Upgrade to the current version of Relativity. 3. Obtain cloud-based storage of text messages sent and received on Agency mobile phones. 4. Automatically post all senior officials??? calendars online for public viewing. 5. Work to further streamline litigation hold system to make releasing outdate holds easier, limit the scope of existing holds to what is necessary, and make notifications and questionnaires more effective and efficient.	Increase enforcement programs in areas where state efforts are lacking.

AMERICAN OVERSIGHT

	I
1120	Containerization, Big Data, DevOps, Continuous Integration, Microservices, and streaming sensor data are far more mature in the private sector than they are at EPA, EPA should continue working toward building these out.
1121	1. Password management software 2.Cloud-based text storage

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1122	1121	5/22/2017				As much as it would be unfavorable for me and other employess, the amount that EPA matches each employee in their TSP account could be reduced in order to reduce costs.		
1123	1122	5/22/2017	I do CWA enforcement. In our Regional office, there are simply too many documents and processes that are required of a new case, before I can even get an attorney assigned. Theses same documents then have to be redone as we get more information about the case.	Remove this idea that EPA has to always be the lead on enforcement.. In my program (404 CWA Enforcement) there is too much emphasis in taking on cases just to pad the "numbers" for OCE. So we aren't always taking "good cases" or we are trying to take on cases that are best resolved by our other federal (COE), state or local partners.	Let us do more with outreach and compliance assistance (compliance assistance has been deemphasized the last couple of years).		Well we could all use better training just on the tools and technologies that we already have.	Establish more local agreements to provide better alignment (and coordination) between State and Federal partners on enforcement.
1124	1123	5/22/2017						
1125	1124	5/22/2017	The Agency needs to have a better mechanism for addressing poor performance and/or dismissing non-performers from the Agency.					
1126	1125	5/22/2017		Increasing staff levels at EPA will result in achieving better environmental results.	Increasing staff levels at EPA will enable us to provide better customer service. Reducing staff will make it very difficult to provide customer service.			

AMERICAN OVERSIGHT

	I
1122	
1123	In the 404 CWA program, our Region's hold Field Level Agreement meetings w/ our state and federal partners to go over case development, information exchange, and development of better coordination/communication procedures.
1124	Having online systems such as FOIA, that require you to login and change your password even though you haven't needed to use the system for months, is a hugely stupid waste of time and resources.
1125	
1126	Making good use of senior EPA employees. Their institutional knowledge would improve efficiency, and their core beliefs and integrity would increase accountability.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1127	1126	5/22/2017	Correspondence - change agency practice/policy so that staff can submit an electronic copy of a memo or other document needing management approval and can stop wasting money and time preparing those same documents in hard copy that inevitably get changes before they are finalized. As envisioned, the document would be routed electronically, edits made electronically, and only the final version (ready for signature) would be printed out into a "formal signature package." Saves paper and time and reduces our carbon footprint by using less paper.					
1128	1127	5/22/2017	When I cannot easily find the solution to a equipment or EZ Tech problem, I can only call EZ Tech to get support. We need to modernize our EZ tech customer service so that we SHARE SOLUTIONS (e.g. a SharePoint site) in a common space. For example, if there is a problem with your iPhone, people will try to search Google to find how others resolved the issue, you may never have to call someone for help. If EPA could modernize their EZ Tech customer service so that we could share solutions, EPA could save money on their EZ Tech customer support contract and operate more like a modern effective customer service provider.		EPA should do User Research to identify how different groups seek customer service from EPA and pilot programs to engage with those groups better. For instance, the states may be seeking a communication platform which could be hosted in e-Enterprise while the public at large may interface with specific EPA web pages or social media accounts.	Yes, there are untapped opportunities to automate and lean administrative (e.g. financial or HR) work processes. We can leverage technology to develop automated solutions so employees can focus on mission related work instead of being burdened by administrative work.	There are three technologies: cloud hosting, human centered design practices, and cybersecurity. The faster we migrate from on-premise hosting (i.e. NCC servers) to cloud service offerings (AWS), the quicker we can save money on hosting costs. The existing on-premise hosting service at the NCC is not accountable to responding to customers and there are people in processes where there could definitely be automation, which makes for a very cost and time intensive process. To do this migration effectively, EPA employees needed to be properly trained in modern software development practices. Human centered design (HCD) practices is a	
1129	1128	5/22/2017	Community involvement documents (such as a fact sheet or brochure) must fit within a narrow selection of templates. These templates are outdated and make the agency feel archaic. If you want to develop a new style for a community involvement document, it can take many months to get approval. By then, the community involvement need has passed and was not met.		Public involvement and community outreach activities at the project level must be approved by headquarters. This is nonsense. It creates a bureaucratic nightmare and prevents EPA from being able to react efficiently to community needs. Trust employees at the regional level to make the right decisions.			

AMERICAN OVERSIGHT

	I
1127	
1128	There is a great amount of potential for EPA to improve how we work (efficiently, with accountability, and reducing costs) if EPA adopts and matures into a organization that uses human centered design to deliver our work products. Check out the human centered design work at IDEO and Pivotal.
1129	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1130	1129	5/22/2017	Yes. Staff spend unnecessary time on document review for FOIA, litigation, and congressional requests because we are not making efficient use of document review tools and because we are not managing records efficiently. The Relativity document review software needs to be upgraded to 9.4 and the analytics tools (de-duplication and e-mail threading) need to be functional so that staff do not have to waste time and resources reviewing multiple copies of documents for litigation purposes, FOIA, and congressional requests. This is a fairly simple issue that needs to be resolved but requires funding and technical support staff to implement correctly. In addition, we need to procure and utilize better record protocols so records are properly organized and categorized as they are created.				Yes. The Relativity document review software needs to be upgraded to 9.4 and the analytics tools (de-duplication and e-mail threading) need to be functional so that staff do not have to waste time and resources reviewing multiple copies of documents for litigation purposes, FOIA, and congressional requests. This is a simple issue that needs to be resolved but requires funding and technical support staff to implement correctly.	
1131	1130	5/22/2017	It would be better to be able to finalize our MaxiFlex schedule electronically, rather than print and sign a paper copy.	Stop threatening to slash EPA's budget and don't cripple the work we are supposed to do. http://blogs.edf.org/markets/2017/04/24/why-the-epa-gives-taxpayers-the-biggest-bang-for-their-hard-earned-buck				
1132	1131	5/22/2017	Make it easier to transfer between agencies. Since becoming employed at EPA I have received an advanced degree better suited to NASA/FAA/DOT/NOAA. I've interviewed several times. But EPA does not have reciprocal agreements in place that would allow me to do a detail in one of those agencies. It's past time for EPA to engage with it's sister agencies and share employee resources.	Support tribal sovereignty in every extent. Don't trust the states with global impacts, federal standards are there for a reason and need more enforcement, not less.	Performance reviews for managers by staff. This would root out problem managers that have destroyed office morale.	Cross agency platforms. Data centers. Ending the use of contractors and utilizing federal employees, which would be cheaper and faster.	Cross train attorneys as inspectors so that they can enforce first instance.	Combine agencies under a greater authority.

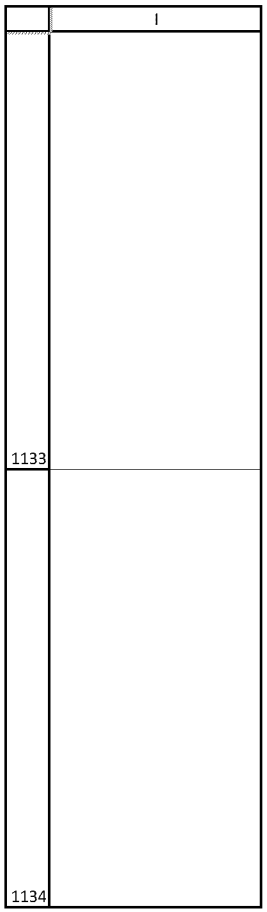
AMERICAN OVERSIGHT

	I
1130	Yes. The Relativity document review software needs to be upgraded to 9.4 and the analytics tools (de-duplication and e-mail threading) need to be functional so we are competitive with the private sector and keeping up with other agencies.
1131	
1132	No, my organization needs a total overhaul.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1133	1132	5/22/2017	The clean water act as implemented in NPDES permits should recognize that treated effluent can be a resource, especially in the arid Western areas of the country. EPA should be allowed to legally provide flexibility in the requirements imposed to make optimum use of the effluent.	EPA should delegate the NPDES program to Tribes who have demonstrated the capacity and resources to be the permitting authority on their land. This will reduce the burden on EPA to directly issue permits on Tribal land.	A program for exchange of staff on a temporary basis (anywhere from 6 months to a few years) between EPA and state, tribe and local regulatory agencies would provide for better and more seamless customer service to states, tribes, and local communities.	The internet of things is a concept that could have tremendous benefits to the environment while reducing costs and inefficiencies. Instead of requiring manual monitoring of parameters in NPDES permits, and parameter that can be monitored automatically by equipment should be automatically transmitted to EPA. This will give a more accurate and timely picture of the environment while quickly identifying issues that could pose risk	See answer to Q. 4 above	EPA should revisit its understanding with the USFWS to make ESA consultation more timely, efficient and accurate.
1134	1133	5/22/2017	The clean water act as implemented in NPDES permits should recognize that treated effluent can be a resource, especially in the arid Western areas of the country. EPA should be allowed to legally provide flexibility in the requirements imposed to make optimum use of the effluent.	EPA should delegate the NPDES program to Tribes who have demonstrated the capacity and resources to be the permitting authority on their land. This will reduce the burden on EPA to directly issue permits on Tribal land.	A program for exchange of staff on a temporary basis (anywhere from 6 months to a few years) between EPA and state, tribe and local regulatory agencies would provide for better and more seamless customer service to states, tribes, and local communities.	The internet of things is a concept that could have tremendous benefits to the environment while reducing costs and inefficiencies. Instead of requiring manual monitoring of parameters in NPDES permits, and parameter that can be monitored automatically by equipment should be automatically transmitted to EPA. This will give a more accurate and timely picture of the environment while quickly identifying issues that could pose risk	See answer to Q. 4 above	EPA should revisit its understanding with the USFWS to make ESA consultation more timely, efficient and accurate.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1135	1134	5/22/2017					It has always been clear that our HQ office staff has grade inflation. For the same staff level work we do in the regions, the HQ staff are one grade higher. This is indefensible and should be ended.	
1136	1135	5/22/2017					Make EPA's eDiscovery tools more robust by purchasing newer technologies that have become industry standard not only in the private legal sector but also at other federal agencies, as well as investing in long overdue IT infrastructure upgrades (e.g., new servers) to support newer and future technologies.	

AMERICAN OVERSIGHT

	I
1135	Our time keeping software is not up to date. Your actual work schedule should be automatically populated and all the holidays should automatically be included. There is no reason to have to manually enter all this. Secondly we need the most current software for FOIA's - "Relativity". We are using a three year old version of Relativity and it is inefficient to use for responding to FOIA requests. I am working on a FOA for a year so far and part of the problem is the inefficient software.
1136	Upgrading EPA's eDiscovery tools to align with private sector standards and other federal agencies' adoption will improve our efficiency in responding to obligations in litigation, Freedom of Information Act, and miscellaneous administrative obligations. Our current eDiscovery offering requires EPA employees/contractors to spend at least 2 times the amount of time reviewing and preparing documents for litigation or FOIA, delaying or negatively impacting the quality of the final product in a time when litigation and FOIA requests are at an all-time high.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1137	1136	5/22/2017		Over time, I feel that there has been more emphasis on re-development after cleanup. This is a really powerful way to get States, Tribes, local communities and the private sector to buy into our cleanups more broadly. The Agency should continue to increase our efforts to find re-development opportunities and ease concerns about future liability (for non-liable landowners only).	In the Superfund program, I feel that outreach with States, Tribes, locals and the regulated community is very strong. This is evidenced by our continued work with ASTSWMO, tribal consultation policy, and community outreach programs. Where the regulated community is cooperative (and even where they are not), I think the SF program has tried to clearly lay out our basis for pursuing certain cleanup strategies.	I think there could be more efforts made in OEI to reduce (or streamline) the number of proprietary databases across the Agency. While SharePoint could replace many of these existing databases, there is no option currently at EPA to access SharePoint on your mobile device. This is hampering more widescale use of an already available, functional tool.	Similar to my response in Q4, I think SharePoint is an existing tool that we don't use broadly enough in the Agency. If there could be a more concerted effort to build expertise in SharePoint among staff throughout the Agency, I believe we can leverage this technology and reduce costs Agency-wide. Lotus Notes was partially replaced a few years ago but more effort should be made to retiring all components of it.	I think more partnerships and coordination within the Federal interagency at both the management and staff levels would promote greater collaboration in times of need.
1138	1137	5/22/2017	The new administration's lack of efficiency with respect to nominating the appropriate political appointees is preventing EPA from moving forward with the much needed environmental policies that are needed to further prevent pollution of the environment.	Better environmental results cannot be achieved by rolling back environmental legislation. Also, delegating regulation to states does not make environmental regulation more effective. To the contrary it provides a patchwork of environmental legislation that is not uniform or enforceable.	The agency has made great leaps and bounds in providing great customer service in the past 20 years under previous administrations.	We are already operating at a staffing level that is at a 20 year low. The proposed EPA budget cuts by the White House, including the proposed reduction in staff will only cripple our ability to provide a high level of environmental protection for Americans.	You can increase funding for FTE so that EPA can increase staff. This will allow EPA to operate efficiently.	
1139	1138	5/22/2017	Many of our financial systems are antiquated (IRMS) and don't correspond with other financial sytems well (compass). This allows poor reports, inability to track progress down to a lower level. etc.	I live OK. We should do a better job working with the tribes on environmental stewardship, remediation efforts, etc. We have a lab that is world famous for ground water/subsurface remediation (especially heavy metals and chlorinated solvents).. Huge superfund sites such as tar creek located in the Pitcher, OK has never been a part of our research efforts. In the state of OK there are numerous tribes (with deep pockets) that have been very enterprising/productive business entities as well as the tribal government side. We should work more with tribes in OK via cooperative agreements.	We need to be more active with the tribes and states. Most of the states are broke, they need us more than ever. However, many of the budget cuts seem to be given more power back to the states. States would like to have the power and less government control, however, they don't have the money to make things happen.			I think ORD has done a great job in realigning the business side of things (purchasing ,contracts, etc).

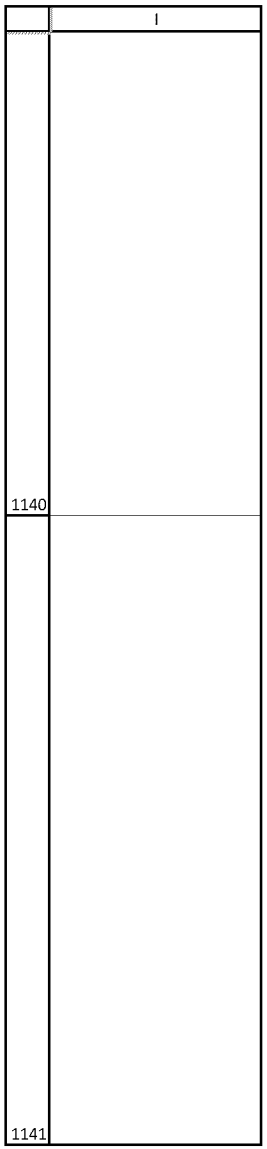
AMERICAN OVERSIGHT

	I
1137	
1138	
1139	ORD initiated lines of business (called OARS) . OARS supports all the labs. Instead of each location having their own set of COs, CORs, SACOs, FCOs, extramural expertise, etc. Many of us are scattered out across the US. When one is out of leave, one of the other OARS staff makes sure nothing sits and it keeps moving.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1140	1139	5/22/2017	having to access lotus notes for agency memos and updates--remove and eliminate this program multiple logins need to be eliminated. If I have access to the program, then I need only to log into the secure network and have access to what I need for my job.	The states have become dependent on the government for money to pay staff and have environmental programs. If they become responsible for funding these programs, then they will invest in the resources and expertise to manage and implement them. Without this need, they will continue to expect handouts and never grow their respective programs.		time reporting is an electronic system that should not require us to enter time nearly 1 week prior to the end of the pay period. Doing this means that every two weeks an amendment needs to be completed. Therefore time and effort are spent on the same 2-week time period twice. Enter time the following week; only a short one pay period inconvenience will be noticed. this saves time and money by eliminated an unnecessary revision every two weeks.	Everyon eneeds to clock in and out. an electronic system exists for credit hour schedules. this can be adopted for everyone. Eliminates those coming in late, leaving early, and taking extra long lunches. People are now responsible for being here on time and leaving on time. Whether they do work is another matter, but at least they will be in the office.	
1141	1140	5/22/2017					Yes. Information governance/content management/document management software. This Agency spends a huge amount of time searching for documents responsive to FOIAs, Congressional requests and litigation discovery. If we were to invest on the front end in commercial off-the-shelf (COTS) software that has been used by private industry for decades to track all information as it is created, and has native search features to find that information when needed, we would be able to slash dramatically the amount of time we spend on manual searches or the hundreds of thousands of dollars we have paid employees and contractors to search using the antiquated and	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1142	1141	5/22/2017	EPA could most certainly become more effective and efficient if the systems we use were connected to one another and were not so terrible. Words can't describe the FPPS system, which managers use for personnel actions, awards and training paperwork. The system defies description --- it is full of bugs, looks like it was developed in 1987 and, most importantly, takes hours and hours of managers' time as we blunder through it. Also, most of our systems don't talk to each other. I strongly believe that an efficiency expert focusing on technology could probably make reasonable suggestions in no time. Our own IT people just roll out "new" system after system that are designed to stump and torture staff and employees, rather than help them be more efficient.	In my region, we are reinvigorating quarterly meetings with our states. I think that more face-to-face time improves our ability to interact -- even if we have disagreements over certain matters. I wonder if EPA can set up a "suggestion box" type of thing that states, tribes and municipalities could use to make suggestions. Not sure how this would work -- we'd want it to be limited and not widely public. Perhaps we can work through orgs such as ECOS, National Govs Association, or Leagues of Municipalities to gather input.	See above.		PLEASE take a close look to see if we can get a different version of Outlook that will allow us to reliably search for emails. People can no longer reliably search emails older than 90 days or search for items that may result in more than 250 results. This means most FOIA requests involving emails are run through OEI. Ridiculous and completely avoidable in my opinion. Can we please explore our options to see if we can get an upgraded version of Outlook that allows us to be able to search our own emails? Might cost more up front, but would eliminate a staff of people who have to use a work-around to search emails for the entire agency AND would allow those of us who need to refer back to emails to do so (there is no option there -- as OEI will	
1143	1142	5/22/2017	The EPA Acquisition System (EAS) is a very slow, cumbersome system that causes work to be done slowly and inefficiently. I have worked at DoD and their acquisition is much faster and more efficient. Recommend that the EPA look to move to a better system, whether it is the one DoD uses or a different one.				The finance office at RTP manually enters all contracts and purchase orders manually into their finance system. Then when a contractor submits an invoice (even by email) they have to manually enter that into the system. Recommend that finance develop (or use the same as another agency uses) an electronic invoicing system and incorporate a method where an awarded action automatically feeds into the invoice payment system. Manually entering this data in the 21st century is wasteful.	

AMERICAN OVERSIGHT

	I
1142	
1143	The financial system used by DoD for contracts/purchase orders should be incorporated at EPA. The system allows for the actions to be electronically input into the payment system and then the contractors invoice electronically and payments are made. This system is far more efficient than our current system of manual entries.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1144	1143	5/22/2017	We use multiple timekeeping systems, which leads to inefficiencies. Our records system should be modernized and consolidated so that records can be accessed more readily, which would lead to efficiencies for FOIA requests and discovery requests. For instance, an electronic filing system that includes all records for a particular facility (for all statutes) should be developed. Through this system, records that are not confidential could be accessible to the public.	Our States rely on EPA's assistance with implementation of their environmental programs and routinely request assistance. EPA should retain its role in partnering with states where assistance is requested, but also ensure that the state's responsibilities and commitments are being met through its oversight role in order to insure a level playing field across the country. This creates a level of consistency and certainty for the private sector regardless of where it operates.	Addressed in Questions 1 and 2.		We upgraded to new laptops in 2015. When these are placed in "sleep" or "hibernate" mode at the end of the workday, they do not resume the next workday without a hard restart. This is extremely inefficient, as the previous day's work cannot be resumed in a timely manner. For example, some projects require reference to numerous adobe acrobat files, word documents, excel documents, and internet files. With previous computers, these documents could remain open (with the computer securely locked via password and in "sleep" or "hibernate" mode) until the next workday, allowing you to resume work on the project the next day without searching for and reopening all the relevant materials.	
1145	1144	5/22/2017	There are too many administrative requirements for managing grants - especially continuing program grants. These policies need to be streamlined, rather than creating a new protocol or database every time the IG does an audit. All electronic grant files need to be stored in ONE database. We should not have to upload the same documents to multiple databases. All grant files should be electronic, rather than having to also maintain a paper copy - which takes up file room space, and has to managed/maintained by contractors.			To the extent possible, all EPA employees should be working from home full time. With Agency-issued laptops and remote access to the EPA server, most jobs can seamlessly be conducted from home. The Agency should still have a location where employees can have meetings, when necessary, and store documents that cannot be kept at the home location (CBI), but it would be small (like the COOP in Addison, TX). Real estate costs could be reduced dramatically if this recommendation was implemented.	There are too many administrative requirements for managing grants - especially continuing program grants. These policies need to be streamlined, rather than creating a new protocol or database every time the IG does an audit. All electronic grant files need to be stored in ONE database. We should not have to upload the same documents to multiple databases. All grant files should be electronic, rather than having to also maintain a paper copy - which takes up file room space, and has to managed/maintained by contractors.	

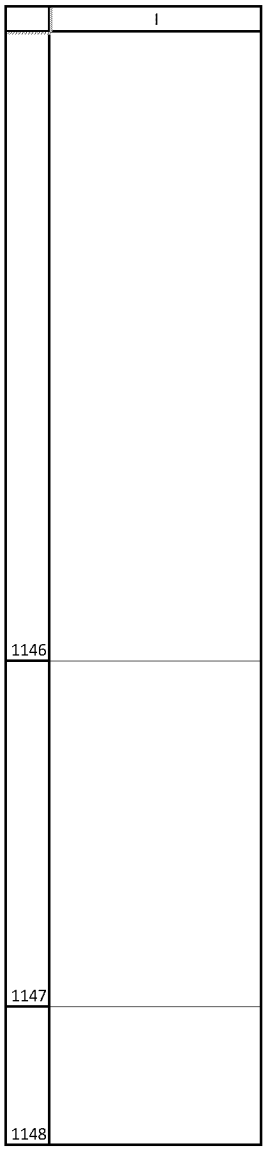
AMERICAN OVERSIGHT

	I
1144	
1145	To the extent possible, all EPA employees should be working from home full time. With Agency-issued laptops and remote access to the EPA server, most jobs can seamlessly be conducted from home. The Agency should still have a location where employees can have meetings, when necessary, and store documents that cannot be kept at the home location (CBI), but it would be small (like the COOP in Addison, TX). Real estate costs could be reduced dramatically if this recommendation was implemented.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1146	1145	5/22/2017	The length of time it takes to get contract paperwork approved prohibits my ability to get my work done, in two important ways. First, to avoid a stop work situation, I need to develop a statement of work and budget estimate 6 months in advance of the start date of an option year. At that point, I have only fairly general information about the work that will need to be done, decreasing the agency's ability to predict costs accurately and decreasing my ability to usefully evaluate the contractor for their adherence to the budget. It also increases the likelihood of needing modifications once the task order is in place, increasing the total administrative overhead to do the same work. In the case where the paperwork doesn't get through in time and contractors are unable to work for us, I am not able to accomplish my work in a timely way. This situation could be remedied by increasing hiring, or by simplifying contracting procedures.				Our IT infrastructure fails to keep up with advances in the market. We have a webconferencing tool, for instance, that fails to provide key capability. In my case, that includes accessing a list of attendees, or poll results, after the webinar has ended. This is just one example. I will say that it has improved markedly in the 7 years I've been at the agency.	
1147	1146	5/22/2017					Make required training for contracts and health and safety more tailored to employee's job responsibilities. Current training is often not relevant to my work (e.g., using DOD contracts training). Make software for tracking time (People Plus), travel (Concur) training (Skillport, FAITAS) easier/faster to use.	
1148	1147	5/22/2017	Hiring process and rules	We do a great job now! Hard to envision how we could do better.	We do a lot now.		Enough modernization! Can't keep up with changes as it is.	We have a different mission and different responsibilities, that's why the work is housed in different agencies

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1149	1148	5/22/2017	The reorganization of the Montana office has been difficult but not impossible, I value that my supervisor sets clear expectations, allows flexibility when she can, and is committed to being open minded. It has limited some paperwork; I think we have taken a huge loss in relationships with our tribes and state counterparts. Consultations with Tribes never happen anymore and I find that our State counterparts are confused/hesitation to reach out for guidance.	hold tribes accountable by actually deterring non-compliance instead of holding hands and providing empty ultimatums; escalate timely and appropriately. More involvement at a observation level with States.	Having more time and resources to provide, outreach, transparency, technical/compliance assistance. While we get no credit for these items through NPM, PPA, Strategic plans, or anything; they are vital to our success. There is more to work than numbers from an outdated database.	auto-dialer for reminders for water operators, better microphones in conference rooms(they are terrible, we do a lot of VTC and other remote gathers), electronic tracking of documents for concurrence(this consumes my life and is painstaking), better communication and transparency with data.	auto dialer for compliance reminders and electronic tracking of documents	meeting frequently to establish relationship, trust and transparency; have management coordinate between programs and ARAships even more; combine enforcement with the drinking water program(problem solved)
1150	1149	5/22/2017	Many areas of EPA regulatory oversight are now being hung up in HQs review, for instance treatment as a state approvals for tribes and certain enforcement actions. It would be better if HQs had the ability to review and approve these actions quicker.	We need to be able to meet with state partners more, so have better travel budgets. We also need to have sufficient resources to review state and tribal programmatic submittals, such as drinking water primacy packages, SIPs, and CWA submittals including water standards. Right now, we do not have enough personnel to do this.	If need be, we could have a call center to take in calls from the public and provide information where and when available.	Maintaining a robust enforcement presence is essential, especially in support of state and/or tribal programs. Also, there a many cases that the state or locals cannot or will not pursue do to political or other concerns, and we should maintain our ability to pursue these cases. Enforcement personnel also bring money into the federal treasury by obtaining penalties, obtain great environmental results through injunctive relief and SEPs (which are often sought after by defendants/respondents), and help level the playing field.	OEI needs more resources to be able to provide support to the Regions, in particular to processing FOIAs. For instance, we need to get quicker at performing Outlook searches, and downloading documents to Relativity. We also need to enable the ability for OEI to download Lotus Notes emails and documents into Relativity.	We can better coordinate with states and locals, as well as other federal agencies, in regard to regular meetings to identify and discuss potential enforcement targets. We can also host and sponsor more trainings, or send our inspectors to state/local trainings. Continued collaboration with our partners (both state and federal) is vital, but takes a certain amount of resources and personnel to make it happen.

AMERICAN OVERSIGHT

	I
1149	reorganizing compliance monitoring in drinking water to PWS classification instead of by rule; this limits the amount of contacts an operator must remember or talk to; allows more holistic management of compliance; better congruent transition to enforcement and improvement to communications
1150	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1151	1150	5/22/2017	I work with too many people who seem to feel that their job is to kill projects, obstruct completing tasks, or ignore things they don't like until they go away. That should not be acceptable. If you work for EPA, and haven't produced anything in the last ??? years, then you should probably leave. In my office, every work product has to be reviewed by 15 random staffers, in addition to managers. This is a waste of time -- those 15 people should focus their energy on their own tasks, and leave managing to managers.	Better information transparency. We need to work on developing tools to share the data that we have in accessible, easy to use tools. Right now, you can't easily download a map of where Superfund sites are. If we want to partner with states, tribes, communities, and businesses, we need to be able to explain what we're doing, where, how, and why. Right now, so much information is buried in PDFs (that might be hard to access) that it's embarrassing. More investment in enterprise data management systems and dashboards.	Hold staff accountable for answering inquiries. Half the time, inquiries go to contractors with little or no oversight. Make contact information easily accessible, and encourage staff to develop a customer service mindset. Make it clear that being unhelpful or rude is not acceptable/	Identify duplicative projects across offices, or find complementary projects and share resources. Encourage collaboration. Expect results. I wish we made people do their own jobs at EPA. I work with too many people who are essentially intermediaries for a contractor: they take my request, pass it on to a contractor, wait around until they get the deliverable, and give it to me. Why are we paying that person, when we could just work with the contractor? Or, we could SAVE MONEY, and ask our full time staff to *do their jobs*.	Better IT: hire real developers and IT professionals, or scientists and analysts who are more current in their experience. I came from the IT group at a large chemical company, where we were doing so many cool, innovative things -- and I'm embarrassed by the state of things at EPA. Often, our IT staff don't even know how to program (we have a GS-15 'developer' in my office who has a 30 year old degree in library science). Empower offices to try new things, work together, and innovate. Push hard for agile development and delivering tangible results.	I think better coordination, and proactive cooperation (instead of reactively fixing problems only after they're discovered) would be beneficial.
1152	1151	5/22/2017	What keeps me from being efficient and effective are the new procedures for getting communications approved. Apparently, review is done only at the top level in OPA for all EPA communications. Highly inefficient. Previously, press responses were approved at AA level and then at staff or mid-management level in OPA. Now, the agency totally misses most press deadlines. Perhaps that is on purpose. Review/approval for social media and other communications projects seems to be the same. It's ridiculous and controlling. Not necessary; we're professionals.	Continue to fund partnership agreements with states. We have a productive and cooperative relationship with states through ASTSTWMO. This helps build state capacity and facilitates states/feds working together to solve tough issues. In the President's proposed budget, there would be little or no funds to continue this relationship. How does that fit with the Administration's call to return more responsibility back to the states?	I do not think it will be possible to provide good customer service to local communities or the public under this Administration in regard to environmental protection.	I do not believe the Administration intends to maintain environmental protection for all Americans.	Greater use of technology to support telework. Improve and enhance the use of Skype or similar video conferencing. Improved teleconferencing capabilities and service. We still have managers who are dubious and distrustful of telework, and we still have conference rooms where phones don't work and internet access is poor. It's the 21st century!	I do not think EPA should be realigned/merged with other federal agencies in regard to cleanup programs for federal facilities. While we have shared responsibility, we cannot mix the responsible party role with regulatory oversight and enforcement.
1153	1152	5/22/2017			Eliminate telecommuting or flexi-place.	Eliminate telecommuting or flexi-place.		

AMERICAN OVERSIGHT

	I
1151	
1152	We might consider shared satellite locations as a modification to telework. Currently, the alternate work location is the employee's home. What about a shared location on a local college campus? Employees could use telephones, computer stations with printers, etc. only a few minutes from their home, thus avoiding a long commute and worsening traffic.
1153	Eliminate telecommuting or flexi-place. The Wall Street Journal reported on Friday, May 19, 2017, that more and more companies are abandoning work at home options. Most recently IBM did so. Those that did not want to return to the office were released. This reduced head count.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1154	1153	5/22/2017	I believe that adding all internal and external videos to the Office of Multimedia is a waste of government resources. I believe that internal videos can shown only by EPA can have a more streamlined approval process	I believe that the review process in EPA is transparent and the public and private companies can comment on EPA deliverables in the docket. I actually believe EPA is much more transparent than other forms of government.	I believe that many of the EPA ideas and communication could be better discussed through video. However, the current process of approving videos is over regulated and people do not use videos as a communication tool as a result.	I believe IT innovations as Youtube videos, wiki, and other forms of social media could be used more effectively	I believe that SharePoint and its existing features good be a great knowledge database for transfer of information. I believe that industry also provides models and databases that could be integrated at EPA more efficiently. For example, I believe there is more BIG DATA tools, and web efficiencies using open literature which would eliminate costly regulations. I believe risk assessment offers an intriguing aspect for assessing real vs perceived risks.	I believe databases and models could be aligned and work functions could be better streamlined
1155	1154	5/22/2017		Increased assistance in the form of financial and expertise support from EPA in both HQ and the Regions.	Increased education utilizing various means to address both sophisticated and less advanced stakeholders. Examples may include in person meetings, webinars, conferences, forming partnerships with key associations, open calls and targeted communication.	Continue to work with underserved communities and those that have the ability to use EPA's resources and pass them on to others for increased environmental stewardship.		
1156	1155	5/22/2017		Creating more stakeholder groups that allow the community to feel a better buy-in and connectivity to the work that is done not only on the federal level but the state/local level as well. If we are trying to increase compliance assistance, build a group of community members aligned with the issue. This creates and extra barrier for enforcement of the issues we are working on in that community.	Have all staff receive project management training to learn how to better juggle priorities. This will allow room for better customer service.	Encourage more older staff to do the phased retirement so that the knowledge can be passed on. Merge some sections that are doing similar work.	Encourage the use of more webinars	

AMERICAN OVERSIGHT

	I
1154	I believe OPPT QSAR approach is eliminating the need for costly toxicity studies
1155	
1156	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1157	1156	5/22/2017	Management procedure: Discharge permits are reviewed and commented on by the entire permitting staff. Then the permitting unit chief reviews and comments on them as does the permitting administrative person. After that they still are looked at by two additional levels of management before being signed and issued. This adds about 45 days or so for each review and there are two reviews. One for public notice and one for issuing. So an additional 3 months is added to the permitting process. I would cut off the two upper level management reviews. I think the RAs and their assistants have much more important things to do than review every permit multiple times.	Field offices in the states rather than having everyone concentrated in one, large, regional office. That way we can meet with our partners, face to face, on a frequent basis to discuss and work out any problems affecting the partnership. Also, as state capital field offices are often in lower cost locality pay areas, this would save on payroll costs and travel costs. Facility costs would need to be explored but those lower cost locality pay areas often have lower rent or lease costs also. EPA Region 10, in Seattle did a study that showed a large savings by having state field offices as compared to moving everyone to Seattle.	Be on the ground where they are so you can visit to listen to their problems and see examples. That makes it much easier to come up with solutions.	Could we make the CFRs more readable? My main example is 40 CFR 122.42(e)(5) concerning nutrient management plans. I had an environmental engineer call for help because they could not figure out what a nutrient management plan needed in it or how to write it. That regulation completely confused them. There has got to be easier language that is still legally defensible.	No ideas here.	No ideas here.
1158	1157	5/22/2017	I think the current administration has a lot of nerve asking these questions so as to help you reduce EPA.	We already do this.	We already do this.	I think asking EPA employees to identify areas where cuts can be made by an already cut-happy administration is outrageous.	See answer to question 4 above.	
1159	1158	5/22/2017	Takes a very long time (weeks) to get any changes made with OPM	Integrated systems would go a long way. Each entity has their own database and filing systems. It would greatly reduce processing times for cases to have a unified database.		More stiff penalties for repeat/serious violators.	integrated databases with states, local, and tribal governments	
1160	1159	5/22/2017	Using three different systems to log time (people plus, webforms for telework, and hard copy forms for travel comp time).				Our technology and processes for responding to FOIA requests are dismal. We need additional technical resources, such as access to Relativity (with full functionality) to improve our response and review time. Further, FOIA Online is not indexed and easily searched.	

AMERICAN OVERSIGHT

	I
1157	No ideas here.
1158	
1159	
1160	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1160	5/22/2017				Lifting the hiring freeze would help. It is my job to increase efficiencies in my subject matter area at EPA, and it is difficult to do that when understaffed.		Maintain and increase the consistency of environmental protection nation-wide. If a family takes a road trip through the U.S. from state to state, they should be secure in knowing that the air quality, water quality, and toxicity of products/pesticides are consistent. "Protecting Human Health and the Environment" is not an area of government in which states and other federal agencies should be allowed to go weaker than EPA's standards.
1161								
	1161	5/22/2017	Cut out all unneccessary paperwork and processes for procurement and acquisition. The FAR and EPAAR have created extra work that costs the government more money and takes three times as long to procure an item or service. In addition, the EPA has chosen not to hire a robust workforce for OAM, resulting in extremely poor service and results. Allow managers to approve purchases and hold people accountable who willfully and neglectfully misuse taxpayer funds. Get rid of the useless policies and procedures which ensures the government will pay more and not get what they need when they need it.				Keep it simple. Don't focus on new technologies to become more efficient or effective, Focus on not making poor decisions, policies, procedures that only add steps to the work and causes us to move slower and produce less. Most times in government, having capable leaders that will hold people accountable is the right solution because then you get a motivated and empowered workforce. As long as you keep looking for a new thing or technology, you ignore the most important factor in having a great organization and that is a good leader who actually knows what they are doing and can correct problems.	
1162								

AMERICAN OVERSIGHT

	I
1161	Continue the Digital Government Strategy: https://obamawhitehouse.archives.gov/sites/default/files/omb/egov/digital-government/digital-government.html Thank you.
1162	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1163	1162	5/22/2017	I would say that contracting procedures have often prevented efficient accomplishment of goals in the past. In some cases, performance time has been inconsistent. Also, interpretation of rules has been inconsistent. Some of this may be based on externalities, such as fear of investigation, and some on management effectiveness (or lack thereof). From what I have gathered, personnel processes can also be variable.	More flexibility is a good thing. Sometimes we need to step back from what the rules say and try to observe what actually accomplishes environmental quality goals most efficiently or cost-effectively. We also get lost in a power game among all the players, and it causes more friction over time. Understand that getting a site cleaned or keeping it clean is more important than dotting every "I" and crossing every "T." We may need to revisit old regulations and reform them, or even ask for changes in the laws to keep up with our environmental progress. Recognize property rights as another path to achieving and maintaining environmental quality.	First of all, recognize that they are customers who need immediate feedback, as the public pays our salary. Personally, I respond to all inquiries within one business day or find a way to have the inquiry answered if I am not available. Some EPA employees receive a large number of inquiries because our names and numbers are published on a public web site, whereas other employees do not experience the same responsibilities. However, all employees should be sensitive to the need for our internal and external customers to receive fast and friendly service. We need to have good access to our information at our fingertips and try to prevent "loss" of data we have collected over the years as software/hardware systems become obsolete. We could use our own "FAQ page" to help staff find answers quickly to the most frequent types of inquiries we receive from the public.	Have more reliable systems that do not crash. Better integration of systems that do not require transcribing of information (and therefore greater possibility of error). More frequent modernization of systems to achieve these goals.	Lots, no doubt!	Shared research results. Understanding that other agencies are also regulated by us and can be involved earlier in decision making.
1164	1163	5/22/2017	We are required to put in a training form for zero cost classes - seems silly. We are now also required per OARM to put zero dollar PR's for simple changes. i.e. adding someone to the contract as an alternate COR. There should also be a concerted effort from the office of the administrator to update all conference rooms. The conference room space is terrible. Hard to hear, not always TV's, and when the specific media office does update, they restrict other offices from using the space. It is key to have this be a top down investment that is open to all. Start with larger offices and then move into the smaller ones.	I would say that there should be larger more coordinated grants when working with the states and tribes. Requiring EPA to coordinate with other media offices seems key. We have tried to coordinate with other offices in the past, but there isn't much incentive to sharing or coordinating grant monies when a lot of the money is tied to a specific office budget. Maybe pool money as an incentive from the office of the administrator.	In the pollution prevention program, we work very closely with our grantees to encourage sharing of best practices between and among the grantees and EPA and the other non-profits. In addition, we are well situated to encourage pollution prevention activities in advance of the new TSCA rules that will be coming out. Obviously, regulating a specific industry is the easiest way to reduce specific chemicals, but it takes a long concerted effort. Working within the voluntary pollution prevention programs or even through simpler reporting requirements (TRI), there is a reduced burden on industry and a reduction in hazardous waste. Most of the time, businesses also reap the benefits because fixed costs are reduced as well through less permitting, cheaper materials and reduced disposal cost.	We should be looking at ways to share data between countries. Many businesses are global - if we could share risk and hazard data with the EU and vice versa, it would reduce the burden for business and for the environmental agencies worldwide.	EPA does a lot to ensure that our own bottom is reduced, but we still are not using LED lighting. This is a simple fix now that we can pop the new LED bulbs into existing fixtures. If we are working on this, there has been no word. In addition, we need to consolidate Potomac Yards into HQ. It would make it easier to work with that staff, but also use less dollars towards leased space. In addition, instead of closing a regional office as a cost cutting measure - why not look to other federal space to see if we could move into their buildings.	

AMERICAN OVERSIGHT

	I
1163	National Science Foundation has a great grant management and review system, from what I have heard. States are using more mobile technology to cut reporting times for inspections. Better understanding of project goals happens in a lot of the private sector. For EPA, we can use this knowledge not only to understand steps and deadlines better, but also why we may not need to perform certain tasks.
1164	Move on from lotus notes, EAS and people plus. These systems are antiquated and take too much time and money to update, and train staff on.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1165	1164	5/22/2017	The trainings to become a COR are terrible and extremely time consuming. I needed to take 54 hours of confusing online training that delayed my other projects and taught very little real-life skills.	We need to hold polluters accountable for the damage that cause to our communities. Taxpayers cover far to many clean up costs.	We should be present in more public meetings in communities- and not just the regional staff.	We spend so much money contracting out services to make graphics and data visualizations when plenty of free software exists. Unfortunately, due to EPA's licensing requirements, EPA cannot take advantage of these free tools-- even in cases where other federal agencies managed to procure agreements for them! Its a ridiculous waste of money. EPA staffers could make better quality products at no additional cost instead of going back and forth with contractors.	Yes. Gaining access to free online tools (like Canva and Piktochart) for developing graphics should be a priority for the communications workers at this agency. We could save tons of money that is currently going to contractors.	
1166	1165	5/22/2017	The Agency's contracts system is seriously broken (slow, often unresponsive, creating delays). This should be a top priority to fix.	I used to work at a state agency. They are in even worse budget shape than the federal govt. We should almost always partner with them, but if we simply put more requirements on them without any serious added resources, they will not be able to meet the new requirements.	Keep the federal programs we run that provide technical assistance to states, locals, tribes... It is a perfect federal role to develop and provide resources to help them run their programs in the most efficient way possible.	Support voluntary partnership programs that help reduce costs for state et al to meet environmental requirements, but in a way that is intrinsically consistent with markets and the private sector -- but only if the partnership programs are effective. Double-down on those that are, and scrap those that are not. I think there is vast untapped potential in EPA data systems. Bring in a real IT/API expert to figure out how to most effectively make all these reams of data (e.g., TRI) more accessible and usable by citizens. They can then hold us accountable to what they will identify as the most critical local problems they face, rather than just Washington deciding what's	We should align environmental programs to enable high jobs producing sectors of the future (electric vehicles, energy storage, renewables) which are also essential competitive areas for the U.S. to maintain superiority in globally.	See above. More partnership programs with states, locals, and industry. Also, do a real risk analysis of environmental exposures and risks. Are things like indoor air (unregulated) of as great concern as outdoor air (highly regulated)? If so, let's put resources there.

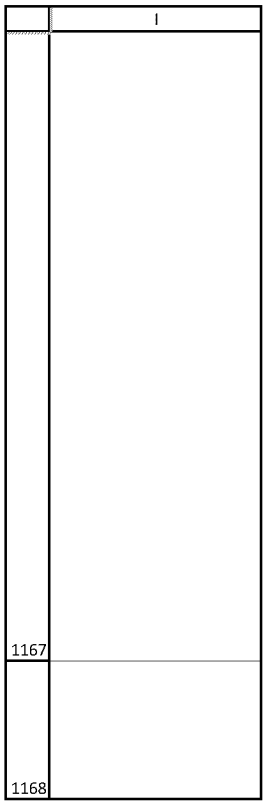
AMERICAN OVERSIGHT

	I
1165	Offices should better utilize the tools provide to aid telework. If everyone was able to use Adobe connect and Skype better, we could save time communicating with people who are out of office. The number of people who do not know how to utilize these tools is sobering.
1166	How about the ability to fire people, at minimum, who engage in seriously inappropriate activity (selling things onsite; looking at porn), and more broadly are raging underperformers (let alone just poor performers)? Good luck with this, as the unions are required to defend all, but it would boost morale of everyone else to have these clunkers removed from the agency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1167	1166	5/22/2017				EPA as a whole needs to do a better job of workforce planning. In other words, you need to have the right people in the right positions in the right locations. In my time with the agency, since 1998, I have seen reorganizations, buyouts, and hiring and it never fails to amaze me that people never actually look at the work load, the current need, and the projected need in performing these things. It always seems to be about empire building or realigning to justify the number of FTE's. EPA as a whole also needs to flatten the organization and I don't mean by redefining positions to make the appear to be below the line rather than above the line. I would never like to see people lose jobs over these types of		
1168	1167	5/22/2017				stop cleaning the bathrooms, and dusting three times a day. Stop watering the grass, stop growing grass - let it go wild.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1169	1168	5/22/2017	Administrations that focus myopically on deregulation as if it is a mythical savior. Read the comments from the Makah Tribe in their comments to EO 13777. Regulations are in place to ensure a level playing field for all businesses, protect human health and the environment, and promote transparency and fairness. The rhetoric coming from people like Administrator Pruitt and his chief of staff, lumping all regulations in as one "bad" belie either ignorance, or, most likely, antipathy towards the work we do.		We aren't in the customer service industry. Better outcomes come from promoting strong, ethical values from the top down. Currently, the Administrator and his staff's communications would lead one to believe that our "customers" are small businesses and industries and that the priority is ensuring their lives are easier. We are tasked by Congress with enforcing the environmental laws on the books. Ensuring that those laws are fully enforced is our "service." Our customers are the people of the United States of America, not one segment of business or industry. All people. Those customers deserve a robustly funded, respected, values-driven EPA that is not forced to be the punching bag for every Republican or industry-friendly politician across America. It may play well with a segment of voters, but those same voters will be upset when EPA lacks the personnel or resources to protect them from the	Reduce the reliance on contractors for every thing we do. While it is true that sometimes a private contractor can do something more efficiently, the obsession with outsourcing government work can sometimes lead to higher costs and worse work. And it is another attack on the federal workforce. We've already been demoralized enough through incessant attacks from politicians like Administrator Pruitt.	Computers. Improve our computing power. Stop boondoggle contracts with companies like Microsoft. Use the power of search engines like Google to improve our storage and search capabilities. Our website is a joke, and the search functions are worse. My computer looks like a replica of the one I used as a freshman in college in the 90s. I know this administration is antagonistic towards spending money on agencies, but increasing our IT and computer software/hardware budget would be helpful in making us more efficient and effective.	I don't know what this means, but if it means what I think you want it to mean - ie handing off work to other agencies or states - your fixation is misplaced. We are already operating at staff and budget levels a fraction of what we ought to be doing. Save money elsewhere - How about the 125 billion the Pentagon is wasting on contractors? Show some moral and intellectual honesty. This entire survey is a red herring.
1170	1169	5/22/2017	The treat of budget cuts, staff lay-offs, elimination of environmentally important projects, and statements (such as elimination of important environmental regulation that ensure healthy ecosystems and human health) from the EPA political leaders and the President has a devastating impact on staff moral and for sure impact staff efficiency. This can be improved by respecting and make the EPA staff feeling appreciated and important by their words and actions!	I believe there are already measurements in place to achieve this.	I believe it is already good, but of course it can be improved with better communication.	Nothing come to mind	Improve audio-visual equipment and operators - this will reduce travel cost.	Set-up meetings (even standing meetings) with different agencies at the higher and lower levels - especially in cities where the agencies are relatively closely located.

AMERICAN OVERSIGHT

	I
1169	
1170	Nothing come to mind

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1171	1170	5/22/2017	Everything has been pushed down to the employee, thus you'll have inefficient time being spent on preparing training forms, travel, or other administrative activities and when there is an issue or problem whether with the system or the user, the user spends typically an inordinate amount of time trying to fix the problem. Thus, you may have high salaried people spending way too much time on non mission critical work, it is inefficient. I'd suggest designated local, administrative centers to handle these types of important yet non technical/professional matter.	Every state, tribe and local community is different in its approach - whether because of resources or policy choices; thus, Regions and their Regional Administrator should be sensitive to the needs of those groups and recognize their differences. However, transboundary pollution whether air, water, waste requires a benchmark or baseline in the protections afforded all Americans whether living in a mid western state or an eastern state or a western state. Delegated environmental programs to the states address this problem in large measure, EPA should be at the forefront of facilitating outcomes which bring the results that the individual state or states desire without jeopardizing the baseline of human health and environmental protections provided by Congress.	Rountables in each Region where these groups can bring their priority issues, with some limitation on how many issues at each roundtable.	Use of technology to manage environmental protections, where the electronic information is submitted and their is less need for actual boots on the ground.	See the enforcement's idea of next generation, get the program offices on board with writing permits that include these innovative technologies.	Working with our partners on their priorities, which should direct how EPA approaches its mission.
1172	1171	5/22/2017	In OPPTs, Risk Assessment Division, a more effective management system for the existing chemicals assessment process is needed. One suggestion would be to truly delegate technical decision-making (not just administrative tasks) to branch managers/management leads assigned to existing chemical teams. They should be trusted members of the management team that are integrated into the workflow. Instead, all decisions are funneled and delayed at the Division Director level. If the Division Director wants to maintain complete oversight of all technical decisions, then more frequent engagement is needed to make interim decisions (on a much more frequent basis - at least weekly) to eliminate speculation/discord amongst teams and to move the technical process forward.	I think our division is making a concerted effort in partnering with the private sector in implementing the new Lautenberg Act and where possible (a significant portion of our work involves Confidential Business Information).	We are in the process of doing exactly that in implementing the Lautenberg Act	Not in my Division.	Yes, I believe our Division is in the process of creating a new Electronic Management System to manage the New Chemicals work flow. For existing chemicals, we could possibly enact a management system such as Confluence.	Yes, there could be joint projects with OSHA or the Consumer Products Safety Commission regarding chemical usage and safety.

AMERICAN OVERSIGHT

	I
1171	Private sector use of telework with solid accountability for production of services. Some corporations don't even have offices besides satellite offices, could save money from GSA ownership.
1172	We could try using Confluence as a task management system. However, the government is not a private business nor do processes such as those found in the private sector necessarily apply to government processes - particularly the legal mandates, legal procedures (eg., proposed documents/rule publication, public comment, etc) that dictate and often constrain EPA's processes.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1173	1172	5/22/2017					Better IT for alternate worksite. Better teleconference lines- the line has been broken in our conference room for some time.	
1174	1173	5/22/2017	The systems that we use, FPPS, WTTS, and Monster are all very challenging to use, and I find it extremely difficult to be proficient in my job when I am forced to wait on a system to talk to another system, or when there are connectivity issues-which happens frequently. FPPS is also very difficult to navigate to look up an employee's record.	No comment.	No comment.		We need a better, more efficient HR processing system.	
1175	1174	5/22/2017					The use of electronic signatures and routing for all forms would be more efficient. There are still several forms and routing reviews which are handled in paper only. This slows the process down and can lead to documents being lost in route. Several of our practices are already electronic with electronic signatures allowed as authorization. All of them should be done this way for efficiency, speed and tracking purposes.	

AMERICAN OVERSIGHT

	I
1173	
1174	We need a better, more efficient HR processing system.
1175	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1176	1175	5/22/2017	Please reference Q. 5 below.	Not applicable for my position.	Not applicable for my position.	Please see Q. 5 below.	I am a Contracting Officer at EPA and have worked at several other government agencies. Contract actions entered into EAS (acquisition system used by EPA) need manual obligation or de-obligation by RTP. All other agencies that I have worked at have EAS directly linked to the financial system so that actions are immediately obligated or de-obligated when contract award is made by the Contracting Officer. At EPA, additional staff at RTP are required to manually obligate or de-obligate funds after the Contracting Officer has made the award in EAS. The manual obligation or deobligation of funds by RTP is not always done correctly or for the correct contract line items. Please have EAS directly interface with the financial system and write a	Please develop a better system for displaying contracts that can be used EPA wide. All regions need access to a COMPLETE listing of contracts that are available for use EPA wide for acquiring supplies or services.
1177	1176	5/22/2017						

AMERICAN OVERSIGHT

	I
1176	Please see Q. 5 above.
1177	A best practice in the federal civil rights community is the use of full time counselors focused on providing opportunities to resolve disputes. Our use of part-time counselors lends to marginal attempts at resolution; incorrect or incomplete information provided to customers and an image that the program is not important enough to provide professional, full time, civil rights practioneers. Providing the slots and commensurate funding for a professional cadre is another means of showing leaderships commitment to a model EEO program.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1178	1177	5/22/2017	The Action Development Process can be redundant and overly burdensome especially if any AA-ship drags their feet on Option Selection or table their concerns to maximize their lavage at FAR. Hardening the requirements for prompt identification of issues and requiring outcomes/solutions from any raised objections (i.e., can propose hypothetical or ideological concerns) from ADP meetings might help. In addition, creating timely review parameters (i.e., how long a supervisor should take to review a certain product) for first and second line supervisors would dramatically improve agency efficiency.	As part of EPA employee and supervisors review, have a semi-annual (2-3 years) survey of their stakeholders that can be used to evaluate effectiveness.	Provide the public with more contact information of EPA officials throughout the ranks. Directories should be expansive and provide general public with multiple POCs for various issues. It can be difficult for stakeholders and the general public to make initial contact with EPA. It might also be valuable to create an online form that allows the public and stakeholders to submit information to EPA about their costumer experience. This could be used to help craft awards or help identify program offices that have deficiencies.	Crowd source major projects to EPA employees. Skills Marketplace has really opened up opportunities but EPA should allow employees the ability to quickly and efficiently take on projects outside of their AA-ship. This could be achieve by requiring all EPA staff (with limited exceptions) to have 10% of their time as flexible/unassigned. Employees could sign up for tasks or take on non-standard work items and decide if they want to be evaluated for that time (which would only benefit them) or leave those projects they undertake as non-evaluated tasks. This is similar to Skills Marketplace but would not require management approval to undertake task and would allow EPA to better respond	Better use and culture towards using cloud computing and virtual meeting places. Investments in virtual meeting technologies will enable better virtual workplace experiences and better accountability of remotely working staff.	
1179	1178	5/22/2017					Central table for all the currently approved CSF???s for every company: Currently, CSFs are scattered, some in the jackets, some in the e-jackets, and some somewhere in between. Centralizing a repository for all currently approved CSFs, makes it more efficient to locate the most recent CFSs for the regulatory and scientific review. There are also instances where supersede CSFs are not marked as so. During the process of organizing a central CSF table, superseded CSFs will be identified and removed from further consideration by reviewers.	

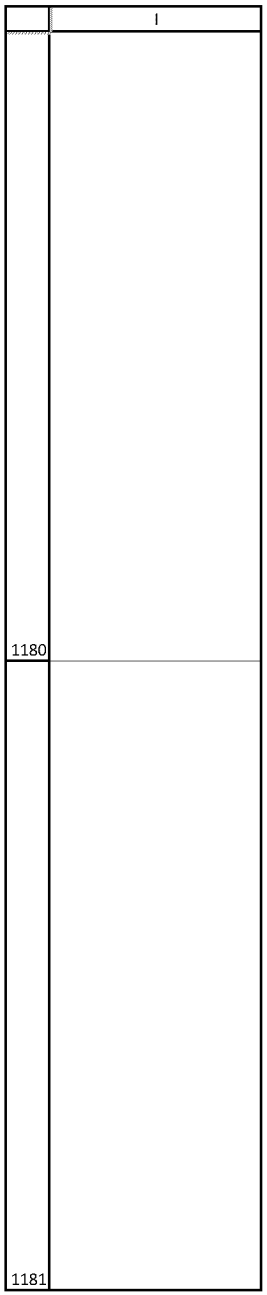
AMERICAN OVERSIGHT

	I
1178	Improving and furthering remote workplaces would be prudent. Remote workplaces, if done properly, reduces cost of business. Management needs to be taught about how to appropriately managed remote staff but if EPA took on a model that follow innovators in the private sector (i.e., Google) that focuses on output based on milestones and not simply time-and-attendance, EPA could quickly improve efficiency and identify high proficient work staff as well as identify effective managers.
1179	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1180	1179	5/22/2017				Consider flattening the organization again. In the current organization there are so many levels of management - which costs more and decreases efficiency.	The agency needs to reduce its dependence on contractors for providing IT services. There are so many stove-piped contracts in place.. The contractors do not work together; there is limited to zero communication between contractors, there is redundancy in services, and there is limited (if any) federal oversight by anyone that understands the technology. Any attempts to adopt new technology results in throwing more money at a contract. It does not work. It is not efficient. It has become very expensive and we seem to keep going backward from a technology standpoint. Another missed opportunity at EPA is the services provided through the	
1181	1180	5/22/2017	The EPA staff is currently required to spend too much time taking and passing mandatory annual training courses. The content and priority of these training courses should be reviewed with the objective of transferring all or most of them to bi-annual training sessions.	Partnering with outside organizations which rely on and need Federal funding costs money. EPA can't reduce its grant commitments to the States and Tribes at a time when most States are struggling to keep up the environmental funding available from their own legislatures. And funding to localities for achieving environmental remediation results through Brownfield programs needs to be increased. These programs are an economic engine for local communities that leverage many more new dollars than the cost of the original grants. In other words, we are succeeding at "spending money to make money." EPA is the best agency capable of managing infrastructure funds in the areas of drinking water purification and waste water management. Consequently, we need to be fighting to increase the Agency's budget for the	I think EPA is currently doing a good job at customer service - much better than most government agencies. Our biggest continuous need is keep listening to outside groups to hear and try to accommodate their ideas for communicating more effectively - with face-to-face meetings, conference calls, and social media outlets.		At the EPA upper management level, there are probably still too many face-to-face meetings that could be accomplished with video-audio participation technology (e.g., Skype, Adobe Connect). This would free up manager time and reduce travel costs. The travel budget would be better used for communicating face-to-face with external parties like State managers, key NGO groups, and even local enviro organizations that would benefit from face-to-face meetings with EPA to demonstrate that EPA cares about their concerns.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1182	1181	5/22/2017	Simplify,streamline and/or reduce the number of approvals that are needed for things such as purchasing and travel. Simplify and streamline the requirements for managing contracts. Quite often the overhead required to administer and document contract activities can take more time than performing the actual tasks.	Share databases. Harmonize and synchronize standard operating procedures and reporting templates.		Reward and encourage highly productive employees. Hold unproductive employees accountable for increasing their productivity or offer them demotion if they choose not meet the requirements of their job description.	Develop green chemistry methods for analytical work across all agency programs. Contract labs as well as agency labs are required to use many analytical methods that were developed years or decades ago and require large amounts of toxic or hazardous chemicals.	Identify and eliminate duplication of efforts.
1183	1182	5/22/2017	Finding information on our agency intranet is very difficult and wastes the administrative time of our employees. The amount of time staff members invest trying to find information internal to the agency is known as a ???clutter tax.??Â The more time staff spend trying to filter through a clutter of outdated and unmanaged content, the more it costs the agency and the employees in wasted time. More senior leader support is needed for the Office of Internal Communications and Office of Environmental Information proposal to clean up the agency intranet like EPA recently did with the public website. Such an effort would be very valuable in making employees more efficient.	n/a	n/a	Roughly 80% of companies now run on open source software to manage their intranets to save money. However, EPA???s current methods for managing its intranet is extremely costly and not conducive to advancing the EPAs work or saving the organizing money. The agency allows every region and program office to manage multiple servers and intranet accounts called TSSMS accounts. These multiple accounts and servers cost the agency thousands of dollars each year. By adopting Drupal as the intranet standard for the entire agency (like the EPA did for the public website EPA.gov), the EPA could save up to $1 million while also improving the management of intranet content to make employees more efficient.	Moving forward with the Office of Internal Communications and Office of Environmental Information proposal to adopt a standard intranet strategy and platform across the agency would greatly increase our efficiency. It would improve information sharing and also reduce costs. A platform like Drupal, best known as the open-source platform behind public websites like Whitehouse.gov and our own EPA.gov, is also a good option to manage our intranet since we already invest in it. However, EPA currently allows regions and program offices to use multiple different platforms to manage their internal websites. There is no standard, so the agency is spending a lot of money at all	n/a

AMERICAN OVERSIGHT

	I
1182	Encourage collaboration to reduce duplication of efforts.
1183	ORD has reduced the amount of contract dollars it spends annually on public website support as a result of its Drupal migration. ORD also reduced costs by eliminating unnecessary servers and TSSMS accounts after transitioning its intranet to Drupal (like the agency did for the public website). However, EPA has not adopted this strategy agency-wide. The Office of Internal Communications and Office of Environmental Information could use ORD as a case study to adopt Drupal as a standard intranet tool to manage all agency internal websites. We already use this platform for the public website (EPA.gov), so it makes good business sense to eliminate the cost of

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1184	1183	5/22/2017	There have been hundreds of pages of guidance issued over the past decade or so - if not thousands of pages, on environmental justice (over 200 pages!), delegations of authority, nationally significant issues, Next Generation, model settlement justification memorandum, model litigation report memorandum. And - unbelievably, there is no index to all the guidance documents. You have to ask around and cross your fingers hoping you found everything relevant. Are all the guidance documents really needed? Why the heck isn't there an index to them?	It would be nice if there was a way to share penalties with our state partners in an administrative enforcement action. Our state partners provide terrific assistance in these matters, in my experience. But, when a state joins our enforcement action, we must pursue a civil judicial path so we can share penalties with the state.	Better technology and technology support will improve customer service to all. We also need an electronic system to update our state implementation plans. It would help get the state submissions approved more efficiently since we would already have a compilation of the law the state was changing because right now, we don't always have this. Many regions are decades behind in compiling these state implementation plans (under the Clean Air Act) even though the Clean Air Act requires EPA to compile these plans every 3 years. The law that EPA is required to enforce is not compiled - not online or in a book.	Too many of our regulations are very poorly written and even internally, we can't understand how to comply. Drafting rules that are easier to understand but that don't get the absolute maximum pollutant reduction from each source - might still end up with an overall environmental benefit if there are more people complying. We would probably get the same environmental benefit if we had rules that were very easy to understand, and very easy to enforce because more people would comply and it would be easier to spot noncompliance. Instead, we draft super specific rules to squeeze out every last pollutant reduction from all these different categories of sources - too many of our	General Services Administration is very challenging to to deal with. For example, the GSA badging office is open Mondays and Wednesdays until noon in region 4. That's it, no other times. And when GSA codes your badge, GSA doesn't tell you it takes a week to 10 days to start working, so you try to get into the building and your badge doesn't work. Why wouldn't GSA explain this to you when you are at the badging office? GSA's communications are poor. Often, you cannot tell what information is being shared. And there seems to be little accountability. At any given day, at least one of the garage doors on the parking garage are not working. Once, I had to leave early, and the guards could not get	In my experience, our state partners are very happy to have the EPA utilizing federal resources to solve problems in their states. States send us the matters that they lack resources to deal with.
1185	1184	5/22/2017				Reduce layers of middle management. Divisions and Branches do not need deputies. Consider eliminating Divisions entirely and consolidate into Offices.		
1186	1185	5/22/2017	Contracts Management is extremely slow and sometimes non responsive. The milestones they set up to process PRs are often not achieved.	Communications	Communications and the periodization of needs coupled with risk factors.			

AMERICAN OVERSIGHT

	I
1184	Count our accomplishments differently to give staff and managers incentive to put time and effort into work the administration wants done - for example, give credit for investigations that show a company is in compliance because that's great and it takes time to do these investigations but right now, we don't get credit for this type of thing. Or, start giving credit for notices of warning instead of only giving credit for penalty actions. Or, start giving credit for work performed to improve our rules. Right now, no one puts resources into improving our rules because this effort doesn't get counted. Give credit for work that fixes problems or maybe give credit for identifying problems to be
1185	
1186	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1187	1186	5/22/2017	The Federal Register has archaic rules that were likely developed prior to widespread use of personal computers. The Federal Register Document Drafting Handbook is 228 pages long. Many of the requirements are unnecessary and require additional resources for (1) FR staff to develop the rules and (2) agency staff time to assure compliance with the requirements. I would conduct a review from outside the FR office to make recommendations on ways to streamline the FR office requirements to reduce staffing and printing costs across the federal government. For example, when a rule is amended the agency is required to use amendatory text. This approach is not only difficult for the public to understand, but it is also prone to mistakes and an unnecessary use of agency resources. It is common practice to put a track changes (i.e., redline strikeout) in the docket so the public can more easily understand the amendments. This document could also	Develop a policy of limiting penalties for the regulated community that self reports violations. This would recognize the environmental benefit of coming into compliance instead of incentivizing covering up issues. Partner with states, tribes, local communities, and the private sector in recognizing the long term environmental and cost savings benefit of innovative/emerging technologies. Currently, emission standards are often based on the technology that achieves the lowest emission rate for the specific pollutant of concern with secondary considerations of costs, other environmental impacts, and technology development. There is limited incentive for the regulated community to participate in technology demonstrations. If the innovative technology is not	Allow technical staff to give tentative direction on their understanding on how to comply with rules while OECA conducts a more formal review. It can take months or longer to receive responses to formal interpretations requests. Therefore, technical staff often receive questions on rule requirements they worked on from both the regulated community and regulators that are trying in good faith the comply with the requirements. However, OECA staff discourage technical staff from giving any guidance because it decreases the ability of the EPA from accessing potential future penalties. The goal should be assisting in compliance and not maximizing penalties. If a technical staff understanding is later found to be incorrect, then the source should be allowed to come into compliance with limited penalties.	Have periodic independent desk audits of senior staff (GS14 and higher) to assure that (1) the expertise is aligned with current agency needs and (2) the staff are doing work that is commensurate with the higher GS level. If staff are determined not to be meeting the requirements to justify the GS level, they should be given the opportunity to transfer to any open senior staff positions they qualify for in the federal government or accept a lower GS level. It is not uncommon for staff to be promoted but at some later point are no longer performing at the expected level. Currently, these staff are either left in the position or moved to another positions while maintaining their GS level. This is (1) an	Use the electronic docket more effectively and publish less material in the Federal Register. The Federal Register should provide adequate material for the public to understand what the agency is doing. Regulatory text, compliance with executive orders, and other rationale/discussions should be included in the electronic docket. This would reduce printing costs while still providing adequate public notice of agency actions. Expand the use of the Talent Hub. This is a great program to efficiently use staff resources and develop staff talent. However, there is a perception from managers that allowing staff to participate will reduce future resource allocations. It	Minimize overlap in agency functions. For example, EPA???s Energy Star and WaterSense programs overlap with programs at the Department of Energy. The DOE is tasked with establishing minimum energy efficiency and water use standards. It would be more efficient for the same staff and supervisor at the DOE to develop Energy Star and WaterSense guidelines at the same time and minimum standards are developed. In addition to the cost savings, this would assure consistency. Labeling of products without minimum standards could either stay at the EPA or be moved to the
1188	1187	5/22/2017	Getting training approved through the Training Offices is sometimes laborious, even when the supervisor has already approved and funded the training. This is particularly true for group training events. It seems if the supervisor authorizes the training and fund it, there should be no need for another person (Training Office) to approve. If we have a system for procuring items through the purchase card, why is it necessary to have a "Purchase Card log". All of the information provided on the log is the same in the system on the PR. This seems a bit redundant. If the current system (Web Forms or EAS) does not include all information needed, let's fix the system to include all necessary information or use another system which meets the needs for all information on our purchases. Also, there is too much "legal overhead" in the processing of both informal and formal complaints in the Office of Civil Rights. It takes way too long to get Final	N/A	N/A	There continues to be a lack of support for managers in the area of discipline for problem employees -- particularly with conduct issues. Employees continue to be insubordinate with seemingly no accountability, which results in less productivity due to poor morale of other employees witnessing and experiencing disruptions in the workplace by employees with poor attitudes, attendance, etc. Employees who conscientiously do their jobs have increased workloads due to problem employees not being held accountability for work they are assigned, creating a poor work environment/poor morale and decreasing productivity. Hold managers accountable for their actions in holding employees accountable, and	There are always new technologies out there that would be helpful in streamlining work and processes. However, many times, the folks who are on the front lines are not consulted when deciding to move to the new technologies/systems; therefore, resulting in systems that are inefficient and laborious. Adopt new technologies and processes, but do so while working with those who actually use the processes and technologies to ensure proper implementation, training, etc.	Do more networking with other Agencies on like services provided to showcase best practices that could be helpful/more efficient for all.

AMERICAN OVERSIGHT

	I
1187	Reverse evaluations where anonymous staff comments become part of supervisory and senior staff records and are used as part of their evaluation. Consistent poor reviews could contribute to the demotion of that supervisor/senior staff. Evaluate anonymous peer to peer reviews that are used in performance evaluations. This could be used as a way to address poor performing staff. Conduct an independent audit to explore ways to reduce unnecessary management levels and assure that staff to supervisor ratios match industry best practices. In my experience, groups and divisions are too small and managers are engaged in
1188	Do more networking with other Agencies through the local Federal Executive Boards to share resources -- training, ADR mediators, COOP resources, etc. Work together as brother/sister Federal agencies instead of against each other in a spirit of competition.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1189	1188	5/22/2017	I would continue to support efforts to consolidate admin systems. Anything that reduces the number of systems that we have to work with helps. I would also support continuing to move systems out of Lotus Notes and into Microsoft SharePoint or equivalent.	I think it would be good to develop a strategy for each office to reach out to stakeholders. I tend to think that having periodic stakeholder forums would be a good idea, but I would like for it to be a part of a larger outreach strategy.	We need to make sure we are responsive to the public. I've been so frustrated lately with responses to the public getting held up. We need to be more efficient and provide timely responses. Also, FR notices, we need to keep them moving...	Not really. We do so much with the little bit that we have. If anything, we need to build stronger partnerships with stakeholders, so that they can effectively help us meet our goals. For instance, working with volunteer monitoring groups to collect good quality data. Then again, that usually necessitates some funding for capacity building. The cycle continues...	Not that I can think of.	With other federal agencies, it would be good to have a liaison to key federal partners at each office. And make sure everyone knows who that is. So that, if I want to work on an issue with Forest Service, I know who to go to.
1190	1189	5/22/2017	I believe that there is a big gap in between management and employees. Managers are not fully trained and are not accountable. Upper management failed to take action if manager doesn't comply with the rules. Upper management supports supervisors and asking employees to get help from the Unions instead of resolving issues. It directly affects job duties and harassed employees. Management made internal ADR rules but doesn't follow if complain about supervisors. These rules can only be applied on employees, not on management which is affecting our job. Management should me more accountable.	Partnering with states, tribes, local communities, or the private sector is one of the best approach to receive better results e.g. involve states, tribes, local communities to prevent duplicate work and to better understand the needs.	-	-	- Reduce management chain and make management more accountable, - Improve employees management relations - Reduce approval process chain and improve approval services.	-

AMERICAN OVERSIGHT

	I
1189	None come to mind at this time.
1190	-

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1191	1190	5/22/2017	Not applicable.	One day, hopefully in the near future, efforts taken by regulators to protect human health and the environment, will secure public/private support and visibility to help more effectively demonstrate the return on investment that constituent derive from administrative/technical refinements that foster the reuse/revitalization of our universe of sites. The information collection burden process needs to be revisited and incentives developed to help foster public/private collaboration to help better communicate and convey the return on investment derived from ongoing efforts. The current process has room for improvement.	We live in an information management age yet very little value is placed on the importance of maintaining online details. When budgets are cut, communications and outreach efforts are curtailed and services relied upon to provide better "customer service" are correspondingly curtailed. I'm NOT SURE if the current evaluation process clearly captures the value & importance of maintaining accurate information on websites as a catalyst, for transparency!	Not sure!	TBD	Provide structured opportunities for staff to contribute ideas and recommendations to enhance collaborations like the Partnership In Sustainable Communities (OSC) and enhance collaboration with their peers in other federal agencies working on mutually aligned projects (e.g., some of these opportunities should be listed by corresponding program priorities. The current effort requires review of budgets and budgets which could/should be more easily aligned in this day and age of information management.
1192	1191	5/22/2017	Many of our systems and databases continue to be clunky and disjointed: Webforms and people plus are not connected, webforms has many forms that cannot be filled and submitted, Lotus Notes still needs to be used for international travel approval, info cannot always be found easily on the Intranet, and when you find it, it doesn't always have helpful links and you still need to search for what you need (for example, trying to change health benefits for a QLE- info is not clear). Other examples include obtaining certain IT improvements, such as a converter cord to hook up to a display screen, or a new hands free headset-- in my experience, admin staff point to EZTech and EZTech points to Admin staff, and it took months and lots of wasted work time for me to try to get a $10 piece of equipment.	Actually implement the regs we have promulgated and which have gone through multiple rounds of public comment and legal and policy analysis.	Keep scientifically-based information on our website rather than replace it with climate change denial. American citizens rely on EPA for unbiased, scientifically-backed information and data. We lose credibility when we remove this from our website.	Consolidate space and save $ by moving Potomac Yard into the Federal Triangle space- would save on lease and shuttle bus.	Managers need to be supportive of SharePoint and OneDrive. Many staff have taken the initiative to not only use these systems, but also train fellow staff and managers on how to use them, and yet managers still seem resistant to using them and often are THE roadblock. These systems, when used properly, have greatly increased efficiencies and improved workflow, and we should not have our own management be the ones standing in the way of workplace improvements! Also, move all our systems to use Chrome, not IE.	

AMERICAN OVERSIGHT

	I
1191	Recognition for public-private collaborations that foster organizational, operational and cost efficiencies that are touted like the "Big Apple Brownfields Awards" - http://www.nycbrownfieldpartnership.org/awards
1192	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1192	5/22/2017	The process of completing timesheets is not linked and synchronized with requests for leave, although they are the same system creating inaccuracies in leave balances. Make them work together.			Assess the need for and use of Transit Subsidies in regions/HQ where they would use public transportation regardless of the benefit. The could be some cost savings there.		
1193								
	1193	5/22/2017	I am slowed down by the current requirement to get any external communications, inspections, and enforcement actions approved through Headquarters and the Administrator's office. This is occurring due to the lack of Regional Administrators that are trusted by the Administrator to implement EPA's mission. These delays mean that EPA cannot quickly respond to citizen's complaints because we need approval from the administrator's office to visit a farm or a power plant or a mine site. These delays mean that pollution is allowed to occur while we sit in our offices and wait for Headquarters to approve our work. The Administrator's office needs to trust the Acting Regional Administrators to do their jobs and not micromanage all of the region's work.	EPA needs to maintain its current budget and staffing levels in order to have enough staff to support our state, tribal, local, and federal partners. EPA needs to maintain its current funding levels of the many grants that EPA provides to all of these partners. The president's proposed budget threatens to cut Public Water System Supervision grants to states to monitor public water systems and protect drinking water. The president's proposed budget threatens to eliminate all funding to the Chesapeake Bay, which has begun to improve in recent years thanks to EPA leadership and financial and technical support. The president's proposed budget also threatens to cut funding to EPA's Superfund program, which Administrator Pruitt has said is one of his priorities, and the Brownfields grant program, which would reduce EPA's ability to	The Administrator needs to trust the Acting Regional Administrators to be able to communicate appropriately with the public. Currently, all external communications need to be vetted through the Administrator's office, which means the Regions cannot provide good customer service and prompt responses to the public and the American taxpayer.	Our state partners are already dealing with smaller budgets and fewer staff in their environmental programs. In order to maintain environmental protection for all Americans, the Administrator needs to stand up to the president's proposed budget and advocate for maintaining EPA's budget in order to continue to provide funding and grants to our state, local, and tribal partners.	EPA should develop and implement electronic concurrence packages. Currently, we need to print out and walk around concurrence packages for letters, mailings, and enforcement actions. An electronic signature system for concurrence packages would improve efficiencies and allow for more effective processes.	In order to be best aligned with our state partners, EPA needs to maintain its current budget and staffing levels in order to have enough staff to support our state, tribal, local, and federal partners. EPA needs to maintain its current funding levels of the many grants that EPA provides to all of these partners. The president's proposed budget threatens to cut Public Water System Supervision grants to states to monitor public water systems and protect drinking water. The president's proposed budget threatens to eliminate all funding to the Chesapeake Bay, which has begun to improve in
1194								
	1194	5/22/2017	Changes in priorities. Uncertain funding situations.	Community outreach to schools, NGOs, local governments, etc.	Engage in open conversation. Define and mutually agree upon program directions, goals, etc. Honesty is the best policy.	YES. Eliminate landscaping and introduce zeroscaping to EPA campus. Simply allow native species to grow on campus without introducing new exotic plants every spring, etc. This would save labor, money, and other resources and would only require periodic trimming, mowing, etc. This would make grounds more eco-friendly to native pollinators, etc. Can also implement and use on-site composting for campus lawn maintenance instead of purchasing mulch, etc.	Get rid of internet explorer and replace with Google Chrome.	Develop more points of communication/contact between different agencies.
1195								

AMERICAN OVERSIGHT

	I
1193	
1194	Yes, EPA should not spend millions of dollars to fund 10 additional full-time security staffers to act as the Administrator's 24-7 bodyguards. This is a waste of OECA's budget funds and diverts taxpayer dollars from where they could be better spent in protecting human health and the environment. In the private sector, the three CEOs for Yahoo, Google, and Apple had a total 2016 security budget of $1.115 million. Asking taxpayers to pay for such bodyguards is a ridiculous waste of money.
1195	I can't think of any.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1196	1195	5/22/2017	The current routing process to get documents signed is inefficient due to the majority of staff working off-site multiple days. Having to physically sign off on a document before it can proceed can often be delayed by multiple days due to one person not being in the office. I would suggest that we invest in a electronic routing process that way staff could review documents anywhere they are located.			EPA should get out of the business of community outreach, for example Watershed oriented work with community groups, these activities are great but they aren't regulatorily required and therefore in these lean times should be minimized.	Our tools are somewhat antiquated, especially inspector related tools. Having real-time access to data and GIS location information onsite during an inspection could make activities much more efficient and effective.	
1197	1196	5/22/2017	A clear and consistent budget would allow the EPA to work towards the goals set out by the American people. Constant indecision surrounding the budget negotiations and whether or not 30% of EPA (or the entirety of ORD) will be losing their jobs has a negative effect on employee moral and effectiveness.	Do NOT cede all power to the states. There is a clear need and role for a national environmental agency.	Provide more funds and FTE to support EPA's current roles and responsibilities. More FTE to interact with states, tribes and local communities will make sure their needs are heard on the national stage.	To start- Reduce the budget and FTE for the reported full time security detail that Administrator pruit has requested. This budget should be reduced to 0, just as all previous administrators have had. Almost 1 million dollars could be saved, according to recent reports.	ScienceHub should be done away with. The entire peer review process of publication makes this entire database redundant.	State agencies and federal agencies WILL NEVER have 100% alignment of interest. This attempt to "hand responsibility back to the states" is a transparent attempt by political appointees to place the responsibilities of federal agencies into the hands of less friendly and gerrymandered state legislatures, where they can then be destroyed quietly outside of the eye of the national public. So in the end, the EPA will never "accomplish more by realigning with states" and this idea is laughable.

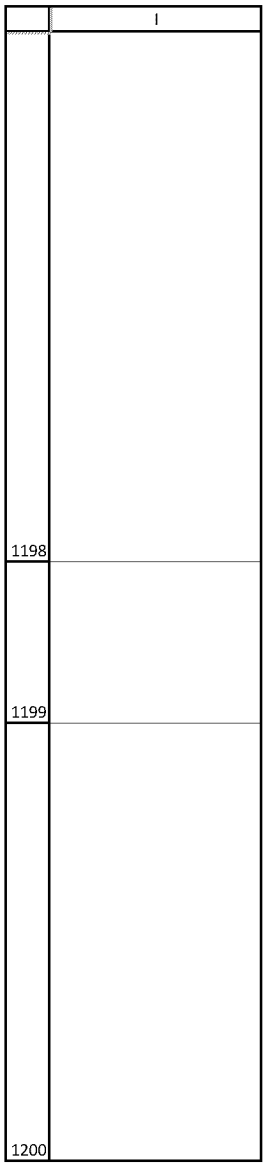
AMERICAN OVERSIGHT

	I
1196	
1197	The private sector does not have answers to all questions. Don't send out employee surveys that will be summarily ignored. Stop focusing on the notion that one must cut the budget of EPA in order to be "efficient" or to "increase accountability". This is a straw man argument and only provides public cover for those hoping to dismantle the efforts of EPA in order to enrich Big Polluters and corporate connections.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1198	1197	5/22/2017				I suggest that you ask the mail room to first ask the receiver of junk mail if they want it, and if they don't want the junk mail, ask the mail room personnel to call the vendors and have them stop sending flyers, booklets of supplies, advertisements, etc. (junk mail). A vendor that wants to sell there products sends a book to the supply room, contracts office, RA's office, etc., which is not needed and I see so much paper being wasted this way. Stop these vendors from sending something that will be tossed/recycled anyway.		
1199	1198	5/22/2017	The international travel administrative processes for planning and getting approval are duplicative and outdated. Concur and FIAT need to be integrated into one platform that is fully supported by the agency's IT services.					
1200	1199	5/22/2017	Continue the funding that we have had in the recent past. Allow us to maintain the dedicated and well qualified workforce that diligently strives to protect the environment. Base decisions on sound science as we have in the past versus denying scientific fact and trying to silence the scientists that seek to protect the environment.	In general we already have an excellent relationship with the states and most other parties except for those that are violating environmental laws.	Do all that we can to protect the environment. As we have in the past, continue to involve the regulated community and seek input from them, but use the best science to form decisions.			In the past, before there was an EPA, there was a hodge-podge of various state environmental regulations. There was no consistency and many businesses would locate in a state that had the lowest standard so less money would be spent on compliance and protecting the environment. EPA was established in part to bring consistency across this great nation.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1201	1200	5/22/2017	I don't know of anything no longer necessary but administrative support is sorely lacking at many lower levels. Staff shortages and inefficiencies prevent me from doing my job do to too many distractions for one person.	Consistent use of the Conflict Prevention and Resolution Program to aid in collaboration and conflict management strategies during partnering events and planning those events.	See my answer to Q. 2.	Workplace conflict exists at many levels and is not fully addressed by the 1 staff member available for workplace conflict. It seems there is a significant loss of productivity, in excess of 80%, when employees are in conflict and that is CLEARLY inefficient. The Workplace Solutions program, a headquarters only program, needs enhancement to help people deal with civility, conflict, collaboration and other issues in the workplace. Currently the program is having to use contractors to do some significant lifting in group conflicts and is challenged with multiple administrative tasks that seem to distract from being able to help employees. Imagine an increase in constructive	We shouldn't always be looking for new - sometimes we just need to talk and find out what is working so we can consider doing more of what does work, supporting what needs to be supported, and revising the things that aren't working. In the way of new technologies...resources to support implementation is the key.	Each agency has its own culture, so be wary of aligning with other cultures that may not be effective for they type of work.
1202	1201	5/22/2017	having to obtain your immediate supervisors "approval" in order for you to go on a detail or temporary promotion which may allow you to gain useful skills and further your career development - often times you encounter a "selfish" mentality or a manager who "can't afford to lose you" and that then prevents you from forward movement.	having a direct liaison between key offices versus so many layers of people to go through for issues/concerns/topics of interest	a simple EPA hotline would suffice...a way to triage calls/complaints/compliments, whatever the comments or issues may be. they should then go to the liaison in each AAship	utilize the currently available but rarely supported flexiplace programs already in existence. Even though the message regarding these programs come from the top down, it's ALWAYS left to the "supervisor/managers" discretion and majority of the time the request to use these work/life balance options (even during mass transit outages) are denied. It's really quite sad and there are little no repercussions in order to "fight" such a determinations other than to go to the union - which is never seen as a "good" thing and then the employee is left with poor morale and difficulties concentrating on their work.	the use of Adobe connect and/or Skype moreso to enable flexiplace options as mentioned in Q.4	those Agencies which review our documents could be brought into the process earlier, perhaps when we are scheduling our registration review process timelines. USDA, FDA, etc.

AMERICAN OVERSIGHT

	I
1201	Some other agencies have more robust workplace conflict management programs than EPA. Some benchmarking was recently completed to consider gaps in our program. Additionally, our program is only a HQ program and that leaves the regions without resources. Making this program a national program with the ability to address the road spectrum of conflict will improve performance and conduct issues by 80 - 100%.
1202	holding managers accountable for causing undo stress and chaos with regards to their hiring practices, belittling treatment of employees, and their all around inability to manage effectively due to lack of training - most managers are placed in their positions as a way to receive a promotion not because they are qualified to perform the duties as assigned.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1203	1202	5/22/2017	A consistent Telework policy which offers maximum flexibility is vital for a family friendly work force. Inconsistency between managers in implementation is frustrating and unfair. If you want to make EPA a place where people want to work and STAY, then policies need to come into the 21st century and out of the dark ages. Insecure managers who refuse to allow telework, or apply unrealistic and impossible standards of work portability are an impediment.			Over the last few years, the Agency has gone overboard with LEAN activities. 3 or 4 days to figure out something that is simple common sense is a giant waste. Having 3 or 4 full time staff working on LEAN is also a gross waste of precious FTE. Justification for LEAN activities has been "its the only way to get management to change a process." Whose fault is that? The Manager. This is just one of the "fluff" activities the Agency wastes time and money on.	The PeoplePlus Timekeeping System is inefficient and does not serve the needs of the employees. It does not accurately reflect current leave balances, and it is cumbersome to use for any earning of credit time. Employees may not go into the system to cancel a leave request, or change it, once a supervisor has approved it. Employees have to request the Supervisor cancel the leave request, even if the employee simply wants to change the times. Huge waste of GS-14 and GS-15 salary dollars.	
1204	1203	5/22/2017		A sustainable outdoor environment is important for all Americans. But the indoor environment provides untapped potential for significant economic activity in the private sector and increased health improvements for American families, at a time when affordable health care is so needed. People spend roughly 90% of their time indoors where air quality can be 2-5 times worse than outdoors. With a minimal investment EPA can develop a labeling program for healthy homes, utilizing private sector partnerships with home performance contractors and the remodeling/HVAC industry, to transfer EPA's well-established guidance for healthy home upgrades into a robust labeling program for market-rate healthy homes. This type of voluntary program would use EPA's protocols for healthy home assessments (developed in the				

AMERICAN OVERSIGHT

	I
1203	Telework. This would reduce the federal office footprint, increase moral, and create an employee friendly atmosphere. As stated above, the impediment of insecure managers and unreasonable interpretation of OPM guidance (note the work guidance - not rules) has made implementation impossible. This is a concept that works, and it growing in the private sector.
1204	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1205	1204	5/22/2017	We do all of our formal outside correspondence and concurrence documents on paper and we end up wasting tons of paper...and time! There really should be an electronic management system for letters, enforcement documents, and other materials so that something can go up the management chain instantly and changes can be made electronically in the moment, instead of days later after a supervisor marks up the documents with pen and paper. Then once the documents are finalized they can be printed and signed. So many managers now work from home or in offices across states/cities and doing everything on paper is inefficient. It's 2017, if we can have remote workplaces, we need to be able to do nearly everything remotely that we do in the office, especially something as important as this. This will hold people accountable for their work and produce faster results.				Modernizing our document control systems...too much is done on paper. Every other modern business uses electronic document control systems to send things up the management chain, we should be too, especially since more and more people work remotely; paper doesn't make as much sense anymore. And this will, hopefully, get rid of the constant "oh I was working from home" excuses for not getting important work done by managers. We're only as efficient as the least efficient link in the management chain.	
1206	1205	5/22/2017	As field employees, the logistics of preparation for field work, field sampling, sample shipping, equipment decon and storage require us to work extra hours, but we usually do not know how many hours in advance. So, we have to submit pre-authorization for compensatory time, which is rarely accurate, and requires deputy division director approval so there are often delays. This creates uncertainty in whether or not the field work can occur (if compensatory time will be approved) and can make planning with our state or federal partner difficult. Currently, the Daily Flexible Schedule (DFS) is a solution to this problem; we would already being approved for working up to 11.5 hours of work per day without any additional paperwork or approvals. (Employees sign in and out to document hours worked). However, this schedule is only available in a few EPA regions, and not where I currently work. The Alternative Workschedule Options should be the same across the agency.	Make sharing and storing monitoring data (results, sampling locations, and metadata) easier (both uploading and downloading), reducing replication of similar monitoring efforts.	Provide more transparency in decision making. Staff EPA at appropriate levels to adequately provide technical assistance, when requested, to all of EPA's partners.	Often, technical services and reports are contracted to organizations like Tetra Tech because EPA does not have sufficient staff time to do the work, not because staff do not have the expertise. This costs the agency more money than completing the work "in-house".	Yes, ipads for field work. State government employees have and use them regularly, but they are completely ineffective for EPA field work. They can not be shared (one ipad is required to be assigned to one individual) within an office, the process for getting apps approved for download has been stopped or is completely ineffective, and there is no way to develop forms or apps to replace paper field forms. Completing forms directly on an ipad reduces transcription errors from paper to the computer. Ipads also provide access to critical field data; currently, field employees use their personal cellular plans to check weather, USGS gauges, and traffic conditions.	

AMERICAN OVERSIGHT

	I
1205	
1206	As field employees, the logistics of preparation for field work, field sampling, sample shipping, equipment decon and storage require us to work extra hours, but we usually do not know how many hours in advance. So, we have to submit pre-authorization for compensatory time, which is rarely accurate, and requires deputy division director approval so there are often delays. This creates uncertainty in whether or not the field work can occur (if compensatory time will be approved) and can make planning with our state or federal partner difficult. Currently, the Daily Flexible Schedule (DFS) is a solution to this problem; we would already being approved for

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1207	1206	5/22/2017	When staff morale plummets, so does efficiency and effectiveness. We all understand the new administration has new priorities, but you all need to think about how those are implemented to make sure staff know that the mission of EPA is still important (protection public health and the environment). The email that went out titled, "Our Big Day" was incredibly tone def. Staff described it as poking a finger in our eye with a little extra twist, or just a single finger in our general direction. On the other side, the email with a message from Mr. Pruitt showing appreciation for federal employees recently had a much better tone.	First, you can't be cutting the grants we give to states and tribes that allow them to operate. States and tribes do not have the resources to implement programs and rely on federal funds to do so. Second, we need resources for inspectors to give outreach presentations to the regulated communities (municipalities and the private sector). There are a lot of people out there who want to comply, and this is a good way to reach a large group at once rather than compliance assistance during each individual inspection, which is happening now.		HQ personnel need to reevaluate their travel. Political appointees seem to have the money to travel frequently for meetings, but the regular staff and managers do not have even have enough money for travel to do all the core work we need to do.	Tablets in the field for inspectors - There is a pilot project, but we don't have the money to make this a reality.	When a state asks for our help, we need to give it. There has been a pullback from providing assistance to states since the new administration came on board. I don't think this is what Mr. Pruitt wanted, but it is what is happening.
1208	1207	5/22/2017	Reduction of our vehicle and equipment inventory that takes away valuable assets for use in the field when needed. Reduction in travel and training budgets. --- Placing workers in small, tight, stressful cubicles under pretense of saving space and money, while actually spending more to move branches and people, renovate, and restructure just to put workers in small spaces instead of offices like other professions have, which enables them to work more effectively and privately. Also, reduction in our ESAT contractor workforce, which is often essential in doing effective fieldwork, especially when we have multiple projects going at one time. We continue to try to do more with less, which eventually reaches a state of doing less with less and having reduced work quality and more stress.	See question No 6. 0--- Also a website needs to be created that allows anyone drilling a well to find out what environmental concerns for groundwater in that area have been documented in particular aquifers. A new home could be build and a well drilled in close proximity to a superfund site or old drum disposal area documented by a state agency and the public might never know.	Better communication, more actions after meetings and less additional meetings .... Also, the public needs to be educated and made aware of the environmental contamination we face and the hard work EPA does to characterize, remediate, and protect the public. A TV show about various Superfund sites across the country, for example, could be very interesting and informative to the public. Most people are not really aware of environmental issues and how difficult and time-consuming they are, as well as how dangerous they can be to health. Many people think EPS mainly tries to regulate industry and look at car emissions. But the agency has many many more functions, like emergency response, air monitoring in cities, training state officials, testing watersheds and fish for toxicity, and homeland security assistance, for example.	Sites need to be investigated and characterized more accurately and effectively in a shorter time-frame. Superfund sites are an example. Many contaminant plumes are not fully delineated after 20 years of study, remediation, and long-term sampling. Lack of funding prevents thorough site evaluations, and investigation programs are often not optimized or completed. This results in far more spending in the long term with less effective remediation and additional site assessment to fill in what is missing from the beginning.	New technologies for environmental remediation and clean-ups should always be considered. However, they are not always cheaper at first. If they speed up clean-ups, then the long-term costs could be reduced.	Cooperate with states and share funds for environmental remedial site investigations, with EPA as the lead.

AMERICAN OVERSIGHT

	I
1207	
1208	Training. -- providing essential equipment in a timely manner. Providing adequate, modern workspaces and a professional environment.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1209	1208	5/22/2017	Eliminate the labor intensive 5170 Conference Spending approval process. The EPA Conference Spending and Reporting Requirements have created an overburden that makes cross regional business meetings and trainings so cumbersome and tied up with red tape that they are impossible to hold. Managers are unable to make decisions or plan or send staff to training because of the long expensive and labor intensive approval process. The labor costs for 5170s and 5170As are expensive. The approval process up to AA level for trainings and meetings should be increased to $200,000 not $20,000 and the included/regulated interpretation for reportable costs should be re-evaluated for relevance. Conference spending guidance is interpreted differently from program office to program office. Decisions are not being made based on economics or sound government but for the sake of optics. A simple classroom training or meeting can take 7-9 months for approval before planning can actually					
1210	1209	5/22/2017	As field employees, the logistics of preparation for field work, field sampling, sample shipping, equipment decon and storage require us to work extra hours, but we usually do not know how many hours in advance. So, we have to submit pre-authorization for compensatory time, which is rarely accurate, and requires deputy division director approval so there are often delays. This creates uncertainty in whether or not the field work can occur (if compensatory time will be approved) and can make planning with our state or federal partner difficult. Currently, the Daily Flexible Schedule (DFS) is a solution to this problem; we would already being approved for working up to 11.5 hours of work per day without any additional paperwork or approvals. (Employees sign in and out to document hours worked). However, this schedule is only available in a few EPA regions, and not where I currently work. The Alternative Workschedule Options should be the same across the agency.	Make sharing and storing monitoring data (results, sampling locations, and metadata) easier (both uploading and downloading), reducing replication of similar monitoring efforts.	Provide more transparency in decision making. Staff EPA at appropriate levels to adequately provide technical assistance, when requested, to all of EPA's partners.	Often, technical services and reports are contracted to organizations like Tetra Tech because EPA does not have sufficient staff time to do the work, not because staff do not have the expertise. This costs the agency more money than completing the work "in-house".	Yes, ipads for field work. State government employees have and use them regularly, but they are completely ineffective for EPA field work. They can not be shared (one ipad is required to be assigned to one individual) within an office, the process for getting apps approved for download has been stopped or is completely ineffective, and there is no way to develop forms or apps to replace paper field forms. Completing forms directly on an ipad reduces transcription errors from paper to the computer. Ipads also provide access to critical field data; currently, field employees use their personal cellular plans to check weather, USGS gauges, and traffic conditions.	

AMERICAN OVERSIGHT

	I
1209	
1210	As field employees, the logistics of preparation for field work, field sampling, sample shipping, equipment decon and storage require us to work extra hours, but we usually do not know how many hours in advance. So, we have to submit pre-authorization for compensatory time, which is rarely accurate, and requires deputy division director approval so there are often delays. This creates uncertainty in whether or not the field work can occur (if compensatory time will be approved) and can make planning with our state or federal partner difficult. Currently, the Daily Flexible Schedule (DFS) is a solution to this problem; we would already being approved for

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1211	1210	5/22/2017	Ability to domicile a GSA vehicle. Currently the process is onerous. For a Monday meeting, employee must either come into the office on Sunday to pick up (and then domicile for one night) or come in very early the day of to pick up the vehicle. More flexibility should be provided to allow for employee to domicile over the weekend - this will reduce the costs for the agency overall by eliminating any travel costs and need for comp time accrued for a sunday or early am pick up.	Instead of using a POV which may be less efficient - use a GSA hybrid or electric				
1212	1211	5/22/2017	(1) Continued use of paper file jackets for Pesticide Product Registrations. These jackets (and jacket system) were supposed to go away ten years ago (and be replaced with electronic jackets). And yet, I am asked to keep updating or patching the barcode tracking systems that facilitate the tracking of these files. It is an "other duty as assigned" and takes away from my core duties. (2) We also need a scanning area and scanning contract to facilitate incoming document submissions (for electronic jackets and other documents) as well as to create searchable electronic documents from existing historical paper files (to facilitate FOIA and other searches).	No Opinion	Increase staff in OCSPP/OPP/ITRMD/ISB for processing new company number assignments, maintenance fee processing, name & address changes and product & company transfers. We keep adding new companies and products every year but, we have no allowed for the accretion of duties for this branch for many years.	We could activate a task/subtask under the existing Document and Data Management Support contract in OCSPP/OPP/ITRMD to replace Jacket File Room staff as well as to process company name & address changes. You are currently paying a federal employee $54.00 per hour to process company name & address changes.	We could activate a task/subtask under the existing Document and Data Management Support contract in OCSPP/OPP/ITRMD to replace Jacket File Room staff. Then, use the same contractors to migrate to a scanning process for turning product registration documents into electronic files rather than create and inventory paper product registration jackets. In other words replace the paper jacket tracking and inventory systems with electronic file jackets.	No Opinion

AMERICAN OVERSIGHT

	I
1211	
1212	With regard to converting paper product registration jackets to electronic jackets, we could copy the system that has been in place at the US Patent & Trademark Office for ten years.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1213	1212	5/22/2017	Almost all administrative requirements are inefficient and require me to spend excessive time on them. Fixing the administrative efficiencies would allow me to be more efficient and effective at my environmental work. Administrative processes are inefficient, in part, because multiple organizations deal with the same issues and give conflicting advice about how to perform the same administrative processes. We either need one point of contact to go to with any questions (e.g. how to hire, how to discipline, how to buy something, etc.) or we need dedicated support staff assigned to each environmental program to do these things for us when we need them done. Despite their inefficiency, support functions seem to receive extra resources despite/because of their inefficiency. This prevents me from doing my job effectively, because they take limited resources away from programs like mine. It also does not provide incentive for efficiency, because	Consider detailing EPA staff to state or local environmental agencies. EPA staff will learn more about the states and local perspective, and can bring their knowledge of federal requirements to the states and locals while contributing to their work. This has been done before and has worked well in the past. EPA staff could also be detailed or assigned to work on environmental issue in the regulated community. For example, this could include doing work on training, industry-specific research, or coordination at a local emergency planning commission or a POTW. As another example, if the Cattleman's Association wanted to provide free training or information to ranchers about solutions to environmental issues, or the Portland Cement Association wanted to conduct	We could improve customer service by providing clear, consistent, and timely assistance to these stakeholders when they ask us for help in understanding the regulatory requirements we impose on them. Removing the position of the Regional Administrator and the regional front office, and letting staff in each regional program report directly to their corresponding AAship, would create national consistency in interpretation of our regulations and quicker responses to stakeholders who ask us for determinations. Also, the same appointee (AA) should be in charge of writing and enforcing the rules in a program, to ensure consistency in agency interpretation of our rules. In other words, most enforcement staff should move back to the programs. If the rule writers think a rule means one thing, and enforcement staff thinks it means another, and we can???t agree, then	First - don't pass these survey results along to SES career managers and expect implementation. If SES career managers wanted to be more efficient and knew how, they would have done it already, in order to move resources to where they'd like them but can't get approval for them. I see two opportunities, which could be addressed while maintaining environmental protection for all Americans: improving the performance and effectiveness of agency managers, and reducing the inefficiency of administrative support functions (IT, Budget/Finance, and Human Resources). 1. Performance of Managers		We have done this a lot since sequestration, and most of the low hanging fruit is gone.
1214	1213	5/22/2017		Improve communication between all interested parties and encourage staff details to foster understanding of different perspectives.	Keep websites up to date and interactive. Not rely on Federal Register Notices for everything.		Better communication between Agencies could promote processes that work well and help discourage those that don't.	Promote inter and intra-agency detail opportunities to regions and state agencies and temporary job swaps.
1215	1214	5/22/2017	Training - as an employee for 4 months it seems to be assumed we (new employees, and even some career employees) know all they need about certain programs. (i.e. Compass Data Warehouse; People Plus; Budget processes; ULO's and deobligating funds) to mention a few	Removing the enforcement that have been in place for a while are not going to help achieve a better environment. We need those restrictions and certifications in place to maintain a level of safety and cleanliness along with the total buy in of the government and citizens alike. Too many people get wrapped up in the financial possibilities and forget what the results could do to the world of the future	I, by nature, am a customer service oriented person and give to better everyone else over myself. This is not the case when it is decided by larger corporations involving money vs people	Oh yes! forced retirement of employees in their 70"s (at the least) that are taking up office space, lab space and not contributing to our goals in any way		there are a lot of redundant activities going on in all departments of government. If there were specific guidelines that were used by all, reports and time consuming activities would be easier to put together. Cooperation between programs? not likely because of a fear of power and funding

AMERICAN OVERSIGHT

	I
1213	In OLEM/OSRTI, the office director negotiated with OARM to get a full time HR specialist to be stationed in OSRTI's office, dedicated to OSRTI personnel actions. OSRTI pays the salary, but the HR specialist reports to, and is trained by, OARM/OHR. It seems to work wonderfully and everything's getting done quicker with less effort.
1214	Continue asking - this is fantastic way for staff comments and suggestions. Thank you!
1215	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1216	1215	5/22/2017		In some programs the drive to measure the impact EPA grant funds creates problems with partnerships. EPA managers are so anxious to isolate and account for EPA funding that the funding gets "insulated" and doesn't work well in the context of the bigger goals of the partner's efforts. Partnerships often require flexibility and participation in a larger effort/goal .... EPA sometimes is unable to fully participate in achieving overall environmental goals because of the demand for isolating and documenting the results of our funding contributions.	Better mobile equipment for most all employees ... cell phones ... good portable PCs. Public Wi-Fi in EPA meeting spaces. More robust/serious compliance assistance help. More investment in researching and in providing information and assistance for compliance and beyond compliance solutions. Better manage EPA's program to eliminate the split between enforcement and assistance ... create an integrated approach with adequate research and workforce oriented toward assistance including field workers (like inspectors).	1) Many of our core systems are often inefficient and cost hundreds of hours of unnecessary processing and fixing time. Issues: 1) systems come and go to quickly so aren't adequately refined, 2) systems often have incredibly long documentation that is provided as a user manual ... these are often completely inadequate ... need systems that provide intuitive interfaces with manuals that are oriented to user needs - not some exhaustive manual of hundreds of pages that might have a couple of "hidden" pages that might help. 3) user reports are often not made with users in mind - seem to be written by programmers per their own ideas or by some kind of group writing process that neglects to ask users what	Need better APPLIED - truly APPLIED - research to assist technological advances in reducing pollution. Need to step-up all aspects of reducing GHGs!!!!! Need to respect and forcefully use proven science regarding Climate Change to protect the environment.	We need to come together with other Federal agencies and States to align our approach to pressing environmental issues. GHG reductions is THE obvious place where we are floundering and really out of line regarding shared responsibilities.
1217	1216	5/22/2017	Excessive time entry requirements. For those who are on credit hours and participate in episodic telework time is entered multiple times: 1. to request episodic flexiplace (via email), 2. in a Excel spreadsheet tracking sheet, 3. Leave slip, if taking leave or using credit hours and 4.) in People Plus. In addition, our work unit requires us to take a screen shot of the submitted People Plus time and submit that with the FWS tracking spread sheet. It would be most helpful if we could put our requested schedule for the coming pay period into People Plus a few days before the pay period including leave, credit hours and work at home (all in one form) and then confirm the timesheet at the end of the pay period. All the tracking and reporting nearly defeats the purpose of having flexible work schedules.	Tailored project management training for grant project officers on how to develop guidance, negotiate workplans and track progress toward project goals. Refocus on environmental results by using environmental indicators such as water and air quality that are used as indicators of progress rather than for punitive bench marking. Actually figure out what the feedback loop is between activities and environmental quality rather than measuring "widgets" or "beans".	Many public questions can be answered with a user friendly website with good concise explanations. If we want to improve customer service we should probably figure out how to assess and measure our improvement.	No.	Provide support for adopting electronic forms of reporting such as the hazardous waste e-manifest system to bring old systems up to date.	I don't see much overlap in our work with other agencies. EPA oversight of State environmental programs is critical to protecting human health and the environment. Every time EPA has stepped back from oversight we see environmental disasters in States that are not held accountable.
1218	1217	5/22/2017	Refer to former Greenspark campaigns asking how to reduce resources, etc..					

AMERICAN OVERSIGHT

	I
1216	
1217	There are no more tricks in our bag, adequately funding programs with enough qualified, motivated staff and competent leadership is all that is needed.
1218	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1219	1218	5/22/2017	First, our organization has lost many people to attrition, and they are not being replaced. Each year, procurement and other actions become more stringent, taking more time and effort to complete. We are at or below critical staffing levels to achieve our mission. Second, our new Administrator is continually "bashing" our EPA workforce, which consists of a highly trained and motivated group of professionals. This country is fortunate to have us working on their behalf. The Administrator needs to stop the "bashing." Not only is it unprofessional, it is hurtful because it is misleading and poor leadership.	Partnering takes a lot of energy, and generally relies on senior staff to make the connections. We do lots of partnering already	The tools for managing email lists in Microsoft Office are limited, yet some of our email lists contain upwards of 300 individuals. Dealing with these lists manually is tedious, slows the update process, and wastes time. EPA could acquire email list management software and make it available to those who manage email lists.	In Office of Research and Development, we have many layers of managers. They are high priced, and it is not clear in many cases, what they are contributing to our effectiveness. In general these are the non-supervisory managers; without clear line roles, their responsibilities seem to be "made up" rather than essential contributions to the mission. We also have Title 42 managers/scientists. While some contribute to the mission, others just "hang out" until they can get a better (more permanent) job. Finally, since Title 42s are not in the same GS pay system as most employees, when Title 42s are supervisors, they can have a different perspective and understanding than regular employees. This can lead to	EPA employees must manage 10 to 20 passwords or more, one for each system they use. We could have password "Lockbox" software or hardware for each employee, to organize and keep track of passwords.	In my experience, other Federal agencies try to take all the credit for jointly-planned and funded activities. EPA needs to be assertive about taking credit for its work and research, with go-to web information and research results that are easy to find and access.
1220	1219	5/22/2017	I believe it would save time and resources if an electronic submission process could be established for Federal Register (FR) publications. We currently need to submit the FR notice and other materials on a CD-RW along with paper copies of the signed FR and typesetting request. We then send the package via pouch mail or FedEx to the FR Liaison Team who reviews it and sends it to NARA. I believe a system should be set up with NARA so that we can send the entire package electronically, without a CD-RW or paper copies.					1. Working with NARA to streamline the Federal Register publication process. Specifically moving to an electronic system so that we don't need to send CD-RWs or paper copies. 2. Coordinating with the Department of Energy to provide natural gas or clean power to rural communities that rely on wood as a heating fuel. In the Pacific Northwest, many rural communities the air quality is impaired because of elevated particulate matter concentrations. Developing the infrastructure for natural gas or clean power is costly and difficult for states, tribes, and local governments to do on their own.

AMERICAN OVERSIGHT

	I
1219	Some of our Branch Chiefs have SEE employees to take care of the administrative functions in the Branch. This frees the Branch Chiefs to pursue research and strategic planning.
1220	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1221	1220	5/22/2017	1. Lack of a budget with known funding levels prevents us from making long term plans or to enter into longer term agreements that would mean lower costs for the Agency. We could see better rates on contracts if we could enter into 2, 3 or 4 year agreeements. 2. Processing of procurement actions is unbelievable lengthy and complicated requiring 6 - 9 months for simple procurements of hardware or software and years for services. Our OAM has added so many levels and requirements, making it nearly impossible to accomplish our mission in a timely fashion. Need to streamline all procurements. If on GSA schedule, allow for direct purchase without the need for a recompete. Do not require a CO in program offices for every piece of hardware or software. 2. HR processing is another very very difficult area. We are unable to fill vacancies for critical positions; unable to provide opportunities for advancement to talented staff, and unable to get HR paperwork processed in a reasonable	Provide more muscle for the states and tribes to fight polluters across state/ tribal borders. Provide more federal resources from the enforcement and legal community to assist with investigations, research and litigation.	Provide more information to the public and press about those companies and members of the regulated communities that are abiding by the rules and provide a positive influence on the environment. User the bully pulpit of EPA to advertise those bad actors who pollute, break and evade environmental regulations in an effort to "make a buck" over life and well being of people. It is critical that this Agency level the playing field for those that abide by the law and not let those who break it, or who value money over human life, get the upper hand.	I think we have seen where the American public can be a force for positive change if we can provide them with the honest facts. Empower the public to report on environmental problems, empower them by providing honest information on who is doing what, where, and how. Provide them information on the impact on air and water from their local industries and companies. Streamline the reporting on environmental issues.	Our internal systems are horrendously out of date and inefficient. Our HR system, our purchasing systems, our travel systems are all out of date and inefficient. Think Amazon or Expedia styles systems for efficiency, ease of use and portability. Allow staff to be utilized across location. If a talent staff member is physically in Region 1 and his or her skills would fill a vacancy in HQ or another Region --- let that happen, and in fact encourage it -- HQ and the other Region would benefit but from his/her skill but also from his/her different perspective.	
1222	1221	5/22/2017	We might have is too much internal reporting. There is value of this reporting, as it helps to keep headquarters informed and ensure essential tasks are not overlooked. That said, it takes up time we could otherwise be using to get our work done. We are already severely understaffed, so any saved time would be helpful.	I believe we already do a very good job at working with state, tribes, and local communities, but we are always open to ways in which we can improve.	I believe we do a very good job at working with state, tribes, and local communities, and they often reach out to us when they have difficult problems. It would be nice to have enough staff for outreach to the private sector, but we don't even have enough staff to carry out all of the tasks assigned to us by Congress, and additional staff is not in the cards for the foreseeable future. EPA has been overhauling its website, so if they can make it easier for the private sector to find the information they need, that would be helpful.	I would suggest that we hire a firm to overhaul our computer systems. We have so much data, but it tends to be in program-specific files and systems. I think there is a lot of potential if it was possible to have all of that information easily accessible to all programs. Ideally, such a system would be designed with the idea of simultaneously sharing non-confidential information with the public, which would improve the value we bring, and would likely reduce the number of FOIA requests. The largest problem with this idea is that it is a "spend money in order to save money" solution - I don't expect Congress would be interested in giving us more money, even if it was for a good project like that, and	See my answer to Q4.	Honestly, I think we really do a good job of that already.

AMERICAN OVERSIGHT

	I
1221	
1222	This is tough. I came from the private sector, and I had a lot of ideas when I came over. The fact that the laws we implement are all media-specific, and function in different (and sometimes very different) ways, makes that a tougher problem than first appears. I think there is a lot of efficiency that could be gained by reforming our contracting systems, but those rules are not in our control. One area where we tried to improve efficiency, and I believe failed, is when we developed shared service centers. For example, tasks related to Human Resources were all centralized in Las Vegas. In theory, that certainly

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1223	1222	5/22/2017	People Plus timesheets: Currently we are required to submit our completed timesheet before the end of the pay period. If you don't submit by mid-day on Thursday the time keeper starts sending emails to the employee and the supervisor. We used to submit timecards on the Monday following the pay period end. Submitting the timesheets early results in significant double handling for corrections. For employees that have site travel and have to account for their time to site specific accounts codes, work requirements can change quickly and Thursday and Friday may not then be accurate. Not to mention sudden sick leave of other reasons that leave is needed at the last minute. The corrections can be frequent, and this causes many folks to have to re-handle the timecard approval. Going back to a Monday submittal would alleviate this inefficiency.					
1224	1223	5/22/2017	Should employees be effectively trained, and duties outlines. Telework could be an option to cut cuz on transit subsidies.	Continue to develop partnerships between both state, tribes, local and private sector.		Institute Telework options with mandatory in office days after 90 days.	Ensuring we have the most updated and full versions of software/programs to eliminate man hours and repeating task or creating more steps to accomplishing task that could be done quickly.	I agree, realigning and restructuring would be effective in cost savings.

AMERICAN OVERSIGHT

	I
1223	New Superfund contracts: The New Superfund contracts will required much more labor and contract expertise from the remedial project managers. Since each work assignment will need to be competed from the pre-qualified pool, there will need to be selection boards and selection board leads that can write up the advantages and disadvantages with significant skill and expertise to avoid contract protest. The new process will be similar to the USACE process. From my experience with this, EPA will need additional contract officers, additional contract officer representatives and additional contract specialists. Also this will add to the already large work
1224	NA

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1225	1224	5/22/2017						
1226	1225	5/22/2017	That our IT security is so frail that we are not allowed to do any EPA work on home computers is hurting productivity. "Loaner" laptops are ineffective for occasional work at home. Apparently, emailing spreadsheets or documents to my EPA address from my personal address is more risky than receiving spreadsheets and documents emailed from collaborators. As a professional, I have never "charged" the government for time I spend working outside of business hours. Prohibiting the use of personal computers means I no longer work on weekends at home. This policy seemingly is incompatible with telework but no one can explain how it is not - even though we have had telework training.	Effective partnerships need time (literally, years) to develop and become productive. This conflicts with two tenets of the ORD business model. First, ORD is suppose to address issues of national concern. Research in a particular locale or with a particular partner is just a means to a national end. This devalues the partnership. Partners want help with their specific problems - not hopefully/someday benefit from a national solution. Second, the typical research cycle is too long to support regulatory needs but too short to support many issues of state and tribal partners. A solution is to identify the beneficiaries of research outputs - admitting that they may be less than national in scope - and committing resources for the duration of that research effort.	Be at their table and stay at their table. ORD needs to prove that we are a committed partner and serious about sticking around for as long as needed.			

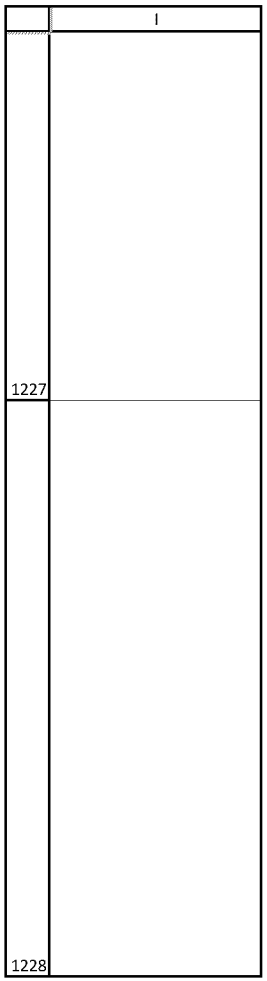
AMERICAN OVERSIGHT

	I
1225	I know this sounds obvious, but a person should live in (around) the city where the majority of their job takes place. We should not be paying for regular travel for someone to go to another state or part of the country, simply because they do not want to relocate from their original location. Senior Agency/AA-ship leaders should not have to use Agency travel resources (i.e., money) to go to the DC office. In the regions, travel money should not be used for senior managers to travel to the regional office. In ORD, which is geographically spread out, Lab/Center senior managers should all work out of the same location (e.g., DC, RTP, Cincinnati). A Lab Director shouldn't tap into travel money to spend
1226	Successful organizations are agile. EPA is not. Successful organizations replenish talent pools with new hires or training. EPA does not. Successful organizations invest in technology (both maintaining work-horse instruments and buying innovative new equipment). EPA does not.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1227	1226	5/22/2017		EPA should have more internal resources. States and local communities often look to EPA staff for support in implementing programs, even authorized states. The more EPA has staff available to assist States, the better, quicker, and more efficiently State work can be completed.	EPA should have more resources, both in FTEs and money. The more people that are available to help states, communities, the private sector, and the public the better they will be served by EPA. Also, travel money to actually have EPA staff visit those areas is very important. The regulated community and public are always appreciative of meeting the regulator face to face. The more that communication can take place face to face, and not just through letters, the better the reaction from the communities.		Many computer programs could be updated.	Need more people and time to be available to the states. The states often operate under workshares with EPA, but if EPA cannot hold up its end because there are not enough EPA staff members, then the work does not get done.
1228	1227	5/22/2017					I have responded to the survey already but wanted to add this thought: If you implement any system or process change on Agency staff in the name of efficiency or better management, please be willing to use or participate in the process yourself. Too many times, I have seen the latest "flavor du jour" (such as TQM, project management, etc.) trotted out with a lot of expensive training. Managers then do not have an idea what to do with this newly-found knowledge or technology, and then everything gets forgotten. Please be willing to live your lives the way you want ours to be lived.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1229	1228	5/22/2017		Having a robust environmental justice and civil rights program at EPA. The new saying at EPA is that we should get "back to the basics," but not at the expense of abdicating our responsibility as a federal agency to address environmental justice concerns. Executive Order 12898 is clear that federal agencies have a responsibility to identify and address disproportionately high environmental pollution impacts on minority and low-income communities. Also, the U.S. Commission on Civil Rights has levied very harsh criticisms of EPA's EJ and External Civil Rights programs. More resources need to be channeled to work with environmental justice communities and states to address environmental justice concerns.				
1230	1229	5/22/2017	My unit is streamline and effective. Thank you	We are successful.	Keep the great people in place who are doing a very effective job and do not keep threatening to undermine their efforts.	Electronic signatures	n/a	We do a great job of enforcing the law Congress has enacted. It results in other agencies being viewed with the same standards as is the public.

AMERICAN OVERSIGHT

	I
1229	
1230	stop spreading us so thin....

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1231	1230	5/22/2017	No comments to add.	No comments to add.	No comments to add.	It might be beneficial to take a close look at what appears to be duplication of services within the Agency. For example, is there a need for individual offices to have their own fleet of government vehicles? Another possible area, is that of Human Resources, a close look at program offices (not including OHR) across EPA reveal at least one rather large Human Resources Division. However, it could be that the current approach evolved because it's more efficient & effective, but none the less, may present an opportunity for cost savings.	No comment.	No comment.
1232	1231	5/22/2017	"Details" and "acting" positions negatively impacts efficiency, effectiveness, and cooperation in the Office of Superfund Remediation and Technology Innovation. In the 1.5 years I've been in my position, I have been under the management of two different division directors and four different branch chiefs. Additionally, nearly every other branch and division director position has had an "acting" manager in this time period. "Acting" managers know less than their staff, but yet the acting managers make the final decision about their staff's work. "Acting" managers have been hesitant to make decisions because they know their management term is limited. Since so many managers are "acting," we have an entire office of unstable transitions: people unable to finish projects, unable to cooperate and work together, and continually unfamiliar with the purpose of the work. The prevalence of "acting" managers is due to the inability to fill open positions. Right now my branch has an acting branch chief that will leave	For contaminated site cleanup, relationships/partnerships should be emphasized and the EPA member of those cleanup teams need to be an empowered member of that team. Combining EPA remediation with stakeholder reuse/revitalization efforts has shown to be incredibly successful (example, Milltown Reservoir Superfund site-https://semspub.epa.gov/work/08/1570716.pdf). Headquarters and regional staff understand EPA's role is ensuring health risks are reduced at sites, but also recognize the benefits (cost reduction, faster cleanups, community satisfaction, ecosystem services, job creation) of incorporating reuse/revitalization plans with partners. These staff must be empowered in their partnerships, and given the latest tools, training, and expertise to be effective, cooperative partners.	EPA needs the capacity to update technology and websites in order to provide better customer service. EPA has outdated software, laptops, and other basic technical equipment which slows down communications.	Green and sustainable remediation is an untapped opportunity to reduce costs and inefficiencies. Stakeholders embrace this concept (States: http://www.itrcweb.org/Team/Public?teamID=7, industry: https://www.astm.org/Standards/E2893.htm, private sector: http://www.sustainableremediation.org/). Habitat restoration is an untapped opportunity to reduce costs. There is data to support that native vegetation costs less in the long term than turf grass, along with many other benefits (http://www.wildlifehc.org/knowledge-resource/remediation-project-guidance/). These efforts need to be encouraged at the highest	Soil amendments and native plant revegetation are underutilized, cost-effective approaches to site cleanup, especially mining site cleanup. (Example site: https://clu-in.org/download/issues/ecotools/CaliforniaGulch-CaseStudy.pdf). There is opportunity to reuse waste materials (e.g. compost, biosolids) and support agricultural community by boosting native plant seed market. Additionally, DASEES is an underutilized, free software tool which can document stakeholder/community input in real-time, transparent method and keep EPA cleanups accountable (https://cfpub.epa.gov/si/si_public_record_report.cfm?dirEntryId=238232).	Ecosystem services approach is a scientific, social, economic, human-focused method to manage the environment. The approach realigns activities of shared responsibility between EPA Offices, other federal agencies, and states (https://nespguidebook.com/). Despite reports and guidance (https://yosemite.epa.gov/sab%5Csabproduct.nsf/F3DB1F5C6EF90EE1852575C500589157/$File/EPA-SAB-09-012-unsigned.pdf), its use has not become widespread. In the Superfund program, ecosystem services approaches can help align efforts that the

AMERICAN OVERSIGHT

	I
1231	No comment.
1232	All personnel should work from home or take their compressed/maxi flex days on Monday and Friday. The Potomac Yard South building is practically empty on Mondays Fridays- it could be closed completely (turn off lights, no heating- save money!!). I am **[REDACTED B6]** in the Potomac Yard South office for eight hours every day, and I have experienced many Mondays and Fridays where I am the only human on my floor, and very few employees are in the entire building. How silly that this building is kept open for so few people, who come into the office only to call/email their teleworking coworkers! Additionally, "hoteling" policies could be implemented for a subset of personnel.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1233	1232	5/22/2017	All administrative requirements, management procedures, organizational processes are mission critical in order to do my job effectively. My job is to protect human health and the environment and I am currently efficient, effective and accountable in this work.	Ideas for achieving better environmental results from partnering with States include stronger EPA led enforcement of mobile source provisions of the Clean Air Act. Authority for enforcement of Title II of the Clean Air Act is not delegated to the states, tribes, or local communities.	Ideas for providing better customer service to states, tribes, local communities, the regulated community, and the public at large include allowing EPA press releases highlighting the positive results EPA work delivers to the American states, tribes, local communities, the regulated community, and the public at large. EPA's work protects the water we drink and the air we breath in many ways which are not easily appreciated by the entities that benefit unless there is clear communication of the benefits of our work.	One opportunity to make changes at EPA that would reduce costs and inefficiencies, while maintaining environmental protection for all Americans is to save the staff time used for responding to surveys which are not mission critical including surveys with topics such as "Suggestions for Creating a More Efficient, Effective and Accountable EPA".	Consider eliminating the use of the Lotus Notes application by migrating tools that are currently only accessible on Lotus Notes to other applications.	We cannot accomplish more by realigning activities in areas of shared responsibility and mutual interest with other federal agencies or states, because we already work effectively with federal partners on areas where jurisdictional or stake holder interests may overlap and within the concept of cooperative federalism with states.
1234	1233	5/22/2017	We have a lot of peer review and this is good. However, this would be more efficient and less time consuming if the peer reviews were only conducted on the actual numbers, tables and figures and the descriptive verbiage added after the numbers were finalized. Arguing over numbers from studies or models is just part of the process and this is invaluable. However, too often, the final numbers are settled on during the review process and so pages of text, as well as charts and graphs, need to be changed to accommodate the revised number(s), resulting in time expended and sometimes, errors.	If more biological monitoring were done by these partners, along with causality investigations, this would help to focus resources and relieve some of the up-front pressure. In other words, it would make a better safety net so that the real causes of harm to human and environmental health could be dealt with.		Focus more on non-animal test results for toxicity endpoints and on gleaning information from the metadata we already have. There is such a vast amount of toxicity data that could be examined for trends. For example, for a particular mode of action (MOA) or adverse-outcome-pathway (AOP) of a toxicant (or chemical class, depending on the data set), one could define the range at which a particular taxonomic group is affected and apply that range to similar MOAs or AOPs without the need to do as much testing. More metadata gleaning might need to be done first and the AOP process supported.	Developing quantitative AOPs (adverse-outcome pathways), in lieu of routine toxicological testing. The result would be much more broadly useable and in the long run, save many resources.	EPA could work with NIH to develop AOPs (adverse-outcome pathways) for ecological endpoints.
1235	1234	5/22/2017	Improve the process for submitting journal articles and make it simple to handle invoices for page charges. Provide guidelines to avoid any unauthorized commitments by the scientific staff in the process. Approval of an article for submission in STICS should automatically include approval by the EPA for all page charges so unauthorized commitments would be automatically avoided.	standardize methods used to create emission inventories so the same method is used across the states. If a state does not provide sufficient documentation to understand their emission estimates in the NEI, EPA should reserve the right to ignore it.	better web interfaces that are fast and efficient; more dynamic web content	encourage more telework	use electronic lab notebooks	If the states used consistent methods to estimate the NEI, the EPA would not have to do things over again.

AMERICAN OVERSIGHT

	I
1233	No, I am not aware of best practices in the private sector we should consider adopting across the agency to improve our efficiency, increase accountability, or reduce costs. We are public servants dedicated to the mission and are already accountable to the American people to protect human health and the environment.
1234	
1235	use of telework; use of electronic lab notebooks

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1236	1235	5/22/2017	IT security procedures should be streamlined so we can keep our computers safe without unnecessary slowdowns in our work. For example, permission to install the software required for specialized work should require only one or two levels of approval. OEI should make access to the "cloud" easier and more readily available. OEI needs to prepare for the processing, storage & IO needed for large-scale data analytics that will allow us to better quantify the impact of our work. The contracting process-- especially the approval of work assignments under existing contracts, needs to be more efficient.		I work on the MOVES model which is used by state and local governments to estimate air pollution emissions from cars and trucks. We need resources to make the model run more quickly and to improve the interface so it is easier for others to use.		Every EPA conference room should be equipped for easy teleconferences and for large-screen display of information. We spend too much time searching the building for projectors and getting them set up.	
1237	1236	5/22/2017	Staff who are contracting officer representatives (meaning we manage individual task orders because we have substantive knowledge about the topic, but we do not work full-time on contracting) have to take at least 12 hours??? worth of contracts training mandated by OMB that is delivered through a Dept. of Defense system. Easily 75% of this training is irrelevant to our work and a waste of our time. Some of this is because we don???t manage the overall contracts, but some is because the training is specific to DOD policies that don???t apply to us. OMB needs to recognize that there is a difference between contracting officers and contracting officer representatives and not require the same one-size-fits-all training for both. Moreover, OMB or EPA should allow some tailoring for different offices. For instance, I will never be purchasing products or equipment through a contract, so it???s a waste of my time to take an entire course about that topic.	Working with partners, we can help prevent pollution instead of cleaning it up by using voluntary approaches, but this would require political appointees and the Administration to recognize that just because something isn???t mandated by legislation doesn???t mean that it isn???t appropriate for EPA to do. Many of our voluntary programs get environmental and health benefits at less cost (to the government and the regulated entity) than using regulatory approaches, and they can bring cobenefits like jobs, entrepreneurial opportunities, and safer and more attractive neighborhoods. We create and refine these programs by working with states, tribes, local governments, private-sector entities, and nonprofits so that we can ensure that we are meeting their needs while still meeting statutory requirements	We best serve everyone by providing accurate science and unbiased information on our website, as we have done for many years, rather than removing this information based on the industry-driven agenda of new leadership. Removing information about an initiative from the previous administration is an expected and justifiable action by a new administration; removing scientific data and plain-language explanations of that data is not. Removing climate change data and information from our website sends a message that the new administration doesn???t care about objective facts or the public???s right to see information that public money has paid for. EPA???s mission is to protect human health and the environment, and climate change is the preeminent threat to both. We cannot work toward our mission without addressing climate change. Pretending it doesn???t exist doesn???t make it go away, and it	It seems like an untapped opportunity for the new leadership to trust that career staff are professionals who do good work based on objective scientific analysis, and to study the examples of previous Republican administrators who have respected the staff and the extensive processes that we use to create policy and regulation.	Sharepoint is a ridiculously clunky interface and completely unintuitive to use. Unless I'm using a direct link, it takes at least several minutes to figure out how to find what I need or to get the item I need in a legible form. There has to be a better system for sharing files and other information internally and externally. We are told that we can't use any other service (such as Dropbox) to share files externally, but it is a major hassle for external people to access a file on Sharepoint.	Working with other agencies that fund infrastructure, such as DOT, helps us get the most out of infrastructure investments by aligning water, transportation, energy, and other infrastructure to get the most impact from it and make sure these investments are reinforcing each other. It can also help states and localities get the most out of these investments by making sure they???re aligned with economic development, environmental protection, and other community goals. Coordinating infrastructure investments also makes it easier for communities

AMERICAN OVERSIGHT

	I
1236	"Agile" software programming is a best practice in the private sector. We need more support from our contracting staff to incorporate agile practices into our software development contracts.
1237	One best practice that EPA and other federal agencies used to employ but that has apparently been eliminated by the new administration is planning for how climate change is affecting and will affect our operations and investments, as well as the American people. Hundreds of major companies, including multinational energy companies, are planning for climate change impacts; it???s simply good business practice and a wise use of limited resources. It???s governmental malpractice to ignore the fact that climate change is happening now and will continue to happen. If we aren???t planning for it, we are sentencing our government to waste taxpayer money???for example, by continuing to

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
	1237	5/22/2017	The capacity of the Agency to administer its Federal Technology Transfer Act responsibilities is extremely fragmented, under resourced and made overly complicated by internal administrative procedures. This could stand improvement if the new leadership thinks that the Agency should follow the mandates around technology transfer.	Over the last few years, the Agency has been working with a coalition of communities across the country that have seen the value in better organizing their assets in water to solve local and regional water issues and create jobs at the same time. These community led coalitions are called water technology innovation clusters. (https://www.epa.gov/clusters-program) The development of these innovation centers is based on deep working relationships among a number of players including research, small and large businesses, water utilities, federal, state, local programs and other groups such as investors. Each is unique, fits the community and work on the water problems relevant to their geographic area. In Cincinnati EPA, we have been working with the community led "Confluence" organization with great success in	We need to listen, listen, listen and fully understand the dynamics of the situation on a long-term on-going basis. We need to know the people personally, what makes them tick. We have to turn our attention to helping the communities address their issues. Very problem solving oriented. These should be approached from a coordinated government response. EPA can't do it alone and should not try to. Many of the problems are economic in nature. We can't assure safe water for example in communities where the public is under the poverty level. We can't run these programs from DC or even at the regional level. We need to be in the communities we are charged with helping and look for new and creative approaches. Need some really smart people with the right skills to work with the community leadership.	We need to invest in the capacity of state personnel, their knowledge and education help EPA make progress on meeting its goals. With the reduction in state budgets and reduction in salaries, probable high turnover rates, and fear of being jailed for technical errors, the qualifications of these personnel are probably the worse they have been in decades. As a result, they rely on EPA to guide them. We could encourage specific workforce development in this area and find ways to prioritize them in state workforce development initiatives. This is an issue for water plant operators as well. Recently, there have been papers written that highlight that operators with a college degree are more	There are many new water technologies that are emerging on the landscape, drones, sensors, etc. These should make more information available in real-time however, we don't have a group in the Agency that is the focal point for getting these "approved" for use. We need to be much more strategic in this to make sure that these new technologies make it to the market and where appropriate have the confidence and EPA ok for use. This is a complex topic requiring dialogue and action within the Agency. Additionally, there are some basic issues that should be addressed such as metering and measurement of water. For example, water meters are not even required in parts of Chicago and parts of	We need to value those activities in the Agency, and the specific people within it, that are connectors with a broader set of stakeholders in the federal family and beyond. These are uniquely qualified individuals but their work goes largely unnoticed and is certainly not characterized as valuable work. This ability to look at how to connect is key to leveraging the vast number of programs across the federal government. Put it in expectations and standards for the SES corps and you will see progress or at least some talk of it. It's somewhat of a cultural change
1238								
1239	1238	5/22/2017	Lift the hiring freeze		Hire more staff			
	1239	5/22/2017	Weekly activity reports. No one seems to read them they just seem to be a way for management to assure themselves that their staff is doing something. Kind of dysfunctional if you ask me.	We need to be working with the agricultural community to show them and bring to them the many benefits that can come from using unmanned aerial vehicles (UAVs). Farmers can greatly reduce their application of pesticides, fertilizers, and water by use of UAV data. Farmers save money and improve the environment at the same time.	Regulations grow and change over the years so that for any regulated entity the regs become more complicated and harder to understand, because they have been piecemealed together over the years. Wholesale rewriting the regs that govern large sectors may be needed so they become streamlined and easier to understand/comply with.	We dual regulate stormwater from construction projects over 1 acre in certain geographic areas. We require a constructor to get a state-wide construction stormwater permit, and at the same time we require larger cities to regulate the same construction sites (often through a permitting program). We could/should do away with the state-wide permit in those cities which are required to regulate their construction projects with a greater degree of scrutiny.	For keeping track of employee's work hours (time-keeping) we have to use three different software systems to input time and request leave. And we always have to input time 2 to 3 days before the pay period is through which means there are constantly corrections that have to go back and be made after the pay period is over.	Like with the agricultural idea given above on Q.2. we could be work with USDA and state Departments of Ag to model cutting-edge technologies that improve the bottom line for farmers and the environment.
1240								

AMERICAN OVERSIGHT

	I
1238	I think we should look at the qualities of best work places. Look we are not Apple, but we have an important and critical mission to the people of this great country. It makes for a tremendous draw for talent that would otherwise go elsewhere. However, we've been terrible at the way we treat people personally and professionally for many years, horrid examples of workplace bias, sexual harassment, good-old-boy/girl networks, lack of respect or understanding of the value of diversity, managers that don't even hold meetings with staff, meetings without agenda's, come on. First rule: engage, respect and support your people and they will do amazing things.
1239	
1240	We spent years trying to develop some new stormwater regulations (that were wrong-headed in my opinion) and the whole effort finally crashed and burned at the end. There needs to be some kind or rigorous evaluation process at the beginning of a regulation change effort to evaluate the merits of an idea before we spend untold hours and dollars on an idea that is questionable from the start.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1241	1240	5/22/2017	RESPONSE 1: I suggest administrative audits or Lean projects for each AA-ship and program office to see if there are processes still requiring signature that are done via papers & folders. Are folders being passed around for signature? If yes, could a workflow with a digital signature or approval process be created to replace the need for paper/folders/ink signatures? I would start with OARM since the work of the OARM offices often impact employees directly any improvements to workflows and process in OARM will have a wider benefit. Digitizing signature process should speed-up approval process and eliminate the time needed to track and transport paper folders/documents. RESPONSE 2: Standardize the Agency intranet on one platform such as Drupal. Finding information on our agency intranet is very difficult and wastes the administrative time of our employees. The amount of time staff members invest trying to find information internal to the agency is known as a ???clutter		What are the incentives to provide good customer service? If you look at the private sector model in areas like customer service, the companies who do it well all have incentive programs built-in to their work culture. To me, good customer service reflects on a positive, supportive, well incentivized organizational culture. Respect from manager to employee is a foundational element in creating such a culture. While the government might have less flexibility in terms of incentives, Any manager could hold things like monthly coffees or coffee & donuts or birthday celebrations. In addition, time-off awards can be used as an incentive more regularly. There are lots of ways to create incentives, but managers must start with the desire to do so.	RESPONSE 1: Per the above suggestion, digitizing current paper-based processes will both modernize the process and reduce the costs needed for paper and the associated employees??? time to walk around these documents for signature. Internal resources could be used to create such a digital workflow such as PDFs and SharePoint. RESPONSE 2: Roughly 80% of companies now run on open source software to manage their intranets to save money. However, EPA???s current methods for managing its intranet is extremely costly and not conducive to advancing the EPAs work or saving the organizing money. The agency allows every region and program office to manage multiple servers and	RESPONSE: Implementing the Office of Internal Communications and Office of Environmental Information proposal to adopt a standard intranet strategy and platform across the agency would greatly increase our efficiency. It would improve information sharing and also reduce costs. A platform like Drupal, best known as the open-source platform behind public websites like Whitehouse.gov and our own EPA.gov, is also a good option to manage our intranet since we already invest in it. However, EPA currently allows regions and program offices to use multiple different platforms to manage their internal websites. There is no standard, so the agency is spending a lot of money at all	
1242	1241	5/22/2017	We have inefficient and outdated technology without adequate software solutions for internal tracking, correspondence, docket management and information management. OEI needs a cultural overhaul and change it's role in supporting the agency's mission. Also, staff participating in decisionmaking meetings would result in more informed and better outcomes.	More transparency. EPA already meets and collaborates a LOT with states tribes local communities and industry - let us do what we already do well.	None - EPA already does a great job of this and to say that we do otherwise is ill-informed.	Stop making everything political and support our scientists more. Let them do their jobs.	EPA needs better docket management software for litigation. Also it needs professional ediscovery support so that litigation doesn't drive our agenda under any administration.	This is the third time you asked this question.

AMERICAN OVERSIGHT

	I
1241	1. RESPONSE 1: Have you looked at the Peace Corps model of employment? At the Peace Corps all employees are limited to 5 year terms with up to 2 year???s extension for a total of 7 years. As such, new people, energy and ideas are a regular, normal thing; people do not feel threatened by them. Also, it fosters a culture of learning as people are not overly tied to any work processes or offices or desks or software. The term limits model changes everyone from top management to the lowest entry level employee. EPA seems to be bogged down in insularity???too many people who have worked in the same manner, together for 10 years or more. While these people may have
1242	No.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1243	1242	5/22/2017	Lotus Notes entry plus people plus is redundant. Having to seek approval for speaking engagements and press interviews is time consuming and adds to multiple levels of approval. Direct management approval should be sufficient - most of us know how to do our jobs and represent the agency and the communities we work for. Getting material printed in color undergoes the most ridiculous process - once a brochure or newsletter is designed - it takes no less than A MONTH to get it out the door after multiple forms, approvals and sending it out to a printer. Colored printing costs are now inline with black and white and we should update our process to allow our contractor to do colored printing for our products.	Working closely with our local communities has proven time and time again a successful enterprise. We should bring in more Community Involvement Coordinators to work across project teams to make sure networks and communications are maintained. Maintaining those close working relationships with those entities achieves better environmental results because we already have a good working relationship and work together on designing and implementing cleanup projects on the front end vs only including these entities once we have a proposed cleanup plan. This process allows EPA to achieve cleanup faster.	Working in many communities, I have found that maintaining local relationships through frequent calls and meetings is essential to getting good working relationships. We can do this best if we practice "quality over quantity" and divide projects more efficiently - fewer projects with more staff - so that we can effectively facilitate these discussions across projects. Every community deserves to have the undivided attention of the project team that is working to cleanup up their environment.	Stop having us jump through hoops to get colored printing. The time is what costs, not the product.	We need to have more local control of social media accounts. Regions as well as project teams should be able to communicate directly and get feedback through these mechanisms since this is how most people provide input and feedback these days as well as stay informed. Fewer projects will allow project teams to provide better and more efficient services to their communities.	continuing to focus on the idea of "One EPA" - people expect us to know programs/projects outside of our prospective program "silos" and we should have a more holistic and sustainable approach to communities that provides all these services - Superfund, Air, Water, RCRA etc. We should look at things regionally and assign teams to regions so they can best look at and have awareness of all these projects and programs at once.
1244	1243	5/22/2017	There should be improved time and attendance accounting, including linking absence requests to the actual time reporting. I also suggest prioritizing updates of information technology systems, including electronic pesticide labeling.			Develop faster, more efficient ways to deal with employees with performance problems.		
1245	1244	5/22/2017	As a first line supervisor, I feel overburdened that the number of administrative responsibilities we are required to undertake. I also observe that these requirements become more cubersome when the Agency changes to a new and improved IT system. I would appreciate support for items such as timecard reconciliations, travel review, etc.	In my opinion, EPA has a very thorough process for engaging our stakeholders in the decision-making process. Where possible, I support finding opportunities to engage our state partners in deliberative decision-making discussions, particularly when they are a true co-regulator or implementer of EPA rules.				

AMERICAN OVERSIGHT

	I
1243	Opening local offices within regions has been very effective. This is ideal when wanting to work closely with communities and projects. It also diversifies the governmental work force by taping into local economies and expertise that projects across the region can benefit from. We also do community engagement really well - so much that local and state teams have asked us for our help to train their staff on how to be more effective communicators about complex projects. State and local teams greatly appreciate our support since it is applied inconsistently across many local and state governments. EPA allows for a holistic view and shares ideas with teams
1244	
1245	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1246	1245	5/22/2017	The management procedures and organizational processes in my current organization, a Staff group performing program management operations for a Program Office, are too rigid, especially as applied to highly experienced professionals like myself. I have been at EPA for **[REDACTED B6]**) It is wasteful of time and resources for respected and experienced senior employees like myself to be required to adhere to a rigid process that requires two levels of review by the Staff Deputy Director and Director (who are Program Management Analysts) for every draft work product and even certain email correspondence that goes to our Divisions, to the Office Director and, often, to another office within the AAship. Essentially no substantive changes have ever been made to my draft or final work products under this review process and it is required even for projects where I am the designated Lead for the Program Office. In addition, either the Deputy Director or the Director of this Staff group accompanies me to every meeting	EPA should proactively inform states, tribes, and local communities of the environmental results that are achieved by these partnerships (e.g., improvements in the health of coastal estuaries, better visibility in national parks and wilderness areas that are enjoyed by Americans, less harmful smog that aggravates asthma and other pulmonary conditions). EPA should present quantitative data and graphical displays to these partners to document the program being made in our joint mission for improving public health and the environment and preserving our nation's natural resources.	See suggestion above.	The suggestion under Q1 if applied at EPA Headquarters would reduce costs and inefficiencies without adversely impacting environmental protection for all Americans. EPA should also make a priority of revamping the Office of Acquisition Management (OAM) so that contracting officers do not leave EPA for better opportunities/promotion potential at other federal agencies. OAM is severely short-staffed and can barely support the acquisition and contracts management needs of the program offices. The "best" EPA contracting officers should be recognized in the same way as EPA's program leads are for outstanding work on developing and	No suggestions at this time, but I'm confident some exist.	EPA could not maintain the CASTNET environmental monitoring network described under Q.7 below, which is essential for accountability and assessing program progress in achieving environmental results without the collaborative support of the National Park Service. In addition, EPA works with the USGS and cooperators in states that contribute to the operation of the LTM surface water quality monitoring network described under Q.7 below.
1247	1246	5/22/2017			Improve the EPA website. It is difficult to find what you're looking for. (I usually do a Google search to find what I'm looking for.) Also, make sure the hyperlinks in the EPA website work.			
1248	1247	5/22/2017	During the transition, EPA employees have been stalled from getting information out to our states and the public without thorough evaluation from our acting regional administrators and external affairs. I hope soon employees will be able to be more open with our states and public, as we were in the past.	We need more communication.	We need to be able to communicate more openly, without so many restrictions.	Yes, we need more open communication, without so many restrictions. I understand some things needing to be properly reviewed, but not every single thing.	We could fund and utilize GIS more.	I don't know how we can. We need each other for checks and balances. We currently work closely with our state counterparts.
1249	1248	5/22/2017	Our contracts team is severely understaffed, delaying extensively myriad contract management functions such as releasing RFQs, awarding contracts, and supporting day to day contract operations. Improving this situation would improve productivity and enable us to serve our constitutions even better.	Voluntary programs have a long history of delivering results in a cost effective manner and can be easily leveraged by state, local, and tribal governments.		Initiate improvements to hiring and promotions; initiate a merit based reward system. Our approach to hiring is antiquated, slow, time consuming, and doesn't always result in the ideal selections for the Agency. Promotions based on merit would be highly motivational.	Our internal systems admin systems can be time consuming and counterintuitive: EAS, Concur, FAITAS, PeoplePlus. Adopting higher performing systems would benefit to the Agency's productivity.	

AMERICAN OVERSIGHT

	I
1246	Mechanisms for evaluating the effectiveness of program implementation and measuring progress in achieving its statutory environmental goals were in put in place at the beginning of EPA's Acid Rain Program. These include: Clean Air Status and Trends Network (CASTNET) for monitoring dry acid deposition, ambient SO2 and NOx, and ozone in non-urban areas, including national parks and acid-sensitive regions,and the Long-Term Monitoring (LTM) program for measuring surface water quality and ecosystem response in acid-sensitive regions of the U.S. These environmental monitoring networks are also being used to assess the effectiveness of the Cross-
1247	
1248	I'm not aware of any.
1249	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1250	1249	5/22/2017	Decreased staffing overall, lack of administrative support (secretaries, HR & Contract professionals, etc.) and lack of clarity in the new administration's goals and direction has severely hindered my ability to do my job well.	Maintain or increase our ability to offer funding and technical (staff) assistance to work with stakeholders to support their ideas for how to accomplish cleaner environments locally.	Support Programs like the Urban Waters Federal Partnership that integrate services from multiple federal agencies and provide recognition for their good work.	Yes, allowing offices more freedom of communication directly with stakeholders.		Urban Waters Federal Partnership!
1251	1250	5/22/2017	Reviews from other divisions such ORC does delay getting orders out in a timely fashion.		provide responses and comments in a timely fashion but unnecessary reviews by other divisions delays responses to submittals in a timely fashion.			
1252	1251	5/22/2017				I believe that the RCRA import/export program currently housed under OFA/ICAD belongs in OLEM. The RCRA import/export program is a function of the larger RCRA program and it is better suited to reside in OLEM. The WIETS database system utilized by the RCRA import/export program will be transferred to OLEM shortly and the rest of the program should follow. This will reduce the current set-up in which both OECA and OLEM management are involved in the function, increasing efficiencies and reducing cost. In addition, the RCRA import/export program is a permitting program without any compliance or enforcement components and does not belong in OECA.		

AMERICAN OVERSIGHT

	I
1250	Take a cross office/cross Federal look at who is working where and align services and requirements within those places.
1251	
1252	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1253	1252	5/22/2017	Getting bogged down with non-registrant issues that could be more efficiently handles at the regional level.			Let the EPA Regions process EPA Company Number changes (name & address etc.) for those companies that are "Non-Registrant" companies. In other words, these companies have only obtained an EPA Company number in order to become a Producing Establishment or a Distributor. Only when/if they become a Product Registrant should EPA Headquarters get involved with maintaining their company changes.	Modify the Office of Pesticide Programs Information Network (OPPIN) to add a column to the database that distinguishes between a Registrant "R" and a Non -Registrant "N". Then, let the Section Seven Tracking System (SSTS) database (that is already used by the EPA Regions) have "ownership" of this "Non-Registrant" company information. This would also involve giving the EPA Regions special administrative access to the Company Maintenance Module within OPPIN.	
1254	1253	5/22/2017			Don't skimp on community involvement staff, funding, and equipment particularly in Superfund. They work tirelessly with our state partners to engage citizens/tribes in our work to ensure they have as much involvement as they want. Citizens often tell us we are the only people who listen to them.		A "new technology" that could make us more efficient would be to give staff working regularly in the field (in addition to OSCs and press team members) smart phones. About six years ago, some of us were issued flip phones after standing our ground saying we were not willing to use our personal cell phones for work (for a variety of reasons). We still have those same phones with no upgrades coming in the near future. For example, if community involvement staff working in Superfund emergency response communities had smart phones, they could take photos of a cleanup in progress, send them to our web team who can get they approved for posting, and then post them. All of this could happen in a day or so.	

AMERICAN OVERSIGHT

	I
1253	
1254	See number 5.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1255	1254	5/22/2017						
1256	1255	5/22/2017	The outsourcing of basic accounting procedures that can be handled by each individual region. For example, the accountability of posting incoming collections from site recovery costs. To keep the amount of errors and misinterpretation of fees down to a minimum, these tasks should be handled in the same office the cost recovery packages are created.	Continuing to have open communication capabilities between the different entities. Providing feedback and survey opportunity to stay informed on their current needs.	Continuing to have open communication capabilities between the different entities. Providing feedback and survey opportunity to stay informed on their current needs.	Holding each position accountable for up to date training on evolving positions.	Yes, an updated financial management system that will align with the cost recovery reporting procedures. More efficient way to process and post payments that would be user friendly.	

AMERICAN OVERSIGHT

	I
1255	I think we should reconsider EPA's telecommuting or "work from home" policy. It should either be eliminated or people should only be allowed to work from home 8 hours once per week. People say they work from home 12 hours per day multiple days per week, which is not realistic. If people were required to come to the office more often, it may lead to additional retirements, and would certainly increase accountability. People should be allowed to work at home on an "as needed" basis, it should not be a part of everyone's regular weekly schedule.
1256	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1257	1256	5/22/2017	In general, to level of management review/approval for even basic decisions is overly cumbersome. Staff and first line managers should have greater ability to make programmatic decisions. The Travel Request System is burdensome, particularly if adjustments are needed to travel arrangements after a TA has been approved. It would be much more efficient if staff could manage their own travel. Also, the admin/funding process for obtaining computer resources (e.g., replacement batteries for lap tops and software to view maps/manipulate data) is overly burdensome.	The ability to meet with partners face-to-face is key to building trust and fostering open communication, which leads to staff being able to work through issues before they become contentious. Being able to go 'on-site' with partners and understand first hand the resource under review is equally important to understanding local context.	See answer to #2 above.			
1258	1257	5/22/2017	When taking leave bank leave, YOU need to change the restriction that staff can't work on EPA work. Some sick leave bank staff are able/willing to work some days for example when they are not sick themselves, but take leave bank leave to look after sick family members. A big loss of productivity, especially for small branches.	Keep rotating State people into EPA and vice versa swaps which work well to increase understanding and working relationships.	For regulated community, let them know whether 100% of PRIA money really goes into salaries as registrants keep asking where do these fee monies really go (eg general fund?).	1. Hire the best, pay them well, and get rid of the worst, but managers are weak and will never do this. 2. YOU need to rebirth the annual efficiency/productivity award contest some divisions had prior that boosted both. Awards included time-off/cash awards and other incentives. Need to really recognize these people too and communicate their productivity/efficiency boosts. 3. Stop giving big cash awards to management who rarely boost productivity.	OCSPP really needs better/more modern IT systems and PRIA fee money is supposed to pay for some of it but improvements have been very very slow coming.	TOSCA and FIFRA have many of the exact same chemistry, environmental and toxicity data requirements. Why not have same TOSCA/FIFRA staff or contractors review these studies and allow companies to borrow/compensate TOSCA studies to satisfy FIFRA study requirements and vice-versa?

AMERICAN OVERSIGHT

	I
1257	
1258	Hire the best qualified, not the best connected or favorites. This is a constant problem. It really lowers morale.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1259	1258	5/22/2017	1) The process of responding to FOIAs should be improved. As it stands now, it is a fragmented, inefficient and time wasting process without SOPs. If senior leaders desire that the Agency respond to the public in a timely manner, a home office should be assigned to FOIA tasks and SOPs should be developed. 2) Approximately one year ago, I received a temporary promotion in my office. The human resource office accidentally put in paperwork to make my grade increase one grade higher than it should have been, resulting in an overpayment to my paycheck. I spent days trying to figure out what happened. I was made to feel like a criminal from the HR office. I petitioned to have the problem reviewed and one and half years later have not received a response from EPA. HR, payroll, awards issues need to be addressed promptly and accurately. Instead of receiving the pay raise I deserved, I was penalized for getting the promotion. This kind of mistreatment of employees is not			Last year, Congress passed and President Obama signed the updated Toxic Substances Control Act which revamped the powers and processes EPA has to develop risk assessments and regulations for new and existing chemicals. Scott Pruitt publically announced his support of the law at his confirmation hearing. Currently, the Risk Assessment Division of OPPT is struggling to meet the deadlines of this new law for both new and existing chemical programs. A program manager needs to be put into place for both new and existing chemical programs to improve efficiencies, put in SOPs, communication procedures, develop templates, find ways consolidate work, etc. If more employees cannot		
1260	1259	5/22/2017			1) Better Regulation Writing: We need to write better regulations that are easier to understand for states, tribes and the regulated community. Suggestions to improve regulations and make them more understandable include: limit or eliminate cross references, write out the due dates in the rule (rather than 180 days from x), write in plain language, include detailed definitions. 2) Provide More Training on New Rules: For every new rule or substantial amendment, we should provide webinar trainings Webinar trainings are easy for us to provide and easy for states, tribes and the regulated community to attend. We should also provide a plain language overview of all rules that explain the requirements in detail.	Allow employees to take leave without pay which could include some bounds (e.g. limit the number of days per pay period and total days in a year). This would save costs while maintaining environmental protection.		
1261	1260	5/22/2017	There are none	EPA are already doing a great job and will continue.	All EPA offices are already doing a great job and will continue.	No	EPA is a great!	By keeping all of our EPA Offices open

AMERICAN OVERSIGHT

	I
1259	
1260	
1261	EPA is doing a Great Job

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1262	1261	5/22/2017	- Having a strong knowledge management policy and procedure would help retain knowledge - Having just 1 person in each department order supplies. He/she can keep an inventory of supplies and check the list before ordering anything we may already have. -	- Inviting these external stakeholders to engage with EPA regularly and often - meetings, in person, on the phone, webinars, etc. - Creating job opportunities/internships/rotations for states, tribes and local communities to work at EPA - Co-creating a	- First identifying where best practices of customer service to external stakeholders occur and showcasing them - Requiring engagement with external stakeholders as part of our employee evaluations - Incentivizing staff to have engagement and better cu	- Since engaging external stakeholders is a strength, increasing staff capacity for areas in EPA that do that would be an opportunity - Have each department create a SWOT analysis for their department's work and have a facilitator guide them on leveragin	- Having access to programs (and requiring training for them) so we don't have to contract out - Having access to project management software - Creating an interactive directory (like LinkedIn) that allows staff within EPA to connect and know what each	- Work is done in a silo since we may not know who out there is also working on a similar effort. Creating an interactive directory (like Linkedin) to identify contacts in each agency and state that align with our areas of shared responsibility and mutual
1263	1262	5/22/2017	I have spent 8 years of my career working with industry and as a consultant and 15+ years with EPA - experience which gives me perspective that most people at the agency do not have. At EPA, there are many more bureaucratic processes that consume time and resources than is necessary and it has only gotten worse. For example: our contract travel agency does not give us the best rates; we have two separate credit cards (one for transit and one for travel) which is duplicative and seems unnecessary; an extraordinary number of approvals is required to travel; computer equipment is old and the process for distributing new equipment is first come first served rather than need based; office assistants (analysts) look down on doing traditional secretarial work (copying, etc.) and therefore higher-paid staff has to do it themselves which wastes time. In addition, generally EPA is only allowed to backfill a position by hiring someone from within EPA or the broader federal government which results in a limited	When I work on projects that are co-regulated by EPA, Federal land management agencies, and the State we form a team that works on the project where we each have our role according the regulations. Undergoing NEPA and permitting requires project management, scientific and technical skills that not every agency has. So the agencies agree, up front, on which agency will provide a certain skill (for example EPA might supply the water quality modeler, the State might supply the geologist, the USFS would supply the biologist) then this multi-agency team concurrently moves through the NEPA and permitting process. This reduces duplication that would otherwise occur. Requiring this type of coordination, hiring individuals that are effective at coordination and project management could improve environmental results in a more	(1) EPA needs to be able to travel to participate in-person in key project-specific meetings and also at conferences that states, tribes, and the regulated community conducts. When EPA is in-person it is easier to build trust, understand others perspectives, and demonstrate that we are achieving our mission. Unfortunately EPA has cut its travel budget to save salary dollars. However, additional travel money is needed to get EPA out to these events and better connected with the public and regulated community.; (2) A common theme in my comments is that EPA needs more people that have real world experience as opposed to being life long government employees. It is often those people that have private sector experience that can better connect and communicate with the public, tribes, etc.	(1) Better personnel management. See response to questions 1 and 7. One way to reduce cost and inefficiency would be to timely discipline the poor performers instead of just waiting for them to retire. Another is to not rely on internal or even within federal government hiring to backfill positions. New people are needed at EPA with outside world experience - at all levels. One highly effective person can do more than four poor performers. (2) In addition, EPA needs to be more schedule-driven. That will enable us to complete work in a more timely manner so that we can get more done in the same time frame. (3) Remove the field offices. Some regions have field offices that are costly to		See response to Q2.

AMERICAN OVERSIGHT

	I
1262	- Best practices from OPM: https://www.opm.gov/policy-data-oversight/workforce-restructuring/reshaping/ - 360 degree evaluations annually so staff can evaluate their colleagues/supervisor/team lead - Requiring staff who become supervisors/teams leads t
1263	Having worked in the private as well as the public sector, I see several things that EPA needs to do: (1) Personnel management - Managers need to have the flexibility to discipline (including firing) workers that are consistently underperforming - currently these employees are ignored or repeatedly moved to other offices. This has gotten worse over the years since the union has been more active (it used to be that poor performers were fired - sometimes they still are but the process takes years). At the same time managers need to be able to provide bonuses or quickly promote outstanding employees; (2) Managers need more training on how to manage effectively; (3) Lack of

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1264	1263	5/22/2017	Since the change of administrations, all outside coordination with state partners needs to be cleared with our senior communications staff. This can result in an unnecessary delays. EPA staff need to freely coordinate with their counterparts in state agencies.	The shift from paper reporting toward electronic reporting is easier, more efficient, and costs less for the facility and for regulatory agencies. Electronic systems are used in the modern era for almost every kind of transaction. For the user, these systems offer speed, convenience, expanded information choices and filing capabilities. For government, they offer the ability to increase transparency and an opportunity to improve the ability to spot pollution and compliance issues and respond quickly to emerging problems. In particular, Congress and the public expect environmental program managers at every level of government ??? local, state, tribal, territorial, and federal ??? to design and implement programs that deliver environmental and public health	EPA needs nationally consistent data to make program evaluation and subsequent planning transparent and replicable. The basis for EPA???s planning and conclusions about the status of program implementation needs to be readily available to those affected, including the regulated community, the general public, Congress, federal, state, tribal, and territorial agencies. For example, the data that EPA needs to evaluate the performance of an authorized program should be readily available to EPA (and readily available from EPA to the state, tribe, or territory) and the state, tribe, or territory should be able to easily duplicate EPA???s analyses.	The shift from paper reporting toward electronic reporting is easier, more efficient, and costs less for the facility and for regulatory agencies. Electronic systems are used in the modern era for almost every kind of transaction. For the user, these systems offer speed, convenience, expanded information choices and filing capabilities. For government, they offer the ability to increase transparency and an opportunity to improve the ability to spot pollution and compliance issues and respond quickly to emerging problems.	The shift from paper reporting toward electronic reporting is easier, more efficient, and costs less for the facility and for regulatory agencies. Electronic systems are used in the modern era for almost every kind of transaction. For the user, these systems offer speed, convenience, expanded information choices and filing capabilities. For government, they offer the ability to increase transparency and an opportunity to improve the ability to spot pollution and compliance issues and respond quickly to emerging problems.	EPA must be able to work closely with states to ensure that it has more accurate, timely, and complete information about Federal environmental program. Resources should be made available to support electronic reporting and data sharing between regulated entities, authorized programs, and EPA.
1265	1264	5/22/2017	There are so many administrative requirements that are unnecessary I don't know where to even start. I should not be required to take a training on domestic abuse or defensive driving. This has nothing to do with my employment. Domestic abuse it addressed through other regulatory Agencies/Divisions, and the RMV requires that you are sufficiently competent to drive a vehicle with a valid license. There are so many mandatory trainings that take up our limited time to focus on the what we were hired to do. I have worked so many overtime hours without pay to accommodate everyone; for so many decades. Reducing staff and budget by such an extreme and expecting us to still have time to comply with so many ridiculous requirements - without regard to who we are trying to protect - is what gives the Federal government (and "Civil Servants") a bad name. This Agency has become an embarrassment, thanks to the power's that be. There is no focus on setting reasonable standards for contaminants	Number one, making reasonable decisions with the private sector. EPA cannot seem to focus on the standards that we set for industry - it changes constantly, based on so may stakeholders. It is so frustrating for them to make sense of what they should or should not be doing. If there are no reasonable cleanup standards for hexavalent chromium, I,4-dioxane, or PFAS, how are they to rationally figure out the magnitude of their future expenditures at the Site. There are unregulated contaminants (with no toxicity factors) we are asking them to sample and track without any knowledge of what is protective or not! This Agency needs to be a cabinet position if they are to be taken seriously. The environment and people's health cannot be indiscriminately cut to balance the "budget". This is clean air, water, and basic human rights. The economy	The people that are responsible for providing customer service are nearly breaking their backs to do so, in as reasonable manner as possible. Sadly, most staff have nothing to do with the public and do not see any urgency for anything (i.e. Contracts). Focus on the people that DO have contact with the public and provide them with the support necessary. Penny wise - pound foolish once again.	REDUCE RIDICULOUS TRAINING REQUIRMENTS. If there is a course that is mandatory, than there should be a common sense reason why; and not just because some Workgroup in DC has made that decision (for lack of anything else more important to waste taxpayer's dollars on....interesting how much more they are paid to the overworked Regional staff actually struggling to make sense of their decision is the field in multiple States....). Our Regional Coordinators have no clue and are a glitch to progress. STOP overpaying them for slowing down necessary remediation.	On the technical front, there are many. The focus should be on optimizing any treatment system which is currently in place and ineffective. Provide the Regions with more solid tools to have reasonably discussions with industry regarding system efficiency and optimization before it gets to the point of them throwing up their hands and giving up. As for administrative technology, revert back to what was efficient and less time consuming. We do not need any additional electronic "improvements" to waste our time. At the base of it, the goals are more simple and streamlined and it is tiresome to have multiple new and improved computer programs that are supposed to make everyone's job more	The States are not equipped, either professionally or financially, to take on the burdens that EPA has been attempting to address. Diversification to the States sounds great on paper, but they currently cannot provide any remote form of assistance that EPA is operating under. They don't want the work and it is all too easy for a State to defer to the Federal Government when things don't go well. Without funding and infrastructure, they cannot take on this work. I've seen them bail, because they know EPA will take the fall. Honestly, in my job, if I don't do it, no one will.

AMERICAN OVERSIGHT

	I
1264	The shift from paper reporting toward electronic reporting is easier, more efficient, and costs less for the facility and for regulatory agencies. Electronic systems are used in the modern era for almost every kind of transaction. For the user, these systems offer speed, convenience, expanded information choices and filing capabilities. For government, they offer the ability to increase transparency and an opportunity to improve the ability to spot pollution and compliance issues and respond quickly to emerging problems.
1265	Yes. EPA's regional labs are not up to snuff and cannot do the job that a private lab can. They are not entirely accountable and the cost to operate them are high. We need to rely on outside labs for any efficiency. They don't work on Saturdays, so you cannot collect samples and ship them out on a Friday. There are so many other restrictions like that....they will analyze from Cr3 but not CR6.....they claim they can take all the samples planned to be taken until the week that we are in the field and they claim that some other project bumped you, so you are left with samples with holding times that have no where to be shipped (enormous waste of money). The EPA project manager cannot

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1266	1265	5/22/2017	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-with all of the latest thinking and technologies, tools and links used by all of the most successful CEO's from around the world continuously being updated-(and again for FREE) **[REDACTED, B6]**	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-with all of the latest thinking and technologies, tools and links used by all of the most successful CEO's from around the world continuously being	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-with all of the latest thinking and technologies, tools and links used by all of the most successful CEO's from around the world continuously being updated-(and again for FREE) **[REDACTED B6]**	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-with all of the latest thinking	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-with all of the latest thinking	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his
1267	1266	5/22/2017	Currently, the approval process for grant actions is left to each individual office. Some offices only have one manager approve, while others require up to five managers to approve. I have worked in both types of offices and from my viewpoint, the offices with several managers signing documents typically process these actions slower (as the Project Officer is sometimes waiting on several managers to sign which could take weeks!). Most of the time, the managers are only assigned as approvers so they are aware that the award is at the signature phase. It would improve efficiency if guidance from HQ were to come out with standardized guidance that states the required number of approvers for things the funding recommendations and commitment notices (maybe just 1-2). This way the offices who pile on the approvers would think about other ways to accomplish notifying the approvers who merely need to be "notified" of the action are not included as official approvers. As it stands now, with each	Decentralizing regional offices and "housing" EPA employees within or nearer state, tribal, and local offices would tremendously improve communication and collaboration and help employees better achieve environmental results. With most regional and HQ offices in metropolitan areas, it is often cost prohibitive for our partners to come to us and visa versa. I see the Forest Service as a Federal Agency who does this well. With their District offices, they are positioned right within or outside the Forest in which they work and within the communities that most benefit from the work they do. I grew up in such a place and went to school with their kids, had a better understanding of the role of the Forest Service (they often came to our school) because they were more visible in my community. Place-basing employees throughout the country would not improve our	EPA is not known as an agency to be very "outgoing" in nature. There are scientists and engineers that tend to be introverted by nature, but who still need to work with the public and partners. I see three issues here: 1) We're not hiring across the spectrum for talent. It may help if EPA does some hiring specifically for applicants with good people skills, 2) we need to follow our own human capital strategy and put the right people in the right positions to make sure we are working well with the public at large, and 3) we need to provide on the job mentoring and training for those who are naturally introverted and emphasize the training as relevant job skills necessary to perform our work here at EPA.			Currently, many of my colleagues feel that they must be careful about what is shared outside of the Agency. It is well known that there are legal constrictions on some information but for other information, people are just afraid to share and collaborate because they don't want to "get in trouble" for sharing something a manager didn't want them to. I believe more thought needs to go into how the Agency treats our internal processes and decision making and consider which areas we can open more to our outside partners. This could be done through workgroups or via the SharePoint environment.

AMERICAN OVERSIGHT

	I
1266	I submitted my suggestions a few weeks ago regarding the implementation of CEOExpress.com into every area of federal government as a way to improve efficiency and effectiveness in every branch and aspect of running the Fedaral Government, much as it has for CEO's of all major corporations around the world-in particular since this a FREE compendium of links to all the most current research, best business practices, best business tools available for any user to incorporate into their management activities, procedures, etc., etc and all for FREE. Hopefully this will filter to Mr Trump's desk for his serious consideration to improve the functioning of government at every level-
1267	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1268	1267	5/22/2017				Provide Supervisors with some type of incentive to "loan" individuals on their staff to other programs. Staff with important capabilities (e.g. contract management) should be shared throughout EPA. Right now, supervisors have no incentive to share their employees to assist other offices who need the expertise.		
1269	1268	5/22/2017	During registration review for pesticides, we have to publish an FR Notice during multiple stages to announce public comment periods. It would be simpler (and cheaper) to post these announcements to our website. For some submissions to the Agency, the states and registrants still submit paper copies. It takes time to get these submissions through the mail and then processed. Moving more fully to electronic submissions could make things more efficient.	With Agency budget cuts, some meetings that occurred with partners occurred in person. This allowed the EPA and states, tribes, etc. to develop good working relationships, improve communication, and understanding of issues. Resuming some of these in-person interactions would help the Agency and partners achieve better results.				

AMERICAN OVERSIGHT

	I
1268	I was a supervisor in the Department of Labor. All DOL supervisors were required to take a 3-day supervisory training on the nuts and bolts/basic supervisory policies (e.g. time/attendance, leave, performance measurement, managing poor performance, position classification and hiring, etc). EPA has a lot of "Leadership" training, but it doesn't have this basic management training. My understanding is Executives were required to take this training. Executives were also held accountable for ensuring ALL of the supervisors in their office completed this training. OARM use to have this training, but no longer. DOL also had additional specific training on
1269	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1270	1269	5/22/2017	There are many administrative requirements, management procedures and other processes that can be improved. But the first step is to document these processes and then determine the best course of action - reduce duplication, optimize, remove the process etc. To have a meaningful impact instead of a dead-end bureaucratic exercise, however, there has to be executive willingness to take actions (i.e., eliminating duplicative processes, improving existing ones). Otherwise, the efforts to optimize will fail.	States have been granted authority to implement the CWA, SDWA and other statutes. Our role is oversight. We should facilitate implementation by assisting States with funding, technical support and other assistance. Some thoughts: facilitate more competent/technical staff at the State, provide a common platform to share data that is meaningful for States and EPA - too often EPA asks for too much data without much thinking on why they are asking for it from States; look for regulatory, policy and statutory changes to ease burden on States and the Private Sector while holding the excellent gains in environmental results in the United States since the 1960s and 1970s.	Ask them what their needs are and understand their issues better than we have in the past. Once their needs are known, provide the executive leadership to implement a strategy that promotes better customer service.	See answer to # 1. This is classic business process re-engineering. But what needs to be different is that there has to be executive will to take action once processes/opportunities have been identified. This is a large institution - opportunities exist in streamlining regulatory development processes, travel, human resource management, software (the previous CTO noted there are 13 different fleet management software). So the first step is identify all the processes (yes, there are processes that are not documented) - this should be undertaken at the Branch or Division level and rolled up right up to the Agency level. This will provide a detailed picture of organization operations,	See response to Question 1.	See response to Question 1.
1271	1270	5/22/2017	The largest single item in EPA's budget are the SRF programs which are berried in the organization. One of the administration's priorities is to fund our nation's infrastructure. The SRFs and related infrastructure financing groups within EPA should be consolidated into one office that reports directly to the Administrator. This would increase synergy between programs. The Administrator would have better direct control over this critical part of the agency, also he would get input from finance professionals instead of regulators.					

AMERICAN OVERSIGHT

	I
1270	See response to Question 1.
1271	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1272	1271	5/22/2017	I think it takes too much time to have funding approved and obligated onto contracts in general. I think that we could have our contracts support staff look at more efficient processes for reviewing and approving funding for contract work assignments or task orders. This would help speed up our work in general across the agency.	I think that we should have more programs that focus on providing technical assistance to local and regional partners, to assist them with meeting existing regulatory requirements. This technical assistance would help our partners better lead their environmental programs that they're in charge of implementing. I think we could provide additional ways for local and regional partners to communicate with EPA about how EPA could support their environmental results.	I think we should increase the number of ways that our customers may access the resources that the EPA has available, including our websites and contacting EPA staff for assistance. I think that providing clear and open channels of communication are important for providing better customer service. EPA staff should increase the amount of time they interact with customers, where our customers are based or where they have environmental concerns of importance.	I think that environmental permitting should be done more online. I think that environmental monitoring should be done more online; and with open access to our partners. I think that EPA should support the adoption and development of environmental technologies that clean the environment at lower costs. I think EPA should provide more technical capacity training opportunities, to train our local and regional stakeholders how to more efficiently run their environmental protection programs.	We should support advanced monitoring technologies, that allow for us to cheaply monitor the environmental quality of water, land, and air resources. Remote monitoring technologies could help with protecting environmental resources at a lower cost to our stakeholders.	We could work more with FEMA, US Army Corps of Engineers, NOAA, HUD, and the US Forest Service on making our urban infrastructure more resilient to change climate impacts. These agencies all play in a role in making our urban water infrastructure more resilient to changing climate impacts; supporting partnerships amongst these federal agencies would be helpful.
1273	1272	5/22/2017				SEE employees - the SEE contract includes travel money to conduct jobs that federal employees do not have travel money to conduct (like inspections) Fund the primary federal program adequately to accomplish the duties as assigned		
1274	1273	5/22/2017		publically funded political campaigns instead of privately funded.	tax carbon.	utilize video conferencing more in place of traveling.	replace paper records with digital records.	

AMERICAN OVERSIGHT

	I
1272	We should continue to support telework. We should consider having shared worked spaces, where we can reduce our the size of our facility footprints, such as what GSA and the US Forest Service have done. We should better support staff that bike to work, by offering them monetary support to conduct routine bicycle maintenance (encourage people to adopt healthier lifestyles).
1273	
1274	implement a carbon tax.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1275	1274	5/22/2017	Each year, new administrative requirements are added for ORD employees. While each one has a reasonable basis for being introduced, the haphazard way in which they are introduced results in much more administrative overhead than should exist. This is compounded by the fact that each requirement is usually coupled with a separate IT system intended to capture the required information. This means that information must be entered in multiple systems and different times rather than carried over from one data entry step to the next. To address these problems, clearance and approval processes should be reviewed for redundancy and overlap to determine if some forms could be eliminated and others merged into a single form. In all cases, only the key information needed should be required. If a document in excess of 100 pages is required for the user to fill out the needed information, the form probably needs to be simplified. Once the minimal set of information has been determined,			Currently, we ensure that no EPA employee breaks the public trust via a vast amount of documentation for every action an employee must take. This requires a large amount of time on the part of the employee, the employee's supervisory chain, and other employees who must oversee the process. In addition, because the process is so well defined, any employee who wishes to break it can do so without much effort as we've seen over the past decade with several public examples, which served as an embarrassment to the Agency. Instead I would propose that the administrative engine that driving this paperwork avalanche be redirected to a smaller unit that instead	Rebuild the current IT infrastructure from the ground up and abandon all legacy systems. If current tools can fit into a new integrated system, they can be retained, but if the information can't be shared and/or they would require multiple copies of a piece of information to be stored or not facilitate integration of the information contain in the system with other data, they must be retired. Whether to replace the system or remove the reporting could be determined by the process outlined in the answer to Q1.	Across the federal government we could benefit from more collaborative research. The Tox21 consortium is an example of the type of collaborative research that can be done across multiple federal agencies, and there are certainly opportunities for similar collaborations with state agencies.
1276	1275	5/22/2017	The unique EPA budget constraints are inhibiting the agency's ability to do our job. Severe travel restrictions force state and other feds to speak for the agency at meetings/events/site visits that EPA is frequently unable to attend. This causes much misunderstanding and confusion in EPA policies and practices. Increase EPA travel funding, and allow movement of funds across budget categories to allow more flexibility in doing our jobs. Use in-house expertise to develop management procedures instead of forcing big ideas from short term political appointees who are only looking to take salary and bonuses from the agency. They leave with their pockets full and leave behind professional career staff to suffer through bad decisions.	More communication through travel. EPA has a history of initiating great, innovative ideas, but not being able to follow up with partners due to limitations on travel.	Give EPA travel resources so we can actually meet with our partners and the affected/interested parties. There is no substitute for face-to-face communication. It gives us better understanding of customer needs, builds trust, and allows EPA to clearly explain actions and policies.	Find another system to manage travel. CONCUR is inefficient, extremely complicated, and costs lots of staff time in managing our limited travel. Lots of time is spent by scientists and engineers to fight through CONCUR. Hot shot, short term politically appointed managers have clerical staff to do everything for them, but have no idea of the staff struggles to get routine work done.	New computers and programs are one good idea. Updated and efficient programs would be good. Ideas for change/upgrade: LOTUS NOTES. Skillport training. CONCUR travel system. PEOPLE PLUS	This general assumption of "shared responsibilities" is not always accurate. While we are all trying to improve and protect the environment, EPA oversight is critical in overcoming state politics. States are driven by making legislators happy, are bound by state laws. EPA is responsible for nationally consistent programs. We are always challenged by meeting state needs while maintaining programs that are applies consistently across all states. Delegating much more responsibilities to states will fragment programs. It will take many years to patch up programs that

AMERICAN OVERSIGHT

	I
1275	
1276	Expenditure of public money has unique responsibilities, and we need to use caution in making comparisons to the private sector. Losing/wasting corporate private funds is much different than doing that with funds entrusted to the government through taxation.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1277	1276	5/22/2017	A complete overhaul of the EPAAG taking out unnecessary and burdensome policy/regulations that do not add any benefit to the agency, employees, or tax payers. Specifically, the purchase card program needs new management and a new team who are customer service/stakeholder oriented. If there is a problem with a purchase card it can take weeks to be rectified leading to lost time for the scientists to receive the items needed for their experiments. The current team also creates redundant work for the purchase card holders after they have submitted documentation into the official source, PNET. For example: ???It is the official source for our records I need to see keep a copy as I am only one person and can't continually each and every check the file especially when an IG audit/risk assessment request what we did to determine if a split purchase happened??Â Stop the mandate of PNET. Purchase card holders have to maintain paper		Being more physically involved in the communities. Sending representatives to the town halls and actually listening to what the local people want instead of allowing the people in HQ to make the decisions for them.	Mandated age of retirement. There are too many individuals who are retirement age eligible who refuse to retire. More intra/inter agency cross training. If the EPA cross training on TalentHub are mostly for HQ, then have the ability to train at other agencies in your locality (federal or state) Hire more GS-7-12s. The agency is management top heavy with approximately 70% GS 13-15. This leads to having too much management and not enough people to actually do the work required by the agency.	Electronic notebooks for scientists. Distance education training, with the advance of technology more trainings should be available online, for example Lean Six Sigma Green Belt and advanced project management.	Teaming up with NIEHS for laboratory supply procurement/warehous e storage on RTP campus.
1278	1277	5/22/2017	Preparatory question re. all of the following comments: PLEASE DEFINE WHAT YOU (EPA UPPER MANAGEMENT) BELIEVE TO BE EPA'S "CORE" ROLES. No useful or detailed conversation can occur about any of these questions unless and until you articulate this. Travel funds are chronically and woefully insufficient to carry out our planning, inspection, compliance assistance, and enforcement responsibilities. Similar for funding to present policy, technical, and scientific papers at relevant conferences and public education events. Also insufficient training funds. All policies that have the effect of blocking staff from taking advantage of various technical training opportunities, even if only due to budget insufficiencies, should be reviewed with an eye toward maintaining a technically competent staff.	EPA's role in overseeing and providing technical support to states and tribes etc. is CRITICAL. These entities not only need help to understand and meet basic federal standards, they must also be held accountable to those standards. While recognizing that nationally one size does not fit all, even basic standards concerning human health and protection of our common environment would suffer if states, tribes, etc., were not accountable nationally.	What do YOU mean by "better customer service"? Answering the phone more quickly? Then get us MORE staff, not fewer. And who is the "customer" YOU refer to? Healthy kids and a clean environment? Or letting states and tribes do whatever the heck they want to the public trust (air, land, water)? EPA can be responsive and empathetic while upholding (and where necessary enforcing) the basic environmental laws and standards that Congress has given us to administer. But someone will always be unhappy. Just who do you want us to cater to with this kind of question?	EPA has already, for years, tried to "work smarter" in virtually all of the things we do. Permit streamlining, administrative processes, etc. are in many ways improved already. Of course, more can be done but doing so requires diving into the details of and actually understanding not only the environmental laws and regulations themselves, but also other procedural requirements like FACA that affect HOW we do our work, independent of WHAT we do. Fundamentally, "internal" bureaucratic requirements (needing HQ approval for too many routine actions; organizational structures that could be flattened in order to not only empower technical staff but push better decisions out to the	To a remarkable extent, new "office" technologies are actually holding us back and costing the taxpayers much in lost productivity. For example, extra IT "security" for most staff (who do not work with confidential or classified info) is slowing everything down. People working from the field or remote offices are particularly hard-hit. The IT tools we have to work with today are simply not letting us get the job done efficiently. Next, our contracting offices are badly understaffed, creating bottlenecks that make getting projects started or grant dollars moved much slower than reasonable, let alone ideal. Finally, we more and more treat ANY information gathering as if it's	See "preparatory question" at the top: Just what do YOU think are EPA's "core responsibilities"? An example: EPA no longer owns/operates its own oceanographic vessel. So we must rely on contracting with other agencies or entities to use their vessels to carry out EPA's mandated ocean monitoring activities (such as at EPA-designated ocean disposal sites for dredged sediment, which are necessary to keep navigation-related commerce and trade moving without delays!). But that means the funding must come from contract pots, as opposed to being

AMERICAN OVERSIGHT

	I
1277	Science equipment and reagents ordering mall like NIH uses (https://www.intramalls.com/nih/). There is no reason for scientists to waste time conducting market research against multiple vendors for every order if we can have one website to order supplies that has been vetted by OAM. Micro purchase limit at NIH is $7500
1278	Pool both resources and authorities across state and federal agencies where it makes sense to do so. Example: there is a state-federal agency group in San Francisco called the Dredged Material Management Office (DMMO) that oversees all dredging permit actions, to both speed up and streamline the permit process while actually achieving improved environmental outcomes. The idea is that each agency still retains its own authority, but each agency's requirements are addressed up front and all permit "clocks" start at the same time so the project proponents get their projects approved the quickest overall. "New" issues are addressed

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1279	1278	5/22/2017	Internal agency requirements and procedures for grants and contracts have become to burdensome and need to be streamlined. EPA should have a group of experienced staff simplify and speed up approval processes.	EPA staff and managers need to find ways to spend time with partners in states, tribes, local government and with the private sector -- to more fully understand their issues and priorities. This can be at conferences and workshops, or trips to visit state environmental programs.	EPA has a long history of customer service, including a generic Information Collection Request (ICR) that helps individual EPA projects collect feedback from customers that we work with. In the past, EPA has issued a customer service policy, convened training and helped EPA staff understand how to improve customer service.	citizen science is a way to involve the public in environmental protection including, for example, having the public contribute to environmental monitoring Citizen science can be a great tool to engage communities in understanding local environmental issues, and can help form the foundation for locally developed solutions.	Deployment of low-cost environmental sensors will allow EPA and its partners to better understand the spatial and temporal distribution of pollutants in air and water. EPA needs to work with States to help with the technology transition -- focusing on both science issues (performance of the new sensors) and policy issues (how to incorporate real time measurements in environmental programs).	EPA already has numerous cooperative projects with other Federal agencies and states. These could be accelerated and improved with additional EPA funding.
1280	1279	5/22/2017	Include and enhance more technical diversity in EPA workforce from industries we regulate (oil, coal, pharmaceuticals) This will eliminate one-sided view points in making environmental decisions better suited for common public good. Science used at EPA need not be one-sided. Better approaches to practical solutions will be crafted if diverse point of views are present within the Agency. Currently the time spent at the agency is rated very highly in decision making to encourage, reward, promote or retain work force. Rebalancing and retooling could be very beneficial.	Set up an exchange program between the similar environmental functions between the state and EPA. Invite, Provide and share skills and expertise available at state and local levels. Temporary dotted line reporting relationships and input to the performance reviews between EPA and State counterparts could be considered where appropriate.	Communication between non-managers between EPA and associated State Function is very limited. It will be very helpful if a list of counterparts and contacts is prepared for EPA and State Environmental Department and made available to all.	There are too many silos which cause redundancies and inefficiencies for seamless completion of tasks and projects. Responsibilities are narrowly compartmentalized. Supervisory level managers should delegate decision making to team members and/or provide clear guidance on tasks to shorten completion dates	Analytical technology has gone very far since methods used for Environmental Analysis were devised. Agency is not taking advantage of these technologies for the fear of being challenged. We should take bold step to adopt new methods of analysis as long as validity of these methods is verified.	Agency should set up an exchange programs for interested employees with other agencies like FDA, Department of Agriculture, Department of Commerce to learn, share and enhance technical know-how and expertise to enhance cost and time efficiencies. Each exchange program should result in one change idea for improvement which is measurable. measurable
1281	1280	5/22/2017	Organizational processes that prevent me from doing my job efficiently center around Administrator Pruitt's existence, and the presence of all of you Trump cronies at HQ.	Watching Pruitt and the rest of HQ Trump followers quit.	Putting democrats back in charge of EPA			
1282	1281	5/22/2017	The process to go from a well-defined project plan that needs contractor support to execute due to a lack of internal FTE to when the contractor is ready to start work on that project plan is entirely too long. This process typically takes months and results in delays and lack of productivity while technical staff are waiting for the contract to be in place. The approval process for any work that involves IT has added to the long delays and loss of staff time.					

AMERICAN OVERSIGHT

	I
1279	Many innovative tools have been identified that can help improve the efficiency and effectiveness of environmental programs. These include: use of challenges and prizes, citizen science and crowdsourcing, deploying the new generation of low-cost environmental sensors.
1280	Eliminate paper based records and implement electronic signatures in all aspects of EPA's work. Currently all official records are perceived to be paper based due to legal requirements. This needs to be reconsidered and addressed.
1281	
1282	The efforts to implement Agile, Lean, and other continuous improvement approaches need to be continued and built upon. These approaches are critical to us serving the American People effectively and efficiently.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1283	1282	5/22/2017	Paper grant files should no longer be needed.	Reducing the number of administrative conditions on grantees	Try and meet with our partners face to face when ever possible. Research fiscal, fte and political constraints at his or her agency level and how it affects them at their level. Become well informed on technical and organizational back story for project at hand.	Flatten out the organization.		
1284	1283	5/22/2017	"Top-Heavy". I work in OAR/ORIA/NCRFO, the National Center for Radiation Field Operations located in Las Vegas, NV. There are 22 federal employees on staff in my organization. Out of these 22, four are managers. There is our organization's Director, his Deputy Director, and two Center Directors. Six federal employees work directly for the organization Director, and six federal employees work for each Center Director. For example, only myself and five other employees report to my direct supervisor. I believe that this extremely high ratio of managers to staff is no longer necessary and is often an impediment to performing work efficiently as an organization. The high manager to staff ratio may be an artifact from days gone by when we were a much larger organization, but I believe that it is no longer a defensible use of taxpayer money. The members of both centers in my organization have the same mission as radiological emergency response team members and have analogous roles in preparedness and		"Empower Employees". The organization I work in is extremely "top-heavy" and, as a result, is extremely management-driven. In other EPA offices, such as OLEM and ORD, I am personally aware of the fact that employees are allowed and encouraged to reach out to customers or coordinate projects that will provide help to the community where it is needed. In my organization, management has repeatedly retaliated against and admonished staff for reaching out to potential customers. Staff are neither recognized nor appreciated for bringing work to our organization, but are instead opened up to being targeted for taking any initiative. The resulting atmosphere of fear of reprisal has, in my opinion, effectively curbed staff initiative to reach out to customers.			
1285	1284	5/22/2017	It should be a lot easier to submit time and attendance each week. In addition to filling the info in PeoplePlus, we must print a copy of the leave statement (for the two-week period) and submit this to our timekeeper. Also, the agency desperately needs to have a Talent Management System in place so we can have electronic records and procedures for submitting training requests, Individual Development Plans, and electronic PARS performance plans.	Several years ago, our agency invested in sponsoring collaboration training for our employees and key stakeholders. This should be considered. In addition, with so much of our work being done in teams and workgroups, we need to highlight how groups of individuals become (or evolve into) effective teams. We have leadership guides, including the EPA Team Leader Resource Guide, that should be used and widely-distributed.	About 15 years ago, over half of the managers and staff in the agency received customer service training. There were 10 key principles of customer training. These should be used and highlighted in our daily work.	Our first-line supervisors must become more knowledgeable and more effective when it comes to managing and leading people. Many are sound technical experts, however, they lack the interpersonal skills and competencies to effectively build coalitions, trust, and rapport with their employees....much less with each other. We need to mandate the training sessions currently being offered by LER.	Not sure.	Not sure.

AMERICAN OVERSIGHT

	I
1283	
1284	A Commitment to Scientific Excellence". I believe that EPA has a deeply-ingrained culture of treating its scientific staff as second-class citizens. It has been my observation during my many years with the Agency that there is, in general, an elite "management" class and a scientific "worker bee" class. I do not believe that EPA will ever achieve a higher level of environmental results as long as the culture of non-scientific management persists. For example, leadership of heavily scientific units such as laboratories, or Office-level leadership of the Office of Water, Office of Air and Radiation, Office of Chemical Safety, etc. should be in the hands of well-credentialed scientists. It is
1285	Some of our LEAN work is getting at this. I believe this work should be continued and expanded.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1286	1285	5/22/2017	1. EPA Travel System -- Concur: With the availability of Internet travel sites, there is no value in maintaining an agency specific travel system that employees are required to use; Travel can almost always be arranged cheaper via other sites.	The EPA collaboration tools, predominantly Microsoft Office 365 components such as Skype and SharePoint, are configured to facilitate collaboration with EPA employees, but they are configured to make collaboration with outside stakeholders (i.e. States, Tribes, Local agencies and the private sector) more difficult or impossible. Personnel and offices with external stakeholder responsibilities should be able to configure their tools for that purpose.	Right now there are many EPA departments that are critically understaffed to provide adequate customer service to the public, while at the same time there are other departments where there is an excess of staff (because of changed priorities). It is reported by my management chain that reassignment of staff requires upper level management signoff. Suggestion: Empower managers at each level to reassign staff based on actual need and to advertise openings that could be filled internally by other EPA staff.	Eliminate most of the OEI Office of Information Technology Operations (OITO). OITO is incapable of providing cost effective IT services to the EPA, and utilizes their policy making role to prevent other EPA offices from obtaining IT services from other cost-effective sources. Specific examples: (1) EPA laptops are "rented" under the EZ-Tech contract for more than $200/month, while those same laptops can be purchased for less than $700 (with the same hardware and software). (2) Storage cost at EPA National Computer Center: $25,000/terabyte/year. Open Market purchase price: $100 (one time cost). Note: The NCC configured storage has 1/2 the performance of correctly	1) Continue push for Lean government. It can reduce costs of operations significantly. 2) Require Lean principles to be applied to EPA security policy. OEI violates NIST recommendations by requiring the same security controls on low risk systems, that add no value, even though NIST 800.53 directs otherwise. 3) Allow Cloud based IT solutions to be implemented and deployed. OMB and GSA have documented the cost savings of this approach. However, OEI, by their policy making role, is ensuring that EPA cloud implementation has as its first priority the preservation of OEI's revenue stream; i.e. they are not allowed to be more cost effective.	Eliminate most of the OEI provided and managed IT infrastructure. FISMA and FEdRamp compliant resources are available through government wide acquisition vehicles much more cost effectively than EPA OEI will allow for internal vehicles.
1287	1286	5/22/2017	Hi. I can't say that there have been administrative requirements, management procedures or other processes that have prevented me from doing my job. I have worked for the EPA for about a year and a half now. I''ve made great strides in understanding the Agency, but the more I learn the more I understand how complex the issues are and how difficult it is to manage them effectively.	I work for the Superfund program, and can speak only from that perspective. From what I've seen so far, the Superfund program works very hard to coordinate with states, tribes, communities and the private sector. From what I see, it is extremely difficult to make all parties happy. The public may have unreasonable expectations, for example, that ALL contaminants be removed from groundwater, when that is not technically feasible. On the other side, "Responsible parties" will rarely, if ever, be happy with having to pay for mistakes made, especially when those mistakes were made many decades ago. This would be very difficult with the hiring freeze, and plans for massive layoffs, but hiring people with good human relations and negotiating skills would be helpful in minimizing conflicts among stakeholders. "Us vs. Them"	From what I've seen so far the Superfund program works very well with states, tribes, local communities and the public. The regulated community may be another story. I don't know how to make things easier for potentially responsible parties. I imagine it would be horrifying to be accused of poisoning a community. And that it would be natural to react defensively. Maybe more respect, and compassion for their positions, while maintaining firm enforcement of environmental regulations would help.	From what I've seen so far, there is probably a bit too much reliance on contractors. I understand contractors were originally brought in to save money, but I think the incentive to drag things out, and bill as much as possible, is too great.	I think the high throughput testing of chemicals is very important. It would allow us to evaluate toxicity rapidly, which would save the taxpayer and the regulated community a lot of time and money. Examples are the endocrine disruptor screening program and Tox21. These high throughput testing methods also reduce the amount of animal testing done, which could be a PR win for the administration.	At Superfund we coordinate with NIH through the NIEHS-Superfund Research program. This collaboration helps the Superfund program get answers to questions about human health and exposure to environmental contaminants. Greater understanding of problems means that we can reduce uncertainties around risk assessments, which would help protect human health more efficiently, save money, time etc. I'd suggest more such partnerships.

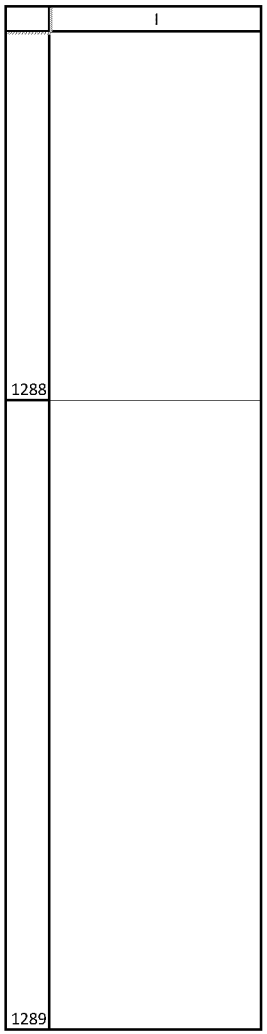
AMERICAN OVERSIGHT

	I
1286	Recognize that no one fad within the IT community is a silver bullet that will solve all IT problems. Combine traditional IT technologies, such as CMMI (which focuses on process improvement) with LEAN (for eliminating waste) with Agile-like incremental approaches (which focuses on eliminating analysis paralysis).
1287	I think the practice of rotating employees around to different divisions and regions is an excellent one. I think it helps develop a greater understanding of what is going on with the agency, communities, states, and businesses, and prevents people from getting entrenched in a particular mindset.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1288	1287	5/22/2017			We need to be more open and transparent about our work and the benefits it has on the public. We need to have better outreach with our communities so they understand the ways we are working for them.		More electronic concurrences rather than paper. We are currently not allowed to use doodle, however, it would be very helpful for scheduling meetings.	This is a leading question. To some extent, realigning activities can increase efficiency, however, there can be negative consequences. Having different agencies sharing responsibility on a particular subject area can be important in order to provide a more well-rounded viewpoint rather than a single agency's perspective.
1289	1288	5/22/2017				The radiation work of EPA is relatively small (regulatory rule implementation/enforcement, being ready for a radiation emergency), but it is extremely important. Right now, HQ advises each region to have a radiation person (health physicist) on staff. However, it is probably smarter to have all the radiation folks in one place and have them oversee the work of the country. A small cadre could be deployed during a radiation emergency to each of the effected offices. They could conduct all the inspections for the country. They could review and comment on all the reports with a radiation effect, etc. EPA should seriously consider an Center of Excellence model for this	Using tablets in field work that have been customized for the type of field work being done. We could have the GIS data from the location of the environmental sampling, conditions when sampling occurred. Smartphones for all supervisors, especially those who are often in the field, on travel. Using Slack (slack.com) or something similar to create a "channel for a project, a topic, a team or anything - everyone has a transparent view of all that's going on." This would help EPA stay up-to-date across the country for all work and best practices.	For radiation, we should consider what would happen if there were an emergency (such as a radioactive bomb). How would all the feds interact? What role would EPA play?

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1290	1289	5/22/2017	The External Affairs offices are a waste of time and money. It adds a slow layer to the bureaucracy. Often, the XA employees are clueless about technical issues and get things wrong. If you are going to do press releases, you need to have people who understand technical issues. There is too much emphasis on public relations perceptions instead of science. There are too many contractors doing EPA jobs. They cost more than govt employees and provide less competent service.	We need honesty and science. We do not need to cave in to private sector (i.e., business & industry) interests. Why does someone's horrible coal mining job outweigh my right to a good quality of life with clean air and water? Why does Devon get to contaminate the planet? I don't have children so it won't be my problem for long.... do you have kids or grandkids?	I've been to dozens and dozens and dozens of public meetings. Some of our "customers" are just too stupid to understand the technical aspects of environmental issues. You can only dumb it down so much. We should not cave in to State's interests. We need consistent policy across the country. Some of our Regional managers are given too much leeway to set their own rules.	Substantially DECREASE the number of supervisors, managers, and SES employees. Slash the number of GS-14, 15, and SES. We have far too many bosses and bureaucrats. This is a scientific & technical agency, we should primarily have engineers and scientists. If you have to cut employees, keep all Regional offices because they are closest to our customers. Reduce the number of employees (especially 14, 15, SES) at EPA Headquarters in DC. Also, do we really need all these satellite offices and labs? Also, get rid of the dead wood managers! We have quite a few people who were kinda-sorta demoted	Increase number of telework days from a max of 2 days per week to potential for full time telework. The technology is there and many studies have shown that responsible people get more work done when they are happy and well-rested.	COOP. EPA R6 leases a very large office/storage building for COOP. It has warehouse space for Superfund but also a giant training center and several conference rooms. It's a ridiculous waste of taxpayer dollars. It's about 12 miles from the downtown Dallas office and nowhere near any public transportation. R6 pays people to have transit passes, but then holds mandatory training and stakeholder meetings at the COOP - everybody has to drive, so they can't use those taxpayer subsidized transit passes if they go to the COOP. Why not coordinate COOP with other Federal
1291	1290	5/22/2017	Like many governmental agencies, EPA's programs are siloed. Working solely within our silos makes us less responsive to communities and often creates more hurdles for communities to overcome to take advantage of our expertise and financial resources. In addition, we are far less effective in getting returns on our investments when they are made in an uninformed vacuum.	Over the last decade, EPA has made great strides in taking a community-driven approach to environmental protection. We now have experience of breaking down our traditional EPA program silos to deliver creative services and streamline existing resources to meet locally-identified goals. We must not waste this wealth of knowledge and experience. EPA should increase its commitment to community-driven work to become an even better partner with communities and further maximize the resources of the entire agency to advance local environmental goals.	The Administrator should launch an EPA Community-driven Environmental Solutions Initiative, which embraces cooperative federalism, supports local solutions, and improves efficiency and efficacy of EPA assistance to communities. The Office of Policy should lead this initiative, building upon the lessons learned from the previous Administration's community-based efforts.	An EPA community-driven approach to environmental protection will better use resources and expertise from across the Agency and a range of outside partners. We can work side-by-side with state and local partners to connect them to reources, information, and technical expertise. This approach also allows us to be extremely strategic and coordinated with our existing resources (grants, contracts, in-house expertise) in order to maximize our investments. We can also be very targeted with technical assistance to especially distressed communities to fill critical knowledge gaps, build capacity, inform policy, and catalyze projects.	A community-driven approach is a change in how government serves communities. It requires changes in both culture and day-to-day business practices. EPA has started the process of making this approach our modus operandi; however, pivoting to this new approach to serviing communities can only be fully realized through repetition and strong leadership. The tools and "infrastructure" are in place to more effectively work across our programs and make more strategic and informed decisions about how we invest Agency resources in communities. We now need the leadership to execute it more aggressively across the Agency.	In the more than 50 EPA "focus communities," we have a track record of aligning our resources to address locally-led needs and develop creative solutions. We have not placed the burden on communities to try to figure out how to match our rigid program requirements to their unique needs, which is how EPA traditionally operates. In many of these focus communities, we have collaborated with states and other federal agencies. For example, we sought to leverage significant investments already made by other agencies, such as DOT and HUD. Often, we were able to provide technical assistance to

AMERICAN OVERSIGHT

	I
1290	All govt jobs should pay people appropriately. EPA is a technical agency and engineers & scientists should be paid comparable to the private sector (we are NOT). Stop with the ridiculous "diversity" hiring. In my 20+ years here, diversity is nothing more than quotas. STOP threatening to screw with our retirement benefits.
1291	Office of Policy has already led a 2+ year effort to strategically focus EPA resources in more than 50 communities. Case studies, lessons learned, and best practices exist from this work that illustrate a more effective and smarter use of EPA people and funding. In addition, OMB has a wealth of information on how federal agencies have effectively collaborated over the last decade to break down silos, and as a result, get a higher rate of return on federal investments.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1292	1291	5/22/2017	The EPA acquisition system (EAS) and IGMS funding are cumbersome processes.	Identify what SLTT needs are by listening rather than Feds telling them what they need. Start with small goals/objectives that are manageable and show quick successes. SLTT want clean air and clean water for their areas and may have the Traditional Knowledge to accomplish better than remotely located Feds.	Approach SLTT as a coordinated Federal environmental entity (EPA, DOI, DHS-Coast Guard, NIEHS, ATSDR, etc.) rather each Agency putting individual demands on them... Regulated community - find middle ground - Businesses must be able to make a profit but not at the expense of environmental degradation for the next generation. Make it personal - Businesses are responsible for economic prosperity as well as conducting in an environmental sustainable manner - this is their legacy to their children and grandchildren, Public - create a "culture of responsibility" for environmental stewardship. Everyone is accountable for environmental protection.	Rethink integration and/or consolidation of Federal environmental Agencies and programs.... EPA, DOI, NOAA, US Coast Guard, Army Corps of Engineers, NIEHS, FEMA.. Administrator Reilly under the Bush Administration championed this idea, but I am unsure of the obstacles this proposition.		I favor the advancement of scientific principles for environmental protection and environmental response for the nation more than the politics and stove-piping of territorial silos. In the words of Albert Einstein, " We can't solve problems by using the same kind of thinking we used when we created them." EPA started in 1972 in response to pollution, smog, rivers on fire... There are many ways to streamline either through collaboration, integration or consolidation with other environmental Agencies. Administrator Reilly under the Bush Administration
1293	1292	5/22/2017	1. Grant submission and documentation requirements. I work with tribal GAP grants as a Project Officer . Our grant program requires the use of GAP Online for quarterly reporting from tribal GAP grantees. That system is challenging for many grantees to use and creates added work for us as Project Officers in that workplans and budgets have to be entered and approved in GAP Online often after they are already approved. It creates an additional step for grantees to enter the workplans (if they did not initially use the system for workplan creation) and for us to review and approve them in the system. Even though the system provides a mechanism to track progress and store deliverables it creates an administrative burdens for us, as I've mentioned in entering and accepting the workplans in the system but also in submission of quarterly progress reports in the system. We do not have time to click and approve every commitment's report for each quarter and thus have come to just viewing reports as a PDF because the	We are achieving significant environmental results with states, tribes and local governments. Use success stories written by states, tribes, local governments to demonstrate these results. Creating performance measures and then assessing metrics against performance measures is time consuming and doesn't necessarily show value unless a cost/benefit analysis done on a project funded through a contract or cooperative agreement and only if they are outlined in advance of the project and more importantly don't demonstrate value to the state/tribe/locals. This is where it would be best to leave it to the state/tribe/local to tell the story. And/or set aside time/staff allocations for each Region's Public Affairs team to work with state/tribal/local to tell the story. With those stories use social media, newsletters as well as outreach to the press to	Create efficiencies, reduce paperwork and redundancies, and hire more staff! Where we are limited, bring on more interns, SEE, contractors and Inter Agency loans. We are grossly understaffed given the workload we are tasked with completing. I have worked for the Agency since 2005. In the time that I've worked here I've seen a marked increase in administrative tasks, paperwork, justification of the work I do versus actually doing the work. Some of this is due to GPRA and negative reviews of my program with the IG. The way the HQ program responded to the negative finding from IG were incredibly inefficient and created that 3 items I highlighted in Question 1. Place higher value on the public health behavior changes and environmental improvements made as a result of technical assistance and highlight those efforts.	Spend time with staff that do the "boots on the ground work" to see the value in the work we are doing with the public and with state and local governments and place a higher value on that work vs. all the "administrivia". For example, the relationships we build with tribes in providing technical assistance is of high value in making changes in communities in public health and environment vs. negotiating a workplan and dotting all the i's and crossing the t's. (see above comments).	I think it would be helpful for staff doing any external communications work to have smartphones. In this region only very few have these. If purchased or contract with local telecommunications provider it would be easier for us to communicate when in the field and share information with public.	Have more time available and dedicated to collaborations and developing partnerships not just with the Agencies but at the individual staff level where those relationships are built.

AMERICAN OVERSIGHT

	I
1292	Good to Great.... Be the best! Get back to the basics of Clean Air and Clean Water. Do these two responsibilities well, and we will have a much better environmental future.
1293	For Project Officers in Region 10 we've developed a template for creating Funding Recommendations and Commitment Notices in the IGMS system which has saved us an enormous amount of time. We also use a checklist when reviewing noncompetitive grant proposals that also includes current grant performance. This has also saved a significant amount of time.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1294	1293	5/22/2017	Certain required trainings seem wasteful, i.e. active shooter avoidance training. Timesheet procedures related to requesting and accounting for credit hours are excessive (constant reconciliation between excel sheet and PeoplePlus) - I think the excel tracking sheet is redundant.	EPA usually provides 2 key roles: facilitator amongst these entities to focus on integrated watershed perspective, and by providing accurate technical recommendations. These roles directly translate into better environmental results. We need to increase our support of these roles by increasing staff capacity and technical training.	Increasing staff capacity by spreading out the workload will yield staff that can be more responsive, efficient, effective and accountable to the decisions they are making.	Upper management (past 1st and 2nd line managers) at EPA seems top-heavy and redundant. Too much political machinations at the top that prevent critical information from reaching the public.	DARTER needs more refinement and modules to be effective. PeoplePlus could use modernizing, especially so staff can see rapid and accurate leave accounting. The IT at EPA is woefully out of date as compared to private sector. For instance, we have no large electronic data storage capacity for either current or archived files; we deal with huge files. Our HR on-boarding process is slow and illogical - we loose good candidates to the private sector because it can take up to 6months to hire from advertising.	
1295	1294	5/22/2017	I have generally found that EPA's administrative requirements, procedures, and processes are designed to promote internal accountability, accommodate stakeholder input, and allow for more detail-oriented oversight of agency decisions and actions.	Presence is key to achieving better environmental results. In arenas where states and delegated authorities may not have the capacity, or may have other restrictions limiting ability to maintain a strong presence amongst the regulated community, EPA should be well equipped (with trained personal and allocable resources) to provide technical assistance to implementing agencies or to take on the burden of complicated national regulatory issues.	To provide high-level customer service to our stakeholders, EPA should make every effort to properly train staff who are liaisons with the public, our state/tribal/local partners, etc. This should include maximizing opportunities to interface with the public and our partners, including conferences, site visits to the regulated community, and travel budgets that accommodate face-to-face meetings with fellow implementing agencies. Oftentimes, EPA's stakeholders engage with us on issues that personally affect them - whether from a human health, economic, or community-oriented perspective. Having trained staff who are responsive and can respond personally makes a big difference in hearing the messages our stakeholders are sharing and providing accurate information in turn.	There is no doubt in my mind that EPA senior management is constantly looking into ways to reduce costs without impacting our ability to protect human health and the environment. But, considering that about half of all of the funds budgeted to EPA go straight out the door as grants or loans, there is definitely a risk that cutting costs will decrease oversight, or deprioritize issues that have the potential to cause real damage. As such, any "untapped opportunities," if they have not been previously explored, should probably be pursued with discretion and care.	Many of our state and local counterparts have experienced success by utilizing mobile technology, for example tablets or mobile phones, to be able to bring data systems into the field. This can help compliance assistance and technical experts engage with the regulated community more efficiently, while promoting accuracy of the data used to make decisions every day. Maintaining up-to-date data systems, and being able to access them remotely, could go a long way toward "modernizing" the agency.	In general, ensuring that EPA's activities are aligned with our statutory authorities promotes clearest delineation between EPA's roles and responsibilities, and those of our federal and state partners. For example, state laws may group certain environmental programs in a way that does not align with EPA. However, in order for EPA to work most effectively with all of our state, tribal, and local partners, it would be more prudent for EPA to base its activities and structure off of the responsibilities deemed by Congress, rather than trying to adapt to all states, etc. In addition,

AMERICAN OVERSIGHT

	I
1294	IT and data management systems. Well-thought out succession planning - early retirement of highly critical, technical staff will handicap our programs.
1295	Some of our state counterparts have begun developing and deploying succession plans to be able to maintain institutional knowledge, provide exceptional customer service, and ensure that critical functions are able to be backfilled expeditiously. Having detailed strategies for succession planning can help reduce efficiency by jumping the learning curve for newer employees, while also promoting review of agency and stakeholder needs to identify key areas of knowledge or service and preemptively train staff to meet those needs. In addition, being able to higher younger, more experienced staff is one of the easiest ways to reduce costs, but the tradeoff of relying on that mechanism

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1296	1295	5/22/2017				IT contributes to a lot of inefficiencies. Systems are sometimes down, we have old equipment and programs. Remote access often has trouble connecting. Some additional investment in fixing some IT problems may help the rest of us increase our efficiency.	IT contributes to a lot of inefficiencies. Systems are sometimes down, we have old equipment and programs. Remote access often has trouble connecting. Some additional investment in fixing some IT problems may help the rest of us increase our efficiency.	
1297	1296	5/22/2017	we address these through regular meetings with my supervisor, who consistently requests such feedback	we can always improve, but we already work towards consistent improvement	ensure that we have sufficient resources and priority, including adequate time, to provide better customer service	we consistently strive to reduce costs and inefficiencies while maintaining environmental protection. untapped opportunities are largest where we have insufficient resources and misaligned priorities.	yes, we already consistently look for such opportunities in applying modern technologies such as infra-red or other "NextGen" processes. Cost and time to do these properly are obstacles.	continue to work towards improved communications; time and resources are obstacles currently.
1298	1297	5/22/2017	Many administrative approvals still require wet ink signatures (as opposed to digital signatures or other approval). One example is the form authorizing the use of a government car for home-to-work travel (when departing on field work very early, or returning very late). With increased use of telework (a good thing for employees and the agency), wet signatures are increasingly ineffective and unnecessary.	Increased usage of Interagency Personnel Agreements to place Federal Employees in state offices, so they can learn more about the realities and challenges of our counterparts, while also providing them with additional resources to accomplish our shared mission.	Increased travel funding at the Regional level, particularly in Regions with a large geographical footprint. Many of our interactions with our states and the regulated community require (or are greatly enhanced by) in-person, face-to-face interaction.	The agency is structured so that the career path with the highest ceiling lies in management. If the agency is truly a science-based organization, it should provide more opportunities for scientists to advance their career. This will help attract and retain more talent, thereby making the agency more effective in its core missions.	1) Digital signatures. Wet signatures still exist for some internal administrative approvals. This seems unnecessary and old fashioned. 2) Access to email via mobile devices, perhaps through fingerprint authentication. When in the field, it is unreasonable to expect an employee to remain accessible via email when accessing email requires finding an internet connection, booting up a laptop, and two-factor authentication onto a VPN.	I think we generally do a pretty good job of this already. The budget we are given requires it.

AMERICAN OVERSIGHT

	I
1296	Transparency. Over the last couple years, our organization has really worked hard to improve its transparency, and it has had a tremendously positive effect on the workforce. Even if staff don't agree with decisions, they at least can understand how and why they were made. This has helped reduced anxiety and created a collaborative and open working environment. Hire and retain smart people. Incentivize high performers. work with lower performers to improve performance. perhaps better training for managers will help with this.
1297	agency-issued cell phones and field tablets could do all of that, but require an initial capital investment.
1298	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1299	1298	5/22/2017				Combine all of the assets and resources that are applicable to homeland security and counter terrorism in one office. They are currently scattered throughout EPA in OAR, OLEM and ORD. Combine CMAD, ERT and RERT in one office. All work that touches any CBRNE mission should be placed in one office.		
1300	1299	5/22/2017						

AMERICAN OVERSIGHT

	I
1299	
1300	1) Communicate priorities with staff. @EPAScottPruit: "Today I shared my vision for how EPA & the electric power industry should work together to achieve energy independence with industry CEOs." As a staff member, I would be very interested to hear these ideas, but they have not been shared with me. 2) Empower staff to make decisions by delegation of authority. It seems many decisions after the transition have been delayed due to decisions that are no longer made at the Regional level (or lower). This is even true of areas that have been identified as a priority, such as Superfund.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1301	1300	5/22/2017	Remove requirements for grant project officers to maintain paper files, and allow them store related documents electronically. This would reduce cost, paper consumption/waste and staff time associated with grant project administration and oversight.	1) Provide sufficient funding and staff for EPA to support its state, tribal, local community, and private sector partners in our mutual pursuit of environmental and public health protection. Refrain from further threats of reduced EPA budgets and staffing so that our external partners have confidence and certainty regarding the capacity of EPA to support them in their work. 2) Cease making arbitrary, rigid determinations regarding EPA staff travel authorizations for meetings with external partners. Allow EPA offices to define ???local travel??Â based on the operational needs and realities of each office and its relevant, external partners.	1) Provide sufficient travel funding for EPA personnel to engage in-person with external partners as needed, and direct managers to encourage such activities by program staff. 2) Allow relevant program managers and staff to compose agency content for media/public consumption. Refrain from distorting/manipulating EPA???s public messaging to reflect a political agenda that places polluter profits ahead of environmental and public health protection.	No comment at this time.	Provide EPA staff access to agency email via personal mobile devices (i.e., iPhone and Android devices). To comply with federal record requirements, ensure that no agency communications are stored on personal devices, but rather, allow these devices to access and utilize agency email so as to increase staff productivity and functional capacity while mobile.	Seek to align vehicle technology research and development priorities and resources across relevant EPA, DOE, DOT and DOD offices to maximize the impact of federal contracts and funding assistance in accelerating the deployment low emission, high efficiency vehicle technologies nationwide. Emphasis should be placed on projects that support deployment of zero tailpipe emission technologies (i.e., plug-in hybrid, battery-electric and fuel cell electric vehicles) and related fueling infrastructure development (i.e., electric vehicle charging and hydrogen fueling).
1302	1301	5/22/2017		Expand our programs that promote and provide resource conservation. Programs like EnergyStar and WaterSense should be reenergized and expanded. Augment the principles behind these programs by partnering with labels such as GreenSeal and organizations such as LEED. Keep promoting the use of renewable energy sources and innovative solutions that will benefit infrastructure. We can promote the use of solar panels and talk with energy providers to use batteries to store excess energy produced. This solution is specially useful in remote locations were the installation and repair of infrastructure is costly. It will make more sense in places like Puerto Rico, Hawaii, the US Virgin Islands, Colorado, California, Florida, most of the south and center of US.	All of the necessary documents should be publicly available. Train people to change from the default "all documents are private unless a request is made for them" to "all documents are public unless the companies claim, and we grant, CBI protection".	We have need of personnel. Without these positions work is left undone creating an inefficient use of resources and increasing possible exposure to unsafe environmental issues to the public.	Broader use of open source software. Non regular users of GIS can have QGIS on their desktops. When installed, a custom script can be run to add agency resources to locate data. It will let users that just want to create a simple location map access to EPA GIS resources at a fraction of the cost. The same can be said about office productivity suits like LibreOffice or even Goggle suite of MS Office-like software. PDF software that enables merging of pdf documents created from multiple sources can be found on pdfforge.org. Instead of creating a custom solution for EPAtv, we can use the live feature of the current EPA YouTube page. Past events are already stored in the YouTube page. We lose CNN live streaming	EPA is a science agency. Research should be expanded in a cooperative agreement, with EPA as the lead, with those partnering agencies that can provide support. We can also bring some of those partners in kind of a yearlong internship so that they know the science, policy and regulations behind the collaboration. At the end of the internship, those individuals will be better able to perform and promote those shared functions.

AMERICAN OVERSIGHT

	I
1301	No comment at this time.
1302	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1303	1302	5/22/2017	N/A	Allowing more flexibility with the funds and partner with the States top priorities.	Establishing points of contact and accountability.	N/A	Each region cross regions with needs, such as microbiology or radioactive expertise.	Providing opportunities between similar contracts in the other regions to feed off of areas of expertise. As well as, help out other regions with projects that require a specific expertise or more hands.
1304	1303	5/22/2017				Yes. I think that many of the Superfund programs in OLEM could be consolidated to increase efficiency. Consolidating OEM, OSRTI, and FFRO under one Director in OLEM would help the Agency's streamlining efforts. Consolidation would reduce management layers; reduce administrative support; reduce redundancies in decision-making and support functions reduce internal reviews; and be more cost efficient by enabling the Agency to more easily move money to address major responses that suddenly arise. For example, almost 20 years ago, when the removal and remedial programs reported to one Director in what is now OLEM, a major health threat arose as a result of the		

AMERICAN OVERSIGHT

	I
1303	Best Practice: The SESD Region 4 Laboratory draws its strength and best practices from the outstanding staff. The staff at this location make it a point to collaborate and deliver high quality work products.
1304	A best practice. I think EPA should encourage all states to develop Voluntary Cleanup Programs (VCPs) similar to the program in Texas. Willing and able private parties pay a fee to the state to cover application and oversight costs. Developers, good Samaritans, and potentially responsible parties can all participate in the program as long as they are able and willing to conduct a cleanup. VCPs maximize the number of sites that are cleaned up. The downside of VCPs is that they do increase the number of fund lead removal and remedial Superfund sites because only those sites where there are no viable PRPs, the PRPs are litigious, or the site is extremely complex are referred to

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1305	1304	5/22/2017	The current system for processing HR actions is quite difficult to use and is not nearly as up to date or user friendly as other automated tools the Agency uses to get the job done. Hours are wasted processing requests through the system often requiring input from multiple people. It is very inefficient to have so many systems to enter different information - maybe some integration of systems with one point of entry where most actions can take place even if they feed the other systems..	We could achieve better environmental results by further opening the lines of communication and trying to identify actions that will support each of these partners get the job done better. maybe a few more national forums if travel budgets allow where people can come together to share ideas and plan joint ventures.	One key idea would be to provide more interactive tools that can be used by these communities to make informed environmental decisions. Often, all the customers listed do not know we have certain tools or how to get to the ones we do have. There most be easier portals to get the information and examples provided of how to use the information and tools. I think more interactions are needed between the regulated community and the Agency on technologies to manage and measure pollutants to meet the mutual needs of both organizations would be very advantageous.	I think there should be a better way to bundle regulatory development and implementation actions so we can provide an industry a picture of what needs to be done and what may be required as we move forward. Next we should provide integrated tools that provide them with a picture of the environmental and economic impact of different response actions. The goal would be to move towards a partnership approach. Maybe the Agency could look at everything from a sector rather than media specific approach.	Clearly we need to modernize our administrative systems and make it easier to get information and enter information through a common portal. There has to be an openness to new ideas and the flexibility to try new technologies. We need to have a system that awards the high performers and puts those not performing on a path to perform more effectively. More management training would be helpful here.	I think it is more about cooperative ventures than realigning shared responsibilities. While some realignments could occur, it is more about sharing information and working together on the problems of greatest importance. Often the development of regulations drives the research agenda, Whereas more could be done on the back end to come up with cooperative ideas that will meet state goals while also enhancing our collaborations with our colleagues across the federal government. A focused group on cooperative ventures would be helpful.
1306	1305	5/22/2017	-People Plus is a hugely inefficient system that takes much more time than it needs and doesn't accomplish what it should be accomplishing. In theory, I should request leave PRIOR to taking it, but if I do that, the date/time purpose are set in stone, and	REWARD THE STATES WHOSE ENVIRONMENTAL INDICATORS ARE ACTUALLY SHOWING IMPROVEMENTS. Reward environmental achievement. DO NOT roll back environmental laws. That is just ass-backwards. It makes no sense. It's going to end up with us wasting our resources defending ourselves in court against patently indefensible acts. Example: don't mess with the WOTUS Rule. That was MANY years in the making. We received and addressed many public comments. We addressed them. Listen to the ideas that the states come up with, and SPECIFICALLY FOR STATES THAT HAVE EFFECTIVE PROGRAMS OR STANDARDS THAT ARE MORE PROTECTIVE THAN FEDERAL STANDARDS, give them opportunities to figure out the best ways to improve standards. Let's not waste time on meaningless initiatives that	-Fix the broken links in our websites. Improve our search mechanisms so that we don't end up pulling up three of the same document, only to find out that two of them are out of date. -REINSTATE ALL THE CLIMATE CHANGE, CIVIL RIGHTS, AND LGBTQ DATA AND PAG	YES. Please give the administrator a little science background. PLEASE. He's looking like an idiot to anyone with a modicum of education. Denying climate change is not intelligent, and it is not a good way to lead an organization of environmental professionals and environmental scientists. We really aren't that stupid. DON'T roll back the Clean Power Plan. That is one of the most intelligent attempts to address this very difficult problem. -Make more use of innovative programs. Use the Prizes and Challenges options. Partner with other fed and state agencies and even business partners. MAKE SURE THAT YOU SUPPORT INITIATIVES IN THE REGIONS -PROMOTE MORE SHARING	Better timekeeping systems. Less onerous travel systems. THey shouldn't take THAT much time for us to figure out. Also, I've been here a long time; I still don't understand why we keep changing the systems every 2-3 yrs. Then we are obligated to go through the trainings again, only to have to relearn them all over again (sometimes when we haven't even traveled in the interim). Consider more use of challenges & prizes to discover better technologies. Don't roll back environmental protections; businesses are expanding by building better monitoring devices, and there are some good wastewater treatment technologies out there that we should be promoting--and we should encourage/promote more	Consider database management programs and data that can be shared. Particularly for larger states that are effective in implementing their obligations. WE SHOULD ABSOLUTELY BE PARTNERING MORE WITH OTHER FEDERAL AGENCIES, some of which are doing the same things we are doing, or similar things. Some are collecting data that we could use, and vice versa. I honestly don't trust this administration to do this the right way (so far, they seem intent on simply removing protections, and that makes no sense). -We should share

AMERICAN OVERSIGHT

	I
1305	We should focus more on placing large goals out there for Agency Offices to gather around and identify how they can contribute to meeting them. While we write strategic plans, we do not focus on the integrated implementation plans to make the goals a reality. I think other agencies use statements of need to drive research and policy actions - maybe this is an approach that could be used more at EPA. Finally, often we have too many cooks in the kitchen trying to work on the same thing. We could get more done much more efficiently if roles were clear and there was more accountability on getting the job done.
1306	YES. Encourage all federal employees to bike, walk, carpool, or take public transit. DON'T CUT BIKE LOCKS AT HQ. On Bike to Work Day and Bike to Work Week, no less! Really, please make it easier for us to take you seriously. EPA staff has functioned well in republican and democratic administrations. I don't even know what you can call this administration, other than anti-environmental bullies. If you don't like the bikes on the benches, BUILD SOME BIKE RACKS ALREADY!. Do something right, PLEASE. REMEMBER THAT ENVIRONMENTAL REGULATIONS LEVEL THE PLAYING FIELD FOR ALL. They are not a "burden" unless you are relaxing those standards in one

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1307	1306	5/22/2017	None	EPA should consider holding an annual conference and ongoing television program, that engages participation and attendance from the state, tribes, local communities and the regulated community to talk about program goals, environmental milestones , problems, next fiscal goals, and accentuate ideas on how to work together. In addition, the agency might consider posting a Report Card online the permit compliance status of all regulated facilities, per program.	Update EPA directories with key responsibilities for each employee to help the public decide who they need to contact about an environmental concern. Increase public awareness how to access this directory.		EPA should study and consider allowing employees to work from home 4 to 5 days a week using virtual reality technology; and reporting to the office once a month . Many professional/experienced EPA employees are over age 50 and eligible to retire, but continue working even with health challenges, because the economy is unpredictable. These employees may need special accessories such as wheel chair ramps, spacious workstations, restroom handlebars, etc., to accommodate them. EPA could save millions of dollars in reduced overhead for leasing office space and utilities; eliminating the purchase of special access doors and equipment;	
1308	1307	5/22/2017	Fix the trainings. They are so unclear. eg. current IGMS training (which says, of course, that' I've already finished it, but based on past years, I probably need to do this again anyway.) And it tells us to "log out of Lotus Notes." haha.	Give up on gutting EPA. Please. Please have the administration get some education on the use of confidential business information or controlled unclassified information. These data are necessary for us to have an accurate picture of what we're analyzing. If you don't like it, you can always have an internal, independent office review the data to make sure we're not trying to mess with the data -- and keep in mind, this has not really happened in the past. You can't dismiss data just because some business doesn't want their own data to reveal the truth, or because some industry rep wants to undermine the analysis. -Reinstate the Sciencd Advisory Board. Installing Industry Reps to pose as "independent" scientists in place of actual independent scientists is completely bogus. And it's not even subtle. ENSURE ACCURACY AND INDEPENDENCE.				

AMERICAN OVERSIGHT

	I
1307	EPA6 successfully developed and launched the Municipal Separate Storm Sewer System (MS4) Self-Assessment, a tool used to collect detailed information from permitted MS4s (municipalities and facilities in urbanized areas) about how they have implemented their storm water management program (SWMP); and, that they comply with their MS4 permit. The Assessment may also include an inspection of the MS4s owned and operated, regulated facilities. Prior to initiating the Self-Assessment, A team of 4 to 5 persons from EPA6, traveled to the MS4 and conducted a 3 to 4 day audit of the MS4's SWMP. The team conducted at least three audits per year.
1308	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1309	1308	5/22/2017	Concur works well when/if a traveler is actually allowed to use it to find flights and hotels (like in R4) but it terribly time consuming and frustrating to use when the traveler is only allowed to fill in a form and an admin person makes the reservations in Concur (R10). I am regularly unable to get the flight times I want which is normal. The problem is that I'm not allowed to see what Concur offers as a replacement. Instead the admin person either books the flight as the form had indicated but at a price far above the contract price OR on books different flights that are unacceptable (arriving at a hotel at 1am for example or with unacceptable transfers such as flying from Seattle to Washington DC via a several hour layover in Los Angeles). It can be incredibly time consuming and/or expensive as one must ask the admin to change the ticket, especially when the admin prefers to call the travel agent rather than using the cheaper online option. Concur was designed for the traveler to pick his/her own flights and hotel based on the choices it	Have relationship building and partnering for results be something that is evaluated in PARS. PARS mostly tracks tasks within EPA such as processing grants, reports, briefings, issuing policy, etc. PARS does not give "credit" for working with external partners to achieve environmental results. EPA can gain far more environmental benefits through working with external parties, we do not need to do it alone. The best systems seem to use incentives (carrots) to entice behavior change but have enforcement options (sticks) that hang out in the background for truly egregious actors.	Have this be evaluated in PARS, equal in weight to issuing reports and completing grant actions, etc. I have asked many times to have this added but have been told that we do not evaluate the time spent responding to the public, States, citizen groups, university students, etc. I have frequently been told to just send them to an EPA website if possible, and to spend as little time responding to these inquiries as possible since I am needed to do other tasks. Either do not put out names, email address, and phone numbers on EPA websites or provide a PARS element to capture this task for those of us who are sent questions and requests not les than weekly.	Stop changing software so rapidly and do not push new software until it works. For example, grants.gov portal still doesn't work correctly though it's been in use for more than one grant cycle. The IGMS cloud interface still doesn't work properly and changes made there do not all update appropriately in Lotus Notes. PeoplePlus didn't work for a while when it was pushed out, wasn't able to properly account for credit hours or TCTO for over a year. There are other examples but the key is that it isn't specific to individual software, it's that EPA pushes the software before it is finished, ready, or has been beta tested.	Let's focus on spending the few technology dollars we have on fixing the systems that still don't work and having computers replaced every five-six years. If there are still funds available then we can look into acquiring new technology.	Allow more time to work together and coordinate programs/resources. There are several areas such as infrastructure, agriculture, forestry, etc where multiple agencies have programs and resources but without sufficient time, it is practically impossible to coordinate them for improved effectiveness and efficiency. This is essentially improved customer service as was asked earlier. Incorporate this integration and improved customer service into a PARS element so that time is allowed to work on these tasks.
1310	1309	5/22/2017		Help disseminate technological improvements to these important constituencies. For example, if EPA researchers have developed or are aware of new technologies for treating arsenic in drinking water, help EPA program offices (including regional offices) disseminate that information to these constituencies. Often the program offices are unaware of the latest in research developments.	Track and provide deadlines (even internal ones) for all activities. Creating goals, timelines and deadlines are action producing. For example, when we set annual goals for compliance assistance and enforcement actions, those activities are much more likely to be achieved. Setting similar goals and timelines for all activities, especially on priority actions for these constituencies, would help ensure timely and effective customer service.	Refocus grant selection criteria and provide grants for direct public health and environmental protection. Grant funding can be spread out among many projects many of which do not directly improve public health or the environment. Giving activities that directly provide public health and environmental benefits (e.g. improve drinking water quality) more priority in grant funding can help increase the effectiveness of the grant dollars.	Connecting EPA's various data systems to allow for centralized searches would greatly improve efficiencies for FOIA and eDiscovery responses. Currently, records on EPA's Outlook email, OneDrive and SharePoint; Lotus Notes email and databases; EZ desktop and EZemail records repositories, Superfund Records management systems, and other shared drives (such as G:Drives) (let alone hard drives) must all be searched separately -- and with the exception of centralized Outlook email searches -- mostly by individual employees. Connecting and allowing for some centralized searches of these records repositories could streamline the search, collection, and review of records and help the agency	

AMERICAN OVERSIGHT

	I
1309	There used to be an actual agriculture sector that would have monthly meetings in our region. These were highly effective because there were people from all the various media/offices as EPA as well as from other agencies (such as NRCS). This sector approach was very successful in agriculture and would work in other sectors as well, such as forestry and infrastructure.
1310	Too many meetings can be unproductive. Some major high tech companies schedule "no meeting" days, such as every Wednesday, to increase productivity. It may be worthwhile to pilot a weekly "no meeting" day for a few months to see if employees find it boosts productivity. Storing and managing electronic data is expensive. Helping employees become aware of the cost of their electronic record creation (emails, databases, reports, etc.) could help reduce the volume of these records and thus the storage and management costs. It could also reduce the burden on employees of searching and reviewing records for FOIAs and eDiscovery by reducing

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1311	1310	5/22/2017	Policies and decisions should be clearly and broadly conveyed in writing so that there is less confusion about what is Agency policy and whether the decision was made by someone with the proper delegated authority.	We work very closely with California on Clean Air Act mobile source enforcement and consistent maintenance of that positive working relationship achieves far better environmental results for a broad swath of states (many of which use the California standards) than abrupt shifts in course that undermine California???s leadership in that area. Maintain and request additional funding for EPA programs that support the development and expansion of local, tribal, and state capacity in enforcement and implementation of federal environmental laws. Maintain adequate funding for EPA oversight of programs delegated to the states, which facilitates better national consistency in implementation, permitting, and enforcement,	E filing that has checks and flags that tell the regulated entity what to fix and that allows basic checks so we can focus on hard to spot issues can be hugely helpful. Checklists are also useful for some areas. Transparency is key. We need credible processes and decisions. Remembering community outreach to the public is also critical in communicating EPA???s work to stakeholders. EPA should commit to transparency in decision-making and decision-making based on sound science, rule of law. Decisions should always key back to our central mission, protecting human health and the environment. EPA should be better at communicating the economic and public health benefits of our regulations, which have been proven by peer reviewed studies (i.e., https://www.epa.gov/clean-air-act-overview/benefits-and-costs-clean-air-act-1990-2020-second-prospective-study).	Credibility for change starts at the top and is undermined by an atmosphere, indicated by actions such as press statements with extraordinary statements issued immediately after the Administrator was sworn in, that makes efforts like this seem more aimed at undermining the work of the Agency instead of supporting it. Yes there are untapped opportunities but there are many who do not trust this process sufficiently to share in a full and frank way. One major untapped opportunity is to value the frontline EPA workforce and their expertise. It is inefficient to have constant threats of job loss.	Give all inspectors and those regularly in the field government phones so that they are not using their personal devices. IT resources and records management should be updated to make it easier for those on the front lines to implement. This would assist in FOIA response and community outreach, which would lead to greater accountability. Electronic reporting for the regulated community also needs to continue to be modernized, such as the E-Manifest push. However, electronic reporting also needs strong (and labor intensive) enforcement to ensure that the data being submitted via electronic methods is still accurate and reliable.	EPA also has areas of shared responsibility and mutual interest with Tribes. The IG has pointed out we need to be better at oversight of our state partners. We accomplish more by being respectful of our partners at all levels while not abdicating our responsibilities. I???ve had a school maintenance supervisor tell me, in settlement negotiations over AHERA violations, that the willingness of an EPA inspector to go to the remote rural school location to conduct an inspection was an example he was already using to get his people to take ALL of the health and safety requirements as real and needed and
1312	1311	5/22/2017	It has become quite clear that job efficiency is being hindered due to the hiring freeze and overall lack of personnel.	With full funding, "better environmental results" could be attained via outreach. When both sides are more informed of the entire process (not just their own) there can be better agreement on which is the best path forward to achieve environmental health for the people of the United State - not for the private sector. The local communities deserve better partnering (via better communication) at every level when it comes to environmental policies, processes, etc.	The EPA can best serve communities when it is FULLY FUNDED so it can properly/effectively/efficiently carry out the mandated activities associated with keeping the people and the environment healthy. Without a FULLY FUNDED agency, the employees will be working inefficiently to plug holes or to work at the whim of the political POV of the day. It is a disservice to the people of the agency and to the American people to not fully fund the EPA.	Please fully fund the agency.	If the hiring freeze was lifted, I'm sure you could hire someone/a group of people to figure that out.	Increased emphasis on communicating between the agencies (especially federal ones). Pitting agencies against each other (or the regulated community against regulators) is childish. It hurts everyone involved. It mostly hurts those who aren't involved (the American public).

AMERICAN OVERSIGHT

	I
1311	As agency lawyers, in my organization we adhere to the scientific integrity policy and also do our best to educate ourselves on the science and work as a team with the scientists and specialists at EPA. The international process for evaluating and vetting the science of climate change is a best practice and advocating for an understanding of how scientists do science and why that consensus process is credible, if perhaps a bit conservative in its predictions, is a best practice of every credible environmental protection agency worldwide.
1312	Fully funding the EPA is a great practice.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1313	1312	5/22/2017	When a current EPA employee changes jobs or gets a grade level promotion within EPA, we should not pay a contractor to run a security background check. This process is unnecessary, time consuming and costly. Each new EPA employee has to pass a security background check when they start. EPA should not pay for two layers of security guards when we occupy private buildings that are not federal buildings. It???s wasteful to pay Federal Protective Services for their contractor security guards and pay the building management for their security guards. The Federal Protective Service contractors don???t provide meaningful services. They operate a metal detector and x-ray machine. They patrol office floors by looking at the ground instead monitoring the environment. Furthermore, private security guards have no authority to protect EPA staff. If someone has threatened an EPA employee, private security guards will not take any action until that EPA	The federal government needs to provide more federal funding to states, tribes and local governments for environmental programs including inspections, program implementation, grants, state revolving funds, technical support, capacity building, and research. States, tribes and local governments don???t have the staff, resources or funding to fulfill their obligations and improve their work. EPA programs and grants provide billions of dollars for high paying American jobs at the local level. The federal government needs to fully fund EPA regulatory programs that protect human health and the environment. States, tribes, local government and the private sector do not have the money, experience, staff or resources to implement all of EPA???s statutory requirements that are required by law and	The federal government needs to provide funding and hiring authority for more EPA staff that provide crucial services like community outreach and technical assistance. For example, we need more toxicologists and risk assessors to explain human health risks to communities concerned about air quality, water quality and/or specific contaminants. Another example is that EPA needs more experienced public affairs and outreach staff to share and explain EPA???s work to elected officials, media, and the general public. Likewise, we need more community involvement coordinators in the Superfund program.	When a current EPA employee changes jobs or gets a grade level promotion within EPA, we should not pay a contractor to run a security background check. This process is unnecessary, time consuming and costly. Each new EPA employee has to pass a security background check when they start. EPA should not pay for two layers of security guards when we occupy private buildings that are not federal buildings. It???s wasteful to pay Federal Protective Services for their contractor security guards and pay the building management for their security guards. The Federal Protective Service contractors don???t provide meaningful services. They operate a metal detector	Computer software updates and changes should happen in the evening when people are not working on their computers instead of happening during the work day. We need to replace printers that don't process data and print documents correctly. We need higher quality pens and highlighters for our work. We also need markers and poster paper for meetings.	EPA already collaborates with other federal agencies. For example, we work with 11 federal agencies on the Urban Waters Program to improve urban watersheds, wetlands and communities. Another example is working with the Department of Energy on EnergySense and other energy efficiency programs.
1314	1313	5/23/2017	I know there are many inefficiencies. I don't know how to address them; but, I do know what to do to identify and implement improvements - Lean Six Sigma.	Background: While we give grants to universities and local governments, EPA fails to tap into the capacity of the thousands of universities (public and private) located within the states across the country to help their local communities address environmental challenges in ways that build the economy and advance the health of residents. Universities and local governments are already partnering together to have students and professors address their community priority challenges. One model, scaled for impact, that has proven to be replicable and adaptable is called Educational Partnerships for Innovation in Communities (EPIC). It systematically matches real world interests/needs with university capacity in ways that benefit all parties, work within	See response to Q2 above.	EPA should make better use of it's convening ability. One example is provided in Q2 above.		It enhances our impact when we align with federal partners on placed based initiatives/

AMERICAN OVERSIGHT

	I
1313	We need more funding for existing training programs at EPA. EPA currently offers Lean Six Sigma, Habits of Highly Effective People, professional development classes, and technical training classes. These classes would improve the agency???s best management practices and adaptive learning. Unfortunately, EPA lacks funding to provide leadership, professional development and technical classes to a majority of people that want to take them. For example, EPA???s leadership development program is offered every 3-5 years to a limited number of staff and managers, which means only a tiny percentage of people are selected.
1314	Arizona DEQ has used LEAN Six Sigma to greatly improve the efficiency and effectiveness of their organization. EPA has begun to work with LEAN Six Sigma. We should enhance this effort across the agency and use it not only to enhance processes at work, but to enhance efficiency and effectiveness in in how we protect public health and the environment while building our economy.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1315	1314	5/23/2017	Explore improvements in Agency handling of Freedom of Information Act requests. Most of the FOIA requests I work on have been given an automatic fee waiver. FOIA requests are treated as a priority in the office where I work so limited staff time and resources are diverted from working on existing priorities to responding to FOIA requests. I recommend: 1) initiating a LEAN project on EPA's FOIA response process; 2) explore the feasibility of operating a self-sustaining FOIA response process with the goal of minimizing diversion of appropriated resources to maximum extent possible while meeting Agency responsibilities under the FOIA statute.					
1316	1315	5/23/2017	Open up better channels for scientist to scientist communication within agency.		making it a requirement that employees be more involved with local schools to educate, as well as teaching citizen responsibility, having a presence in local farmers market...	Employee skills		As a scientist, who has more computational background, always hoping to have EPA/ORD better aligned with NIH resources especially access to their : Scientific Applications on NIH HPC Systems
1317	1316	5/23/2017	staff have to take care of their own timekeeping and their own travel arrangements. these are just some of the administrative tasks that have been shifted onto the professional staff away from the secretarial staff. also during the time I have been at EPA (25 yrs) I have spent more and more time on reporting	I work in the Food Recovery Challenge and we have to spend more time using a database to measure our results than we are able to use doing the actual environmental work. it is probably 2:1, and if you include all the other reporting that has become necessary over the years, I am sure it is 4:1. I understand somebody thinks we need to be accountable but that has resulted in staff spending 75% of our time reporting and documenting our work.	if we were less encumbered by reporting requirements that would help us to engage more authentically and helpfully. in the partnership programs we also place a reporting burden on partners, and this is also not helpful for them.	I think if we were less beholden to industry and worked in a matter that was more protective of the environment, this would benefit the states, localities, and all Americans.	don't know	states do not resent our assistance, they need it. we need a bigger budget and more staff, fewer reporting obligations. measure the actual pollutants in the soil, air and water, rather than the number of reports we generate and partners we attract. that would be faster, easier, and more meaningful.

AMERICAN OVERSIGHT

	I
1315	
1316	Academic model of competing for funds/grants within the organization to do research.
1317	I think it's a best practice for the EPA to protect the environment. however, we, like other government agencies, are captive to the interests of industry. do what you can to remove that influence and we'll be far more effective. deleting EPA so that industry can reign free - you will regret it.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1318	1317	5/23/2017	Too much of the time politics intrudes on our implementation of laws. For example, political donors get special consideration and high access while common citizens dealing with environmental issues do not.	States do not have the technical resources to take difficult investigations or complex environmental issues. Furthermore, some states are restricted by politics from enforcing against the big polluters as they race towards the bottom of citizen protection from environmental issues.	For local communities, it is important that the EPA protect human health and the environment across state lines so that no one group of citizens is exposed to illegal pollution because of the politics of state legislatures.			
1319	1318	5/23/2017	It currently takes close to a year for some acquisition requests to get through the Contracting office. In addition, even simple requests to add funds to existing contracts, to purchase low dollar subscriptions, and to receive answers can take an inordinately lengthy amount of time. This means that often, even if there is money left in a budget, we are unable to spend it before it expires. It has been shared that the reason is most often due to lack of staff in the Office of Acquisitions Management. We need to be sure that we have adequate staff to do the work required.	EPA has always partnered with States, tribes, and local governments and the public at large - more so than many other federal agencies. To imply that EPA doesn't or hasn't done this is disingenuous. The current budget reductions being discussed will certainly not help EPA continue our proven work/commitment to states, tribes, local governments and the public. Frankly, with the potential 2018 budget cuts, staff reductions, more responsibility will have to go to the states - who are not equipped financially to take on increased environmental responsibilities. Federal oversight is key to ensuring that states don't risk the health and welfare of their citizens - poor states will likely suffer the most as they did in the 70s when EPA was created to help equalize the burden of environmental issues.	Don't cut staff and programs	By the way, the environment is global. Air and water pollution don't stop at the borders. We need to ensure we are working internationally and locally, supporting sustainable energy sources that will shift job creation from dirty industries to cleaner ones. Government needs to support those currently working in dead-end industries (coal, for instance) to support their transition to more economically and environmentally responsible options. The changes needing to be made are at the highest levels - getting industry out of the government - putting our health and the environment before profit.	It would help if progress didn't stop each time new management comes in. Government is renowned for following the whims of those in charge. Until that changes, I have no hope for truly efficient processes, which must take a long term view instead of a 4-year cyclical view.	On the surface, it seems like a good idea to go with a proven system or service being offered by another agency partner. In practice, the systems aren't really that good and we should look to partner with commercial innovators who can build the unique systems we need, not try to fit us into a system that only sort of fits.

AMERICAN OVERSIGHT

	I
1318	
1319	I am not comfortable sharing processes that work well since I don't trust what would be done with that information.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1320	1319	5/23/2017	Too many layers of bureaucracy to get things done quickly and efficiently. Some regional programs believe everything has to be run through program counterparts at HQ. HQ seems to believe everything has to be run through OGC. All of this makes even the most routine actions take an inordinate amount of time. This leads to inefficiency. Solution 1: We have bright, well-paid staff throughout the agency. They need to be empowered to make decisions and be held accountable for those decisions. Solution 2: OGC needs to be more advisory than having veto power. Program staff know the technical aspects/needs of program implementation. OGC just needs to see the program staff stay within the legal bounds program and not try to establish policy or craft a actions in a manner that represents OGC's "wants".	We all hear that EPA and States are: 1. Partners; and 2. Co-regulators. Some programs don't demonstrate that and need to quit promoting a Parent -> Child relationship with the states. Some programs believe they tell the states to jump, and the state should has ask "how high". We need to look for actions that are complimentary of one another. We need to identify where states have shortcomings and bolster those with assistance while leaving the better performing programs alone outside of periodic audits to verify those well-performing programs remain at a high level.	Look for true partnerships with those groups. Listen. Figure out where we have common needs and wants and plot a course for addressing those problems.	Eliminate OECA, reduce enforcement staff, and put select enforcement staff back in to the program areas. With OECA free standing, they have goals to meet through the National Program Managers guidance. That typically means more enforcement for the sake of enforcement. When integrated with the programs, enforcement just becomes one of many "tools" the programs can use to improve public health and the environment.	Having come from outside of the federal government - I think EPAs technology is strong. I don't see and any major improvements needed.	Again, it is in identifying strengths and weaknesses of each organization then playing to the strengths of each organization. For some programs, this is the way they currently perform, thus no problem with the concept. For others at EPA, it will be hard because they believe by virtue of being the EPA they are automatically in a superior position.
1321	1320	5/23/2017	My team lead is a bully and now has gotten the branch chief to aid her in her bullying tactics. She pretends to be nice on the surface and tells me good job when I run effective meetings or shine in public but makes sure that I do not have any necessary information to do my job. Additionally, she makes false allegations behind my back to my supervisor/ branch chief such that he now has a false impression of me. At the beginning of April, he said that I'm doing a great job, a few days later it turned into "we put too much on your plate" and then by beginning on May, it became "you're ineffective and you don't do any work". Her instable mental health causes her to see the world negative lenses and she sabotages me at every instance. Her false smile hides her naked aggression. I have gone to my branch chief for help but it turns out that he is her biggest fan and has now turned on me. He's been bullying me for the last 2 months and it is excessively difficult to deal with 2 bullies who have power over me.	Firstly, each of us needs to clear our intentions and remove seeing labels. It is not Us and Them. We are all One with the common goal. When we come from the right intentions, people can feel that in our interactions and respond in like.	In order to serve others and do a fantastic job, one must be healthy from the inside. I think the agency should implement efforts such as yoga and meditation opportunities for staff on a regular basis (3 or so times a week). When a person is mentally healthy, they are able to do their jobs better and serve their customers better. We have weekly meditation at WJC-E 2379 on Thursday afternoons at lunch time. If we as an agency can provide daily yoga and meditation, which will encourage all of our employees, they may be able to come once or twice a week and improve their physical and mental well being.	As a former management consultant and new employee, I can see that the human capital needs are paramount in addressing. There are so many resources who are underutilized, perhaps due to lack of motivation, in wrong roles, managers do not know how to manage employees, unqualified individuals run teams ineffectively.	Yes, EPA needs first and foremost process improvements and then new technologies.	As a new employee, I don't know all the ins and outs of the agency and I would need to do a through assessment to make any suggestion but every organization could use improvement at any given time. My exposure to the agency is limited to that of my team and branch and I have duly noted all the process improvements and shared with my branch chief, who was initially thrilled at my suggestions.

AMERICAN OVERSIGHT

	I
1320	There are programs that work closely with state partners and have Parent -> Parent relationships. Those programs should be looked at as models for other programs that do not enjoy the same relationships. I think the management at my office know of the higher performing programs they could hold up as models.
1321	200+ Employees have been hired in 2017. Hiring great people is only the first step in building a committed, successful workforce. An organization's approach to onboarding is critical to employee performance, an employee's level of engagement, and whether an employee chooses to stay. Onboarding is pivotal for both the employee and the organization. Consider that 90 percent of employees decide whether or not to stay with an organization within the first six months1. Consider further that the cost of losing an employee in the first year is often at least three times their salary2. Onboarding is a process of?Â welcoming, educating,

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1322	1321	5/23/2017	Branch management has no interest in the Superfund Removal Program, and the branch chief is out of the office at least twice a week either on S/L or AWL. There is no guidance or assistance from Management!!!	Partnering sounds nice but in reality it is pointless. We spend too much time educating our partners to no valuable end. EPA ends up doing the work anyway, so we might as well just skip the partner part and go right to the solution of the problem.	Cut out all the PC crap and give the field personnel the tools and money they need to accomplish the mission!!!!	Yes, fire most of the management personnel, do desk audits on all GS 11 - GS14 OSCs and reduce the workforce. We have 30 OSCs in my office and only 4 active removal sites are on-going. What are those other 26 OSCs doing!?!?!?!?!	Efficiency is not a function of technology, it's the result of good planning and proper execution of good plans. Keep your technology, we don't need it in the field!!!	Get rid of the SPCC program. Most states have tougher regs and better trained personnel who do SPCC work as their primary job function. In Region II OSCs manage the SPCC program and it's not our primary specialty! Delegate the programs to the States and provide a modest grant and some oversight!
1323	1322	5/23/2017		See Q4.		The establishment of our organization by media area has stove piped the Agency versus realizing efficiencies that could be gained from like programs being offices or divisions instead. For example, method development. Our Agency is very behind in transforming existing methods to benefit from extraordinary growth in technology. Emerging areas are gaining awareness at a rate that new methods for measuring and monitoring them to protect human and health and the environment have not kept up. We do not have an office or system to establish one-stop shopping for our external partners - states, tribes, local communities, the regulated community, the public, and even private sectors to know our priority		See Q4.

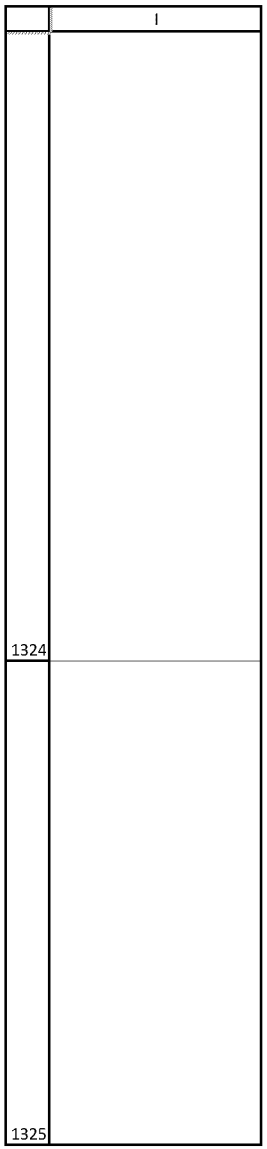
AMERICAN OVERSIGHT

	I
1322	Yes, hold employees accountable for their performance and streamline the policies and procedures that make it easier to discipline and fire employees who do not perform well!
1323	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1324	1323	5/23/2017				EPA Region III employs a decentralized approach to quality management. Each Division or Office is responsible for determining the specific environmental programs and activities to which the quality system will apply. The Region is comprised of five Divisions and six Offices. That means each division has to have QA staffs to manage its QA requirements. Given that all Division are under the same set of QA regulations there seems to some duplication of effort. One such effort is the role of the Division QA staff is to tracks the number of projects in progress within his/her Division or Program Office; the number of projects involving environmental data operations; and the title, preparer and date of QAPPs		
1325	1324	5/23/2017				The functions of the Office of Federal Activity (OFA) should be absorbed into different offices in OECA or other parts of EPA such as OITA and OLEM, in order to reduce number of staff in management and administrative positions at the Agency. OFA currently has a total of 26 employees, including 6 managers and 2 administrative staff, including one secretary and one budget analyst. By merging the Divisions of OFA into other Offices OECA could reduce overhead costs.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1326	1325	5/23/2017	In developing rulemaking packages it seems like the rules are always changing as to what needs to be in a rule package. But given that we won't be doing regulations to help protect the environment, this is probably moot now.	Being here to actually interact with them. Getting rid of staff will prevent us from partnering.	Getting a commitment from upper management to actually protect public health and the environment, which it does not seem is there.	Being able to conduct technical reviews without having to scrub documents to try to make it more palatable given the favoritism being shown to the oil and gas and other extractive industries.	Make remote access technology more reliable. It is frustrating when teleworking and you can't access the network.	We do that now.
1327	1326	5/23/2017	It takes quite a lot of time for staff and administrative personnel to file any type of cost, including travel. The systems are unclear and inefficient. The Concur system is not user-friendly nor intuitive. It has a confusing lay-out and series of steps.	More funding for local programs and more enforcement on guidelines for data practices, including collecting, recording, and reporting.	More personnel to handle increased communication needs	Bureaucracies are inefficient by design.	Cloud computing and big data platforms. Open-source software for scientific study. Encourage peer-reviewed publication.	Encourage standardized best data practices across agencies and states as well as shared data platforms for efficient and cost-effective information sharing.

AMERICAN OVERSIGHT

	I
1326	
1327	Scientific Advisory Boards should be composed of independent scientists who are the best in their class and field, and free of financial conflicts of interest. EPA scientists should use data that is best in class for the question under study, such as human health information, which may be confidential and not available for public distribution but is the best information available and fit for purpose. Execution of the mission of the agency, to protect human health and the environment, cannot be efficiently done in a cost effective manner if the best scientific data is not available to EPA scientists.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1328	1327	5/23/2017	Currently, at least in my current section, management only allows for 1 day/week Regular AWL. Most sections allow for 2 days of regular AWL. Since its a proven fact that my work is portable and we have access to all EPA systems, working 2 days of regular AWL will allow me to be more efficient ad less stressful with horrific commuting time in NYC. The 2 days of regular AWL allows me to recovery mentally and physically from the daily commute into & leaving NYC. As a support staff, I am constantly assisting other EPA colleagues with getting their projects initiated and moving forward to completion. A majority of the people that my section help are allowed 2 days of regular AWL and often coordinate with us from their remote AWLs.	I think that EPA's public outreach staff who attend various community/public meetings are usually part of meetings to inform or provide updates to the public. I don't think there should be more working meetings between key EPA staff and communities in order to help the public with completing paperwork/grant applications/understanding the process/steps designed to help them. While the public outreach staff are an excellent resource for communicating with the public, they are not involved with the daily management of projects or might not understand the complexities of the work process.	More connection between the public and key EPA staff personnel involved with state/local projects. While we have upper management and other key personnel involved with the public, the public concerns and frustration may not be clearly conveyed to staff level personnel. If there's a disconnection, how can we truly serve the public?	I am not sure about untapped opportunities in EPA. However, I would emphasize the need for management to hold everyone equally accountable for getting work completed. At times, it seems like responsible/effective employees are handed more work to complete because of the lack of effort demonstrated by others who are not held accountable. While this common practice is unfair, its an easy way for managers to mitigate problems and project delays. It almost seems like these poor performers know that they protected by the Agency/labor laws and will seek ways to accuse management of unfair treatment.	As long as we continue to have portable and effective lab tops with the relevant software to do our jobs, we can stay effective and efficient.	Not sure. However, there should be some clear MOUs between agencies and states that we can adopt and understand in order to complete mutual activities. However, this needs to be clearly shared with staff, not just management. Maybe annual or semi annual work meetings between key staff personnel from all agencies listed in the MOUs should be considered???
1329	1328	5/23/2017	It would be nice to have office-wide people who specialize in contracts, grants, travel, etc. which requires training. Right now, technical staff do everything.	We already partner with states, tribes and communities very well. My only comment is that they need to be funded! A lot of the work is done through grants that are slated to be cut. It is a very important partnership and a big bang for the buck!	Cleaning up contaminated properties where risks do not pose a threat to human health and the environment. I think cleanups can and should be more efficient, especially if EPA puts pressure on PRPs who are the main reason that cleanups are slow, but it is also important that the cleanup is done right. There are many horrific examples about what happens when people live and work on contaminated areas.	The EPA is already so streamlined, that it is difficult to imagine more efficiencies. Most staff work above 40 hours a week to keep up. The Federal Facilities Superfund program would be a lot more efficient if EO 12580 was removed which designate the Federal Facility as the "President". Cleanups are usually delayed because of the recalcitrant PRPs, including Federal Agencies. Giving EPA the lead authority at Superfund sites has proven to be less costly and more efficient (both private and Federal Facility).		Putting qualified people in positions of influence. Superfund is a highly technical and legal program that requires years of experience to understand. Also, i putting the attorneys and technical staff in the same office would be efficient, such as FFEO (Federal Facilities Enforcement Office) and FFRRO (Federal Facilities Restoration and Reuse Office). Also, consider joining parts Federal Agency and private Superfund (FFRRO and OSRTI).

AMERICAN OVERSIGHT

	I
	No.
1328	
1329	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1330	1329	5/23/2017		Propose State Management Plans to address pesticide water-related issues (monitoring vulnerable watersheds especially drinking water). Option was considered in 1990s; but targeted 5 herbicides. Risk management decisions often seem based on overly conservative estimates of predicted drinking water concentration.		Reconsider 99.9 percentile of regulation policy for pesticides-acute dietary risk assessments. Consider using independent external group (outside of OPP) to set toxicological parameters for pesticides.		
1331	1330	5/23/2017	Training. Should be able to login to our training site (Skillport) and see training descriptions, when they were posted, WHEN THEY ARE DUE, etc. Micropurchases are time consuming. Why does it autopopulate someone else's address (Cincinnati) when I login? Doesn't my computer know that I've logged in with my credentials and my shipping address and phone number?					
1332	1331	5/23/2017	Delegation used to be to the lowest level possible, and people performing the work took ownership of it and were empowered. The last ten years have seen that removed as all decisions have to go through multiple layers of upper management, and depending on the politics, certain issues like anything oil and gas related were required to be elevated to HQ for fear of releasing the wrong opinion. That is certainly not good science. It is policy control. Return delegation to the lowest level possible, and give staff the ability to answer questions and make conclusions without the frustration of good work being hidden from view if the answer is not convenient.	Clearly lay out what the requirements are and the end goal. Do not be driven by initiatives, but rather have regulatory barriers to meet, and make them clear. We have too many things we work on that do not have any governing regulations, like environmental justice, children's health, global warming, etc. Focus the work and it will be easier to partner for a clear result.	It would be painful, and organizations used to protecting their turf would have to be dissolved, but there used to be better coordination when all the enforcement functions of the regulations were integrated with the program and grant functions. If there was a RCRA permit violation reported, oversight of State grant monies, permit modifications which might be required, or enforcement activities that might be used were all coordinated under one Division manager who got a clear sense of the big picture. Now those activities are split among multiple branches, multiple divisions with completely different national reporting goals. Priorities are not the same, and the focus is on getting good counts on national goals rather than addressing problems.	Our office used to have one or at the most two people who handled external affairs. They dealt with the press, reporters, or public interest groups to relay scientific decisions. Now we have an entire Division for external affairs who seem to be composed of an amalgamation of special interest groups and special emphasis programs. All content must pass through them before going "public". This adds zero environmental protection while also adding additional time (costs) and is incredibly inefficient. Changes to scientific papers are made to conform to policy desires rather than reflecting scientific reality. Often changes made to letters by external affairs special interests make the	Sure, we could all have I-phones with access to our emails, be able to have control of our own computers so we could download programs or software useful to our current task. But then you would have security issues multiplied by the thousands, and enormous costs also. Nothing practical comes to mind.	If we have shared responsibility, Congress may need to change laws to designate who is the lead. Otherwise, understanding our regulatory responsibilities and how they align with what may be more stringent requirements in State programs will help. Most of our programs are designed to be delegated to the States, and we need to not overlay federal initiatives on top of what are the regulatory requirements. If the goal is meet a certain contaminant MCL in drinking water, we should not then also make the state give us a breakdown on which ethnic population is being protected. We

AMERICAN OVERSIGHT

	I
1330	Most managers and staff have always worked hard to make improvements...can't think of anything.
1331	
1332	Reducing layers of management and delegating authority to lower levels would improve efficiency. Accountability requires people who are willing to make decisions, and we need to move away from having a one size fits all criteria for managers and return more to managers who actually understand the programs they are managing. Right now we might have a photographer or a technical writer managing a remedial design program because they have gone through "project management" classes. They are paralyzed in decision making because of lack of program knowledge, and can't defend any staff recommendations. As for costs, we need to acknowledge that

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1333	1332	5/23/2017	People plus suggestion - people plus should have the feature that allows employees to request compressed schedule change and following approval, make that change without having to ask time keeper to make the change. More authority should be given to the Division Director level in making decisions about the work. Years ago, Division Directors routinely made decisions on variety of issues, including money, public products, etc. In recent years, it seems like most decisions have to be raised to the OD level. Give all the OD has to do, this creates significant delays and affects morale since it is interpreted as a lack of trust. I think all managers should be required to achieve a certain amount of continuing education credits in leadership and management. We have the infrastructure in place with SkillPort and EPA University. What gets measured gets done, so we should have SESers be accountable for such	We should avoid unfunded mandates. If we want states, tribes and/or locals to be doing something, then we should figure out how we can support them with grants and/or cooperative agreements. I realize this suggestion would reduce EPA extramural funds but it would give more resources to others to allow them to decide how best to use them in support of mutually beneficial objectives. As for partnering with private sector, I think each major EPA program should have a standing FACA from which the programs could seek advice from representatives of these important groups. EPA should support major conferences on routine (yearly or even every other year) basis to physically get people together to learn from each other, create and	I believe my response to Q2 also applies to this question.	Give more authority to the Division Director level to make decisions and only rise the most important of decisions to the OD and AA levels. Would save a lot of time and have a positive affect on morale. I continue to think AAships and Offices are too stove-piped. I'd like to see more cross-AAship collaboration where it makes sense. A while back, we tried a "One EPA Approach" but , but this will only happen if the SESers are held accountable for doing so.	Haven't been too thrilled with Adobe Connect. I think we should go back to Go-To meeting. Continue to embrace Qlik Sense for visualization.	Great question! I think we should support organizations that bring federal agencies together that on mutually beneficial topics. For example, I think the Agency should do more to support the Federation of Earth Science Information Partners (ESIP) that brings together various federal agencies (e.g., USGS, NOAA, EPA) as well as academics and private sector to address topics of mutual interest. I'm sure there are other similar groups that deal with such as health. And if you want States, Tribes and Locals to be able to be involved in such groups, they would likely need scholarship support since they have
1334	1333	5/23/2017	Has anyone tried to use the property system software, Sunflower? Ridiculously convoluted.					
1335	1334	5/23/2017	having fax numbers	bring back Performance Track, a voluntary compliance program for cos.	Hire more bilinguals	Move from Manhattan office space $$$$ to 290 Broadway staff to Edison, NJ. campus.	Ipads	merge EPA into DHS

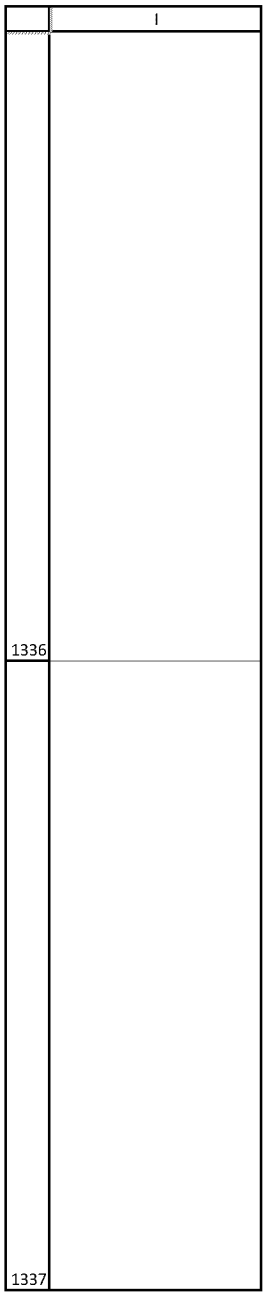
AMERICAN OVERSIGHT

	I
1333	I actually liked the OMB driven effort a number of years ago called Program Assessment Rating Tools. All programs should be able to clearly explain what they are supposed to be doing, how they are measuring their progress, and how they are evaluating what they learn from their measurements to improve effectiveness and efficiency. Again, what gets measured, gets done. On related note, all EPA programs that collect information should embrace an information collection life cycle approach to ensure the information collected is beneficial and used towards its intended purpose.
1334	
1335	LDP and LEAN are good ideas

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1336	1335	5/23/2017	Personnel policies across the board are significantly burdensome and prevent effective management. Hiring processes for example. Non-expert HR staff review applications and provides the hiring manager only a few on the Cert. This immediately takes information and judgement away from the most knowledgeable person. The questions for applicants that accompany the hiring announcement are worthless.	Effective partnerships are based on a good understanding of the facts. We still lack a common understanding of the current state of the ambient environment, of discharges/emissions, and of the compliance status of facilities. We should partner to bring EPA, states, tribes and locals into the information age through better ambient monitoring, emissions monitoring and sharing data on those conditions with each other and the public.	Effective partnerships are based on a good understanding of the facts. We still lack a common understanding of the current state of the ambient environment, of discharges/emissions, and of the compliance status of facilities. We should partner to bring EPA, states, tribes and locals into the information age through better ambient monitoring, emissions monitoring and sharing data on those conditions with each other and the public.	If we had a good flow of information on ambient environmental conditions and real time information on emissions/discharges, regulations could be streamlined significantly and enforcement presence and costs could be reduced significantly.	1) monitoring technologies; 2) the information technology to replace existing paper-based facility monitoring and enforcement by state and federal regulators; and tools to make monitoring and compliance information available to the public	Effective partnerships are based on a good understanding of the facts. We still lack a common understanding of the current state of the ambient environment, of discharges/emissions, and of the compliance status of facilities. We should partner to bring EPA, states, tribes and locals into the information age through better ambient monitoring, emissions monitoring and sharing data on those conditions with each other and the public. By having good environmental data, EPA could step back from states where environmental outcomes are good and focus on helping states where
1337	1336	5/23/2017	Just like law enforcement everywhere, there are more environmental violations that occur than our (federal, state and local) resources allow us to pursue. At the highest level of management, there needs to be a review (such as a pareto analysis) that looks across all of our obligations and identifies which ones are the most important to pursue given our limited resources. The strategic plans that OECA management requires the regions to submit are not worth the electrons it takes to send them in. They don't even identify all of the statutory programs. How can one appropriately allocate resources without proper analysis (and it doesn't have to be a PhD level analysis to improve what we current do). Each sate and each region should identify they primary regulated universes, what human health and/or environmental problems exist (including those caused by noncompliance), look at the resources available, then prioritize the allocation of those resources taking into account whether the issue should be primarily addressed at the federal,	See the response to the above question.	Frequently, states are not finding significant violations that exist at facilities for a number of reasons. We need to work with the states to build their capacity to find and fix violations rather than compete with them for enforcement however states have to be willing partners to be part of a national program. We have limited (at best) ability to influence their resources, their pay to employees etc., but given the state of their existing programs, we need to do more to improve the quality of their program to find and fix noncompliance. Start with my response to the first question to identify the big issues, then work to address them. Provide better guidance to the states, provide consistent training for the states (we have training requirements for EPA inspectors, so maybe there should be a program where state inspectors can or should be expected to take federal inspector training or have a program that is at least equivalent).	We need to make more use of screening tools when conducting individual statutory program inspections (media inspections) to provide information for other programs such as when inspection chemical facilities, ask four to 6 questions about their TSCA program to get a basic feel for their knowledge of and compliance with the major portions of core TSCA requirements.	The RCRA Air regulations (Parts 261, 264 and 265 Subpart AA, BB and CC) need to be updated. While there is some overlap with the CAA regulations, there is not complete overlap (RCRA has the potential to regulate smaller facilities and smaller amounts of waste etc.). However, over time the CAA has ratcheted down on leak definitions and has allowed for newer technologies (such as the use of a FLIR camera) for leak monitoring and RCRA has not. Overall, the regulations could be simplified and made more clear.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1338	1337	5/23/2017	The RCRA Import/Export program has historically been split between and OLEM's policy and program leadership and OECA's implementation of the notice and consent procedures. While staff has made the dispersed programmatic responsibilities work, it is inefficient and requires duplicate efforts and management oversight. The program could be executed in a more efficient manner if all staff and responsibilities were consolidated into OLEM.			Moving the staff and responsibilities for the RCRA import/export notice and consent process from OECA to OLEM would increase efficiency by reducing duplicative management oversight.		
1339	1338	5/23/2017	There are certain required trainings we are required to take each year that are a waste of time. I was hired recently and thought the time it took to get my phone, computer, ID badge (over a month), and lack of coherent resources for new employees was pathetic.	EPA should lead discussions with states on what problem areas to focus on, and how to bring all states up to a minimum standard, not just on paper, but in on-the-ground implementation. The foci should be on our prime statutory responsibilities.	We are...terrible at marketing the service we provide to the public at large, local communities, and even regulated entities. Our pollution prevention regulations even the playing field for the regulated community, so long as we don't provide little loop holes for them to jump through. We need to inform the public how much of what gets done is due to funding/resources that come from EPA.	I do. EPA needs to do a better job of ensuring historical knowledge and expertise is passed down to newer employees, and newer employees should also pass "up" skills related to new software such as GIS, IT, and environmental modeling. Building in two-way mentoring would help alleviate the issues EPA has with its older, heavy retirement-ready workforce retiring and the loss of significant programmatic expertise. EPA ALREADY HAS A PHASED RETIREMENT PROGRAM that addresses mentoring and succession planning. IT SHOULD USE IT and incentivize its use! Within the Office of Water, a whole reorganization could result in improved efficiencies and greater	Now that the windows are locked shut, the federal triangle complex sucks. it is a completely inefficient use of space. Multiple times every single day I am interrupted by colleagues talking about personal issues, or even work issues but at a volume that is distracting. We constantly run into issues with our small amount of conference rooms being booked. There is so much space that actually goes unused throughout the work week. I believe EPA could really benefit from a workplace reformation like the one GSA went through recently. GSA shrunk its physical footprint by promoting greater use of telework, and ditching assigned cubicles in favor of flexible workstations, collaborative spaces, and	

AMERICAN OVERSIGHT

	I
1338	
1339	Please see my comment above about the recent transition GSA went through to change their physical footprint and implement a new, modern office space that maximizes employee telework, floating workspaces, collaborative workspaces, and conference rooms.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1340	1339	5/23/2017	Submitting leave requests AND having to enter leave on the schedule in PeoplePlus. The two are redundant and often lead to inconsistencies which managers have to reconcile upon approval. A manager's approval of the timecard should be able to serve as approval of leave. Every system should have single sign-on thru LAN (e.g., Concur, which is still separate).				We need improved technology - the wifi addition in the last 2 years is fabulous. Now we need better conference room capabilities (speaking for HQ Potomac Yard) - better monitors rather than noisy projectors with burned out bulbs, wireless connections to monitors, better conference phones and ceiling mics, better VTC cameras (so fuzzy you can't recognize people). Not only does this make us more productive and better able to collaborate/communicate, but it boosts morale and confidence by making staff feel like the agency is investing in tools to perform better.	
1341	1340	5/23/2017	I am part of the Office of Research and Development (ORD). Scientific research background and expertise are crucial for successfully accomplishing the ORD mission. However, my management is critically deprived of advanced scientific expertise and therefore cannot provide proper judgment about the value of different initiatives and projects (even after consultations with established scientific experts). Therefore, important projects and initiatives are not given consideration, funding, and management support and cannot be developed or implemented. On the other hand, projects with little substance are supported and funded with unreasonable high amount of fund and resources. I want to suggest that all ORD managers are selected among the best qualified and accomplished scientist, with the highest degree of education and significant scientific achievements. This is in line with the presidential memorandum from 2010 on scientific integrity.					

AMERICAN OVERSIGHT

	I
1340	
1341	At other research organization, as NIH, OPM rules about scientific research positions are enforced. OPM rules that scientific research positions at GS12 level and above can only be hold by scientist with Ph.D. This rule is not used at ORD, U.S. EPA, because scientific research positions at ORD are re-classified as non-research positions. In addition, managers are not considered to be scientific leaders and therefore their scientific accomplishments are not considered during the selection process. NIH also uses objective criteria for scientific accomplishments as impact level (citation level), such criteria are not used at ORD, U.S. EPA.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1342	1341	5/23/2017	A few items for thought: 1. IT Systems are disparate systems that fail to interact to their fullest potential. Our finance system is based on a Momentum product, which is a shared service across the entire federal government. Other agencies are able to work solely within the single Momentum product and its modules for all aspects of contracts and financial management. However, at the EPA, we employee three different administrative systems; Momentum for Financial Systems, EAS (Oracle based product) for Contracts, and I believe a home-grown system for Grants. These disparate systems require interfaces amongst each other and in-efficiencies across the life-cycles of grants and contracts (award to payment). In some cases, members of OCFO have to receive pdfs from one system and then, manually enter the information into another system. In an ideal world, we would be maximizing our investment in IT, if there was a coordinated approach to have all three administrative systems within one	1. In many cases, the agency has historically given money to entities to incentive them into doing what is good for the environment. However, in many cases, small and local entities would love gifts, but also be fine with the government providing low to no interest loans to do things that benefit the environment. A good example is a farmer near my hometown of Harrisonburg, VA. David Hughes is a turkey farmer who wanted revolutionize the dead area on this farm, by inserting in a solar field to run his 4 turkey barns. Turkey farmers are immense drains to electricity because they have be constantly powered 24 hours a day. By investing in solar energy, David was thinking about the environment and reducing his overall electric footprint. The only problem was that the initial investment was massive. David went to state and federal		As indicated in question 2, the EPA should be in the forefront of providing incentives to the local business and communities to be stewards of the environment. The major contributing factor in not moving local business and communities to more sustainable practices is a lot of time the up-front capital needed to initiate projects. Many Americans who voted for Trump don't want government hand-outs, but want to be enabled to be sustainable. Low to no interest loans to promote brighter tomorrows.	1. In the agency, we are still based on the dated storage model of servers and warehousing, when modern technology has moved to cloud computing. Instead of buying more and more servers to house more and more data, cloud computing should be considered. 2. As discussed above, in the financial community, shared services need to be adopted as our agency is not unique in its practices (and if we have created uniqueness, then we need to investigate why). By leveraging centralized products across the federal government, the agency is able to capitalize on the streamlined functions.	
1343	1342	5/23/2017	Requiring staff to complete Ethics training and confidential financial disclosure report. It's a waste of time and should be done away with because higher level officials are not held to the same standards anyway.	It would be helpful to develop more programs like the technical assistance to communities under Superfund so that EPA staff can work with states, tribes, local communties and stakeholders to provide workshops that increase their capacity to understand the basics of rules, regulations and processes of the Agency as well as the environmental, technical and legal issues in their communities.	One way would be to give the technological tools such as smart phones and hot-spots for connectivity to the community involvement coordinators. Right now, whenever we're out in t he field we have little to no chance of staying connected and have to rely on public networks such as in hotels that are not secure. Connectivity and devices for when we're in the field would help in us having basic tools to provide great customer service especially when we're on travel in communities.	It would be helpful to have more funding for travel because the Agency misses out on building trust with states, tribes, local communities and the private sector by remaining absent for extended periods of time from cleanup sites or other environmental projects that matter locally. Having names and faces connected especially at the beginning of projects goes a long way in building trust and increasing the efficiency of ongoing communication and reduces costs by making it easier to forge ahead with projects instead of having to dwell on plans endlessly because of that lack of trust.	Smart phones and hot spot devices for staff who need to travel to sites.	Many states and local jurisdictions lack budgets and initiative. Their default setting is to rely on the US EPA to step up to address many environmental concerns. Unless there is enough budgetary support from all levels of government to address environmental challenges, it is impossible to accomplish more. Right now everyone is stretched beyond limits.

AMERICAN OVERSIGHT

	I
1342	1. Telework - As an agency and with our mission, we should be at the forefront of teleworking to reduce our commuting and professional footprints. What I find is that other agencies are doing more with modernizing the idea of a "workspace" and reducing commuting than the EPA. For instance, GSA does not assign offices in some of their organizations. Instead, when an employee must come into the office, they hotel. This reduces overhead costs by not requiring individuals to occupy set space. US Patent and Trade mandate teleworking and encourage employees to telework on a full time basis. My point is that with our mission, the EPA should be out front in the discussion of
1343	Yes. Short meetings. Managers should be required to have regular short half-hour to one-hour meetings with their staff with a clear agenda and a discussion of goals and metrics to accomplish them--instead of just being long drawn-out information dumps. The Franklin-Covey training for managers is a top-of-the-line learning experience and a tool that all managers should be required to take to become more effective, efficient, and accountable.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1344	1343	5/23/2017	The priorities of the new Administration have prevented us from doing our jobs efficiently and effectively. And you know it.	Well, first of all, don't cut the grant amounts we give to the States. We saw this happening in the past to a smaller extent under Bush and it quashed a lot of the States' abilities. You have also put the kibosh on us presenting anything to communities or the outside on climate change, environmental justice, an enforcement. We are not job killers. You are environment and community killers.	Let us do our jobs with the resources we need to do them. Do not eliminate the important programs that the public also agrees are important (e.g., climate change, environmental justice, toxics). Do not slash our budget. Do not reduce the workforce.	Inefficiencies result when a program is in operation and then an administration change obstructs it.	EPA has been slow in the past to adopt new technologies but it has improved greatly in the last few years. Keep it going.	The States don't have the resources (time, people, money) to work with us if their grant money is cut or if their State funding is reduced. Don't make it worse. We need to have a mandate for States to submit hazardous air pollutant (HAP) emission inventory information. Currently, only criteria pollutant information is required. This creates an inefficient and error-prone loop. We are required by the Clean Air Act Amendments to do assessments of the toxics (HAP) programs but we have no mandate to collect HAP inventory information. We have worked with the States for many years to develop this capability
1345	1344	5/23/2017	The reorganization of the **[REDACTED B6]** totally changed how we carry out our job and it is extremely inefficient. I no longer do work for **[REDACTED B6]**	I have been honored to work in the **[REDACTED B6]** I have seen amazing environmental accomplishments completed in the State of **[REDACTED B6]**. Our Office Director **[REDACTED B6]** was a strong leader and advocate for the environment. After **[REDACTED B6]** there was a new office director who was a disaster, although she was supported by the **[REDACTED B6].** The RA and DRA covered for her for years. As a result, those two decided to "reorganize" the **[REDACTED B6]** We no longer serve the State of **[REDACTED B6]**, who no longer have a local voice for their environmental programs. This is all done at the **[REDACTED B6]** level. The reorganization is a disaster, and I believe it was done because we documented waste, fraud and abuse of the office director. No one has been held accountable.	Local Field Offices - we are the people who are face to face with the states, tribes, local communities, public, regulated community, everyone. When the public calls about an environmental questions, they call us. They don't want to talk to some bureaucrat in another state. The **[REDACTED B6]** Field Office has proven it's usefulness for many years, and still does. You cannot manage superfund sites, tribal work, etc. from a Regional office 800 miles away. It has been proven in the Region 10 Evaluation of Field Offices how effective and cost-efficient field offices are. You can also eliminate many positions in Regional Offices. There are too many layers of supervisors, approvals, management, etc. in Regional Offices. Employees and managers need to be empowered. Too many levels of nonsense.	Evaluate management positions; there are too many managers who do not understand their positions and the basics of how the agency operates. They are obstacles in getting real work done. There still needs to be administrative positions who know how to process travel, timekeeping, purchases, training forms, etc., so higher graded technical and professional staff do not need to worry about it. There are so many different programs that we have (EAS, Compass, IGMS, etc.) that professionals are expected to know and that is impossible with their workloads. Have administrative staff help with that. The **[REDACTED B6]** was so efficient because of our Admin Staff who assisted all positions. I	See Q 4 - there are so many computer systems that it makes more sense to have administrative people know and really understand these systems, rather than expecting all professionals to understand them. These systems change continually and there is always training required for these systems. Have administrative people spend their time (at a lower wage) and be more efficient and save time and costs with the professional/technical staff.	In the **[REDACTED B6]** Office our staff work very closely with other federal and state agencies. The only issues are when the higher level managers get involved and they don't understand what is going on. We need to listen to the technical folks who know what's going on. Since we have to go through so many layers of managers, e.g., RPM, to Unit Manager, to Program Manager, to Deputy ARA, to ARA, to Deputy DRA to RA, you lose everything in translation. Empower the right folks who know what is going on. Make decisions based on what is the right thing to do. NOT ON WHAT IS THE POLITICAL RIGHT THING

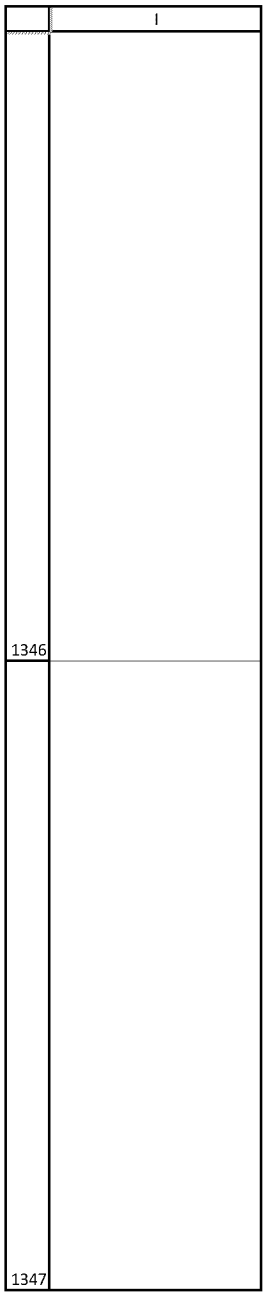
AMERICAN OVERSIGHT

	I
1344	Yes. Don't hate your employees and the work they are committed to doing. Don't threaten them with elimination of their programs or their jobs. Don't insult them. That is so obvious that it wouldn't even appear on a list of things you should never do if you want to lead and improve an organization. The best organizations value their employees, support them, and find ways for them to flourish at their jobs.
1345	The **[REDACTED B6]**Office is a model of efficiency and cost-effectiveness. At least it was before we were reorganized and dismantled. This is the worst action I have ever seen with the federal government in my long federal career.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1346	1345	5/23/2017		In my opinion the states can do most of the work that we do with regard to environmental issues involving their state. All they would need is more resources. Most of the programs are delegated to them and they are responsible for implementing them with oversight by the EPA. Some states are not as strong environmentally, but here in region II our states are strong and well equipped.	Customer service? Most of the public mixes us up with the our state counterpart, so if either does good both look good and if either does bad both look bad. Because our programs overlap so much nobody knows which agency is responsible. There need to be clear defined roles for each agency. The states can handle the burden of most of the environmental programs without federal interference. The only exceptions are emergency response when the resources needed exceed state capabilities and sites that cross the state or country boundary and have a larger regional effect. The regulated community would be happy to only have to deal with one agency and the state role is more appropriate.	Personally we are WAY overstaffed. It appears that we took on more roles in environmental issues that go far beyond our core mission to justify all of the people we hired. The amount of sites we receive are much lower and the states and local communities have gotten more efficient and up to speed on environmental issues. This wasn't the case when the agency first started. Now that the other agencies can handle more there is a severe overstaffing of our agency. Trump has it right when he says we can be gutted. The oversight of the state programs is BS. Let them handle it and provide them more resources. Most of the regulated community knows what their requirements are and they comply. The learning curve is	I am not specifically familiar with new technologies, but I'm sure they exist. I am in support of maximizing our use of them and we will become more efficient and effective if we do. I know it costs the government at least twice as much and takes us a lot longer to clean up a site then it does in private industry, so there is something definitely wrong!	Many programs (air, water, RCRA) can be handled completely by the states with little oversight of the federal government. Most of the regulatory community knows what they need to do. The superfund program can be more delegated to the state as well. Some of the emergency response program needs still need to exist on a federal level due to the NCP requirements, but other than that EPA's role can be severely diminished.
1347	1346	5/23/2017	A. The Office of Research & Development currently operates under a "matrix" system of management, where many line employees are answerable to two different sets of managers: (1) Traditional lab/division/branch management, and (2) national program directors and their staffs. This system generates extra confusion, extra e-mails, extra conference calls, and pushes administrative burdens onto portions of the staff that did not previously have to content with administrative responsibilities. In return, I'm not sure that there is actually more or better research being produced. B. Credit card "micro" purchases. We are currently allowed to make small (<= $3,500) laboratory supply purchases directly, on a government credit card, without going through the formal contracts/purchasing process. This saves huge amounts of time and effort. However, the maximum purchase ceiling has not kept pace with inflation.					

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1348	1347	5/23/2017		???The partnerships with the states need to be re-established. ???Work to assist states, not just oversee them. Oversight is critical however, framing the relationship as a true partnership would lead to better results.	???Ask for, and actually listen to the feedback from our state partners.	???Major organizational and staffing changes need to be pursued. ???Simply cutting FTE at the Agency will not lead to long-term changes. ???Too many FTE are concentrated in Headquarters offices. ???Regional FTE are better positioned to work with the states. ???Consolidation of offices and programs needs to be pursued. ???For example: The CWSRF and DWSRF programs at HQ need to be combined. The current setup is inefficient and leads to coordination problems.		
1349	1348	5/23/2017	The proposed budget cuts for EPA are detrimental to the work that needs to be done. It causes low morale.	Partnering with states, tribes, local communities is fine. However pollution does not acknowledge borders. Air and water pollution are the responsibility of the EPA.	EPA employees need to be trained in order to improve their communication skills. Perhaps a course could be developed?	Environmental protection should be a required course in schools. This training should start at a very young age, and increasing the level of complexity for older ages. Increased knowledge and awareness among the general population about Environmental Protection may save costs for EPA.	We need new ways of thinking about the effect of environmental pollution on human health. Generally acceptance of new methods is slow or meets resistance.	I don't know how to respond to this question.

AMERICAN OVERSIGHT

	I
1348	
1349	I don't know how to respond to this question.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1350	1349	5/23/2017		Increased funding for federal EPA programs to enable more opportunities for EPA HQ staff to travel to the regions and the states and more funding for the regions and the states so that they can travel more locally to provide assistance to and address the needs of the states and communities.	See response above. In addition, we need to continue to support our Hotline services to regulated facilities so that they can always call and get immediate assistance in order to comply with EPA statutes and regulations efficiently and effectively.	We need to figure out a way to bring work back into EPA that has been farmed out to contractors. Contractors are very expensive and a good deal of what contractors do for us could be done in house. Also, there are too many staff and managers doing mundane administrative tasks that could and should be done by support staff. For example, in order to create Purchase Requests (PRs), individual staff (including higher paid professionals) spend hours learning to use the EAS system (that is not very user-friendly, by the way) when that task should be completed by a designated individual who is trained to use the system for the rest of the staff. Much more time and cost efficient that		
1351	1350	5/23/2017				Current rules prevent the EPA from paying for membership to a scientific organization for conference attendees, even if it will reduce the cost of attending a conference more so than the membership fee. I have seen the EPA spend hundreds to thousands more, per person, when paying for conference registration fees for non-members.	Tableau is a great, user-friendly data visualization program that could benefit the agency by improving translation of information to the public.	
1352	1351	5/23/2017	Having someone like Pruitt makes doing my job efficiently and effectively impossible. I cannot believe such a person is the head of an Agency like EPA. I am embarrassed for us.	1) listening to them; 2) allowing EPA to truly focus on our mission to protect human health and the environment; 3) having a principled Administrator that career staff can believe in, and that truly wants to uphold the Agency mission.	1) Listen to them and take their feedback seriously; 2) have an Administrator that truly cares about protecting the environment.	Promote telework.	Stop having such lengthy review processes that make it nearly impossible to do anything. Empower career employees. We are so demoralized right now.	Appoint an Administrator who actually believes in protecting the environment.

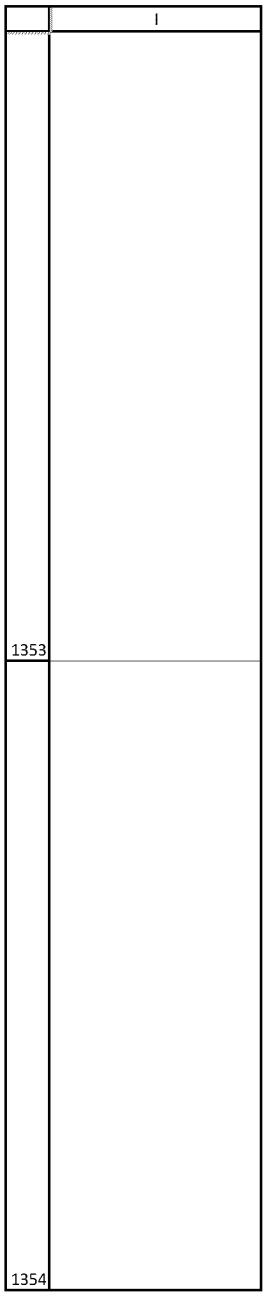
AMERICAN OVERSIGHT

	I
1350	
1351	
1352	Appoint an Administrator who actually believes in the Agency mission and our career staff. This Administration is a joke.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1353	1352	5/23/2017	This will be a Superfund or site cleanup comment. The Superfund retroactive liability law obligates EPA employees and serving contractors to invest a lot of time and effort in researching property ownership and corporate changes. There is sometimes not careful attention to understanding the manufacturing activities that went on, especially at older sites, where original releases of pollutants may be a century or more ago. There is a case to be made that this inattention to industrial history is not important practically, if site examination is thorough. I suspect that more attention to technological history can sometimes be fruitful. I have encountered a couple of instances where I have found considerable differences between the assumptions and beliefs of ATSDR and either State or EPA versus the actual manufacturing technologies that were once present at a site. This can translate into unjustified expectations about the	Proposals to add a site to the NPL are presumably released for broad public comment. If issued from the USEPA, the Administrator could specifically invite review comments about EPAs understanding of historical industries at the proposed NPL site from a relevant industry association or from a historical society within the pertinent State. Comments could then be given weight within EPA's internal review process. I doubt historical societies would do this, unless specifically invited to weigh in. Environmental issues can be hotly contested, with strong feelings. Accordingly left to its own devices, a historical society might tend to leave technological history alone within the context of a hazardous waste site as needlessly provocative. Likewise of course, States could each consider doing something similar for contaminated sites that				
1354	1353	5/23/2017	I have only been at EPA for short time, but have been a civil servant for 20+ years. It was a complete culture shock to me that managers within EPA do nothing to stop the bullying and sabotaging of subordinates by, sometimes, groups of EPA non-manager employees (similar to high school cliques). I have been told that the only way to get things done within EPA is to "make friends." It was shocking to me that co-workers won't help unless you are "like." I have also been told that I haven't been at EPA long enough to have "friends." This attitude slows down productivity, especially when an employee has to be more concerned with the addition of the liquid form of ex-lax into food or drinks. Managers need to acknowledge the behavior and put a stop to it. This type of behavior is should not be acceptable on any level because it affects the overall ability to be responsive to state, tribes, local communities and really focus on a safe and healthy environment.	EPA should reach out more for input, ideas, problems, and even success stories from these groups. I think it would be eye opening to offer an "anonymous" survey to these groups as well. It all starts from the top and there must be a senior leader focus and priority put on partnering.	We need a better process and program for tracking request (letters) and responses to incoming correspondence. As it is, letters can float around and bounce from office to office until it reaches the office that can actually prepare the response. The Army (although slightly larger than EPA) has a entire office solely dedicated to tracking incoming and outgoing correspondence.		I'm not sure what new technologies are out there, but the Correspondence Management System needs to be modernized. It is incredibly slow and time consuming to use. I wish I had a suggestion for a technology that can replace CMS, but I don't. I am sure there are off-the-shelf programs that could be of better use than the existing system.	The committees structure is out of control. A centralized point within the agency for tracking meetings with external partners would be a helpful thing. Honestly, I believe there a many that overlap in content and could be combined.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1355	1354	5/23/2017	A majority of the procurement, open government regulatory and statutory requirements create an alphabet soup of process that is often conflicting, work at cross purposes and by definition prevents efficiency and effectiveness. Classic example is the mandate to pay contractors quickly and efficiently usually within 15 days (which is better than private sector payments). Yet I have had incomplete or unfinished products. Not only do they get paid, I have to pay them to fix it. Internal directives to spend the money (burn rates) are a higher priority than content and substance, what message does that send? Not a very accountable process. In my previous work with states and in the private sector, if the job wasn't done right, I didn't pay until it was. Not in this system. OPM and OMB mandated guidance further adds more layers of inefficiencies and delays. Assess what is your expected outcome and then you can tackle which requirements that need to be fixed. If you are just feeding the beltway bandits, job done. However if	Voluntary programs with private sector were virtually eliminated over the past decade except the SMM work. There were some excellent sector based technical assistance programs done before that. Some were more successful than others so reassessments of what previously worked combined with targeted data based driven results with best practices and sharing information could help everyone. Must focus on the hot spots of environmental and economic concerns where the biggest opportunities are. Partnering implies both parties have a shared responsibility. After a decade of already reducing the federal share of programs through ASTSWMO and other program associations (over 20% cut already) it behooves OMB and budget cutters to stop nickel and diming with huge regional and state program cuts while military spending and entitlements go	Customer service begins with how one treats others. The golden rule. It all starts at the top. Attacking fundamental science; muzzling experts; insulting the intelligence of technical staff; not filling the 79 political appointees to the agency; making huge budget cuts at the national, regional, state and local level; attacking the benefits of public servants that are held to higher standards and generally not allowed to do other jobs does more harm than good. Asking for feedback is an important start. Actually sharing the appropriate responses and incorporating them into genuine, effective policy and customer service is another. What doesn't work? Management put a mandatory customer service requirement into PARS last year. No genuine guidance, training or support to implement was provided.	Hire more staff and less contractors. Agency still has too many layers of bureaucracy vertically and horizontally for a small agency of 15,000 despite agency streamlining done under both Bush and Obama. Some states experimented with one stop shop (multi-media) regulatory approaches that worked for a while however once the vested interests and the politicians got what they wanted many disappeared, Some dissolved because there was no program focus or ability to manage such a variety of different technical and subject matter disciplines. Ironically (considering it is on the chopping block) the	Do what IBM did, buy Apple computer products. Saves tons of money, reduces the IT staff size and huge service contract dollars (which can be redeployed to more staff and contract dollars towards the actual mission of EPA). Also dramatically improves worker productivity; enhances security; makes conferences, video teleconferencing, travel, teleworking and office scheduling easier while helps reduce environmental and actual office space footprint with a better integrated platform for work, research and internet based work, especially with iPhones being the primary mobile communication device. Numerous articles on this, just one can be found here: http://www.computerworld.com/article/2998315/apple-	Department of Commerce (DOC) has a legislative mandate in RCRA that they have ignored for decades to work with EPA and others on recycling market development. Need to resurrect this interagency effort along with the great opportunities to beneficially use, recycle and market large commercial and industrial wastes into new products. Re-establish the interagency group with Department of Transportation, National Highway Administration, numerous research groups and DOC business centers of excellence, NIST and EPA industrial commodities,
1356	1355	5/23/2017	Employees (I have counted at least 24 that I am aware of, there are probably many more, in our office alone that are trying to initiate Requisitions in EAS without adequate training or instructions. They have no idea how their inputs influence the outputs that EAS is required to provide up the approval chain and to reporting documents. This results in approval personnel, and contracting receiving PRs that are too vague, too technical, or with old market research attached, or recycled from old PRs with incorrect model and serial numbers that have to be verified by the contracting staff. I have addressed my ideas for solving this problem in Q. 5.		Keep communication open and transparent as possible.	Develop and maintain the Category Management initiative. This may drastically reduce cost and time required to procure goods and services that are redundant.	I have been tasked by my Manager to be the lead on an Acquisition Planning Initiative. So far, I have met with many Stakeholders. Some initiate Procurement Requisitions in the EAS system, Finance, and others in the acquisition approval chain to determine what unique issues and bottleneck/pinch points there may be in the process of getting a Requisition from discussion to Award. Many initiators only perform this activity sporadically (1-3X/year), many do not have appropriate training, most available training is cumbersome to access, time consuming to do, and for most of these Stakeholders, PRs are not their primary responsibility, so buy-in to participate in self-paced online training is not	

AMERICAN OVERSIGHT

	I
1355	There have been numerous waves of process changes over time with a majority taking 18-24 months to train and implement and a life cycle of another 24 months before they fade or exchanged for the next fad. Need to assess how successful they have been and if they fit the nature of the agency. The best practice is to treat people fairly and appropriately. Accountability means less high paid contractors, more streamlined management and actions tied to outcomes.
1356	Yes, **[REDACTED B6]** has developed some solutions that address issues he has experienced over the years. He has some significant improvements with his Human Capital Plan and other Plans he has codified. You should review them. They are brilliant. He is also very keen on Category Management and has encouraged us to take initiative to work in this direction with such things as IT service and maintenance agreements. **[REDACTED B6]** is also a good lead on this.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1357	1356	5/23/2017	Grant process can be streamlined and improved.	While I think it is necessary to streamline and improve grant processes, maintaining accountability is absolutely necessary. This should be accomplished by regular and systematic oversight by project officers, managers and technical staff. These interactions should not just be to ensure that work is being completed and timely, but to provide technical support or ideas for improvement.	- Maintaining current and relevant information on websites that has contact information so people have someone live to talk to if they have questions. - Maintain customer service standards, i.e. require response within a certain time frame and follow u	Consider streamlining organizations that are involved with grants.		
1358	1357	5/23/2017		Provide sufficient funding and staffing to the agency so that we have the time and resources to coordinate with stakeholders.	Again, this is largely related to funding. If we are under-funded, I have to tell people that I can't perform work at sites because we don't have adequate budget. Our customers do not want to hear that we can't protect human health and the environment because we don't have funding.	I think that the per diem travel stipend is ridiculous. People always end up making money off of work travel. You should be allowed to spend up to the per diem rate and be fully reimbursed. If you don't spend the full per diem, you should not get to pocket the difference between what you spent and what the rate is. Cutting off this expense has no impact on environmental protection at all.	Yes - there are multiple computer/IT upgrades that would make us more efficient and relevant in the science and engineering field. We often have to contract functions out because we don't have the budget to purchase software, printers, plotters, etc. to produce our own work products. Paying contractors fees greatly increases the cost of doing our jobs.	

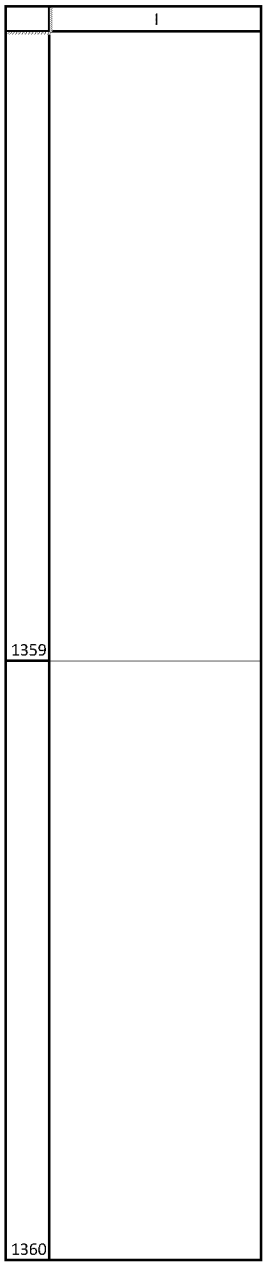
AMERICAN OVERSIGHT

	I
1357	Yes. Developing work plan templates for grantees to follow depending on the grant programs. Many of the air grant programs that I work with have developed work plan and reporting templates. These have resulted in more complete work plans and reports.
1358	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1359	1358	5/23/2017	1. Administrative work should be done by administrative staff, not the scientists/engineers/economists/etc that work for EPA. In my experience the Admin Assistants could be doing much more to support the managers and their staff... generally the admin assistant responsibilities are limited and very inconsistent from one branch/division to another. it really depends on the individual. for example, some admin assistants will actively manage the branch chief's calendar, answer their phone if they aren't in the office, etc. but that is very inconsistent and most managers don't ask their assistants to do this. Some of the older admins were traditional secretaries and took on many responsibilities you would expect (managing calendars, printing/copying, filing, etc.) the current role is more like a coordination role than providing actual administrative support. 2. Travel - most employees have to submit their own travel requests and vouchers - it is extremely time	I think we already do very well partnering with states and provide a high level of service considering our limited budget and small staff. We could be even better if our staff were trained on & had access to the latest softwares (project management software, graph design and report writing, publication softwares, etc.), had tablets for portable work, and had less administrative responsibilities slowing us down.			Managers should be trained in Project management and use the software, gantt charts etc to manage the work of their units. Staff should have agency-issued phones and tablets for meetings and other portable work.	We already do this quite well.
1360	1359	5/23/2017		Working collaboratively with other federal agencies and our state and local partners on the solutions they are seeking, through technical assistance that responds to their needs.	Encourage (and facilitate as requested/necessary) collaboration among the groups listed.		Community engagement techniques-- not necessarily "technology"-- will be critical as many environmental challenges require meaningful engagement with community members.	We can reach more communities, help communities, states, tribes, and other groups achieve their environmental and public health goals, when we work with other federal agencies to ensure that we are delivering critical services to these groups that help address their unique environmental challenges and assets. While we have shared goals and responsibility, EPA plays a key role, as do other agencies, in the federal family. We can all accomplish more if we continue to work with our federal partners.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1361	1360	5/23/2017	Knowing that the Administrator's Office will support the scientifically sound assessments and recommendations of its Offices.	Don't cut the programs that are doing great work in coordinating cooperation among the states and providing massive service to the people of this country and their environment. One example is the Chesapeake Bay Program.	Let the scientists in the Program offices do their jobs and trust that their knowledge and expertise is being used to develop the proposals and recommendations that will be best for human health and the environment.			
1362	1361	5/23/2017	The contracts process is inefficient. This is because the Contracts Office personnel often don't operate with a culture of customer service to the program offices. They delay in performing their duties and often require redundant work tasks. To address these I would institute processes that make personnel more accountability to the program offices they support.	Provide as much technical information and materials that states, locals, and tribes can use to conduct their environmental activities. Don't censor which kind of information they receive. For example, taking down the climate change website hinders many of EPA's partners from working toward their goals of reducing greenhouse gases. By doing this, EPA prevents itself from fulfilling its "back to basics" mission of protecting human health and the environment.	Provide as much technical information and materials that states, locals, and tribes can use to conduct their environmental activities. Don't censor which kind of information they receive. For example, taking down the climate change website hinders many of EPA's partners (particularly state and local governments) from working toward their goals of reducing greenhouse gases. By doing this, EPA prevents itself from fulfilling its "back to basics" mission of protecting human health and the environment.	Provide training to managers of administrative and support departments (contracts, grants, facilities) around accountability to their mission. These departments have a mission to support the program offices, and when they don't act with accountability to this mission it causes the waste of Agency resources.	I'm not a technology expert so don't have anything to contribute here.	The Supreme Court has ruled that greenhouse gases constitute an endangerment to human health and the environment. This makes it a legal requirement for EPA to reduce these pollutants. The voluntary programs that the Agency has established over the years related to climate change are a cost-effective way to do this. They don't require enforcement or extensive reporting/tracking processes. And most importantly, because reducing greenhouse gases is a shared responsibility and mutual interest between EPA and the 50 states, the technical and informational support

AMERICAN OVERSIGHT

	I
1361	
1362	NASA is known for being one of the best federal agencies to work at, and also the most effective at fulfilling its core mission. I'm not familiar with the details, but in terms of it being a great place to work at, I think that goes a long way toward improving the efficiency, increasing accountability, and reducing costs of any federal agency. High morale and job satisfaction among employees is key to any agency's success.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1363	1362	5/23/2017		More focus on community based programs that work is a way to achieve better environmental results. This may be bolstered by proving more grant opportunities in these communities related to the Agency priority areas.		I think that children's environmental health and environmental justice should be a component in all program areas. Currently, the Office of Children's Health Protection and the Office of Environmental Justice is tasked with ensuring that all of our program offices consider children/disadvantaged communities and their distinct vulnerabilities in the way they work. I believe that what would be a better option is to have a small staff located in each program office dedicated to coordinating that work for each respective program area. It doesn't seem useful to have two entire fully staffed offices, with limited capabilities perform such work.	Our computer technologies across the Agency are archaic. We should all be scanning and faxing documents directly from our work stations. This would cut down on the need for extra scanners and fax machines. Updated technology is a must-have in this world of changing priorities and highly visible activities.	
1364	1363	5/23/2017				I think we'd save a ton of money if we no longer used contracts for purchasing and maintaining the laptops used by most employees. I realize the cost includes support, but employees provided that support before and they can do it again.		
1365	1364	5/23/2017	There are no administrative requirements, management procedures, or other organizational processes that prevent me from doing my job efficiently and effectively. The ones in place are necessary!	Pushing the job of environmental regulation to the states, tribes, local communities, or the private sector will be futile. They don't have the resources to carry out environmental protection as effectively as the US EPA.	See my answer to Q. 2	I do not think that cutting the EPA budget by 30% will maintain environmental protection for all Americans.	Updating and/or eliminating redundant databases, e.g Oil Database and/or ICIS.	

AMERICAN OVERSIGHT

	I
1363	
1364	Honestly, I think EPA is doing a great job. I'm proud to be among the ranks of those who fight environmental crime and I have seen our offices stay aligned with proven best practices that impact productivity and streamline work practices.
1365	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1366	1365	5/23/2017	I have presented to the local process improvement staff requirements, and procedures, for analysis and recommendation of a work flow that will improve and assure the work product is current at all times (i.e., delegations). The final product is being conveyed to POCs for continuity of a standard process for use at all times, whether the end product is new or being revised. I also presented a POC subject matter directory for review and determination of a better format and easier to use as a reference -- once again assuring it is up to date at the moment, rather than 3 or more moths out of date and it will be readily available in an automated format by use by all employees/staff.	It begins with communication and sharing with all our customers on a continual basis. Once a year would not be considered "partnering." Develop a timely schedule for partnering.	Once again, communication leads the way.	I have been sharing -- from an administrative viewpoint -- where I believe time will be saved for those putting products together and also by those utilizing the resource. Process Improvement Workgroups -- team work toward getting more done faster.	I have presented my suggestions for process improvement; the IT folks, as a part of the team, will analyze what direction to go in obtaining IT efficiencies, effectiveness and accountability.	We offer opportunity for outside agencies to use our conference room space, when there is availability. Positive comments on accommodations have been received.
1367	1366	5/23/2017	A great impediment agency-wide for supervisors and employees is our agency using different systems (that are not directly compatible) for generating timecards/Pay. OCFO retained the outdated PeoplePlus system, rather than join in the IBC system which has a timekeeping component (and would seamlessly interface with HR actions). The agency made a mistake in not having OCFO come on board with a modern HR/pay system that was inclusive of timecards when the current HR system was implemented in July, 2015. Often, the HR offices/SSCs are improperly blamed or believed to be the cause for "pay" issues, when in fact there are issues with interface and the PeoplePlus system is outdated/does not have current codes needed to effect certain leave/pay entitlements -- for example, Wounded Warrior Leave -- OCFO has a "workaround" to charge admin. leave because PPL does not have the correct codes for this benefit. I would recommend that the highest	From my perspective, the agency is missing out on perpetuating and increasing these results due to no longer having an agency established succession planning program for positions/professionals engaged in this activity. Region 10 and 9 have the highest levels of tribal activity -- recommend that a former hiring/succession planning program (the former Environmental Internal Program) be revitalized within the agency under the newer hiring authorities of Pathways Intern (without NTE) and/or Recent Grads appointing authorities, as well as Sched. A, Veteran's. For any positions being considered under VERA/VSIP or restructuring, designate funding and positions at entry level to enable new positions/workforce groomed under the experienced, sage professionals of our agency -- perhaps even in combination with	Well managed town hall meetings -- also see #2 response.	Restructure and reduce number of Regions to Centers of Excellence on various Environmental programs that the agency determines -- rather than Regional coverage by state assignments. Prevent another FLINT -- too many programs for oversight within a region may open door for lack of attention -- recommend that EPA establish a Center of Excellence Region for Water (also leverages simplified partnership/interaction with national program office, Office of Water in DC); create a Center of Excellence Region for Air programs, Center of Excellence Region for OPPTS, etc. Reduce the agency footprint in highest cost/highest retention rate locations to agency for space, for example, salary	A comprehensive HR/Pay System that is used by both OCFO and HR, employees/supervisors in agency for payroll/timekeeping (rather than two separate, incompatible systems we now have in PeoplePlus (OCFO) and IBC system (OARM) Ensure the systems are also compatible for electronic signatures. Also, implement an automated performance management system, employee accomplishments, supervisor comments, performance ratings to be done electronically (such as previously implemented by Dept. of Energy) which also interfaces with eOPF -- eliminate the PAPER in every way possible -- we are the EPA, afterall.	See Q. 4

AMERICAN OVERSIGHT

	I
1366	A vanpool transportation/ reimbursement program contributes to "saving the environment." EMS program encourages "recycling". Our office building is classified as meeting top-notch environmental standards (inside and outside grounds).
1367	Yes, OHR/OPM implemented remote assessments of the SSCs -- it is commendable and cost effective. No travel needs for agency or OPM. Recommend that any other programs in the agency that can be assessed or audited be done in "green" way. Again, encourage the re-establishment of an agency-wide succession planning program, Environmental Intern Program. Our agency is moving towards expanded HR standardized packages for recruitment/staffing tools, which is a positive investment (PDs are already classified, vacancy announcement, rating plan complete).Recommend that we also expand standardized packages to

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1368	1367	5/23/2017	There are so many things that get in the way of the job. In my Region, many groups are broken down with too many layers of management. In my own group, a Branch of 25 people, there are two team leaders that have 5 and 6 federal employees on their respective teams. There is also a Section chief, that has 5 members in her section. There is a Branch Chief, and above him, a Division Director. Any missives to the staff from the Division Director go to the Branch chiefs, then to Section and Team leaders. On a good week these things pass down in a few days, on a bad week ? The staff gets the news 2 - 3 weeks later. Some teams in this region have more members than my Branch, some divisions have less employees than some branches in other divisions. Back in 2013, the Region advertised the availability of 50-60 VERA/VSIP offers, I think between 27 and 30 were taken advantage of. 12 satellite positions were eliminated, but all but 3 of these personnel were retained. The Region promised delayering and restructuring.	I am a proponent of old fashioned meeting face to face with these groups. Having a face for the agency or region, working with the group to see what we can do to help them goes a long way with having them provide us with data or referrals. Most people don't want to do this step and claim they are too busy. They are not too busy to send out a strongly worded letter to try and compel cooperation.	Again, it has to be face to face meeting with people. One on one in the offices, public meetings, after hours get togethers on their turf to get to know the community is the best way. Unfortunately, the beaurocracy and paperwork have overtaken us at the offices. No one had time to reach out, we are too busy filing our papers and covering our butts.	There are probably countless ways to improve EPA. As unpopular as my first suggestion would be, I would recommend overhauling the personnel practices that are in place. In my region, we have many senior employees that are over 70 years old. One or two might be spry or articulate enough to justify this, but there are many of them. Some cannot use their email effectively, some are not able to move with the ever changing computer and business training we are required to take. While they might be nice people, I question the health of their attitudes. Some of our older employees have made this "job" their second home. They have friends, coffee pots, and muddle through their day. I understand	I am sure there are computer and other technologies that would make our business lives more efficient, and would have the added benefit of accountability. I do not know of any specific things to suggest. I know there are things already in house that people just don't use. It takes me 2 weeks to get a form letter sent because I have to put it through two layers of concurrence and it needs to get passed around physically. There is edit software we have that could do this through email, and I could just print it out at the end and mail it. Still my office wants three paper copies for secretaries to file. Some of my letters come from a function in a database through our headquarters office. These letters are	The data in your question answers it, yes, but realigning activities of shared responsibility or agencies and states, more would get done. See my other questions for this, particularly question 4. I do believe that pulling similar or same responsibilities from within agencies and across agencies is a good idea. The problem with the current mood or climate is that the goal is to get it done yesterday. These agencies evolved over decades and decades. Tearing them down in a year is not going to work. The result will be chaos. Stretch the timeframe a bit, and get a real handle
1369	1368	5/23/2017		See answer to Q. 4.	See answer to Q. 4.	Yes. Over the past 30 years, agency data on regulated facilities have been highly fragmented and incomplete. EPA and each state environmental agency???as well as each program office (such as air, water, and waste) within those agencies???separately collect, record, and maintain both the specific data needed for each set of regulations and the core information to identify each facility by name, address, geographic location, owner, etc. As a result, regulated facilities have to report and update the same basic identification data to multiple agency programs, at multiple levels of government, and at multiple times over and over again	See answer to Q. 4.	See answer to Q. 4.

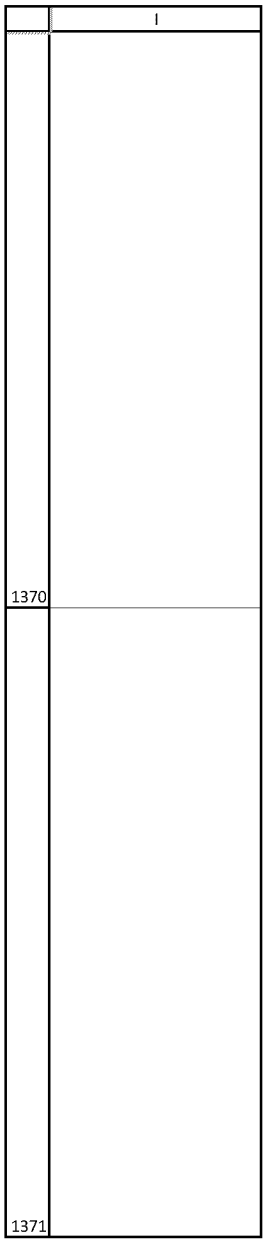
AMERICAN OVERSIGHT

	I
1368	No, I don't. I have been with the agency 25 years, and when I joined, I lost 20 years in technology in one day. I went from using 486 desktop docking stations to a desk from World War II and a huge desktop computer that hummed loudly and vibrated the desk. We had files in the office space from the early 1970s. There were fights over what could be archived and it took more than ten years to get smaller, better computers. We used floppy disks and the "new" smaller hard ones. Over the last few years scanning and thumb drives were put into play, and telecommuting improved our remote capabilities, but I believe EPA is still behind the times with computers and
1369	See answer to Q. 4.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1370	1369	5/23/2017	I am a Fellow with the EPA. My mentor, a federal employee with the EPA, is a scientist and major project lead for the EPA. A few years ago, the EPA had budget cuts that got rid of the administrative assistants for the project leads and head scientists. This meant that the project leads and head scientists were forced to be in charge of their own HR if they have Fellows. My mentor is a scientist, not an HR professional, however, he/she is now required to conduct all of the administrative responsibilities for myself and the other Fellows under his/her guidance. This is a huge waste of his/her time, talents, and skills as a scientist. He/she has to spend too much time on administrative work and loses valuable hours that could be better spent accomplishing what the EPA is supposed to accomplish: science research that protects human health.					
1371	1370	5/23/2017	This applies to internal rules that hamper our ability to produce certain communication pieces at low- to- no cost. In the past, program offices wanting to produce a cellphone video -- to show a brief interview with an expert, or include a video with a blog post -- have been prevented from doing so by internal requirements. Instead, the offices have been required to use a contractor to or use the Office of Public Affairs multimedia team (which the program offices have to then pay). That policy feels extremely out of date given the tools available to us today. True, there are certain times, when communicating Administration priorities demands a higher-quality video production with all of the capabilities a studio brings. But there are other times, when lower-cost materials (like a cellphone video) would be fine. And depending on the audience, the lower-cost materials might be preferable. Why are we making it harder to use modern tools? I would address that with a tiered policy that allows certain types of		I'd love to see all incoming employees have to take some training on customer service. Some of my favorite days are the days when I get a call from a citizen who has actually been misdirected, and I can help that person find the answers they are seeking -- even if it means calling another agency to put them in contact with the appropriate person. I do this in part because of a background in retail, but also because these are the people we are working for. We should help them. So many EPA dedicated EPA employees are indeed helping our citizens through the public health protections that results from our work. But I'd love to see more people take more time trying to help individuals who are trying to navigate a large, unfamiliar bureaucracy.		Allow use of additional data platforms, which may give us additional analysis tools to identify areas that may need attention.	

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1372	1371	5/23/2017	Admin requirements: Not being able to change travel arrangements. E.g., a trip being able to be cut short that is tied to a plane ticket cannot easily be changed, even if it means saving money on hotel stays. Management: Excessive sign-off procedures. They usually just end up being grammar focused rather than content focused. Organizational: Too many middle managers. Branch Chiefs seem unnecessary. Section chiefs do most of the work and get less pay.	State programs are far too lenient with cleanups and establishing cleanup goals and standards.	More outreach to communities, including information sessions and career days at schools and universities.	Rather than spending money YOY on contractors for items like environmental modeling, EPA can spend that money once and train up it's staff to be able to do it themselves. The old generation is not always able to adapt, but the young generation is willing and able.	Cloud computing, changing rules and regulations regarding letterhead to cut back on printing and mailing correspondence.	States should have something similar to "call before you dig" rules with things like institutional controls at contaminated and formerly contaminated sites. As land gets sold, paper trails can get lost and irresponsible land use can lead to exposure if environmental covenants and institutional controls don't have uniform enforcement mechanisms outside of federal and state EPA agencies.
1373	1372	5/23/2017						

AMERICAN OVERSIGHT

	I
1372	Formally encourage licensing, such as professional engineer, professional geologist. It is encourage informally, but there is no established benefit provided by the agency to those who obtain licensure.
1373	It would be difficult to identify an organization that has improved efficiency and reduced costs more than EPA has in the last 25+ years. From 1990 to 2012, we saw a significant population increase in our country. We saw a power demand increase and power usage increase in our country of some 30 percent. We saw our real GDP more than double at the same time that we reduced our criteria pollutants in air quality by over 60 percent. The agency???s spending under the previous Administration was cut between 10 and 20 percent below the budgets of the previous three administrations, when adjusted for inflation. The agency???s budget averaged about $8.8 billion

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1374	1373	5/23/2017						Have intern programs (ORISE, Pathways) ALL have a path to federal employment (or ALL no path). Many interns have long tenure in one program (indicating commitment), but no path while some short-term (e.g., a single summer term) interns do.
1375	1374	5/23/2017	There are very few administrative requirements, management procedures, or organizational processes that prevent me from doing my job efficiently and effectively. Some are annoying, such as the numerous trainings we have to take each year, but those take minimal time and don't really impact my work much (not any more than participating in this survey, at any rate). it would be nice to have administrative assistants to assist with mailing, filing, etc. (and trained consistently), but after about 2 decades without, it's just a part of the job.	This is a broad and far reaching question that differs from program to program, and from project to project. However, I have found that, for most projects, to engage with states/tribes and stakeholders early on in the process yields the best results. When all parties are educated on what the issues are, for everyone, and have a say in the outcome, it saves time and prevents misunderstandings. This is not always possible due to lack of adequate staff resources, travel resources, and time.	It is important to engage with all parties to learn what all the issues are and to agree on an outcome - face-to-face, with presentations and plenty of time for questions and discussion. Again, this requires adequate staffing and travel budgets.	"Untapped opportunities"? To reduce costs and inefficiencies? I'm pretty sure we already operate on a very tight budget. I know that I have enough work for 5 people and I struggle to make deadlines because of the number of projects I have. I see my colleagues doing the same. I suppose, however, if I were to try to reduce costs and inefficiencies, I'd reduce the number of management positions (especially middle management - that level seems to be redundant and yet noisy - keep the Director and immediate Supervisory positions), and increase staff and administrative assistants.	There may be new technologies that could be adopted or existing processes that could be modernized to make us more efficient and effective (as far as I know, we're very accountable!!), but I'm so busy working I haven't had the opportunity to see what else is out there. It would be nice if EPA could afford to hire cutting edge IT people - we do often seem to have issues with our computer technology. Other than that, I'm fairly comfortable with the technological resources available to me at EPA.	This is an interesting question that has many different answers from each EPA office and Region, I'm sure. In my experience, however, it would be a good idea to have a close look at BLM and ACOE and how their activities impact EPAs activities (and vice versa). The States in our Region generally work closely with us and rely on EPA for technical guidance and support for their work.
1376	1375	5/23/2017	The current administrator wants to cuts 25% or more of us why are you even asking us this?	Fund the agency at a level needed to do our full jobs	Provides us the technical and electronic and equipment needs to do our jobs properly	Yes. Cut government funded golf vacations to Florida for all employees and require that where available administration and spouses stay in free government housing (White House and use free government facilities for meeting - Camp David)	Provide employees with up to date computers, monitors, cell phones, and technology.	

AMERICAN OVERSIGHT

	I
1374	
1375	I believe that EPA is fairly adept at reducing waste, thus cost, and is fairly accountable already (though I've heard a few stories, they are only a few and I would wager that of all the Agencies, EPA stands out as efficient, effective, and accountable). We can always do more, however. The use of "virtual technology" should be more available and updated. Virtual meetings help minimize travel expenses. Personal contact should not be completely eliminated, but could be reduced more at EPA.
1376	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1377	1376	5/23/2017	Funding grants through IGMS can be awkward. Improve the system so the workflow is more obvious and also allow for alternates. In the event, a key person in the funding process is absent, allow for a backup person to be delegated the responsibilities.	Better environmental results can be achieved by hearing what communities need to protect environment and public health. The Community Action for Renewed Environment (CARE) Community Resource Guide is helpful for communities. Communities help each other, and EPA in the regions can guide this empowerment. https://www.epa.gov/sites/production/files/2015-04/documents/care_resource_guide.pdf Review evidence gathered by EPA on chlorpyrifos and reconsider decision to protect children; neurotoxin like lead.	Regional offices can and do provide names of people who can answer questions in various areas of concern. EPA can have connections with the states, tribes, local communities, who meet on regular basis and work toward common goals.	Allow more telework and "hoteling" or shared workspace. The commute continues to be challenging in DC and other locations. It is possible to be more productive when 4+ hours of commuting/day is avoided.	Link training and educational courses to employee's record, and have some system that acknowledges or credits continuing education with professional development and achievements.	The Centers for Disease Control and Prevention (https://www.cdc.gov/) is often on the scene for environmental public health issues like lead in drinking water in Flint, Michigan. Information for the public should be coming from one source so the public does not need to go to multiple locations. In the past, OEI has had a cooperative agreement with EPA that involves the sharing of information. from EPA website some good information for communities also https://www.epa.gov/communityhealth
1378	1377	5/23/2017	There are regulations on electronic reporting associated with the Cromerr rules that prevent us from receiving lab reports via email. This is outdated, as in today's world, correspondence, including official reports, are generally sent via email, and should be accepted the same way as faxes and paper mail. Many offices are currently ignoring this regulations, and it conflicts with the Paper Reduction Act.	Constant dialogue and communication, absolute transparency, emphasis on our common goals, and data sharing. Data sharing, especially in drinking water, needs to be modernized and streamlined. Currently, the way data is shared from States to Fed in SDWIS in inefficient and occupies human resources to navigate the process. Also, Tribal data is still being entered manually in many cases, due to lack of electronic reporting availability, use or easy access.	We need to be accessible, available, transparent and prepared with facts and data. We must be able to explain complex concepts and regulations to the public, and be willing to take the time to do so.	Reduce paperwork and associated filing. Most documents can be saved electronically, which also saves time from physically managing and organizing paper files. Hire younger staff with technical backgrounds, so that new ideas infiltrate the agency, while the experienced generation passes on invaluable knowledge prior to retiring. It is essential to have employees at EPA with science and engineering backgrounds, and this also minimizes the need for management positions. More age diversity at the agency would be beneficial for creativity and also reduce payroll costs.	Firewall security requirements at EPA prevent outside parties from accessing drinking water data. Since we contract out significant functions, these contractors require access to our databases. The States are able to do this, and so should we, as it adds to the transparency and data sharing of our agency.	Cooperative or Inter-agency Agreements are great for partnerships. Again, make sure we are communicating regularly and sharing data. Collaborating on local studies or research would also be valuable.

AMERICAN OVERSIGHT

	I
1377	https://www.cdc.gov/nceh/tracking/ National Environmental Public Health Tracking Program at CDC, uses EPA data like air monitoring to link environment and health data.
1378	There are many innovative technologies and methods for each program, and they often lead back to data sharing. I believe open, accessible data is an important tool for decision-making, rule implementation and efficiency. Some examples of best practices that are standardized inspection report templates, inspector credential guidelines, electronic reporting to SDWIS.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1379	1378	5/23/2017	Further delegations of authority would help staff do their respective jobs more efficiently & effectively. While there were a number of delegations over a decade ago in Region 2, the amount of time it takes to finalize certain documents is, at times, a source of frustration for staff. At least in my program, there are far too many staff and management that currently need to review certain documents just because upper management needs to be the signatory of the document under the current regional delegations. Our delegations should be reviewed and the authority to sign-off on certain documents should be delegated further down the chain. For example, in our region, Superfund (CERCLA) 104(e) Information request letters should be re-delegated to the site attorneys; other regions have done so and as these requests do not bind the region to anything, there is no reason they could not be delegated down to site attorneys in all regions. Routine oversight bills, Notice/Demand letters, etc. are other	I think we have made great strides in the superfund program with that. However, better integration and dovetailing of the Superfund Redevelopment Initiatives and similar brownfield/redevelopment initiatives with the Superfund cleanup program would be helpful. Staff needs to be better educated on how the programs can work together and what tools (Reuse assessment funds, MOAs, BFPP agreements, grants, etc.) are available to staff and outside parties to achieve a proper cleanup and to allow the sites to be put back into reuse as soon as possible (given site conditions). We work very hard to get certain properties cleaned up and for everyone???s sake, especially the state and local governments, we want to see those sites put back into productive use.	FOIA response and Litigation Support is desperately needed. A well-trained, tech-savvy and properly managed staff of paralegals or other professionals to assist staff in preparing FOIA responses and preparing for litigation would be of great help. In preparing a FOIA response or preparing for litigation, EPA staff often has to find, organize, review and scan 1000???s of pages of documents. And then there is the herculean task of managing the electronic files. Both FOIA requests and e-Discovery (in particular), are a huge drain on resources. FOIA requests could be processed more quickly and discovery efforts could proceed at a more advantageous pace for everyone if we had more resources to assist staff on those fronts. Note: The somewhat recent addition of the online FOIA system has been a tremendous help. Streamlining certain documents / LEAN Process Various settlement, information	All Regions should implement a ???Maxiflex??? schedule The flexible schedules, alternative work locations and the 4/10 schedules have done a lot to increase productivity within the agency over the past decade. However, we should implement a Maxiflex schedule option in all regions which would better accommodate the schedules staff works, improve morale and save the agency money. The Maxiflex schedule essentially allows an employee to work his/her 80 hour pay period with a considerable degree of flexibility. This flexibility will help EPA be more agile and efficient and probably reduce the need for overtime (at times, although given the issues EPA	R2 should implement an Electronic Concurrence System Documents are 'lost' for periods of time in concurrence. If everyone can view where the hold-up is, that would be very helpful in getting documents out the door in a timely manner. I believe some regions and/or divisions within certain regions have already done this. R2 could also use more high-speed scanning capabilities. The more documents we can scan and store electronically, the less storage space we need in physical offices. RCRA Electronic manifest system should be implemented. There was a bipartisan push to get this system implemented and plenty of back-up information on how much	See above re: the RCRA Electronic manifest system. I???m sure this would greatly benefit the states and EPA. Closing regional offices and essentially cutting off the in-person meetings and dialogue between EPA and its state counterparts will only hurt our ability to work with our governmental counterparts and achieve our shared goals.
1380	1379	5/23/2017	I'm mostly able to do my job, but "efficiencies" like centralizing much of HR in places like Cincinnati (hundreds of miles and a time zone away) has made my job harder. I suggest looking at the GAO's 2017 annual report. Rather than targeting the Agency with a 30+% resource reduction, follow the GAO's recommendations. Having said that, our country's disinvestments in infrastructure in recent decades have contributed to situations like Flint and sink holes in places like Mar a Lago. we need to be able to strengthen our already-pretty good relationships with other agencies like Army Corps, local water authorities to minimize/prevent Flints, sink holes whose issues are largely due to our ever-weakening infrastructure	Cutting personnel, travel, grant and contract dollars will not help in this area, in fact, quite the opposite. We've had the greatest success when we can interact face-to-face (requires travel dollars), when we can offer requests for proposals from our partners to advance environmental results (requires grant dollars), when we can help support their environmental programs with monetary and technical assistance (requires robust STAG and contract dollars), especially important when state budgets are shrinking to nonsustainable levels	The cuts to our workforce and funds over the past 15 years or more have taxed our ability to provide effective customer service (see also response to Q2 above). More and more we are becoming the "environmental clean-up agency." We seem to be supporting emergency clean-up at the expense of "protection," i.e., working to prevent the clean-ups from ever happening i.e., saving millions of dollars. And yet, with every Flint, the prevention programs, already stretched thin, need to provide support to the clean-up programs. Sustainable resources are needed for compliance and technical assistance. Meanwhile, state and federal environmental protection budgets are being cut to unsustainable levels. We also need to be able to reassure states, tribes, local communities and the public at large that they will have the same access to EPA senior management -- thus ensuring clean water, land, and air -- that the regulated community	Follow the recommendations for EPA in the GAO's annual report. Over the past 7 years, the annual reports have resulted in $75 billions worth in savings (per Sen. Ron Johnson, R-WI). EPA has followed 16 of 17 recommendations since 2011, the report's first year. Meanwhile, DOD has only followed 61 out of 95. Maybe start with DOD with this exercise, since EPA has been doing pretty well. Having said that, what EPA needs to do better is succession planning and institutional memory retention. It does us no good with our diminishing resources to have to reinvent and rediscover policies and practices that went out the door with our valued retired colleagues. It	EPA has always made a good effort to stay state-of-the-art, but has always lagged behind those agencies with more robust and sustainable budgets (e.g., DOD). Cutting EPA's budget by a third, on top of budget cuts in recent years, will not allow us to be trained on and adopt new technologies, both of which are not free.	If states continue to cut their environmental programs and the Federal government continues to cut the EPA, especially with respect to STAG funds, it's hard to answer that question. We have good working relationships with our states who rely on us for grants, technical assistance, problem-solving, being the "gorilla in the closet," providing national consistency, etc. The current challenge for EPA is not being in a situation in which we're asked to actually perform the functions of authorized states because they no longer have the resources to perform them themselves.

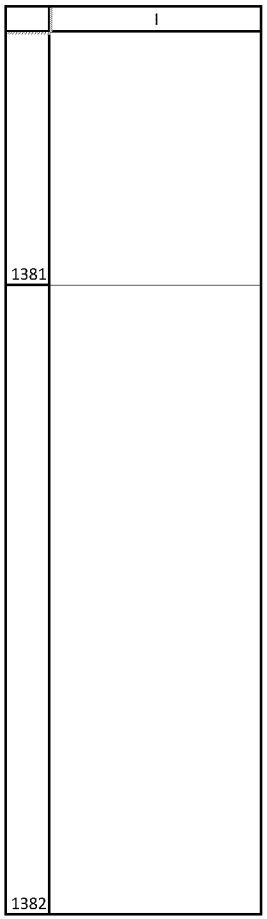
AMERICAN OVERSIGHT

	I
1379	An end to Micro-Management ??? ???Perfection is the enemy of the good??Â At times, the intense oversight of all of our work, even the mundane stuff, leads to more than just a morale issue. It is demeaning to the very skilled, accomplished and largely senior staff we have in our offices. Hire qualified staff, delegate down, let them do their job. Managers and appointees (and Headquarters) often need to do a better job of ???leading, following or getting out of the way.???
1380	see the 2017 GAO annual report

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1381	1380	5/23/2017	Our administrative systems and support is sorely lacking- HR, personnel, travel management etc. These systems are often subpar and it is time consuming to take care of these basic support functions. THe PARS system is inefficient as well and makes it difficult to hold employees accountable. A Pass Fail system would be better, albeit imperfect as well.I	We need face to face meetings. If the travel budget doesn't allow for this for relationship building, we need to invest in state of the art communication and videoconferencing systems.I				
1382	1381	5/23/2017	1.Reporting on Strategic Plan Measures significantly prevents me from doing my job effectively. While I understand the importance of measuring progress (or identifying a lack there of), many of the measures that my program reports on do not provide an accurate picture of the work being done by EPA or the states. These measures require us to provide annual targets, which we often have no control over, and then we are expected to explain at the end of the year why the results are not what we predicted 12-18 months prior. In addition, many numbers are aggregated at the regional level, so achievements or deficiencies at the state level are not shown and acted on appropriately. These measures develop into a real problem when states and regions become more focused on getting measure credit ("counting the bean") than achieving real results. Time that could be spent solving problems is spent figuring out how to game the system because these measures are tied to the budget, bonuses and PARS ratings.	2.In order to achieve better results with our partners, we need to be communicating and collaborating on every level. EPA staff and management in the regions have to cultivate relationships with our partners in order to build the trust that will support collaboration. Our state agencies share our goal and mission. Communities share our goal and mission. Even the private sector supports our goal and mission, when we can help show support to their bottom line. To achieve results, we have to be strategic, focused and together. One of the barriers to this is the culture of a regulation agency (???I???m your regulator, not your friend!??Â); however, it is to our benefit to work together with those we regulate to find the best solution. For example, it isn???t enough to just ask states to devise plans to reduce nutrient pollution in streams and then	President Obama had great ideas about transparency in government. We can provide better customer service by presenting our decisions to our partners and the public in plain language, for their review and consideration. We can provide better service by sticking to what we do best -- science. Our mission is to protect human health and the environment. Not grow business. Not provide jobs. The American people want us to protect water and air. They want us to combat the VERY REAL effects of climate change. We can provide better customer service by giving the people what they want.		Of course there are lots of new technologies out there, but with 80% of employees over 40, staff will be slow to pick up new processes and will need training. Training will cost a lot of money because we'll need to bring in an outside contractor to put together materials or come to the regions. The Regions are all understaffed and busy, so no one will have time to come to the training. Three years after deployment, the technology will be updated or maybe even outdated. The staff never learned how to use version 1.0, so they can't catch on to 2.0. IDEA: Allow the regions to hire more people. New younger staff will bring their technology skills from college, older staff from their previous jobs. The	Collaborative partnerships that focus efforts together already do this on a micro scale without formal realignment. In order to do this on a macro scale, consideration needs to be given to the regulations that agencies work under and their requirements. Some realignment may be done through changes to regulation, but this doesn't mean we should start pulling back regulations and requirements - just considering them differently based on the knowledge gained since they were enacted. Pulling EPA funds, especially for geographically based initiatives, does NOT

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1383	1382	5/23/2017	There???s not enough expert staff dedicated to managing grants to states and localities. My education, training, and experiences are as a scientist, engineer, and researcher ??? not the effective management of funds allocated to states, localities, academics, etc. Having grant specialists do the work of that profession ensures the most cost-effective use of public money. Related to this, there should be no need in this day and age to maintain paper records for cooperative agreements and grants.	EPA needs to take on more authority to quickly and effectively intervene where there???s negligence on the part of state and local public institutions in addressing gross violations of environmental laws and regulations. The public and businesses should not have to suffer the consequences of mismanagement and under-funding of state and local environmental protection programs.	EPA needs to better fund state and local programs that protect human health and the full food web ??? and the many businesses that rely on clean water, air and land. EPA needs to staff up with expertise in managing funds to states, tribes and local communities to ensure funds are spent in more cost-effective manners = greater protections to environments at lower costs.	Greater scrutiny of how federal money is spent by states, tribes, local communities, etc. EPA needs more oversight to ensure federal funds are targeted to where there???s going to be the best bang for the buck. EPA needs to take over state and local programs where federal money is allocated ??? that are not meeting expectations. In some cases, state and local programs are simply dysfunctional because state and local contributions and cost-share have been gutted and/or are being mismanaged. EPA needs to staff up to provide technical and financial support to businesses and the public to fully restore degraded ecosystems and reduce	Cloud computing throughout the agency for scientific investigations, environmental modeling, risk assessments, etc.	USDA should better fund nonpoint source programs since costs of remediation in the agriculture sector are typically not shared among a large base of rate payers for electricity, water and wastewater, etc. The economic and health benefits of pollution controls in the agriculture sector are immense and should be quantified.
1384	1383	5/23/2017				Start hiring senior enlisted and at least company grade officer veterans. EPA is second to last across the board on veterans AND it becomes obvious the "service to a greater good" attitude appears less than it should be for such an influential and needed Agency. These are two directly related cause and effect issues. And put a VETERAN in the Agency's Veteran Coordinator. https://www.fedshirevets.gov/hire/hrp/reports/EmploymentOfVets-FY15.pdf		

AMERICAN OVERSIGHT

	I
1383	The private sector weighs cost with benefits. For example, what???s the cost of advertising your product versus the benefits of increased sales. Along with assessments of the costs of environmental regulations, there needs to be accompanying assessments of the economic BENEFITS of clean air, water, land. These benefits should include, for example, substantial reductions in health care costs, profitability of businesses that rely on clean air and water ??? tourism, hunting, managed fisheries, real estate. What is the value of human life? Costs are always relative to benefits ??? in both the private and public sectors.
1384	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1385	1384	5/23/2017		See response to question 5.	See response to question 5.	See response to question 5.	Many of the Agency's basic test procedures, including those used to identify hazardous wastes, asbestos or measure pollutant concentrations in permitted discharges, are outdated and dire need of revision consistent with new technology. For example, the procedures required to determine whether a waste is ignitable were developed in 1978,1979 and 1980. Likewise, the asbestos test method required for Clean Air Act cases was developed in 1982. And, Clean Water Act Methods 200.7 and 200.8 were last revised in 1994 and need to be updated for use with current laboratory instruments. The need for these, and other, updates is exacerbated by the fact that state. tribal and local governments rely on EPA to	
1386	1385	5/23/2017				The Administration should consider revising Executive Order 12372--Intergovernmental review of Federal programs and OMB???s Common Rule (which implements the Order) to foster a more cost-effective means of providing elected state and local officials with opportunities to consult with EPA and other agencies on Federal financial assistance programs. EPA???s regulations adopting the common rule are at 40 CFR Part 29. The burdens imposed on the public by these regulations could be substantially reduced by eliminating unnecessary requirements and authorizing the use of modern technology. One of the key components		

AMERICAN OVERSIGHT

	I
1385	
1386	Remove the EEO and IG offices from EPA. These offices are in place to act impartially, however regional EEO Officers for example, report to the same superiors that EPA staff in the same region report to. This structure creates a system of distrust between EPA staff and EEO offices as EPA employees cannot expect that an EEO complaint or issue will not be discussed with management behind closed doors since the EEO Officers report to and are accountable to literally the same management that employees complaints/issues would be the focus of. Removing the IG from EPA would enable a neutral third party to 'police EPA,'

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1387	1386	5/23/2017	The timecard process could be more efficient. We currently have to complete our timecards before the end of the pay period; therefore, one has to go back and amend one's timecard if a change of schedule (i.e., travel is delayed, get sick, etc.) occurs after one submits their timecard. This could be addressed by having employees complete their timecard after the pay period ends. Meetings could be more efficient. The standard meeting time is one hour, but most meetings could be accomplished in 30 or 45 minutes.	Local municipalities and community organizations know their communities best. We could support better results by providing more grant opportunities to local municipalities and community organizations.	Some staff and managers are better at providing good customer service than others. Providing customer service guidance or training to all Agency employees could address this. In addition, employees should consider their colleagues as customers as well and provide prompt responses to questions from external associates as well as internal associates.	The EPA could develop partnerships with foundations that have resources and the desire to address environmental health issues in U.S. communities.	The database used for grants application processing and grants management could be modernized.	
1388	1387	5/23/2017						
1389	1388	5/23/2017	No response for this question.	Many environmental conversations led by EPA in the past are biased, one-sided or non-constructive (e.g. Bristol Bay ~2014-2016, mountaintop mining ~2012-2014, Clean Water Rule ~2013-ongoing). We should acknowledge this and foster mechanisms (online forum?) for creating constructive conversations across party lines, among all stakeholders, integrated with analytics and scenario planning tools (avoiding Facebook-type mechanisms, as they're not designed for this).	See response to Q 2.	Make other countries pull their weight for environmental research and regulations. International consortiums can be better leveraged to save resources. For example, some member countries of the OECD use the OECD essentially to do similar functions as EPA???s ORD. We could do more of that and save money. Also, EPA should be doing more to influence or coerce other countries to improve their environmental policies; pollution and profitable businesses do not respect national borders.	Much of EPA???s portfolio and budget are associated with information technology (this is true for environmental science across all sectors). However, EPA???s portfolio is not often documented like that because staff and managers describe their portfolio in terms of their expertise (often environmental science vocabulary) and because EPA staff are not normally advanced IT people (they're at Google). EPA???s IT products are generally lacking. We should confront this problem, which could save lots of money. Also see report "EPA Scientific Knowledge Management Assessment and Needs": https://cfpub.epa.gov/si/si_public_record_report.cfm?dirEntryId=332630	The US is fairly advanced in terms of the environment. One of the biggest differences we could make for the environment is by influencing the international community to be better. Also see response to Q 4.

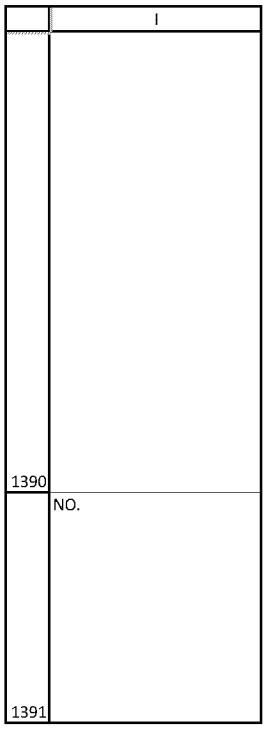
AMERICAN OVERSIGHT

	I
1387	
1388	
1389	While the US is one of the most environmentally advanced countries, we should be constantly reviewing how other countries advance economic and environmental interests simultaneously, and then mimic them in those areas.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1390	1389	5/23/2017	We have so many national and local unions with different agreements and rules. I appreciate the purpose of the union but it is difficult to make positive change with so many who have to be consulted and provide agreement.	Suggest looking at different ways to deliver funding to States. Do we need grant competitions? Can funds be allocated instead via formula based on need to meet the acceptable health or environmental standard or goal/objective? Could a pool of funding be set aside to distribute for general environmental projects to meet those needs? (Note: SF would probably need to be excluded because sites are prioritized and do not necessarily have a responsible party to fund.) Would this reduce administrative costs for EPA and our partners?			Reduce the number of interfaces needed between multiple administrative systems in order to make a payment. Consider placing major systems for grants, contracts, payroll, property, HR and associated policies in the same AAship as the financial system/policies.	E-Enterprise has great potential in this area.
1391	1390	5/23/2017	Over the decades the agency made hundreds of improvements that enable us to do a great job for the public and for the environment.	EPA worked and continues to work very hard and the employees are very respectful and diligent to our partners. As a result, the working relationship with have with states, communities, tribals and the private sector has enhanced our ability to be an outstanding agency.	I think we do it and do it extremely well.	Not at this time.	Not my field of expertise.	Actually, I think that aligning the EPA with Public Heath Agencies would be beneficial for the public. However, that would cause us to increase our work and workforce.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1392	1391	5/23/2017	1. Government Purchase cards. As a purchase card holder I regularly experience extreme frustration at the redundancy and ridiculous amount of steps needed to complete a simple purchase. As a scientist it's these administrative things greatly reduce the time that I can spend on research. To improve the problem I would suggest creating ONE system where we could record purchases, get approval and document purchases (receipts). The unified system would have to be faster (eliminate the 30 second lag between every execution) and allow users to record purchases from different vendors at one time. Having to keep electronic and paper records is a massive waste. Since I keep electronic records, at the end of the year I have to PRINT out all these electronic records to another person to review. The Authorizing Official already does this electronically in addition to have a third party person sign the receipts. Since we are required to scan and upload our receipts and then AMEND those files to	Many thing prevent us from working hand in hand with the states and tribes. Getting permission and completing the forms is a slow process but not as daunting as formulating a project that all partners share in equally. Often, it is EPA scientist that are often at a more technical level (PhDs) often do the data analysis. The issue is how can we assure that states and tribes collected data correctly and according to EPA protocols? If there is a problem with the data who is responsible (recall the ongoing crisis with lead contamination in drinking water in Flint Michigan??) In THEORY working with states and tribes is great BUT the FRAMEWORK that facilitates us doing that is not there. Unless EPA management is willing to forgo some of our QA requirements (e.g. field collection and sample tracking protocols) and other restrictive policies (e.g.	If the push is going to be to provide better customer service to the public then we will no longer be a research agency. Period. Without the resources (funding or staff) to do research, I don't know exactly what 'service' we are going to provide. With reduced budgets it is just not possible to add more administrative duties on researchers. Nothing will get done, unless a entire new center or office is created to provide customer services. I feel we are very strong in this area already, all a member of the public has to do is Google 'EPA' and they will be inundated with websites, links etc., etc. The reports, publications, blogs, YouTube videos, scientific tools and regulations EPA provides to keep our air and water clean are the customer SERVICES that we provide.	Government Performance and Results Act (GPRA), ORD maintains a set of annual performance measures to track and report research progress. End-of-year results and data trends for GPRA measures are reported in the President's Budget and Annual Performance Report. I don't think that this is necessary. VIVO "is ORD's expertise location tool, which integrates information about ORD federal researchers and cooperators from authoritative sources as well as direct user input." Is this necessary? Aren't our profiles and CV's on our site websites? This is a great example of government redundancy.	Contracting within EPA, in general, has many frustrating challenges and seems totally understaffed and over burdened. Some ideas for improvements are: 1) creating one central database for Contracting (with separate pages for each type of contracts, 2) improving/updating the grants tracking and approval software 'IGMS'. It is very slow and confusing to use, 3) hire more contracting officers so that contract initiation, amendments etc. occur in a timely fashion. The Office of Acquisition Management/ Procurement Operations Divisions (RTD and Superfund sites are the ones that I work with) are very slow and seem completely bogged down. Their staff turnover is ridiculous, clearly there are	The U.S. Fish and Wildlife's LCC's (Landscape Conservation Cooperatives) align well with some of our research at EPA and I can see many places where we could work with them. They "use a collaborative approach to identify landscape-scale conservation solutions. LCCs work across jurisdictional and political boundaries to work with partners to: meet unfilled conservation needs, develop decision support tools, share data and knowledge and facilitate and foster partnerships. As part of a shared science strategy, LCCs coordinate closely with the National Climate
1393	1392	5/23/2017	Employees are bombarded with communications from various sources, many of which contain ???requirements??Â. Required actions should come through one channel ??? a line management channel, not multiple channels (usually email). Email is not management. Processes should be consolidated similar to how the required training was consolidated using the e-learning site (improvement is still needed). Facility-based information should be communicated in a consolidated way, not through multiple emails from different people in the same office. Communications product approvals need to have more prominence in the Agency and a better system needs to be developed and FOLLOWED. The system should include the technical expert, the appropriate manager, and the appropriate communications staff ??? not just comms staff. Currently, much is done through email			Invest in organizational development. The high scoring agencies on the annual FEVS survey (NASA, NRC) have internal organizational development consultants and metrics/leadership that encourage them to be called upon by the top agency leadership as well as at the grass roots for small interventions. Develop sound performance metrics. Managers should be rated for management and leadership, not just for delivering the products developed by their staffs. Relate the individual performance metrics to the organizational performance metrics. Clear roles and responsibilities between	Employee data, including position descriptions, performance reviews, awards, training history, and records of disciplinary actions, should be in an automated system that is available to supervisors (i.e., a dashboard for each employee). Position descriptions should be standard not customized for every person that comes on board.	Policies should be consistent across government agencies. Develop a system of consistent position descriptions across government for jobs not unique to a specific agency. This would help ensure consistency of grades across the government.

AMERICAN OVERSIGHT

	I
1392	
1393	Develop a solid orientation program for all new EPA employees. Orient employees to not only safety and logistical issues, but also provide information about the Agency organizational structure, what offices do; explain the policies and what they mean; explain what it means to be in bargaining/non-bargaining unit positions; implications of being in a career ladder or not; accretion of duties, merit principles, the grievance process. Use a combination of an IT system and in person. Also, provide a buddy/mentor for the first year. Develop clear rules for leave without pay ??? after a certain limit, establish a process toward removal.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1394	1393	5/23/2017	Organizational - review process for regulatory packages has completely gotten out of hand. 30 people checking for commas is a waste of time and government funds, particularly when the reviews aren't even consistent. There should be one person who reviews these packages FOR CONTENT in the division and one person who reviews FOR EDITORIAL EDITS. This would eliminate the inconsistencies in the regulatory packages as well as shorten the review time.				electronic reporting systems for data for use in regulatory reviews and enforcement reviews. electronic document management and reviews for use in regulatory reviews - management still refuses to do document review electronically	
1395	1394	5/23/2017		Centralizing where these stakeholders conduct business with EPA will help reduce burden and improve data quality. I believe we are not marketing e-Portal services enough so that its becomes common practice to navigate to site to conduct all EPA business there. All EPA programs that collect data from external sources should be 'required" to link from the e-Portal site. In addition, many of the external stakeholder will also need Federal assistance to build the infrastructure needed to automated business practices with EPA.	I strongly encourage all e-reporting programs to conduct surveys to collect feedback on any e-reporting programs/applications that interact with our stakeholders. The results of surveys should be published on the Web. Programs will negative feedback should be reprimanded in feedback is negative or deficient.	There are a number of e-reporting programs that could be consolidated. Regulatory changes should be looked at to make from reporting more homogeneous and consistent. In addition, shared services should be "mandated" by some e-electronic reporting systems to reduce cost and simplify operations.	SMS ID verification technologies should be more widely used at EPA to verify identity of users conducting business with EPA.	
1396	1395	5/23/2017	I joined EPA about a year and a half ago. In the area of employee benefits, it seems there are different offices in different geographic locations that handle various topics, and it can be hard to track information and contacts for various topics. Would suggest improving access such as be having a single portal that includes access to contact persons.	For the various subject matter areas across the agency, the agency benefits from agency officials maintaining a good working relationships with their state counterparts.	For the various subject matter areas across the agency, the agency benefits from agency officials maintaining a good working relationships with their state counterparts.	For the various subject matter areas across the agency, the agency benefits from agency officials maintaining a good working relationships with their state counterparts.		For the various subject matter areas across the agency, the agency benefits from agency officials maintaining a good working relationships with their state counterparts.

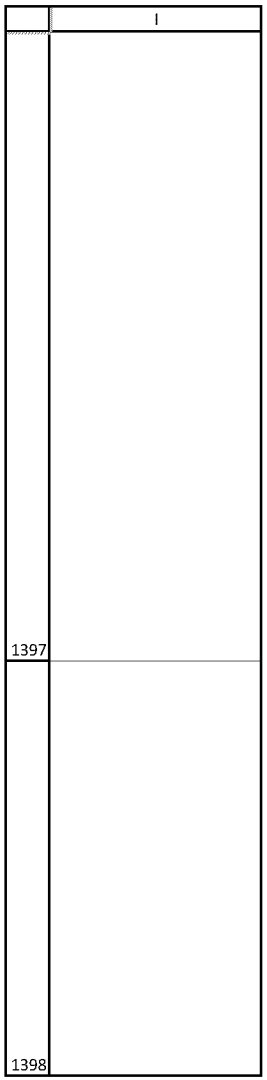
AMERICAN OVERSIGHT

	I
1394	
1395	I believe customer service and marketing seminars would be helpful to improve the quality of our services. We very often do not do a good job at "selling" our services to our stakeholders nor are we customer-oriented in the services we provide to our users or client-base.
1396	For the various subject matter areas across the agency, the agency benefits from agency officials maintaining a good working relationships with their state counterparts.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1397	1396	5/23/2017	1 - The system for requesting leave and the system for reporting time are both in PeoplePlus but they are not integrated. When an approved leave request or a holiday appear in my view monthly calendar they do not appear in my time card for reporting time. These should automatically be entered when I press the apply my schedule button. This would be an efficiency across the entire agency. 2 - The system for requesting leave does not allow one to use multiple types of leave in a single request. For example some categories of time off are in relatively small increments and expire after 1 year (like TCTO and time off awards) so there is a need to use them in relatively small increments. A leave requests only can have 1 type of leave so using small time increments can generate multiple requests. Propose allowing combination of some leave types (obviously not all types should be combined) to create a more efficient leave request system. This would be an					
1398	1397	5/23/2017	Consolidate internal reporting requirements where possible. In some cases, information, such as upcoming action items, goes into 2 or more separate reporting/tracking systems. A base tracing system that could generate different reports for different audiences, but only requires input once, would be more efficient.		1) Create an online repository for final permits and supporting documents that is easily accessible by the public. Be sure it is easy to upload documents to that site. 2) Make web pages more intuitive and user friendly.	1. change Public Notice regulations that require publication of notices in Newspapers - allow alternative electronic means to increase access and reduce costs. 2. Find way to delay timecard entry/approvals until AFTER the end of the pay period to avoid the on-going administrative burden of making and reviewing amendments for corrections to actual hours worked or credit hours earned for the last 2-3 days of the pay period.		

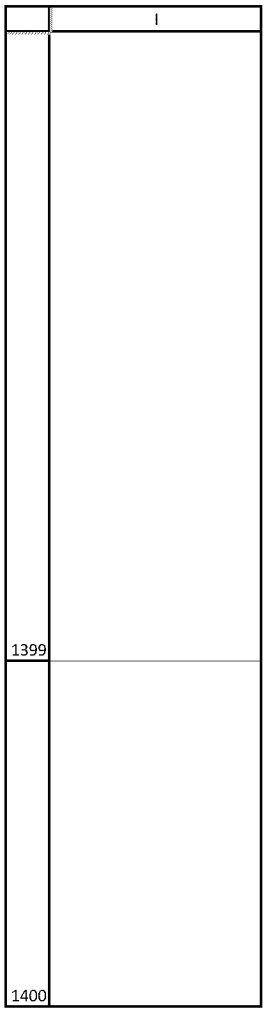
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1399	1398	5/23/2017	I work in a division that prefers work plans, schedules and process oriented standard operating procedures be followed prior to initiating any work on national policy related issues. Quite often in the early stages of scoping issues and options for resolution, there is not enough information to properly inform the work plan for resolution. However, a great deal of employee???s time is spent on these process oriented documents because they may provide a metric or goal post for management. I think managers need training on how and when these tools when used properly create a more efficient and effective EPA. In my division (AQPD), we have about 5 assistant directors who manage or lead projects on the behalf of the director. In addition, professional staff have group leaders who are first line supervisors. I believe because of the substantive number of projects, my immediate supervisor (i.e., first line) has assigned certain staff as ???policy leads??Â to	2.I believe the EPA needs to learn how to better communicate with its stakeholders using plain English. These stakeholders include businesses, environmental groups, states and local governments and the public (ages ranging from youth to adult). Also, I believe that EPA needs to better market the need and requirements for particular regulations, CWA, CAA, pollution and other important environmental matters. Generally, the public is unaware of the local, state and federal governmental process to address environmental issues. The way the world communicates or shares information is ever-changing. The use of social media is more important now. Websites like regulations.gov and our public website are losing public visibility. EPA needs to be on the forefront of the changing	Certain programs and topics are led by EPA headquarters offices. EPA Regional offices are always first to provide customer service to states, tribes, local communities, the regulated community, and the public. For programs and topics are led by EPA headquarters offices, sometimes the regional offices do not have the program expertise, current EPA message or latest information affecting a topic and may provide customer service that can be viewed as inaccurate or slow because they have to consult with headquarters on the topic or program. I believe when EPA headquarters is the best office to provide customer service on a program or topic we should provide that avenue to states, tribes, local communities, the regulated community, and the public to reduce response time, inaccuracies of shared information from EPA and provide customer service that directly connects best office to	There are a number of opportunities to make changes at EPA that would reduce cost. One change is to reduce or eliminate the costs associated with publication in the Federal Register and its printing. Changes to the Federal Register process reduce paper costs and does not impact environmental protections.		
1400	1399	5/23/2017	P-Net is a superfluous entity, created because the Agency's management was unwilling to discipline intentional improper use of the Government purchase card. ELIMINATE P-Net.	In the Florida Panhandle the population is unable to tell the difference between the federal EPA, the state DEP [Department of Environmental Protection], and the county health board. I am remotely removed from "cooperative agreements" between the EPA and state/county/private but it seems to me that the state/county/private entities have to jump through many hoops in order to get any co-operation.	Create a commission to look at the "rules" created by the Agency to 'obstruct' customer service; particularly between ORD [a research entity] and local colleges/universities.	Allow co-operative agreements that would allow local university students to spend one or two semesters at an ORD facility to get experience and credit hours.	Yes but they cost money and the ORD work-force [I mean the Principal Investigators] are set in using the 'comfortable' OLD methods.	An outside commission needs to look at "research overlap".

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1401	1400	5/23/2017	We need additional support from LER and OGC for disciplinary matters. The process takes way too long and we are not getting the support we need. HR needs a complete overhaul. We are not given adequate support to hire and on-board staff. We get different answers depending on the staff working on HR issues and it takes too long to get the assistance we need for hiring. (While we all recognize we're downsizing, we will still need to replace critical staff when they leave.) We need better technology tools to do our jobs. Computers don't work; data systems are outdated and too expensive to upgrade and/or fix; even speaker phones are not good enough to have meaningful engagement with parties outside the building (either regions, states, and/or employees on flexiplace). The funding process for the Regions is broken. HQs provides funding by program area, but there is no transparent accounting for how those funds are actually spent or FTE utilized. All regions should not have the same resources--it should be driven in large	Let states do their jobs, but hold them accountable. Many state programs were authorized quickly with known deficiencies so states are not always even capable of doing their jobs. Each state program should be reviewed for completeness and updated as necessary. They should actually have to prove they have the resources to run the programs (which is often required but they haven't been reviewed in the decades since the original program authorization).	Need better data. Need better transparency.	Take a long, hard look at the regional structures--they are all organized differently which makes communication and coordination overly burdensome and inefficient. Combine a few regions to conserve resources.	We need better data but we get so much push back from industry. It's not overly burdensome to get data in electronic format. More data should be transparent so communities, states, and program offices know what's going on and can address problems before they become too large. We need better data systems to facilitate data analysis so we can prevent problems and/or address them before they get too large.	Again, look at the labs and see if there isn't a way to consolidate and/or specialize. Look at the regions and combine some of them.
1402	1401	5/23/2017	Relatively few resources are devoted to the institutional integration aspects of change management. The focus is normally on project completion and that is often too narrowly defined. Implementation and integration timeframes compete with management tenure. Projects and other change initiatives that are not implemented waste development resources. Improved coordination would help ensure smoother transitions.	The Agency needs to become nimbler. Improvements in internal governance are needed in order to maximize the value the services provided by the Agency. Our world is becoming increasingly dynamic, especially in terms of economics and the environment. Therefore, additional resources are needed to address the mechanics of how to steer a large organization more effectively to meet these inevitable and often diverse and unpredictable challenges. Improvements made from meeting our internal customer needs more effectively can also be applied to external customer engagement as well.	While technology solutions are a key aspect managing work and tracking progress, gains in efficiency also depend on good governance and having an effective skill mix to ensure that management???s priorities are able to be effectively implemented. Generally, the Agency would benefit from earlier consideration of implementation requirements and LOE estimates.	While authoritative leadership and expectations are well defined, collaborative leadership is not well defined or utilized. In order to retain, train and recruit such leadership, we need to understand these roles, the associated skill sets, and establish career tracks outside of the traditional management track. Do frameworks for the establishment collaborative charges exist? What are the characteristics of suitable collaborative projects?	It is through good governance that sound technological decisions are based. While there are efficiencies to be gained through the use of project and portfolio management software, improved integration relies on staff with sufficient experience to develop and manage effective communication plans.	Most of the management and governance challenges faced by the Agency are common across government. Since we are facing many of the same challenges, especially in the areas of change management and IT, collaborative forums to discuss these issues would be very helpful. The traditional route of going up and over to get information from parallel programs like FDA, one tends to get the good news. Establishing staff-to-staff contact would also encourage sharing of what did not work and why.

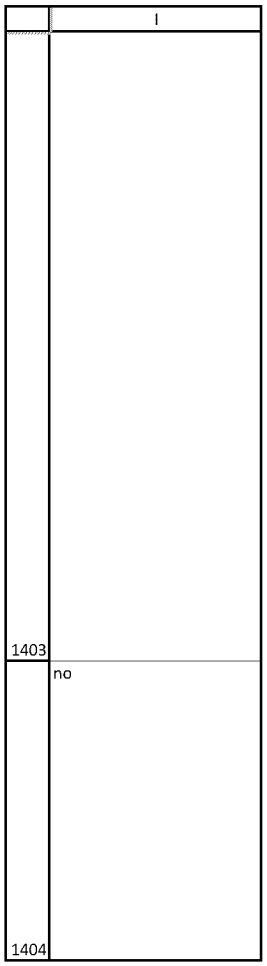
AMERICAN OVERSIGHT

	I
1401	
1402	One approach to addressing our knowledge retention crisis could be to define collaborative leadership skill sets, roles and positions. The establishment of 13-14 career tracks focused on implementation across projects and initiatives could improve the allocation of resources and speed the time to implementation. There should also be promotion potential for staff committing themselves for long enough to see things through. The position for portfolio manager could be defined and could also be a stepping stone to CIO positions.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1403	1402	5/23/2017	In general terms, layers of oversight by Headquarters personnel prevent us from doing our job efficiently and effectively. I work within the Criminal Enforcement Program, specifically, the EPA Criminal Investigation Division (EPA-CID). Despite years of attrition, and/or budget cuts, the EPA-CID [with the support of the National Enforcement Investigations Center (NEIC)] continues to produce; working in the field (not at the desk) with our federal, state and local counterparts. Its oversight components, OECA and OCEFT, seem to be operating such that they (OECA and OCEFT) believe EPA CID (and the NEIC) exist to support them when in fact it should be the reverse. OECA and OCEFT do not seem to try and obtain resources or follow through on requests for support in a timely or effective fashion; they seem to task CID and then take credit when significant outcomes occur. If EPA-CID and the NEIC reported directly via a separate AA-ship, or directly to the administrator, the taxpayer would benefit by a more	Form more Task Forces as are routinely used within the EPA-CID.	Hire a PIO specifically trained to message the EPA Criminal Enforcement Program, its work to protect Victims and deter criminal conduct, and its connection to the progressive engagement scheme employed by the agency (i.e., compliance assistance should be the first level of engagement, validation inspections next (assurance), administrative/civil enforcement mechanisms, criminal enforcement reserved for criminal conduct, etc..	I want to suggest an organizational change that I believe will lead to a more Efficient, Effective, and Accountable EPA, specifically regarding its Law Enforcement Functions [I am not commenting on the Independent function of the Office of the Inspector General, rather on the EPA Criminal Investigation Division and linked Divisions). Currently, your highly trained Criminal Investigators report though the OECA Assistant Administrator and within that context, do not ultimately answer to a Seasoned Law Enforcement Member of the Senior Executive Service; rather they ultimately report to a political appointee with a different cultural view of the organization (in my opinion).		See Q2 above
1404	1403	5/23/2017	It is hard to get resources these days, we are great at purchasing high end highly sensitive instrumentation through the capital equipment budget. However we do nothing to devote resources to maintain said instrumentation. In short I can't do my job if my instruments are down needing repair.	At my level I am not involved in these decisions.	At my level I am not involved in these decisions.	I see very little opportunity, because management does not pay attention to subject matter experts, i.e. the bench scientist.	Yes, the new technologies are many, probably to many to list here. But in short in the field of chromatography there are newer and improve columns that give better resolutions, than their old counterparts while reducing the amount of solvents used to run an analysis, hence lowering the cost of waste disposal.	At my level I am not involved in these decisions.

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1405	1404	5/23/2017	Make changes to People Plus reporting system to be more flexible with editing and modifying leave requests. The previous system, webforms, made it easy to reduce the number or hours of leave requested if less hours are needed. Right, now employees and supervisors do not have an easy way to make and approve the modifications, and several hours are wasted with audits, and trying to elevate changes needed in the system to match up with actuals. Also, credit hours employees have to submit a separate schedule, and report their schedule in a addition to reporting in people plus. The system should be updated to allow one place for scheduling and reporting, so that employees don't spend more time duplicating their information.	Continue and expand the existing grants and programs that provide funding and partnership opportunities to states, tribes, and local communities to educate and prevent violations in the first place. Work with the private sector more closely to educate and inform them about how to best comply with environmental rules and what the impacts of their activities may be to the public health and environment. More funding and more employees at EPA are needed to effectively outreach to private sector to prevent issues, which will reduce the need for enforcement later on.	Set up more local satellite offices, and allow employees to travel more and work remotely from areas where their projects are to interact with the communities they serve. There is too much emphasis on coming into the office to do our work, when much of our work should be with the community, states, or regulated community.	Allowing and providing the resources for a substantial more number of employees to telework or work from communities or areas where there is a large number of environmental issues, and reduce the footprint of our office buildings. Also, continue to employ and emphasize the standards developed by the International environmental management system, ISO 14001 which should guide all of our activities at a fundamental levels. https://www.iso.org/files/live/sites/isoorg/files/standards/docs/en/iso_14001_key_benefits.pdf	Provide more resources and support for the (former) Superfund Innovative Technology Evaluation Program (SITE). The Superfund Program used to be involved in providing funding and assistance to technology companies interested in testing and proving their cleanup methods. Its my understanding that the SITE program was discontinued, and it should be re-started to allow opportunities for businesses to develop their innovative cleanup technologies.	Provide a focal point for organizing the agency based on the communities we serve and the industry we regulate instead of organized by all the various laws and regulations (remove the "stovepiping") Train employees to be experts with the industry or community, and have them rely on specialists in the office familiar with the various laws, instead of have each law have it's own staff dealing with the same communities or industry as staff dealing with all the other laws. Instead of having so many experts in each law or division working directly with the communities, other agencies, and
1406	1405	5/23/2017	The FPPS system is slow and needlessly complex. Replacing FPPS with a more up-date and user friendly system would save a lot of supervisory time.	Bring back the Performance Track program. Performance Track provided an excellent forum for private businesses and EPA to collaborate on innovative and economical environmental strategies. It also provided opportunities to showcase private industry's pollution prevention and other environmental initiatives. The program was terminated 8 years ago.				

AMERICAN OVERSIGHT

	I
1405	The Superfund Program has a very robust community involvement and outreach program and if this method and best practices for the work they do could be used for all of the various EPA offices, and also organize all of the offices around the goals and the makeup of the community, this would results in less effort and duplication of effort across the agency overall. In other words, expand this program and it's methods to be the focus of how EPA manages their work as opposed to a support function in the office of Superfund.
1406	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1407	1406	5/23/2017	Blanket Purchase Agreements (BPA) are used to purchase reoccurring items that are routinely needed for laboratories etc. Cost for the items are negotiated and depending on the number of Items purchased the cheaper the price. The rules for these purchases are guided by the FAR now EPPAR. When items are purchased and received the approver (Call Officer) is required to complete the 1900-63 form per the EPPAR , provide that form to Finance. The vendor send an invoice to the Finance department where it is processed, funds are provided by the programs to pay for the purchases. Each step of the process in hand on. The ordering process in usually done by filling out a request, sending it to the Call Officer (CO) for approval, CO ordering the items, receiving with tracking the items, item receipt verification . etc. Once Finance receives the invoice , they place it in a system , provide standard assessment of the item, reject it if there is a problem and send it back to the vendor or approve it, in which case a 1900 63 form		I think partnering with each entity, first question there needs and understanding their issues, then providing setting for government , university and the people to receive information, and let them determine as a collective whats needed.		Increase computing power for all administrative functions used in running big organization that would add value , reduce redundancy in purchasing, tracking , add accountability and increase productivity in all business operations that work and for those that don't work , rework them. All could be done with computing, but first the current users that use the system daily should be consulted. I say this because ultimately its the worker with the computer that gets the job done, not the computer with code that is written by a programmer that how to code but does not know how to do and what's needed and simple.	
1408	1407	5/23/2017	A FIXED, RIGID 8-HR SCHEDULE BLOCKS PRODUCTIVE, CREATIVE RESULT, SHRINKING LOCUS OF ACTIVITY INTO BLOCK ROUTINES; MORE OPEN CHANNELS FOR CREATIVE SUCCESS GENERATE POSITIVE ENERGY FOR FRESH IDEAS AND POSITIVE SUCCESS.	BY WORKING IN PARTNERSHIP AGREEMENTS THROUGH EPA MANAGEMENT - TO IDENTIFY PRIORITIES FOR IMPROVEMENTS & ORGANIZATIONAL ENGAGEMENT IN EVERYCOMMUNITY-- (OVERLAPPING) LOCAL, STATE & NATIONAL ENVIRONMENTAL NEEDS W/ EJ PRIORITY; PROVIDE 3-DIMENSIONAL MODELING, MAPPING FOR EXPANSION AND EXPANDING PRIORITIES WITHIN BUDGET DESIGNS. MOVE FORWARD 1 OR 2 PROJECTS AT A TIME - WITH A HOLISTIC FUTURE VIEW IN FOCUS.	CALL CENTER PROVIDING OUTREACH & OVERVIEW TO THE ENTITIES MENTIONED ABOVE- FOR THE PUBLIC AT LARGE; BY USING BIGGER PICTURE INSIGHTS FROM THE M-F CALL CENTER INFORMATION, IT CAN BE RE-FOCUSED FOR OUTSIDE ENTITIES', INTEGRATING & ELEVATING USEFUL EVERYDAY EPA INFORMATION.	ANY COMPLEX ORGANIZATION RESTS UPON RELIABLE INDIVIDUAL, AND - STRATIFIED -GROUP EFFORTS. HOLISTIC REVIEW AND INTERPRETATIONS OF ABOVE RESULTS ARE SOPHISTICATED, COMPLEX PROCESSES TO DERIVE MORE AND GREATER INFORMATION. INFORMATION PRESENTATION IN SENSIBLE AND LITERATE WAYS-CAN MAXIMIZE HUMAN INVOLVEMENT TOWARD SUCCESSFUL, SIMPLIFIED RESULTS OF CLEAN AIR AND CLEAN WATER. STOPPING INDUSTRIAL POLLUTION IS DEPENDENT UPON A COMPLEX WEB OF SOCIAL INTERACTION: MAKING THE GOOD THINGS EASY; AND BAD THINGS DIFFICULT - IS ONE PARADIGM - STATE OF	ALL THE TIME. AND MANY NEED TO BE BROUGHT ON BOARD, MADE CURRENT: CIRCULATING THEM FOR EXPOSURE TO THE TEST OF TIME HELPS GENERATE MORE IDEAS WITH GREATER PRODUCTIVY.	COMPLEX INFORMATION DISTILLED FROM SIMPLE ANSWERS & COMPLEX ORGANIZATIONAL EFFORTS CAN TAKE US IN A MULTITUDE OF DIRECTIONAL CHANGES, OPTIMAL - (AND OTHERWISE)! WITH VERBAL, SPEAKING & LISTENING SKILLS AS BUILDING BLOCKS, ORGANIZATIONAL CHANGE INTEGRATION & RESULTS ARE MORE LIKELY POSSIBLE AND EFFECTIVE. SCIENTIFIC ENTERPRISE REORGANIZATION IS A MORE REFINED & CHALLENGING PROCESS, TAKING MORE TIME FOR EFFECTIVE RESULTS.

AMERICAN OVERSIGHT

	I
1407	
1408	I'M VERY BIASED TOWARD OUR EPA TOASTMASTERS CLUB; IT HAS MUCH TO OFFER THE HUMAN CONDITION IN APPLIED COMMUNICATION SKILLS WITHIN THE WORKPLACE,AND OUT. FREE FOR EPA EMPLOYEES, MEMBERS, AND ATTRACTS GOOD OUTSIDE TALENT & PROGRAM PARTICIPATION - BRINGING PEOPLE CONFIDENCE TO COMMUNICATE TOGETHER TO LEARN, AND BETWEEN EACH OTHER THROUGH BUSINESS IN THE WORKPLACE.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1409	1408	5/23/2017	Excessive annual training requirements.		Larger web presence with rich data banks allowing states/tribes/communities/public to find data independently at the point of need instead of needing to submit FOIA requests or become frustrated on our internet site.	Allowing more electronic reporting of emissions data and possibly automating the collation of that data.	Drop the overt courting of coal mines. Even the Coal Museum in Kentucky is now run by solar power because it's more affordable. Investing in and researching better "new" renewable technologies will help America stay at the forefront of innovation instead of stuck in the industrial age. I'd much rather the rest of the world license/purchase American technology to improve the environment in their countries instead of America having to license/purchase other countries' technology.	A former EPA Administrator said that he found when Reagan rolled back EPA regulations, business owners actually asked him to keep implementing them because customers didn't trust their products when they saw them as deregulated. Form partnerships with business organizations that show how environmental regulations promote trust in business products and industries which grows business more than deregulation and a clean environment creates a better market for their products (people who live longer will buy more things).
1410	1409	5/23/2017				Space consolidation. If cloud computing capabilities are expanded, the agency might be well served to change floor plans in such a way that allows more employees to occupy the same amount of space, as workstations won't need to be big enough to accommodate old record keeping habits. Too many employees are reliant on keeping mountains of paperwork dating back years to even decades, despite electronic record keeping capabilities. The younger generations seem more flexible in this regard, and if EPA and other federal agencies are going to make strides into 2017, older methods need to be phased out. This will save money on rent, and foster a more collaborative environment.		

AMERICAN OVERSIGHT

	I
1409	HPOD contracting is severely understaffed making their employees unresponsive to internal and external customers. Better staffing levels and benchmarking response times like in customer service industries would alleviate long-term frustration for EPA staff as well as the companies that we contract with.
1410	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1411	1410	5/23/2017	2 things regarding Federal Register notices. First, we should be able to submit packages for publication in the federal register completely electronically (i.e. no need for paper or CD copies). Second, the FR notices themselves should be re-formatted to optimize electronic reading. Currently they are published in 3 columns, meaning that when you read on a screen you scroll down and then up again multiple times per page, while trying to ignore the other two columns. Re: time and attendance system (PeoplePlus). You should be able to submit multiple leave slips for the same day as long as they are for different hours. Currently, once you have put in a leave slip for one hour of the day (e.g. a morning doctor's appointment) you cannot put in a second leave slip for another time of the day (e.g. early child pick-up).				eDiscovery and other database management lags significantly behind the private sector, making us work significantly harder than necessary to search and analyze the information we already have. For example, our ability to search our email system to respond to FOIA or other information requests is severely limited.	
1412	1411	5/23/2017	Finding information on the agency???s intranet can be a huge investment for both staff and managers. The more time employees spend trying to filter through the sea of outdated and unmanaged content to locate current administrative, policy and program information, the more it costs the agency and the employees in wasted time and productivity. Senior leader support is needed for the Office of Internal Communications and Office of Environmental Information to tackle a transformation of the agency intranet to make it a standardized primary internal communications tool. A more intuitive design and interface is needed to improve access to the tools and technologies employees need to advance the agency???s mission. A plan for regions and program offices to review and clean-up outdated content on the intranet is also needed.			Roughly 80 percent of companies now run on open source software to manage their intranets to save money. However, our current methods for managing the intranet is extremely costly and not conducive to advancing work or saving the agency money. Under the current system, each regional and program office manages multiple servers and intranet accounts called TSSMS accounts. These multiple accounts and servers cost the agency thousands of dollars each year. By adopting Drupal ??? which is the system EPA uses for its public website -- as the intranet standard for the entire agency, EPA could save a significant amount of money, while also improving	Adopting a standard intranet strategy and platform across the agency would greatly increase our efficiency. It would improve information sharing and also reduce costs. A platform like Drupal, best known as the open-source platform behind public websites like Whitehouse.gov and our own EPA.gov, is also a good option to manage our intranet. As previously mentioned, the agency has already made the investment in Drupal for the public site. However, regions and program offices are allowed to use multiple platforms to manage their internal websites. Because there is no standard, the agency is spending a significant amount of money to support multiple platforms. These platforms are not well	

AMERICAN OVERSIGHT

	I
1411	
1412	ORD has reduced the amount of contract dollars it spends annually on public website support as a result of its Drupal migration. ORD also reduced costs by eliminating unnecessary servers and TSSMS accounts after transitioning its intranet to Drupal (like the agency did for the public website). However, EPA has not adopted this strategy agency-wide. The Office of Internal Communications and Office of Environmental Information should use ORD as a good case study to adopt Drupal as a standard intranet tool to manage all agency internal websites. Again, this is the platform that is already used for the public website (EPA.gov), so it makes good business sense to eliminate the cost

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1413	1412	5/23/2017	Within OARM, Office of Administration, there is the Security Management Division (SMD). That division creates redundancies and has significant overlap with other offices. The Personnel Security Branch should be a part of the Office of Human Resources since there is a signification connection in the work that they do and would create efficiencies that save time, money, and help get new employees onboard faster. The National Security Information team (within the Personnel Security Branch) should be a part of the Office of Homeland Security and not within that branch at all. The Physical Security and Preparedness Branch should be a part of the Facilities Management and Services Division. Both are related to the physical security of office buildings, and having them in the same office would create efficiencies and ensure there are no gaps in our security. Dissolving SMD into other offices would decrease needless bureaucracy. Additionally, the management within SMD is potentially harming the security of this agency				For a while EPA was offering Personal Audio Conferencing Services to HQ employees that allowed up to 6 lines to call into a conference line at no cost. However, the service has since filled up and they are not accepting new requests. This means that for small conference calls, offices often have to use a normal conference line for meetings, which results in increased costs for the agency. (http://intranet.epa.gov/otopintr/phoneservices/phoneservices.html#conf) EPA should also look into services such as Good for Enterprise that would allow employees to access email on their personal phones. This would allow employees better access to email on busy days, but would not	
1414	1413	5/23/2017	It is difficult completing some tasks on time due to other coworkers being compressed or teleworking. Typically per a work week, you have Tuesday-Thursday to really meet with coworkers and get things done.	I believe better environment results can be achieved by sharing results from other countries and demonstrating how they have interacted to achieve their countries environmental goals.	In order to provide better service to the public, I believe that the federal work schedule should coincide with the typical Monday-Friday business work schedule. Compressed days hinder the success of achieving environmental results at the state and federal level.	In order to reduce costs, EPA must consolidate its office buildings. I suggest moving the Potomac yard building to the Federal Triangle complex as the lease is outrageously expensive.	In order to be more accountable, I suggest having more outlets for the public to comment or make suggestions on routine EPA processes. Maybe having a direct message source if projects are posted online.	We can accomplish more by sharing interests and expertise with the states.

AMERICAN OVERSIGHT

	I
1413	
1414	Our computer databases and programs are outdated and slow and require unnecessary steps to carry out daily tasks. These programs are not top of the line and hinder success. On the bright side, OPP does an excellent job with meeting its deadlines (99% rate!) and I believe this is due to its excellent organization and communication structure. OPP has frequent check in meetings and opportunities to report on projects that prevent a person from falling behind in a task. Its great. Look upon OPP for success!

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1415	1414	5/23/2017	In the Office of Public Affairs, we have a senior advisor who regularly (daily) operates outside of her job description, duplicating or overriding the work of OPA staff and managers. This is inefficient, demoralizing to staff, and does not result in the best work products. As the senior advisor position falls outside of the career management chain, it has not been possible to resolve this problem through career management. Finding information on the agency???s intranet can be a huge investment for both staff and managers. The more time employees spend trying to filter through the sea of outdated and unmanaged content to locate current administrative, policy and program information, the more it costs the agency and the employees in wasted time and productivity. Senior leader support is needed for the Office of Internal Communications and Office of Environmental Information to tackle a transformation of the agency intranet to			Roughly 80 percent of companies now run on open source software to manage their intranets to save money. However, our current methods for managing the intranet is extremely costly and not conducive to advancing work or saving the agency money. Under the current system, each regional and program office manages multiple servers and intranet accounts called TSSMS accounts. These multiple accounts and servers cost the agency thousands of dollars each year. By adopting Drupal ??? which is the system EPA uses for its public website -- as the intranet standard for the entire agency, EPA could save a significant amount of money, while also improving	Adopting a standard intranet strategy and platform across the agency would greatly increase our efficiency. It would improve information sharing and also reduce costs. A platform like Drupal, best known as the open-source platform behind public websites like Whitehouse.gov and our own EPA.gov, is also a good option to manage our intranet. As previously mentioned, the agency has already made the investment in Drupal for the public site. However, regions and program offices are allowed to use multiple platforms to manage their internal websites. Because there is no standard, the agency is spending a significant amount of money to support multiple platforms. These platforms are not well	
1416	1415	5/23/2017	There should not be so many funds wasted on new office equipment/supplies. There should be more mandatory actual discourse between colleagues, too many EPA employees may become complacent or slow/lazy in their work without this level of accountability.	Making in-person connections with external partners would be beneficial, and it would also be useful to have a more direct process as well as a more well known procedure for states to get in touch with researchers directly (not just EPA Region points of contacts) to ask their questions, share their environmental observations, etc.	Ensure that the EPA employee or contractor who communicates with states is a friendly and responsive individual as well as have high standards for who that point person is.	Yes, since the majority of EPA employees "work remotely" or "tele-work" there is a large cost waste associated with getting the lights on in areas of the building where few if any employees are working. In addition, since few employees are in the office frequently/regularly, there is no need for such a large janitorial staff presence in the EPA buildings. Rather than custodians coming to each cubicle/office daily, biweekly cleaning would suffice. Also, there is not a need for so many printers and office supplies in general. EPA has a surplus of these items.	Yes, EPA should stop printing the majority of their materials. Not only is this a waste of natural resources, but printing documents, fact sheets, annual yearbooks and reports is excessively expense, and in my time working here, I have seen so many documents untouched in filing cabinets, collecting dust. Many contracts/funds for printing should be cut.	EPA should look to innovative office/internal processes to make our Agency more efficient. Many of the work habits that EPA employees have are out-dated. A sense of pressure and urgency is lacking in the observable work practices in my office.

AMERICAN OVERSIGHT

	I
1415	ORD has reduced the amount of contract dollars it spends annually on public website support as a result of its Drupal migration. ORD also reduced costs by eliminating unnecessary servers and TSSMS accounts after transitioning its intranet to Drupal (like the agency did for the public website). However, EPA has not adopted this strategy agency-wide. The Office of Internal Communications and Office of Environmental Information should use ORD as a good case study to adopt Drupal as a standard intranet tool to manage all agency internal websites. Again, this is the platform that is already used for the public website (EPA.gov), so it makes good business sense to eliminate the cost
1416	Yes, if employees telework - have them "rent their cubicle/office" space for days when employees are in the office, staggering their cubicle use to reduce costs for supplies, electricity, resources, etc. Eliminate printing expenses, as this also aligns to EPA's purpose to conserve natural resources.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1417	1416	5/23/2017		Renewing and upgrading water (i.e. potable water, wastewater, resource water, and stormwater) infrastructure (e.g., pipes, pumps, storage, treatment, green & gray infrastructure) is a top-four priority for EPA. It is too expensive to renew all water infrastructure. Therefore, improvements are needed in capability to cost-effectively assess condition of installed pipes. So, investigate ways in which EPA ORD, OW (e.g., State Revolving Funds, WIFIA), utilities, service providers, technology developers, academia, engineering firms, states, and other Federal agencies can work together to develop better technologies, procedures, and life-cycle and failure data to enable better decisions on when, where, and how to renew water infrastructure. This can save substantial funds, for example, by (a) keeping good pipe in the				
1418	1417	5/23/2017	There are several instances where other divisions essentially have dumped work that they don't want to take on to other divisions; however, staff are not able to have a say since the higher managers have already agreed to it. As people either retire or leave, positions are not being filled as the workload increases. These are two instances that have impacts on each other and are two separate problems.		Don't start work groups on customer service. Use that money to fund existing programs that would greatly benefit these entities. More crop tours, site visits, and allowing staff to attend conferences would help staff connect what they do at work with what is going on on the ground in states, tribes, local communicates, the regulated community, and the public at large. They can then provide better customer service since they can then access that experience/background knowledge.	Stop rolling back on regulations and reforming regulations that are already in place. They are costing EPA a fortune and a lot of wasted time. They are in place for a reason.	Make IGMS more user friendly. Allow people to save their work in the system with ease. Use more GIS in data collection and/or information display. Visualization goes a long way. Allow EPA platform to accommodate GIS story maps.	Identify where resources are similar among other federal agencies and collaborate instead of recreating materials/resources.
1419	1418	5/23/2017				I have seen no such opportunities in all my time at EPA. We are already deprived of the financial resources needed to fulfill our statutory obligations to protect clean air and water.	I imagine it would save a lot of money if EPA bought its own computers instead of leasing them monthly from EZTech.	

AMERICAN OVERSIGHT

	I
1417	
1418	
1419	Some organizations consider it a "best practice" to have leadership that shares the values, motivations, and moral compass of their employees.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1420	1419	5/23/2017		Good, solid Supplemental Environmental Projects (SEPs) allow a respondent to perform needed environmental work associated with their violations, in lieu of payment of a full cash penalty. These can provide tremendous environmental benefit for local communities which would otherwise not be possible. Additionally, in my experience, it allows a respondent to become more aware of environmental issues in his/her community. We should readily offer this opportunity in most enforcement actions where it is appropriate.	EPA should be in a position to be able to oversee state authorized programs so that when disagreements arise or things don't go as they should (i.e., Flint, MI) EPA can assist with mediation and compliance assistance.			
1421	1420	5/23/2017	(1) Interference from industry and political interference in science. Repetitive requests for delay in science to consider "new" or "soon to be released" data that delay decisions. There will never be "perfect" information. Decisions need to be made based on the the information available at a given time. (2) Allowing non-experts to provide equal sway in policy or science decisions is inappropriate and ineffective.	(1) Increased engagement with ECOS and ERIS. (2) Restart the sectors program in a thoughtful and meaningful way.	(1) Increased engagement with ECOS and ERIS. (2) Restart the sectors program in a thoughtful and meaningful way.	Encourage cross-media office approaches to environmental protection. Reward collaboration. Increase hiring flexibility to allow for a more agile workforce that can respond to the changing needs of our nation.	EPA's IT infrastructure and hardware is embarrassing and makes it impossible to do our job well.	Reward collaboration in meaningful ways. Encourage communication across offices, governments, etc.

AMERICAN OVERSIGHT

	I
1420	
1421	Take advantage of all hiring authorities, such as Title 42 and other flexible hiring authorities. Getting the best and the brightest is the best way to improve efficiency.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1422	1421	5/23/2017	Managers (both GS 14 and 15) are very rigid with time and attendance procedures of their employees, however, I have experienced (on numerous occasions) where managers seem to take advantage of their positions by taking advantage of the rules and regulations. Managers need to be held accountable in all areas and set the standard by their actions. GS 14 and 15 levels supervisors need to be watched for abuse of power. Regional Division Directors and Deputies need to assure compliance and fairness within their organizations on a regular basis.	EPA needs to be able to continue providing grant monies to state and local governments for voluntary partnerships. More grant monies and very specific grant conditions could help in achieving better environmental results. It will definitely work against achieving results if EPA stops providing grants dollars for voluntary partnerships such as Pollution Prevention, energy efficiency, lead programs, etc.	EPA needs to provide added value for states, tribes, and local communities so that they want to work with us. In the past we have had joint events, and have brought $$$ to the table and $$ (it works!). Additionally, joint press about positive events like the Safer Choice Program National Partners of the year, or Energy Stars' National Anniversary needs to be told, but this year HQ communications was not allowed to do press...they were told not to issue this positive effort to the press ...there were great stories to be told ...let them be told to the press!!!	Yes, as a former position classifier, I know of GS 15 supervisor that are only supervising 8 employees and is reporting to another 15 over them...this is poor position management! All of the regional organizational charts need to be reviewed immediately to begin making 15's tow their load of work for the salary that they are being paid or downgrade the position immediately. Additionally, EPA has allocated enough funds for 1 percent of spending on GS salaries to go toward performance awards...EPA should not issue ANY performance awards this year!!!! You can save 1%!!!	Unknown..... FYI...I am a 30+ year non supervisory GS-13 federal employee (with 1/2 my years in EPA). I have seen supervisors and managers come and go...that is why I am so targeted in my suggestions to you. Please look at the management and supervisory structures ...They need to scrutinized more fully and reviewed regularly for grade justification.	Outreach and Voluntary programs (if they survive the realignment and FY18 budget) should be reorganized to be part of the Administrators Communications staff and Regional Administrators staff in order to make inroads with the public. Positive education and awareness are critical in positive relations with states.Recognition of partnership efforts is critical for better collaboration and communications with other federal agencies, state and local government.
1423	1422	5/23/2017		Certain states and local communities, as well as certain private sector stakeholders, have deployed clean energy technologies like renewables and energy efficiency that both have achieved better environmental results and lowered these stakeholders' costs. The EPA could support additional states, tribes, local communities, and private sector entities in achieving these improved environmental results and cost reductions by sharing the many existing clean energy success stories and helping others implement similar types of solutions, including by helping specific states, localities, tribes, and companies identify which clean energy options may generate the best environmental and economic outcomes for them.	EPA's website has housed a tremendous amount of information, including tools and guides, that can be of use to the public at large and other stakeholder communities. Maintaining these resources and improving their searchability on the Agency website would improve our customer service to these groups by making the information and resources easier to find.	I would guess the Agency could reduce the cost and emissions of its building footprint by modifying our own heating and cooling processes to incorporate a bit more seasonality (i.e., setting temperatures a degree or two cooler in the winter and a degree or two warmer in the summer). These efficiencies could also yield an interesting story to share with other institutions (businesses, schools, state & local governments, etc.) that also might derive benefits from this type of change.		

AMERICAN OVERSIGHT

	I
1422	Each state office that received Pollution Prevention Grant monies and have manufacturing best practices that were adopted in conjunction with EPA grant monies to state universities. Local collaborations have already been made with Department of Commerce NIST MEP Centers. EPA monies helped state Manufacturing Technology Centers and local manufacturing technical specialists... best practices are on their websites. If funding is cut, we will not be involved with/or knowledgeable about these critical efficiencies done at the local level...the connection will be severed.
1423	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1424	1423	5/23/2017	Micromanagement either from branch chief or director's office	Conducting joint review of pesticides and risk analysis with state and tribes	Reduce redundancy in terms of reviewing same chemicals by multiple scientific committees.	delegate some review or risk assessment processes to states or tribes. Relocate office buildings from city center to suburbs which will reduce renting cost of the building. Consolidate/Combine similar branches to 1 . Reduce the salary of managers since they do not conduct any primary review or substantial ground work.	I do not have any opinion about this	I think we can delegate some risk assessment work of pesticide exposure to states .
1425	1424	5/23/2017	Eliminate the State Review Framework and develop a more collaborative process for working with our states to implement compliance monitoring and enforcement programs. Eliminate OECA's Nationally Significant Issues policy and allow the Regions to work with the states within their Region to determine the appropriate resolution of an enforcement matter. Eliminate the one size fits all designation of National Enforcement Initiatives. These are frequently not the biggest issues facing our states. Increase the utilization of CAA blanket waivers to allow for the Regions to address noncompliance in a more timely manner without requiring OECA and DOJ involvement.	I believe that EPA needs to spend more time listening to the regulated community in order to better understand the unique compliance challenges that they are facing. Many EPA rules are poorly written and industry would benefit from increased compliance assistance outreach related to EPA's interpretation of specific regulations.	We should ask them how EPA can provide them with better service?			Work with our States to understand the specific environmental and public health challenges that they are facing and align our efforts to ensure that they we are all focused on addressing these issues. Establish formal partnership with OSHA on issues involving work safety and chemical accident prevention.

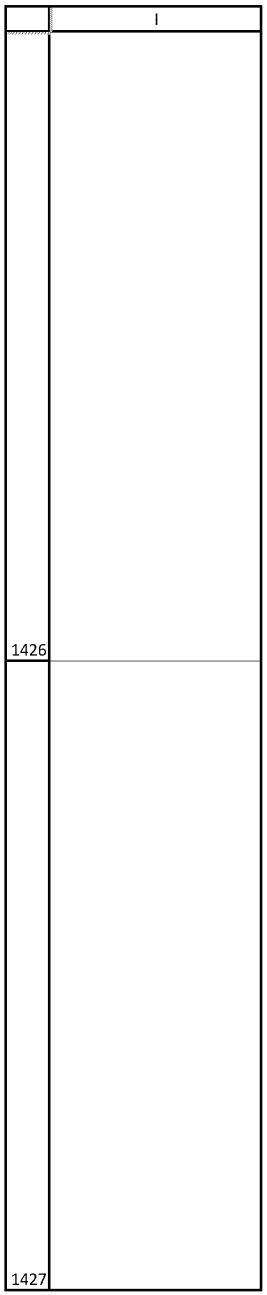
AMERICAN OVERSIGHT

	I
1424	Eliminate multiple reviews of the same or similar assessment of pesticides .
1425	We desperately need to eliminate paper reporting systems and the redundancy of reports being sent to both the states and Regions. This would be a huge cost savings for industry. Everyday thousands of documents are sent to EPA via FedEx or other certified mail at a great cost to industry. Establish an electronic records management system to reduce the administrative burden and significant costs associated with maintaining paper files. The State of Louisiana maintains an Electronic Document Management System that is a great example of an electronic records system that provides electronic access to records and

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1426	1425	5/23/2017	Paper files are still the official records for all our business. This creates inefficiencies of duplication (we must make paper copies of all files while we really work with electronic ones for actual business), takes time for storage preparation, requires drawer space. It is 2017, we can do better	1) Regulations are based on scientific evidence. But what the evidence means is often settled in court, which costs more for government and industry. We could set up this process ahead of the regulation becoming issued. What I think of is the creation of a third party, funded in equal parts from government and relevant industry groups, to review and evaluate the evidence (perhaps during the pubic notice period). The model for this is the Health Effects Institute, a current partnership of ORD,OAR and the automobile industry. The credibility of their review is so much greater because of the multiplicity of inputs. This can be expanded to other sectors. 2) FDA has an interesting process for food products developed for market. While the manufacturer still has responsibility to ensure food is safe, they can voluntarily consult with FDA through a	ORD research is usually targeted to support EPA program offices. Many opportunities exist for doing research that could reduce emissions for industry. It's one thing to say you shall keep levels at this level; it's another to be able to offer "and here are some suggestions you can further develop" from EPA's own research		Electronic records. An agency-wide tool for project management would increase efficiency and offer enormous transparency.	NIEHS and EPA ORD have strong affinity, for example. At a minimum, leadership coordination would help.
1427	1426	5/23/2017	1)Purchase Card Program is an area with organizational processes that are inefficient and ineffective a.Moratorium on new purchase card accounts. There has been a moratorium in place since March 18, 2014 on issuing new purchase card and convenience check accounts. This moratorium negatively impacts the ability for offices to obtain new purchase card accounts when cardholders transfer or retire. The fact that this moratorium has been in place for over three years is a sign of inefficiency. There needs to be a process established and in place for offices to obtain new purchase cards instead of this blanket moratorium. In addition, that process should empower individuals at the lowest level possible to obtain approval rather than creating additional bureaucratic procedures to obtain approval at a high level. Empowering individuals and holding them accountable should be the ideal and not the exception. b.Transaction processing and record		Emphasize the importance of cost impact of rules and regulations One idea for providing better service would be to emphasize the importance of cost and the impact that this has on states, tribes, and regulated community. A recent regulation in my unit had a 30 percent cost increase from the previous regulatory cycle. This type of increase does have an impact. Unfortunately, during preparation of the rule as well as the review process for this action, there was no emphasis on the cost impact. In my view, employees, managers and senior leaders need to emphasize the importance of the cost implications of our regulatory actions on states, tribes, and the regulated community.			Review current programs within EPA for areas of duplication and overlap. There is clear duplication of activities within program offices and efforts need to be made to reorganize. For example, there is a National Homeland Security Research Center in ORD and a Water Security Division within the Office of Water. How many separate offices does EPA require to work on ???security???Â Recommend programmatic reviews to eliminate these areas of duplication and obtain cost savings through consolidation. A further programmatic review is required to ensure that these areas are focused

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1428	1427	5/23/2017	The time management system is too cumbersome and time consuming. In the Superfund Program we have too many categories and managing them all becomes too cumbersome. We need to find ways to simply using project codes in People Plus. Another major inefficiency in People Plus is we are required to enter time and attest on Thursdays a day prior to end of pay period. Since we haven't yet worked on Friday we cannot record time for projects. We end up amending our timecards every pay period which takes additional time for the employee and timekeeper. What if are give time to enter our time sheet until Friday afternoon of the pay period. This will eliminate amending the time sheet every two weeks and also save time for the timekeeper to verify it.	Currently we have good working partnership with the States and private sector.	I believe EPA has good working relationship with the states. We could have more community engagement although EPA has been advocating this for a few years now and we are doing more community outreach.			
1429	1428	5/23/2017	We do not do enough succession planning. I have been with EPA for close to 20 years and no matter how much it has been expressed that succession planning is needed it goes by the waste side for administration task and budgetary task. Technology is always looked at first above all. It is the admin and budget that assist with the technology getting completed. People have retired or moved on only for their work to passed on to another person who does not have a clue or is doing the same type of job with a full load and then give more. The pressure and stress it great and people who looked loved and cared about their job are now overworked and filling it. This has and is making people deciding to leave and/or retire. Just did not have to be this way. Sigh!! Space is an issue. Program offices used to manage their own space, but now it is being managed by a division that does not always know the needs of the office.	More communication and more opportunities to meet and understand how we can leverage or learn more from all communities we support as an agency.	Same as above for Q2, but listen to the need of the community and try and implement solutions or practices to assist the communities we serve. sometimes we as an agency put things and technology in place, but may not have a full understanding of the community we serve or even the customers inside the EPA we service. Example: Space is need to move contractors on EPA's campus due to the TIC, but space is at a premium. The decision was made for the TIC as a security measure, but did we communicate this effectively with the people who have to find the space to house a number of contractors. Working together would make for a better environment and community of service.	I feel the LEAN program is not fully being utilized and could assist in streamlining processes and creating a better community of service.	Not sure, but sure there are some areas that need attention.	May be better efficiency, lessons learned. We used to have Liaisons to work with the program offices, but was very effective was working with OARM, Security, etc. to build relationships and community of contacts to go to when something is needed. This has assisted both sides in many projects that I have been involved in over the years. If we would stop territorial and work together we could accomplish more, more effectively. We do a great job, but it could be better.

AMERICAN OVERSIGHT

	I
1428	EPA needs an electronic file sharing system that is accessible to external partners similar to SharePoint that is used for internal EPA employees. When we large documents to share, currently the only way for us to share is send it on CD. We also don't have the ability to receive large documents unless the external partner provides a link to download. If EPA can create a file sharing system where we are able to send large documents and at the same time allow external parties to upload to the EPA system we can improve efficiencies and save mailing costs.
1429	Not sure of other agencies, but Wake Med North Hospital has a very good check in process, followup and management. Don't know what they do, but it is impressive.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1430	1429	5/23/2017	Leave has to be requested in different systems, dependent on the type, due to PeoplePlus limitations;annual leave, comp time, travel comp time are requested in PeoplePlus but Credit hours (CH) leave are requested in Lotus Notes & request take a long time to process from telework locations. In 2018 People Plus will start to track CH and we'll be able to request CH leave in PeoplePlus, but the system will not track our actual minutes worked daily for accumulating 1/4 hour increments for the week but will truncate to nearest 1/4 hour daily, so we'll be supplementing the government with free minutes each day. Tracking in one system should be expedited for efficiency and actual minutes tracking needs to be programmed into PeoplePlus to not violate the law which prohibits supplementing by federal employees.	Tribal partners seem to be held to a lower standard than states when it comes to performance and that should not be allowed, especially given limited funds. Tribes are also given a higher status than states, which creates inflated expectations of immediate or near immediate response and undue stress on staff which can lead to inefficiencies and ineffectiveness as staff are expected to jump into action at the drop of a hat and drop other critical work due to management pressures. I have heard that grouping of funds and performance into PPGs adds to watered down accountability so those should be checked. Better accountability should yield improved environmental results with limited funds.	Small and rural communities often need a bit more hand holding than larger communities with numerous staff. Additional staff emphasis and travel funds should be allowed for reaching these communities. Also, small and rural communities along with Tribes tend to lose staff more often (for different reasons) than normal size communities, so the additional staff emphasis and travel would also help with that. Challenges and solutions that work for other communities simply aren't practical or applicable to these communities and we need to craft special tools with help of staff experienced with these customers.	I have heard that some building space leases are so expensive in some regions, so those need to be revisited and renegotiated, or changes made. Also, I have heard that some offices have so much empty space due to so many people teleworking, that perhaps smaller office space leases would be merited. If people telework so many days, like 3-5 days on a regular basis, then perhaps they should share a space with someone else, or only have touch down spaces which are minimal; we should not be paying for office space that is not being utilized. Lower total space needs should result in lower lease costs and lower heating/cooling expenses. Another untapped opportunity is providing administrative support to	I can't thing of anything right now on such short notice.	This is such a loaded question with so many opportunities that I can't even begin to do this question justice. I suggest that you look at currently coordinated work and groups and ask those folks for ideas directly, plus repeat the process that was used to create those successful partnerships for other areas identified and other agency groupings.
1431	1430	5/23/2017	We do not use Docu-sign or other secure signing tools. Not only does this waste resources as far as printing and pushing paper, but it hurts our ability to properly track documents (records management). Additionally, we are wasting resources and opportunities to collaborate by having many databases rather than storing information in a centralized database.	Rather than pesticide approval letters, provide stakeholders with a 'fact sheet' outlining changes made to the pesticide product. This will help improve stewardship and communication with states, applicators, and growers.	Stronger risk communication strategies. Our stakeholder groups are forced to interpret our communication strategies in regulations.gov rather than having information come accurately and in an easy-to-understand format for our stakeholders. I think the public at large would benefit from better 21st century communication methods.	Pesticides program has a portal for chemical company applicants to submit submission packages for review. Unfortunately, staff is unable to get this information in a user-friendly way, so we are often asking companies to resubmit information by email.	Docu-sign Mandating electronic reporting, recordkeeping, and data collection. Using CRM tools, commonly used in the private sector, to track work progress	Invest in technology but ensure EPA staff are involved

AMERICAN OVERSIGHT

	I
1430	Again, this is such a loaded question with so many opportunities that I think you should focus on this separately as with the above. So many best practices in so many areas.
1431	The Worker Protection Standard and Certification and Training Rule did an amazing job at involving stakeholders in all aspects of decision-making. They are a great model to use for effective state-federal partnership

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1432	1431	5/23/2017	Currently, the ordering process is too complicated due to conflicting requirements. This causes the ordering process, for even simple items such as pens, to be confusing and to take far too much time. Often, it???s difficult to know which requirements take priority when there are conflicting requirements. The various requirements should be clearly elucidated and should not compete or overlap.		Think more like team members than regulators.	I rarely see OPP management excited about supporting the EO for EMS. Most of our ESC management review meetings are not attended by top-level OPP management and that sends a clear message of disinterest. So far, the Trump administration has not eliminated the EO for EMS requirement. Of course that could change, but unless it does, shouldn???t there be a little more enthusiasm for this EO? As a result, other intraoffice environmental groups and efforts have been created that seem to overlap with the efforts being made at the EMS level and there isn???t a lot of cross communication.		
1433	1432	5/23/2017	That your supervisor has to return a leave slip to you before you can fix it. We used to be able to ???take back??Â a leave slip to make fixes, and it???s just crazy to make overworked supervisors have to take the first step before staff can correct a leave slip. This is especially a problem with sick leave slips for doctor???s appointments, when you can???t predict very well in advance the time you will be on leave. What possible business reason could there be to not trust staff with this responsibility? I can think of none. The Agency-level awards process is antiquated. Managers write nominations for staff at the division or office level, and the nominations advance through a system that has so many levels that it takes a whole year before there is an awards ceremony. Actually, the last several years, there hasn???t even been an actual awards ceremony.	Hire some Assistant Administrators, because they are your lieutenants who can interact with EPA staff to advance your priorities. Hiring a set of special assistants or senior counselors (either way, recent law school graduates with little environmental law or regulatory experience) is no substitute for a set of experienced, senior managers. You need people you can trust, who also have the respect of staff to make sure you are getting sound information. Hire people who have experience in environmental programs at the state level, if you are really serious about federalism. If you don???t hire qualified AAs, and rely on acting career senior officials, how long do you think any changes you do manage to make at EPA will really last? No Administrator has ever met every staff person, but this is the	See my answer to #5. Also, make it easier for the public to see on the web exactly what is going on in their neighborhood in terms of environmental quality (e.g., what was the original expiration date on a facility???s permit?).	There are too many people who have been ???promoted??Â to ???front office??Â jobs in AO and AAships, where they are farther removed from programs that protect the environment. In theory, they are there to provide oversight and aid senior officials, but people who sign up for those jobs tend to be more out of touch than the average staff person, and senior officials like having minions at their beck and call (whether that helps with environmental protection or not). And the more out-of-touch are staff with our stakeholders, the less effectively they can provide oversight. Whatever it takes to do so, move as many of those staff to program offices, divisions and branches. To some, it	Make more use of electronic reporting and continuous monitoring as well as rules that would require environmental information to be gathered and publicly reported without concomitant requirements to control pollution (let that follow based on the level of interest from the public), and other similar tools from the field of behavioral economics. Recent attempts at EPA to encourage electronic reporting have been watered down. Focus EPA resources on building tools that states could use for electronic reporting. If we seek their input in the tools we build and ask them how advancing electronic reporting tools could help them do their jobs, and realize that we???ll never get consensus from all 50 states,	See also my response to #4.

AMERICAN OVERSIGHT

	I
1432	
1433	I can???t think of particular best practices. But I do think that much of the burden for sharing best practices rests with staff in the administrative support offices. They could do a much better job in terms of communicating with staff on policies and procedures, but not just telling us the rules to be followed, but also helping us understand better ways to do the aspects of our jobs that are their bailiwick.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1434	1433	5/23/2017	One thing that is a hindrance is allowing the fossil fuel industry to dictate to the EPA because of the worthless lawyer appointed by trump.	How about keeping the politics of the far right wing out of environmental decisions and start listening to science.		A cost reducing change could be to cut Scott Pruitt's government salary and just let the fossil fuel industry pay him openly or have him earn a PhD in Environmental Engineering so that he can have a clue about the agency he is highly underqualified to run.		
1435	1434	5/23/2017	Contracts! Our contracts system is broken. The Agency lacks an adequate supply of staff to accomplish the work needed to put new contracts in place, in particular. My group developed a contracts request for proposals two years ago that was only released a few months ago. I have experienced stop work periods that have put projects to a standstill because there were not enough contracts staff to ensure a smooth transition from one option period to another on an existing contract. We could use clear step-by-step and standard guidance for managing contracts. And, at the staff/Work assignment manager level, there should be actual in-person training/renewal classes to take periodically rather than just on-line trainings because the education received is less informative. The requirement that only EZ Tech can download programs to our computers - including EPA programs - can be incredibly inefficient, particularly for	I have been working closely with states and local governments on achieving better environmental results for over 20 years at EPA. The voluntarily program I work on provides free (to the state, local and tribal government officials) tools and resources to help them make more informed decisions based on the things THEY care about while ensuring they can meet their environmental goals. For example, if they want to lower their greenhouse gas emissions or criteria air pollutants but also have a big priority to advance economic development and promote renewable energy, we work with them to help them understand the economic as well as energy and environmental implications of their choices so that they can select the best options for their needs. With a single investment plus modest support over time, EPA is able develop and maintain credible,	I think the regulatory programs could learn a lot from the approaches taken by the voluntary programs at EPA. Voluntary programs have to be very focused on the needs of our customers and tailor our approaches accordingly so that we can convince them of the value of our program to them.	Ensure that the lessons learned from any grants issued by the EPA to states and locals are easily available to others (e.g. on a website, in reports, shared at conferences, etc) so that the lessons aren't lost only on the recipient. It will make the value of our valuable tax-payer dollars go much farther.		It would be helpful to identify areas where one federal agency or department's actions could help another achieve their goals. For example, EPA relies upon DOE and EIA data and tools for our analyses but, in some cases, there are deficiencies in the data that could otherwise help EPA produce a better baseline. We frequently meet at the staff levels across agencies to identify these types of opportunities but it would be much more effective if the direction came from the to look for ways to support each other's efforts.

AMERICAN OVERSIGHT

	I
1434	
1435	Our voluntary programs, particularly those that work with state and local governments, have been working internally with our regulatory colleagues over the last several years to ensure that state and local priorities, experiences and circumstances (e.g. energy regulatory structures) are understood and considered during the rule-making process. The voluntary program experience has taught us the significant value of outreach, listening and engagement with our state and local partners; bringing that approach to regulations, has made a world of difference. The Clean Power Plan was an incredible success in terms of the way it was developed in close partnership between EPA HQ, EPA

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1436	1435	5/23/2017	For EPA data systems, web applications, information services - a huge obstacle to modernizing how we develop and maintain them is an apparent need for long-term strategies before any work can be done. For example, I recently heard a presentation about EPA OEI's plan to develop a strategy to provide digital services... A plan to develop a strategy - this happens a lot in EPA IT, can make the strategy obsolete before it's ever final, and is opposed to agile and "DevOps" methodologies that are successful in the private sector.	For data exchange, E-Enterprise for the Environment (https://www.epa.gov/e-enterprise) and the related Exchange Network should be made an Agency priority with associated resources and qualified FTE. *Quality, complete* data will make environmental protection so much more efficient and allow us to focus resources appropriately.	For EPA web applications and data systems, a free two-way communication tool like Trello might provide more real-time, user-friendly interaction and understanding of stakeholder priorities.	EPA OEI seems to be out of touch with program offices. It needs to be supporting the data systems, web applications, information services, and reusable services that the program offices, EPA regions, and their state/local/tribal partners need - rather than creating strategies and directives in a vacuum. Having occasional webinars to tell us what they're doing isn't enough - there needs to be regular two-way communication and support for the products/services most necessary to the Agency to support its mission.	The Facility Registry Service, managed by OEI, is way under-staffed, yet it could make data exchange so much more efficient for the regulated community and state/local/tribal partners by centrally managing information that is common to multiple systems and programs across the Agency. This would make data exchange more efficient, freeing up time for other activity, and give us better information to do our jobs. Additionally, OEI's System of Registries is a mess; services are repetitive/overlapping and difficult to search and use. Some of these registries have the potential to make us more efficient, but I don't think they've received the resources and qualified FTE that they need.	Appropriate numbers of FTE should be assigned to activities of mutual interest to EPA and other agencies/states, particularly in the realm of data collection and exchange; typically one person is assigned and is expected to build, manage, and communicate an activity almost on his/her own. As already noted, E-Enterprise for the Environment (https://www.epa.gov/e-enterprise) and the related Exchange Network should be made an Agency priority with associated resources and qualified FTE (these FTE should not just be in OEI but also from the program offices). Unfortunately, we may
1437	1436	5/23/2017	Despite a lot of improvements, we still do a lot of work on paper. Even when we are working with digital copies of documents, there is often not an IT infrastructure to easily transfer and track these documents between the divisions that need to work on them. This can cause inefficiencies and bottlenecks in our workflow. Additionally, our digital files are saved in many unconnected databases. Thus to do our daily work you may have to access many different databases to find information on one product registration. An overarching IT infrastructure that allows for a truly paperless office, that also allows for the transfer, tracking, and storage of digital information would greatly increase our efficiency. It would also make accessing information on previous work much simpler, and help to ensure consistent decisions are made across chemicals and registrations.		A more comprehensive IT infrastructure would make it easier to share our information with our government partners. This would make it easier for them to access certain information, reducing their need to duplicate our work, or their need submit questions to us. It would also help to make our work more transparent. A public facing side of this system would allow anyone to search across products to answer questions about what products they can use, and about all registrations in general. An electronic product registration system (which is in the work, but still needs to be completed) would be a large part of such an infrastructure. This would allow for better communication with the registrant, help us to improve the quality of labels, fill data gaps on label, and would decrease our need to make assumptions about label language. Once this system is fully functional, it will decrease the time needed for	The improvements to IT infrastructure discussed above would reduce costs and inefficiencies, and allow us to fulfill our mission more easily.	Use of open source code and adaptable technologies (such as APIs) would allow us to continually update our databases and how we access them. Currently, we are limited by the capabilities offered by our service providers. When a system becomes outdated or we decide to switch service providers we have to figure out how to migrate all our data to a new system. The use of open source code and adaptable technologies would allow us to constantly update our IT as our needs and technologies change.	

AMERICAN OVERSIGHT

	I
1436	Support true agile development - don't just tell us we should be doing it - provide training, resources, and server environment (NCC) that supports it. And we need an easy-to-access, secure Cloud environment; OEI has been unable to provide us with that. Thanks for the opportunity to provide ideas.
1437	IT should be customer driven. More in house IT programing and development support would allow us to develop or prototype more programs in house. This would create a body of expertise that is unique to the needs of the organization. This would not only save money and improve the quality of products, it would also save time by freeing us from the administrative restrictions needed to work with contractors on initial development of programs.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1438	1437	5/23/2017	Paper concurrences for enforcement actions: This may be effective, but it is not efficient. We should be able to concur on documents electronically. This would facilitate easier review, eliminate paper waste generated when changes are made, allow parties to know the location of the document while it is being reviewed, and lead to more timely enforcement actions. Allow for (or require) electronic submission from Respondents: This eliminates bulky paper submissions and would bring us a step closer towards electronic record keeping.		Share/advertise tools and online resources on EPA's website that are already publicly available but may not widely used outside of the agency (this may be specific to the Region / states within the Region). Highlight on EPA's website links to the Regional EPA webpages that share information specific to the states in that Region.			
1439	1438	5/23/2017	OGC review of Regional SIP actions for consistency-- not all issues are equal.	Region 7 Air program works collaboratively and cooperatively with our states, tribes and local communities to be pragmatic and follow the rule of law. I believe that there are unrealistic expectations from HQ related to making sure all state actions are consistent in the approach, which neglects the concept of state and local air agencies developing solutions for their unique problems. NPMs should clarify the environmental principles in which all actions must have.	Streamline the review process of state air program actions by reasserting the delegation to the regions to take action. When HQ and OGC are involved, 2-3 month issues turn into 2 -3 year issues. We spent too much time trying to create a "perfect" solution that everyone can live with and the environmental measures become secondary in decision making.	Create centers of excellence... why does every region need their own expertise related to modeling, emissions inventory.	develop common technical specifications/catalog of approved information management options and technology. Make records management and retention common sense. Why should the EPA not have an approved/certified plan for electronic signature across all Agency programs and actions.	Air quality modeling, work to build access to data centers across firewalls to collaborate on the development of attainment demonstrations. Why should both EPA and the states have to create data, systems, separately?
1440	1439	5/23/2017				Some program offices have insufficient (non-administrative) staff to efficiently execute statutory requirements. Staffing should be increased for those offices, such as in the applicable divisions within OAQPS. Increased output will pay for itself beyond the additional costs of staffing.		

AMERICAN OVERSIGHT

	I
1438	
1439	develop model rules, templates which outline the legal requirements in place for certain programs.
1440	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1441	1440	5/23/2017	Design internal EPA information systems - People Plus, Travel, Employee Schedules, Transit Subsidy tracking -- so that all systems "talk" to each other. This would free up first line supervisors to manage rather than spend way too much time on these administrative tasks -- much of which is redundant and could be streamlined. Our internal procedures need to be consistent and legal.	Regulate the entire environmental footprint of facilities -- look at all impacts rather than prescriptive and narrow regulation. Take a multi-media holistic approach to environmental regulation. Seriously consider and take to heart the environmental protection paradigm outlined by Daniel J. Fiorino in his 2006 book, the new environmental regulation. Many of EPA's statutes need to be modernized to address current environmental issues like climate change. Many of our statutes are out of date.	Be consistent.	Adopt an integrated multi-media approach to environmental protection.		
1442	1441	5/23/2017	Travel Comp Time Approvals are currently done on paper and later reflected in People Plus. This process needs to be updated because it is archaic and a complete waste of time. You end up wasting 30 min of senior management time in order to get credit for spending 30 min in a car. Please connect travel comp time--and regular comp time--directly with People Plus, the way that annual leave and sick leave are requested and approved.	Expand the community-driven work in the Regions that was successful through the Making a Visible Difference in Communities Efforts. When we have Regional staff serving as partners and liaisons with states, tribes, communities it is clear how little value-added many HQ staff/programs actually are.	Give communities/regional areas one liaison who will work with them in a cross-programmatic capacity. Each focus community currently has an EPA lead that is a regional staff person, we can expand this approach to other communities, and because we cannot cover each city individually we can also have staff people who cover larger jurisdictions like counties. Hire more interdisciplinary, policy folks. The regions are full of engineers that do not have the skills to provide good customer service.	YES. #1 STOP PARTICIPATION IN CFC. EPA staff are PAID to organize events to collect donations. This is unacceptable. We can reduce the amount regional staff that work on OARM/OEI related efforts, for example the training officers, HR reps, finance officers. There are many people in those regional divisions that are unnecessary. They create work for others rather than benefiting the organization. Many are walking around collecting mail and passing around paper forms, all tasks could be automated. We also do not need an Environmental Justice Working Group.	YES. Reporting our time, sharing our schedules, and working with people who are at an AWL could all be made easier by modernizing our current processes. SF52 process should also be updated. Too many people are involved in process, could be streamlined.	Take a community-driven approach. Do not let environmental engineers dictate the policies by which we run our agency.

AMERICAN OVERSIGHT

	I
1441	Mandatory 360 degree performance evaluation of managers and supervisors at all levels in the Agency.
1442	The best practices identified though OP's Making a Visible Difference in Communities. Also, allowing staff to utilize a maxi-flex schedule, so we can participate in meetings with communities/private sector that happen outside of our strict 8 hour schedules.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1443	1442	5/23/2017	The lack of consistency in budgets from year to year have made it difficult to plan ahead in order to address training needs and do simple things like meet face-to-face with federal, state, and local stakeholders throughout the region (this has been a trend through multiple administrations). The uncertainty surrounding the proposed FY18 budget is exacerbating these conditions in addition to creating fear in the workplace that inevitably leads to distraction. I would suggest that addressing questions such as the ones in this survey prior to establishing or proposing drastic cuts to EPA programs and staff would be optimal. My experience in a decade of working in this agency is that a majority of the employees here already strive to meet the Administrator???s goal of protecting the environment while being pro-economy. The continuing restrictions placed on the EPA workforce has actually limited our stakeholder interactions, and I don???t see that ending as a result of the proposed	My answer to question 1 actually addresses this issue. Physical presence and availability of staff are essential to these partnerships. Cutting programs and employees before properly addressing the answer to these questions will inevitably set the agency up for failure.	My answer to question 1 actually addresses this issue. Physical presence and availability of staff are essential to providing the level of customer service that the public and stakeholders deserve. Cutting programs and employees before properly addressing the answer to these questions will inevitably set the agency up for failure.			
1444	1443	5/23/2017	****my apologies for typos in these answers as I do not have time to review these before sending them***** Too many layers of bureaucracy to go through. We need a flatter, more streamlined organization. During the Clinton-Gore reinventing-government initiative, many EPA office eliminated a layer of management on paper, but in practice the layer remained. OGC is an excellent example of this, but other offices did the same thing. They simply called the eliminated layer "team leaders" or "practice group leaders" rather than supervisors. Same function with the exception that they did not provide ratings. No improvement in efficiency. Most management best practices in the private sector find that flatter organizations are higher performing organizations. Eliminating middle management and focusing some of those savings on more people to do that work and the rest of the savings at	The agency's processing of requests made by Tribes takes far too long. In response to an old IG report, the agency put together a "strategy" document that was to speed up processing of "treatment as a state" applications under federal statutes. That speed up largely has not occurred, however. We need to set clear deadlines for processing of these applications. It is good for Tribes and States as it provides quicker resolution of outstanding issues, promotes regulatory certainty for business to determine what is the regulatory agency the need to interact with, and ensures that, if litigation does occur, it occurs more quickly and can be resolved sooner.	See question #2 answer, above. It directly applies here as well. In addition, We need to write our regulations so that they are easier to understand. Even complex issues can be written more clearly. I'm an attorney, and when I read our regulations, half the time I do not know what they mean. I can only image the average small businessman or farmer who needs to understand what his or her obligations are under the law, and simply cannot because of our incomprehensible and excessively cross-referenced regulations. A small farmer or small businessman should not need to hire a $400+ per hour lawyer just to understand what they need to do to comply with the nation's environmental laws.	The EPA Office of General Counsel is very top-heavy in the management ranks. The office is staffed largely by GS-15 employees, who, as a class of employees, are supposed to require minimal supervision to get their work done. Despite this, OGC has increased the number of both SES and GS-15 managers in recent years, thus reducing efficiency and increasing budget demands. For example, all OGC law offices recently brought on board a Deputy Associate General Counsel. This is a GS-15 manager to assist the SES manager. For OGC's larger law office like the General Law Office or the Air and Radiation Law Office, it may make sense to have an additional layer. But for the smaller office like the Solid	Our computer technology here sucks. Additionally, the IT contractor that provides tech support is awful. Frequently problems are not fixed in a timely manner or the user is blamed. The contract for IT services lacks important performance measures. For the performance measures that it does have, frequently the contractor is not held accountable. There is a view that we cannot fire an underperforming IT contractor because that would be overly disruptive to the agency. But that thinking fails to recognize that an inability to get the work done due to terrible IT services is disruptive, just over a longer period. But when you add up that longterm disruption,	

AMERICAN OVERSIGHT

	I
1443	
1444	In the IT sector, I work with a company called Rackspace that provides certain IT services. Their customer service is best in class. We could look to them to see how they provide such excellent service and perhaps adopt some of their best practices. Finally, the US Army has an excellent officer evaluation system that we could learn from. Our Performance and Review System (PARS) here is terrible. Employees do not feel it's fair and it kills morale. Low morale produces low performing employees and is not a management best practice. We could immediately adopt from the Army the system of a minimum of two rating officials and a prohibition on senior

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1445	1444	5/23/2017	No comment	One pragmatic way for achieving better environmental results from partnering with states, tribes, local communities or the private sector would be by identifying communities with greatest environmental needs for help, linking those needs to EPA's core philosophies. We would then develop or enhance existing collaborations with our partners under key priority areas.	Attentively listening, thoughtfully and timely responding in our regular contacts with our stakeholders. Frequently we are perceived as bureaucratic and insincere.	The regions are in the front line where a lot of the environmental work is being done. This implies to me that the regions are best positioned to identify vulnerable areas locally with greatest need for greatest beneficial impact to address most urgent pollution related issues. Perhaps a bottom up approach connecting problem areas with appropriated funding might work more efficiently in addressing environmental problems sooner - this would be in contrast to, as I see it, working from different pots of funds from different parts of the agency to do what one can do in very limited ways.	A lot of new technology is now getting in the hands of communities. We need to do better in common sense transparency helping bridge communication gaps with our citizens when informing about the science effect of our work on the ground in lay-terms fashion.	We are very compartmentalized and this is frequently challenging for outsiders of EPA. From a stakeholder point of view wanting to work best with agencies at every level of government, it is like a maze. This is probably one reason why it is frequently viewed that regulatory agencies' doors seem wide open to the industries they regulate. Larger regulated entities use professionals that know how to navigate the system. Smaller businesses and the public sector in communities and the like are not as fortunate. Clear navigational centralized access for
1446	1445	5/23/2017	Documents currently routed for review and approval using paper copies could instead be routed electronically using OneDrive/SharePoint.	Avoid supporting the false narrative (put forth by industry) that EPA is to blame where such partnerships have become adversarial or less than collaborative.	Based on my experience working at EPA and in the private sector, EPA already goes to great lengths to serve and accommodate states and locals. To better serve the regulated community and the public, more staff/time/resources should be devoted to drafting clear and thorough rulemaking and policy documents.	Better utilization of electronic communication.	Documents currently routed for review and approval using paper copies could instead be routed electronically using OneDrive/SharePoint.	

AMERICAN OVERSIGHT

	I
1445	In addition to the regulatory work we do in the region, following compliance monitoring strategies, etc., some regions may be more adept in also looking at impact of the work we do, when formulating approaches to problem solving, particularly when addressing urgent environmental issues in overburdened communities overwhelmed with environmental injustice. The existing regulatory framework in general is very effective in protecting public health and the environment; however, important challenges remain where there is a gap and this framework does not go far enough. There should be clear incentives that appeal to stakeholders on both sides of the
1446	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1447	1446	5/23/2017	The many systems for managing personnel components... For example, if I'd like to telework episodically and take a few hours of leave on the same day, I have to: 1. submit a telework request form (which is electronic, but has several steps in itself...), 2. submit an absence request 3. enter the hours of leave I will be taking on the telework request form 4. enter telework hours on electronic worksheet 5. enter leave hours on electronic worksheet. If something changes and I need to adjust any of this information, I must ask my supervisor to "return" my electronic request forms, and begin from step 1.... I also log my own hours because I know that I cannot trust the timekeeping systems (which are not only delayed in updating calculations but sometimes make mistakes). Seems like with the technology we have, there is no reason to have these outdated personnel systems! Have a single system that will be automated and smart for managing time, leave, payroll, etc.	Elevate environmental protection's importance in national and state politics? Currently, many states view environmental protection as an adversary! In the absence of increase in funding, the EPA's leadership must stand behind their staff in requesting that states and tribes provide clear workplans that include ENVIRONMENTAL outcomes that will result from federal dollars spent. States should oblige EPA's requests for additional information and/or improvements on those plans and environmental outcomes. The relationship between states and EPA is theoretically supposed to be cooperative, but in many cases the states do not cooperate with EPA's staff. Often, issues that could be resolved at the staff level quickly get elevated by the states' management, past EPA's staff, directly to EPA's	Have EPA provide good and clear (and timely/relevant) regulation and guidance!!! That's the agency's purpose.	EPA is already pretty bare-bones... You'll need to make some investments to reduce inefficiencies.	I personally feel pretty well supported in terms of technologies and the freedom to seek out new processes. Others who do not have updated computers and software would certainly benefit from that. The only thing that could make me better at my job would be "more time" - or additional colleagues to take over part of my workload so I can devote full attention to only a few projects.	Aren't we already doing that? EPA is so bare-bones that everyone is pretty good about not duplicating work...
1448	1447	5/23/2017	We are currently getting no communication from Administrator's office through our AA-ship and down to our other Headquarters offices. It is difficult to know what to communicate about current actions pending or other activities to state agencies.	Programs with proven track records that can be replicated are the Clean Diesel Program (Diesel Emissions Reduction Act-DERA) and the Advance Program. These voluntary efforts have produced real environmental results over their lifetimes and should be continued and built upon.	Reduce Headquarters oversight on permit actions and communications with our state agencies. This causes delays in the overall permitting process.	CONCUR travel system and contracts should be renegotiated to reduce the fees charged for travel authorizations, travel vouchers and other associated fees (hotel bookings, flight changes, etc.)	There are too many changes being initiated with the EPA webpages. Large amounts of useful and historical information is being deleted or archived so that it is difficult for EPA staff or the public to find it and access it.	Everything EPA does cannot be delegated to the state or local agencies. States have resource and budget issues that are affecting their ability to complete their essential work already. Delegating more activities that they may not want does not help them or the environmental program.

AMERICAN OVERSIGHT

	I
1447	EPA provides the option for a credit hour schedule - this allows employees to work "overtime" to get time-off without the agency having to pay additional salary... This really is a win-win for both. Employees get more work done and the agency saves money. This also helps with the work-life balance which results in better employee morale, thus better productivity.
1448	EPA has completed a large number of LEAN projects and efficiency efforts over the last several years. These need to be relayed across the Agency so we do not reinvent the wheel on something that has already been completed or evaluated.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1449	1448	5/23/2017	Finding the information that is spread across our agency's internal resources is very difficult and wastes countless hours of our employees. Every organization has it's own intranet and SharePoint has grown exponentially that it's nearly impossible to find content that lives at the agency level. Centralizing agency content in to a single intranet platform, where content is reusable and relatable would ensure that users only access content that is accurate and current. While the implementation of SharePoint created a way for users to quickly share documents internally and externally, it has grown so much that it's impossible to find anything. Significant features of SharePoint don't work (search!) and there's no way to collaborate across sites. Each organizational site collection creates it's own silo. Let's ensure that SharePoint is used as our governance intends - a collaboration tool and not a dumping ground for files.			In mid-2016, the Federal Source Code policy was released, requiring agencies to release the code for anything custom-developed by the federal government in an effort to promote re-use across government agencies. Using open source technology not only makes meeting this policy easier, it is already the practice in open source. By focusing on open source technology first, we would increase our innovation and efficiency. Adopting open source forces the adoption of the tools and technologies of modern software development.	The adoption of a standard intranet strategy and platform across the agency is necessary if the agency wants it's internal information resources to be current, accurate, and trust-worthy. The agency currently allows regions and program offices to use a multitude of platforms to manage their internal websites. With no standard platform, the agency wastes considerable time and resources. Different platforms also limits agency employees from learning from one another, sharing and re-using solutions, and developing a community that supports innovation and growth. Drupal is a proven content management system. It has	
1450	1449	5/23/2017	One of the biggest hurdles I now face in conducting my job efficiently and effectively are the new contract requirements that are being leveraged on us by the contracting officers. We had an original system, ATGS, the was easy to use, streamlined and EFFECTIVE. We have now been told that this system is not good and that we have to use the EAS system. However, I can not track the work orders using EAS, only the Contracting Officer can do that. I also now have to submit an IGCE every time I increase the budget by >$2500. It does not make sense to me that it is okay to assign work to the same contractor, using the same contractor for years without doing this, then a new CO comes in and interprets the FAR differently and makes us do this additional work. I used to be able to assign work to our contractor in a matter of minutes, NOW it takes my hours to prepare the paperwork and then wait for 2-5 days (sometimes longer) for CO approval. This is ridiculous! In our Region (10) we are working on a	I believe I have wonderful partnerships with the states and tribes that I work with. I think the key to that is good communications.	I think that the funding decisions for grants and cooperative agreements, should be made at the regional level, not at Headquarters. All of the Regions should be allotted a certain amount of funding and then be allowed to decide, without interference, how that funding is spent. We are the closest to the recipients, we should be allowed to allocate the funding as we see fit.	Please see my answer to Q1 above. In addition, we continue to add new requirements on grants and cooperative agreements as programs grow. Personally, I don't see a lot of value added for some of these. For example, the "light refreshments" requirement. We now have to complete a special form for that. These light refreshments usually only cost ~$200. The only reason we have to do this is because somebody got some bad press for hosting a reception a few years ago, when their government overseer was not paying attention. So now we all have to suffer...	I don't think we need new technologies, but I think the ones that we currently have need to work better. For example, "SharePoint". We also need training on how to use these technologies, which we don't seem to have funding for.	I believe the programs I work on are already well aligned with the appropriate state agencies.

AMERICAN OVERSIGHT

	I
1449	Adopting an "open source by default" policy would severely limit the amount of technical debt the agency would take on with each tool that it develops. Standardization of a single platform would reduce costs and improve user experience. Enforcing the governance that supports these efforts is imperative. EPA is the only agency I've worked at where governance and policies are rarely enforced. Policies are put in place to improve efficient and save money. If these policies are not enforced, we will continue to waste tax payer dollars by investing in multiple technologies and creating mounds of technical debt we will not be able to manage.
1450	Common sense?

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1451	1450	5/23/2017		I transferred to EPA Region 10 from another EPA Region and firmly believe that the EPA Region 10 model of having staff in operations offices close to the State Environmental regulators helps develop a wonderful and cooperative relationship - not that this can't be developed from a distance but when you meet directly at least once per month this really helps and does not cost travel money if the employee is already nearby.	EPA employees are very dedicated to doing the best work they can to protect human health and the environment. Employees can be more effective if they are given the time and travel dollars to meet directly with the stakeholders.	I think all agencies need to communicate better with each other to leverage federal dollars effectively. There used to be an initiative called Strong Cities, Strong Communities (SC2) that helped facilitate federal collaboration effectively.		Regular meetings at the staff level could help. Not all employees at all agencies realize what the others are doing and if they are able to understand this better collaboration and leveraging of resources can occur.
1452	1451	5/23/2017	Since the change in administration, oversight from Washington has increased tremendously, but there has been no justification for it. This effectively slows down our ability to effective, efficient public servants.	EPA has been successful partnering with states, tribes, local communities and the private sector. These entities do not have the capacity to assume many of the programs we oversee and help them implement. More resources (e.g., staffing and funds) will help us achieve better environmental results.	We can provide better customer service by providing information based on sound science. For example, making false statements that question climate change just diminishes our credibility and prevents us from ensuring clean air and clean water.	I believe your question is premature. I honestly don't think the Trump Administration understands the roles and responsibilities of EPA. I don't believe the administration understands the mandate of EPA to protect the environment and public health and safety. I don't believe the administration understands that economic prosperity and environmental protection go hand-in-hand. I don't this administration knows what it wants. So, how can you ask about changes at EPA when the administration doesn't understand our core mission?	We just hired young energetic graduates with an understanding of state of the art new technologies. It is part of succession planning. This makes us more efficient and effective....RIFing them makes no sense.	

AMERICAN OVERSIGHT

	I
1451	
1452	The messaging coming from the new administration has been insulting and degrading to EPA public servants that have devoted their careers to uphold the mission of environmental protection and public health and safety. It comes from an administration that doesn't understand the statutes under which we operate. I believe the new administration should adopt the best practices from other agencies and the private sector that respect the work and accomplishments of their employees.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1453	1452	5/23/2017	There is micromanagement over regular reports and the regulatory processes utilized in EPA, along with a constant focus on enforcement, rather than on technical assistance to ensure regulatory requirements are met. I would address this by eliminating OECA, and downsizing the enforcement organization, including attorneys. EPA attorneys also do not take enforcement actions - they are referred to the DOJ to pursue, which appears duplicative.	The states and private sector are much more knowledgeable, innovative, and creative on ways to obtain environmental results. They should be allowed to take the lead in protecting the environment, and EPA should stand back, listen, and learn. EPA should only ensure core regulatory requirements are being met, and let the states run environmental programs, even on tribal reservations located in those states.	EPA's overall focus should be on environmental problem-solving. EPA should decrease enforcement, and do more technical assistance where needed. There is too much effort from enforcement and management to score "brownie points" by doing enforcement actions and collecting fines, and calling it "protecting public health" rather than fixing problems. Being supportive to the regulated community and public would go much further in protecting the environment.	1) EPA is top heavy with management and attorneys - their numbers should be greatly decreased so there are more general staffers and subject matter experts to provide technical assistance to the regulated community, and work with states, communities, and other agencies to provide environmental protection. 2) Centralize all contracting, grant management, and financial services to one or two offices versus offices at HQ and in each region, much like human resources are centrally managed. 3) Many grant programs (such as tribal grants) spend thousands of dollars with no results and no accountability - they should be scrapped, or cut back as outlined in the FY18 proposed budget.	Electronic records management - there have been numerous EPA work groups to look at the issue, but additional cloud computing for records storage should be adopted. We also do not need complex numbering and organizational methods for record storage - it is causing too many duplicative records to be saved.	1) There are duplicative utility infrastructure support programs within EPA, USDA, and IHS - only one agency should administer utility infrastructure funding, not three or more. 2) Energy efficiency programs like vehicle fuel economy ratings and Energy Star for appliances should be administered by the Department of Energy, not EPA. 3) Too many times, EPA focuses only on public health issues and not the environment. A more holistic view of the world by partnering with the Department of the Interior and the Department of Agriculture on environmental issues
1454	1453	5/23/2017	Redelegation of TSCA program responsibilities from one organizational group to another has prevented implementation of the program in an efficient and effective manner. The original organizational group has implemented the program since its inception and has focused, experienced, and expert staff. Perhaps a minor shifting of FTE funding could have prevented the redelegation from a focused group of experts to a broad group of staff and managers lacking expertise in the program. Program expertise, consistency in implementation, faster site cleanups, and efficiency/effectiveness in working with the regulated community are factors in favor of returning the delegation to the original program.					

AMERICAN OVERSIGHT

	I
1453	ALL EPA employees should learn project management, and run their programs like projects, with more finely defined goals and outcomes. This could cut back on EPA program scope creep, with EPA following narrowly delineated regulatory parameters, and not creating policies and regulations that are outside Congressional intent.
1454	

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1455	1454	5/23/2017	The HR Federal Personnel Processing System is a Legacy system that is slow and clunky. OMB needs to provide funds to the Department of Interior to develop a 21st century integrated system. We need to automate the telework application and recertification process. Many staff, managers and telework coordinators throughout the agency spend countless hours preparing telework agreements, copying the approved documents for the employee to keep, filing the managers copy, and then scanning the agreement for the telework coordinator to keep. A basic telework agreement and site safety checklist is 10 pages long. Each year, a participating employees has to go through the process of completing the annual re-certification paperwork. This is a problem throughout the Federal Government. Can't OPM with OMB's funding develop a basic system that can be modify by each agency to automate telework? This would save countless administrative hours. Employees should					
1456	1455	5/23/2017					Yes there are many technology or applications that should be developed to make us more efficient. However, the OMB doesn't provide adequate resources to either create and modernize IT systems. Automating administrative processes is always under-valued and inadequately funded. OMB hasn't really properly assessed the cost of not having Federal employees on staff to serve as internal business process IT Developers. We need these employees on the government's payroll to help create the systems to make us more efficient and effective such as creating an automated performance management and awards recognition system. Hiring Federal IT Specialists are far less expensive than hiring	

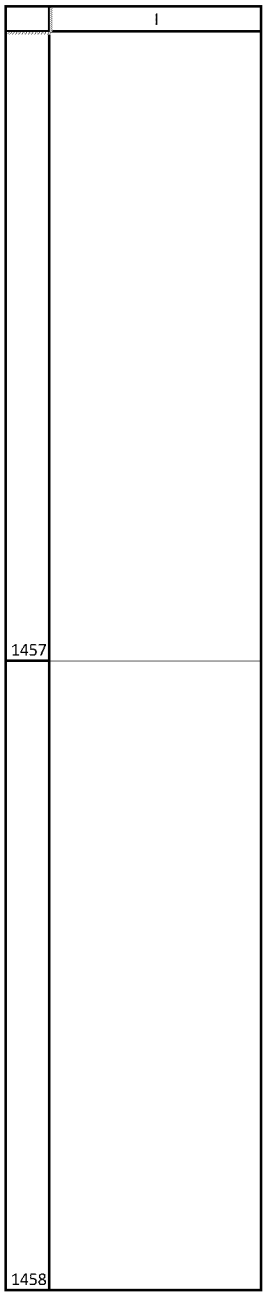
AMERICAN OVERSIGHT

	I
1455	
1456	No best practices, but believe that many private sector employers recognize that you need to train your workforce. I would like OMB to recognize that Agency's need sufficient training dollars to train new employees and retain experienced employees by providing them professional development in their chosen profession whether that profession is budget, human resources, hydrogeology, science, etc.

AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1457	1456	5/24/2017	We are audited to the point that we cannot function: As part of the Office and Research and Development???s SHEM Program, the XXXXXX is scheduled for an ORD-level SHEM Program Evaluation for fiscal year 2017. Your evaluation is being conducted ahead of your scheduled SSD Headquarter Safety, Health, and Environmental Management Audit in FY2018. STOP the audits to check up on audits of sites that have not had significant findings in many audit cycles, ORD adds too many layers of administration through the recent "administrative efficiency project" it did nothing but promote folks in DC to higher grades, reduced billets at L/C/O where in a lot of cases there was a justifiable need for a billet, and the project pushed a lot more work and surveys, and studies to the "boots on the ground" folks just trying to get the job done.					
1458	1457	5/24/2017				The practice of supervisors submitting timecards and supervisors approving timecards before the pay period is over ultimately results in supervisors and employees wasting a significant amount of time correcting their timecards in the future. This is because staff are expected to forecast their time, which is especially problematic in areas where flexible schedules are available. Because of this practice, staff and supervisors spend working hours trying to fix timecards every pay period. Recommend you conduct a study in R6 to really understand how problematic this is. A simple fix in asking staff to certify their timecards AFTER the time has been worked would eliminate this wasted time.		

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

	A	B	C	D	E	F	G	H
1458	1458	5/24/2017			Define the value that EPA brings to the public (both current generation and future generations) and see if EPA's organizational structure is setup to provide that value.	Value stream map the entire organization. look for redundancies, duplications of effort, and also compare with what other agencies such as USDA and USGS and others involved with environmental protection are doing. Does the value stream support our definition of public value? What are optimal ratios of employees from different backgrounds (administrative vs scientist vs senior executives) are needed to achieve it?		
1459								

AMERICAN OVERSIGHT

	I
1459	Lean process improvements - ensure that these are implemented and periodically reviewed for further process improvements There might be opportunities also to streamline some of the legal requirements EPA has to follow, so possibly an evaluation of how each legal requirement (grants competition rules for example) add value and enhance the ability of EPA to accomplish it's mission.

AMERICAN OVERSIGHT

To: Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to cory.preston@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: Block, Molly
Sent: Fri 4/20/2018 2:11:08 PM
Subject: Re: EPA Morning News Highlights 04.20.18

Sent from my iPhone

On Apr 20, 2018, at 9:10 AM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

Yes ma'am! Thanks

From: Block, Molly
Sent: Friday, April 20, 2018 10:10 AM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: Fwd: EPA Morning News Highlights 04.20.18

Just wanted to make sure you got these.

Sent from my iPhone

Begin forwarded message:

From: "Daniell, Kelsi" <daniell.kelsi@epa.gov>
Date: April 20, 2018 at 8:55:21 AM CDT
To: "Hewitt, James" <hewitt.james@epa.gov>, "Beach, Christopher" <beach.christopher@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Bodine, Susan" <bodine.susan@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Ford, Hayley" <ford.hayley@epa.gov>, "Frye, Tony (Robert)" <frye.robert@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>, "Hanson, Paige (Catherine)" <hanson.catherine@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Leopold, Matt" <Leopold.Matt@epa.gov>, "Letendre, Daisy" <letendre.daisy@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "McMurray, Forrest" <mcmurray.forrest@epa.gov>, "Palich, Christian" <palich.christian@epa.gov>, "Ringel, Aaron" <ringel.aaron@epa.gov>, "Rodrick, Christian" <rodrick.christian@epa.gov>, "Ross, David P" <ross.davidp@epa.gov>,

AMERICAN OVERSIGHT

"Shimmin, Kaitlyn" <shimmin.kaitlyn@epa.gov>, "Wehrum, Bill" <Wehrum.Bill@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA Morning News Highlights 04.20.18

EPA Morning News Highlights 04.20.18

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater

AMERICAN OVERSIGHT

infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

AMERICAN OVERSIGHT

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**

AMERICAN OVERSIGHT

2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

AMERICAN OVERSIGHT

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

AMERICAN OVERSIGHT

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list

AMERICAN OVERSIGHT

because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater

AMERICAN OVERSIGHT

from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

AMERICAN OVERSIGHT

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

AMERICAN OVERSIGHT

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

AMERICAN OVERSIGHT

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

AMERICAN OVERSIGHT

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the

AMERICAN OVERSIGHT

Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

AMERICAN OVERSIGHT

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to

AMERICAN OVERSIGHT

Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

AMERICAN OVERSIGHT

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans

AMERICAN OVERSIGHT

escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

AMERICAN OVERSIGHT

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according

AMERICAN OVERSIGHT

to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

AMERICAN OVERSIGHT

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be

AMERICAN OVERSIGHT

fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

AMERICAN OVERSIGHT

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

To: Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: Block, Molly
Sent: Fri 4/20/2018 2:10:10 PM
Subject: Fwd: EPA Morning News Highlights 04.20.18
image001.png
ATT00001.htm
EPA Morning News Highlights 04.20.18 docx..docx
ATT00002.htm

Just wanted to make sure you got these.

Sent from my iPhone

Begin forwarded message:

From: "Daniell, Kelsi" <daniell.kelsi@epa.gov>
Date: April 20, 2018 at 8:55:21 AM CDT
To: "Hewitt, James" <hewitt.james@epa.gov>, "Beach, Christopher" <beach.christopher@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Bodine, Susan" <bodine.susan@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Ford, Hayley" <ford.hayley@epa.gov>, "Frye, Tony (Robert)" <frye.robert@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>, "Hanson, Paige (Catherine)" <hanson.catherine@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Leopold, Matt" <Leopold.Matt@epa.gov>, "Letendre, Daisy" <letendre.daisy@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "McMurray, Forrest" <mcmurray.forrest@epa.gov>, "Palich, Christian" <palich.christian@epa.gov>, "Ringel, Aaron" <ringel.aaron@epa.gov>, "Rodrick, Christian" <rodrick.christian@epa.gov>, "Ross, David P" <ross.davidp@epa.gov>, "Shimmin, Kaitlyn" <shimmin.kaitlyn@epa.gov>, "Wehrum, Bill" <Wehrum.Bill@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA Morning News Highlights 04.20.18

EPA Morning News Highlights 04.20.18

-

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its

AMERICAN OVERSIGHT

water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

-

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

AMERICAN OVERSIGHT

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

-

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

AMERICAN OVERSIGHT

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

AMERICAN OVERSIGHT

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

AMERICAN OVERSIGHT

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented

AMERICAN OVERSIGHT

era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have

AMERICAN OVERSIGHT

forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

AMERICAN OVERSIGHT

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

AMERICAN OVERSIGHT

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi

AMERICAN OVERSIGHT

Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first

AMERICAN OVERSIGHT

few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

AMERICAN OVERSIGHT

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

AMERICAN OVERSIGHT

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office

AMERICAN OVERSIGHT

spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to

AMERICAN OVERSIGHT

Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

AMERICAN OVERSIGHT

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

AMERICAN OVERSIGHT

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

AMERICAN OVERSIGHT

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the

AMERICAN OVERSIGHT

very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

AMERICAN OVERSIGHT

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

AMERICAN OVERSIGHT

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

AMERICAN OVERSIGHT

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

AMERICAN OVERSIGHT

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

To: Block, Molly[block.molly@epa.gov]
From: Cory, Preston (Katherine)
Sent: Fri 4/20/2018 2:10:38 PM
Subject: RE: EPA Morning News Highlights 04.20.18

Yes ma'am! Thanks

From: Block, Molly
Sent: Friday, April 20, 2018 10:10 AM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Subject: Fwd: EPA Morning News Highlights 04.20.18

Just wanted to make sure you got these.

Sent from my iPhone

Begin forwarded message:

From: "Daniell, Kelsi" <daniell.kelsi@epa.gov>
Date: April 20, 2018 at 8:55:21 AM CDT
To: "Hewitt, James" <hewitt.james@epa.gov>, "Beach, Christopher" <beach.christopher@epa.gov>, "Beck, Nancy" <Beck.Nancy@epa.gov>, "Bennett, Tate" <Bennett.Tate@epa.gov>, "Block, Molly" <block.molly@epa.gov>, "Bodine, Susan" <bodine.susan@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Ford, Hayley" <ford.hayley@epa.gov>, "Frye, Tony (Robert)" <frye.robert@epa.gov>, "Gordon, Stephen" <gordon.stephen@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Gunasekara, Mandy" <Gunasekara.Mandy@epa.gov>, "Hanson, Paige (Catherine)" <hanson.catherine@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Leopold, Matt" <Leopold.Matt@epa.gov>, "Letendre, Daisy" <letendre.daisy@epa.gov>, "Lyons, Troy" <lyons.troy@epa.gov>, "McMurray, Forrest" <mcmurray.forrest@epa.gov>, "Palich, Christian" <palich.christian@epa.gov>, "Ringel, Aaron" <ringel.aaron@epa.gov>, "Rodrick, Christian" <rodrick.christian@epa.gov>, "Ross, David P" <ross.davidp@epa.gov>, "Shimmin, Kaitlyn" <shimmin.kaitlyn@epa.gov>, "Wehrum, Bill" <Wehrum.Bill@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Daniell, Kelsi" <daniell.kelsi@epa.gov>, "Cory, Preston (Katherine)" <Cory.Preston@epa.gov>
Subject: EPA Morning News Highlights 04.20.18

EPA Morning News Highlights 04.20.18

AMERICAN OVERSIGHT

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more

AMERICAN OVERSIGHT

economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's

AMERICAN OVERSIGHT

investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's

AMERICAN OVERSIGHT

request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

AMERICAN OVERSIGHT

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

AMERICAN OVERSIGHT

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

AMERICAN OVERSIGHT

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

AMERICAN OVERSIGHT

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

AMERICAN OVERSIGHT

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

AMERICAN OVERSIGHT

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

AMERICAN OVERSIGHT

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-

AMERICAN OVERSIGHT

even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

AMERICAN OVERSIGHT

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

AMERICAN OVERSIGHT

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some

AMERICAN OVERSIGHT

other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel

AMERICAN OVERSIGHT

Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

AMERICAN OVERSIGHT

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then

AMERICAN OVERSIGHT

related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department

AMERICAN OVERSIGHT

turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

AMERICAN OVERSIGHT

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern

AMERICAN OVERSIGHT

District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

AMERICAN OVERSIGHT

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

AMERICAN OVERSIGHT

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

To: Darwin, Henry[darwin.henry@epa.gov]
From: DeBell, Kevin
Sent: Fri 1/19/2018 2:44:14 PM
Subject: Fwd: News Clips - 18 January 2018

Lots of relevant items here. Note the discussion of management practices in the WSJ interview with the Administrator and the article on Toyota, among several others.

Kevin M. DeBell, Ph.D.

Special Assistant to the Assistant Deputy Administrator and Chief of Operations

U.S. Environmental Protection Agency

Office of the Administrator

1200 Pennsylvania Avenue NW

William Jefferson Clinton Building North, Room 3313

Washington, DC 20460

o 202 566 1931

C Ex. 6 - Personal Privacy

debell.kevin@epa.gov

I'm always open to feedback on my performance and service. Please provide your comments here: **Ex. 6 - Personal Privacy** Your comments will be provided to me anonymously.

Begin forwarded message:

From: "Hassell, Emily" <hassell.emily@epa.gov>
Date: January 18, 2018 at 3:01:44 PM EST
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 18 January 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

AMERICAN OVERSIGHT

Superfund-Related

TribLive - EPA names three Pennsylvania Superfund sites as promising for redevelopment

Denver Post - Superfund site near Vail lands on EPA's list of cleanup areas with big redevelopment and commercial potential

The Post and Courier - Charleston's Koppers Superfund site has high redevelopment potential, EPA says

High Country News - Want to revitalize a depressed economy? The EPA can help.

BNA - EPA Pushing Superfund Sites Toward Redevelopment

General Headlines

The Hill - Don't shortchange the EPA — businesses and communities depend on the agency

CBS News - EPA chief Scott Pruitt: Industry is necessary partner

Wall Street Journal - Scott Pruitt Aims to Accelerate His Efforts to Remake the EPA

AMERICAN OVERSIGHT

E&E Greenwire - 'Our focus here should be on stewardship' — Pruitt

Politico - Source: Pruitt to visit Japan next week

The Hill - Toyota says it won't partner with EPA despite Pruitt claim

E&E Greenwire - FOIA lawsuits jump — report

E&E Greenwire - Agency dodged water safety program reports since 2006 — IG

The Hill - EPA official declines to testify at Superfund hearing

BNA - Citizens Petitions, Lawsuits on Chemical Rules Likely to Grow

E&E Greenwire - GAO to review Pruitt's phone booth

E&E Greenwire - Arguments in 'exceptional' events suit set for March 22

The Hill - Study: White House abandoning science advice at unprecedented levels

E&E Energywire - State auditor wants to release investigation Pruitt kept secret

E&E Daily - Dems bash Pruitt over cleanup rules

AMERICAN OVERSIGHT

Wall Street Journal - NY, Connecticut file lawsuit seeking US action on smog

Cleveland.com - EPA overturns approval of Ohio's decision to omit its Lake Erie from 'impaired' waters list

The Chicago Tribune - Lawsuit accuses U.S. Steel of polluting Lake Michigan with toxic chromium

E&E Greenwire - Smelly wrecked boats await disposal after Irma

The News-Review - Myrtle Creek assures residents that its drinking water is safe

###

TribLive

http://triblive.com/local/regional/13193194-74/epa-names-beaver-county-superfund-site-as-promising-for-redevelopment

EPA names three Pennsylvania Superfund sites as promising for redevelopment

By Mary Ann Thomas, 1/17/18, 9:51 PM

The federal Environmental Protection Agency named three Pennsylvania sites among 30 on the Superfund National Priorities List(NPL) with the greatest redevelopment and commercial

AMERICAN OVERSIGHT

potential.

The three Pennsylvania sites are: The BoRit Asbestos Superfund site in Ambler, Montgomery County; the Metal Bank Superfund site in northeast Philadelphia, and the Crater Resources Inc./Keystone Coke Co./Alan Wood Steel Co. Superfund site (aka Crater Resources) in Upper Merion Township, Montgomery County.

From the early 1900s to the late 1960s, the BoRit Asbestos Superfund site was the repository of discarded asbestos-containing material from a nearby asbestos products manufacturing plant. The site has an asbestos waste pile, a reservoir, and a closed park.

The Site was added to the NPL in 2009 for cleanup because nearby resdients could potentially be exposed to airborne asbestos and to asbestos contamination in and along Tannery Run, Rose Valley Creek, and the Wissahickon Creek.

As a Superfund site, BoRit has been eligible for a cleanup using federal Superfund program funding. EPA retains the right to pursue responsible parties for reimbursement of funds at all Superfund sites.

So far, the 32-acre site has had stream bank stabilization, installation of a soil cover across many areas of the site, and reservoir draining, re-grading, capping and refilling.

EPA selected the final cleanup plan for the site in 2017, which incorporates the previous cleanup with post-construction sampling, routine inspections, long-term operation and maintenance activities, and controls regarding approval of future use activities.

“EPA is more than a collaborative partner to remediate the nation's most contaminated sites, we're also working to successfully integrate Superfund sites back into communities across the country,” said EPA Administrator Scott Pruitt in a press release issued Wednesday by the Pennsylvania Department of Environmental Protection.

AMERICAN OVERSIGHT

"Today's redevelopment list incorporates Superfund sites ready to become catalysts for economic growth and revitalization," he said.

Superfund sites on the list have significant redevelopment potential based on previous outside interest, access to transportation corridors, land values, and other critical development drivers, according to the DEP.

Denver Post

https://www.denverpost.com/2018/01/17/eagle-mine-development-epa-list/

Superfund site near Vail lands on EPA's list of cleanup areas with big redevelopment and commercial potential

By Jesse Paul, 1/17/18, 9:22 AM

A federal environmental cleanup site near Vail has landed on the Environmental Protection Agency's national list of contaminated areas with the greatest expected redevelopment and commercial potential.

The Eagle Mine Superfund site just outside of Minturn is among nearly two dozen federal cleanups across the U.S. that were on the list released Wednesday.

"EPA is more than a collaborative partner to remediate the nation's most contaminated sites, we're also working to successfully integrate Superfund sites back into communities across the country," EPA Administrator Scott Pruitt said in a written statement. "Today's redevelopment list incorporates Superfund sites ready to become catalysts for economic growth and revitalization."

AMERICAN OVERSIGHT

The Trump administration says the redevelopment list is meant to direct interested developers and potential owners to Superfund sites that could be transformed into something of great value.

The list comes as Pruitt has been working to overhaul and streamline the EPA's Superfund program. That process has included identifying the Gold King Mine near Silverton and surrounding mining sites as priorities for federal cleanup.

The Eagle Mine site, which sits on about 250 acres south of Minturn in Eagle County, has been on the EPA's National Priorities List (also known as Superfund) since 1986 because of heavy metals draining into the Eagle River and uncontrolled waste piles.

Since 2001, the site — which includes a water treatment plant — has been in a post-remedy operation and maintenance phase of cleanup, according to the EPA.

The mine closed in 1984 after roughly a century of pulling gold, silver, copper and zinc out of the ground, leaving behind elevated levels of arsenic, cadmium, copper, lead and zinc in soil, surface water and groundwater, the EPA says.

Because of the site's proximity to Vail and Beaver Creek, the area has for years been eyed for development — albeit not without some controversy from local residents concerned with the prospect of too much growth.

The EPA says it has been working with state health officials and development company Battle North, LLC, to complete cleanup at the Eagle Mine to allow for homes to be built there in the future.

"Over the past decades, cleanup actions taken at the Eagle Mine site have addressed soil, groundwater, and mine waste contamination and significantly improved water quality in the Eagle River," EPA Regional Administrator Doug Benevento said in a written statement. "Our recent efforts with the Colorado Department of Public Health and Environment and Battle North

AMERICAN OVERSIGHT

build upon that progress with new remedies for soil contamination that will make portions of the Eagle Mine site ready for residential use."

The full list of Superfund sites with redevelopment potential can be viewed here.

The Post and Courier

https://www.postandcourier.com/business/charleston-s-koppers-superfund-site-has-high-redevelopment-potential-epa/article_80ed66c4-fbc2-11e7-a0a4-13b04a72a545.html

Charleston's Koppers Superfund site has high redevelopment potential, EPA says

By John McDermott, 1/18/18

The Koppers tract in the Charleston Neck area is among 31 polluted U.S. properties with the highest potential for commercial reuse, according to the agency that has overseen the cleanup of the federal Superfund site since the mid-1990s.

The Environmental Protection Agency announced the designation Wednesday. It was part of an effort to "integrate Superfund sites back into communities across the country," administrator Scott Pruitt said.

"Today's redevelopment list incorporates Superfund sites ready to become catalysts for economic growth and revitalization," he said in statement.

Koppers Co. Inc., later known as Beazer East Inc., operated a lumber treatment business on the Milford Street property from 1940 to 1978. The EPA placed the land on its National Priorities List in 1994, citing the contaminants the company left behind near the banks of the Ashley

AMERICAN OVERSIGHT

River.

The lengthy cleanup included digging up and disposing of polluted dirt, and placing a cap over portions of the 102-acre property. Most of the remediation was completed in 2003, according to the EPA.

The tract is now set to come under new ownership as part of a 182-acre real estate deal that includes neighboring parcels of land. Once marketed under the name "Magnolia," the infill project across from the Wagener Terrace neighborhood is expected to include a mix of multifamily residences, commercial space and parks.

Also, the developer, an affiliate of Texas-based Highland Resources Inc., has said it will invest up to $30 million in additional environmental improvements to the Superfund site before starting construction.

The Houston firm topped other bidders with an $8.6 million offer to buy part of the Magnolia footprint at a U.S. Bankruptcy Court sale last year. The company also has said it was negotiating to purchase the neighboring Koppers property from a private investment group.

Highland Resources CEO Charles Wolcott said he could not provide an update on the purchases until after his firm's board of directors meets Thursday.

High Country News

http://www.hcn.org/articles/the-montana-gap-want-to-revitalize-a-depressed-economy-epa-can-help

Want to revitalize a depressed economy? The EPA can help.

AMERICAN OVERSIGHT

By James S. Rosien, 1/18/18

Anaconda has been part of the largest Superfund site in the United States since 1983, when the Environmental Protection Agency began working to clean up 300 square miles of heavy-metal contaminated soil left by more than a century of copper smelting. So far that effort has meant cleaning up over 350 contaminated yards in town and the surrounding area and transforming 250 acres of an old smelter site into a world-class golf course.

Superfund, however, cannot fix everything — in particular for downtown commercial properties, which are essential for economic development and revitalization of rural Montana towns like Anaconda but have been blighted by real or perceived contamination that was unrelated to the smelter.

In an effort to find other means to combat blight and reinvigorate the downtown business district, Anaconda, Butte and the Southwest Montana region are looking at another EPA program that until recently had been unavailable to Superfund sites, one that has seen hundreds of properties identified and cleaned up throughout the state: Brownfields.

In urban planning parlance, a "brownfield" is simply a property where either the presence or perceived presence of contamination by pollutants or hazardous substances prevents entrepreneurs from redeveloping or reusing it for industrial or commercial purposes. In 1993, the EPA established the Brownfields Program to provide funding for environmental assessments and cleanup of eligible properties to remove what would otherwise be an obstacle to their returning to productive use.

Since 2003, approximately $10 million in Brownfields assessment grants and revolving loan funds has been disbursed to eight economic development agencies, local governments and coalitions in Montana through the Department of Environmental Quality (DEQ), covering 41 of the state's 56 counties. The seven counties making up Southwest Montana – Anaconda-Deer Lodge, Beaverhead, Butte-Silver Bow, Granite, Jefferson, Madison and Powell – are not among them due to the fact that until recently the EPA was prohibited by law from disbursing Brownfields funds to communities that already receive Superfund support.

AMERICAN OVERSIGHT

This legal barrier was put in place to prevent property owners from "double-dipping" into federal funding, said Brandon Kingsbury, DEQ's Brownfields coordinator for petroleum cleanup. It wasn't until August of 2016 that the EPA relented, lifted the barrier and began approving Brownfields assessment grants to individual property owners and developers within Superfund sites, Kingsbury said. "That was the green light," he said. "We're excited to do more."

In the hope of acquiring a larger pot of funding for their communities, Anaconda Local Development Corporation, Butte-Silver Bow Local Development Corporation and Headwaters RC&D, which serves the seven aforementioned Southwest Montana counties, applied jointly for Brownfields funding that same year.

The program is a merit-based national grant competition, however, and their application did not score high enough to receive it. Only two were awarded in the entire state that year: Bear Paw Development Corporation, located in Havre covering five counties on Montana's Highline, and the City of Kalispell, both receiving $400,000 to conduct assessments.

Undeterred, they applied again and are awaiting word on whether they've been approved or not. Jim Davison, executive director of the Anaconda Local Development Corporation who has been "literally fighting for 20 years" to bring Brownfields to Anaconda, said the program would address problems that Superfund cannot. "Not all cleanup is Superfund cleanup," Davison said. "There are lots of areas in any community where there are waste and other issues that need cleaning up to reuse the properties. There may be hazardous materials, or the perception of hazardous materials such as fuel or asbestos, chemical spills or solvents, and that makes it difficult to reuse these properties. So how do we go build on a dirty piece of property? Or do we build on a new property, and what's the cost of that?"

Having to pay upwards of $20,000 to conduct one environmental assessment just to see if a property actually is contaminated – let alone pay potentially hundreds of thousands of dollars more for cleanup – can kill a project before it begins, Davison said.

That's why local development agencies in Montana are so keen on the Brownfields Program, because it allows commercially viable properties to come back into use rather than waste away.

One city that has benefited from the program is Havre. Paul Tuss, Bear Paw Development

AMERICAN OVERSIGHT

Corporation executive director, said there is "no better economic development tool in our toolbox" than Brownfields.

Tuss gave the example of the Short Stop, a former gas station and convenience store, where subsequent to its closure it was discovered there was a "very significant" petroleum leak coming from underground.

"It's a prime location, a great property," Tuss said. "We used the funds to mitigate and eradicate the contamination, we took the soil that had been contaminated with petroleum and replaced it with clean soil. The reality is that is a property that would have remained unusable because no one could receive financing on it if the contamination wasn't cleaned up. We went to work to clean it up, and it has transitioned into Havre's newest real estate office. We've transitioned a convenience store into a very nice, modern real estate office."

Another example Tuss gave was of an old corner gas station across the street from his office that is now becoming a brewery. "It's a real 1930s Art Deco kind of gas station," Tuss said. "The contamination was discovered and has been cleaned up, and we have an entrepreneur who is transitioning it into a microbrewery... We're turning a property that is almost worse than worthless and making it part of the vibrancy of downtown Havre."

"That's the whole purpose of Brownfields. It's an economic development tool that communities can use to not have to build something new but take something that's already there, cleaning it up and reusing it in a productive way."

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=127112205&item=408&prod=deln&cat=A

EPA Pushing Superfund Sites Toward Redevelopment

AMERICAN OVERSIGHT

By Sylvia Carignan, 1/18/18

The EPA is pushing more than 30 contaminated sites into the spotlight to draw in potential land investors and developers, but some of those involved with the sites say they wish the agency would do more to make them financially attractive.

The Environmental Protection Agency's newest list of contaminated sites, released Jan. 17, promotes properties with the potential for redevelopment. But city officials and land use attorneys are looking for more specific action and incentives from the federal agency than the agency's promise to put redevelopment training, tools and resources toward the sites.

The EPA will have to do more to entice investors, Linda R. Shaw, partner at Knauf Shaw LLP in Rochester, N.Y., told Bloomberg Environment.

"The remedy ends up being interim," she said. "It doesn't make the site typically clean enough to make somebody feel comfortable buying it."

Sites Spread Across Country

The sites include the U.S. Smelter and Lead Refinery Superfund site in East Chicago, Ind., Quendall Terminal in Washington state, and contaminated groundwater sites in Libby, Mont. The sites are spread out across the country and EPA's 10 regional offices.

Many of the sites are still on the National Priorities List. Some are portions of a Superfund site that is still undergoing remediation.

Potential investors are especially wary of putting money into Superfund sites. "Banks still don't feel comfortable when the S-word is part of a site," Shaw said.

AMERICAN OVERSIGHT

A spokesperson for the agency didn't immediately respond to questions from Bloomberg Environment. The agency wants to "successfully integrate Superfund sites back into communities across the country," EPA Administrator Scott Pruitt said in a news release.

Congress has taken an interest in Pruitt's plans to modernize Superfund. A House and Energy Commerce subcommittee on environment is holding a hearing Jan. 18 on the issue.

State Model?

The benefits of New York's Voluntary Cleanup Program, originally built to draw developers to contaminated brownfields, recently opened up to state Superfund sites. Shaw said the program could be a model for EPA to follow.

The program provides incentives to interested parties if the party agrees to pay for cleanup. The incentives are tax credits, liability release, a guarantee that the interested party won't have to remediate contamination off their property, and clear state cleanup standards.

Similar cleanup standards don't exist at the federal level, and interested parties who take on Superfund sites are likely to find more contamination than they anticipated.

"The problem is how do you quantify the [financial] risk, and that's what investors are interested in," Shaw said. "You don't know what it's going to cost until you start digging."

But, Shaw said, contaminated sites would benefit from having a redevelopment or reuse plan.

"Whatever state the Superfund site is in, there should be some kind of collaboration with that state agency [and] the EPA to actually come up with a project on that site," she said. By incorporating cleanup with reuse, "the project can actually help make the remediation less expensive."

AMERICAN OVERSIGHT

Quendall Terminal

The Quendall Terminal Superfund site in Renton, Wash., is part of Pruitt's Jan. 17 list. The site was a creosote manufacturing facility where coal tar and creosote have been released into soil, water, and sediment, according to the EPA.

The city of Renton is waiting for the EPA to make a decision about the site's final remedy, said Vanessa Dolbee, planning manager for the city.

"We've done pretty much everything we can do to get the site positioned for redevelopment, in terms of all the land use entitlements," Dolbee told Bloomberg Environment in December.

The city council has approved the construction of mixed-use development, including 40,000 square feet for commercial use and almost 700 residential units. The developer needs building permits, but the project is on hold until the EPA acts.

"It's completely out of our hands because it's at the federal level," she said.

The site is also on Pruitt's Dec. 8 list of contaminated sites that need "immediate, intense action," which acknowledges the EPA's need to quickly determine the best remedy for the site.

Making Progress

The list originates from EPA Administrator Scott Pruitt's Superfund task force, which released recommendations to alter the program last year.

One of the main goals of those recommendations was to get contaminated sites back into use by

AMERICAN OVERSIGHT

getting potentially responsible parties or third parties to invest in redevelopment.

The EPA's Superfund Redevelopment Initiative assesses the benefits of Superfund site reuse—including job creation and increases in property values—by site, by region, and nationally.

The initiative is tracking nearly 500 Superfund sites in reuse, which house over 6,600 businesses, according to the agency.

The Hill

http://thehill.com/blogs/congress-blog/energy-environment/369441-dont-shortchange-the-epa-businesses-and-communities

Don't shortchange the EPA — businesses and communities depend on the agency

By Dean Burke, 1/17/18, 6:10 PM

The city of Tacoma, Wash., is the home to one of the first ever EPA-designated Superfund sites in the United States. Here in our community, we have seen firsthand how funding and support from the Environmental Protection Agency can transform an American city for the better.

Members of Congress now have less than a week to create a budget for FY2018. For many agencies, large gaps exist between the various funding levels proposed by the White House, House of Representatives, and the Senate, but the EPA is particularly vulnerable.

For more than 100 years, our city shoreline was seen as a means to an end—valued primarily as a site for industry and an engine for growth, but with a harmful downside. Smelters and chemical

AMERICAN OVERSIGHT

plants provided jobs and supported a growing city, but, over time, they introduced extreme levels of pollution into our neighborhoods and waterways.

Tacoma is located about 30 miles south of Seattle, on the picturesque eastern shore of Puget Sound. From many parts of our shoreline, there are stunning views of Mount Rainier. However, for decades, Tacoma residents have been conditioned to stay away from the waterfront. The shoreline was seen as a dirty, dangerous and industrialized place.

Over the past decade, Tacoma residents' relationship with the waterfront has changed dramatically. What once seemed an uninviting industrial zone is now a welcoming venue for outdoor recreation and social interaction. As the director of the South Sound Sports Commission, I have witnessed a profound change in how the residents of my city think about our shoreline, which has had a broader impact on how they imagine our city's identity.

I often drive along the waterfront. A few years ago, it was surprising to see one or two people paddling on Puget Sound, even on one of our warmer summer nights. Today, the Tacoma shoreline and the Thea Foss Waterway, which is a Superfund-designated waterway, supports five separate businesses renting kayaks and paddleboards to recreational boaters. This is evidence of the literal and figurative sea change that the city has experienced over the past decade.

Further down the shoreline at the Asarco Smelter Site, one of the nation's first Superfund sites, a $28 million cleanup facilitated by the EPA boosted residential property values in the immediate area by $52 million over the course of twenty years. The cleanup also made possible the construction of a billion dollar, mixed-use development project called Point Ruston. That's right—there's now a luxury resort, with restaurants, stores and a mile-long walking path, on a Superfund site.

It's been heartening to see my city embrace the newly restored beauty of the Puget Sound and recognize that the shoreline now offers new sorts of economic opportunities.

While we have seen tremendous progress, there is still a lot to do to restore Tacoma's waterfront and keep our water and air safe. As members of Congress negotiate over federal funding and revenue, they need to know that their constituents – whether they live in healthy neighborhoods, or polluted ones, or those that were once polluted and are now healthy – are paying attention.

AMERICAN OVERSIGHT

Members of Congress: The EPA has catalyzed incredible transformations in Tacoma, but this work isn't finished—here and in other communities across the United States. Please maintain healthy funding levels for the EPA, and watch business and communities flourish as a result.

CBS News

https://www.cbsnews.com/news/scott-pruitt-says-industry-is-necessary-partner-for-environmental-protection/

EPA chief Scott Pruitt: Industry is necessary partner

By Jacqueline Alemany, 1/17/18, 5:18 PM

Environmental Protection Agency Administrator Scott Pruitt told CBS News that a partnership with "industry" is necessary in order for the agency to protect the environment.

"This paradigm that says we have to choose industry over the environment or the environment over industry is the old way of thinking," Pruitt told CBS News' chief White House correspondent Major Garrett in an interview Wednesday.

"Now that serves political ends but it doesn't serve the environment because I will tell you this: to achieve what we want to achieve in environmental protection, environmental stewardship, we need the partnership of industry," he added.

Pruitt, who has been accused by critics of being too cozy with special interest groups and executives and advocates of the fossil fuel industry, defended these relationships as necessary for environmental stewardship. The former Oklahoma Attorney General, cited his experience as a prosecutor, and called it "wrong-headed" to assume that all industries are bad actors.

AMERICAN OVERSIGHT

"We should be about stewardship and we should be about partnership," Pruitt said. "Now, I will tell you as a former attorney general, I've led a grand jury. I've prosecuted bad actors. And I will tell you, if we have companies, industries, citizens who violate the law, we are going to prosecute them and we are going to hold them accountable. But we should not start from the premise that all people are that way or that all industries are that way. That is just simply wrong-headed. And it doesn't achieve good outcomes."

Pruitt has also come under fire for appointing executives from the coal, gas and chemical industries to senior staff positions at the EPA. He has swiftly sought to reverse, delay and block more regulations than any other administrator in the history of the agency, including the Obama-era Clean Power Plan and Clean Water Rule.

"We had many regulations that this agency had adopted historical that had created confusion, and did not serve advancing protection of the environment," Pruitt argued.

Pruitt confirmed reports that he has eased the EPA's safety review process for assessing the risk of new chemicals being produced by manufacturers to the environmental and humans under the Toxic Substances Control Act. He told CBS News that the agency will no longer require manufacturers to sign consent orders that restrict the use of potentially hazardous chemicals in the future. Pruitt claimed that the EPA's new approach is "absolutely" safer than the old approach.

"What I've said about consent orders and consent decrees is that we shouldn't regulate through litigation," Pruitt argued. "If there are industries or companies out there that don't do what the law requires, we're going to issue consent orders and enforcement actions against them, and already have, to hold them accountable."

"From our perspective, when I speak to clarity in regulations, I believe most companies, most states, most citizens want to comply with the law," Pruitt added.

In December, a federal appeals court ordered the EPA to revise the antiquated lead paint hazard standards after the Trump administration had requested a six year delay to review the rule. Pruitt

AMERICAN OVERSIGHT

would not say whether or not the EPA planned to appeal the ruling or take it to the Supreme Court, and deferred the decision to the Justice Department. The rule has not been updated in nearly 17 years.

"The legal process is something that Justice will be the decider upon the procedural approach to that," Pruitt said. "But I can tell you this: it's important for this agency to get that rule and get it done."

"Indeed the EPA itself has acknowledge that 'lead poisoning is the number one environmental health threat to children ages 6 and younger, and that the current standards are insufficient," the ruling by the U.S. Court of Appeals for the Ninth Circuit reads.

Pruitt added that he wanted to "declare a war on lead" and also eradicate lead from drinking water within 10 years, primarily through an infrastructure package.

Addressing some controversial staff appointments that have presented a conflict of interest, like Nancy Beck -- a former senior director in the American Chemistry Council who is now deputy assistant administrator in the office of Chemical Safety and Pollution Protection at the EPA -- Pruitt said he rejected the premise that "we can't be both about stewardship and also economic development and growth."

Pruitt has also appointed other staffers who have publicly questioned sound scientific data, like Michael Honeycutt, chairman of the EPA's Science Advisory Board who once said in an interview that lowering the ozone "might have a negative health benefit." Pruitt dismissed his comments.

"Ozone is something that we most definitely have to regulate," he said. "It's a very important thing to regulate."

AMERICAN OVERSIGHT

Wall Street Journal

https://www.wsj.com/articles/scott-pruitt-aims-to-accelerate-his-efforts-to-remake-the-epa-1516220866?mod=searchresults&page=1&pos=1

Scott Pruitt Aims to Accelerate His Efforts to Remake the EPA

By Eli Stokols and Timothy Puko, 1/17/18, 3:43 PM

WASHINGTON—Environmental Protection Agency chief Scott Pruitt plans to use his second year on the job to accelerate efforts to remake the agency, saying he wants to speed its permitting processes and transform a culture he says is bureaucratic.

In an interview with The Wall Street Journal, Mr. Pruitt outlined the changes he is looking to make in year two: repealing and rewriting Obama-era rules for power plant emissions, speeding up the EPA's permit review process, implementing weekly performance assessments across the agency and fostering a public debate about climate change.

Mr. Pruitt has long questioned the scientific consensus that human activities are a significant factor in rising global temperatures and severe weather, and pose a potential existential threat to life on Earth in decades to come.

Discussing his plans for the year, Mr. Pruitt emphasized the importance of moving quickly. "There's tremendous opportunity to show really significant results to the American people in a really short time frame," Mr. Pruitt said.

In his first year on the job, the former Oklahoma attorney general swiftly repealed several of former President Barack Obama's signature policies and encouraged President Donald Trump to pursue a withdrawal from the Paris climate agreement. Mr. Trump announced his intention to exit from the agreement in June.

AMERICAN OVERSIGHT

Mr. Pruitt has memorialized the moment in his office with a framed photo of the two of them in the Rose Garden and the president's autograph on Mr. Pruitt's prepared remarks, "Scott—Great Job!"

Going forward, Mr. Pruitt wants to use metrics to measure the weekly performance of every EPA office and wants final permit decisions completed within six months. He already has a multicolored pyramid diagram outlining his plan to streamline the agency's bureaucracy and organizational workflow.

"That's the thing that's been so striking to me as I've come into this position…is just the lack of focus and lack of energy and lack of commitment to actually get results," said Mr. Pruitt, speaking during a 30-minute interview in his wood-paneled office this week. "We have permits that literally are sitting on a shelf, and just sitting there because there's just no attention, no leadership, no direction. It's that simple."

Some of Mr. Pruitt's policies, and his criticism of the agency as bureaucratic and hidebound, have turned off some career employees, including many scientists at the EPA. The agency saw 700 staffers depart last year.

The agency's work force is about 4.1% smaller than at the end of 2016, putting it among executive departments and agencies with the biggest declines, according to data from the Office of Personnel Management.

"At the same time [Mr. Pruitt] is making these comments, he's basically doing everything he can to gut the agency of quality personnel," said John O'Grady, president of the American Federation of Government Employees Council 238, which represents EPA workers. "They are basically going to break government and then somehow declare victory."

Mr. O'Grady pointed to Mr. Pruitt's sometimes antagonistic position towards agency scientists, saying it would be difficult for the agency to finish research, write policies and grant permits more quickly if the staff and resources keep shrinking. The Trump administration has threatened budget cuts, and departures have brought staff to about 14,000 workers, their lowest point in more than 30 years and down 9% from 2015.

AMERICAN OVERSIGHT

Mr. Pruitt said he inherited an agency that employs hundreds of scientists and nevertheless contracts out some of its research.

The EPA chief also said he believes the agency exceeded its legal mandate under President Barack Obama in creating new rules for power plants in the name of slowing the pace of climate change. "This agency for years has speculated about harm that may be happening 100 years from now as opposed to what's right in their own backyard," said Mr. Pruitt.

In 2018, he said he plans to focus on cleaning up toxic sites in the Superfund program and with what he calls "the war on lead."

"I really believe that we can eradicate lead from our drinking supply within a decade. We just have to get serious about it," Mr. Pruitt said. "We haven't been focused and urgent about the things that matter and can impact people's health today, and we need to do that."

"Everything the agency does is to protect public health and the public from future risks," said Gina McCarthy, a former EPA administrator during the Obama administration. "You don't stop smoking because it kills you when you smoke the cigarette; it's because it kills you later. It's the same argument with climate change. You take action today to protect health today and in the future."

Ms. McCarthy, who now teaches at the Harvard School of Public Health, said Mr. Pruitt's statement that the effects of climate change won't be felt for decades "rings extremely hollow" after a year in which the federal government spent $306 billion responding to extreme weather events. "Anyone suggesting that climate change isn't happening or damaging us today is not keeping their eyes open," she said.

Asked if his urgency has anything to do with future plans to leave, Mr. Pruitt played down a recent report by Politico suggesting he is angling to succeed Attorney General Jeff Sessions, but he didn't fully rule anything out. "I thoroughly, thoroughly enjoy what I'm doing," he said.

AMERICAN OVERSIGHT

“What does it say in scripture? ‘Whatever your hand finds to do, do it with all your might.’ And that’s what I’m doing.”

E&E Greenwire

https://www.eenews.net/greenwire/2018/01/18/stories/1060071327

'Our focus here should be on stewardship' — Pruitt

By Kevin Bogardus, 1/18/18

U.S. EPA Administrator Scott Pruitt is touting his work already done at the agency and his plans for EPA over the coming years.

In an interview with CBS News, Pruitt said EPA has sought to provide "regulatory certainty" over the past year as the agency has proposed to roll back several Obama-era regulations like the Clean Power Plan, which was designed to curb power plants' carbon dioxide emissions. Asked whether the philosophy behind his actions was meant to protect the environment or business, the EPA chief said it was neither.

"Well, it's neither. I mean, our focus here should be on stewardship," Pruitt said.

Regarding the Clean Power Plan, Pruitt disapproved of the rule, saying it was an example of EPA "picking winners and losers in the development of electricity" by favoring renewable energy over the use of natural resources like coal and natural gas.

Pruitt also set a goal for EPA of eradicating lead from drinking water within 10 years. "It can be done," he said.

AMERICAN OVERSIGHT

In addition, the administrator was asked about his top aides coming to EPA from industry and whether the American public should be comfortable with that transition. Pruitt said he doesn't buy into that "paradigm."

"This paradigm that says we have to choose industry over, you know, the environment, or the environment over industry is the old way of thinking," Pruitt said.

"And I will tell you if we have companies, industries, citizens who violate the law, we're gonna prosecute them. But we should not start on the premise that all people are that way or all industries are that way."

Pruitt also was asked about remarks by one of his newest science advisers — Michael Honeycutt, chairman of EPA's Science Advisory Board — that discounted the health benefits of reducing ozone pollution.

"Ozone is something that we — we most definitely have to regulate. It's a very important thing that we regulate," Pruitt said, disagreeing with those comments.

In fact, Pruitt has no choice in the matter because the Clean Air Act requires EPA to regulate ground-level ozone, a lung irritant that is the main ingredient in smog.

In the last decade, however, repeated battles have erupted over how strict the agency's ozone standard should be to adequately protect public health. Honeycutt, the toxicology director for the Texas Commission on Environmental Quality, was a prominent foe of EPA's 2015 decision to tighten the threshold to 70 parts per billion, even helping to arrange a workshop to make the case for leaving the standard at its previous 75-ppb level (Greenwire, April 14, 2015).

Pruitt named him last fall to chair the Science Advisory Board, which has no direct role in setting air quality standards but furnishes outside expertise to the agency on an array of topics.

AMERICAN OVERSIGHT

Pruitt gave a separate interview to The Wall Street Journal discussing his plans at EPA, which was published yesterday. The administrator didn't deny outright reports that he is interested in succeeding Jeff Sessions as attorney general in President Trump's Cabinet (E&E News PM, Jan. 5).

"I thoroughly, thoroughly enjoy what I'm doing," Pruitt said. "What does it say in Scripture? 'Whatever your hand finds to do, do it with all your might.' And that's what I'm doing."

Politico

https://www.politicopro.com/energy/whiteboard/2018/01/source-pruitt-to-visit-japan-next-week-413219

Source: Pruitt to visit Japan next week

By Emily Holden, 1/17/18, 6:50 PM

EPA Administrator Scott Pruitt will go to Japan next week to discuss "general environment cooperation," an administration official told POLITICO today.

Details of who Pruitt will meet with or what he plans to discuss were not immediately available. EPA officials refused to confirm the trip ahead of time, as they have in the past.

EPA's inspector general is already investigating Pruitt's travel and recently expanded its probe at the request of a Democratic lawmaker to include a December trip to Morocco, where Pruitt discussed natural gas imports, in addition to other environmental issues.

AMERICAN OVERSIGHT

Pruitt also reportedly plans to visit Israel from Jan. 26-28, officials there have said. It's unclear if the trips could be combined.

Japan is the leading importer of liquefied natural gas and has also increasingly relied on coal-fired power following the Fukushima nuclear disaster in 2011. One of the biggest American coal companies has a deal to send a quarter of its exports to Japan, the Wall Street Journal reported yesterday.

EPA spokesman Jahan Wilcox in an email today said "every meeting that Administrator Pruitt attends is posted on https://www.epa.gov." That website is updated after the fact and does not include the full details of Pruitt's schedule. The agency has previously cited security concerns in refusing to share details of Pruitt's activities ahead of time.

The Hill

http://thehill.com/policy/energy-environment/369394-toyota-says-it-wont-partner-with-epa-despite-pruitt-claim

Toyota says it won't partner with EPA despite Pruitt claim

By Miranda Green, 1/17/18, 3:01 PM

Global automaker Toyota is not partnering with the Environmental Protection Agency (EPA), despite December comments from EPA Administrator Scott Pruitt that the two would be working together on a review of the agency's management practices.

Christopher Reynolds, Executive Vice President of Corporate Resources at Toyota, wrote in a Jan. 9 letter to the Environmental Working Group that "at this point there are no definitive plans

AMERICAN OVERSIGHT

to move forward with a project" with the EPA.

Reynolds went on to call the discussions Toyota was having with EPA "preliminary."

Reynolds was responding to a letter the Environmental Working Group sent him in December questioning Toyota's decision to work with EPA under their Toyota Production System Support program.

News of the potential partnership came to light while Pruitt was testifying at a hearing on Capitol Hill on Dec. 8.

Speaking to the House Energy and Commerce Subcommittee on the Environment, Pruitt said, "We are actually partnering with Toyota to begin a lean process at the agency to evaluate management practices."

Pruitt made the comment in response to Rep. John Shimkus (R-Ill.), who asked him about the agency's workload practices.

“We continue to have collaborations with Toyota to better improve agency outcomes," an EPA spokesperson told The Hill.

At the time Toyota acknowledged to HuffPost that it was speaking with the EPA about how it could help them incorporate their style of operations efficiency.

However, Karen Nielsen, a Toyota spokeswoman, downplayed the extent to which discussions between the company and the EPA had taken place, telling HuffPost Wednesday, “We were always just in talks anyway, so it was not a done deal. We were just looking into working with them, but that was never a promised thing.”

AMERICAN OVERSIGHT

EPA officials and environmentalists had called the potential partnership a conflict of interest, as the EPA oversees regulation of companies including Toyota.

Updated at 4:13 p.m.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060071203/search?keyword=EPA

FOIA lawsuits jump — report

By Kevin Bogardus, 1/17/18

U.S. EPA has seen a surge of Freedom of Information Act lawsuits under the Trump administration.

Legal complaints filed under the public records law against the environmental agency went up from 10 such suits in fiscal 2016 to 35 in fiscal 2017, an increase of 250 percent.

EPA is not the only federal agency that saw its FOIA lawsuits substantially increase over the past year. As detailed in a report released yesterday by the Transactional Records Access Clearinghouse's FOIA Project, there were 651 FOIA lawsuits across the government in fiscal 2017, a rise of 26 percent over the prior year.

"The agencies experiencing significantly more FOIA lawsuits often were government offices in charge of areas where there was heightened public concern," said the report by the Syracuse University research center, making note of EPA.

AMERICAN OVERSIGHT

The Department of the Interior also saw a spike in its FOIA lawsuits, from 42 in fiscal 2016 to 68 to fiscal 2017.

The Justice Department registered the most FOIA lawsuits at 197 in fiscal 2017, an increase of 20 percent from the prior year. Next came the Department of Homeland Security, with 98 such suits filed in fiscal 2017, a 46 percent spike. Interior was ranked third behind those two departments, according to the report.

Not every agency saw an increase in FOIA lawsuits. The Energy Department saw such complaints drop from 10 in fiscal 2016 to nine in fiscal 2017.

The growing number of FOIA lawsuits is increasing the backlog at the courts, leading to slower resolution of the cases.

"Court backlogs of pending FOIA litigation have climbed even faster, with hundreds of cases waiting resolution. Indeed, the backlog is already approaching 900 cases and unless steps are taken may top a thousand in the near future," said the report.

EPA has been sued under FOIA for several records dealing with Administrator Scott Pruitt and his aides at the agency, including his private calendar. Last year, American Oversight, a liberal-leaning watchdog group, sued under FOIA and won the release of a copy of the EPA chief's schedule.

E&E Greenwire

AMERICAN OVERSIGHT

https://www.eenews.net/greenwire/stories/1060071307/search?keyword=EPA

Agency dodged water safety program reports since 2006 — IG

By Cecelia Smith-Schoenwalder, 1/18/18

U.S. EPA failed for 12 years to turn over documents to Congress regarding its grants under a program to monitor coastal water safety, the agency's inspector general has found.

Under the Beaches Environmental Assessment and Coastal Health (BEACH) Act, EPA provides grants to help states monitor coastal water quality and notifies the public of contamination problems.

The missing reports would "inform Congress and the public about efforts to implement the act, the need for additional water quality indicators, and the need for improved monitoring methodologies," according to the IG.

Issues with reporting date back to the George W. Bush administration and continue into the present, the IG found. EPA last submitted its required quadrennial report about the BEACH Act to Congress in 2006. Later, in fiscal 2013, the Obama administration did not request further funding for the program's grants, saying the program was "mature."

In September 2017, EPA said in its budget submission to the Office of Management and Budget for fiscal 2019 that reports related to this program should not be necessary, according to the IG's report.

Because Congress still funds the program, the IG said the reporting requirement remains.

EPA's Office of Water told the IG it plans to "await the White House's response to that request before initiating another report."

AMERICAN OVERSIGHT

The Hill

http://thehill.com/policy/energy-environment/369418-epa-official-declines-to-testify-at-superfund-hearing

EPA official declines to testify at Superfund hearing

By Miranda Green, 1/17/18, 4:29 PM

Environmental Protection Agency (EPA) Administrator Scott Pruitt's point man for Superfund efforts has declined to testify at a House Energy and Commerce Committee hearing on the sites' cleanup efforts scheduled for Thursday.

After previously promising to speak at the hearing, Albert Kelly withdrew his name from the witness list last week, citing "an unavoidable scheduling conflict," according to a Democratic spokesperson for the committee.

Kelly, a former chairman of Oklahoma-based SpiritBank, made headlines recently following news that he had been banned from working in the banking industry. The Intercept also reported that the Federal Deposit Insurance Corporation (FDIC) had fined Kelly $125,000 in May 2017 for violating the law.

According to a consent order obtained by the The Intercept through a Freedom of Information Act request, the FDIC believed it had reason to think Kelly "violated a law or regulation, by entering into an agreement pertaining to a loan by the Bank without FDIC approval."

Two weeks later, Pruitt appointed Kelly his senior adviser and head of the Superfund Task Force.

AMERICAN OVERSIGHT

An EPA spokesperson said that an Office of Land and Emergency Management official will now testify at Thursday's committee hearing. The spokesperson added that Kelly was never formally invited to testify through a letter by the committee and only Principal Deputy Assistant Administrator Barry Breen received a letter.

“The House Committee on Energy and Commerce requested a witness for this hearing and EPA offered Principal Deputy Assistant Administrator Barry Breen from the office of Land and Emergency Management, which oversees the [Superfund] program," the EPA spokesperson told The Hill.

However, the Democratic spokesperson for the committee said EPA's distinction was splitting hairs.

"[The EPA is] falling back on a technicality as an excuse for Mr. Kelly’s unacceptable absence. E&C Democrats were advised by the Majority in December that Mr. Kelly would attend the Superfund hearing," said the spokesperson. "The Majority didn’t send the formal invitations until last week, but Mr. Kelly was scheduled to appear before the formal invites ever went out."

Pruitt's decision to pick Kelly for the position was met with some criticism due to Kelly's lack of a scientific background. Despite his long tenure in finance, Kelly has no prior experience in environmental policy or with Superfund, one of the EPA's more complicated programs.

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=127112202&item=408&prod=deln&cat=A

Citizens Petitions, Lawsuits on Chemical Rules Likely to Grow

AMERICAN OVERSIGHT

By Pat Rizzuto, 1/18/18

Chemical manufacturers should expect to see more petitions from citizen groups asking the EPA to regulate substances now that the nation's primary chemicals law has been amended, attorneys tell Bloomberg Environment.

Environmental, animal welfare, and other organizations will likely use every provision allowed under the amended Toxic Substances Control Act to compel stricter Environmental Protection Agency regulation of chemicals, said Lynn Bergeson, managing partner with Bergeson & Campbell P.C.

Those TSCA amendments required the EPA for the first time to review the risks of chemicals in commerce and made it easier for the agency to obtain the information it needs to evaluate health and environmental concerns.

The provisions increase the likelihood that citizens groups will push the EPA to take various actions, such as collecting information companies have about their chemicals, Herbert Estreicher, a partner with Keller and Heckman LLP, told Bloomberg Environment.

During a recent webinar hosted by that law firm, Estreicher urged chemical manufacturers and their trade associations to track such petitions and "think hard about engaging," for example, by providing the EPA information relevant to whatever decision the petition seeks.

Karyn Schmidt, an attorney with the American Chemistry Council, told Bloomberg Environment it's too soon to know whether citizens' petitions will increase due to the amended TSCA, but paying attention to them "is sound legal advice."

New Avenues

Court decisions on citizens' rulemaking petitions are among the many types of litigation likely to

AMERICAN OVERSIGHT

increase as the EPA issues rules and other decisions to carry out its interpretations of TSCA.

"Like it or not, the courts will be playing a central role in deciding how the EPA implements the new TSCA," Estreicher said during the webinar.

Environmental organizations are showing an "unprecedented" interest in TSCA and therefore more likely to bring lawsuits, he said.

Court rulings in these cases and others cannot be rolled back easily by the executive branch, said Eric Gotting, also a partner at Keller and Heckman, referring to the regulatory rollbacks that occur when a new administration takes office.

No Deference Required

If the EPA denies a petition, the groups can challenge that decision in court. Such lawsuits could be particularly interesting because of the role of deference, Gotting told Bloomberg Environment.

Courts are not required to give the agency's decision any deference in these types of cases, he said. Section 21, the provision of TSCA that authorizes citizens petitions states that the court should give a lawsuit challenging the EPA's denial a new, or "de novo," hearing.

That means the petitioner gets a chance to demonstrate to the court that a chemical may present an unreasonable risk to health or the environment or meets other TSCA criteria warranting stricter regulation, he said.

Typically, courts review challenges to agencies' rules under the arbitrary and capricious standard, which means they often affirm agency decisions unless they find them totally irrational, Gotting said.

AMERICAN OVERSIGHT

Under the TSCA standard for citizens' petitions, however, "you have a judge not asking if EPA's decision was rational, but making its own decision on very complex scientific issues," Gotting said. That increases the uncertainty for the EPA and plaintiffs regarding how the court will rule, he added.

Fluoride Petition

Bergeson, Estreicher, and Gotting all cited a lawsuit that attracted attention this year after a federal district court ruled late December that the EPA erred in its interpretation of amended TSCA's requirements for citizens' petitions.

The case, Food & Water Watch v. EPA, involves a coalition of health advocates that petitioned the agency soon after TSCA was amended seeking a ban on fluoride in drinking water. The groups argued drinking the chemical does not prevent tooth decay, but can be neurotoxic, especially to children's developing brains.

The EPA denied the petition saying the agency's interpretation of the amended TSCA as requiring citizens petitions "to address the full set of conditions of use for a chemical substance."

Not true, ruled the U.S. District Court for the Northern District of California in San Francisco. "A citizen petition need not evaluate all conditions of use," the court said, allowing the case to proceed.

Before the court takes up the merits of the citizens' petition, it must rule on the scope of the information it will consider, but this initial decision allowing the case to proceed is important, Gotting said.

It means petitioners do not have to address every use of a chemical when they ask the EPA to regulate a substance, and that makes it harder for the EPA to easily dismiss such petitions, he said.

AMERICAN OVERSIGHT

Those factors increase the likelihood that the agency's rejections of citizens rulemaking petitions may get a full hearing in court, Gotting said.

The Food & Water Watch case attracted friend-of-the-court briefs supporting citizen suits from the Natural Resources Defense Council and Safer Chemicals Healthy Families.

A Food & Water Watch attorney says they have no immediate plans to file further citizen suits. However, if the court rules favorably and broadens the scope of information that it can consider as it reviews the fluoride petition, that "will certainly make Section 21 petitions a more promising avenue for future legal actions by environmental health organizations such as ours," according to the attorney, Michael Connett.

Other Citizens' Suits

Bergeson added that "even before the dust-up occasioned by Food & Water Watch, stakeholders were widely expected to avail themselves of every tool under TSCA, including Section 21 citizens' petitions and Section 20 civil actions, to influence the interpretation of new TSCA."

Section 21 allows citizens to petition the EPA to initiate a rule. Section 21 authorizes citizens to file lawsuits against any person or agency alleged to be violating:

• the statute,

• rules promulgated under multiple sections of the law, or

• orders, for example those the EPA can issue requiring manufacturers of new chemicals to not release the chemical to water.

"Companies and other regulated entities would be well advised to step up their monitoring

AMERICAN OVERSIGHT

efforts to ensure Section 21 citizen petitions and other forms of citizen advocacy (Section 20 litigation) are promptly identified, considered, and addressed," Bergeson said by email.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060071199/search?keyword=EPA

GAO to review Pruitt's phone booth

By Kevin Bogardus, 1/17/18

The Government Accountability Office will scrutinize U.S. EPA Administrator Scott Pruitt's secure phone booth.

EPA Inspector General Arthur Elkins said in a letter to Rep. Pete DeFazio (D-Ore.) that his office had learned that GAO had "accepted a congressional request to review appropriation law questions regarding the installation of the security booth."

"The GAO will be reviewing virtually the same scope of issues that we planned to examine," Elkins said in the Jan. 10 letter, which was shared on social media last week by Democrats on the House Transportation and Infrastructure Committee, where DeFazio is ranking member.

Chuck Young, a GAO spokesman, confirmed to E&E News that the congressional watchdog office is reviewing the matter.

"We have been asked for an appropriations law legal opinion on this, and we are doing the work, as mentioned in the letter," Young said.

AMERICAN OVERSIGHT

At a congressional hearing last month, Pruitt called the facility "a secure phone line" used for sensitive communications, including talks with the White House (E&E News PM, Dec. 7, 2017).

The EPA inspector general also planned to examine Pruitt's secure communications facility but now will no longer conduct that review.

EPA's internal watchdog told Rep. Frank Pallone (D-N.J.), ranking member on the House Energy and Commerce Committee, in a Dec. 8 letter that it planned to review the facility but has since learned about GAO's coming probe (Greenwire, Dec. 12, 2017). The EPA IG has decided to not review the privacy booth in order to not duplicate efforts with GAO, according to EPA IG spokeswoman Tia Elbaum.

"We are no longer going to review the privacy booth since the GAO has initiated their own engagement," Elbaum told E&E News.

Nevertheless, the EPA watchdog does plan to review spending on Pruitt's personal security detail, which has been boosted to an around-the-clock presence, unlike for past administrators. In the same letter to DeFazio, the IG said the lawmaker had raised "issues about whether appropriated funds are available for the expenditures you question, and whether the EPA complied with applicable oversight controls in deciding to make the expenditures."

"These latter issues are within the authority of the IG to review, and we will do so," Elkins said.

Elbaum confirmed that the IG will review the security detail spending, saying, "We are only going to review Administrator Pruitt's security detail appropriations."

In his letter to DeFazio, Elkins offered caveats to the review of Pruitt's security detail. His office had not found information "indicating any criminal violations." In addition, the IG "will not second-guess decisions" within the agency's discretion, including whether Pruitt was justified to transfer EPA staff from enforcement duties to his security detail.

AMERICAN OVERSIGHT

DeFazio as well as Rep. Grace Napolitano (D-Calif.) had requested the review of the security detail spending in an Oct. 4 letter to the IG. The lawmakers cited reporting by E&E News that found that EPA had spent nearly twice as much on Pruitt's security detail during his first months on the job compared with his predecessors (E&E Daily, Oct. 5, 2017).

An EPA spokesman declined to comment when asked by E&E News about the reviews by GAO and the EPA IG related to spending on Pruitt's privacy booth and security detail, respectively.

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060071193/search?keyword=EPA

Arguments in 'exceptional' events suit set for March 22

By Sean Reilly, 1/17/18

A federal appellate court will hold oral arguments March 22 on a legal challenge brought by environmental groups to U.S. EPA's latest guidance for handling "exceptional" air pollution events.

The U.S. Court of Appeals for the District of Columbia Circuit set the date in an order yesterday; the makeup of the three-judge panel hearing the arguments will be announced later, according to the order.

The guidance, issued under the Obama administration in September 2016, is geared to making it easier for states to get a pass on "exceedances" of air quality standards for ground-level ozone, particulate matter and other common pollutants because of wildfires and other forces outside

AMERICAN OVERSIGHT

regulators' direct control.

The agency acted in response to recurring complaints from state regulators that the previous system for proving an exceptional event was costly and time-consuming.

Under President Trump, EPA recently signaled that still more changes are in the works "to allow for greater state flexibility in flagging and excluding" pollution stemming from exceptional events from the data used to determine compliance with federal standards, according to a rundown of regulatory priorities released last month.

But the Natural Resources Defense Council and the Sierra Club, which challenged the Obama-era guidance with the lawsuit filed in late 2016, argue that EPA has already overstepped. While exceptional events are supposed to be the result of natural forces, they said in a brief last spring, the guidance allows "regular industrial pollution in vast amounts" to qualify and thus "violate Clean Air Act health standards" (Greenwire, May 22, 2017).

The two environmental groups have it wrong, EPA attorneys said in their August 2017 response brief. Under the agency's definition, the term "natural event ... covers only a small set of phenomena, namely acts of nature and their resulting emissions." The agency also claimed that the court should accept its reading under the Chevron doctrine. Under that doctrine, named for a 1984 Supreme Court case, courts defer to federal agencies when Congress hasn't explicitly addressed an issue.

As part of a 2005 law, lawmakers ordered EPA to account for exceptional events but have never defined "natural event," the brief said. The agency's interpretation "reasonably fills in the gap" and "limits natural events to those events with predominantly natural causes, while recognizing the reality that few acts of nature are truly free from human influences," according to the brief.

In an acknowledgement of the real-world stakes, both the American Petroleum Institute and a coalition of farm groups that includes the Kansas Livestock Association and National Cattlemen's Beef Association, have submitted friend-of-court briefs siding with EPA.

AMERICAN OVERSIGHT

"EPA has provided a thorough and convincing explanation for its natural event definition," API said in its brief, arguing that the lawsuit should be "dismissed or denied."

The Hill

http://thehill.com/policy/energy-environment/369520-study-white-house-abandoning-science-advice-at-unprecedented-levels

Study: White House abandoning science advice at unprecedented levels

By Miranda Green, 1/18/18, 10:27 AM

A report released by the Union of Concerned Scientists (UCS) on Thursday provides a stark portrayal of how the federal government's relationship with scientists has deteriorated since President Donald Trump took office.

According to the report by UCS, a non-profit group of independent scientists, the administration's skeptical views on science advisers is represented by diminished staffing at the White House and across various government agencies.

President Trump is the first president in four decades to not appoint a presidential science adviser, the report said. Less than a third of the White House Office of Science and Technology Policy (OSTP) is full, with only 38 of 130 total positions filled.

In terms of government posts at the National Academies of Science that are designated as "scientists appointees," Trump has only filled 20 out of 77 positions. Comparatively, at the same point in their respective administrations, President Obama had 62 roles filled and President George W. Bush had filled 51.

AMERICAN OVERSIGHT

Looking at science advisory boards and committees across the various government agencies, the UCS study also found that membership dropped 14 percent due to factors such as freezing of membership and disbanding of committees altogether. Examples include the Food and Drug Administration's (FDA) disbanded Food Advisory Committee and the Interior Department's (DOI) disbanded climate science advisory committee.

The total number of science advisory committee meetings in 2017 also decreased 20 percent from 2016, the study found.

The drop in the frequency of meetings of science advisory boards was most notable at key federal science agencies: the Department of Energy (DOE), the Environmental Protection Agency (EPA) and DOI. All three met less often in 2017 than at any time since 1997.

The findings confirmed promises made by various leaders within the Trump administration to increase the voices of the fossil fuel industry in advisory boards.

For example, Environmental Protection Agency (EPA) Administrator Scott Pruitt has noted a desire to include more industry voices as a way to level the playing field. Earlier this year he also banned all experts who receive grants from the EPA from serving as advisors on any committee.

Looking at the EPA specifically, the study found that looking forward to 2018, 23 percent of those sitting on the agency's Science Advisory Board will be industry representatives, compared to only 6 percent in 2017. Also, 50 percent of individuals on the board will be from academia, compared to 79 percent in 2017.

E&E Energywire

AMERICAN OVERSIGHT

https://www.eenews.net/energywire/stories/1060071263/search?keyword=EPA

State auditor wants to release investigation Pruitt kept secret

By Mike Soraghan, 1/18/18

Oklahoma's state auditor wants a court order allowing him to release an investigative audit of Superfund spending suppressed by U.S. EPA Administrator Scott Pruitt when he was Oklahoma attorney general.

In a legal filing yesterday, State Auditor Gary Jones said Pruitt had already released the audit years ago, without authorization, to the organization Jones had been investigating.

The filing was Jones' response to a lawsuit filed last year by a Washington watchdog group seeking release of the audit, done in response to allegations of corruption at the Tar Creek Superfund site near Miami, Okla. (Greenwire, Nov. 27, 2017). As EPA administrator, Pruitt is now in charge of Superfund.

"The auditor's response completely vindicates our position and demonstrates why this audit should be released to the public immediately," said Daniel Stevens, the executive director of the group, called Campaign for Accountability.

Also notable in Jones' filing yesterday is that he has hired his own attorney, Mickey Dodson of Oklahoma City. Jones, who is now seeking the Republican nomination to run for governor, had previously relied on the legal advice of the state attorney general's office in saying he was not allowed to release the audit.

E&E News has also requested the Tar Creek audit but is not involved in the lawsuit.

Tar Creek is a 40-square-mile site in the far northeastern corner of Oklahoma where land and water were contaminated by decades of lead and zinc mining that ended in the 1950s. In the early 1980s, EPA deemed it the most contaminated site in the country.

AMERICAN OVERSIGHT

As part of the cleanup, the federal government provided money in 2009 to buy out homeowners and demolish the homes. The work was overseen by a board of area residents called the Lead-Impacted Communities Relocation Assistance Trust, or LICRAT. But companies that sought demolition work complained that contracts were being unfairly steered to companies favored by board members.

Pruitt requested the audit from Jones' office in April 2011 after the staff of then-Sen. Tom Coburn (R-Okla.) forwarded the corruption allegations.

After Jones' staff completed the audit and sent it to the attorney general's office, Pruitt decided against prosecution. Jones then asked Pruitt to release the audit publicly, but Pruitt said no.

At the time, Pruitt said he was concerned the audit contained "unsubstantiated criminal accusations" against "private citizens." Jones called that reasoning "baffling," saying the claims were substantiated and involved public officials.

The attorney general's office, now headed by Mike Hunter, reviewed Jones' request again this summer after E&E News and another media outlet asked for the audit documents. Hunter's office also said no, but the reason changed. This time, the response was that any report of a criminal investigation remains confidential.

But Jones' response yesterday included a new wrinkle. He said Pruitt had released the document to the attorney for LICRAT. Jones' filing cited a 2014 memo from the attorney apparently responding to the report.

In his response, Jones asked that a judge issue a writ of mandamus ordering him to release the audit report and supporting records.

The Campaign for Accountability has also filed an ethics complaint against Interior Secretary

AMERICAN OVERSIGHT

Ryan Zinke in recent months.

A spokeswoman for the Oklahoma Attorney General's Office declined to comment on the filing, saying a copy wasn't yet available. EPA press officials did not respond to requests for comment.

E&E Daily

https://www.eenews.net/eedaily/stories/1060071255/search?keyword=EPA

Dems bash Pruitt over cleanup rules

By Dylan Brown, 1/18/18

Eight Senate Democrats yesterday rebuked U.S. EPA's recent decision not to issue new regulations governing the Superfund insurance companies must have to conduct hardrock mining.

In a letter, the senators accused Administrator Scott Pruitt of failing to protect taxpayers from the environmental risks of non-coal mining, a top source of pollution with an estimated 500,000 abandoned mines nationwide.

In December, Pruitt signed a final rule updating Section 108(b) of the Superfund law, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (Greenwire, Dec. 4, 2017).

Two years before, a federal court had ordered EPA to draft new hardrock financial assurance standards more than three decades after the agency was supposed to have set them.

AMERICAN OVERSIGHT

But, Pruitt rejected the Obama administration's proposed additional bonding requirements. Citing concerns among regulators and the regulated community, the final rule imposed no new assurance requirements because of existing federal and state programs created since CERCLA's passage.

The Democrats disagreed, arguing EPA inaction helped create $50 billion in cleanup costs at hardrock Superfund sites.

"By conjuring up the baseless determination that there is no risk of taxpayer funded cleanups from hard rock mining and therefore not requiring assurances, you are assuring that we will continue to create high-cost environmental disasters," the senators wrote.

Sen. Tom Udall (D-N.M.), a longtime champion of mining reform, signed the letter with Sens. Dick Durbin (D-Ill.), Ron Wyden (D-Ore.), Michael Bennet (D-Colo.), Sheldon Whitehouse (D-R.I.), Dianne Feinstein (D-Calif.), Bernie Sanders (I-Vt.) and Tammy Baldwin (D-Wis.).

Wall Street Journal

https://www.wsj.com/articles/APdc4d4bab6e354fab80aa387805de8c81?mod=searchresults&page=1&pos=2

NY, Connecticut file lawsuit seeking US action on smog

1/17/18, 2:45 PM

ALBANY, N.Y. — The attorneys general for New York and Connecticut have filed a lawsuit against the Trump administration in the latest multi-state effort to compel federal regulators to reduce smog blowing in from upwind states.

AMERICAN OVERSIGHT

Eric Schneiderman of New York and George Jepsen of Connecticut filed the lawsuit Wednesday in federal court in Manhattan. The suit says the Environmental Protection Agency is violating the federal Clean Air Act by failing to curb air pollution that blows east into New York from upwind states such as Illinois and Michigan.

The legal action is at least the fourth in the past year involving mostly East Coast states seeking to have the EPA regulate out-of-state pollutants. Last month, New York and seven other states filed a lawsuit in a federal appeals court on the same issue.

Cleveland.com

http://www.cleveland.com/court-justice/index.ssf/2018/01/epa_overturns_approval_of_ohio_1.html

EPA overturns approval of Ohio's decision to omit its Lake Erie from 'impaired' waters list

By Eric Heisig, 1/17/18, 6:14 PM

CLEVELAND, Ohio -- The U.S. Environmental Protection Agency withdrew its approval of Ohio's decision to keep Lake Erie off a list of impaired bodies of water, which rankled environmentalists who pointed to harmful algal blooms contained within the lake.

The U.S. EPA's reversal of its May decision was memorialized in a letter sent Friday to Ohio EPA Director Craig Butler and filed in federal court by the Environmental Law & Policy Center. The organization is suing the U.S. EPA over its initial approval Ohio's biennial impaired waters list.

AMERICAN OVERSIGHT

The letter, written by Assistant Administrator David Ross, says the U.S. EPA re-evaluated the Lake Erie designation "and determined that the submission is incomplete and thus not fully consistent with the requirements of ... the Clean Water Act and EPA's regulations." It says Ohio did not show that it compiled all the necessary data to say its portion of the lake was not impaired.

The letter asks the Ohio EPA to perform a new evaluation of the state's portion of Lake Erie and send it by April 9.

(You can read the letter here or at the bottom of the story.)

Lake Erie's most significant pollutants come from fertilizers running off into the lake, primarily by way of the Maumee River in Toledo.

That pollution tainted the area's supply of drinking water in the past. In 2014, 400,000 Toledo area residents were temporarily without drinking water after harmful toxins from algal blooms fouled the water supply.

Butler has said the impaired waters designation is "immaterial" and that Ohio, Michigan and Ontario have an agreement to reduce harmful nutrient runoff into the lake by 40 percent by 2025. The Environmental Law & Policy Center argues that the impaired waters designation is an important step in addressing pollution in the lake.

Organization Executive Director Howard Learner treated the letter as a victory, as the center had sued the U.S. EPA's to challenge its previous decision.

"The letter confirms that we're right on the legal and factual arguments we made in the federal district court," Learner said, adding that the U.S. EPA has effectively "confessed error."

AMERICAN OVERSIGHT

Butler on Wednesday described the lawsuit as an "academic legal question" at this point, since the state is set to soon conduct an evaluation for its 2018 list.

"For the ELPC to jump up and down and declare victory is a little overblown to me," Butler said.

He said the state did not include Lake Erie on its 2016 list because it did not have a good way to measure conditions caused by algae and whether problems have improved or worsened.

When the Ohio EPA asked the federal government for a way to measure, the U.S. EPA said it did not have one, Butler said.

Butler said researchers at Ohio State and Bowling Green State universities are developing a tool to measure whether Ohio's portion of the lake is impaired. The plan is to use that scale for the next evaluation, he said.

Learner said his organization is still asking a federal judge to rule that the U.S. EPA violated the Clean Water Act through its initial approval of Ohio's list. The organization is also asking the judge to order the U.S. EPA to conduct its own evaluation, as federal rules mandate that it conduct one instead of asking a state to do so.

"It is worth noting that the next biennial iteration of Ohio's ... list is already due on April 1, 2018, ... meaning that U.S. EPA is essentially giving Ohio EPA a 'free pass' on its deficient 2016 listing," the organization wrote in a court filing Tuesday.

Spokeswoman Tricia Lynn said the federal EPA does not comment on pending litigation.

AMERICAN OVERSIGHT

Chicago Tribune

http://www.chicagotribune.com/news/local/breaking/ct-met-us-steel-chromium-lawsuit-20180117-story.html

Lawsuit accuses U.S. Steel of polluting Lake Michigan with toxic chromium

By Michael Hawthorne, 1/18/18, 7:00 AM

As a group of Lake Michigan surfers filed a lawsuit Wednesday accusing U.S. Steel of repeatedly violating the federal Clean Water Act, it appears their earlier threat of legal action is having the intended effect.

Hours after the Surfrider Foundation filed its lawsuit in U.S. District Court in Hammond, U.S. Steel announced it is close to reaching a settlement with federal and state officials regarding spills of toxic chromium from its Midwest Plant, part of a complex of steel mills that divides the Indiana Dunes National Lakeshore in Portage.

U.S. Steel, the U.S. Environmental Protection Agency and the Indiana Department of Environmental Management declined to provide details.

The two government agencies began negotiating privately with the steelmaker after the surfing group enlisted the Abrams Environmental Law Clinic at the University of Chicago to research pollution violations at U.S. Steel and other factories on the southwest shore of Lake Michigan.

Citing information law students gleaned from public records, the clinic filed notice in November that it planned to sue for improvements on behalf of the Chicago chapter of Surfrider, a nonprofit group that represents an active band of Great Lakes surfers.

Federal law allows citizens to challenge companies on their own about water pollution violations but requires a warning 60 days before filing suit.

AMERICAN OVERSIGHT

"When a corporation discharges massive amounts of water pollution into public areas that are popular spots for families and recreation on an ongoing basis, they need to be held accountable for it," said Mitch McNeil, chairman of Surfrider's Chicago chapter.

Beaches near the Midwest Plant offer some of the best waves on Lake Michigan, McNeil said. But many surfers opt to stay away after swimming through what he described as dark-brown water that smells alternately like metal, sewage, petroleum or a used ashtray.

State records show the Midwest Plant has violated chromium limits in its water pollution permit at least four times since 2013. An April spill included 298 pounds of hexavalent chromium, a highly toxic version of the metal made infamous by the movie "Erin Brockovich."

Operators of the water supply for the nearby town of Ogden Dunes responded by temporarily shutting off its Lake Michigan intake, Chicago conducted emergency testing of its own water supply and the National Park Service closed four beaches as a precaution.

After another spill in late October, neither the company nor Indiana regulators informed the public. A notice U.S. Steel sent to the state agency requested "confidential treatment" of the incident. The U.S. EPA learned about it from a Tribune reporter.

A state inspector later determined that U.S. Steel had failed to test for hexavalent chromium in a ditch that empties into Lake Michigan, even after a worker spotted blue liquid "with visible solids" pouring from one of the plant's sewer pipes.

In December, Chicago Mayor Rahm Emanuel said the city was planning to file its own lawsuit, citing the steel mill's close proximity to a Lake Michigan drinking water intake off 68th Street.

Cathy Stepp, the Trump administration's new regional EPA administrator, last week rejected Emanuel's request for city lawyers to be involved in the negotiations with U.S. Steel.

AMERICAN OVERSIGHT

"We believe that the compliance measures … will go far in protecting Burns Harbor and Lake Michigan from unlawful discharges and spills," Stepp wrote in a Jan. 11 letter to Edward Siskel, the city's corporation counsel.

U.S. Steel and the Indiana agency issued similar statements Wednesday.

"We acknowledge and regret the incidents and have consistently worked to identify, report, investigate, and correct each issue," U.S. Steel said in a statement. "We are driven by our core value of environmental stewardship, which establishes our firm commitment to compliance with environmental rules and regulations."

Mark Templeton, director of the U. of C. law clinic, remained skeptical.

"Once again, the U.S. EPA and IDEM are asking citizens to trust them about this issue," Templeton said. "All we see is a lot of talk and no action."

E&E Greenwire

https://www.eenews.net/greenwire/stories/1060071175/search?keyword=EPA

Smelly wrecked boats await disposal after Irma

1/17/18

AMERICAN OVERSIGHT

Seminole Boat Ramp in Miami is home to a yacht graveyard, where unclaimed boats wrecked by Hurricane Irma lie on their sides waiting to be claimed or demolished.

The storm left the boats in odd places throughout the city — even on a high school football field. But now they've all been deposited together at a marina that stinks of sewage, gasoline and rotting wood.

Florida does not require boat insurance, meaning owners who cannot afford to remove or repair them have simply abandoned their vessels.

That has left the cleanup to a coalition of state and federal agencies called the Emergency Support Functions, which includes Florida Fish and Wildlife Conservation Commission (FWC), the Coast Guard and U.S. EPA.

Over 2,000 boats have been removed so far, and if they aren't claimed, they will be crushed and put into a landfill by the Emergency Support Functions.

"A firm timetable is unavailable," said Rob Klepper, spokesman for the FWC's law enforcement division. "The FWC has to reach out to all those boat owners and see if they will take care of their boat or relinquish their rights and have it destroyed. It can be fairly difficult to contact owners depending on how and if the title has been transferred" (Linda Robertson, Miami Herald, Jan. 16). — NS

The News-Review

https://www.nrtoday.com/news/environment/myrtle-creek-assures-residents-that-its-drinking-water-is-safe/article_a03efa30-fef1-5519-a399-795ba5b3b454.html

AMERICAN OVERSIGHT

Myrtle Creek assures residents that its drinking water is safe

By Emily Hoard, 1/17/18

Rest easy, residents of Myrtle Creek. According to health standards established by the Environmental Protection Agency, trace amounts of radium in drinking water are perfectly safe.

The response comes after a story published Saturday that more than half of Americans could be drinking water with traces of radium, according to an environmental advocacy group.

In 2011, Environmental Working Group listed Myrtle Creek's water with an average radium level of 0.6 picoCuries per liter, well below the federal Environmental Protection Agency's established maximum contaminant level of 5 pC/L.

Myrtle Creek City Administrator Sean Negherbon said the city's drinking water continues to more than meet guidelines from the Safe Drinking Water Act.

"Our goal at the city of Myrtle Creek is to provide you with a safe and dependable supply of drinking water," Negherbon wrote in a statement. He said the city strives to improve its water treatment process and protect its water resources in accordance with the Safe Drinking Water Act, which allows the EPA to set federal standards for drinking water.

Negherbon said drinking water, including bottled water, is expected to contain at least small amounts of contaminants, the presence of which do not necessarily pose a health risk.

"As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity," he wrote.

AMERICAN OVERSIGHT

The city of Myrtle Creek treats water from Springbrook Springs and the South Umpqua River, and water from both sources showed small amounts of radium — the average result of 0.6 picoCuries per liter — detected in three of six samples during the city's most recent testing in 2011. No radium was detected in the other three samples.

"Detecting a contaminant at any level does not always mean there is a risk to public health," Negherbon said.

The Safe Drinking Water Act established a scientific process to evaluate potential health risks of contaminants and analyze the costs and benefits of potential regulations, he said. The act requires water systems to test for radium every nine years.

Negherbon said the city of Myrtle Creek's Consumer Confidence Report is available online at cityofmyrtlecreek.com and at City Hall.

AMERICAN OVERSIGHT

To: wwehrum@hunton.com[wwehrum@hunton.com]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]
Cc: Ringel, Aaron[ringel.aaron@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Dominguez, Alexander[dominguez.alexander@epa.gov]
From: Frye, Tony (Robert)
Sent: Tue 10/3/2017 9:55:59 PM
Subject: Administrator Pruitt Confirmation Hearing Questions
scott-pruitt-qfr-responses-01.18.2017.pdf
Sen Markey Questions - scott-pruitt-qfr-responses-01.18.2017.pdf
Adm. Pruitt Nom Hearing Transcript.pdf

Hello All,

Attached please find the full hearing transcript for Administrator Pruitt's nomination hearing. The dialogue with Senator Markey can be found on pgs. 63-67; 144-149; and 199-203 and the questions from Senator Harris can be found on pgs. 79-86.

I have also attached the questions for the record Administrator Pruitt received following his hearing. Additionally, I specifically pulled questions from Senator Markey; however, Senator Harris did not submit any questions for the record.

Let me know if you have any additional thoughts or questions.

Best,

Tony

Tony Frye

Special Assistant to the Deputy Associate Administrator

Office of Congressional & Intergovernmental Affairs

Environmental Protection Agency

Phone: 202.564.0640

AMERICAN OVERSIGHT

Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

&4└ &21*5(66,21$/└ 75$16&5,376
&RQJUHVVLRQDO└ +HDULQJV
-DQ◀ └ ¶ ← ☼ ╪)┗QDO¶ →

6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDULQJ└ RQ└ 1RPLQDWLRQ└ RI└ 6FRWW└ 3UXLWW└ WR└ EH└ (3$└ $GPLQLVWUDWRU

/,67└ 2)└ 3$1(/└ 0(0%(56└ $1'└ :,71(66(6

℅$55$662 └
*RRG└ PRUQLQJ◀ └ ,└ FDOO└ WKLV└ KHDULQJ└ WR└ RUGHU◀ └ :H└ KDYH└ TXLWH└ D└ IXOO└ KRXVH└ /RGD\◀ └ ,└ ZHOFRPH└ WKH└ DXGLHQFH◀ └ 7KLV└ LV└ D└ IRUPDO└ 6HQDWH└ KHDULQJ☼ └ DQG└ LQ└ RUGHU└ WR└ DOORZ└ WKH└ FRPPLWWHH└ WR└ FRQGXFW└ LWV└ EXVLQHVV☼ └ ZHOO└ PDLQWDLQ└ GHFRUXP◀

7KDW└ PHDQV└ LI└ WKHUH└ DUH└ GLVRUGHUV☼ └ GHPRQVWUDWLRQV└ E\└ D└ PHPEHU└ RI└ WKH└ DXGLHQFH☼ └ WKH└ SHUVRQ└ FDXVLQJ└ WKH└ GLVUXSWLRQ└ ZLOO└ EH└ HVFRUWHG└ IURP└ WKH└ URRP└ E\└ WKH└ &DSLWRO└ 3ROLFH◀

6LQFH└ WKLV└ LV└ RXU└ ILUVW└ KHDULQJ└ RI└ WKLV└ VHVVLRQ☼ └ ,G└ OLNH└ WR└ ZHOFRPH└ RXU└ QHZ└ PHPEHUV☼ └ 6HQDWRUV└ -HII\└ 0RUDQ└ DQG└ -RH└ (UQVW☼ └ 7DPP\└ 'XFNZRUWK☼ └ DQG└ .DPDOD└ +DUULV◀ └ 7KDQN└ \RX└ YHU\└ PXFK☼ └ DQG└ FRQJUDWXODWLRQV└ LQ└ MRLQLQJ└ /KH└ FRPPLWWHH◀

,G└ DOVR└ OLNH└ WR└ ZHOFRPH└ 6HQDWRU└ 7RP└ &DUSHU☼ └ LQ└ KLV└ QHZ└ URFH└ DV└ WKH└ UDQNLQJ└ PHPEHU└ RI└ WKH└ FRPPLWWHH◀

<RX└ DUH└ KHUH☼ └ HYHQ└ LI└ \RX└ KDYH└ D└ VFUDWFK\└ WKURDW☼ └ ┤ ‼ └ \HDV└ IURP└ ZKHQ└ \RX└ ZHUH└ D└ WUHDVXUHU└ RI└ 'HODZDUH☼ └ PHPEHU└ RI└ &RQJUHVV☼ └ JRYHUQRU☼ └ PHPEHU└ RI└ WKH└ 8◀ 6◀ └ 6HQDWH☼ └ KDYH└ QRW└ PLVHG└ D└ GD\◀ └ <RX└ DUH└ &DO└ 5LSNHQ☼ └ -XQLRU☼ └ WKH└ ,URQ└ 0DQ☼ └ \R└ WKDQN└ IRU└ EHLQJ└ KHUH◀ └ 7KDQN└ \RX◀ └ ,└ ORRN└ IRUZDUG└ WR└ ORRNLQJ└ ZLWK└ \RX◀

<HDK☼ └ KH└ GHVHUYHV└ DSSODXVH☼ └ WKDW└ ULJKW◀

AMERICAN OVERSIGHT

:LWK└ UHJDUG└ WR└ SURPHGXUH└ └ ZH└ ZLOO└ IROORZ└ WKH└ HDLD\└ ELUG└ UXOH└ LQ└ WHUPV└ RI└ /KH└ RUGHU└ RI└ PHPEHU└ TXHVWLRQV◀ └ 0HPEHUV└ ZKR└ ZHUH└ KHUH└ DW└ WKH└ WDLUW└ └ DV└ \RX└ DOO└ DUH└ └ ZLOO└ EH└ SODFHG└ LQ└ WKH└ OLGH└ EDVHG└ RQ└ \RXU└ VHQLRULWY└ RQ└ WKH└ FRPPLWWHH◀ └ 0HPEHUV└ ZKR└ DUULYH└ DIWHU└ WKH└ KHDULQJ└ KDV└ WDUWHG└ ZLOO└ EH└ DGGHG└ WR└ WKH└ OLGH└ LQ└ WKH└ RUGHU└ WKH\└ DUULYH◀

:LWK└ UHVSHFW└ WR└ WRGD\V└ KHDULQJ└ └ ZHOO└ EH└ ┼ ┼ └ ZHOO└ DELGH└ E\└ WKH└ FRPPLWWHHV└ ILYH┼ PLQXWH└ UXOH◀ └ 7KH└ ILYH└ PLQXWHV└ LQFOXGHV└ QRW└ MXVW└ WKH└ TXHVWLRQV└ └ EXW└ DOVR└ WKH└ QRPLQHHV└ DQVZHU└ └ VR└ ,└ DVN└ RXU└ PHPEHUV└ WR└ SOHDVH└ CHDYH└ HQRXJK└ WLPH└ IRU└ WKH└ QRPLQHH└ WR└ DQVZHU└ \RXU└ TXHVWLRQ◀ └ 7RGD\└ └ ZHOO└ KDYH└ PDQ\└ URXQGV└ RI└ TXHVWLRQV└ └ DV└ DUH└ QHFHVVDU\└ └ VR└ WKDW└ PHPEHUV└ TXHVWLRQV└ DUH└ DQVZHUHG◀

7RGD\V└ KHDULQJ└ LV└ WR└ FRQVLGHU└ WKH└ QRPLQDWLRQ└ RI└ $VWRULD\└ *HQHUDO└ RI└ 2NODKRPD└ └ 6FRWW└ 3UXLWW└ └ WR└ EH└ WKH└ DGPLQLVWUDWRU└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀

$VWRULD\└ *HQHUDO└ 3UXLWW└ KDV└ EHHQ└ D└ GLVWLQJXLVKHG└ SXEOLF└ VHUYDQW└ DV└ ZHOO└ DQG└ ZH└ ZLOO└ KHDU└ IURP└ KLV└ └ WKH└ VDPH└ IURP└ KLV└ IHOORZ└ 2NODKRPDQV└ WRGD\◀ └ +H└ VHUYHG└ HLJKW└ \HDUV└ LQ└ WKH└ 2NODKRPD└ 6WDWH└ 6HQDWH└ └ EHIRUH└ EHLQJ└ HOHFWHG└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD└ LQ└ 1RYHPEHU└ RI└ ┴ ‼ ¶ ‼ └ ZKHUH└ KH└ \WLOO└ VHUYHV◀

7KHUH└ DUH└ QXPHURXV└ WDWWHPHQW└ IURP└ KLV└ SHHUV└ DQG└ WKH└ SHRSOH└ WKDW└ KH└ KDV└ KHOSHG└ RYHU└ WKH└ \HDUV└ └ WKDW└ WDQG└ DV└ D└ WHVWDPHQW└ WR└ KLV└ WDLRQJ└ TXDOLILFDWLRQV└ WR└ UXQ└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀

7ZHQW\┼ IRXU└ WDWH└ DWWRUQH\V└ JHQHUDO└ ZURWH└ WR└ ERWK└ 5DQNLQJ└ 0HPEHU└ &DUSHU└ DQG└ WR└ PH└ └ WDWLQJ└ WKDW└ TXRWH└ └ | $V└ DWWRUQH\V└ JHQHUDO└ └ ZH└ XQGHUWDQG└ WKH└ QHHG└ WR└ ZRUN└ FROODERUDWLYH\└ WR└ DGGUHVV└ WKHLU└ HQYLURQPHQW└ WKDW└ FURVV└ WDWH└ RXU└ HQYLURQPHQW└ WKDW└ OLGH└ DV└ ZHOO└ DV└ WKH└ LPSRUWDQFH└ RI└ D└ IHGHUDO└ FRXQWHUSDUW└ LQ└ WKH└ (3$└ DGPLQLWWDWRU└ └ ZKR└ SRVHVHV└ WKH└ NQRZOHGJH└ └ H[SHULHQFH└ DQG└ SULQFLSOH└ └ WR└ ZRUN└ ZLWK└ RXU└ WDWH└ DGGUHVV└ LVVXHV└ DI IHFWLQJ└ RXU└ HQYLURQPHQW◀ └ :H└ EHOLHYH└ WKDW└ QR└ RQH└ H[HPSOLILHV└ WKHVH└ TXDOLWLHV└ PRUH└ WKDQ└ 6FRWW└ 3UXLWW◀ |

1RZ└ $VWRULD\└ *HQHUDO└ 3UXLWW└ KDV└ WDNHQ└ RQ└ SROOXWHUV└ └ LQFOXGLQJ└ WKH└ RLO└ LQGXVWU\└ └ ZKHQ└ WKHUH└ LV└ FDXVH◀ └ 5DQG\└ (OOLV└ └ DQ└ DZDUG└ ZLQQLQJ└ LQYHVWLJDWLYH└ UHSRUWHU└ ZLWK└ 7KH└ 2NODKRPDQ└ CHZVSDSHU└ └ SUDLVHG└ 3UXLWW└ IRU└ KLV└ DELOLW\└ WR└ WDNH└ RQ└ LQGXVWU\◀

AMERICAN OVERSIGHT

7KH└ SDSHU└ KLJKOLJKWHG└ WKH└ ZRUN└ RI└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ WR└ KROG└ D└ CDUJH└ RLO└ FRPSDQ\└ DFFRXQWDECH◀└ 7KLV└ LV└ ZKDW└ (OOLV└ WDWHG◀└ +H└ VDLG☼└ | 0U◀└ 3UXLWW└ GHPRQVWUDWHG└ WKDW└ KH└ ZLOO└ WDNH└ RQ└ LQGXVWU\└ ZKHQ└ WKH\└ RYHUWHS☼└ ZKHQ└ KH└ VXHG└ RLO└ FRPSDQLHV└ VXFK└ DV└ %3☼└ ZKR└ NQRZLQJO\└ GRXECH╢└ GLS└ E\└ FROCHFWLQJ└ UHLPEXUVHPHQW└ IRU└ FRUUHFWLYH└ HQYLURQPHQWDO└ FRVW└ IRU└ VLWHV└ WKDW└ WKH\YH└ SROOXWHG◀ |

7KLV└ LV└ ZK\└ ,└ EHOLHYH└ 3UHVLGHQW╢ HCHFW└ 7UXPS└ QRPLQDWHG└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ WR└ VHUYH└ DV└ WKH└ DGPLQLWUDWRU└ RI└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀└ 7KH└ (3$☼└ XQGHU└ WKH└ CHDGHUVKLS└ RI└ D└ TXDOLILHG└ DQG└ UHVSRQVLECH└ DGPLQLWUDWRU☼└ LV└ D└ YLWDO└ WRRO☼└ WKDW└ PXWW└ EH└ XVHG└ WR└ SURWHFW└ WKH└ DLU└ ZH└ EUHDWKH☼└ WKH└ ZDWHU└ ZH└ GULQN☼└ DQG└ FRPPXQLWLHV└ ZKHUH└ RXU└ IDPLOLHV└ OLYH◀└ ,W└ WUXO\└ D└ VDFUHG└ WUXWW◀

&RCHDJXHV└ RQ└ ERWK└ VLGHV└ RI└ WKH└ DLVCH└ VD\└ WKDW└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ KDV└ WKH└ ULJKW└ H[SHULHQCH└ IRU└ WKH└ SRVLWLRQ◀└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ XQGHUWDQGV└ WKH└ CHHG└ WR└ ERWK└ SURWHFW└ WKH└ HQYLURQPHQW☼└ ZKLCH└ DOORZLQJ└ RXU└ CDWLRQV└ HFRQRP\└ WR└ JURZ◀└ 7KH└ DJHQF\└ CHHGV└ D└ CHDGHU└ ZKR└ ZLOO└ IROORZ└ WKH└ CDZV└ FUHDWHG└ E\└ WKLV└ FRPPLWWHH◀

'XULQJ└ WKH└ CDWW└ HLJKW└ \HDUV☼└ (3$└ DGPLQLWUDWRUV└ FUHDWHG└ EURDG└ DQG└ CHJDOO\└ TXHWLRQDECH└ CHZ└ UHJXODWLRQV☼└ ZKLFK└ KDYH└ XQGHUPLQHG└ WKH└ $PHULFDQ└ SHRSCHV└ IDLWK└ LQ└ WKH└ DJHQF\◀└ 7KHVH└ UHJXODWLRQV└ KDYH└ GRCH└ JUHDW└ GDPDJH└ WR└ WKH└ OLYHOLKRRGV└ RI└ RXU└ CDWLRQV└ KDUGHWW└ ZRUNLQJ└ FLWL]HQV◀

7KH└ UHJXODWRU\└]HDO└ RI└ WKH└ CDWW└ HLJKW└ \HDUV└ KDV└ YLRODWHG└ D└ IXQGDPHQWDO└ SULQFLSCH└ RI└ HQYLURQPHQWDO└ WWHZDUGWKLS☼└ ZKLFK└ LV└ GR└ QR└ KDUP◀└ 7KLV└ IDLCHG└ HQYLURQPHQWDO└ CHDGHUWKLS└ KDV└ FRQWULEXWHG└ WR└ WZR└ RI└ WKH└ ZRUWW└ JRYHUQPHQW╢ FUHDWHG└ HQYLURQPHQWDO└ GLVDWWHUV└ LQ└ GHFDGHV☼└ WKH└ *ROG└ .LQJ└ 0LCH└ VSLOO☼└ DQG└)OLQW└ 0LFKLJDQ└ ZDWHU└ FULVLV◀└ 7KRVH└ GLVDWWHUV└ KXUW└ SHRSCH☼└ PDQ\└ IURP└ ORZ└ LQFRPH└ DQG└ PLGRULW\└ FRPPXQLWLHV└ ZKR└ FDQ└ CHDW└ DI IRUG└ LW◀

$V└ ,YH└ GLVFXWHG└ ZLWK└ $WWRUQH\└ *HQHUDO└ 3UXLWW☼└ P\└ KRPH└ WDWH└ RI└ :\RPLQJ└ LV└ D└ CHDGLQJ└ HCHUJ\└ SURGXFLQJ└ WDWH◀└ :H└ KDYH└ DEXQGDQW└ VXSSOLHV└ RI└ FRDO☼└ QDWXUDO└ JDV☼└ FUXGH└ RLO└ DQG└ XUDQLXP◀└ 7KHVH└ LQGXWULHV└ SURYLGH└ WKRXVDQGV└ RI└ JRRG╢ SD\LQJ└ MREV└ IRU└ :\RPLQJ└ FRPPXQLWLHV◀

:H└ DUH└ DOVR☼└ LQ└ P\└ RSLQLRQ☼└ RCH└ RI└ WKH└ PRWW└ EHDXWLIXO└ WDWHV└ LQ└ WKH└ QDWLRQ◀└ :H└ DUH└ KRPH└ WR└ <HOORZWRCH└ DQG└ *UDQG└ 7HWRQ└ QDWLRQDO└ SDUN☼└ DQG└ QXPHURXV└ QDWLRQDO└ IRUHWW└ DQG└ SULWWLCH└ CDNHV└ DQG└ ZDWHUD\V◀└ 2XU└ ZLOGOLIH└ SRSXODWLRQ└ LV└ GLYHUVH└ DQG└ DEXQGDQW◀└ :H└ KDYH└ WKULYLQJ└ SRSXODWLRQV└ RI└ JUL]]O\└ EHDUV☼└ ZROYHV☼└ HCN└ DQG└ ELVRQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL◀QJDJH╢└ RI└

3HRSOH└ WUDYHO└ IURP└ DURXQG└ WKH└ ZRUOG└ WR└ FRPH└ WR└ :\RPLQJ☼ └ EHFDXVH└ RXU└
WDWHV└ QDWXUDO└ UHVRXUFHV└ DUH└ VSHFWDFXODU◀ └ :\RPLQJ└ KDV└ PDQDJHG└ WR└
WUULNH└ WKDW└ EDODQFH└ EHWZHHQ└ RXU└ HQYLURQPHQW└ DQG└ RXU└ HFRQRP\☼ └ DQG└ LW└
VKRZV◀

)RU└ HLJKW└ \HDUV☼ └ :\RPLQJ└ KDV└ VXIIHUHG└ XQGHU└ DQ└ (3$└ WKDW└ GLGQW└ EHOLHYH└
LQ└ WUULNLQJ└ D└ EDODQFH◀ └ $V└ (3$└ UHJXODWLRQV└ FUXVKHG└ HQHUJ\└ MREV└ LQ└ P\└
WDWH☼ └ WDWH└ UHYHQXH└ IHDU☼ └ WKDW└ SD\V└ IRU└ WDWH└ SURJUDPV◀ └ 7KLV└ LQFOXGHV└
SD\LQJ└ IRU└ RXU└ YLWDO└ HQYLURQPHQWDO└ SURJUDPV◀

&HDUO\☼ └ D└ ZKROHVDOH└ FKDQJH└ LV└ QHHGHG◀ └ $Q\└ QHZ└ DGPLQLWUDWRU└ RI└ WKH└
(QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ QHHGV└ WR└ SURWHFW└ WKH└ HQYLURQPHQW└ LQ└ D└
UHVSRQVLEOH└ ZD\☼ └ WKDW└ GRHVQW└ LJQRUH└ WKH└ JRRG└ ZRUN└ WKDW└ WDWHV└ GR└ WR└
SURWHFW└ WKHLU└ DLU☼ └ CDQG└ DQG└ ZDWHU☼ └ DV└ ZHOO└ DV└ WKHLU└ HFRQRPLHV◀

$W└ WKLV└ WLPH☼ └ ,G└ OLNH└ WR└ DVN└ UDQNLQJ└ PHPEHU☼ └ 6HQDWRU└ &DUSHU☼ └ IRU└ DQ└
RSHQLQJ└ WDWHPHQW◀

&$53(5 └
0U◀ └ &KDLUPDQ☼ └ WKDQN└ \RX◀ └ 7KDQN└ \RX└ IRU└ EULQJLQJ└ XV└ KHUH└ WRGD\◀ └ 7KDQN└
\RX└ IRU└ \RXU└ NLQG☼ └ NLQG└ ZRUGV☼ └ DV└ ZHOO◀ └ /HW└ PH└ EHJLQ└ E\└ ZHOFRPLQJ└ RXU└
CRPLCHH☼ └ KLV└ ZLIH└ 0DULO\Q└ + + └ 0DUO\Q☼ └ DQG└ WKHLU└ FKLOGUHQ☼ └ &DCH└ DQG└
0F.HQDD☼ └ WR└ ZKDW└ D└ YHU\└ LPSRWDQW└ KHDULQJ◀

-XW└ SXW└ + + └ WKLV└ SDW└ 6XQGD\└ PRUQLQJ☼ └ ,└ URVH└ DW└ GDZQ☼ └ DQG└ ,└ ZHQW└ IRU└ D└
CRQJ└ UXQ◀ └ ,W└ WRRN└ PH└ WKURXJK└ D└ EHDXWLIXO└ WDWH└ SDUN└ LQ└ WKH└ QRUWKHUQ└ SDUW└ RI└
'HDZDUH◀

,└ UHFKHG└ WKH└ SDUN└ DW└ VXQULVH☼ └ MKW└ DV└ WKH└ VXQ└ ZDV└ FRPLQJ└ XS☼ └ DQG└ WKH└
VN\└ ZDV└ WKUQLQJ└ D└ EULOOLDQW└ EOXH◀ └ 7KH└ ZLQWHU└ DLU└ ZDV└ FULVS☼ └ DQG└ FCHDU◀ └
:LOGOLIH└ ZDV└ DOO└ DURXQG◀ └ ,Q└ D└ ZRUG☼ └ LW└ ZDV└ SHUIHFW◀ └ $V└ ,└ UDQ☼ └ ,└ VDLG└ D└ SUD\H
RI└ WKDQNVJLYLQJ└ IRU└ WKH└ JLIW└ RI└ WKLV└ PRPHQW◀

/DWHU└ WKDW└ PRUQLQJ☼ └ P\└ ZLIH└ DQG└ ,└ ZHQW└ WR└ FKXUFK☼ └ DQG└ WKHUH└ ZH└ MRLQHG└
RXU└ FRQJUHJDWLRQ└ LQ└ VLQJLQJ└ D└ K\PQ└ WKDW└ EHJDQ└ ZLWK└ WKHVH└ ZRUGV◀ └ |)RU└
/KH└ EHDXW\└ RI└ WKH└ HDUWK☼ └ IRU└ WKH└ JORU\└ RI└ WKH└ VNLHV☼ └ IRU└ WKH└ CRYH└ ZKLFK└
IRUPHG└ RXU└ ELUWK☼ └ RYHU└ DQG└ DURXQG└ XV└ OLHV◀ └ /RUG└ RI└ DOO☼ └ WR└ WKHH└ ZH└ UDLVH└
/KLV☼ └ RXU└ K\PQ└ RI└ JUDWHIXO└ SUDLVH◀ |

AMERICAN OVERSIGHT

7KRVH└ ZRUGV└ ILOOHG└ P\└ KHDUW└ ZLWK└ HPRWLRQ└ WKHQ└ └ DQG└ WKH\└ GR└ VR└ DJDLQ└ /KLV└ PRUQLQJ◀ └ ,Q└ D└ OLWWOH└ PRUH└ WKDQ└ ┤ ← └ KRXUV└ └ 'RQDOG└ 7UXPS└ ZLOO└ SDPFH└ KLV└ KDQG└ RQ└ D└ ELECH◀ └ +HDO└ WDNH└ DQ└ RDWK└ WR└ GHIHQG└ RXU└ FRXQWU\└ DQG└ FRQWLWXWLRQ◀ └ 7KDW└ ELECH└ UHPLQGV└ XV└ UHSHDWHGO\└ WR└ CRYH└ RXU└ CHLJKERUV└ DV└ RXUVHOYHV└ └ DQG└ LW└ DQVZHUV└ WKH└ TXHWLRQ└ └ ZKR└ LV└ P\└ CHLJKERU◀

$OVR└ IRXQG└ LQ└ WKRVH└ SDJHV└ DUH└ VFRUHV└ RI└ DGPRQLWLRQV└ ZLWK└ ┼ ┼ └ DERXW└ DGRWKHU└ REOLJDWLRQ└ WKDW└ WKRVH└ RI└ XV└ ZKR└ OLYH└ RQ└ WKLV└ HDUWK└ DUH└ H[SHFWHG└ WR└ PHHW◀ └ 6LPSO\└ SXW└ └ ZHUH└ WR└ VHUYH└ DV└ WWHZDUGV└ RI└ WKLV└ SODQHW◀ └ ,└ EHOLHYH└ WKDW└ ZH└ KDYH└ D└ PRUDO└ REOLJDWLRQ└ WR└ GR└ VR◀

$└ JUHDW└ PDQ\└ RI└ P\└ FROCHDJXHV└ LQ└ WKH└ 6HQDWH└ DJUHH└ └ DQG└ VR└ GR└ PRWW└ $PHULFDQV◀ └ :H└ QHHG└ WR└ EH└ FRQYLQFHG└ WKDW└ \RX└ HPEUDCH└ LW└ DV└ ZHOO└ └ VXWW└ ZLWK└ \RXU└ ZRUGV└ └ EXW└ ZLWK└ \RXU└ GHHGV◀ └ 0XFK└ RI└ \RXU└ UHFRUG└ VXJJHWW└ RWKHUZLVH◀ └ $QG└ WRGD\└ └ DQG└ LQ└ WKH└ GD\V└ WKDW└ IROORZ└ └ ZH└ QHHG└ WR└ ILQG└ RXW└ ZKHUH└ WKH└ WUXWK└ OLHV◀

/HDGLQJ└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ LV└ KDUG└ ZRUN◀ └ 7KDW└ DJHQF\└ └ FUHDWHG└ E\└ 3UHVLGHQW└ 5LFKDUG└ 1L[RQ└ DQG└ D└ ELSDUWLVDQ└ &RQJUHVV└ └ ┼ ├ └ \HDUV└ DJR└ └ LV└ WDVNHG└ ZLWK└ LPSOHPHQWLQJ└ RXU└ QDWLRQV└ PRWW└ LPSRUWDQW└ FOHDQ└ DLU└ └ FOHDQ└ ZDWHU└ └ DQG└ VDIH└ FKHPLFDO└ ODZV◀

7KH└ (3$└ LV└ UHTXLUHG└ WR└ XVH└ VRXQG└ VFLHQFH└ WR└ SURWHFW└ ERWK└ RXU└ HQYLURQPHQW└ DQG└ RXU└ SXEOLF└ KHDOWK◀ └ %\└ DQG└ CDUJH└ └ WKH└ (3$└ KDV└ GRQH└ WKLV└ VXFFHVVIXOO\└ IRU└ GHFDGHV└ └ ZKLCH└ RXU└ HFRQRP\└ KDV└ FRQWLQXHG└ WR└ JURZ◀

0DQ\└ LQ└ WKLV└ URRP└ WRGD\└ PD\└ QRW└ UHPHPEHU└ D└ WLPH└ EHIRUH└ WKH└ (3$└ └ D└ /LPH└ ZKHQ└ WDWHHV└ KDG└ WR└ ZRUN└ LQGLYLGXDOO\└ WR└ SURWHFW└ FLWL]HQV└ LQ└ WKH└ FRPPXQLW\└ LQ└ ZKLFK└ WKH\└ OLYHG└ └ D└ WLPH└ EHIRUH└ WKH└ &HDQ└ :DWHU└ $FW└ DQG└ &HDQ└ $LU└ $FW└ ZHUH└ VLJHG└ LQWR└ ODZ└ └ D└ VLJQ└ ZKHQ└ EXVLQHVVHV└ RSHUDWLQJ└ /KURXJKRXW└ WKH└ 8◀ 6◀ └ ZHUH└ IDFHG└ ZLWK└ D└ P\ULDG└ RI└ FRQIOLFWLQJ└ WDWHH└ DQG└ CRFDO└ ODZV└ DI IHFWLQJ└ RXU└ KHDOWK└ DQG└ RXU└ HQYLURQPHQW◀

7KH└ FKRNLQJ└ VPRJ└ DQG└ VRRW└ RI└ D└ KDOI└ FHQWXU\└ DJR└ VHHP└ XQIDWKRPDECH└ QRZ◀ └ 5LYHUV└ RQ└ ILUH└ └ DQG└ GHDGO\└ WR[LF└ SOXPHV└ VRXQG└ OLNH└ VRPHWKLQJ└ IURP└ DQRWKHU└ ZRUOG└ LPSRVLECH└ LQ└ RXU└ 8QLWHG└ 6WDWHV└ RI└ $PHULFD◀

7RGD\└ ZH└ KDYH└ WKH└ OX[XU\└ RI└ CDUJHD\└ IRUJHWWLQJ└ WKHMH└ IULJKWHQLQJ└ FLUFXPWDQCHV└ └ WKDQNV└ WR└ WKH└ HI IRUWW└ RI└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ └ LW└ HPSOR\HHV└ LQ└ SDUWQHUKLS└ ZLWK└ WWDWH└ DQG└ CRFDO└ DJHQFLHV└ └ DQG└ ZLWK└ FRPSDQLHV└ DFURW└ $PHULFD◀

AMERICAN OVERSIGHT

,Q└ IDFW└ WKH└ (3$└ DQG└ LWV└ PDQ\└ SDUWQHUV└ WKURXJKRXW└ WKLV└ FRXQWU\└ KDYH└ EHHQ└ VR└ VXFFHVVIXO└ WKDW└ LW└ HDV\└ IRU└ VRPH└ RI└ XV└ WR└ IRUJHW└ MXVW└ ZK\└ WKLV└ DJHQF\└ LV└ VR└ FULWLFDO◀ └)RU└ VRPH└ LW└ DOVR└ HDV\└ WR└ SUHVXPH└ WKDW└ QRW└ PXFK└ PRUH└ ┼ ┼ └ WKHUHV└ QRW└ PXFK└ PRUH└ IRU└ WKH└ DJHQF\└ WR└ GR└ DQG└ WKDW└ MXVW└ FRXOG└ QRW└ EH└ IXUWKHU└ IURP└ WKH└ WUXWK◀

7KH└ HQYLURQPHQWDO└ WKUHDW└ WKDW└ ZH└ IDFH└ WRGD\└ DUH└ UHDO◀ └ 7KH\└ GRQW└ UHVSHFW└ WUDWH└ ERXQGDULHV◀ └ $V└ ZH└ FRQVLGHU└ D└ QRPLQHH└ WR└ UXQ└ RXU└ GDWLRQV└ IRUHPRVW└ HQYLURQPHQWDO└ CHJDF\└ DJHQF\☼ └ LW└ ZRUWK└ UHPLQGLQJ└ HYHU\RQH└ KHUH└ ZK\└ WKH└ PLVVLRQ└ RI└ WKH└ (3$└ LV└ VR└ FULWLFDO☼ └ DQG└ MXVW└ ZKDW└ LV└ DW└ VWDNH◀

2YHU└ WLPH☼ └ P\└ WDWH└ RI└ 'HDZDUHV└ PDGH└ ┼ ┼ └ WKH\└ KDYH└ PDGH└ JUHDW└ WULGHV└ LQ└ FCHDQLQJ└ XS└ RXU└ RZQ└ DLU└ SROOXWLRQ☼ └ EXW└ RXU└ ZRUN└ RQO\└ JRHV└ VR└ IDU◀ └ 'HDZDUH☼ └ OLNH└ PDQ\└ WDWHV└ RQ└ WKH└ (DVW└ &RDVW☼ └ VLVW└ DW└ WKH└ HQG└ RI└ ZKDW└ LV└ NQRZQ└ DV└ $PHULFDV└ WDLOSLSH◀

1LQHW\└ SHUFHQW└ RI└ WKH└ DLU└ SROOXWLRQ└ LQ└ 'HDZDUH└ FRPHV└ IURP└ RXWLGH└ RI└ WKH└ ILUWV└ WDWH☼ └ IURP└ SRZHU└ SODQWV☼ └ KXQGUHGV└ RI└ PLCHV└ DZD\☼ └ LQ└ SODFHV└ OLNH└ .HQWXFN\☼ └ 2KLR☼ └ ,QGLDQD└ DQG└ DFURVV└ WKH└ 0LGZHVW◀

$V└ JRYHUQRU└ RI└ 'HDZDUH☼ └ LI└ ,└ KDG└ HDLPLQDWHG└ HYHU\└ VRXUFH└ RI└ DLU└ SROOXWLRQ└ ZLWKLQ└ P\└ WDWH☼ └ WRSSHG└ HYHU\└ FRPEXWLRQ└ VRXUFH└ DQG└ RUGHUHG└ HYHU\└ PRWRU└ YHKLFCH└ RII└ WKH└ URDGV☼ └ 'HDZDUH└ ZRXOG└ WULOO└ KDYH└ IDFHG└ GHDGO\└ GRVHV└ RI└ DLU└ SROOXWLRQ◀

6KRXOG└ FKLOGUHQ└ DQG└ RWKHUV└ LQ└ 'HDZDUH└ UHDO\└ EH└ IRUFHG└ WR└ OLYH└ ZLWK└ WKH└ FRQVHTXHQFHV└ RI└ GHFLVLRQV└ PDGH└ E\└ SROOXWHUV└ KXQGUHGV└ RU└ HYHQ└ /KRXVDQGV└ RI└ PLCHV└ DZD\☼ └ ZKR└ JDLQ└ HFRQRPLFDOO\└ IURP└ RXU└ GLVDGYDQWDJH"└ ,└ GRQW└ WKLQN└ VR◀

)RUWXQDWHO\☼ └ WKH└ (3$└ KDV└ UHFHQWO\└ LPSHPHQWHG└ VRPH└ WKLQJ└ FDOOHG└ WKH└ *RRG└ 1HLJKERU└ UXOH☼ └ WR└ PDNH└ VXUH└ WKDW└ DOO└ WDWHV└ GR└ WKHLU└ IDLU└ VKDUH└ WR└ FCHDQ└ XS└ WKH└ DLU◀ └ (YHU\└ FLWL]HQ└ LQ└ WKLV└ FRXQWU\└ KDV└ D└ ULJKW└ WR└ EUHDWKH└ FCHDQ└ DLU☼ └ UHJDUGOHVV└ RI└ ZKHWKHU└ WKH\UH└ LQ└ D└ GRZQZLQG└ RU└ DQ└ XSZLQG└ WDWH◀ └ 7KDW└ LV└ ZK\└ ZH└ KDYH└ WKH└ (3$◀

,└ UHPHPEHU└ ILVKLQJ☼ └ DV└ D└ ER\☼ └ ZLWK└ P\└ GDG☼ └ DORQJ└ WKH└ 'Q└ 5LYHU☼ └ QHDU└ P\└ KRPHWRZQ└ RI└ 'QYLOOH☼ └ 9LUJLQLD◀ └ :H└ EURXJKW└ KRPH└ WKH└ ILVK└ WKDW└ ZH└ FDXJKW☼ └ WR└ HDW☼ └ DQG└ P\└ PRP└ DQG└ VLWWHU└ DWH└ WKHP└ DV└ ZHOO◀

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL◀3DJH└└ RI└└

7DNH└ D└ ULGH└ ZLWK└ PH└ VRPHWLPH☼ └ VRPH└ ┬ ‼ └ PLGHV└ VRXWK└ RI└ 'RYHU└ $LU└)RUFH└
%DVH☼ └ KHDGLQJ└ HDVW└ WRZDUG└ WKH└ 'HDZDUH└ %D\└ RQ└ 3ULPH└ +RRN└ 5RDG☼ └ DQG└
\RXOO└ VHH└ ZKDW└ ,└ PHDQ◀ └ 7KHUH└ ZDV└ D└ WLPH☼ └ QRW└ ORQJ└ DJR☼ └ ZKHUH└ MXVW└
EHIRUH└ \RX└ UHDFKHG└ WKH└ 'HDZDUH└ %D\☼ └ \RX└ FDPH└ WR└ D└ SDUNLQJ└ ORW◀ └ 7RGD\└
/KDW└ SDUNLQJ└ ORW└ LV└ XQGHU└ ZDWHU◀

6ZDQG└ WKHUH└ ZLWK└ PH☼ └ ORRNLQJ└ WR└ WKH└ HDVW☼ └ DQG└ \RXOO└ VHH└ SDUW└ RI└ D└
FRQFUHWH└ EXQNHU└ WKLFNLQJ└ XS└ RXW└ RI└ WKH└ ZDWHU☼ └ DERXW└ ¶ └ RFORFN◀ └ 5HFHQWO\☼ └
VRPHRQH└ VKRZHG└ PH└ D└ SKRWR└ WDNHQ└ RI└ WKDW└ EXQNHU└ LQ└ ¶ ┤ → ☼ └ WKH└ \HDU└ ,└
ZDV└ ERUQ◀ └ ,W└ ZDV└ RQ└ GU\└ ODQG☼ └ ↑ ‼ ‼ └ IHHW└ ZHVW└ RI└ WKH└ ZDWHUV└ HGJH☼ └ ↑ ‼ ‼ └ IHHW
ZHVW◀

%XW└ RXU└ OLWWOH└ WRDVH└ DORQH└ FDQQRW└ WHHP└ WKH└ ICRZ└ RI└ JUHHQKRXVH└ JDVHV└ LQWR└
RXU└ DWPRVSKHUH└ WKDW└ CDUJHD\└ FDXVLQJ└ RXU└ FOLPDWH└ WR└ FKDQJH☼ └ RXU└ VHDV└ WR└
ULVH☼ └ DQG└ RXU└ FRDVWOLQH└ WR└ UHWUHDW◀ └ (YHU\└ WRDVH└ PXVW└ GR└ LWV└ IDLU└ VKDUH└ WR└
VDIHJXDUG└ RXU└ FOLPDWH└ DQG└ WKHLU└ QHLJKERUV◀ └ 7KDW└ LV└ ZK\└ ZH└ KDYH└ WKH└
(3$◀

([DPSOHV└ RI└ DLU└ DQG└ ZDWHU└ SROOXWLRQ└ SURGXFHG└ E\└ RQH└ WRDVH└ LQ└ IRXOLQJ└ WKH└
DLU└ DQG└ ZDWHUV└ RI└ RWKHU└ FDQ└ WXLOO└ EH└ IRXQG└ LQ└ WRR└ PDQ\└ SDUW└ RI└ $PHULFD☼ └
OLNH└ WKH└ UXCRII└ IURP└ 3HQQV\OYDQLD└ WKDW└ GHJUDGHV└ WKH└ ZDWHUV└ RI└ WKH└
&KHVDSHDNH└ %D\☼ └ RU└ WKH└ KD]H└ H[SRUWHG└ IURP└ RWKHU└ WRDWHV└ ZKLFK└ RIWHQ└
/LPHV└ VKURXGV└ WKH└ 6PRN\└ 0RXQWDLQV└ DQG└ GHJUDGHV└ YLVLELOLW\└ DW└ WKH└
*UDQG└ &DQ\RQ◀ └ 7KDW└ LV└ ZK\└ ZH└ KDYH└ WKH└ (3$◀

$QG└ VRPH└ RI└ P\└ FROOHDJXHV└ GHVFULEH└ PH└ DV└ | UHFRYHULQJ└ JRYHUQRU◀ | └)RU└
/KH└ PRVW└ SDUW☼ └ ,└ EHOLHYH└ WKDW└ JRYHUQRUV└ DQG└ SUHVLGHQWV└ GHVHUYH└
GHIHUHQFH└ LQ└ SLFNLQJ└ WKH└ PHPEHUV└ RI└ WKHLU└ CHDGHUVKLS└ WHDPV◀ └ $QG└ DV└ D└
UHVXOW☼ └ ,YH└ JLYHQ└ SUHVLGHQWV└ RI└ ERWK└ SDUWLHV└ WKDW└ GHIHUHQFH☼ └ LQ└ PRWW└
LQWRDQFHV◀

6LQFH└ FRPLQJ└ WR└ WKH└ 6HQDWH└ LQ└ ┴ ‼ ‼ ¶ ☼ └ ,YH└ RSSRVHG└ RQD\└ RQH└ RI└ WKH└
QRPLQHHV└ IRU└ (3$└ DGPLQLWWUDWRU☼ └ VXSSRUWLQJ└ WZR└ 5HSXEOLFDQV☼ └ WZR└
'HPRFUDWV└ QRPLQHHV◀ └ 6XEVHTXHQWO\☼ └ HYHU\└ (3$└ DGPLQLWWUDWRU└ WKDW└ ,YH└
VXSSRUWHG└ GHPRQWUDWHG└ FOHDU\└ WKDW└ WKH\└ ZHUH└ FRPPLWWHG└ WR└ IXUWKHULQJ└
/KH└ RYHUDOO└ PLVVLRQ└ RI└ WKH└ (3$☼ └ SURWHFWLQJ└ KXPDQ└ KHDOWK└ DQG└ RXU└
HQYLURQPHQW◀

,P└ DOVR└ FRPPLWWHG└ WR└ D└ IXOO└ DQG└ IDLU└ FRQILUPDWLRQ└ SURFHVV☼ └ ZLWK└ UHVSHFW└ WR└
RXU└ QRPLQDWLRQV└ WKDW└ WKLV└ SUHVLGHQW┼ HCHFW└ KDV└ RI IHUHG☼ └ WRR◀ └ $QG└ KDYLQJ└
VDLG└ WKDW☼ └ WKRXJK☼ └ ,YH└ VKDUHG└ ZLWK└ 0U◀ └ 3UXLWW☼ └ DQG└ ,OO└ VKDUH└ ZLWK└ P\└

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUI3DJH¶ ‼ RI └└

+H└ DOVR└ ZRUNHG└ RQ└ D└ ELSDUWLVDQ└ EDVLV└ ZLWK└ IRUPHU└ UDQNLQJ└ PHPEHU└ %DUEDUD└ %R[HU└ WR└ SDVV└ EDGO\└ QHHGHG└ :DWHU└ 5HVRXUFHV└ 'HYHORSPHQW└ $FW└ CHJLVODWLRQ◀ └ 7KLV└ QHZ└ ODZ└ SURRULWL]HV└ GDP└ ZDWHUZD\└ DQG└ SRUW└ FRQWUXFWLRQ└ SURMHFWV└ └ DQG└ LW└ VXSSRUWV└ ICRRG└ FRQWURO└ SURMHFWV└ WKDW└ SURWHFW└ PLOOLRQV└ RI └ SHRSOH◀

)RU└ WKH└ ILUVW└ WLPH└ LQ┤ ‼ └ \HDUV└ └ WKH└ 7R[LF└ 6XEVWDQFHV└ &RQWURO└ $FW└ ZDV└ PRGHUQL]HG└ └ XQGHU└ &KDLUPDQ└ ,QKRIHV└ WHQXUH◀ └ 7KLV└ ODZ└ HQDFWV└ D└ QHZ└ XQLIRUP└ UHJXODWRU\└ SURJUDP└ WKDW└ ZLOO└ LPSURYH└ SXEOLF└ FRQILGHQFH└ LQ└ WKH└ VDIHW\└ RI └ FKHPLFDOV└ └ SURPRWH└ LQQRYDWLRQ└ └ DQG└ SURYLGH└ PDQXIDFWXUHUV└ ZLWK└ FHUWDLQW\└ UHJDUGLQJ└ UHJXODWLRQ◀

&KDLUPDQ└ ,QKRIH└ DOVR└ ZRUNHG└ WR└ NHHS└ WKH└ DGPLQLWUDWLRQ└ DFFRXQWDEOH◀ └ &KDLUPDQ└ ,QKRIH└ ZRUNHG└ WR└ HQVXUH└ WKDW└ WKHUH└ ZDV└ RYHUVLJKW└ RI└ RYHU┤ UHDFKLQJ└ DGPLQLWUDWLRQ└ UHJXODWLRQV└ FRQFHUQLQJ└ WKH└ FOHDQ└ SRZHU└ SODQ└ └ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ WKH└ WUHDP└ EXIIHU└ UXOH└ └ FRDO└ DVK└ UHJXODWLRQV└ DQG└ PDQ\└ PRUH◀

6R└ ,P└ YHU\└ JODG└ WKDW└ 6HQDWRU└ ,QKRIH└ ZLOO└ UHPDLQ└ RQ└ WKH└ FRPPLWWHH◀ └ ,└ ORRN└ IRUZDUG└ WR└ ZRUNLQJ└ FORVHO\└ ZLWK└ KLP└ WR└ SURWHFW└ RXU└ HQYLURQPHQW└ DQG└ EROWHU└ RXU└ QDWLRQV└ HFRQRP\◀

6HQDWRU└ ,QKRIH└ └ WKDQN└ \RX└ IRU└ \RXU└ KDUG└ ZRUN└ └ \RXU└ GHGLFDWLRQ└ └ DQG└ \RXU└ CHDGHUVKLS◀ └ 6HQDWRU└ ,QKRIH└ └ \RXUH└ QRZ└ UHFRJQL]HG└ └ WR└ LQWURGXFH└ DQG└ WDON└ DERXW└ $VWRLCH\└ *HQHUDO└ 3UXLWW◀ └ 7KDQN└ \RX◀

,1+2)(└
6HQDWRU└ %UUDVVR└ └ WKDQN└ \RX└ YHU\└ PXFK◀ └ $QG└ ,P└ ORRNLQJ└ IRUZDUG└ WR└ ZRUNLQJ└ LQ└ D└ YHU\└ VHQLRU└ SRVLWLRQ└ RI└ \RXU└ FRPPLWWHH◀ └ $QG└ WKLV└ LV└ WKH└ FRPPLWWHH└ WKDW└ JHWV└ WKLQJV└ GRQH└ └ DV└ 6FRWW└ 3UXLWW└ IXOO\└ DZDUH◀

1RZ└ └ ,└ WKDQN└ \RX└ └ &KDLUPDQ└ %UUDVVR└ └ DQG└ DOVR└ \RX└ └ 6HQDWRU└ &USHU└ └ IRU└ CHWWLQJ└ PH└ MRLQ└ \RX└ IRU└ WKLV◀ └ $QG└ ,P└ KRQRUHG└ WR└ MRLQ└ P\└ IHOORZ└ VHQDWRU└ 6HQDWRU└ /DNIRUG└ └ LQ└ LQWURGXFLQJ└ QRW└ MXVW└ WKH└ DWWRUCH\└ JHQHUDO└ RI└ ┼ ┼ └ 6FRWW└ 3UXLWW└ EXW└ P\└ JRRG└ IULHQG└ └ DQG└ WR└ RI IHU└ P\└ VXSSRUW└ IRU└ KLV└ QRPLQDWLRQ└ WR└ EH└ WKH└ QH[W└ DGPLQLWUDWRU└ RI└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀

7KRXJK└ QHLWKHU└ RI└ XV└ ZHUH└ ERUQ└ LQ└ 2NODKRPD└ └ ZH└ JRW└ KHUH└ DV└ TXLFN└ DV└ ZH└ FRXOG└ └ DQG└ ERWK└ HQGHG└ XS└ LQ└ 7XOVD└ └ DQG└ VR└ KHV└ DOVR└ D└ QHLJKERU◀ └ $VWRLCH\└ *HQHUDO└ 3UXLWW└ └ \RXOO└ EH└ JODG└ WR└ NQRZ└ WKLV└ ♂ LQDXGLECH□ ☼ └ EXW└ KH└ ZDV└ ERUQ└ LQ└ .HQWXFN\◀

AMERICAN OVERSIGHT

$QG└ KH└ VKRZHG└ ZKDW┴ ┼ ┼ └ ZKDW┴ KH└ ZDV└ PDGH└ RXW┴ RI◀ └ +H└ HQGHG└ XS└ D└ JUHDW┴
EDVHEDOO└ SOD\HU└ WKDW┴ ZDV└ ┼ ┼ └ ZDV└ DECH└ WR└ JHW┴ D└ VFKRDUVKLS└ DQG└ JR└
/KURXJK└ WKH└ XQLYHUVLW\└ WKHUH◀ └ 7KHQ└ KH└ FDPH└ WR└ 2NDKRPD└ DQG└ ZHQW┴
/KURXJK└ ODZ└ VFKRRO└ DW┴ 7XOVD└ 8QLYHUVLW\└ LQ└ 7XOVD└ DQG└ GLG└ DOO└ NLQG└ RI└
/KLQJV◀ └ +H└ VSHFLDOL]HG└ DW┴ WKDW┴ WLPH└ LQ└ FRQWLWWLRQDO└ ODZ◀

,Q└ ¶ ← └ *HQHUDO└ 3UXLWW┴ ┼ ┼ └ 3UXLWW┴ UDQ└ DQG└ ZDV└ HOHFWHG└ WR└ WKH└ 2NDKRPD└
6WDWH└ 6HQDWH└ └ ZKHUH└ KH└ VHUYHG└ VL[└ \HDUV└ └ DQG└ KH└ TXLFNO\└ EHFDPH└ D└
CHDGHU◀ └ ,QGHHG└ └ VXFFHVV└ KDV└ IROORZHG└ KLP└ WKURXJKRXW┴ KLV└ ODZ└ SUDFWLFH└ └ WR└
/KH└ 6WDWH└ 6HQDWH└ └ WR└ EHFRPH└ WKH└ FR┼ RZQHU└ DQG└ PDQDJHU└ └ PDQDJLQJ└
JHQHUDO└ SDUWQHU└ RI└ 2NDKRPD└ &LWL\└ $$$└ PLQRU└ CHDJXH└ EDVHEDOO└ WHDP└ ┼ ┼ └
VHH└ └ ZH└ KDYH└ VRPHWKLQJ└ LQ└ DGGLWLRQ└ WR└ WKH└ 7KXQGHU└ └ WKDW┴ ZHUH└ DOO└ IXOO\└
DZDUH└ RI└ └ DQG└ LV└ FXUUHQWO\└ 2NDKRPD└ └ RI└ FRXUVH└ └ DWWRUQH\└ JHQHUDO◀

7KURXJK└ WKH└ FRXUVH└ RI└ KLV└ FDUHHU└ └ $WWRUQH\└ *HQHUDO└ 3UXLWW┴ KDV└ WWRRG└ RXW┴
DV└ D└ FKDPSLRQ└ RI└ WRDWH└ DQG└ LQGLYLGXDO└ ULJKWV└ └ DQG└ KDV└ IRXJKW┴ DJDLQVW┴
IHGHUDO└ RYHU┼ UHDFK◀ └ +H└ KDV└ HDUQHG└ D└ UHSXWDWLRQ└ DV└ D└ GHIHQGHU└ RI└ WKH└ UXCH└
RI└ ODZ└ └ DQG└ KDV└ ZRUNHG└ WR└ NHHS└ WKRVH└ ┼ ┼ └ WKH└ URCH└ RI└ WKH└ IHGHUDO└
JRYHUQPHQW┴ LQ└ FKHFN◀

$V└ KHDG└ RI└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ └ $WWRUQH\└ *HQHUDO└
3UXLWW┴ ZLOO└ HQVXUH└ WKDW┴ WKH└ DJHQF\└ IXOILOOV└ WKH└ URCH└ GHCHJDWHG└ WR└ LW┴ E\└ WKH└
ODZV└ SDVHG└ E\└ &RQJUHVV└ └ QRWKLQJ└ PRUH└ └ DQG└ QRWKLQJ└ CHVV◀ └ 2NDKRPD└ LV└
DQ└ HQHUJ\└ DQG└ DJULFXOWXUH└ WDWH└ EXW┴ ZHUH└ DOVR└ D└ WDWH└ WKDW┴ NQRZV└ ZKDW┴ LW┴
PHDQV└ WR└ SURWHFW┴ WKH└ HQYLURQPHQW└ └ ZKLCH└ EDODQFLQJ└ FRPSHWLQJ└ LQWHUHWV◀

$V└ DWWRUQH\└ JHQHUDO└ └ 6FRWW┴ ZDV└ LQWXUPHQWDO└ ┼ ┼ └ RK└ └ WKLV└ LV└ D└ ELJ└ GHDO◀ └ :H└
DFWXDOO\└ KDYH└ KDG└ DQ└ RQJRLQJ└ OLWLJDWLRQ└ IRU└ ¶ ‼ ‼ └ \HDUV◀ └ ,W┴ ZDV└ WKH└ 6WDWH└ RI└
2NDKRPD└ └ WKH└ &LW\└ RI└ 2NDKRPD└ &LW\└ └ WKH└ &KRFWDZ└ 1DWLRQ└ ┼ ┼ └ WKH└
&KLFNDVDZ└ 1DWLRQ◀ └ ,W┴ ZDV└ RYHU└ ZDWHU└ ULJKWV◀ └ $QG└ ZH└ ZHUHQW┴ DECH└ WR└
UHVROYH└ WKDW┴ SUREOHP◀

7KLV└ JX\└ FRPHV└ WUR/WLQJ└ DCRQJ└ DQG└ UHVROYHV└ LW┴ RYHUQLJKW└ └ DIWHU└ ¶ ‼ ‼ └ \HDUV└
RI└ IDLOXUHV└ RI└ WU\LQJ└ WR└ JHW┴ WKLV└ GRQH◀ └ +H└ DOVR└ ZRUNHG└ ZLWK└ WKH└ 2NDKRPD└
'HSDUWPHQW┴ RI└ (QYLURQPHQWDO└ 4XDOLW\└ └ DQG└ WKH└ 2NDKRPD└ :DWHU└
5HVRXUFHV└ %RDUG└ └ WR└ SURWHFW┴ WKH└ VFHQLF└ ULYHUV◀

+HV└ NLQG└ RI└ D└ KHUR└ RI└ WKH└ VFHQLF└ ULYHUV└ SCDFH◀ └ 3HRSOH└ GRQW┴ ┼ ┼ └ WKH\└ GRQW┴
NQRZ└ └ 6FRWW└ └ WKDW┴ ZH└ └ LQ└ 2NDKRPD└ └ DFWXDOO\└ KDYH└ PRUH└ PLCHV└ RI└ IUHVK└
ZDWHU└ VKRUHOLCH◀ ◀ ◀

♂ 3527(67(5□

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HUH3DJH¶ ┴ RI └└

%$55$662 └
, └ ZRXOG└ DVN└ WKH└ VHQDWRU└ WR└ SCHDVH◀ ◀ ◀

,1+2)(└
<HV◀

%$55$662 └
◀ ◀ ◀ └ VXVSHQG└ KLV└ UHPDUNV└ IRU└ D└ IHZ└ VHFRQGV☼ └ PD\EH◀ └ 7KDQN└ \RX☼ └ 6HQDWRU└
,QKRIH◀

,1+2)(└
7KH\└ REYLRXVO\└ GRQW└ OLNH└ VFHQLF└ ULYHUV☼ └ EXW└ ZH└ GR☼ └ LQ└ 2NODKRPD◀

$Q\ZD\☼ └ DGGLWLRQDOO\☼ └ LQ└ ┴ !! ¶ ┴ ☼ └ 2NODKRPD└ SDUWQHUHG└ ZLWK└ WKUHH└ RWKHU└
\WDWHV☼ └ 1HZ└ 0H[LFR☼ └ &RORUDGR☼ └ .DQVDV└ DQG└ 7H[DV☼ └ WR└ EULQJ└ WRJHWKHU└
\WDWH└ RI ILFLDOV☼ └ FRQVHUYDWLRQ└ JURXSV☼ └ HQHUJ\└ DQG└ DJ└ LQGXVWULHV☼ └ DQG└ RWKHU└
SULYDWH└ ODQG└ RZQHUV☼ └ WR└ DGGUHVV└ WKH└ FKDOOHQJHV└ IDFLQJ└ RQH└ RI└ RXU└ ┼ ┼ └ RQH└
RI└ WKH└ SURECHPV└ WKDW└ ZH└ KDYH└ WKUHH☼ └ KDYLQJ└ WR└ GR└ ZLWK└ D☼ └ ZKDW└ PLJKW└
EHFRPH└ D└ ┼ ┼ └ DQ└ HQGDQJHUHG└ VSHFLHV◀

,W└ ZDV└ DQ└ HI IRUW└ WKDW└ VDZ└ VXFFHVV└ LQ└ LVW└ ILUVW└ \HDU◀ └ 1RZ└ WKLV└ LV└ ZRUNLQJ└
ZLWK└ IRXU└ ┼ ┼ └ IRXU└ GLI IHUHQW└ WDWHV◀ └ 'HVSLWH└ HQGRUVLQJ└ WKH└ SODQ☼ └ WKH└)LVK└
DQG└ :LOGOLIH└ 6HUYLFH└ PRYHG└ IRUZDUG└ ZLWK└ OLWLQJ└ WKH└ VSHFLHV└ DV└
/KUHDWHQHG☼ └ HQGDQJHULQJ└ WKH└ FRRSHUDWLRQ└ UHFKHG└ EHWZHHQ└ WKHVH└
YDU\LQJ└ LQWHUHVWV◀

6R└ $VWRUH\└ *HQHUDO└ 6FRWW└ VXHG└ WKH└)LVK└ DQG└ :LOGOLIH└ 'HSDUWPHQW└ IRU└
LJQRULQJ└ WKH└ XQLTXH└ FRRSHUDWLYH└ DJUHHPHQW☼ └ DQG└ KH└ ZRQ◀ └ +H└ ZLQV◀ └ +H└
ZLQV└ WKHVH└ WKLQJV◀ └ <HV☼ └ DV└ DWWRUH\└ JHQHUDO☼ └ WKH└ ┼ ┼ └ 6FRWW└ 3UXLWW└ KDV└
IRXJKW└ WKH└ (3$☼ └ WKH└)LVK└ DQG└ :LOGOLIH└ 6HUYLFH☼ └ WKH└ RLO└ FRPSDQLHV☼ └ DQG└
/KH└ RXW└ RI└ ┼ ┼ └ RXWJRLQJ└ DGPLQLWUDWLRQ☼ └ RQ└ PDQ\└ IURQW◀

%XW└ DOO└ RI└ WKHVH└ VXLWV└ ZHUH└ EURXJKW└ WR└ SURWHFW└ WDWH└ DQG└ CRFDO└ LQWHUHVWV└
IURP└ RYHU┼]HDORXV└ DQG└ DFWLYLWH└ H[HFXWLYH└ DJHQFLHV◀ └ 2YHU└ WKH└ CDWW└ HLJKW└
\HDUV☼ └ WKH└ 2EDPD└ DGPLQLWUDWLRQ└ KDV└ DGYDQFHG└ D└ UDGLFDO└ HQYLURQPHQWDO└
DJHQGD☼ └ KDV└ H[KLELWHG└ D└ GHHS└ GLVUXSW└ RI└ WDWH└ JRYHUQPHQW└ DQG└ SULYDWH└
CDQG└ RZQHUV☼ └ DQG└ KDV└ ZRUNHG└ WR└ REWUXFW└ WKH└ IRVLO└ IXHO└ LQGXWU\└ DQG└
DJULFXOWXUH└ SURGXFHUV☼ └ WKH└ PRST└ DUGHQW└ SURWHFWRUV└ RI└ WKH└ HQYLURQPHQW◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUL3DJH¶ ┼ RI └└

7KHVH└ DUH└ LQGXVWULHV└ DQG└ LQWHUHVWV└ WKDW└ 2NODKRPD└ UHOLHV└ RQ◀ └ $QG└ IDU└ IURP└ EHLQJ└ DQ└ HQHP\└ RI└ WKH└ HQYLURQPHQW└ 6FRWW└ KDV└ SURYHQ└ KLPVHOI└ WR└ EH└ DQ└ H[SHUW└ DW└ EDODQFLQJ└ HFRQRPLF└ JURZWK└ ZLWK└ HQYLURQPHQWDO└ VXSHU└ ┼ ┼ └ WWHZDUGVKLS◀

6R└ ,└ EHOLHYH└ WKDW└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ ZLOO└ UHWXUQ└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ WR└ LWV└ SURSHU└ UROH└ DV└ D└ WWHZDUG└ IRU└ WKH└ HQYLURQPHQW└ DFWLQJ└ ZLWKLQ└ WKH└ ERXQGV└ SUHVFULEHG└ E\└ &RQJUHVV└ DQG└ WKH└ &RQVWLWXWLRQ◀

7KDQN└ \RX└ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX└ 6HQDWRU└ ,QKRIH◀

6HQDWRU└ /DQIRUG◀

/$1.)25' └
&KDLUPDQ└ %DUUDWR└ WKDQN└ \RX◀ └ 5DQNLQJ└ 0HPEHU└ &DUSHU└ PHPEHUV└ RI└ ΛKH└ FRPPLWWHH└ WKDQN└ \RX└ IRU└ DOORZLQJ└ PH└ WR└ EH└ DECH└ WR└ EH└ KHUH└ WRGD\└ WR└ LQWURGXFH└ P\└ IHOORZ└ 2NODKRPD└ DQG└ IRU└ 6HQDWRU└ ,QKRIH└ DQG└ ,└ WR└ ERWK└ EH└ DECH└ WR└ WDQG└ ZLWK└ KLP└ DQG└ WR└ EH└ DECH└ WR└ LQWURGXFH└ ZKR└ ZH└ EHOLHYH└ ZLOO└ EH└ D└ WUHPHQGRXV└ CRPLQHH└ IRU└ WKH└ DV└ DGPLQLWUDWRU└ IRU└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀ └ ,W└ DQ└ KRQRU└ WR└ VSHDN└ LQ└ VXSSRUW└ RI└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ WRGD\◀

2YHU└ WKH└ SDVW└ VL[└ \HDUV└ 6FRWW└ KDV└ EHHQ└ D└ CHDGHU└ LQ└ WKH└ 6ΛDWH└ RI└ 2NODKRPD└ WWURQJO\└ FRPPLWWHG└ WR└ HQIRUFLQJ└ WKH└ CDZ└ DQG└ DGKHULQJ└ WR└ WKH└ &RQWLWXWLRQ◀ └ +H└ D└ WWDWHPDQ◀ └ +H└ D└ GHGLFDWHG└ SXEOLF└ VHUYDQW◀ └ $V└ WKH└ DGPLQLWUDWRU└ RI└ WKH└ (3$└ ,└ ZRXOG└ IXOO\└ H[SHFW└ 6FRWW└ WR└ CHDG└ WKH└ DJHQF\└ WR└ IROORZ└ HYHU\└ HQYLURQPHQWDO└ CDZ└ DQG└ WR└ SDUWQHU└ ZLWK└ WWDWHV└ CRFDO└ DXWKRULWLHV└ DQG└ WULEHV└ WR└ GR└ ZKDW└ EHWW└ IRU└ RXU└ SUHVHQW└ DQG└ IRU└ RXU└ IXWXUH◀

$V└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD└ KH└ WWRRG└ VKRXOGHU└ WR└ VKRXOGHU└ ZLWK└ PRUH└ WKDQ└ KDOI└ RI└ WKH└ WWDWHV└ WR└ HQVXUH└ WKH└ IHGHUDO└ JRYHUQPHQW└ RSHUDWHV└ ZLWKLQ└ WKH└ ERXQGV└ RI└ WKH└ WWDWXWH└ DQG└ WKH└ &RQWLWXWLRQ◀ └ +H└ DUJXHG└ FRQVLWHQWO\└ WKDW└ PDQ\└ UHJXODWLRQV└ WKDW└ WKH└ (3$└ SURPXOJDWHV└ DUH└ LQ└ IDFW└ └ ΛKH└ UHVSRQVLELOLWLHV└ RI└ WWDWH└ JRYHUQPHQWV└ ILUWW◀

AMERICAN OVERSIGHT

,Q└ DQ└ HQYLURQPHQW- ZKHUH└ &KHYURQ└ GHIHUHQFH└ LV└ SUHFHGHQW└ LW- LV└ FULWLFDO└ /KDW- WKH└ CHDGHU└ RI└ DQ└ DJHQF\└ KDV└ ┼ ┼ └WKDW- KDV└ VXFK└ ZLGH└ CDWLWXGH└ WR└ H[WUDFW- FRWW- IURP└ WKH└ HFRQRP\☼ └ DOVR└ UHVSHFW└ WKH└ LPSRUWDQFH└ RI└ RXU└ IHGHUDOLWW- IRXQGDWLRQ☼ └ DQG└ WKH└ SRFNHWERRNV└ RI└ KDUG┼ └ ZRUNLQJ└ IDPLOLHV◀

,Q└ SUHYLRXV└ FRQJUHVVLRQDO└ WHWWLPRQ\☼ └ 6FRWW- KDV└ HPSKDVL]HG└ WKH└ LPSRUWDQFH└ RI└ CDZV└ OLNH└ WKH└ &CHDQ└ $LU└ $FW☼ └ WWUHWWLQJ└ WKDW- LW- ┼ ┼ └ WWUHWWLQJ└ /KDW- WKH└ LQWHQWLRQ└ ZDV└ IRU└ WWDWHV└ DQG└ WKH└ (3$└ WR└ ZRUN└ WRJHWKHU☼ └ XQGHU└ D└ PRGHO└ RI└ FRRSHUDWLYH└ IHGHUDOLVP☼ └ WKDW- SURWHFWW└ WKH└ HQYLURQPHQW☼ └ ZKLCH└ FRQVLGHULQJ└ HFRQRPLF└ FRWW◀

$V└ DWWRUCH\└ JHQHUDO☼ └ 3UXLWW- ┼ ┼ └ DV└ DWWRUCH\└ JHQHUDO☼ └ 6FRWW- KDV└ EHHQ└ DQ└ DUGHQW- GHIHQGHU└ RI└ WKH└ UXCH└ RI└ CDZ└ IRU└ 2NCDKRPDQV◀ └ ,Q└ ┴ ‼ ¶ ┴ ☼ └ KH└ VXHG└ ℅ULWLVK└ 3HWURCHXP☼ └ DUJXLQJ└ WKDW- WKH\└ NQRZLQJO\└ GRXECHG┼ GLSSHG☼ └ WKURXJK└ /KH└ FRCHFWLRQ└ RI└ IXQGV☼ └ WKURXJK└ D└ FCHDQXS└ IXQG☼ └ GHVSLWH└ KDYLQJ└ LQVXUDQFH└ FRYHUDJH└ IRU└ HQYLURQPHQWDO└ FCHDQXS◀ └ +H└ GLG└ QRW- KHVLWDWH└ WR└ WDQG└ XS└ IRU└ KLV└ FRQWLWXWHQW└ DQG└ IRU└ KLV└ WWDWH◀

0LNH└ 7XUSHQ└ LV└ WKH└ IRUPHU└ DWWRUCH\└ JHQHUDO└ RI└ WKH└ 6/DWH└ RI└ 2NCDKRPD☼ └ DQG└ WKH└ IRUPHU└ FKDLUPDQ└ RI└ WKH└ 2NCDKRPD└ 'HPRFUDWLF└ 3DUW\◀ └ +H└ VSRNH└ RXW- LQ└ PLG┼ 'HFHPEHU☼ └ ZKHQ└ 6FRWW- ZDV└ ILUWW- DQQRXQFHG◀ └ /HW- PH└ MXWW- UHDG└ D└ VKRUW- SRUWLRQ└ RI└ KLV└ YHU\└ CRQJ└ WWDWHPHQW- LQ└ VXSSRUW- RI└ 6FRWW- 3UXLWW◀

)RUPHU└ $WWRUCH\└ *HQHUDO└ 0LNH└ 7XUSHQ☼ └ DQG└ RXU└ IRUPHU└ 'HPRFUDWLF└ 3DUW\└ &KDLUPDQ└ VDLG☼ └ | 2NCDKRPD└ $WWRUCH\└ *HQHUDO└ 6FRWW- 3UXLWW- LV└ D└ JRRG└ FKRLFH└ WR└ KHDG└ XS└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀ └ ,P└ FRQYLQCHG└ 6FRWW- 3UXLWW- ZLOO└ ZRUN└ WR└ SURWHFW- RXU└ QDWXUDO└ KDELWDWW☼ └ UHVHUYHV└ DQG└ UHVRXUCHV◀ └ +LV└ YLVLRQ└ IRU└ D└ SURSHU└ UHDWLRQVKLS└ EHWZHQ└ SURWHFWLRQ└ DQG└ SURVSHULW\└ PDNHV└ KLP└ D└ VXSHUEO\└ TXDOLILHG└ WR└ VHUYH└ DV└ RXU└ CH[W- (3$└ DGPLQLWWUDWRU◀ |

6FRWW- LV└ DQ└ DFWLYH└ PHPEHU☼ └ DQG└ D└ GHDFRQ└ DW- KLV└ FKXUFK☼ └)LUW- %DSWLWW- &KXUFK└ %URNH└ $UURZ☼ └ D└ FRQJUHJDWLRQ└ RI└ DCFRWW- ┴ ☼ ‼ ‼ ‼ └ SHRSCH◀ └ +H/└ LQFUHGLEO\└ WWURQJ└ LQ└ KLV└ IDLWK☼ └ DQG└ KH└ WWULYHV└ WR└ ZDCN└ LQ└ LQWHJULWW◀ └ 6FRWW- D└ VHULRXV└ EDVHEDOO└ IDQ└ DV└ ZHOO◀ └ ,I └ \RX└ UXQ└ RXW- RI└ HQYLURQPHQWDO└ RU└ CHJDO└ TXHWWLRQV└ WRGD\☼ └ ZKLFK└ ,└ GRXEW- \RX└ ZLOO☼ └ EXW- LI └ \RX└ UXQ└ RXW☼ └ ZK\└ GRQW- \RX└ DVN└ KLP└ D└ FRXSCH└ RI└ TXHWWLRQV└ DERXW- EDVHEDOO└ WWUDWHJ\└ DQG└ VSULQJ└ /UDLQLQJ☼ └ ZKLFK└ WWDWW- LQ└ MXWW- D└ IHZ└ ZHNV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH¶ ↑ RI └

, └ KDYH└ WR└ WHOO└ \RX☼ └ 6FRWW└ D└ IULHQG◀ └ ,YH└ SUD\HG└ ZLWK└ 6FRWW◀ └ ,YH└ VHHQ└ 6FRWW└ WKURXJJCH└ ZLWK└ KDUG└ GHFLVLRQV└ WKDW└ DII HFW└ RXU└ WDWHV└ IXWXUH◀ └ ,YH└ VHHQ└ 6FRWW└ OLWHQ└ WR└ SHRSOH☼ └ WR└ WU\└ WR└ CHDUQ└ DOO└ VLGHV└ RI└ DQ└ LVVXH☼ └ DQG└ ,YH└ VHHQ└ 6FRWW└ /DNH└ GLIILFXOW└ WDQGV└ RQ└ PDWHUV└ RI└ CDZ◀

, └ WKLQN└ KHOO└ EH└ DQ└ H[FHOOHQW└ DGPLQLWUDWRU└ IRU└ WKH└ (3$◀ └ $QG└ , └ WKLQN└ KHOO└ GR└ YHU\└ ZHOO└ WRGD\☼ └ LQ└ JHWWLQJ└ D└ FKDQFH└ WR└ EULQJ└ \RX└ WKH└ FRQILGHQFH└ WKDW└ KH└ ZLOO└ ZRUN└ KDUG└ IRU└ RXU└ QDWLRQ└ SUHVLGHQW☼ └ DQG└ IRU└ WKH└ IXWXUH◀

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
:HOO└ WKDQN└ \RX└ VR└ YHU\└ PXFK☼ └ 6HQDWRU└ /DNIRUG☼ └ DQG└ 6HQDWRU└ ,QKRIH◀ └ 6HQDWRU└ /DNIRUG☼ └ \RXUH└ ZHOFRPH└ WR└ WKD\☼ └ EXW└ \RX└ FDQW└ WKD\└ LQ└ WKDW└ VHDW◀ └ 6R◀ ◀ ◀

/$1.)25' └
<RX└ JRW└ LW◀

%$55$662 └
1RZ└ , └ ZRXOG└ OLNH└ WR└ ZHOFRPH└ $WWRUQH\└ *HQHUDO└ 3UXLWW└ WR└ WKH└ 6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH◀

:HOFRPH◀ └ , └ LQYLWH└ \RX└ WR└ ILUVW└ LQWURGXFH└ \RXU└ IDPLO\☼ └ DQG└ WKHQ└ SURFHHG└ ZLWK└ \RXU└ WDWHPHQW◀ └ &RQJUDWXODWLRQV☼ └ DQG└ ZHOFRPH◀

358,77 └
*RRG└ PRUQLQJ☼ └ &KDLUPDQ└ %UUDVVR☼ └ 5DQNLQJ└ 0HPEHU└ &DUSHU☼ └ PHPEHUV└ RI└ WKH└ FRPPLWWHH◀ └ ,W└ LV└ DQ└ KRQRU└ DQG└ D└ SULYLCHJH└ WR└ EH└ EHIRUH└ \RX└ WRGD\☼ └ /R└ EH└ FRQVLGHUHG└ IRU└ WKH└ SRVLWLRQ└ RI└ (3$└ DGPLQLWUDWRU◀

, └ ILUWV└ ZDQW└ WR└ VD\└ WKDQN└ \RX└ WR└ 6HQDWRUV└ ,QKRIH└ DQG└ /DNIRUG└ IRU└ WKHLU└ RSHQLQJ└ FRPPHQWV◀ └ 6HQDWRU└ ,QKRIH└ KDV└ EHHQ└ D└ PHQWRU└ DQG└ D└ IULHQG└ WR└ PH☼ └ PDQ\☼ └ PDQ\└ \HDUV◀ └ $QG└ KH└ VSHQW└ D└ ORW└ RI└ WLPH└ WKURXJK└ + + └ ZLWK└ PH└ /KURXJK└ WKLV└ SURFHVV☼ └ LQWURGXFLQJ└ PH└ WR└ PDQ\└ RI└ \RX◀ └ $QG└ , └ UHDOO\└ DSSUHFLDWH└ KLV└ JXLGDQFH└ DQG└ KLV└ KHOS◀ └ 6HQDWRU└ /DNIRUG└ ZDV└ D└ IULHQG└ ZHOO└ EHIRUH└ KH└ HQWHUHG└ &RQJUHVV☼ └ DQG└ KHV└ DOUHDG\└ VHUYLQJ└ 2NODKRPD└ DQG└ KLV└ FRXQWU\└ ZLWK└ JUHDW└ GLVWLQFWLRQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH¶ ├ RI└

0U◀ └ &KDLUPDQ☼ └ \RX└ LQGLFDWHG└ WR└ LQWURGXFH└ P\└ IDPLO\◀ └ ,└ DP└ ECHVHG└ WRGD\☼ └
/R└ KDYH└ P\└ IDPLO\└ LQ└ DWWHQGDQFH└ ZLWK└ PH◀ └ 0\└ ZLIH☼ └ 0DUD\Q☼ └ RI└ ┴ → └ \HDUV☼ └
LV└ LQ└ DWWHQGDQFH☼ └ DORQJ└ ZLWK└ P\└ FKLOGUHQ☼ └ 0F.HQDD└ DQG└ &DGH◀ └ 7KHUHV└ D└
OLWWOH└ FKDQJH└ JRLQJ└ RQ└ LQ└ WKHLU└ OLIH☼ └ DV└ ZHOO◀

0F.HQDD└ LV└ DFWXDOO\└ JUDGXDWLQJ└ IURP└ 2NODKRPD└ 8QLYHUVLW\└ WKLV└ VSULQJ☼ └
DQG└ KHGLQJ└ LQWR└ 6HQDWRU└ :KLWHKRXVH└ DCPD└ PDWWHU☼ └ WKH└ 8QLYHUVLW\└ RI└
9LUJLQLD└ CDZ└ VFKRRO◀ └ $QG└ P\└ VRQ└ LV└ JRLQJ└ WR└ EH└ JUDGXDWLQJ└ KLJK└ VFKRRO└
DQG└ KHGLQJ└ WR└ 2NODKRPD└ 8QLYHUVLW\☼ └ IROORZLQJ└ KLV└ VLWHUV└ IRRWVWHSV☼ └ WR└
EH└ D└ %RRPHU└ 6RRQHU◀

6R└ WKHUHV└ ORWV└ RI└ FKDQJH└ JRLQJ└ RQ└ LQ└ WKHLU└ OLYHV☼ └ ORWV└ RI└ FKDQJH└ JRLQJ└ RQ└
LQ└ P\└ IDPLO\\V└ OLIH☼ └ DQG└ ORWV└ RI└ FKDQJH└ JRLQJ└ RQ└ LQ└ WKH└ FRXQWU\◀ └ $QG└ ,└ WKLQN└
/KH└ SHRSOH└ RI└ WKLV└ FRXQWU\└ DUH└ UHDOO\└ KXQJU\└ IRU└ VRPH└ FKDQJH◀ └ $QG└ ZLWK└
FKDQJH└ FRPHV└ DQ└ RSSRUWXQLW\└ IRU└ JURZWK☼ └ DQ└ RSSRUWXQLW\└ WR└ DVVHVV└ KRZ└
ZH└ FDQ└ UHSULRULWL]H☼ └ DV└ D└ QDWLRQ◀

$QG└ ZKHQ└ ,└ SRQGHU└ CHDGLQJ└ WKH└ (3$☼ └ ,└ JHW└ H[FLWHG└ DERXW└ WKH└ JUHDW└ ZRUN└
/R└ EH└ GRQH└ LQ└ EHKDOI└ RI└ RXU└ QDWLRQ☼ └ LQ└ SURWHFWLQJ└ WKH└ WHWZDUGV└ ┼ ┼ └ LQ└ EHLQJ└
D└ JRRG└ WWHZDUG└ RI└ WKH└ QDWXUDO└ UHVRXUFHV└ ZH└ KDYH└ DV└ D└ QDWLRQ◀ └ :KDW└
FRXOG└ EH└ PRUH└ LPSRUWDQW└ WKDQ└ SURWHFWLQJ└ RXU└ QDWLRQV└ ZDWHUV☼ └ LPSURYLQJ└
RXU└ DLU☼ └ DQG└ PDQDJLQJ└ WKH└ CDQG└ WKDW└ ZHVW└ EHHQ└ ECHVHG└ ZLWK└ DV└ D└
QDWLRQ☼ └ DOO└ WKH└ ZKLCH└ SURWHFWLQJ└ WKH└ KHDWK└ DQG└ ZHOIDUH└ RI└ RXU└ SHRSOH"

6R└ LI└ FRQILUPHG☼ └ ,└ ZRXOG└ CHDG└ WKH└ (3$└ ZLWK└ WKH└ IROORZLQJ└ SULQFLSOHV└ LQ└
PLQG◀ └)LUVW☼ └ ZH└ PXWW└ UHMHFW☼ └ DV└ D└ QDWLRQ☼ └ WKH└ IDCWH└ SDUDGLJP☼ └ WKDW└ LI└ \RXUH└
SUR┼ HQHUJ\☼ └ \RXUH└ DQWL┼ HQYLURQPHQW☼ └ DQG└ LI└ \RXUH└ SUR┼ HQYLURQPHQW☼ └
\RXUH└ DQWL┼ HCHUJ\◀ └ ,└ XWWHUO\└ UHMHFW└ WKDW└ QDUUDWLYH◀

,Q└ WKLV└ QDWLRQ☼ └ ZH└ FDQ└ JURZ└ RXU└ HFRQRP\☼ └ KDUYHWW└ WKH└ UHVRXUFHV└ *RG└
KDV└ ECHVHG└ XV└ ZLWK☼ └ ZKLCH└ DOVR└ EHLQJ└ JRRG└ WWHZDUGV└ RI└ WKH└ DLU☼ └ CDQG└ DQG└
ZDWHU└ E\└ ZKLFK└ ZHYH└ EHHQ└ IDYRUHG◀ └ ,W└ LV└ ORW└ DQ└ HLWKHU↕ RU└ SURSRVLWLRQ◀

1H[W☼ └ ZH└ VKRXOG└ FHCHEUDWH└ WKH└ JUHDW└ SURJUHVV└ ZHYH└ PDGH└ DV└ D└ QDWLRQ└
VLQFH└ WKH└ LQFHSWLRQ└ RI└ WKH└ (3$☼ └ DQG└ WKH└ CDZV└ WKDW└ KDYH└ EHHQ└ SDVHG└ E\└
/KLV└ ERG\☼ └ EXW└ UHFRJQL]H└ WKDW└ ZH└ KDYH└ PXFK└ ZRUN└ WR└ GR◀

7KLUG☼ └ UXCH└ RI└ CDZ└ PDWWHUV◀ └ 3URFHVV└ PDWWHUV◀ └ ,W└ LQVSLUHV└ FRQILGHQCH└ LQ└
/KRVH└ WKDW└ DUH└ UHJXODWHG◀ └ 7KH└ CDZ└ LV└ WWDWLF☼ └ ORW└ WUDQVLHQW◀ └ 5HJXODWRUV└ DUH└
VXSSRVHG└ WR└ PDNH└ WKLQJV└ UHJXODU☼ └ WR└ IDLUO\└ DQG└ HTXLWDEO\└ HQIRUCH└ WKH└
UXCHV☼ └ DQG└ ORW└ SLFN└ ZLQQHUV└ DQG└ ORVHUV◀

AMERICAN OVERSIGHT

$└ UHJXODWRU└ VKRXOG└ QRW└ EH└ IRU└ RU└ DJDLQVW└ DQ\└ VHFWRU└ RI└ RXU└ HFRQRP\◀ └
,QVWHDG└ D└ UHJXODWRU└ RXJKW└ WR└ IROORZ└ WKH└ CDZ└ LQ└ VHWWLQJ└ XS└ WKH└ UXOHV└ VR└
/KDW└ WKRVH└ ZKR└ DUH└ UHJXODWHG└ FDQ└ SODQ└ DOORFDWH└ UHVRXUFHV└ WR└ PHHW└ WKH└
WDQGDUGV└ YHUVXV└ RSHUDWLQJ└ LQ└ D└ WDUH└ RI└ XQFHUWDLQW\└ DQG└ GXUHV◀

)RXUWK└ IHGHUDOLVP└ PDWWHUV◀ └ ,W└ PDWWHUV└ EHFDXVH└ &RQJUHVV└ VD\V└ VR└ └ DQG└
EHFDXVH└ ZH└ QHHG└ LW└ WR└ DFKLHYH└ JRRG└ RXWFRPHV└ DV└ D└ QDWLRQ└ IRU└ DLU└ DQG└
ZDWHU└ TXDOLW\◀ └ :H└ QHHG└ WKH└ SDUWQHUVKLS└ RI└ WKH└ WDWHV└ WR└ DFKLHYH└ WKDW◀ └ ,W└ LV└
RXU└ WDWH└ UHJXODWRUV└ ZKR└ RIWHQ└ LPHV└ EHWW└ XQGHUWDQG└ WKH└ ORFDO└ QHHGV└
DQG└ WKH└ XQLTXHQHVV└ RI└ RXU└ HQYLURQPHQWDO└ FKDOOHQJHV◀ └ 3OXV└ └ RXU└ WDWH└
UHJXODWRUV└ SRVHVW└ WKH└ UHVRXUFHV└ DQG└ H[SHUWLVH└ WR└ HQIRUFH└ RXU└
HQYLURQPHQWDO└ ODZV◀

)LMK└ SXEOLF└ SDUWLFLSDWLRQ└ LV└ NH\◀ └ :H└ QHHG└ WR└ KHDU└ DOO└ YRLFHV└ DV└ ZH└ PDNH└
GHFLVLRQV└ LQ└ EHKDOI└ RI└ RXU└ FRXQWU\└ └ ZLWK└ UHVSHFW└ WR└ HQYLURQPHQWDO└ ODZV◀

7ZR└ ILQDO└ WKLQJV└ SHUVRQDOO\◀ └ ,└ VHHN└ WR└ EH└ D└ JRRG└ OLWWHQHU└ WR└ OLWWHQ└ DQG└ WR└
ODDG◀ └ <RX└ FDQW└ GR└ RQH└ ZLWKRXW└ WKH└ RWKHU◀ └ /LWWHQ└ WR└ WKRVH└ FDUHU└ WDOO◀ ◀ ◀

♂ 3527(67(5□

/LWWHQ└ WR└ WKRVH└ FDUHU└ WDOO└ DW└ WKH└ (3$└ DV└ ,YH└ GRQH└ DV└ DWWRUQH\└ JHQHUDO└
RI└ 2NODKRPD└ DQG└ OLWWHQ└ WR└ \RX└ KHUH└ LQ└ &RQJUHVV└ ZLWK└ UHVSHFW└ WR└ WKH└
QHHGV└ RI└ \RXU└ UHVSHFWLYH└ WDWHV└ DQG└ OLWWHQ└ WR└ WKH└ YRLFH└ RI└ DOO└ $PHULFDQV└
DV└ ZH└ VHHN└ WR└ FDUU\└ RXW└ RXU└ GXWLHV└ XQGHU└ WKH└ CDZ◀

/DWWO\└ DQG└ WKLV└ LV└ YHU\└ LPSRUWDQW└ └ ,└ VHHN└ WR└ VHUYH└ ZLWK└ VHUYLOLW\◀ └
2IWHQWLPHV└ DV└ SROLF\┼ PDNHUV└ \RX└ GHDO└ ZLWK└ YHU\└ FRQWHQWLRXV└ LVVXHV◀ └ ,└
KDYH└ DV└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD└ DV└ ZHOO◀ └ :H└ GHDO└ ZLWK└ ZHLJKW\└
LVVXHV└ DQG└ WKHUH└ DUH└ ┼ ┼ └ WKHUHV└ SDVVLRQ└ RQ└ ERWK└ VLGHV└ RI└ LVVXHV◀

%XW└ ZH└ VKRXOG└ QRW└ VXFFXPE└ WR└ SHUVRQDOL]LQJ└ PDWWHUV◀ └ :H└ VKRXOG└
HQFRXUDJH└ RSHQ└ DQG└ FLYLO└ GLVFRXUVH◀ └ 2QH└ VXFK└ LVVXH└ ZKHUH└ FLYLO└
GLVFRXUVH└ LV└ DEVHQW└ └ LQYROYHV└ FOLPDWH└ FKDQJH◀ └ /HW└ PH└ VD\└ WR└ \RX└ └
VFLHQFH└ W\SLFDO└ XV└ WKDW└ WKH└ FOLPDWH└ LV└ FKDQJLQJ└ └ DQG└ WKDW└ KXPDQ└ DFWLYLW\└ └ LQ└
\RPH└ PDQQHU└ └ LPSDFW└ WKDW└ FKDQJH◀

7KH└ DELOLW\└ WR└ PHDVXUH└ └ ZLWK└ SUHFLVLRQ└ └ WKH└ GHJUHH└ DQG└ H[WHQW└ RI└ WKDW└
LPSDFW└ └ DQG└ ZKDW└ WR└ GR└ DERXW└ LW└ └ DUH└ VXEMHFW└ WR└ FRQWLQXLQJ└ GHEDWH└ DQG└
GLDORJXH└ └ DQG└ ZHOO└ LW└ VKRXOG└ EH◀ └ 6R└ ZLWK└ WKHVH└ SULQFLSOHV└ LQ└ PLQG└ └ ,└ VHHN└
/R└ DQVZHU└ \RXU└ TXHVWLRQV└ WRGD\└ └ DQG└ ,└ DP└ KRQRUHG└ WR└ EH└ KHUH└ WRGD\└ WR└
EH└ FRQVLGHUHG└ IRU└ WKH└ SRVLWLRQ└ RI└ (3$└ DGPLQLVWUDWRU◀

AMERICAN OVERSIGHT

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
:HOO└ WKDQN└ \RX└ YHU\└ PXFK◀ └ :HFRPH☼ └ WR└ \RXU└ IDPLO\☼ └ DQG└ WKDQN└ \RX☼ └ DQG└ FRQJUDWXODWLRQV└ DJDLQ◀

$WWRUQH\└ *HQHUDO└ 3UXLWW☼ └ \RXYH└ DQVZHUHG└ WKH└ FRPPLWWHH└ TXHVWLRQDLUH◀ └ 7KH└ 8QLWHG└ 6WDWHV└ 2II ILFH└ RI └ *RYHUQPHQW└ (WKLFV└ KDV└ WDWHG└ WKDW└ \RX└ DUH☼ └ TXRWH☼ └ | LQ└ FRPSOLDQFH└ ZLWK└ DSSOLFDEOH└ ODZV└ DQG└ UHJXODWLRQV└ JRYHUQLQJ└ FRQIOLFW└ RI └ LQWHUHVW◀ |

1RZ☼ └ \RX└ NQRZ☼ └ WKURXJKRXW└ WKLV└ KHDULQJ☼ └ DQG└ ZLWK└ WKH└ TXHVWLRQV└ IRU└ WKH└ UHFRUG☼ └ RXU└ FRPPLWWHH└ PHPEHUV└ ZLOO└ KDYH└ DQ└ RSSRUWXQLW\└ WR└ CHDUQ└ PRUH└ DERXW└ \RXU└ FRPPLWPHQW└ WR└ SXEOLF└ VHUYDQW└ DQG└ RXU└ QDWLRQ◀ └ ,└ ZRXOG└ DVN└ /KDW☼ └ WKURXJKRXW└ WKLV└ KHDULQJ☼ └ \RX└ SCHDVH└ UHVSRQG└ WR└ WKH└ TXHVWLRQV☼ └ IRU└ /KH└ UHFRUG◀

:LWK└ WKDW└ VDLG☼ └ ,└ KDYH└ WR└ DVN└ WKH└ IROORZLQJ└ TXHVWLRQV└ WKDW└ ZH└ DVN└ RI └ DOO└ QRPLQHHV└ RQ└ EHKDOI└ RI └ WKH└ FRPPLWWHH◀ └ 'R└ \RX└ DJUHH☼ └ LI └ FRQILUPHG☼ └ WR└ DSSHDU└ EHIRUH└ WKLV└ FRPPLWWHH└ RU└ GHVLJQDWHG└ PHPEHUV└ RI └ WKLV└ FRPPLWWHH☼ └ DQG└ /KHU└ DSSURSULDWH└ FRPPLWWHHV└ RI └ WKH└ &RQJUHVV☼ └ DQG└ SURYLGH└ LQIRUPDWLRQ☼ └ VXEMHFW└ WR└ DSSURSULDWH└ DQG└ QHFHVDU\└ VHFXULW\└ SURWHFWLRQ☼ └ ZLWK└ UHVSHFW└ WR└ \RXU└ UHVSRQVLELOLWLHV"

358,77 └
<HV☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
'R└ \RX└ DJUHH└ WR└ HQVXUH└ WKDW└ WHVWLPRQ\☼ └ EULHILQJV☼ └ GRFXPHQW└ DQG└ HOHFWURQLF└ DQG└ /KHU└ IRUPV└ RI └ LQIRUPDWLRQ└ DUH└ SURYLGHG└ WR└ WKLV└ FRPPLWWHH└ DQG└ LWV└ WDII☼ └ DQG└ /KHU└ DSSURSULDWH└ FRPPLWWHHV☼ └ LQ└ D└ WLPHO\└ PDQQHU"

358,77 └
<HV☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └

AMERICAN OVERSIGHT

$QG└ GR└ \RX└ NQRZ└ RI└ DQ\└ PDWWHUV☼ └ ZKLFK└ \RX└ PD\└ RU└ PD\└ QRW└ KDYH└
GLVFORVHG☼ └WKDW└ PLJKW└ SODFH└ \RX└ LQ└ DQ\└ FRQIOLFW└ RI└ LQWHUHVW└ LI└ \RX└ DUH└
FRQILUPHG"

358,77 └
1R☼ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX◀ └ -XVW└ D└ FRXSOH└ RI└ TXLFN└ TXHVWLRQV└ EHIRUH└ ZH└ JR└ EDFN└ DQG└
IRUWK◀ └ ,G└ MXVW└ DVN└ LI└ \RX└ FRXOG└ MXVW└ SCHDVH└ GHVFULEH└ \RXU└ HQYLURQPHQWDO└
SKLORVRSK\☼ └ RI└ ZKDW└ \RX└ ZRXOG└ GR└ WR└ SURWHFW└ RXU└ HQYLURQPHQW◀

358,77 └
:HOO☼ └ 0U◀ └ &KDLUPDQ☼ └ DV└ ,└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ \WDWHPHQW☼ └ ,└ EHOLHYH└
/KDW└ WKH└ URFH└ RI└ D└ UHJXODWRU└ ┼ ┼ └ DQG└ WKLV└ PD\└ QRW└ VRXQG└ WRR└ H[FLWLQJ☼ └ EXW└ LV└
/R└ PDNH└ WKLQJV└ UHJXODU◀ └ $QG└ ,└ WKLQN☼ └ RQH└ RI└ WKH└ ┼ ┼ └ WKH└ GLIILFXOW└ FKDOOHQJHV└
ZH└ VHH☼ └ ZLWK└ LQGLYLGXDOV└ DFURVV└ WKH└ FRXQWU\☼ └ LV└ WKH└ DELOLW\└ ┼ ┼ └ WKH└ LQDELOLW\└
/R└ SUHGLFW☼ └ RU└ NQRZ└ ZKDW└ H[SHFWHG└ RI└ WKHP☼ └ DV└ IDU└ DV└ WKHLU└ REOLJDWLRQV└
XQGHU└ RXU└ HQYLURQPHQWDO└ ODZV◀

$QG└ ┼ ┼ └ DQG└ ,└ UHDOO\└ EHOLHYH☼ └ 0U◀ └ &KDLUPDQ☼ └ WKDW└ LI└ FRQILUPHG└ DV└ (3$└
DGPLQLVWUDWRU☼ └ WKLV└ SXEOLF└ SDUWLFLSDWLRQ☼ └ FRRSHUDWLYH└ IHGHUDOLVP☼ └ UXOH└ RI└
ODZ└ EHLQJ└ WKH└ IRFXV└ RI└ KRZ└ ZH└ GR└ EXVLQHVV└ DW└ WKH└ (3$☼ └ LV└ FHQWHU└ WR└
UHVWRULQJ└ FRQILGHQFH└ DQG└ FHUWDLQW\└ LQ└ WKRVH└ WKDW└ DUH└ UHJXODWHG◀

&HDLU\☼ └ WKH└ PLVVLRQ└ RI└ WKH└ (3$☼ └ DV└ ,└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ \WDWHPHQW☼ └
/R└ SURWHFW└ RXU└ QDWXUDO└ UHVRXUFHV☼ └ SURWHFWLQJ└ RXU└ ZDWHU└ TXDOLW\☼ └ LPSURYLQJ└
RXU└ DLU☼ └ KHOSLQJ└ SURWHFW└ WKH└ KHDOWK└ DQG└ ZHOIDUH└ RI└ RXU└ FLWL]HQV☼ └ LV└ NH\└ WR└
/KH└ CHDGHUVKLS└ RI└ WKH└ (3$☼ └ DQG└ ZKHUH└ HQIRUFHPHQW└ LV└ QHFHVVDU\☼ └ D└
YLJRURXV└ HQIRUFHPHQW◀

,YH└ GRQH└ WKDW└ DV└ DWWRUQH\└ JHQHUDO└ LQ└ 2NODKRPD◀ └ ,YH└ WDNHQ└ YHU\└
FRQWURYHUVLDO└ VWHSV└ DJDLQVW└ WKRVH└ WKDW└ KDYH└ YLRODWHG└ WKH└ ODZ◀ └ %XW└ ZH└ KDYH└
GRQH└ VR☼ └ ,└ WKLQN☼ └ LQ└ D└ YHU\└ GHFLVLYH└ DQG└ ┼ ┼ └ DQG└ PHDQLQJIXO└ ZD\☼ └ VR└ 0U◀ └
&KDLUPDQ☼ └ ZLWK└ WKDW└ LQ└ PLQG◀

%$55$662 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH╙└ ╟ RI└

,P└ JRLQJ└ WR└ DVN└ RQH└ RWKHU└ TXHVWLRQ└ └ DQG└ WKHQ└ ,P└ JRLQJ└ WR└ UHVHUYH└ WKH└ ┼ ┼ └
/KH└ EDODQFH└ RI└ P\└ WLPH└ IRU└ VRPH└ LQWHUHVWLQJ└ DQG└ TXHVWLRQLQJ└
/KLRXJKRXW◀ └ %RW└ WKHUH└ WLOOO└ D└ QXPEHU└ RI└ HQYLURQPHQWDO└ SURECHPV└ WKDW└ ,└
VHH└ LQ└ WKH└ FRXQWU\└ DQG└ LQ└ P\└ WDWH◀

&ROG└ ZDU└ CHJDF\└ SROOXWLRQ└ LV└ D└ VHULRXV└ SURECHP└ └ ZKHUH└ FKHPLFDO└
FRPSRXQGV└ DUH└ CHIW- GHHS└ LQ└ WKH└ VRLO└ └ IURP└ RXU└ PLOLWDU\└ DFWLYLWLHV└ └ \HDUV└ ┼ ┼ └
GHFDGHV└ DJR◀ └ 2IWHQ└ WKHUH└ DUH└ QRW- WKH└ WRROV└ \HW- DYDLODEOH└ WR└ DGHTXDWHO\└
DGGUHVV└ WKLV└ SROOXWLRQ◀ └ ,I└ FRQILUPHG└ └ ZRXOG└ \RX└ DGYRFDWH└ LQFUHDVLQJ└ WKH└
(3$V└ IRFXV└ RQ└ LQQRYDWLYH└ WHFKQRORJLFDO└ VROXWLRQV└ WR└ DGGUHVV└ WKHMH└ DQG└
RWKHU└ HQYLURQPHQWDO└ SURECHPV"

358,77 └
<HV└ └ 0U◀ └ &KDLUPDQ◀ └ ,Q└ WKLV└ ┼ ┼ └ WKLV└ &RQJUHVV└ └ WKLV└ SDWW- &RQJUHVV└ └ DV└ \RX└
LQGLFDWHG└ LQ└ \RXU└ WDWHPHQW└ └ DQG└ DV└ 6HQDWRU└ ,QKRIH└ UHFRJQL]HG└ └ ZLWK└ WKH└
FKDQJHV└ WR└ WKH└ 76&$└ ODZ└ └ WKHUH└ DUH└ SULRULWLHV└ WKLV└ \HDU└ └ QHZ└ DXWKRULWLHV└ └
DFWXDOO\└ └ WKDW└ EHLQJ└ JLYHQ└ WR└ WKH└ (3$└ DGPLQLWWDWRU└ └ WR└ RUGHU└ WHXWLQJ└ RQ└
FHUWDLQ└ FKHPLFDOV◀

$V└ ,YH└ VSHQW- WLPH└ ZLWK└ VRPH└ RI└ WKH└ PHPEHUV└ RQ└ WKLV└ FRPPLWWHH└ └
6HQDWRU└ *LOOLEUDQG└ └ DV└ DQ└ H[DPSOH└ └ PHQWLRQHG└ 3)2$└ └ DV└ D└ FRQFHUQ└ └ ZLWK└
UHVSHFW- WR└ WKH└ 6DIH└ 'ULQNLQJ└ :DWHU└ $FW└ └ DORQJ└ ZLWK└ 76&$◀

$QG└ VR└ \HV└ └ 0U◀ └ &KDLUPDQ└ └ ,└ EHOLHYH└ WKDW- WKHUH└ DUH└ SULRULWLHV└ WKDW- DUH└ NH\└
/R└ LPSURYLQJ└ RXU└ HQYLURQPHQW└ └ IURP└ &(5&/$└ └ WR└ 76&$└ └ DFURVV└ DLU└
TXDOLW\└ └ ZLWK└ GRQ╪ DWWDLQPHQW- WR└ DWWDLQPHQW└ └ DQG└ ZRXOG└ VHHN└ WR└ IRFXV└ └ DQG└
SULRULWL]H└ WKRVH└ HI IRUW◀

%$55$662 └
7KDQN└ \RX◀

6HQDWRU└ &DUSHU◀

&$53(5 └
0U◀ └ 3UHVV└ └ \RX└ NQRZ└ └ ZH└ GRQW- RIWHQ└ KDYH└ WKH└ NLQG└ RI└ GLVUXSWLRQV└ LQ└ WKLV└
URRP└ └ DQG└ LQ└ WKLV└ EXLOGLQJ└ └ WKDW- ZDV└ ZLWQHVVLQJ└ KHUH└ WRGD\◀ └ 7KLV└ LV└
H[WUDRUGLQDU\◀ └ ,W└ GRW- XQSUHFHGHQWHG└ └ EXW- H[WUDRUGLQDU\◀

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH╨└ ┴ R╢└└

<RX└ GLGQW└ UHVSRQG└ WR└ RQH└ RI└ WKHP└ E\└ -DQXDU\└ WK◀ └ <RX└ FHUWDLQO\└ GLGQW└
UHVSRQG└ WR└ PH☼ └ QRW└ HYHQ└ RQH◀ └ 7RGD\V└ KHDULQJ☼ └ ,└ MXVW└ DVNHG└ P\└ WKDII☼ └
KDYH└ \RX└ UHVSRQGHG└ WR└ DQ\└ RI└ WKRVH└ TXHVWLRQV☼ └ LQ└ ZULWLQJ☼ └ WKDW└ ,└ DVNHG└
DOPRVW└ WKUHH└ ZHHNV└ DJR☼ └ DQG└ WR└ P\└ NQRZOHGJH☼ └ QR└ UHVSRQVH└ KDV└ \HW└
EHHQ└ ┼ ┼ └ WKDW└ ZHYH└ UHFHLYHG◀ └ 7KDW└ ZK\└ ZH└ KDYH└ D└ FRQFHUQ◀ └ 7KDW└ ZK\└
ZH└ KDYH└ D└ ┼ ┼ └ D└ FRQFHUQ◀

0HUFXU\◀

358,77 └
,P└ VRUU\"

&$53(5 └
,P└ JRLQJ└ WR└ DVN└ \RX└ ┼ ┼ └ ,P└ JRLQJ└ WR└ WDONLQJ└ RII└ E\└ WDONLQJ└ DERXW└ PHUFXU\◀ └ ,Q└
┴ ‼ ¶ ¶ ☼ └ WKH└ (3$└ UHTXLUHG└ GLUVA└ FRDO└ SRZHU└ SODQW└ WR└ FOHDQ└ XS└ PHUFXU\└ DQG└
DLU└ WR[LF└ HPLVVLRQV└ E\└ LVXLQJ└ WKH└ 0HUFXU\└ DQG└ $LU└ 7R[LF└ 6WDQGDUGV└
5XOH◀

7KLV└ UXOH└ ZLOO└ UHGXFH└ WKH└ PHUFXU\└ DQG└ QHXUR WR[LQ└ WKDW└ FRQWDPLQDWHV└ RXU└
\WUHDP☼ └ DQG└ RXU└ RFHDQV☼ └ SRODWHV└ RXU└ ILVK└ DQG└ KDUPV└ RXU└ FKLOGUHQV└
KHDOWK◀ └ $V└ DWWRUQH\└ JHQHUDO☼ └ ,└ EHOLHYH└ \RXYH└ EHHQ└ SDUW└ RI└ DW└ CHDWW└ ¶ ┼ └
CHJDO└ FDVHV└ DJDLQVW└ WKH└ (3$☼ └ LQ└ DW└ CHDWW└ WKUHH└ RI└ WKHVH└ FDVHV☼ └ DJDLQVW└
/KH└ (3$V└ UXOHV└ WR└ UHGXFH└ PHUFXU\└ HPLVVLRQV└ IURP└ SRZHU└ SODQWV◀

,V└ WKDW└ FRUUHFW☼ └ MXVW└ \HV└ RU└ QR"

358,77 └
6HQDWRU☼ └ ZH└ KDYH└ EHHQ└ LQYROYHG└ LQ└ OLWLJDWLRQ└ DURXQG└ WKH└ 0$76└ 5XOH◀ ◀ ◀

&$53(5 └
,V└ WKDW└ FRUUHFW☼ └ \HV└ RU└ QR"

358,77 └
$V└ ,└ LQGLFDWHG☼ └ \HV└ ZHYH└ EHHQ└ D└ SDUW└ RI└ OLWLJDWLRQ◀ ◀ ◀

&$53(5 └
7KDQN└ \RX◀

AMERICAN OVERSIGHT

358,77 └
◀◀◀ └ IROORZLQJ└WKH└ 0$76└ 5XCH◀

&$53(5 └
,W└ P\└ XQGHUVWDQGLQJ└WKDW└ DW└ CHDWV└ RQ└WKHVH└ FDVHV└ DJDLQVW└WKH└ PHUFXU\└
UXCH└ LV└ WKLOO└ SHQGLQJ◀ └ ,V└WKDW└ FRUUHFW'└ -XVW└ \HV└ RU└ QR◀

358,77 └
,└ EHOLHYH└ VR☼ └ 6HQDWRU◀ └ <HV◀

&$53(5 └
,Q└WKH└ FDVHV└ DJDLQVW└WKH└ PHUFXU\└ UXCH☼ └ \RX└ TXHVWLRQHG└WKH└ (3$V└
GHWHUPLQDWLRQ└WKDW└ PHUFXU\└ HPLVVLRQV└ IURP└ SRZHU└ SODQWV└ DUH└ KDUPIXO└WR└
KHDOWK☼ └ DQG└ VKRXOG└ EH└ UHJXODWHG◀

7R└ EH└ FCHDU☼ └ KDYH└ \RX└ HYHU└ VXSSRUWHG└ D└ FDVH└ DJDLQVW└WKH└ (3$└WKDW└
FODLPHG☼ └ TXRWH└ ┼ ┼ └WKLV└ LV└ D└ TXRWH☼ └ | +XPDQ└ H[SRVXUH└WR└ PHWK\O└ PHUFXU\└
UHVXOWLQJ└ IURP└ FRDO└ ILUHG└ SRZHU└ SODQWV└ LV└ H[FHHGLQJO\└ VPDOO| "└ <HV└ RU└ QR◀

358,77 └
6HQDWRU☼ └WKDW└ QRW└ D└ \HV└ RU└ QR└ DQVZHU◀ └ $QG└ LI└ ,└ PD\└ ┼ ┼ └ LI└ ,└ PD\◀◀◀

&$53(5 └
)DLU└ HQRXJK◀

358,77 └
2.◀

&$53(5 └
7KLV└ SRVLWLRQ└ VHHPV└WR└ TXHVWLRQ└ D☼ └ DQ└ (3$└ GHFLVLRQ└ LQ└ ⊥ ‼ ‼ ‼ ☼ └ LQ└ ZKLFK└
/KH└ DJHQF\└ GHWHUPLQHG☼ └ DMHU└ DOPRVW└ D└ GHFDGH└ RI└ WWXG\☼ └WKDW└ ┼ ┼ └WKLV└ LV└ D└
TXRWH└ IURP└WKHP☼ └ | 0HUFXU\└ HPLVVLRQV└ IURP└ SRZHU└ SODQWV└ SRVH└ VLJQLILFDQW└
KD]DUGV└WR└ SXEOLF└ KHDOWK└ DQG└ PXWW└ EH└ UHGXFHG☼ | └ FORVH└ TXRWH◀

:RXOG└ \RX└ VD\└WKH└ CHJDO└ FDVHV└ \RXYH└ VXSSRUWHG└ LQ└WKH└ SDWW└ GLUHFWO\└
FKDOOHQJHG└WKLV└ DJHQF\└ ILQGLQJ"└ <HV└ RU└ QR◀

AMERICAN OVERSIGHT

&4◀ FRP┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH┴┴ ┼ R┴ ┴

358,77 └
6HQDWRU☼ └WKH└ ┼ ┼ └WKH└ FKDOOHQJHV└ ZHYH└ KDG☼ └DV└ D└ ┼ ┼ └DV└ D└ ┼ ┼ └DV└ D└ WDWH◀ ◀ ◀

&$53(5 └
<HV└ RU└ QR"

358,77 └
◀ ◀ ◀ └DORQJ└ ZLWK└WKH└ RWKHU└ WDWHV◀ ◀ ◀

&$53(5 └
<HV└ RU└ QR"

358,77 └
,I└ ,└ PD\☼ └6HQDWRU└ ┼ ┼ └LI└ ,└ PD\◀

&$53(5 └
-XVW┼ ┼ └MXVW┼ KRQG└ \RXU└ ILUH◀ └ -XVW┼ KRQG└ \RXU└ ILUH◀

358,77 └
2.◀

&$53(5 └
7KH└ CHJDO└ SRVLWLRQ└ \RXYH└ WDNHQ└ RQ└ PHUFXU\└ KHDOWK└ DOVR└ VHHPV└ WR└ FDOO└ LQ└
TXHVWLRQ└WKH└ ┴ ‼ ‼ ┼ └WHWLPRQ\└ IURP└WKHQ└ (3$└ $VVLWDQW┼ $GPLQLWUDWRU└ RI└
$LU└ DQG└ 5DGLDWLRQ☼ └ -HII└ +RPWHDG☼ └XQGHU└ *HRUJH└ :◀ └%XVK☼ └VDW┼ ULJKW┼
ZKHUH└ \RXUH└ VLWWLQJ└WRGD\☼ └DQG└WKLV└ LV└ ZKDW┼ KH└ VDLG◀

| (3$└ LV└ UHTXLUHG└WR└ UHJXODWH└ PHUFXU\☼ └EHFDXVH└ (3$└ GHWHUPLQHG└WKDW┼
PHUFXU\└ HPLVVLRQV└ IURP└ SRZHU└ SODQW└ SRVH└ DQ└ RWKHUZLVH└ XQDGGUHVVHG└
VLJQLILFDQW┼ ULVN└WR└ KHDOWK└ DQG└WKH└ HQYLURQPHQW☼ └DQG└ EHFDXVH└ FRQWUROV☼ └
RSWLRQV└WR└ UHGXFH└WKLV└ ULVN└ DUH└ DYDLODEOH◀ |

7KLV└ %XVK└ (3$└ WDWHPHQW┼ RQ└ PHUFXU\└ ULVN└ VHHPV└ FRQWUDU\└WR└WKH└ CHJDO└
DUJXPHQW┼ \RX└ VXSSRUWHG└ LQ└WKH└ SDVW◀ └ ,V└WKDW┼ FRUUHFW'└ <HV└ RU└ QR◀

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH╨└ ┼ RI└

,└ DJUHH└ ZLWK└ ┼ ┼ └ ,└ DJUHH└ ZLWK└ 0U◀ └ +RPWHDGV└ SRVLWLRQ☼ └ WKDW└ PHUFXU\└ LV└
VRPHWKLQJ└ WKDW└ YHU\└ GDQJHURXV└ WR└ WKH└ HQYLURQPHQW◀ ◀ ◀

&$53(5 └
7KDQN└ \RX└ YHU\└ PXFK◀

358,77 └
◀ ◀ ◀ └ DQG└ VKRXOG└ EH└ UHJXODWHG└ XQGHU└ 6HFWLRQ└ ¶ ¶ ┴ ◀

&$53(5 └
$UH└ \RX└ DZDUH└ WKDW└ WKH└ CDWV└ WKUHH└ DGPLQLWWUDWRUV└ KDYH└ SXEOLFO\└ WDONHG└
/KDW└ WKH└ (3$└ LV└ UHTXLUHG└ WR└ UHJXODWH└ PHUFXU\└ IURP└ SRZHU└ SODQW└ EHFDXVH└
RI└ WKH└ KHDOWK└ ULVNV"└ <HV└ RU└ QR◀

358,77 └
,└ EHOLHYH└ WKDW└ PHUFXU\└ VKRXOG└ EH└ UHJXODWHG└ XQGHU└ 6HFWLRQ└ ¶ ¶ ┴ ◀

&$53(5 └
7KDQN└ \RX└ YHU\└ PXFK◀ └ $FFRUGLQJ└ WR└ WKH└ (3$└ ┼ ┼ └ P\└ WLPH└ LV└ DERXW└ WR└
H[SLUH◀ └ ,OO└ MXVW└ KROG└ ┼ ┼ └ KROG└ LW└ IRU└ WKHUH◀ └ 7KDQN└ \RX└ YHU\└ PXFK☼ └ 0U◀ └ ┼ ┼ └ (
&KDLUPDQ◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ &DUSHU◀

6HQDWRU└ ,CKRIH"

,1+2)(└
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

:HOO☼ └ ,└ GRQW└ WKLQN└ \RX└ KDG└ DGHTXDWH└ WLPH└ WR└ DQVZHU└ VRPH└ RI└ WKH└
TXHVWLRQV└ WKDW└ ZHUH└ DVNHG◀ └ ,V└ WKHUH└ DQ\WKLQJ└ \RXG└ OLNH└ WR└ DGG☼ └ WR└
HDDERUDWH└ RQ◀ ◀ ◀

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╨└ ├ RI └

<HV☼ └ 6HQDWRU◀ └ $QG└ WKDQN└ \RX◀ └ ,└ GR└ ZDQW└ WR└ VD\☼ └WR└ 6HQDWRU└ &DUSHU└
FRQFHUQ☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ SUHVLGHQW╪ HOHFW└ WDWHPHQW└ WKURXJKRXW└ WKH└
FDPSDLJQ☼ └ ,└ EHOLHYH└ WKHUH└ LV└ D└ YHU\└ LPSRUWDQW└ UROH└ IRU└ WKH└ (QYLURQPHQWDO└
3URWHFWLRQ└ $JHQF\◀ └ ,Q└ IDFW☼ └ \RX└ DQG└ ,└ WDONHG└ DERXW└ WKDW└ LQ└ ┼ ┼ └ LQ└ \RXU└ RIILFH◀

,└ EHOLHYH└ WKDW└ WKHUH└ DUH└ DLU└ TXDOLW\└ LVVXHV☼ └ DQG└ ZDWHU└ TXDOLW\└ LVVXHV☼ └ WKDW└
FURVV└ WDWH└ OLQH☼ └ WKDW└ WKH└ MXULVGLFWLRQ└ RI└ WKH└ (3$☼ └ LW└ LQYROYHPHQW└ LQ└
SURWHFWLQJ└ RXU└ DLU└ TXDOLW\☼ └ DQG└ LPSRYLQJ└ RXU└ GDWLRQV└ ZDWHU☼ └ LV└
H[WUHPHO\└ LPSRUWDQW◀ └ $QG└ WKH└ (3$└ KDV└ VHUYHG└ D└ YHU\└ YDOXDEOH└ URO H☼ └
KLVWRULFDOO\◀

$IWHU└ DOO☼ └ LW└ ZDV└ 5HSXEOLFDQV└ ZKR└ FUHDWHG└ WKH└ (3$└ XQGHU└ H[HFXWLYH└ RUGHU└
LQ└ WKH└ ¶ → ‼ ☼ └ DQG└ WKLV└ ERG\└ KDV└ SDVVHG└ PDQ\└ SLHFHV└ RI└ CHJLVODWLRQ└ VLQFH└
/KH└ ¶ → ‼ V☼ └ WR└ IRFXV└ XSRQ└ LPSRYLQJ└ RXU└ DLU☼ └ LPSRYLQJ└ RXU└ ZDWHU└ TXDOLW\◀ └
$QG└ ZH└ KDYH└ PXFK└ WR└ FHOHEUDWH◀

$FWXDOO\☼ └ WKRVH└ VL[└ FULWHULD└ SROOXWDQWV☼ └ XQGHU└ WKH└ 0$76└ SURJUDP☼ └ VLQFH└
¶ ← ‼ ☼ └ DUH└ GRZQ└ ├ ┬ └ SHUFHQW◀ └ :H└ KDYH└ PDGH└ SURJUHVV└ DV└ D└ FRXQWU\☼ └ EXW└
ZH└ KDYH└ ZRUN└ WR└ GR☼ └ DQG└ WKH└ (3$└ KDV└ D└ YHU\└ YDOXDEOH└ URO H└ LQ└ SDUWQHULQJ└
ZLWK└ WKH└ VWDWHV└ WR└ FDUU\└ RXW└ WKRVH└ VWHSV└ WR└ HQVXUH└ LPSRYLQJ└ RXU└ DLU└
TXDOLW\└ DQG└ SURWHFWLQJ└ RXU└ GDWLRQV└ ZDWHUV◀

6R└ 6HQDWRU└ &DUSHU☼ └ ,P└ KRSHIXO└ WKDW☼ └ LQ└ UHVSRQVH└ WR└ \RXU└ FRQFHUQ└ DERXW└
/KH└ URO H└ RI└ WKH└ (3$☼ └ ,└ EHOLHYH└ LW└ D└ YHU\└ YDOXDEOH└ URO H◀ └ $QG└ LW└ VRPHWKLQJ└
/KDW└ ZH└ VKRXOG└ IRFXV└ RQ☼ └ DQG└ SDUWQHU└ ZLWK└ RXU└ WDWHV◀

:LWK└ UHVSHFW└ WR└ PHUFXU\☼ └ WKH└ OLWLJDWLRQ└ WKDW└ \RX└ UHIHUUHG└ WR☼ └ WKHUH└ ZDV└ QR└
DUJXPHQW└ WKDW└ ZH└ PDGH☼ └ IURP└ D└ WDWH└ SHUVSHFWLYH☼ └ WKDW└ PHUFXU\└ LV└ QRW└ D└
KD]DUGRXV└ DLU└ SROOXWDQW└ XQGHU└ 6HFWLRQ└ ¶ ¶ ⊥ ◀ └ 2XU└ DUJXPHQW└ IRFXVHG└ XSRQ└
/KH└ FRVW└ EHQHILW└ DQDO\VLV└ WKDW└ WKH└ (3$└ IDLOHG└ WR└ GR◀

$QG└ WKH└ 0LFKLJDQ└ Y◀ └ (3$└ FDVH☼ └ WKH└ 6XSUHPH└ &RXUW└ DFWXDOO\└ DJUHHG◀ └ 6R└
LW└ ZDV└ PRUH└ DERXW└ WKH└ SURFHVV☼ └ DJDLQ☼ └ WKDW└ WKH└ (3$└ ZDV└ VXSSRVHG└ WR└ JR└
/KURXJK☼ └ LQ└ UHJXODWLQJ└ PHUFXU\☼ └ WR└ SURYLGH└ FHUWDLQW\└ WKRVH└ LQ└ WKH└
PDUNHWSODFH☼ └ GRW└ D└ WDWHPHQW└ ZLWK└ UHVSHFW└ WR└ ZKHWKHU└ PHUFXU\└ VKRXOG└ EH└
UHJXODWHG└ RU└ GRW└ XQGHU└ 6HFWLRQ└ ¶ ¶ ⊥ ◀

7KDQN└ \RX☼ └ 6HQDWRU└ ,QKRIH◀

,1+2)(└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUI3DJH╨└ ┴ RI└└

7KDQN└ \RX☼ └ *HQHUDO◀ └ ,YH└ ┼ ┼ └ ,P└ JODG└ \RX└ EURXJKW└ XS└ WKLV└ WKLQJ└ DERXW└ WKH└ ┼ ┼ └WKH└ &HDQ└ $LU└ $FW◀ └ 7KH└ DPHQGPHQW└ IURP└ ¶ ‼ ☼ └ ,└ ZDV└ RQH└ RI└WKH└ FR┼ VSRQVRUV◀ └ ,W└ EHHQ└ LQFUHGLEO\└ VXFFHVVIXO◀ └ ,└ PHDQ☼ └ \RX└ PHQWLRQHG└ WKDW└ ZHYH└ UHGXFHG└ WKRVH└ SROOXWDQWV└ E\└ ↑ ┬ └ SHUFHQW☼ └ EXW└ ZKDW└ \RX└ GLGQW└ ┼ ┼ └ ┼ ┬ └ SHUFHQW☼ └ ZKDW└ \RX└ GLGQW└ DGG└ ZDV☼ └WKDW└ ZDV└ LQ└ VSLWH└ RI└WKH└ IDFW└WKDW└ ZH└ KDG└ ¶ ↑ ┬ └ SHUFHQW└ LQFUHDVH└ LQ└ RXU└ HFRQRPLF└ DFWLYLW\◀ └ 7KDW└ D└ PDMRU└WKLQJ◀

,Q└ P\└ LQWURGXFWLRQ☼ └ ,└ PHQWLRQHG└WKLV└WKLQJ└WKDW└ \RX└ GLG└WKDW└ QR└ RQH└ FRXOG└ ILJXUH└ RXW└ KRZ└ \RX└ GLG└ LW◀ └ ,QYROYHG└ D└ ¶ ‼ ‼ ┼ \HDU└ GLVSXWH└ EHWZHHQ└ QRW└ MXVW└ /KH└ 6/DVH└ RI└ 2NODKRPD└ DQG└ WKH└ &LW\└ RI└ 2NODKRPD└ &LW\☼ └ DQG└WKH└ &KRFNFKDZV└ ♂ VLF□ └ DQG└WKH└ &KLFNDVDZV◀ └ <RX└ ZDQW└WR└ VKDUH└ ZLWK└ XV└ KRZ└ \RX└ GLG└WKDW"

358,77 └
:KDW└ DUH└ \RX◀ ◀ ◀

,1+2)(└
<RX└ NQRZ☼ └WKH\└WULHG└ IRU└ D└ KXQGUHG└ \HDUV☼ └ DQG└ \RX└ FDPH└ LQ└ DQG└ GLG└ LW└ LQ└ ONHV└WKDQ└ D└ KXQGUHG└ GD\V◀

358,77 └
<HDK☼ └ OHV└WKDQ└ HLJKW└ PRQWKV└ LQ└WR└ P\└ DGPLQLWWDWLRQ└ DV└ DWWRUQH\└ JHQHUDO☼ └ ZH└ ZHUH└ VXHG☼ └ DV└ D└ WDWH☼ └ E\└WKH└ &KRFWDZ└ DQG└ &KLFNDVDZ└ 1DWLRQ└ ZLWK└ UHVSHFW└WR└ ZDWHU☼ └ LQ└ ¶ → └ FRXQWLHV└ LQ└ 6RXWKHDVW└ 2NODKRPD◀

0DQ\└ RI└ \RX☼ └ LI└ \RX└ NQRZ└ DQ\WKLQJ└ DERXW└ ZDWHU└ OLWLJDWLRQ☼ └ LW└ JHQHUDOO\└ /DNHV└ GHFDGHV└WR└ UHVROYH└ ZDWHU└ OLWLJDWLRQ◀ └ :H└ ZHUH└ DEOH└WR└ JR└ IURP└ $XJXVW└ RI└ ┴ ‼ ¶ ¶ └ XQWLO└ ┴ ‼ ¶ ├ ☼ └ DQG└ CHJRWLDWH└ DQ└ KLWRULF└ ZDWHU└ ULJKW└ DJUHHPHQW└ ZLWK└WKRVH└WZR└ GDWLRQV☼ └WR└ SURYLGH└ FHUWDLQW\└WR└WKRVH└WKDW└ DUH└ UHJXODWHG☼ └WR└ SURYLGH└ D└ YRLFH└WR└WKH└ WULEHV☼ └ LQ└ ┼ ┼ └ ZLWK└ UHVSHFW└WR└ ZDWHU└ DOORFDWLRQ☼ └ DQG└ ZDWHU└ TXDOLW\◀

$QG└WKH└ \WDWH└ KDV└ PDLQWDLQHG└ LW\└ SRVLWLRQ└ RI└WKH└ DUELWHU└ RI└ KRZ└WKRVH└ SHUPLW\└ DUH└ DOORFDWHG└ DV└ ZHOO◀ └ 6R└ LW└ ZDV└ D└ SDUWQHUVKLS◀ └ ,W└ ZDV└WKH└ ZD\└ /KLQJV└ RXJKW└WR└ ZRUN☼ └ ZKHQ└ OLWLJDWLRQ└ RFFXUV☼ └ VLWWLQJ└ DFURVV└WKH└WDEOH└ IURP└ LQGLYLGXDOV☼ └ DQG└ ZRUNLQJ└WRJHWKHU└WR└ WU\└WR└ VROYH└WKH└ SUREOHP◀

$QG└ 6HQDWRU☼ └ ZH└ ZHUH└ DEOH└WR└ DFKLHYH└WKDW└ LQ└ UHFRUG└ WLPH☼ └ DQG└ ,P└ YHU\└ SURXG└ RI└ ZKDW└ ZH└ GLG☼ └ DV└ D└ WDWH☼ └ DQG└ DV└WKH└ &KLFNDVDZ└ DQG└ &KRFWDZ└ 1DWLRQ└WRJHWKHU◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUI3DJH╨└ ┴└ RI└

,1+2)(└
<HDK☼ └ WKDW└ JRRG◀ └ , └ WKLQN☼ └ DOVR☼ └ \RX└ JRW└ WKHP└ DOO└ LQ└ RQH└ URRP☼ └ GLGQW└ \RX"

358,77 └
<HV☼ └ VLU◀

,1+2)(└
7KDW└ ZRUNV◀ └ <RX└ PD\└ FULWLFL]H☼ └ DQG└ VRPH└ RI└ WKH└ SHRSCH└ WDONLQJ└ DERXW└
\RXU└ ┼ ┼ └ \RXU└ HQYLURQPHQWDO└ UHFRUG☼ └ , └ ZRXOG└ OLNH└ WR└ EH└ VXUH└ WKDW└ SHRSCH└ DUH└
DZDUH└ RI└ ┼ ┼ └ D└ QXPEHU└ RI└ SHRSCH└ ┼ ┼ └ , └ KDYH└ VRPH└ KHUH☼ └ WKDW└ ,OO└ VXEPLW└ IRU└
/KH└ UHFRUG☼ └ EXW└ D└ JX\└ QDPHG└ (G└)LWH└ LV└ WKH└ YLFH└ SUHVLGHQW└ RI└ 6FHQLF└
5LYHUV└ DQG└ WKH└ ZDWHU└ TXDOLW\└ RI└ WKH└ *5'$◀

7KLV└ LV└ D└ SHUVRQ└ ZKR└ KDV└ UHDOO\└ EHHQ└ DW└ WKH└ IRUHIURQW└ RI└ RXU└ 6FHQLF└
5LYHUV└ SURJUDP◀ └ +H└ SUDLVHV└ \RX☼ └ VD\LQJ└ | , └ IRXQG└ WKDW└ *HQHUDO└ 3UXLWW└ KDV└
DOZD\V└ GRQH└ ULJKW└ E\└ RXU└ VFHQLF└ ULYHUV◀ └ +HV└ GRQH└ HYHU\WKLQJ└
FRQWUXFWLYH└ WKDW└ KH└ WRRG└ PH└ WKDW└ KH└ ZRXOG└ GR◀ |

7KH└ VDPH└ WKLQJ└ FRPHV└ IURP└ WKH└ 1RUWK└ &DUROLQD└ 'HSDUWPHQW└ RI└
(QYLURQPHQW└ 4XDOLW\☼ └ 'RDOG└ YDQ└ GHU└ 9DDUW☼ └ KH└ ZRUHG☼ └ | 3UXLWW└ LV└
FRPPLWWHG└ WR└ FKDQ└ DLU└ DQG└ FKDQ└ ZDWHU☼ └ DQG└ WR└ UHVWRULQJ└ WKH└ (3$└ WR└ LWV└
RULJLQDO└ PLVVLRQ└ RI└ HQIRUFLQJ└ WKH└ HQYLURQPHQWDO└ ODZV└ ZULWWHQ└ E\└
&RQJUHVV◀ |

-◀ '◀ └ 6ULQJ☼ └ KHDG└ RI└ WKH└ :DWHU└ 5HVRXUFHV└ %RDUG☼ └ KH└ VDLG☼ └ | $VWRUGH\└
*HQHUDO└ 3UXLWW| └ DQG└ KH└ JRHV└ RQ└ DQG└ SUDLVHV└ \RX◀ └ ,G└ OLNH└ WR└ NQRZ└ ZK\└ LW└ LV└
\RX└ KDYH└ EHFRPH└ D└ KHUR└ RI└ WKH└ 6FHQLF└ 5LYHU└ SHRSCH◀

358,77 └
:HOO└ 6HQDWRU☼ └ DV└ \RX└ NQRZ☼ └ 2NODKRPD└ KDV└ HQGXUHG└ PDQ\└ GHFDGHV└ RI└
GLVSXWH☼ └ ZLWK└ UHVSHFW└ WR└ SKRVSKRURXV└ CHYHDV└ LQ└ WKH└ VFHQLF└ ,OOLQRLV└ 5LYHU◀ └
,Q└ IDFW☼ └ WKHUHV└ EHHQ└ OLWLJDWLRQ└ WKDW└ EHHQ└ D└ SDUW└ RI└ WKDW└ GLVSXWH└ IRU└ VRPH└
/LPH◀

7KHUH└ ZDV└ DFWXDOO\└ D└ PHPRUDQGXP└ RI└ XQGHUVWDQGLQJ└ WKDW└ $UNDQVDV└ DQG└
2NODKRPD└ HQWHUHG└ LQWR└ DURXQG└ ┴ ‼ ‼ ┴ ☼ └ ┴ ‼ ‼ ┬ ☼ └ DQG└ WKDW└ PHPRUDQGXP└
H[SLUHG└ GXULQJ└ P\└ WLPH└ DV└ DWWRUQH\└ JHQHUDO◀ └ 7KHUH└ ZHUH└ PDQ\└ LQ└
JRYHUQPHQW└ DW└ WKH└ WLPH└ WKDW└ VDLG└ ZH└ VKRXOG└ MXVW└ ZDLW└ RQ└ WKH└ (3$└ WR└
FRPH└ LQ└ DQG└ DGGUHVV└ WKH└ LVVXH◀ └ $QG└ , └ FKRVH└ D└ GLIIHUHQW└ SDWK◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╨└ RI└

,└ DFWXDOO\└ UHDFKHG└ RXW└ WR└ P\└ 'HPRFUDW└ FROOHDJXH└ └ 'XWFK└ 0F'DQLHO└ └ WKH└
DWWRUQH\└ JHQHUDO└ RI└ WKH└ 6WDWH└ RI└ $UNDQVDV└ └ DQG└ ZH└ ZHUH└ DECH└ WR└
QHJRWLDWH└ DQ└ DJUHHPHQW└ WKDW└ KDG└ SKRVSKRURXV└ CHYHDV└ VHW└ DW└ ‼ ◀ ‼ ┬ → └
VFLHQWLILFDOO\└ GULYHQ└ └ DQG└ HQIRUFHG└ RQ└ ERWK└ VLGHV└ RI└ WKH└ ERUGHU└ └ IRU└ WKH└
ILUVW└ WLPH└ LQ└ KLWRU\◀

$QG└ VR└ ,└ WKLQN└ 0U◀ └)LWH└ LV└ DFWXDOO\└ WKH└ KHDG└ RI└ 6FHQLF└ ,OLQRLV└ 5LYHUV└
&RPPLWWLRQ└ ♂ VLF□◀ └ +HV└ EHHQ└ FHQWHU└ RQ└ WKLV└ LWXH└ IRU└ D└ QXPEHU└ RI└ \HDUV◀ └
$QG└ ,└ WKLQN└ KLV└ JRRG└ ZRUG└ UHDWHV└ WR└ WKH└ ZRUN└ WKDW└ ZH└ GLG└ └ LQ└ P\└ RI ILFH└ └
ZRUNLQJ└ ZLWK└ 'XWFK└ 0F'DQLHO└ WR└ DFKLHYH└ WKDW└ JRRG└ RXWFRPH◀

,1+2)(└
<HDK◀ └ ,└ NQRZ└ P\└ WLPH└ KDV└ H[SLUHG└ └ EXW└ 0U◀ └ &KDLUPDQ└ └ ,G└ OLNH└ WR└ HQWHU└
LQWR└ WKH└ UHFRUG└ └ DW└ WKLV└ SRLQW└ LQ└ WKH└ UHFRUG└ └ WKH└ WXDWHPHQW└ E\└ WKH└
(QYLURQPHQWDO└ ┼ ┼ └ WKH└ '(4└ └ WKDW└ ,└ UHIHUUHG└ WR◀

%$55$662 └
:LWKRXW└ REMHFWLRQ└ └ KHDULQJ└ GRQH◀

6HQDWRU└ :KLWHKRXVH◀

:+,7(+286(└
7KDQN└ └ &KDLUPDQ◀ └ :HOFRPH└ WR└ WKH└ FRPPLWWHH└ └ 0U◀ └ 3UXLWW◀ └ $V└ ZH└
GLVFXVVHG└ ZKHQ└ \RX└ DQG└ ,└ PHW└ └ WKH└ RFHDQV└ RII└ RI└ RXU└ RFHDQ└ WDWH└ DUH└
ZDUPLQJ└ └ GXH└ WR└ IRVVLO┼ IXHO┼ GULYHQ└ FOLPDWH└ FKDQJH◀ └ ,W└ LV└ FUDVKLQJ└ RXU└
ILVKHULHV└ └ OLNH└ CREWHU└ DQG└ ZLQWHU└ ICRXQGHU└ └ DQG└ PDNLQJ└ HDUOLQJ└ D└ OLYLQJ└
KDUGHU└ IRU└ RXU└ ILVKHUPHQ◀ └ ,└ VHH└ QRWKLQJ└ LQ└ \RXU└ FDUHHU└ WR└ JLYH└ WKRVH└
ILVKHUPHQ└ DQ\└ FRQILGHQFH└ WKDW└ \RX└ ZLOO└ FDUH└ RQH└ ELW└ IRU└ WKHLU└ ZHOO┼ EHLQJ└ └
DQG└ QRW└ MXVW└ WKH└ ZHOO┼ EHLQJ└ RI└ WKH└ IRVVLO└ IXHO└ LQGXVWU\◀

,Q└ D└ SURFHVV└ WKDW└ \RX└ FRXOG└ UHSOLFDWH└ LQ└ DQ└ 2NODKRPD└ KLJK└ VFKRRO└
VFLHQFH└ CDE└ └ H[FHVV└ FDUERQ└ GLR[LGH└ IURP└ IRVVLO└ IXHO└ HPLVVLRQV└ LV└ WKUQLQJ└
RXU└ VHDV└ PRUH└ DFLG◀ └ 5KRGH└ ,VODQG└ VKHOO└ ILVKHUPHQ└ DQG└ VKHOOILVK└ JURZHUV└
DUH└ FRQFHUQHG◀ └ ,Q└ P\└ FROOHDJXH└ └ 6HQDWRU└ 0HUNOH\V└ WDWH└ └ WKH\YH└
DOUHDG\└ KDG└ R\WHU└ VSDW└ ZLSHG└ RXW└ IRU└ EXVLQHVVHV└ E\└ DFLGLILHG└ ZDWHUV◀ └ ,└
VHH└ QRWKLQJ└ LQ└ \RXU└ FDUHHU└ WKDW└ \RX└ ZRXOG└ FDUH└ DW└ DOO└ DERXW└ RXU└ 5KRGH└
,VODQG└ VKHOO└ ILVKHUPHQ◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUL3DJH╤ ‼ RI └

,Q└ 5KRGH└ ,VODQG☼ └ ZH└ KDYH└ EDG└ DLU└ GD\V◀ └ $QG└ EHFDXVH└ RI └ (3$V└ ZRUN☼ └
/KH\└ DUH└ IHZHU└ DQG└ IHZHU◀ └ $└ EDG└ DLU└ GD\└ LV└ D└ GD\└ ZKHQ└ SHRSOH└ GULYLQJ└
LQWR└ ZRUN└ KHDU└ RQ└ WKH└ UDGLR└ WKDW└ R]RQH└ IURP└ RXW╪ RI ╪ WDWH└ VPRNH└ WDFNV└
KDV└ PDGH└ WKH└ DLU└ LQ└ 5KRGH└ ,VODQG└ GDQJHURXV☼ └ DQG└ WKDW└ LQIDQWV☼ └ DQG└ WKH└
HDGHUO\☼ └ DQG└ SHRSOH└ ZLWK└ EUHDWKLQJ└ GL ILFXOWLHV└ VKRXOG└ WAD\└ KRPH☼ └ RQ└ DQ└
RWKHUZLVH└ EHDXWLIXO└ GD\◀

⅞HFDXVH└ WKRVH└ VPRNHWDFNV└ DUH└ RXW└ RI└ WDWH☼ └ ZH└ QHHG└ (3$└ WR└ SURWHFW└
XV☼ └ DQG└ ,└ VHH└ QRWKLQJ└ LQ└ \RXU└ UHFRUG└ WKDW└ ZRXOG└ JLYH└ D└ FRP└ WDNLQJ└ KHU└
FKLOG└ WR└ WKH└ KRVSLWDO└ IRU└ DQ└ DWWKPD└ DWWDFN└ DQ\└ FRPIRUW└ WKDW└ \RX└ ZRXOG└
/DNH└ WKH└ VOLJKWHVW└ LQWHUHVW└ LQ└ KHU◀

$QG└ \RXU└ SDVVLRQ└ IRU└ GHYROYLQJ└ SRZHU└ GRZQ└ WR└ WDWH/V└ GRHVQW└ KHOS└ XV☼ └
EHFDXVH└ RXU└ WDWH└ UHJXODWRUV└ FDQW└ GR└ DQ\WKLQJ└ DERXW└ DQ\└ RI └ WKRVH└
SURECHPV◀ └ 7KH\└ DOO└ FRPH└ IURP└ RXW╪ RI ╪ WDWH└ VRXUFHV◀ └ ,Q└ WKLV└ UHVSHFW☼ └ ZH└
DUH└ YHU\└ OLNH└ 'HDZDUH◀

2QH└ RI└ WKH└ WKLQJV└ ,G└ OLNH└ WR└ DVN└ \RX└ DERXW└ KHUH└ LV└ WKH└ FRQGHPQLRQ└
EHWZHHQ└ \RX└ DQG└ VRPH└ RI└ WKHVH└ IRWLO└ IXHO└ FRPSDQLHV◀ └ 7KLV└ LV└ ┼ ┼ └ WKHVH└
DUH└ VRPH└ RI└ WKH└ FRPSDQLHV└ WKDW└ KDYH└ VXSSRUWHG└ \RX◀ └ 7KHVH└ DUH└ VRPH└ RI└
/KH└ SROLWLFDO└ RUJDQL]DWLRQV└ WKDW└ \RYH└ UDLVHG└ PRQH\└ IRU◀ └ <RXYH└ UDLVHG└
PRQH\└ IRU└ WKHP└ IRU└ ┼ ┼ └ IRU└ 3UXLWW└ IRU└ DWWRUQH\└ JHQHUDO☼ └ FRUUHFW'

358,77 └
<HV☼ └ VLU◀ └ ,└ KDYH└ D└ FDPSDLJQ└ FRPPLWWHH└ WKDW└ ┼ ┼ └ \HV◀

:+,7(+286(└
$QG└ 'HYRQ└ (QHUJ\☼ └ .RFK└ ,QGXVWULHV☼ └ ([[RQ└ 0RELO└ KDYH└ DOO└ PD[HG└ RXW└ WR└
/KDW└ DFFRXQW◀ ◀ ◀

358,77 └
,P└ QRW└ DZDUH└ LI└ LW◀ ◀ ◀

:+,7(+286(└
◀ ◀ ◀ └ DW└ YDULRXV└ WLPHV"

358,77 └
┼ ┼ └ PD[HG└ RXW└ RU└ QRW☼ └ 6HQDWRU☼ └ EXW└ WKH\└ KDYH└ ┼ ┼ └ ,P└ VXUH└ WKH\└ KDYH└ JLYHQ└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUI3DJH└┼ ¶ R└└

/R└ WKH└ ┼ ┼ └ WR└ WKDW└ FRPPLWWHH◀

:+,7(+286(└
2NODKRPD└ 6/URQJ└ 3$&└ LV└ \RXU└ CHDGHUVKLS└ 3$&"

358,77 └
,W└ ZDV☼ └ \HV◀

:+,7(+286(└
,W└ ZDV"└ $QG└ VLPLODUO\☼ └ WKH\└ JDYH└ PRQH\☼ └ WKH\└ PD[HG└ RXW└ WR└ WKDW└
RUJDQL]DWLRQ└ DV└ ZHOO☼ └ ZKLFK└ \RX└ FRQWURO"

358,77 └
,P└ QRW└ VXUH└ DERXW└ WKDW☼ └ 6HQDWRU◀

:+,7(+286(└
2.◀ └ 7KH\└ FRQWULEXWHG└ WR└ LW"

358,77 └
,P└ HYHQ└ XQVXUH└ DERXW└ WKDW☼ └ DV└ ZHOO◀ └ ,└ KDYHQW└ CRRNHG└ DW└ WKDW◀

:+,7(+286(└
<RX└ FORVHG└ \RXU└ VXSHU└ 3$&☼ └ /LEHUW\└ ┴ ◀ ‼ ☼ └ EXW└ WKDW└ WRRN└ IRVVLO└ IXHO└
FRQWULEXWLRQV└ DV└ ZHOO☼ └ FRUUHFW"

358,77 └
7KDW└ ┼ ┼ └ WKDW└ SDUWLFXODU└ HQWLW\└ KDV└ EHHQ└ FORVHG☼ └ \HV◀

:+,7(+286(└
1RZ☼ └ \RX└ KHOSHG└ UDLVH└ PRQH\└ IRU└ WKH└ 5HSXEOLFDQ└ $VVRFLDWH\└ *HQHUDOV└
$VVRFLDWLRQ└ ♂ VLF□ └ ZKLCH└ \RX└ ZHUH└ D└ PHPEHU└ RI└ LVW└ H[HFXWLYH└ FRPPLWWHH◀ └
7KH\└ UHFHLYHG└ • ↑ ┬ ‼ ☼ ‼ ‼ ‼ └ IURP└ .RFK└ ,QGXVWULHV☼ └ • ┬ ↑ ‼ ☼ ‼ ‼ ‼ └ IURP└ 0XUUD\└
(QHUJ\☼ └ • ¶ ├ ‼ ☼ ‼ ‼ ‼ └ IURP└ ([[RQ└ 0RELO☼ └ DQG└ • ¶ ┴ ↑ ☼ ‼ ‼ ‼ └ IURP└ 'HYRQ└ (QHUJ\☼ └
D└ FRPSDQ\└ ZKRVH└ CHWWHU└ \RX└ WUDQVSRVHG└ RQWR└ \RXU└ CHWWHUKHDG☼ └ DQG└ VHQW└
DV└ DQ└ 2NODKRPD└ DWWRUQH\└ JHQHUDO└ GRFXPHQW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢┼ ┴ RI ┴└

'LG└ \RX└ VROLFLW└ LQ└ \RXU└ URCH└ DW└ WKH└ 5HSXEOLFDQ└ $VWRUCH\└ *HQHUDOV└
$VVRFLDWLRQ└ ♂ VLF□ ☼ └ DQ\└ RI└ WKDW└ IXQGLQJ"

358,77 └
,P└ XQDEOH└ WR└ FRQILUP└ LI└ WKH\└ JDYH└ WKRVH└ QXPEHUV☼ └ 6HQDWRU☼ └ WKRVH└
DPRXQW└ WKDW└ \RX└ ┼ ┼ └ WKHUH└ ZHUH└ VHYHUDO└ RQ└ WKH└ OLVW└ WKHUH◀ ◀ ◀ └ C└
:+,7(+286(└ 'LG└ \RX└ VROLFLW└ IXQGLQJ└ IURP└ WKHP☼ └ DV└ ┼ ┼ └ LQ└ \RXU└ URCH└ DW└
/KH└ 5HSXEOLFDQ└ $VWRUCH\└ *HQHUDOV└ $VVRFLDWLRQ└ ♂ VLF□ "

358,77 └
,└ DWWHQGHG└ IXQGUDLVLQJ└ HYHQW└ DV└ DQ└ DVWRUCH\└ JHQHUDO☼ └ DORQJ└ ZLWK└ RWKHU└
DVWRUCH\V└ JHQHUDO☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ 5$*$◀

:+,7(+286(└
$QG└ GLG└ \RX└ VROLFLW"└ 'LG└ \RX└ DVN└ WKHP└ IRU└ PRQH\"

358,77 └
7KDW◀ ◀ ◀

:+,7(+286(└
)RU└ 5$*$"

358,77 └
$V└ ,└ ┼ ┼ └ DV└ ,└ LQGLFDWHG☼ └ ,└ DWWHQGHG└ IXQGUDLVLQJ└ HYHQW└ ZLWK◀ ◀ ◀

:+,7(+286(└
%XW└ WKDW└ GLIIHUHQW◀ └ $VWHQGLQJ└ D└ IXQGUDLVLQJ└ LV└ RQH└ WKLQJ◀ └ $VNLQJ└ WKHP☼ └ LV└
P\└ TXHVWLRQ◀ └ 'LG└ \RX└ DVN└ WKHP└ IRU└ PRQH\"

358,77 └
,└ PHDQ☼ └ VSHFLILFDOO\☼ └ \RX└ ZRXOG└ KDYH└ WR└ DVN└ DERXW└ FHUWDLQ└ ┼ ┼ └ FHUWDLQ└
HQWLWLHV◀ └ ,└ GRQW└ NQRZ└ ┼ ┼ └ \RX└ FDQ└ JR└ WKURXJK└ DQ└ HQWLUH└ OLVW◀ ◀ ◀

:+,7(+286(└
*R└ WKURXJK└ WKH└ HQWLWLHV◀ └ .RFK└ ,QGXVWULHV☼ └ 0XUUD\└ (QHUJ\☼ └ ([[RQ└ 0RELO☼ └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH╢┼ ┼ RI└└

'HYRQ└ (QHUJ\◀

358,77 └
,└ GLG└ QRW└ DVN└ RI└ .RFK☼ └ RU└ ┼ ┼ └ RU└ WKDW└ ┼ ┼ └ ZKDW└ ZHUH└ WKH└ RWKHU└ RQHV"

:+,7(+286(└
0XUUD\└ (QHUJ\☼ └ ([[RQ└ 0RELO☼ └ 'HYRQ└ (QHUJ\◀

358,77 └
,└ ┼ ┼ └ ,└ KDYH└ QRW└ DVNHG└ WKHP└ IRU└ PRQH\☼ └ IRU└ ┼ ┼ └ RQ└ EHKDOI└ RI└ 5$*$◀

:+,7(+286(└
$QG└ WKHQ└ ZH└ KDYH└ ┼ ┼ └ \RX└ VDLG└ WR└ WKH└ &KDLUPDQ└ WKDW└ WKHUH└ LV└ QRWKLQJ└ WKDW└
PLJKW└ SODFH└ \RX└ LQ└ D└ FRQIOLFW└ RI└ LQWHUHVW☼ └ WKDW└ \RX└ KDYH└ QRW└ GLVFORVHG◀ └ <HW└
\RX└ IRXQGHG└ WKH└ 5XOH└ RI└ /DZ└ 'HIHQVH└)XQG☼ └ ZKLFK└ LV└ D└ GDUN└ PRQH\└
RSHUDWLRQ└ WKDW└ VXSSRUWV└ WKH└ 5HSXEOLFDQ└ $VVRFLDWH\└ *HQHUDOV└ $VVRFLDWLRQ└
♂ VLF□☼ └ DQG└ \RX└ KDYH└ QRW└ GLVFORVHG└ DQ\└ RI└ \RXU└ VROLFLWDWLRQV└ IRU└ WKDW└ HQWLW\☼ └
QRU└ KDYH└ \RX└ GLVFORVHG└ ZKDW└ PRQH\└ ZDV└ UDLVHG└ SXUVXDQW└ WR└ WKRVH└
VROLFLWDWLRQV◀

7KLV└ LV└ DQ└ RUJDQL]DWLRQ└ WKDW└ DSSHDUV└ WR└ KDYH└ D└ PLOOLRQ└ GROODU└ D└ \HDU└
EXGJHW◀ └ 6R└ YHU\└ VXEVWDQWLDO└ IXQGV└ KDYH└ EHHQ└ VROLFLWHG◀ └ ,└ EHOLHYH└ \RX└
ZHUH└ LWW└ FKLUPDQ◀ └ :LOO└ \RX└ GLVFORVH└ \RXU└ URCH└ LQ└ VROLFLWLQJ└ PRQH\└ DQG└ LQ└
UHFHLYLQJ└ PRQH\└ IRU└ WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└)XQG└ SXUVXDQW└ WR└ \RXU└
VROLFLWDWLRQ"

358,77 └
6HQDWRU☼ └ D└ SRLQW└ RI└ FODULILFDWLRQ◀ └ ,└ DPXDOO\└ GLG└ QRW└ WDUW☼ └ QRU└ LQLWLDWH└ WKH└
5XCH└ RI└ /DZ└ 'HIHQVH└)XQG◀ └ 7KDW└ LV└ VRPHWKLQJ└ ,└ GLGQW◀ ◀ ◀

:+,7(+286(└
<RX└ CHG└ LW◀

358,77 └
◀ ◀ ◀ └ GR◀ └ ,YH└ EHHQ└ D└ ┼ ┼ └ DQ└ RIILFHU└ RI└ WKDW└ RUJDQL]DWLRQ◀ ◀ ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢┼ ┼ RI ╙

:+,7(+286(└
2.◀

358,77 └
◀ ◀ ◀ └ IRU└ ┴ ‼ ¶ ├ ◀

:+,7(+286(└
$Q└ RI ILFHU└ RI └ LW◀

358,77 └
7KHUH└ LV└ DQ└ H[HFXWLYH└ WDII☼ └ IXQGLDLVHUV└ WKDW└ DFWXDOO\└ FDUU\└ RXW└ WKH└
IXQFWLRQV└ RI └ WKDW└ RUJDQL]DWLRQ◀ └ 7KHUH└ DUH└ PDQ\└ DVSHFWV└ JHQHUDO└ WKDW└
VHUYH└ RQ└ WKDW└ ERDUG◀ └ ,W└ QRW└ D└ GHFLVLRQ└ RI └ RQH◀ └ ,W└ D└ ┼ ┼ └ LW└ D└ GHFLVLRQ└ RI └
/KRVH└ WKDW└ KDYH└ EHHQ└ HPSRZHUHG└ WR└ PDNH└ WKRVH└ GHFLVLRQV◀

:+,7(+286(└
%XW└ \RX└ KDYHQW└ WROG└ XV└ DQ\WKLQJ└ DERXW└ WKDW◀ └ <RX└ KDYHQW└ WROG└ XV◀ ◀ ◀

358,77 └
,└ KDYH└ QR└ DFFHVV◀ ◀ ◀

:+,7(+286(└
◀ ◀ ◀ └ ZKR└ \RX└ DVNHG└ PRQH\◀ ◀ ◀

358,77 └
7KDW└ ┼ ┼ └ WKDW└ D◀ ◀ ◀

:+,7(+286(└
◀ ◀ ◀ └ IURP◀ └ <RX└ KDYHQW└ WROG└ XV└ ZKDW└ WKH\└ JDYH☼ └ LI └ \RX└ DVNHG└ WKHP◀ └ ,W└ D└
FRPSOHWH└ ECDFN└ KRCH☼ └ LQWR└ ZKLFK☼ └ DW└ CHDWV└ D└ PLOOLRQ└ GROODUV└ JRHV◀ └ $QG└
EDVHG└ RQ└ \RXU└ UHFRUG└ RI └ IXQGLDLVLQJ☼ └ LW└ DSSHDUV└ WKDW└ D└ JUHDW└ GHDO└ RI └ \RXU└
IXQGLDLVLQJ└ FRPHV└ IURP└ WKHVH└ RUJDQL]DWLRQV└ ZKR└ DUH└ LQ└ WKH└ HQHUJ\└
VHFWRU└ DQG└ GHYRWHG└ WR└ ILJKWLQJ└ FOLPDWH└ FKDQJH◀

AMERICAN OVERSIGHT

&4◀ FRP┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUL3DJH├ ┼ RI└

358,77 └
6RPH└ RI└ ZKR└ ┼ ┼ └ VRPH└ RI└ ZKRP└ ,YH└ DFWKDOO\└ VXHG└ DV└ ZHOO☼ └ 6HQDWRU◀ └ %XW└
ZLWK└ UHVSHFW└ WR└ WKH└ URCH└ WKDW◀ ◀ ◀

:+,7(+286(└
1DPH└ RQH└ \RXYH└ VXHG└ XS└ WKHUH◀

358,77 └
([[RQ└ 0RELO◀

:+,7(+286(└
5HDOO\"

358,77 └
<HV◀

:+,7(+286(└
0\└ WLPH└ KDV└ H[SLUHG◀ └ :HOO└ SXUVXH└ WKLV└ LQ└ IXUWKHU└ TXHVWLRQLQJ◀

358,77 └
<HDK◀ └ :HUH└ ┼ ┼ └ ZHUH└ LQYROYHG└ LQ└ ┼ ┼ └ DV└ ,└ LQGLFDWHG☼ └ ,└ WKLQN☼ └ LQ└ ┼ ┼ └ LQ└ \RXU
RII ILFH☼ └ ZH└ DUH└ LQYROYHG└ LQ└ ┼ ┼ └ DQG└ 6HQDWRU└ ,QKRIH└ PHQWLRQHG└ LW└ LQ└ KLV└
FRPPHQW☼ └ D└ VLWXDWLRQ└ LQ└ 2NODKRPD└ ZKHUH└ PXOWLSOH└ RLO└ DQG└ JDV└
FRPSDQLHV☼ └ &RQRFR3KLOOLSV└ DQG└ RWKHUV☼ └ KDYH└ GHIUDXGHG└ WKH└ WDWH☼ └ LQ└
FHDQXS☼ └ ZLWK└ UHVSHFW└ WR└ VSLOOV└ WKDW└ KDYH└ RFFXUUHG◀ └ $QG└ ([[RQ└ 0RELO◀ ◀ ◀

:+,7(+286(└
<HDK☼ └ LW└ D└ TXL└ WDP└ IUDXG└ FDVH◀ └ ,W└ KDV└ QRWKLQJ└ WR└ GR└ ZLWK└ WKH└
HQYLURQPHQW◀

358,77 └
6HQDWRU☼ └ ,└ ZRXOG└ ┼ ┼ └ ,└ ZRXOG└ EHJ└ WR└ GLVDJUHH◀

%$55$662 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUI3DJH╢┼ ├ RI└└

,└ WKLQN└ ZHUH└ JRLQJ└ WR└ UHVHUYH└ WKDW└ IRU└ WKH└ VHFRQG└ ┼ ┼ └ IRU└ WKH└ VHFRQG└ URXQG◀

:+,7(+286(└
2U└ ,P└ VRUU\◀ └ +H└ ZDV└ FRPLQJ└ EDFN└ WR└ PH☼ └ VR└ ,└ ZDV└ UHVSRQGLQJ◀ └ 7KDQN└
\RX◀

%$55$662 └
%HIRUH└ KHDGLQJ└ WR└ 6HQDWRU└ &DSLWR☼ └ WKHUH└ DUH└ WZR└ DUWLFOHV└ ,OO└ EH└
LQWURGXFLQJ└ LQWR└ WKH└ UHFRUG☼ └ RQH└ IURP└ WKH└ :DOO└ 6WUHHW└ -RXUQDO└ LQ└
6HSWHPEHU☼ └ KHDGOLQHG☼ └ | +LOODU\└ &OLQWRQ└ 5DLVHV└ 0RUH└ WKDQ└ 'RQDOG└ 7UXPS└
IURP└ 2LO└ ,QGXVWU\◀ |

7KH└ VHFRQG└ DUWLFOH└ WKDW└ ,OO└ EH└ LQWURGXFLQJ└ IRU└ WKH└ UHFRUG└ LV└ IURP└ 3ROLWLFR☼ └
IURP└ 'HFHPEHU└ ┴ → WK☼ └ E\└ (CHQD└ 6KRUH☼ └ ZKR└ TXRWHV└ $PHULFDQ└ 5LVLQJ└ ♂ VLF□ └
([HFXWLYH└ 'LUHFWRU└ %ULDQ└ 5RJHUV☼ └ TXRWH☼ └ | 7KLV└ LV└ D└ SDUWLVDQ└ ILVKLQJ└
H[SHGLWLRQ└ E\└ VL[└ OLEHUDO└ 'HPRFUDWV└ ZKR☼ └ FRPELQHG☼ └ KDYH└ WDNHQ└ PRUH└
/KDQ└ • ¶ ◀ ┴ └ PLOOLRQ└ IURP└ IDU└ CHIW└ HQYLURQPHQWDO└ JURXS☼ └ GHDG└ VHW└ DJDLQVW└ DQ\└
UHIRUPV└ WR└ DQ└ RXW┼ RI┼ FRQWURO└ (3$◀ |

6HQDWRU└ &DSLWR◀

&$3,72 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ☼ └ DQG└ WKDQN└ \RX☼ └ $/WRUCH\└ *HQHUDO└ 3UXLWW☼ └ IRU└
EHLQJ└ KHUH☼ └ IRU└ \RXU└ ZLOOLQJQHVV└ WR└ WKURZ└ \RXU└ KDW└ LQ└ WKH└ ULQJ└ WR└ VHUYH◀ └ ,G└
OLNH└ WR└ TXRWH└ WKH└ UDQNLQJ└ PHPEHU☼ └ ZKR└ KH└ VD\V└ LVW└ KDUG└ ZRUN☼ └ EHFDXVH└
LW┼ LV◀ └ 7KH└ (3$└ LV└ KDUG└ ZRUN◀

%XW┼ RQH└ RI└ WKH└ WKLQJV└ \RX└ VDLG└ UHDOO\└ WXUFN└ PH☼ └ DQG└ ,└ ┼ ┼ └ ,└ EHOLHYH└ WKDW┼ WKH
UXOH└ RI└ ODZ└ GRHV└ PDWWHU◀ └ $QG└ ,P└ KHDUWHQHG└ E\└ \RXU└ ┼ ┼ └ \RXU└ SDVVLRQ└ IRU└
/KDW◀ └ 7KH└ UHJXODWRU\└ RYHU┼ UHDFK└ RI└ WKH└ (3$└ KDV└ FRQWULEXWHG└ WR└ HFRQRPLF└
GHYDVWDWLRQ└ LQ└ P\└ WDWH└ RI└ :HVW┼ 9LUJLQLD└ LQ└ WKH└ ┼ ┼ └ LQ└ P\└ UHJLRQ◀

'DVD└ IURP└ WKH└ 0LQH└ 6DIHW\└ DQG└ +HDOWK└ $GPLQLVWUDWLRQ└ VKRZV└ WKDW┼ ├ !! ☼ !! !! !! └
FRDO└ MREV└ KDYH└ EHHQ└ ORW┼ EHWZHHQ└ ┴ !! ¶ ¶ └ DQG└ ┴ !! ¶ ├ ◀ └ 7KRXVDQGV└ RI└ WKHVH└
DUH└ LQ└ :HW┼ 9LUJLQLD◀ └ :HUH└ LQ└ D└ GHVSHUDWH└ VLWXDWLRQ└ LQ└ RXU└ WDWH└ ULJKW┼ QRZ└
EHFDXVH└ RI└ WKLV◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH┼ ┴ RI└└

:H└ KDG└ D└ ILHOG└ KHDULQJ└ LQ└ %HFNOH\☼ └ :HVW└ 9LUJLQLD☼ └ ZKHUH└ RXU└ :98└
HFRQRPLWV☼ └ -RKQ└ 'HVNLQV☼ └ VDLG└ WKDW└ WKH└ FRDO└ LQGXVWU\└ GRZQWXUQ└ KDG└
UHVXOWHG└ LQ└ D└ VL[WK└ RI└ RXU└ 6RXWKHUQ└ :HVW└ 9LUJLQLD└ FRXQWLHV└ EHLQJ└ LQ└ D└
JUHDW└ GHSUHVVLRQ◀

)RU└ WKH└ SDVW└ HLJKW└ \HDUV☼ └ WKH└ (3$V└ JLYHQ└ GR└ LQGLFDWLRQ└ DW└ DOO└ WKDW└ LW└ FDUHV└
DERXW└ WKH└ HFRQRPLF└ LPSDFW└ RI└ LWV└ SROLFLHV◀ └ (YHQ└ WKRXJK└ &RQJUHVV└ KDV└
VDLG☼ └ YHU\└ FOHDUO\☼ └ LQ└ WKH└ &HDQ└ $LU└ $FW☼ └ DQG└ RWKHU└ HQYLURQPHQWDO└ WDWXWHV☼ └
/KDW└ ZH└ H[SHFW└ MREV└ DQG└ HFRQRPLF└ IDFWRUV└ WR└ EH└ WDNHQ└ LQWR└ DFFRXQW└ ┼ ┼ └
/KDW└ SDUW└ RI└ WKH└ ODZ☼ └ LQ└ 2RWREHU☼ └ D└ IHGHUDO└ FRXUW└ KHOG└ WKDW└ WKH└ (3$└ KDG└
IDLHG└ WR└ HYDOXDWH└ WKH└ MRE└ LPSDFW└ WR└ WKH└ (3$└ &HDQ└ $LU└ $FW└ DV└ UHTXLUHG└ E\└
┼ ┴ ¶ ♂ D□ └ RI└ WKDW└ DFW☼ └ DQG└ RUGHUHG└ WKH└ (3$└ WR└ VXEPLW└ D└ VFKHGXOH└ IRU└
FRQGXFWLQJ└ WKHVH└ HFRQRPLF└ ┼ ┼ └ WKH└ UHTXLUHG└ MREV└ DQDO\VLV◀

,QLWLDOLEO\☼ └ WKH└ (3$└ WROG└ WKH└ FRXUW└ LW└ ZRXOG└ WDNH└ WZR└ \HDUV└ ┼ ┼ └ WKLV└ ZDV└ MXVW└
/KLV└ SDUW└ ┼ ┼ └ LW└ ZDV└ MXVW└ LQ└ WKH└ ODVW└ VHYHUDO└ ZHHNV☼ └ LW└ ZRXOG└ WDNH└ WZR└ \HDUV└
VXVW└ WR└ FRPH└ XS└ ZLWK└ D└ SODQ└ RQ└ KRZ└ WR└ GR└ WKH└ DQDO\VLV☼ └ ZKLFK☼ └ LQ└ P\└
YLHZ☼ └ LI└ WKDW└ SDUW└ RI└ WKH└ ODZ└ WKDW└ (3$V└ VXSSRVHG└ WR└ EH└ IROORZLQJ☼ └ WKH\└
VKRXOG└ DOUHDG\└ KDYH└ WKH└ SURWRFROV└ VHW└ XS└ WR└ GR└ DQ└ HI IHFWLYH└ DQG└ DFFXUDWH└
VRE└ DQDO\VLV◀

6R└ WKH└ FRXUW└ UHVSRQGHG└ OLNH└ WKLV◀ └ | 7KLV└ UHVSRQVH└ LV└ ZKROO\└ LQHI I LFLHQW☼ └
XQDFFHSWDEOH└ DQG└ XQGHFHQWUDO\◀ └ ,W└ HYLGHQFHV└ WKH└ FRQWLQXHG└ KRWWLOLVW\└ RQ└
/KH└ SDUW└ RI└ WKH└ (3$└ WR└ WKH└ DFFHSWDQFH└ RI└ WKH└ PLWLRQ└ HXWDEOLVKHG└ E\└
&RQJUHVV◀ |

6R└ ,└ ZRXOG└ DW└ ┼ ┼ └ OLNH└ WR└ DVN└ \RX└ WR└ FRPPLW└ WR└ PH└ WKDW└ ┼ ┼ └ WR└ HQVXUH└ WKDW└ W
(3$└ ZLOO└ IROORZ└ WKH└ ODZ└ LW└ LV└ FKDUJHG└ ZLWK└ LPSOHPHQWLQJ☼ └ DQG└ GR└ WKRVH└
RQJRLQJ└ HYDOXDWLRQ└ RI└ MRE└ ORVVHV└ DQG└ HFRQRPLF└ VKLIW└ GXH└ WR└ WKH└
UHTXLUHPHQW└ RI└ WKH└ DFW└ DV└ UHTXLUHG└ E\└ WKH└ ODZ◀

358,77 └
6HQDWRU☼ └ DV└ \RX└ LQGLFDWHG☼ └ ,└ UHDOO\└ EHOLHYH└ WKDW└ LW└ LPSRUWDQW└ WKDW└ UXCH└ RI└
ODZ└ LV└ DGHUHG└ WR☼ └ EHFDXVH└ LW└ LQVSLUHV└ FRQILGHQFH└ LQ└ WKRVH└ WKDW└ DUH└
UHJXODWHG◀ └ ,└ WKLQN☼ └ RIWHQWLPHV☼ └ WKRVH└ WKDW└ DUH└ UHJXODWHG└ GRQW└ NQRZ└ ZKDW└
H[SHFWHG└ RI└ WKHP◀

7KH\└ ORRN└ DW└ D└ WDWXWH◀ └ 7KH\└ VHH└ WKH└ UHTXLUHPHQW└ RI└ WKH└ WDWXWH◀ └ $QG└
/KHQ└ WKRVH└ WKDW└ DUH└ UHJXODWLQJ└ DFW└ LQ└ D└ ZD\└ WKDW└ QRW└ FRQVLVWHQW└ ZLWK└ WKDW└
IUDPHZRUN◀ └ $QG└ VR└ WKH\└ GRQW└ NQRZ└ ZKDW└ H[SHFWHG└ RI└ WKHP☼ └ DQG└ WKDW└
FDXVHV└ XQFHUWDLQW\☼ └ DQG└ ,└ WKLQN☼ └ SDUDO\VLV☼ └ WR└ D└ FHUWDLQ└ GHJUHH◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢┼ ┴ RI ┴┴

6R└ UXOH└ RI └ CDZ└ LV└ VRPHWKLQJ└ WKDW└ ZH└ VKRXOG└ WDNH└ VHULRXVO\◀ └ ,W└ EHHQ└ DW└ /KH└ KHDUW└ RI └ WKH└ OLWLJDWLRQ└ WKDW└ ZH└ KDYH└ LQLWLDWHG☼ └ DV└ D└ WDWWH◀ └ $└ CRW└ RI └ WLPH☼ /KHVH└ FDVHV☼ └ DV└ ZH└ ZHUH└ WDONLQJ└ HDUOLHU└ ZLWK└ 6HQDWRU└ &DUSHU☼ └ WKHUHV└ D└ SROLF\└ RU└ SROLWLFDO└ NLQG└ RI └ DWWHQWLRQ└ WKDW└ GUDZQ└ WR└ LW◀

%XW└ LW└ UHDOO\└ LV└ DERXW└ SURPHW└ DQG└ UXOH└ RI └ CDZ☼ └ DQG└ PDNLQJ└ VXUH└ WKDW└ WKH└ IUDPHZRUN└ WKDW└ WKLV└ ERG\☼ └ &RQJUHVV└ KDV└ HVWDEOLVKHG☼ └ LV└ UHVSHFWHG☼ └ DQG└ HQIRUFHG◀ └ $QG└ VR└ ,└ DSSUHFLDWH└ \RXU└ FRPPHQW◀

&$3,72 └
:HOO☼ └ LQ└ ORRNLQJ└ IRU└ WKH└ EDODQFH☼ └ ZH└ QHHG└ WR└ KDYH└ ┼ ┼ └ ZH└ QHHG└ WR└ KDYH└ DW└ CHDVW└ D└ FRUUHFW└ DQDO\VLV└ RI └ ZKDW└ WKH└ HFRQRPLF└ LPSOLFDWLRQV└ DUH└ RI └ UHJXODWLRQV◀

,W└ VR└ LPSRUWDQW☼ └ DQG└ FULWLFDO\└ LPSRUWDQW└ WKDW└ ZH└ HQIRUFH└ RXU└ HQYLURQPHQWDO└ CDZV☼ └ DQG└ WR└ FRQWLQXH└ WR└ NHHS└ RXU└ DLU└ FOHDQ└ DQG└ RXU└ ┼ ┼ └ JHW└ LW└ FOHDQHU└ DQG└ SURWHFW└ RXU└ ZDWHUV◀ └ ,Q└ -DQXDU\└ RI └ ┴ ‼ ¶ ┤ ☼ └ D└ WRUDJH└ WDQN└ LQ└ &KDUOHVWRQ☼ └ :HVW└ 9LUJLQLD☼ └ ZDV└ FRUURSWHG└ DQG└ LW└ ZHQW└ LQWR└ WKH└ ULYHU◀

,W└ ZDV└ ULJKW└ E\└ WKH└ ┼ ┼ └ WKH└ ZDWHU└ ICRZ└ RI └ WKH└ ┼ ┼ └ WKH└ PDVRU└ ZDWHU└ VRXUFH└ LQ└ P\└ FRPPXQLW\◀ └ 7KHUH└ KXGGUHG└ WKRXVDQG└ SHRSOH└ KDG└ WR└ GR└ ZLWKRXW└ ZDWHU└ IRU└ VHYHUDO└ ZHHNV◀ └ ,W└ FDXVHG└ D└ CRW└ RI └ DQJW☼ └ HFRQRPLFDOO\☼ └ WR└ VPDOO└ EXVLQHVVHV◀ └ ,PDJLQH└ D└ UHVWDXUDQW└ CRW└ EHLQJ└ DECH└ WR└ XVH└ ZDWHU☼ └ RU└ \RX└ FDQW☼ └ \RX└ NQRZ☼ └ ZDVK└ \RXU└ FORWKHV◀ └ <RX└ FRXOGQW└ GR└ DQ\WKLQJ└ ZLWK└ WKH└ ZDWHU◀

%XW└ DOVR└ ┼ ┼ └ DQG└ ┼ ┼ └ DQG└ ,└ VKDUH└ WKLV└ FRQFHUQ└ ┼ ┼ └ FRQFHUQ└ DERXW└ WKH└ KHDOWK└ DQG└ WKH└ CRQJ┼ UDQJH└ LPSOLFDWLRQV└ RI └ ZKDW└ KDSSHQHG☼ └ VHYHUDO└ SHRSOH☼ └ PXOWLSOH└ LQGLYLGXDOV└ DQG└)UHGRP└ ,QGXVWULHV└ KDYH└ SCHG└ JXLQW\└ LQWR└ HQYLURQPHQWDO└ FULPHV└ LQ└ IHGHUDO└ FRXUW☼ └ ZKLFK└ ,P└ YHU\└ SCHDVHG└ DERXW◀

6R└ CHW└ WDON└ DERXW└ 76&$☼ └ EHFDXVH└ LQ└ 76&$☼ └ ,└ ZDV└ DECH└ WR└ VXSSRUW└ D└ SURYLVLRQ└ WKDW└ ZRXOG└ VD\└ WKDW└ LI └ \RX└ ┼ ┼ └ LI └ \RXUH└ WRUULQJ└ LQ└ FORVH└ SUR[LPLW\└ /R└ GULQLQJ└ ZDWHU☼ └ \RX└ KDYH└ WR└ WDNH└ WKDW└ LQWR└ FRQVLGHUDWLRQ└ ZKHQ└ \RXUH└ UHYLHZLQJ└ SRWHQWLDOO\└ KD]DUGRXV└ FKHPLFDOV◀

&DQ└ ZH└ FRXQW└ RQ└ \RX└ WR└ ZRUN└ ZLWK└ WKLV└ FRPPLWWHH└ WR└ PDNH└ VXUH└ WKDW└ WKLV└ ELSDUWLVDQ└ 76&$└ UHIRUP└ ELOO└ LV└ IXOO\└ LPSOHPHQWHG☼ └ DQG└ HI ILFLHQWO\└ DQG└ IXOO\"

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUI3DJH╢└ └ RI└└

$EVROXWHO\☼ └ 6HQDWRU◀ └ ,Q└ IDFW☼ └ ,└ ZRXOG└ FRPPHQG└ WKH└ ZRUN└ RI└ WKLV└
FRPPLWWHH☼ └ ZLWK└ 6HQDWRU└ ,QKRIHV└ CHDGHUVKLS☼ └ LQ└ SDVVLQJ└ WKDW└ XSGDWH└ WR└
/KH└ 76&$└ CHJLVODWLRQ◀ └)RU└ WKH└ ILUVW└ WLPH└ LQ└ KLWRU\☼ └ DV└ \RX└ NQRZ☼ └ WKH└ (3$└
KDV└ WKH└ DELOLW\└ WR└ RUGHU└ WHVWLQJ└ WR└ DGGUHVV└ FKHPLFDOV└ WKDW└ DUH└ JRLQJ└ WR└ EH└
HQWHUHG└ LQWR└ WKH└ \WUHDP└ RI└ FRPPHUFH◀

$QG└ WKDW└ D└ YHU\└ ELJ☼ └ VXEVWDQWLYH└ FKDQJH└ WKDW└ H[LWV◀ └ 7KHUH└ DUH└ PDQ\└
GHDGOLQHV◀ └ $QG◀ ◀ ◀

&$3,72 └
$QG└ ,└ ZRXOG└ DOVR└ DGG☼ └ WKDW└ LQ└ 76&$└ ┼ ┼ └ H[FXVH└ PH└ MXVW└ D└ PLQXWH☼ └ EHFDXVH└
,P└ UXQQLQJ└ RXW└ RI└ WLPH◀ └ ,Q└ 76&$☼ └ ZH└ DFWXDOO\└ H[SDQGHG└ WKH└ (3$V└
UHDFK◀

6R└ ZKHQ└ \RXUH└ DVNHG└ LI└ \RX└ ┼ ┼ └ LI└ ┼ ┼ └ LI└ \RXUH☼ └ \RX└ NQRZ☼ └ ZDQWLQJ└ WR☼ └ \RX└
NQRZ☼ └ JHW└ ULG└ RI└ WKH└ (3$☼ └ RU└ LW└ GRHVQW└ KDYH└ D└ YDOXH☼ └ ZH└ ┼ ┼ └ ,└ YRWHG└ WR└
H[SDQG└ WKDW└ UHDFK└ RI└ (3$☼ └ WR└ PDNH└ VXUH└ WKDW└ ,└ KDYH└ FCHDQ└ ZDWHU☼ └ DQG└
/KDW└ D└ VSLOO└ KDSSHQV└ LQ└ D└ FRPPXQLW\└ DURXQG└ WKLV└ FRXQWU\☼ └ RU└ ZKDW└
KDSSHQHG└ LQ└)OLQW☼ └ 0LFKLJDQ☼ └ GRHVQW└ KDYH└ WKH└ IDU┼ UHDFKLQJ└ LPSOLFDWLRQV└
/KDW└ LW└ GRHV◀ └ 7KDQN└ \RX└ YHU\└ PXFK◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

%$55$662 └
6HQDWRU└ &UGLQ◀

&$5',1 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW◀ ◀ ◀

358,77 └
*RRG└ PRUQLQJ◀

&$5',1 └
◀ ◀ ◀ └ ZHOFRPH└ WR└ WKH└ FRPPLWWHH◀ └ 7KDQN└ \RX└ IRU└ \RXU└ ZLOOLQJQHVV└ WR└ VHUYH└
RXU└ FRXQWU\◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HBUI3DJH╢ ‼ RI└

, └ ZDQW└ WR└ WDON└ DERXW└ WKH└ &KHVDSHDNH└ %D\└ 3URJUDP◀ └ :H└ WDONHG└ DERXW└ WKDW└ LQ└ P\└ RIILFH◀ └ , └ H[SODLQHG└ WR└ \RX☼ └ DQG└ ,OO└ GR└ LW└ YHU\└ TXLFNO\☼ └ WKDW└ WKLV└ LV└ D SURJUDP└ WKDW└ ZDV└ GHYHORSHG└ DW└ WKH└ WDWH└ CHYHD☼ └ ZLWK└ WKH└ WDWHV└ WKDW└ DUH└ LQ└ /KH└ ZDWHUVKHG☼ └ LQFOXGLQJ└ 'HDZDUH☼ └ ZLWK└ P\└ FROHDJXH☼ └ 6HQDWRU└ &DUSHU◀

,W└ WKH└ WDWH└ WKDW└ WKH└ CRFDOV└ KDYH└ GHWHUPLQHG└ KRZ└ LW└ EHVW└ WR└ UHDFK└ WKHLU└ SROOXWLRQ└ WDUJHWV☼ └ LQ└ RUGHU└ WR└ KHOS└ SUHVHUYH└ WKH└ &KHVDSHDNH└ %D\◀ └ ,W└ WKH└ CDUJHW└ HXWXDU\└ LQ└ WKH└ GRUWKHUQ└ KHPLVSKHUH◀ └ ,W└ FULWLFDOO\└ LPSRUWDQW◀ └ ,W└ FRPSOLFDWHG☼ └ GRHVQW└ IOXVK└ LWWHDI└ DV└ ┼ ┼ └ DV└ PDQ\└ ERGLHV└ RI└ ZDWHU└ GRHV◀ └ ,W☼ └ KDV└ D└ UHGXFWLRQ└ RI└ R\WHU└ FURSV◀ └ 7KHUHV└ VR└ PDQ\└ SURECHPV◀

$OO└ WKH└ WDWNHKROGHUV└ KDYH└ JRWWHQ└ WRJHWKHU◀ └ 7KH\YH└ ZRUNHG└ RXW└ D└ SODQ◀ └ 7KH└ IHGHUDO└ JRYHUQPHQW└ LV└ SDUW└ RI└ WKDW└ SODQ◀ └ ,W└ HQFRPH-G└ WKURXJK└ WKH└ 70'/└ SURJUDP☼ └ DQG└ LW└ KDV└ EHHQ└ DJUHHG└ WR└ E\└ WKH└ CRFDO└ JRYHUQPHQW◀

,W└ ZDV└ FKDOOHQJHG☼ └ WKH└ 70'/V☼ └ LQFOXGLQJ└ ┼ ┼ └ \RX└ MRLQHG└ WKDW└ ODZVXLW◀ └ 7KH└ 6XSUHPH└ &RXUW└ UHIXVHG└ WR└ RYHUWXUQ└ WKH└ FRXUW└ RI└ DSSHDOV└ VXSSRUWLQJ└ WKH└ XVH└ RI└ WKH└ 70'/V◀ └ , I └ \RX└ DUH└ FRQILUPHG☼ └ ZLOO└ \RX└ VXSSRUW└ WKH└ IHGHUDO└ URCH└ LQ└ WKH└ &KHVDSHDNH└ %D\└ 3URJUDP☼ └ DV└ HQYLVLRQHG└ E\└ WKH└ SDUWQHUV└ DQG└ WDWNHKROGHUV☼ └ LQ└ HQIRUFLQJ└ WKH└ 70'/V☼ └ LI └ CHFHVDU\"

358,77 └
<HV☼ └ 6HQDWRU◀ └ $QG└ DV└ , └ LQGLFDWHG└ LQ└ RXU└ RIILFH☼ └ LQ└ RXU└ WLPH└ ┼ ┼ └ WKH└ WLPH└ WKDW ZH└ KDG└ WRJHWKHU☼ └ , └ UHDOO\└ FRPPHQG└ WKH└ VL[└ WDWHV└ WKDW└ MRLQHG└ WRJHWKHU└ WR└ DGGUHVV└ WKH└ &KHVDSHDNH└ %D\☼ └ DQG└ WR└ WU\└ WR└ VHW└ D└ CHYHD└ IRU└ ERWK└ SRLQW└ VRXUFH└ DQG└ GRQ┼ SRLQW└ VRXUFH└ WA\SH└ RI└ GLVFKDUJH└ LQWR└ WKH└ &KHVDSHDNH└ ¾D\◀

7KHUH└ ZHUH└ VRPH└ FRQFHUQV└ DERXW└ WKH└ SUHFHGHQW☼ └ WKH└ URCH└ WKDW└ (3$└ ZDV└ SOD\LQJ☼ └ LQLWLDOO\◀ └ %XW└ WKURXJK└ WKDW└ OLWLJDWLRQ☼ └ WKH└ (3$└ KDV└ DFNQRZOHGJHG└ /KDW└ WKHLU└ URCH└ LV└ PRUH└ LQIRUPDWLRQDO◀ └ $QG└ ┼ ┼ └ DQG└ WKHUH└ ZDV└ FRQFHUQ└ LQ└ 2NOKRPD└ DERXW└ WKH└ 0LVVLVVLSSL└ 5LYHU└ %DVLQ☼ └ DQG└ WKH└ SUHFHGHQW└ WKDW└ ZDV└ VHW└ LQ└ WKDW└ PDWWHU☼ └ DQG└ WKDW└ ZKDW└ VSDZQHG└ RXU└ OLWLJDWLRQ◀

¾XW└ , └ UHDOO\└ ZDQW└ WR└ HPSKDVL]H└ WR└ \RX☼ └ WKDW└ SURFHVV└ UHSUHVHQWV└ ZKDW└ VKRXOG└ RFFXU◀ └)RU└ WADWHV└ WR└ MRLQ└ WRJHWKHU☼ └ DQG└ HQWHU└ LQWR└ DQ└ DJUHHPHQW└ WR└ DGGUHVV└ ZDWHU└ TXDOLW\└ LVVXHV☼ └ DQG└ WKHQ└ LQYROYH└ WKH└ (3$└ WR└ VHUYH└ WKH└ URCH└ LW└ VXSSRVHG└ WR└ VHUYH☼ └ LV└ VRPHWKLQJ└ WKDW└ VKRXOG└ EH└ FRPPHQGHG└ DQG└ FHCHEUDWHG◀

$QG└ DV└ LW└ UHODWHV└ WR└ HQIRUFLQJ└ WKDW└ 70'/☼ └ , └ FDQ└ FRPPLW└ WR└ \RX└ WKDW☼ └ LQ└ IDFW☼ └ , └ ZLOO└ GR└ VR◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH╢ ¶ RI└

&$5',1 └

3DUW└ RI└ WKH└ IHGHUDO└ JRYHUQPHQW└ SDUWQHUVKLS└ LV└ WR└ SURYLGH└ UHVRXUFHV◀ └

7KHUH└ DUH└ VHYHUDO└ SURJUDPV└ WKDW└ IXQG└ LQLWLDWLYHV└ ZLWKLQ└ WKH└ &KHVDSHDNH└

%D\└ ZDWHUVKHG◀ └ 3UREDEO\└ WKH└ CDJJHWW└ LV└ WKH└ WDWH└ UHYROYLQJ└ IXQGV└ GHDOLQJ└

ZLWK└ ZDWHUZDWHU◀

:LOO└ \RX└ VXSSRUW└ WKH└ IHGHUDO└ JRYHUQPHQW└ SDUWQHUVKLS└ WKURXJK└ IXQGLQJ└

/KHMH└ SURJUDPV└ WKDW└ DUH└ FULWLFDO\└ LPSRUWDQW└ WR└ PDNH└ WKH└ DGYDQFHPHQW└

LQ└ WKH└ &KHVDSHDNH└ %D\└ ZDWHUVKHG"

358,77 └

<HV☼ └ 6HQDWRU◀ └ ,└ EHOLHYH└ WKDW└ WKH└ JUDQW╡ PDNLQJ└ URCH└ RI└ WKH└ (3$☼ └ DV└ ZH└

/DQGHG└ DERXW└ LQ└ \RXU└ RIILFH☼ └ LV└ YHU\└ LPSRUWDQW└ WR└ WDWHV└ DFURVV└ WKLV└

FRXQWU\☼ └ ZKHWKHU└ LW└ WKH└ UHYROYLQJ└ IXQGV☼ └ RU└ WKH└ :,),$└ SRUWLRQV└ RI└ RXU└

WDWXWHV☼ └ EXW└ JUDQW╡ PDNLQJ☼ └ LQ└ JHQHUDO☼ └ LV└ YHU\└ LPSRUWDQW☼ └ DQG└ ,└ ZLOO└

FRPPLW└ WR└ \RX☼ └ LQ└ WKDW└ UHJDUG☼ └ WKDW└ ┼ ┼ └ WKDW└ ┼ ┼ └ ZRXOG└ ┼ ┼ └ ,└ ZRXOG└ GR└ VR☼ └

UHVSHFW└ WR└ WKH└ &KHVDSHDNH└ %D\◀

&$5',1 └

,└ ZDQW└ WR└ FRQWLQXH└ RQ└ FCHDQ└ ZDWHU└ IRU└ RCH└ PRPHQW◀ └ :HYH└ KDG└ VLJQLILFDQW└

SURECHPV└ ZLWK└ VDIH└ GULQNLQJ└ ZDWHU☼ └ DQG└ FCHDQ└ ZDWHU◀ └ 7KH└ ┼ ┼ └ CHW└ PH└ DVN└

\RX└ SUHOLPLQDU\└ TXHVWLRQ◀ └ 'R└ \RX└ EHOLHYH└ WKHUH└ LV└ DQ\└ VDIH└ CHMHO└ RI└ CHDG└

/KDW└ FDQ└ EH└ WDNHQ└ LQWR└ WKH└ KXPDQ└ ERG\☼ └ SDWLFXODUO\└ D└ \RXQJ└ SHUVRQ"

358,77 └

6HQDWRU☼ └ WKDW└ VRPHWKLQJ└ ,YH└ GRW└ UHYLHZHG☼ └ GRU└ ┼ ┼ └ GRU└ NQRZ└ DERXW◀ └ ,└ ┼ ┼ └ ,└

ZRXOG└ ┼ ┼ └ ,└ ZRXOG└ EH└ YHU\└ FRQFHUQHG└ DERXW└ DQ\└ CHMHO└ RI└ CHDG└ JRLQJ└ LQWR└

/KH└ GULQNLQJ└ ZDWHU☼ └ RU└ LQ└ ┼ ┼ └ REYLRXVO\☼ └ KXPDQ└ FRQVXPSWLRQ◀ └ %XW└ ,YH└ GRW└

CRRNHG└ DW└ WKH└ VFLHQWLILF└ UHVHDUFK└ RQ└ WKDW◀

&$5',1 └

7KH└ &CHDQ└ :DWHU└ $FW└ SURYLGHV└ IRU└ D└ IHGHUDO└ JXLGDQFH└ DV└ WR└ DFFHSWDEOH└

FCHDQ└ ZDWHU◀ └ ,W└ HQIRUFHG└ E\└ WKH└ WDWHV◀ └ 6R└ P\└ TXHVWLRQ└ WR└ \RX☼ └ LQ└

UHJDUGV└ WR└ FCHDQ└ ZDWHU☼ └ LV└ ZKDW└ WHSV└ ZLOO└ \RX└ WDNH└ WR└ PDNH└ VXUH└ WKDW└ RXU└

FKLOGUHQ└ DUH└ VDIH"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH╢ ┴ RI ┴┴

:H└ VDZ☼ └ LQ└)OLQW☼ └ 0LFKLJDQ☼ └ D└ WUDJHG\└ RFFXU◀ └ :KHUH└ GR└ \RX└ WKLQN└ WKH└
IHGHUDO└ JRYHUQPHQW- QHHGV└ WR└ WKURZ└ WKHQ└ LW└ UHJXODWRU\└ URDGV☼ └ WR└ PDNH└
VXUH└ WKDW- RXU└ FKLOGUHQ└ DUH└ VDIH└ IURP└ ┼ ┼ └ IURP└ QHDG"

358,77 └
:HOO└ ,└ WKLQN☼ └ ZLWK└)OLQW☼ └ 0LFKLJDQ☼ └ LW└ DQ└ H[DPSOH└ RI └ ┼ ┼ └ RU└ GRW- ┼ ┼ └ D└ GHDG\
UHVSRQVH└ E\└ WKH└ (3$◀ └ 7KHUH└ VKRXOG└ KDYH└ EHHQ└ PRUH└ GRQH└ RQ└ FRUURVLRQ└
FRQWURO└ SURJUDPV☼ └ ZLWK└ WKH└)OLQW☼ └ 0LFKLJDQ└ V\\WHP◀ └ $V└ \RX└ NQRZ☼ └ XQGHU└
/KH└ &HDQ└ :DWHU└ $FW☼ └ DQG└ WKH└ 6DIH└ 'ULQNLQJ└ :DWHU└ $FW☼ └ LI └ WKHUH\└ DQ└
HPHUJHQF\└ VLWXDWLRQ☼ └ WKH└ (3$└ FDQ└ HQWHU└ DQ└ ┼ ┼ └ DQ└ HPHUJHQF\└ RUGHU└ WR└
DGGUHVV└ WKRVH└ NLQGV└ RI └ FRQFHUQV◀

,└ WKLQN└ WKHUH└ VKRXOG└ KDYH└ EHHQ└ D└ PRUH└ IDVW- UHVSRQVH☼ └ D└ PRUH└ ┼ ┼ └ D└ PRUH└
UDSLG└ UHVSRQVH└ WR└)OLQW☼ └ 0LFKLJDQ◀ └ ,└ WKLQN☼ └ ZLWK└ UHVSHFW- WR└ ZDWHU└ TXDOLW\☼ └ LW-
LV└ ┼ ┼ └ LW- LV└ LQIUDVWUXFWXUH◀ └ :DWHU└ LQIUDVWUXFWXUH└ LV└ LPSRUWDQW◀ └ $QG└ ┼ ┼ └ DQG└ DV└
\RX└ LQGLFDWHG☼ └ WKH└ WHDFKHUV└ SOD\└ D└ YHU\└ YLWDO└ UROH└ LQ└ WKDW- SURFHVV◀ └ $QG└ WKHUH└
QHHGV└ WR└ EH└ PRUH└ FRRSHUDWLRQ└ EHWZHHQ└ WKH└ (3$└ DQG└ WKH└ WHDFKHUV└ WR└
HQVXUH└ ZDWHU└ TXDOLW\└ LV└ SURWHFWHG◀

&$5',1 └
-XVW- VR└ ,└ XQGHUVWDQG└ LW☼ └ \RX└ KDYH└ ILCHG☼ └ DQG└ SDUWLFLSDWHG└ LQ└ VHYHUDO└
CDZVXLWV└ DJDLQVW- WKH└ (3$V└ LQYROYHPHQW☼ └ VD\LQJ└ WKDW- WKH└ CRFDOV└ VKRXOG└
KDYH└ WKH└ UHVSRQVLELOLW\◀ └ ,I └ \RX└ DUH└ FRQILUPHG☼ └ ZLOO└ \RX└ VXSSRUW- IHGHUDO└
HQIRUFHPHQW☼ └ SDUWLFXODU\└ LQ└ PXQL┼ WDWH└ LVXHV☼ └ ZKHUH└ WKH└ RQO\└ ZD\└ ZH└
FDQ└ JHW- HQIRUFHPHQW- LV└ DW- WKH└ IHGHUDO└ CHYHO"

358,77 └
,└ EHOLHYH└ WKDW- LV└ D└ YLWDO└ URCH└ RI └ WKH└ (3$☼ └ DV└ ,YH└ LQGLFDWHG└ LQ└ \RXU└ RI ILFH☼ └
ZLWK└ DLU└ TXDOLW\☼ └ ZDWHU└ TXDOLW\☼ └ LWXHV└ DFURVV└ WDWH└ OLQH◀ └ 7KHUH└ LV└ DQ└
HQIRUFHPHQW- PHFKDQLVP└ WKDW- LV└ LPSRWDQW◀ └ $QG└ ┼ ┼ └ DQG└ ZRXOG└ VHHN└ WR└ GR└
VR└ LI └ FRQILUPHG└ DV└ (3$└ DGPLQLWUDWRU◀

&$5',1 └
7KDQN└ \RX◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ &UGLQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH╢ ┼ RI└└

6HQDWRU└)LVFKHU◀

),6&+(5 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ☼ └ DQG└ WKDQN└ \RX☼ └ 0U◀ └ 3UXLWW☼ └ IRU└ EHLQJ└ KHUH└
/RGD\☼ └ EXW└ DOVR└ IRU└ DFFHSWLQJ└ WKH└ GRPLQDWLRQ◀ └ ,W└ ┼ ┼ └ LW└ LV└ D└ VHUYLFH└ DQG└ D└
VDFULILFH☼ └ GRW└ MXVW└ IRU└ \RX☼ └ EXW└ IRU└ \RXU└ IDPLO\☼ └ DV└ ZHOO☼ └ WR└ WWHS└ IRUZDUG└ WR
VHUYH└ WKLV└ FRXQWU\◀ └ 6R└ WKDQN└ \RX☼ └ VLU└ IRU◀ ◀ ◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

),6&+(5 └
◀ ◀ ◀ └ EHLQJ└ ZLOOLQJ└ WR└ GR└ WKDW◀ └)RU└ \RXU└ WHVWLPRQ\☼ └ ,└ GR└ WKDQN└ \RX◀ └ $QG└ ,G└
OLNH└ WR☼ └ ILUVW└ RI└ DOO☼ └ CHW└ \RX└ NQRZ└ WKDW└ 1HEUDVNDQV☼ └ WKH\YH└ EHHQ└ UHDOO\└
DIIHFWHG└ E\└ WKH└ (3$└ LQ└ PDQ\└ LQVWDQFHV☼ └ DQG└ ,└ ZLOO└ JLYH└ \RX└ VRPH└
H[DPSOHV└ RI└ WKDW◀

1HEUDVNDV└ SXEOLF└ SRZHU└ XWLOLWLHV└ DUH└ JUDSSOLQJ└ ZLWK└ KRZ└ WKH\└ FRXOG└ HYHU└
FRPSO\└ ZLWK└ WKH└ (3$V└ FDUERQ└ HPLVVLRQ└ UHGXFWLRQ└ PDQGDWHV◀ └ 7KH└ &LW\└ RI└
2PDKD└ LV└ WXUJJOLQJ└ ZLWK└ WKH└ DJHQF\V└ H[SHQVLYH└ &62└ PDQGDWH☼ └ DQG└
GULQNLQJ└ ZDWHU└ DIIRUGDELOLW\◀

1HEUDVND└ IDUPHUV└ DUH└ ZDLWLQJ└ RQ└ QHZ└ FURS└ WHFKQRORJ\└ SURGXFW└ WKDW└ DUH└
WXUQ└ LQ└ D└ EURNHQ└ UHJXODWRU\└ SURFHVV◀ └ 2XU└ ELRIXHO└ LQYHVWRUV└ DQG└
SURGXFHUV└ DUH└ GHVSHUDWH└ IRU└ FHUWDLQW\└ XQGHU└ WKH└ 5)6◀ └ +RPHOLGHUV☼ └
/RDQVSRUWDWLRQ└ WUDNKROGHUV└ DQG└ CRFDO└ FRXQW\└ RIILFLDOV└ DUH└ FRQFHUQHG└
DERXW└ WKH└ MXULVGLFWLRQDO└ H[SDQVLRQ└ WR└ FRQWURO└ RXU└ WDWHV└ ZDWHU└ UHVRXUFHV◀

&RPPXQLWLHV└ DQG└ VPDOO└ EXVLQHVV└ RZQHUV└ IHDU└ WKDW└ WKH└ (3$V└ R]RQH└
PDQGDWH└ ZLOO└ WAKQW└ SRWHQWLDO└ HFRQRPLF└ GHYHORSPHQW└ DQG└ JURZWK└ LQ└ RXU└
WDWHV◀ └ $V└ D└ UHVXOW└ RI└ WKH└ DFWLYLWV└ URCH└ WKH└ (3$└ KDV└ SCD\HG└ IRU└ WKH└ SDWW└
HLJKW└ \HDUV☼ └ IDPLOLHV└ DUH└ FRQFHUQHG└ DERXW└ WKH└ IXWXUH└ RI└ WKHLU└ OLYHOLKRRG◀

:H└ DOO└ ZDQW└ FOHDQ└ DLU◀ └ <RX└ NQRZ☼ └ ZH└ DOO└ ZDQW└ FOHDQ└ ZDWHU◀ └ 7KDW└ LV└ RQH└
SRLQW└ WKDW└ ,└ NQRZ└ HDFK└ DQG└ HYHU\└ SHUVRQ└ KHUH└ DJUHHV└ RQ◀ └ %XW└ ZLWK└ WKH└
(3$V└ WUHHQGRXV└ LPSDFW└ RQ└ $PHULFDQV└ OLYHV☼ └ HDFK└ DQG└ HYHU\└ GD\☼ └ LW└ LV└
LPSRUWDQW└ WKDW└ WKH└ DJHQF\└ EH└ RSHQ☼ └ WUDQVSDUHQW☼ └ DQG└ DQVZHUDEOH└ IRU└ LW\└
DFWLRQV◀

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢ ┼ RI└

6R└ KRQRULQJ└ WKH└ FRQJUHVVLRQDOO\└ PDQGDWHG└ WLPHOLQHV└ DQG└ WKH└ YROXPH└
UHTXLUHPHQW└ WKDW└ DUH└ FULWLFDO☼ └ IURP└ DQ└ LQYHVWPHQW└ SRLQW└ RI└ YLHZ☼ └ DQG└ ┼ ┼ └
DQG└ DOVR└ IURP└ D└ SDQQLQJ└ SHUVSHFWLYH☼ └ ,└ WKLQN└ WKDW└ WKLV└ LV└ HVSHFLDOO\└
UHOHYDQW☼ └ DQG└ HVSHFLDOO\└ GXULQJ└ WKH└ ┼ ┼ └ WKH└ FXUUHQW└ IDUP└ FULVLV└ WKDW└ ZH└ DUH└
VHHLQJ☼ └ DQG└ WKH└ QHJDWLYH└ LPSDFW└ RQ└ ┼ ┼ └ RQ└ SHRSOH└ DQG└ DJULFXOWXUH└ DOO└
DFURVV└ WKLV└ QDWLRQ◀

,Q└ RXU└ PHHWLQJ☼ └ \RX└ GLG└ H[SUHVV└ \RXU└ FRPPLWPHQW└ WR└ PH└ WR└ KRQRU└ WKH└
CDZ◀ └ $QG└ \RX└ HFKRHG└ 3UHVLGHQW┼ HOHFW└ 7UXPSV└ VXSSRUW└ IRU└ WKH└ WDVWXWH└
LWWHOI☼ └ DQG└ D└ WWLRQ└ 592◀ └ $QG└ IRU└ WKH└ UHFRUG☼ └ FDQ└ \RX└ SOHDVH☼ └ RQFH└
DJDLQ☼ └ H[SUHVV└ \RXU└ FRPPLWPHQW└ WR└ XSKROG└ WKH└ FRQJUHVVLRQDO└ LQWHQW└ RI└
/KH└ 5)6"

358,77 └
<HV☼ └ 6HQDWRU◀ └ $QG└ \RX└ VDLG└ LW└ ZHOO☼ └ WR└ KRQRU└ WKH└ LQWHQW☼ └ DQG└ WKH└
H[SUHVVLRQ└ RI└ WKH└ 5HQHZDO└)XHO└ 6/DQGEDUG└ WDVWXWH└ LV└ YHU\☼ └ YHU\└ LPSRUWDQW◀ └
,W└ QRW└ WKH└ MRE└ RI└ WKH└ DGPLQLWWUDWRU└ RI└ WKH└ (3$└ WR└ GR└ DQ\WKLQJ└ RWKHU└ WKDQ└
DGPLQLWHU└ WKH└ SURJUDP└ DFFRUGLQJ└ WR└ WKH└ LQWHQW└ RI└ &RQJUHVV☼ └ DQG└ ,└
FRPPLW└ WR└ \RX└ WR└ GR└ VR◀

),6&+(5 └
$QG└ \RX◀ ◀ ◀

358,77 └
$QG└ WKH└ ZDLYHU└ ┼ ┼ └ DQG└ ,└ ZRXOG└ VD\└ WKLV◀ └ 7KH└ ZDLYHUV└ WKDW└ URXWLQHO\└ DUH└
RIIHUHG└ E\└ WKH└ DGPLQLWWUDWRU└ ┼ ┼ └ UHFHQWO\└ DQRWKHU└ ZDLYHU└ ZDV└ RIIHUHG◀ └ ,W└
VKRXOG└ EH└ XVHG└ MXGLFLRXVO\◀ └ 7KHUHV└ D└ UHDVRQ└ ZK\└ FRQJUHVV└ SXW└ LQ└ WKDW└
WDWXWH└ WKRVH└ WDWXWRU\└ REMHFWLYHV◀

7KH└ PDUNHW└ KDV└ FKDQJHG└ VLQFH└ ⊥ ‼ ‼ ↑ ☼ └ DQG└ WKH└ ZDLYHU└ DXWKRULWV└ WKDW└
EHHQ└ SURYLGHG└ E\└ WKLV└ ERG\└ LV└ LPSRWDQW◀ └ %XW└ LW└ ┼ ┼ └ WKDW└ ZDLYHU└ DXWKRULWV└
VKRXOG└ EH└ XVHG└ MXGLFLRXVO\◀ └ $QG└ WKH└ DFW└ VKRXOG└ EH└ FRPSOLHG└ ZLWK└ DQG└
HQIRUFHG└ FRQVLWWHQW└ ZLWK└ WKH└ ZLOO└ RI└ &RQJUHVV◀

),6&+(5 └
7KDQN└ \RX☼ └ VLU◀ └ $QG└ ,└ ZRXOG└ DVN└ WKDW└ \RX└ DOVR└ WHOO└ XV└ SXEOLFO\└ ZKDW└ \RX└
/RRN└ XV☼ └ WKDW└ \RX└ ZLOO└ KRQRU└ WKH└ WLPHOLQHV☼ └ RQ└ WKH└ YROXPH└ CHYHOV└ WKDW└ DUH└
PDQGDWHG└ E\└ &RQJUHVV☼ └ DV└ ZHOO◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH╢ ├ R╢ ┴┴

358,77 └
<HV◀ └ <HV◀ └ <HV☼ └ 6HQDWRU◀

),6&+(5 └
7KDQN└ \RX└ YHU\└ PXFK◀

¾$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└)LVFKHU◀

6HQDWRU└ 0HUNOH\◀

0(5./(< └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 2YHU└ D└ QXPEHU└ RI└ \HDUV☼ └ LQIRUPDWLRQ└ WKDWWHG└
SRXULQJ└ LQWR└ (3$└ WKDW└ WKH└ HWKLPDWH└ RI└ WKH└ DPRXQW└ RI└ IXJLWLYH└ PHWKDQH└
HPLWWHG└ LQ└ JDV└ DQG└ RLO└ GULOOLQJ☼ └ KDYH└ EHHQ└ GHHSO\└ XQGHUHVWLPDWHG◀ └ ,Q└
┴ ‼ ¶ ¶ ☼ └ WKH└ (3$└ SXW└ RXW└ LWV└ EHVW└ HWKLPDWHV☼ └ EDVHG└ RQ└ WKH└ LQIRUPDWLRQ└ WKDW└
ZDV└ EHLQJ└ SUHVHQWHG◀

$QG└ WKLV└ LV└ UHOHYDQW└ EHFDXVH└ PHWKDQH└ LV└ D└ ┼ ┼ └ D└ JUHDO└ ZDUPLQJ└ JDV☼ └
PRUH└ SRWHQW└ WKDQ└ &2┴ ◀ └ *DV└ FRPSDQLHV└ GLGQ└ OLNH└ WKLV☼ └ EHFDXVH└ ZHOO☼ └ LW└
SUHVHQWHG└ D└ YLVLRQ└ ODWKUDO└ JDV└ EHLQJ└ PRUH└ GDPDJLQJ☼ └ HQYLURQPHQWDOO\☼ └
/KDQ└ IRONV└ KDG└ SUHYLRXVO\└ XQGHUWRRG◀

'HYRQ└ (QHUJ\└ LV└ RQH└ RI└ WKH└ JURXSV└ WKDW└ VRXJKW└ WR└ FDWV└ GRXEW└ RQ└ WKLV└
VFLHQWLILF└ LQIRUPDWLRQ☼ └ DQG└ WKH└ FDPH└ WR└ \RX└ WR└ EH└ WKHLU└ VSRNHVSHUVRQ◀ └
$QG└ WKH└ DVNHG☼ └ ZLOO└ \RX└ EH└ RXU└ PRWKSLHFH└ LQ└ FDWLQJ└ GRXEW☼ └ DQG└ VHQG└
D└ CHWWHU└ ZH└ KDYH└ GUDIWHG└ WR└ WKH└ (3$"└ $QG└ \RX└ VHQW└ WKDW└ CHWWHU◀

$QG└ ,└ MXVW└ ZDQW└ WR└ DVN☼ └ ILUVW☼ └ DUH└ \RX└ DZDUH└ WKDW└ PHWKDQH└ LV└
DSSUR[LPDWHO\└ ┼ ‼ └ WLPHV└ PRUH└ SRWHQW└ WKDQ└ FDUERQ└ GLR[LGH└ DV└ D└ JUHDO└
ZDUPLQJ└ JDV"

358,77 └
,└ DP☼ └ 6HQDWRU◀ └ ,W◀ ◀ ◀

0(5./(< └
7KDQN└ \RX◀

AMERICAN OVERSIGHT

358,77 └
7KH└ LPSDFW└ RQ└ KXPDQ└ KHDOWK◀ ◀ ◀

0(5./(< └
7KDW└ WKH└ ┼ ┼ └ WKDW└ WKH└ DQVZHU◀ └ <HV◀ └ 7KDQN└ \RX◀ └ ,W└ D└ \HV↕ QR└ TXHVWLRQ◀ └
$QG└ RQ└ D└ ¶ └ WR└ ¶ ‼ └ VFDCH☼ └ KRZ└ FRQFHUQHG└ DUH└ \RX└ DERXW└ WKH└ LPSDFW└ RI └
IXJLWLYH└ PHWKDQH└ LQ└ GULYLQJ└ JOREDO└ ZDUPLQJ"

358,77 └
0HWKDQH☼ └ DV└ \RX└ LQGLFDWHG☼ └ KDV└ D◀ ◀ ◀

0(5./(< └
2QH└ WR└ WHQ└ VFDCH☼ └ KLJKO\☼ └ WHQ☼ └ YHU\└ FRQFHUQHG☼ └ RU└ RQH☼ └ QRW└ VR└ FRQFHUQHG"

358,77 └
7KH└ TXDQWLWLHV└ RI └ PHWKDQH└ LQ└ WKH└ DWPRVSKHUH☼ └ FRPSDUHG└ WR└ &2┴ └ LV└ CHW☼ └
EXW└ LW└ IDU└ PRUH└ SRWHQW☼ └ DQG└ LW└ LV└ VLPSCH◀ ◀ ◀

0(5./(< └
$UH└ \RX└ FRQFHUQHG"└ ,P└ DVNLQJ└ DERXW└ \RXU└ CHYHO└ RI └ FRQFHUQ◀

358,77 └
<HV☼ └ \HV◀

0(5./(< └
+LJKO\└ FRQFHUQHG"

358,77 └
,P└ FRQFHUQHG◀

0(5./(< └
7KDQN└ \RX◀ └ 'R└ \RX└ DFNQRZOHGJH└ VHQGLQJ└ WKLV└ CHWWHU└ WR└ WKH└ (3$└ LQ└
2FWREHU└ ┴ ‼ ¶ ¶ "

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUL3DJH╢ ┴ RI ┴┴

358,77 └
6HQDWRU☼ └ WKDW└ LV└ D└ CHWWHU└ WKDW└ RQ└ P\└ CHWWHUKHDG☼ └ WKDW└ ZDV└ VHQW└ WR└ WKH└
(3$☼ └ \HV☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ LVVXH◀ ◀ ◀

0(5./(< └
'R└ \RX└ DFNQRZOHGJH└ WKDW└ → └ SUHPDW└ RI└ WKH└ ZRUGV└ LQ└ WKDW└ CHWWHU└ FDPH└
GLUHFWO\└ IURP└ 'HYRQ└ (QHUJ\"

358,77 └
<RX└ NQRZ☼ └ ,YH└ QRW└ ORRNHG└ DW└ WKH└ ┼ ┼ └WKH└ SHUFHQWDJH└ RI└ VLPLODU◀ ◀ ◀

0(5./(< └
7KH└ WDWHPHQW└ WKDW└ EHHQ└ DQDO\]HG└ PDQ\└ WLPHV└ LV└ WKDW└ DOO└ RI└ WKH└ ¶ ☼ ‼ ¶ ┼ └
ZRUGV☼ └ H[FHSW└ IRU└ ┼ → └ ZRUGV☼ └ ZHUH└ ZULWWHQ└ GLUHFWO\└ E\└ 'HYRQ└ (QHUJ\◀

358,77 └
6HQDWRU☼ └ WKDW└ ZDV└ D└ WWHS└ WKDW└ ZDV└ WDNLQJ└ DV└ DWWRUQH\└ JHQHUDO☼ └
UHSUHVHQWLQJ└ WKH└ LQWHUHWV└ RI└ RXU└ WDWH◀ └ 2YHU└ ┴ ↑ └ SHUFHQW└ RI└ RXU◀ ◀ ◀

0(5./(< └
<HV◀ └ 6R└ ,└ GLGQW└ DVN└ WKDW└ TXHWWLRQ◀ └ ,└ ZDV└ MXWW└ DVNLQJ└ LI└ \RX└ FRSLHG└ WKH└
CHWWHU☼ └ YLUWXDOO\└ ZRUG└ IRU└ ZRUG◀ └ <RXYH└ DFNQRZOHGJHG└ WKDW└ \HV☼ └ LW└ LQ└ WKH└ ┼ ┼ └
LW└ LQ└ WKH└ UHFRUG◀ └ 3HRSOH└ FDQ└ FRXQW└ LW◀ └ ,W└ FRUUHFW◀ └ $OO└ ULJKW◀

6R└ D└ SXEOLF└ RI ILFH└ LV└ DERXW└ VHUYLQJ└ WKH└ SXEOLF◀ └ 7KHUH└ LV└ D└ SXEOLF└ FRQFHUQ└
RYHU└ WKH└ LPSDFW└ RI└ PHWKDQH└ RQ└ JOREDO└ ZDUPLQJ◀ └ 7KHUH└ LV└ VFLHQWLILF└
UHVHDUFK└ VKRZLQJ└ WKDW└ LW└ IDU└ PRUH└ GHYDVWDWLQJ└ WKDQ└ DQWLFLSDWHG☼ └ DQG└ IDU└
PRUH└ LV└ CHDNLQJ└ WKDQ└ ┼ ┼ └ EXW└ \RX└ XVHG└ \RXU└ RI ILFH└ DV└ D└ GLUHFW└ H[WHQVLRQ└ RI└
DQ└ RLO└ FRPSDQ\☼ └ UDWKHU└ WKDQ└ D└ GLUHFW└ H[WHQVLRQ└ RI└ WKH└ LQWHUHWV└ RI└ WKH└
SXEOLF└ KHDOWK└ RI└ WKH└ SHRSOH└ RI└ 2NODKRPD◀

'R└ \RX└ DFNQRZOHGJH└ WKDW└ \RX└ SUHVHQWHG└ D└ SULYDWH└ RLO└ FRPSDQ\V└ SRVLWLRQ└
UDWKHU└ WKDQ└ D└ SRVLWLRQ└ GHYHORSHG└ E\└ WKH└ SHRSOH└ RI└ 2NODKRPD"

358,77 └
6HQDWRU☼ └ ,└ ┼ ┼ └ ZLWK└ UHVSHFW☼ └ ,└ GLVDJUHH◀ └ 7KH└ HI IRUWV└ WKDW└ ,└ WRRN└ DV└ DWWRUQH\└
JHQHUDO└ ZHUH└ UHSUHVHQWLQJ└ WKH└ LQWHUHWV└ RI└ WKH└ 6WDWH└ RI└ 2NODKRPD◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢ └ RI └

0(5./(< └
(DUOLHU└ \RX└ VDLG└ \RX└ ┼ ┼ └ \RX└ ┼ ┼ └ \RX◀ ◀ ◀

358,77 └
$QG└ WKHUH└ ZDV└ D└ FRQFHUQ└ DERXW└ WKH◀ ◀ ◀

0(5./(< └
1R◀ └ 1R☼ └ H[FXVH└ PH◀ └ ,P└ ┼ ┼ └ ,P└ DVNLQJ└ WKH└ TXHVWLRQ◀ └ <RX└ VDLG└ HDUOLHU☼ └ \RX└
OLWWHQ└ WR└ HYHU\RQH◀ └ ,Q└ GUDIWLQJ└ WKLV└ CHWWHU☼ └ \RX└ WRRN└ DQ└ RLO└ FRPSDQ\V└
SRVLWLRQ☼ └ DQG└ WKHQ☼ └ ZLWKRXW└ FRQVXOWLQJ└ SHRSOH└ ZKR└ KDG└ GLYHUVH└ YLHZV└
DERXW└ WKH└ LPSDFW☼ └ \RX└ VHQW└ LW└ RII◀ └ +RZ└ FDQ└ \RX└ SUHVHQW└ WKDW└ DV└
UHSUHVHQWLQJ└ WKH└ SHRSOH└ RI└ 2NODKRPD└ ZKHQ└ \RX└ VLPSO\└ RQO\└ FRQVXOWHG└
DQ└ RLO└ FRPSDQ\☼ └ WR└ SXVK└ LW└ RZQ└ SRLQW└ RI└ YLHZ└ IRU└ LW└ SULYDWH└ SURILW'

358,77 └
6HQDWRU☼ └ WKHUHV└ DQ└ REOLJDWLRQ└ WKH└ (3$└ KDV☼ └ WR└ IROORZ└ SURFHGXUHV└ DV└
HVWDEOLVKHG└ E\└ WKLV└ ERG\◀ └ 7KH└ FRXW┼ EHQHILW└ DQDO\VLV☼ └ XQGHU└ 6HFWLRQ└ ¶ ¶ ⊥ ☼ └
LV└ VRPHWKLQJ└ WKDW└ WKH\└ KDYH└ WR└ HQJDJH└ LQ◀ └ 7KHUH└ ZDV└ D└ FRQFHUQ└ DERXW└
/KH└ RYHU┼ HVWLPDWHG└ SHUFHQWDJHV└ WKDW└ WKH└ (3$└ SXW└ LQ└ WKH└ UHFRUG◀

,W└ ZDV└ D└ UHFRUG┼ EDVHG└ FKDOOHQJH◀ └ 7KDW└ ZDV└ WKH└ H[SHVVLRQ└ RI└ WKH└ CHWWHU└ WR└
/KH└ (3$☼ └ DQG└ LW└ ZDV└ UHSUHVHQWLQJ└ WKH└ LQWHUHVW└ RI└ DQ└ LQGXVWU\└ LQ└ WKH└ 6/DWH└
RI└ 2NODKRPD☼ └ QRW└ D└ FRPSDQ\◀

0(5./(< └
7KDQN└ \RX◀ └ 6R◀ ◀ ◀

358,77 └
$Q└ LQGXVWU\◀

0(5./(< └
6R└ P\└ TXHVWLRQ└ ZDV☼ └ ZKDW└ RWKHU└ JURXSV☼ └ HQYLURQPHQWDO└ JURXSV☼ └ RU└ RWKHU└
JURXSV☼ └ GLG└ \RX└ FRQVXOW☼ └ VR└ \RX└ KDG└ WKDW└ IXOO└ SHUVSHFWLYH└ EHIRUH└
UHSUHVHQWLQJ└ VLPSO\└ D└ IRU┼ SURILW└ RLO└ FRPSDQ\☼ └ XVLQJ└ \RXU└ RIILFLDO└ RIILFH└
DQG└ \RXU└ RIILFLDO└ CHWWHUKHDG"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUL3DJH╢↑ ‼ RI └

358,77 └

7KHUH└ ┼ ┼ └ ,└ ┼ ┼ └ ,└ FRQVXOWHG└ ZLWK└ RWKHU└ HQYLURQPHQWDO└ RIILFLDOV└ LQ└ 2NODKRPD└ /KDW- UHJXODWH└ WKDW- LQGXVWU\☼ └ DQG└ CHDUCHG└ IURP└ WKHP☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ FRQFHUQV└ DERXW- WKH└ HXWLPDWHV└ WKDW- ZHUH└ SURYLGHG└ E\└ WKH└ (3$◀

0(5./(< └

&RXOG└ \RX└ SURYLGH└ WKLV└ FRPPLWWHH└ ZLWK└ LQIRUPDWLRQ└ VKRZLQJ└ ZKR└ \RX└ FRQVXOWHG☼ └ DQG└ UHSUHVHQWLQJ└ WKLV└ CHWWHU☼ └ VSHFLILFDOO\☼ └ IRU└ 'HYRQ└ (QHUJ\"└ ⅋HFDXVH└ WKH└ LQIRUPDWLRQ└ WKDW└ LQ└ WKH└ SXEOLF└ UHDOP└ RQO\└ VKRZV└ WKDW- WKH\└ VLPSO\└ VHQW- \RX└ D└ CHWWHU☼ └ DVNHG└ \RX└ WR└ VHQG└ LW☼ └ DQG└ \RX└ VHQW- LW☼ └ ZLWKRXW- TXHVWLRQV◀

358,77 └

<HDK☼ └ ZH└ KDYH└ VHYHQ└ RU└ VR└ LQGLYLGXDOV└ LQ└ RXU└ RIILFH└ WKDW- DUH└ LQYROYHG└ LQ└ /KHMH└ NLQGV└ RI└ LVVXHV☼ └ DQG└ ZH└ ZLOO└ FROOHFW- WKH└ LQIRUPDWLRQ└ WKH\└ KDYH└ DQG└ SURYLGH└ LW- WR- WKLV└ ERG\☼ └ SXUVXDQW- WR└ WKH└ FKDLUPDQV└ GLUHFWLRQ◀

0(5./(< └

<RXU└ WDII└ H[SDQGHG└ VXEVWDQWLDOO\└ ZKLCH└ \RX└ ZHUH└ LQ└ FKDUJH☼ └ WR└ ┴ ↑ ¶ └ WDII└ PHPEHUV◀ └ :K\└ GR└ \RX└ CHHG└ DQ└ RXWLGH└ RLO└ FRPSDQ\└ WR└ GUDIW- D└ CHWWHU└ ZKHQ└ \RX└ KDYH└ ┴ ↑ ‼ └ SHRSCH└ ZRUNLQJ└ IRU└ \RX"

358,77 └

6HQDWRU☼ └ DV└ ,YH└ LQGLFDWHG☼ └ WKDW- ZDV└ DQ└ HIIRUW- WKDW- ZDV└ SURWHFWLQJ└ WKH└ WDWHV└ LQWHUHWV- LQ└ PDNLQJ└ VXUH└ WKDW- ZH└ PDGH└ WKH└ YRLFHV└ RI└ DOO└ 2NODKRPDQV└ KHDUG└ RQ└ D└ YHU\└ LPSRUWDQW- LQGXVWU\└ WR└ RXU└ WDWH◀ ◀ ◀

0(5./(< └

<RX└ VDLG└ WKDW◀ ◀ ◀

358,77 └

◀ ◀ ◀ └ FRQFHUQLQJ└ UHFRUG◀ ◀ ◀

0(5./(< └

◀ ◀ ◀ └ DOO└ KHDUG☼ └ EXW- \RX└ RQO\└ VHQW- LW- RQ└ EHKDOI└ RI└ D└ VLQJCH└ YRLFH☼ └ WKH└ RLO└ FRPSDQ\◀ └ 7KDQN└ \RX◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢ ¶ RI└

2%$55$662 └

,└ WKLQN└ KDYH└ VRPH└ WLPH└ UHPDLQLQJ└ IURP└ P\└ TXHVWLRQLQJ◀ └ $UH└ WKHUH└ DQ\WKLQJ└ WKDW└ \RXG└ OLNH└ WR└ DGG└ └ WKDW└ \RX└ KDYHQW└ IHOW└ \RXYH└ KDG└ D└ FKDQFH└ └ LQ└ WHUPV└ RI└ DQVZHULQJ└ IXOO\└ └ VRPH└ RI└ WKH└ DUHDV└ RI└ WKH└ TXHVWLRQLQJ"

358,77 └

,└ WKLQN└ └ 6HQDWRU└ └ WKDW└ WKH└ FODUL ILFDWLRQ└ └ WKDW└ WKH└ ┼ ┼ └ WKH└ CHWWHU└ WKDW└ ZDV└ VHQW /R└ WKH└ (3$└ ZDV└ QRW└ VHQW└ RQ└ EHKDOI└ RI└ DQ\└ RQH└ FRPSDQ\◀ └ 7KLV└ ZDV└ QRW└ SDUWLFXODU└ WR└ 'HYRQ└ (QHUJ\└ └ QRW└ SDUWLFXODU└ WR└ &KHVDSHDNH└ └ QRW└ SDUWLFXODU└ /R└ RWKHU└ FRPSDQLHV└ LQ└ RXU└ WUDWH◀ └ ,W└ ZDV└ SDUWLFXODU└ WR└ DQ└ LQGXWU\◀

7KH└ 6/DWH└ RI└ 2NODKRPD└ KDV└ DQ└ RLO└ DQG└ JDV└ LQGXWU\└ WKDW└ LV└ YLEUDQW└ WR└ RXU└ WUDWH└ DV└ \RX└ PLJKW└ LPDJLQH└ MXVW└ OLNH└ PDQ\└ RI└ \RX└ KDYH└ LQGXWU\└ LQ└ \RXU└ WUDWH◀ └ 7KHUH└ ZDV└ FRQFHUQ└ H[SUHVVHG└ E\└ WKDW└ LQGXWU\└ └ PDQ\└ IRONV└ LQ└ WKDW└ LQGXWU\└ └ DERXW└ WKH└ RYHU┼ HVWLPDWLQJ└ WKDW└ RFFXUUHG└ ZLWK└ WKDW└ PHWKDQH└ UXCH◀

7KDW└ ZDV└ WKH└ FRPPXQLFDWLRQ└ WR└ WKH└ (3$◀ └ ,W└ ZDV└ WKH└ SRVLWLRQ└ RI└ WKH└ WUDWH└ └ QRW└ WKH└ SRVLWLRQ└ RI└ DQ\└ RQH└ FRPSDQ\◀

2%$55$662 └

7KDQN└ \RX◀ └ 6HQDWRU└ 0RUDQ◀

025$1 └

&KDLUPDQ└ └ WKDQN└ \RX└ YHU\└ PXFK◀

*HQHUDO└ 3UXLWW└ └ ZHOFRPH└ WR└ WKH└ FRPPLWWHH◀ └ ,└ WKDQN└ \RX└ IRU└ \RXU└ SXEOLF└ VHUYLFH◀ └ ,P└ JRLQJ└ WR└ VHH└ LI└ ,└ FDQ└ JHW└ WKURXJK└ WKUHH└ DUHDV└ LQ└ WKH└ ILYH└ PLQXWHV└ WKDW└ ,└ KDYH◀

)LUVW└ RI└ DOO└ └ :2786└ └ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6WDWHV└ └ GHVSLWH└ WKHUH└ EHLQJ└ DQ└ LQMXQFWLRQ└ DJDLQVW└ WKH└ HQIRUFHPHQW└ RI└ WKH└ :2786└ UXCH└ └ ,P└ WROG└ WKDW└ (3$└ 5HJLRQ└ → └ WKH└ UHJLRQ└ LQ└ ZKLFK└ .QVDV└ LV└ SDUW└ └ WKRVH└ UHJLRQDO└ LQVSHFWRUV└ KDYH└ LQFUHDVHG└ WKHLU└ LQVSHFWLRQ└ RI└ VPDOOHU└ DQLPDO└ IHHGLQJ└ RSHUDWLRQV◀

8QDLNH└ PDQ\└ WUDWHV└ └ .QVDV└ KDV└ D└ ZHOO┼ HVWDEOLVKHG└ WUDWH└ SHUPLW└ V\WHP└ IRU└ VPDOO└ IDFLOLWLHV└ └ DV└ ZHOO└ DV└ WKH└ GHHJDWHG└ DXWKRULW\└ XQGHU└ WKH└ &HDQ└ :DWHU└ $FW◀ └ 5DWKHU└ WKDQ└ FRRUGLQDWH└ └ WKH└ (3$└ ┼ ┼ └ UDWKHU└ WKDQ└ FRRUGLQDWLQJ└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH╢↑ ┴ RI└└

ZLWK└ WKH└ \WDWH└ DJHQF\☼ └ WKH└ ($3└ KDV└ HQJDJHG└ LQ└ LVW└ RZQ└ LQVSHFWLRQV└ DQG└ LVW└ RZQ└ HQIRUFHPHQW- RQ└ WKHVH└ VPDOO└ IDFLOLWLHV☼ └ RIWHQ└ FRQIOLFWLQJ└ ZLWK└ \WDWH└ SHUPLWWLQJ└ LQ└ WKH└ HQIRUFHPHQW- SURFHVV◀

,Q└ WKHVH└ DFWLRQV☼ └ WKH└ ($3└ KDV└ FODLPHG└ MXULVGLFWLRQ└ RYHU└ IHDWKHUV└ OLNH└ JUDVV└ ZDWHUZD\V☼ └ FXOYHUWV└ XQGHU└ FRQW\└ URDGV☼ └ XQFRQGHFWHG└ WR└ WKH└ IHHGLQJ└ RSHUDWLRQ☼ └ DQG└ QRW- VLWXDWHG└ LQ└ RU└ QHDU└ DQ\└ ERG\└ RI└ ZDWHU◀

*HQHUDO└ 3UXLWW☼ └ ZKDW- ZRXOG└ \RXU└ GLUHFWLRQ└ EH└ WR└ WKH└ ($3└ \WDII☼ └ WR└ 5HJLRQ└ → └ DQG└ RWKHUV☼ └ LQ└ UHJDUG└ WR└ WKHLU└ DFWLRQV└ HQIRUFLQJ└ :2786└ ZKLCH└ DQ└ LQMXQFWLRQ└ LV└ LQ└ SODFH"

358,77 └
:HOO└ 6HQDWRU☼ └ DV└ \RX└ LQGLFDWHG└ + + └ DQG└ ,└ GR└ ZDQW- WR└ DFNQRZOHGJH☼ └ WKH└ VDPH└ FRQFHUQV└ KDYH└ EHHQ└ H[SUHVVHG└ E\└ WKRVH└ LQGLYLGXDOV└ LQ└ 2NODKRPD└ DQG└ GLIIHUHQW- JURXSV☼ └ ZLWK└ UHVSHFW- WR└ WKH└ + + └ WKH└ :2786└ GHILQLWLRQ└ WKDW- KDV└ EHHQ└ RIIHUHG└ E\└ WKH└ ($3☼ └ WKDW- LV└ VXEMHFW- WR└ D└ + ¶ + \WDWH└ FKDOOHQJH☼ └ /KDW- ZDV└ FRQVROLGDWHG└ WKHUH└ EHIRUH└ WKH└ 6L[WK└ &LUFXLW◀ └ $QG└ DV└ \RX└ LQGLFDWHG☼ └ WKHUH└ KDV└ EHHQ└ D└ \WD\└ RI└ HQIRUFHPHQW- DJDLQVW- WKDW- SDUWLFXODU└ UXCH◀

7KH└ 6XSUHPH└ &RXUW- DFWXDOO\☼ └ CDVW-)ULGD\☼ └ WRRN└ XS└ D└ PDWWHU└ RI└ MXULVGLFWLRQ└ RQ└ WKDW- + + └ RQ└ WKDW- FDVH☼ └ VR└ WKDW- DGGV└ VRPH└ FRPSCH[LW\└ WR└ WKLV◀ └ %XW- ,└ WKLQN└ /KH└ URCH└ RI└ WKH└ ($3☼ └ SURVSHFWLYHO\☼ └ LV└ WR└ + + └ WR└ VHHN└ WR└ SURYLGH└ FDULW\└ RQ└ + RQ└ ZKDW- WKH└ WUXH└ GHILQLWLRQ☼ └ ZKDW- WKH└ EHWW- GHILQLWLRQ└ LV☼ └ ZLWK└ UHVSHFW- WR└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6/DWHV◀

$V└ \RX└ NQRZ☼ └ WKHUH└ LV└ PXFK└ ICH[LELOLW\└ DQG└ GLVFUHWLRQ└ WKHUH☼ └ JLYHQ└ WR└ WKH└ ($3☼ └ LQ└ D└ VHULHV└ RI└ FDVHV└ WKDW- CHDG└ XS└ WR└ WKH└ 5DSDCRV└ GHFLVLRQ☼ └ WKDW- KDVH0W- SURYLGHG└ D└ WUHPHQGRXV└ DPRXQW- RI└ FODULW\◀ └ 7KH└ EHWW- WKLQJ└ WKH└ ($3└ FDQ└ GR☼ └ JRLQJ└ IRUZDUG☼ └ LV└ WR└ UHHWDEOLVK└ WKDW- FODULW\└ VR└ WKDW- \WDWHV└ DQG└ LQGLYLGXDOV└ NQRZ└ ZKDW└ H[SHFWHG└ RI└ WKHP└ LQ└ FRPSOLDQFH◀

025$1 └
*HQHUDO☼ └ WKDQN└ \RX◀ └ ,└ GRQW- WKLQN└ ,└ QHHG└ WR└ + + └ WR└ UHPLQG└ \RX☼ └ LQ└ SDUWLFXODU☼ DERXW- WKH└ URCH└ WKDW- \WDWHV└ SOD\└ LQ└ FCHDQ└ ZDWHU◀

%XW- ,└ + + └ EXW- ,└ ZRXOG└ WDNH└ D└ PRPHQW- WR└ KLJKOLJKW- VRPHWKLQJ└ WKDW- LV└ RIWHQ☼ └ ,└ /KLQN☼ └ IRUJRWWHQ└ LQ└ WKH└ UHJXODWRU\└ ZRUDG└ RI└ ZDWHU☼ └ ZDWHU└ TXDOLW\☼ └ LV└ WKH└ 'HSDUWPHQW- RI└ $JULFXOWXUH☼ └ WKH└ QDWXUDO└ UHVRXUFH└ FRQVHUYDWLRQ└ VHUYLFH└ LQ└ ZKLFK└ CDQGRZCHUV└ DUH└ DVVLWWHG☼ └ WKURXJK└ WKH└ 'HSDUWPHQW- RI└ $JULFXOWXUH☼ └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢↑ ┼ R╢└┴

LQ└ LPSURYLQJ└ ZDWHU└ TXDOLW\└ DQG└ ZDWHU└ TXDQWLW\☼ └ LQ└ D└ YHU\└ SDUWLFXODUKLS┼
RULHQWHG☼ └ CRFDO└ HI IRUW☼ └ WKDW└ LV└ VLJQLILFDQW\└ GLIIHUHQW└ WKDQ└ WKH└ WUHPHQGRXV└
UHDFK└ IURP└ WKH└ (3$└ LQ└ :DVKLQJWRQ☼ └ '◀ &◀ ☼ └ DV└ FRPSDUHG└ WR└ WKH└ CRFDO└
HI IRUW└ E\└ CDQGRZCHUV☼ └ WKHPVHOYHV☼ └ WR└ ZRUN└ ZLWK└ 86'$└ WR└ VROYH└
SUREOHPV◀

/HW└ PH└ PRYH└ WR└ P\└ VHFRQG└ TXHVWLRQ◀ └ ,W└ UHYROYHV└ WKH└)OLQW└ +LOOV◀ └ 7KDW└ D└
QDWLYH└ JUDVVODQG└ LQ└ RXU└ WDWH◀ └ 7KH└ RZQHUV└ RI└ WKRVH└ JUDVVODQGV└ ┼ ┼ └ WKHVH└
DUH└ WKRXVDQGV└ RI└ DFUHV└ RI└ JUDVV☼ └ WKH\└ EXLO└ WKH└ SUDLULH└ LQ└ WKH└ HDUO\└ VSULQJ☼ └
IRU└ SXUSRVHV└ RI└ UHJHQHUDWLRQ└ RI└ WKDW└ JUDVV◀

,W└ LV└ CHDUCHG└ IURP└ WKH└ ,QGLDQV◀ └ /LJKWQLQJ└ XVHG└ WR└ EH└ WKH└ PHWKRG└ E\└ ZKLFK└
/KDW└ JUDVVODQG└ EXUCHG☼ └ CHVV└ VR└ QRZ☼ └ ZLWK└ WKH└ VHWWCHPHQW└ WKDW└ KDYH└
RFFXUUHG└ RI└ RXU└ FRXQWU\◀ └ $QG└ DV└ D└ UHVXOW└ RI└ WKDW└ DQQXDO└ EXUQLQJ☼ └ WKDW└ LV└
HFFRCRJLFDOO\└ GHVLUDECH☼ └ WKHUH└ LV└ WLPHV└ LQ└ ZKLFK└ D└ FLW\☼ └ HYHQ└ RQH└ RI└ RXU└
RZQ☼ └ :LFKLWD☼ └ IRU└ H[DPSCH☼ └ LV└ QR└ CRQJHU└ LQ└ LW└ ┼ ┼ └ QR└ CRQJHU└ LQ└ ┼ ┼ └ LW└ EHHQ
QRQ┼ DWWDLQPHQW└ XQGHU└ WKH└ &HDQ└ $LU└ $FW◀

$QG└ ,└ UDLVH└ WKLV└ LWXH└ WR└ \RX☼ └ LQ└ DVNLQJ└ WKDW└ \RX└ ZRUN└ ┼ ┼ └ LI└ \RX└ DUH└
FRQILUPHG☼ └ \RX└ ZRUN└ WR└ ┼ ┼ └ ZLWK└ WKH└ 6/DWH└ RI└ .DQVDV☼ └ LQ└ RXU└ CRFDO└ HI IRUW└ WR└
PDQDJH└ WKH└ EXUQLQJ└ RI└ WKH└ QDWLRQDO└ JUDVVODQGV☼ └ LQ└ D└ ZD\└ WKDW└ LV└
DGYDQWDJHRXV└ WR└ ZLOGOLIH└ KDELWDW☼ └ DW└ WKH└ VDPH└ WLPH☼ └ LV└ GRQH└ LQ└ D└ WLPHD\└
IDVKLRQ└ DW└ DSSURSULDWH└ WLPHV☼ └ LQ└ DSSURSULDWH└ DPRXQW└ WKDW└ SUHVHUYHV└ WKH└
DLU└ TXDOLW\☼ └ EXW└ DJDLQ☼ └ QRW└ D└ KHDY\┼ KDQGHG└ DSSURDFK☼ └ WKDW└ RQH┼ VL]H└
\ROXWLRQ└ RU└ D└ EDQ└ ILW└ WKH└ FLUFXPWDQFH◀

358,77 └
,I└ FRQILUPHG☼ └ 6HQDWRU☼ └ ,└ CRRN└ IRUZDUG└ WR└ ZRUNLQJ└ ZLWK└ \RX└ RQ└ WKDW└ LWXH◀

025$1 └
,└ WKDQN└ \RX└ IRU└ WKDW◀ └ $QG└ ILQDOO\☼ └ ,└ ZDQW└ WR└ KLJKOLJKW└ D└ VPDOO└ WRZQ└ LQ└
.DQVDV└ QDPHG└ 3UHWW\└ 3UDLULH☼ └ D└ WA SLFDO└ QDPH☼ └ RU└ D└ SHUIHFW└ QDPH└ IRU└ D└
/RZQ└ LQ└ RXU└ WDWH◀ └ 3UHWW\└ 3UDLULH☼ └ .DQVDV└ KDV└ D└ SRSXODWLRQ└ RI└ DERXW└ → ‼ ‼ └
SHRSCH◀

)RU└ VHYHUDO└ GHFDGHV☼ └ EHFDXVH└ RI└ WKH└ QHHG└ WR└ ┼ ┼ └ EHFDXVH└ RI└ KLJK└ QLWUDWHV└
LQ└ WKH└ ZDWHU☼ └ WKH└ FLW\V└ ZDWHU└ CHYHOV└ ┼ ┼ └ ,└ GLGQW└ VD\└ WKDW└ YHU\└ ZHOO◀ └ %HFDXVH└
RI└ KLJK└ CHYHOV└ RI└ QLWUDWH└ LQ└ WKH└ FLW\└ ZDWHU└ V\WHP☼ └ WKH└ FLW\└ KDV└ SURYLGHG└
IUHH└ ERWWCHG└ ZDWHU└ WR└ LW└ FLWL]HQV◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGJV└ +HDUL3DJH╢↑ ┼ R╢└└

$QG└ P\└ TXHVWLRQ└ WR└ \RX└ LV☼ └ QRZ└ WKH└ (3$└ LV└ GLVDDRZLQJ└ WKDW└ SUDFWLFH└ DQG└ UHTXLULQJ└ WKH└ FLVA└ WR└ VSHQG└ DSSUR[LPDWHO\└ • ⊥ ◀ ┤ └ PLOOLRQ☼ └ DQG└ UDLVH└ WKH└ UDWHV└ RI└ RXU└ UHVLGHQWV└ RI└ WKDW└ FRPPXQLWA└ E\└ • ← ‼ └ D└ PRQWK☼ └ ZKLCH└ WKH└ FRPPXQLWA└ VHHPLQJO\└ LV└ VDWLVILHG└ ZLWK└ WKH└ VROXWLRQ└ RI└ WKH└ FLVA└ SURYLGLQJ└ DQ└ DOWHUQDWLYH└ WR└ WKH└ H[SHQVH└ RI└ D└ QHZ└ ZDWHU└ WUHDWPHQW└ SODQW◀

,└ DVN└ WKLV└ TXHVWLRQ└ DV☼ └ DJDLQ☼ └ DV└ DQ└ H[DPSCH└ RI└ ZKHUH└ D└ ULJLG└ GHFLVLRQ☼ └ DV└ FRPSDUHG└ WR└ D└ FRPPXQLWA┼ EDVHG└ GHFLVLRQ☼ └ VHHPV└ WR└ SUHYDLO└ DW└ WKH└ (3$☼ └ DQG└ ZRXOG└ JLYH└ \RX└ DQ└ RSSRUWXQLWA└ WR└ FRQILUP└ WR└ PH└ ZKDW└ ,└ KRSH└ \RX└ ZRXOG└ VD\└ LV└ WKDW└ \RX└ ZLOO└ ZRUN└ ZLWK└ FRPPXQLWLHV◀

<RX☼ └ DV└ DQ└ 2NODKRPDQ☼ └ DQG└ PH└ DV└ D└ .DQVDQ☼ └ DQG└ PDQ\└ RI└ WKH└ PHPEHUV└ RI└ WKLV└ FRPPLWWHH☼ └ UHSUHVHQW└ ORWV└ RI└ FRPPXQLWLHV└ LQ└ ZKLFK└ WKH└ SRSXODWLRQ└ LV└ LQVXIILFLHQW└ WR└ PHHW└ ┼ ┼ └ WR└ EH└ DECH└ WR└ SD\└ IRU└ WKH└ FRVW└ RI└ ZDWHU└ RU└ VHZHU└ WUHDWPHQW◀ └ :H└ QHHG└ ILQDQFLDO└ UHVRXUFHV└ WR└ DFFRPSOLVK└ WKDW☼ └ EXW└ ZH└ DOVR└ QHHG└ FRPPRQ┼ VHQVH└ VROXWLRQV└ WR└ WKH└ SURECHP◀

358,77 └
6HQDWRU☼ └ ,└ ORRN└ IRUZDUG└ WR└ ZRUNLQJ└ ZLWK└ RQ└ WKDW└ LVVXH└ DV└ ZHOO└ DV└ WKH└ RWKHU◀ └ 7KHUH└ ZDV└ D└ VD\LQJ└ LQ└ WKH└ HQYLURQPHQWDO└ VSDFH☼ └ QDWLRQDO└ \WDQGDUGV☼ └ QHLJKERUKRRG└ VROXWLRQV◀ └ $QG└ ,└ WKLQN└ LW└ LPSRUWDQW└ IRU└ WKH└ (3$└ DGPLQLWWUDWRU☼ └ WKRVH└ LQ└ :DVKLQJWRQ☼ └ WR└ CHDUQ☼ └ DV└ ,└ LQGLFDWHG└ ┼ ┼ └ DV└ ,└ VDLG└ LQ└ P\└ RSHQLQJ└ WDWHPHQW☼ └ WR└ OLWHQ└ DQG└ CHDUQ└ IURP└ WKRVH☼ └ IURP└ \RX☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ QHHGV└ RI└ \RU└ FRPPXQLWA└ DQG└ \RU└ WDWH☼ └ DQG└ FROODERUDWH└ ZLWK└ \RX└ DQG└ ORFDO└ RIILFLDOV└ WR└ DFKLHYH└ JRRG└ RXWFRPHV◀

025$1 └
,└ ORRN└ IRUZDUG└ WR└ HGXFDWLQJ└ \RX└ RQ└ EHKDOI└ RI└ .DQVDV◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ 0RUDQ◀

6HQDWRU└ %RRNHU◀

%22.(5 └
*RRG└ PRUQLQJ☼ └ 0U◀ └ 3UXLWW◀

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢↑ ┼ RI└┴

*RRG└ PRUQLQJ☼ └ 6HQDWRU└ %RRNHU◀

½22.(5 └
,└ KDYH└ D└ CHWWHU└ WKDW┴ ,└ UHDG☼ └ WKDW┴ \RX└ VHQW┴ WR└ WKH└ FRPPLWWHH└ ODWH┴ \HDU☼ └ DQG└ \RX└ VDLG┴ WKDW┴ WKH└ 2NODKRPD└ DWWRUQH\└ JHQHUDO☼ └ \RX└ VDLG☼ └ | ,└ DP└ UHVSRQVLEOH└ IRU└ SURWHFWLQJ└ WKH└ ZHOIDUH└ RI└ 2NODKRPD└ FLWL]HQV◀ | └ ,└ DVVXPH└ /KDW└ WKLOO└ FRUUHFW☼ └ DQG└ \RX└ EHOLHYH└ WKDW'

358,77 └
<HV☼ └ 6HQDWRU◀

½22.(5 └
$QG└ GXULQJ└ WKH└ SDVW┴ VL[└ \HDUV☼ └ LQ└ SXUVXLW┴ RI└ WKDW☼ └ LI└ \RX└ ORRN└ DW┴ WKH└ UHFRUG└ RI└ WKH└ ODZVXLWV└ \RX└ ILLHG└ DJDLQVW┴ WKH└ (3$☼ └ \RXYH└ KDG┼ ┼ └ \RX└ MRLQHG└ RU└ ILLHG└ ¶┤ └ ODZVXLWV└ DJDLQVW┴ WKH└ (3$☼ └ FKDOOHQJLQJ└ FCDQ└ DLU└ DQG└ FCDQ└ ZDWHU└ UXOHV☼ └ \HV"

358,77 └
:HYH└ EHHQ└ LQYROYHG└ LQ└ PXOWLSOH└ SLHFHV└ RI└ OLWLJDWLRQ☼ └ 6HQDWRU◀

½22.(5 └
<HDK☼ └ EXW┴ ,P└ ORRNLQJ└ DW☼ └ VSHFLILFDOO\☼ └ ¶┤ ☼ └ DQG└ 0U◀ └ &KDLUPDQ☼ └ ,G└ OLNH└ WR└ SXW┴ WKRVH└ ¶┤ └ ODZVXLWV└ LQWR└ WKH└ UHFRUG☼ └ ZKHUH└ \RX└ VSHFLILFDOO\└ FKDOOHQJHG└ /KH└ (3$└ RQ└ DLU└ TXDOLW\◀ └ $QG└ CHW┴ PH└ MXVW┴ JR└ WKURXJK└ VRPH└ RI└ WKRVH◀

½$55$662 └
:LWKRXW┴ REMHFWLRQ◀

½22.(5 └
7KDQN└ \RX☼ └ VLU◀

7R└ UHIUHVK└ \RXU└ UHFROOHFWLRQ☼ └ \RX└ ILLHG└ WZR└ ODZVXLWV└ FKDOOHQJLQJ└ WKH└ (3$└ 0HUFXU\└ DQG└ $LU└ 7R[LFV└ 6/DQGEDUGV◀ └ <RX└ ILLHG└ D└ ODZVXLW┴ FKDOOHQJLQJ└ WKH└ (3$V└ ⊥ ‼ ¶ ↑ └ 1DWLRQDO└ $PELHQW┴ $LU└ 4XDOLW\└ 6/DQGEDUGV└ IRU└ 2]RQH◀ └ <RX└ ILLHG└ IRXU└ ODZVXLWV└ FKDOOHQJLQJ└ WKH└ (3$V└ &HDQ└ 3RZHU└ 3ODQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUI3DJH╢↑ ├ R╢└┴

<RX└ KDYH└ VXHG└ WR└ FKDOOHQJH└ WKH└ (3$V└ ¶ ¶ ¶ ♂ E□ └ WKDQGDUGV└ IRU└ FDUERQ└
GLR[LGH└ HPLVVLRQV└ IURP└ QHZ└ SRZHU└ SODQWV◀ └ $QG└ \RX└ DOVR└ VXHG└ WR└
FKDOOHQJH└ WKH└ (3$V└ IHGHUDO└ LPSOHPHQWDWLRQ└ SODQ└ IRU└ 2NODKRPD└ XQGHU└
/KH└ 5HJLRQDO└ +D\HV└ UXOH◀ └ <RXUH└ IDPLOLDU└ ZLWK└ WKRVH☼ └ ,└ LPDJLQH"

358,77 └
<HV☼ └ 6HQDWRU◀

½22.(5 └
$QG└ \RX└ ILHHG└ D└ CDZVXLW└ FKDOOHQJLQJ└ WKH└ (3$└ &LRVV┼ 6/DWH└ $LU└ 3ROOXWLRQ└
UXOH☼ └ VRPHWKLQJ☼ └ LQ└ 1HZ└ -HUVH\☼ └ ZHUH└ YHU\└ FRQFHUQHG└ ZLWK◀ └ $QG└ DUH└ \RX└
DZDUH└ WKDW└ WKDW└ UXOH☼ └ ZKLFK└ \RX└ ORVW☼ └ LQ└ WKDW└ VXLW☼ └ VFLHQWLVWV└ HVWLPDWH└ WKDW└
/KDW☼ └ DORQH☼ └ SUHYHQWV└ ┤ ‼ ‼ ☼ ‼ ‼ ‼ └ DWWKPD└ DWWDFNV☼ └ QDWLRQDOO\☼ └ HDFK└ \HDU◀ └ $UH└
\RX└ DZDUH└ RI└ WKRVH└ H[SODQDWLRQV"

358,77 └
<HV☼ └ <RXU└ +RQRU◀ └ 2U└ \HV☼ └ 6HQDWRU◀ └ 0D\└ ,└ RI IHU└ D◀ ◀ ◀

½22.(5 └
,└ DSSUHFLDWH└ \RXU└ SURPRWLQJ└ PH└ WR└ MXGJH◀

♂ /$8*+7(5□

½22.(5 └
/HW└ PH└ FRQWLQXH☼ └ 0U◀ └ 3UXLWW◀ └ ,└ GRQW└ KDYH└ WKDW└ PXFK└ WLPH◀

358,77 └
2.◀

½22.(5 └
6R└ HDFK└ RI└ WKHVH└ CDZVXLW└ WKDW└ ,└ MXVW└ ZHQW└ WKURXJK☼ └ DQG└ WKDW└ ZH└
DQDO\]HG☼ └ DOO└ RI└ WKHP└ FKDOOHQJH└ DWWHPSW└ E\└ WKH└ (3$└ WR└ UHGXFH└ DLU└
SROOXWLRQ◀ └ ,Q└ DOO└ RI└ WKHP☼ └ H[FHSW└ RQH☼ └ \RX└ ILHG└ WKRVH└ CDZVXLW└ MRLQLQJ└ ZLWK└
SROOXWLQJ└ FRPSDQLHV└ WKDW└ ZHUH└ DOVR└ VXLQJ└ WKH└ (3$◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢↑ ┴ RI└└

$QG└ VR☼ └ LQ└ DGGLWLRQ└ WR└ ILOLQJ└ WKRVH└ CDZVXLWV☼ └ ZLWK└ VRPH└ RI└ WKH└ SROOXWLQJ└
FRPSDQLHV☼ └ RU└ DW- CHDVW- RQH└ WKDW- KDYH└ QRZ└ EHHQ└ VSHFLILFDOO\└ PHQWLRQHG└
E\└ WZR└ RI└ P\└ ┼ ┼ └ WZR└ RI└ P\└ FROOHDJXHV☼ └ \RX└ XVHG└ VXEWDQWLDO└ SRUWLRQV└ RI└
/KH└ CHWWHUV└ IURP└ WKRVH└ FRPSDQLHV☼ └ SXW- WKHP└ RQ└ \RXU└ RIILFLDO└ DVWRUQH\└
JHQHUDO└ CHWWHUKHDG◀

$QG└ ZKDW- ZDV└ VRUW- RI└ VXUSULVLQJ└ WR└ PH└ LV└ WKDW☼ └ ZKHQ└ \RYH└ EHHQ└ DVNHG└
DERXW- WKLV└ LQ└ WKH└ SXEOLF☼ └ \RX└ EDVLFDOO\└ UHSUHVHQWHG└ WKDW- WKDW└ DFWKDOO\└
FDOCHG└ UHSUHVHQWDWLYH└ JRYHUQPHQW- LQ└ P\└ YLHZ└ RI└ WKH└ ZRUDG◀ └ <RXU└
/HWWLPRQ\└ KHUH└ VD\V└ WKDW- \RX└ ZHUH└ UHSUHVHQWLQJ└ LQGXWU\◀ └ <RX└ ZHUH└
UHSUHVHQWLQJ└ WKH└ SROOXWHUV◀

$QG└ VR└ ZLWK└ DOO└ RI└ WKHVH└ CDZVXLWV└ \RX└ ILCHG☼ └ DQG└ ZLWK└ DOO└ RI└ WKHVH└ CHWWHUV☼ └
OLNH└ WKLV└ RCH☼ └ ZULWWHQ└ WR└ WKH└ (3$└ RQ└ EHKDOI└ RI└ WKH└ LQGXWULHV└ WKDW- DUH└
FDXVLQJ└ WKH└ SROOXWLRQ☼ └ LW- VHHPV└ FCHDU└ WR└ PH└ WKDW- REYLRXVO\☼ └ WKH└ IDFW-
SDWWHUQ☼ └ RQ└ UHSUHVHQWLQJ└ SROOXWHUV☼ └ LV└ FCHDU☼ └ WKDW- \RX└ ZRUNHG└ YHU\└ KDUG└ RQ└
EHKDOI└ RI└ WKHVH└ LQGXWULHV☼ └ WKDW- KDYH└ WKHLU└ SURILW└ H[WHUQDOL]H└ ┼ ┼ └ QHJDWLYH└
H[WHUQDOLWLHV☼ └ DUH└ WKHUH└ SROOXWLRQ◀

$QG└ VR☼ └ ,└ MXVW- KDYH└ D└ TXHVWLRQ└ IRU└ \RX☼ └ VSHFLILFDOO\└ DERXW- WKH└ FKLOGUHQ└ RI└
2NODKRPD◀ └ 'R└ \RX└ NQRZ└ KRZ└ PDQ\└ NLGV└ LQ└ 2NODKRPD☼ └ URXJKO\☼ └ KDYH└
DWWKPD"

358,77 └
,└ GR└ QRW☼ └ 6HQDWRU◀

½22.(5 └
:HOO☼ └ DFFRUGLQJ└ WR└ GDWD└ SXEOLVKHG└ E\└ WKH└ GRQSDWLVDQ└ ┼ ┼ └ YHU\└ GRQSDWLVDQ└
JURXS☼ └ WKH└ $PHULFDQ└ /XQJ└ $VVRFLDWLRQ☼ └ PRUH└ WKDQ└ ¶ ¶ ¶ ☼ ‼ ‼ ‼ └ FKLOGUHQ└ LQ└
2NODKRPD☼ └ ZKLFK└ LV└ PRUH└ WKDQ└ ¶ ‼ └ SHUFHQW☼ └ PRUH└ WKDQ└ ¶ └ LQ└ ¶ ‼ └ RI└ DOO└ WKH└
NLGV└ LQ└ 2NODKRPD☼ └ KDYH└ DWWKPD◀ └ 7KDW└ RCH└ RI└ WKH└ KLJKHWW- DWWKPD└ UDWHV└
LQ└ WKH└ HQWLUH└ 8QLWHG└ 6WDWHV└ RI└ $PHULFD◀

1RZ☼ └ WKLV└ LV└ D└ FULVLV☼ └ VLPLODU└ GDWD☼ └ IRU└ ZKHUH└ ,└ ZDV└ PD\RU☼ └ DQG└ ,└ FDQ└ WHOO└
\RX└ ILUWKDQG└ WKH└ GHYDVWDWLQJ└ LPSDFW└ WKDW- NLGV└ ZLWK└ ┼ ┼ └ WKDW- DWWKPD└ KDV└
RQ└ FKLOGUHQ└ DQG└ IDPLOLHV☼ └ DI IHFWLQJ└ WKHLU└ HFRQRPLF└ ZHOOEHLQJ◀ └ 3UHQW└
ZKR└ KDYH└ WR└ ZDWFK└ WKHLU└ FKLOGUHQ└ WXJJCH└ WR└ EUHDWKH◀ └ 3HRSCH└ WKDW- KDYH└
/R└ PLW└ ZRUN☼ └ UXVKLQJ└ WKHLU└ NLGV└ WR└ WKH└ KRVSLWDO◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢↑ ┴ RI└└

2QH└ LQ└ WHQ└ NLGV└ KDYLQJ└ D└ GLVHDVH└ └ PLWLQJ└ VFKRRO└ └ LV└ D└ VLJQLILFDQW┼
SURECHP◀ └ $QG└ VR└ \RX└ KDYH└ EHHQ└ ZULWLQJ└ CHWWHUV└ RQ└ EHKDOI└ RI└ SROOXWLQJ└
LQGXVWULHV◀ └ ,└ ZDQW┼ WR└ DVN└ \RX└ └ KRZ└ PDQ\└ CHWWHUV└ GLG└ \RX└ ZULWH└ WR└ WKH└ (3$└
DERXW┼ WKLV└ KHDOWK└ FULVLV"

,I└ WKLV└ LV└ UHSUHVHQWDWLYH└ JRYHUQPHQW└ └ GLG└ \RX└ UHSUHVHQW┼ WKRVH└ FKLOGUHQ"└ ,└
ZDQW┼ WR└ NQRZ└ ZKDW┼ DFWLRQV└ \RYH└ WDNHQ└ └ LQ└ WKH└ SDVW┼ VL[└ \HDUV└ └ LQ└ \RXU└
FDSDFLW\└ RI└ SURWHFWRU└ RI└ WKH└ ZHIDUH└ RI└ 2NODKRPD└ FLWL]HQV└ └ WR└ SURWHFW┼ WKDW┼
ZHIDUH└ RI└ WKRVH└ ¶ ¶ ¶ └ FKLOGUHQ└ ┼ ┼ └ RYHU└ ¶ ¶ ¶ └ !! !! !! └ FKLOGUHQ◀

'LG└ \RX└ HYHU└ CHW┼ DQ\└ RI└ WKHP└ ZULWH└ CHWWHUV└ RQ└ \RXU└ CHWWHUKHDG└ └ WR└ WKH└ (3$└ └
DQG└ GLG└ \RX└ HYHQ└ ILCH└ RCH└ CDZVXLW└ └ RCH└ CDZVXLW└ └ RQ└ EHKDOI└ RI└ WKRVH└ NLGV└ └ WR└
UHGXCH└ WKH└ DLU└ SROOXWLRQ└ LQ└ \RXU└ WDWH└ DQG└ KHOS└ WKHP└ WR└ KDYH└ D└ KHDOWK\└
OLIH"

358,77 └
6HQDWRU└ └ ,YH└ DFWKDOO\└ SURYLGHG└ D└ OLW┼ RI└ FDVHV└ WR└ WKH└ &KLUPDQ└ ZLWK└
UHVSHFW┼ WR└ HQIRUFHPHQW┼ WWHSV└ ZHYH└ WDNHQ└ LQ└ PXQLSCH└ SLHFHV└ RI└
HQYLURQPHQWDO└ OLWLJDWLRQ◀ └ %XW┼ CHW┼ PH└ VD\└ WR└ \RX└ └ ZLWK└ UHVSHFW┼ WR└ FURVV┼
WWDWH└ DLU└ SROOXWLRQ└ └ DQG└ VRPH└ RI└ WKH└ FDVHV└ \RX└ UHIHUUHG└ WR└ └ WKH└ WWDWH└ KDV└
/R└ KDYH└ DQ└ LQWHUHW┼ EHIRUH└ LW┼ FDQ└ EULQJ└ WKRVH└ FDVHV└ └ DV└ \RX└ NQRZ◀

<RX└ FDQ┼ MXW┼ EULQJ└ D└ CDZVXLW┼ LI└ \RX└ GRQ┼ KDYH└ WWDQGLQJ└ └ LI└ WKHUHV└ QR┼
EHHQ└ VRPH└ LQMXU\└ WR└ WKH└ 6WDWH└ RI└ 2NODKRPD◀ └ $QG└ HDFK└ RI└ WKRVH└ FDVHV└ └
EHIRUH◀ ◀ ◀

½22.(5 └
0\└ WLPHV└ H[SLUHG└ └ EW┼ LI└ ,└ FRXOG└ MXW┼ VD\└ └ LQMXU\└ └ FCHDUO\└ DWWKPD└ LV└
/NULJJHUHG└ DQG└ FDXVHG└ E\└ DLU└ SROOXWDQW◀ └ &CHDUO\└ WKHUH└ LV└ DQ└ DLU└ SROOXWLRQ└
SURECHP◀ └ $QG└ WKH└ IDFW┼ WKDW┼ \RX└ KDYH└ QRW┼ EURXJKW┼ VXLW└ DW┼ DQ\└ RI└ WKH└ CHYHO└
/R└ ZKLFK└ \RXYH└ UHSUHVHQWHG└ WKH└ LQGXWULHV└ WKDW┼ DUH└ FDXVLQJ└ WKH└ SROOXWLRQ└ └
LV└ UHDO\└ SURECHPDWLF└ ZKHQ└ \RXUH└ JRLQJ└ WR└ VLW┼ LQ└ D└ SRVLWLRQ└ WKDW┼ LV└
QDWLRQDO\└ VXSSRVHG└ WR└ EH└ DI IHFWLQJ└ WKLV└ UHDOLW\◀ └ $QG└ DWWKPD└ └ LQ└ RXU└
FRXQWU\└ └ LV└ WKH└ QXPEHU└ RCH└ UHDVRQ└ ZK\└ FKLOGUHQ└ LQ└ $PHULFD└ └ KHDOWK└
UHDVRQ└ ZK\└ FKLOGUHQ└ LQ└ $PHULFD└ PLW┼ VFKRRO◀

0U◀ └ &KLUPDQ└ └ WKDQN└ \RX◀

½$55$662 └

AMERICAN OVERSIGHT

7KDQN└ \RX└ YHU\ └ PXFK◀ └ ,G└ VXEPLW└ IRU└ WKH└ UHFRUG☼ └ ILUVW☼ └ DQ└ DWWLFH└ IURP└ WKH└ 7XOVD└ :RUOG☼ └ IURP└ 6FRWW└ 7KRPSVRQ◀ └ 7KH└ KHDGOLQH└ LV☼ └ | (3$└ :LOO└ %H└ LQ└ *RRG└ +DQGV└ ZLWK└ 6FRWW└ 3UXLWW◀ | └ 6FRWW└ 7KRPSVRQ└ LV└ WKH└ H[HFXWLYH└ GLUHFWRU└ RI └ WKH└ 2NODKRPD└ 'HSDUWPHQW└ RI └ (QYLURQPHQWDO└ 4XDOLW\◀

,W└ WDNHV└ DERXW└ WKH└ H[FHOOHQW└ ZRUN└ GRQH☼ └ DQG└ HQGV└ ZLWK└ WKH└ TXRWH☼ └ | (3$└ ZLOO└ EH└ LQ└ JRRG└ KDQGV└ ZLWK└ 6FRWW└ 3UXLWW◀ | └ 7KH└ ┼ ┼ └ ,└ ZRXOG└ SRLQW└ RXW└ WKDW└ EHWZHHQ└ ┴ ‼ ‼ ┤ └ DQG└ ┴ ‼ ‼ ← ☼ └ DQG└ ZHOO└ VXEPLW└ WKLV└ IRU└ WKH└ UHFRUG☼ └ WKH└ PRVW└ UHFHQW└ HPSOR\HUV└ RI └ WKH└ 2EDPD└ DGPLQLWUDWLRQV└ VHQLRU└ (3$└ RI ILFLDOV└ VXHG└ WKH└ (3$☼ └ ZLWK└ ¶ ┴ └ ODZVXLWV└ DW└ CHDWW☼ └ LQ└ WKH└ WLPH└ WKDW☼ └ ZKHQ└ *RRJOH└ :◀ └ %XVK└ ZDV└ LQ└ KLV└ VHFRQG└ WHUP☼ └ LQFOXGLQJ└ /LVD└ -DFNVRQ☼ └ $VVLVWDQW└ $GPLQLVWUDWRU└ &\QWKLD└ *LCHV☼ └ *LCD└ 0F&DUWK\☼ └ DQG└ 6WHSKHQ└ 2ZHQV◀ └ 7KH\ └ ZHUH└ SHWLWLRQHUV└ DQG└ SODLQWL ┤IV☼ └ ILOLQJ└ VXLWV└ DJDLQVW└ WKH└ (3$◀

$QG└ ILQDOO\☼ └ ,OO└ VXEPLW└ D└ ┼ ┼ └ DQ└ HGLWRULDO☼ └ ZKHUH└ ┼ ┼ └ WR└ SRLQW└ RXW└ WKDW└ ┼ ┼ └ IURP└ WKH└ ┼ ┼ └ EDFN└ WR└ WKH└ 7XOVD└ :RUOG☼ └ | 2YHU└ WKH└ SDVW└ VL[└ \HDUV☼ └ 3UXLWW└ CHJDO└ WHDP└ KDV└ FRQVLWWHQWO\└ VKRZQ└ GHIHUHQFH└ WR└ WKH└ CHJDO└ H[SHUWLVH└ DQG└ SURIHVVLRQDOV└ DW└ '(4☼ | └ WKH└ 'HSDUWPHQW└ RI └ (QYLURQPHQWDO└ 4XDOLW\◀ └ 7KLV└ ZDV└ ZULWWHQ└ E\└ WKH└ H[HFXWLYH└ GLUHFWRU◀

| 0RUH└ LPSRUWDQWO\☼ | └ KH└ VDLG☼ └ | ,└ FDQQRW└ UHFDOO└ DQ└ LQVWDQFH└ ZKHUH└ WKH\ └ GLG└ QRW└ DOORZ└ XV└ WR└ SXUVXH└ CHJDO└ DFWLRQ└ ZKQ└ GHPHG└ CHFHVVDU\◀ | └ $QG└ WKHQ└ ILQDOO\☼ └ IURP└ 0LNH└ 7XUSHQ☼ └ ZKR└ LV└ WKH└ IRUPHU└ FKDLUPDQ└ RI └ WKH└ 2NODKRPD└ 'HPRFUDWLF└ 3DUW\☼ └ KH└ VDLG☼ └ | 7KH└ MRE└ DW└ WKH└ (3$└ LV└ WKH└ HVVHQWLDO└ PLWLRQ└ RI └ JXDUDQWHHLQJ└ FCHDQ└ DLU└ DQG└ FCHDQ└ ZDWHU◀ └ 3UXLWW└ KDV└ QHYHU└ FRPSURPLVHG└ WKRVH└ FUILWLFDO└ FRPSRQHQWV└ RI └ D└ KHDOWK\ └ SRSXODWLRQ└ ZLWK└ DQ\ └ DFWLRQV└ KH└ KDV└ WDNHQ◀ |

6HQDWRU└ 5RXGGV◀

5281'6 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

:HOFRPH☼ └ $VWRUCH\ └ *HQHUDO└ 3UXLWW◀

358,77 └
7KDQNV☼ └ 6HQDWRU└ 5RXGGV◀

5281'6 └

AMERICAN OVERSIGHT

,└ QRWLFHG└ WKDW└ ┼ ┼ └ WKDW└ \RX└ GLGQW└ KDYH└ WKH└ RSSRUWXQLW\☼ └ LQ└ WKH└ WLPH└ DOORWWHG└ IRU└ 6HQDWRU└ %RRNHUV└ TXHVWLRQ◀ └ :RXOG└ \RX└ FDUH└ WR└ ILQLVK└ \RXU└ UHVSRQVH☼ └ ZLWK└ UHJDUG└ WR└ WKH└ ┼ ┼ └ WKH└ URCH└ WKDW└ WKH└ WDWWHU└ KDYH☼ └ DQG└ WKHLU└ DELOLW\└ WR└ HLWKHU└ SDUWLFLSDWH└ LQ└ D└ VXLW☼ └ DQG└ ZKHWKHU└ RU└ QRW└ WKH\└ KDYH└ WDQGLQJ"└ :RXOG└ \RX└ OLNH└ WR└ ILQLVK└ \RXU└ WKRXJKW└ RQ└ WKDW'

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

$QG└ 6HQDWRU☼ └ DV└ ,└ LQGLFDWHG└ LQ└ RXU└ RIILFH☼ └ LQ└ \RXU└ RIILFH☼ └ ZKHQ└ ZH└ VSHQW└ /LPH└ WRJHWKHU☼ └ WKH└ HQIRUFHPHQW└ URCH└ LQ└ WKH└ 6WDWH└ RI└ 2NODKRPD└ LV└ GLIIHUHQW└ /KDQ└ RWKHU└ WDWHV☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ 'HSDUWPHQW└ RI└ (QYLURQPHQWDO└ 4XDOLW\☼ └ WKH└ 2NODKRPD└ :DWHU└ 5HVRXUFHV└ %RDUG◀ └ :H└ KDYH└ PXOWLSOH└ DJHQFLHV└ ┼ ┼ └ WKH└ 'HSDUWPHQW└ RI└ $JULFXOWXUH☼ └ WKDW└ KDYH└ IURQW┼ └ OLCH└ HQIRUFHPHQW└ DXWKRULW\└ ZLWK└ UHVSHFW└ WR└ RXU└ HQYLURQPHQWDO└ CDZV◀

7KH└ URCH└ WKDW└ ZH└ SOD\☼ └ LQ└ P\└ RIILFH☼ └ ODUJHD\└ LV└ D└ JHQHUDO└ FRXQVHO└ URCH◀ └ :H└ SURYLGH└ JXLGDQFH└ DQG└ GLUHFWLRQ└ WR└ WKRVH└ DJHQFLHV◀ └ 7KHUH└ DUH└ PDQ\└ FDVHV└ ZH└ KDYH└ LQLWLDWHG└ LQ└ FRQMXQFWLRQ└ ZLWK└ WKHP☼ └ EXW└ ┼ ┼ └ EXW└ PDLQO\☼ └ /KRVH└ DJHQFLHV└ HQIRUFH└ DFWLRQV└ DW└ WKHLU└ CHYHD◀ └ 0DQ\└ RI└ WKRVH└ DJHQFLHV└ KDYH└ GR]HQV└ RI└ DWWRUQH\\V└ RQ└ WKHLU└ WDII☼ └ DQG└ D└ JHQHUDO└ FRXQVHO└ LQ└ WKHLU└ RZQ└ ULJKW☼ └ EULQJLQJ└ WKRVH└ HQIRUFHPHQW└ DFWLRQV◀

<RX└ PHQWLRQHG└ VHYHUDO└ RI└ WKH└ FDVHV☼ └ IURP└ 0$76└ WR└ FCHDQ└ ┼ ┼ └ FURVV┼ └ WDWH└ DLU└ SROOXWLRQ└ DQG└ WKH└ UHWH◀ └ ,└ EHOLHYH└ WKH└ &URVV┼ 6WDWH└ $LU└ 3ROOXWLRQ└ 5XCH└ LV└ D└ YHU\└ LPSRUWDQW└ WDWWXWH└ WKDW└ (3$└ VKRXOG└ HQIRUFH◀ └ ,└ EHOLHYH└ WKDW└ LI└ WKHUH\V└ GRZQZLQG└ WDWHV└ WKDW└ DUH└ FRQWULEXWLQJ└ WR└ GQ┼ └ DWWDLQPHQW└ LQ└ XS└ ┼ ┼ └ RU└ ,P└ \RUU\☼ └ XSZLQG└ WDWHV└ WKDW└ DUH└ FRQWULEXWLQJ└ WR└ GQ┼ DWWDLQPHQW└ LQ└ GRZQZLQG└ WDWHV☼ └ WKDW└ WKHUH└ VKRXOG└ EH└ UHVSRQVLELOLW\└ IRU└ WKRVH└ WDWHV◀

:H└ KDYH└ WKDW└ LVVXH└ ZLWK└ 7H[DV└ DW└ WLPHV◀ └ $QG└ VR☼ └ WKH└ ODZVXLW└ ZDV└ QRW└ TXHVWLRQLQJ└ WKH└ DXWKRULW\└ RI└ WKH└ (3$└ WR└ UHJXODWH└ XQGHU└ WKH└ &URVV┼ └ 6WDWH└ $LU└ 3ROOXWLRQ└ UXCH☼ └ LW└ ZDV└ PRUH└ WKDW└ WKH\└ ZHUH└ WU\LQJ└ WR└ DVHVV└ GDPDJHV└ DJDLQVW└ FHUWDLQ└ WDWHV└ WKDW└ ZHUH└ LQ└ H[FHVV└ RI└ WKHLU└ DOORFDWHG└ VKDUH◀

6R└ HDFK└ RI└ WKRVH└ FDVHV☼ └ ,└ ZRXOG└ DVN└ \RX└ WR└ UHPHPEHU☼ └ ,P└ DQ└ DGYRFDWH└ LQ└ EHKDOI└ RI└ WKH└ 6WDWH└ RI└ 2NODKRPD◀ └ 7KHUH\V└ D└ WWDWHV└ LQWHUHWWV☼ └ DV└ 6HQDWRU└ 5RQQV└ LQGLFDWHG☼ └ WKDW└ KDV└ WR└ EH└ LQ└ SOD\◀ └ 7R└ VD\└ WKDW└ DQ\└ RI└ WKRVH└ FDVHV└ LV└ DERXW└ DQ\└ RCH└ ┼ ┼ └ DQ\└ RCH└ FRPSDQ\☼ └ LV└ MXWW└ VLPSO\└ QRW└ ULJKW◀

AMERICAN OVERSIGHT

7KHUHV└ QR└ SDUHQW└ SDWULDUFK└ WKDQNLQJ└ WKDW┘ ,└ KDYH└ DV└ DWWRUQH\└ JHQHUDO☼ └ WR└ EULQJ└ D└ FDVH└ RQ└ EHKDOI└ RI└ D└ SULYDWH└ FLWL]HQ└ RU└ D└ FRPSDQ\◀ └ 7KHUH└ KDV└ WR└ EH└ D└ WDQGLQJ☼ └ DQ└ LQMXU\└ WR└ WKH└ WDWWHV└ LQWHUHWW☼ └ WR└ EULQJ└ WKRVH└ FDVHV◀ └ $QG└ \R└ ,└ ZRXOG└ DVN└ \RX└ WR└ FRQVLGHU└ WKDW┘ DV└ ZH└ JR└ WKURXJK└ WKRVH└ FDVHV└ \RX└ PHQWLRQHG└ HDUOLHU◀

7KDQN└ \RX☼ └ 6HQDWRU└ 5RXQGV◀

5281'6 └

7KDQN└ \RX◀ └ 7KDQN└ ┼ ┼ └ WKDQN└ \RX◀ └ $QG└ WKDQN└ \RX☼ └ VLU☼ └ IRU└ \RXU└ UHVSRQVH☼ └ \RXU└ FRPSOHWH└ UHVSRQVH◀ └ $OVR☼ └ DV└ WKH└ FKDLUPDQ└ RI└ WKH└ VXEFRPPLWWHH└ RQ└ RYHUVLJKW┘ RI└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\☼ └ ,YH└ KDG└ WKH└ RSSRUWXQLW\└ WR└ ORRN└ DW┘ WKHLU└ ┼ ┼ └ WKHLU└ EDVLV└ IRU└ WKH└ ZD\└ WKDW┘ WKH\└ PDNH└ WKHLU└ GHFLVLRQV└ NQRZQ☼ └ DQG└ WKH└ ORJLF└ WKH└ XVH└ LQ└ JHWWLQJ└ WR└ WKRVH└ GHFLVLRQV◀

:H└ KDG└ D└ FKDQFH└ WR└ WDON└ DERXW┘ LW┘ LQ└ P\└ RIILFH└ WKH└ RWKHU└ GD\☼ └ DQG└ RQH└ RI└ /KH└ LWHPV└ WKDW┘ ,└ EURXJKW┘ XS└ ZDV└ WKH└ IDFW┘ WKDW┘ ZH└ DFWXDOO\└ KDG└ UHFHLYHG└ FRPPHQW└ IURP└ WKH└ 6PDOO└ %XVLQHVV└ $GPLQLWUDWLRQ└ 2ΠILFH☼ └ RI└ DGYRFDF\☼ └ D└ FRS\└ RI└ ZKLFK└ ,YH└ JRWWHQ☼ └ 0U◀ └ &KDLUPDQ☼ └ ,G└ OLNH└ WR└ KDYH└ SXW┘ LQWR└ WKH└ UHFRUG◀ └ 7KDQN└ \RX◀

$QG└ ZLWK└ WKLV☼ └ WKLV└ ZDV└ D└ CHWWHU└ WKDW┘ ZDV└ VHQW┘ WR└ WKH└ (3$└ LQ└ 2FWREHU└ RI└ ⊥ ‼ ¶ ┤ ☼ └ UHTXHVWLQJ└ WKDW┘ WKH└ (3$└ ZLWKGUDZ└ WKH└ SURSRVHG└ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ UXCH☼ └ WKH└ :2786└ UXCH☼ └ DQG└ UHYDOXDWH└ WKH└ LPSDFW┘ WKH└ UXCH└ ZRXOG└ KDYH└ RQ└ $PHULFDQ└ VPDOO└ EXVLQHVV◀ └ 1RZ└ WKLV└ LV└ D└ IHGHUDO└ DJHQF\└ UHTXHVWLQJ└ WKH└ (3$└ WDNH└ D└ VHFRQG└ ORRN┘ D└ SURSRVHG└ UXCH◀

7KH└ (3$└ UHIXVHG└ WKLV└ UHTXHVW┘ DQG└ LVXHG└ WKH└ ILQDO└ UXCH└ WKDW┘ ZH└ KDYH└ /RGD\◀ └ :KDW┘ DUH└ \RXU└ WKRXJKW└ RQ└ WKLV"└ $QG└ ZRXOG└ \RX☼ └ LI└ \RX└ DUH└ DSSURYHG☼ └ DQG└ ┼ ┼ └ DQG└ EHFRPH└ WKH└ CH[W┘ DGPLQLWUDWRU└ RI└ (3$☼ └ ZRXOG└ \RX└ /DNH└ D└ VHFRQG└ ORRN└ DW┘ ZKHWKHU└ RU└ QRW┘ WKH\└ KDG└ D└ YDOLG└ UHDVRQ└ IRU└ KDYLQJ└ /KH└ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ UXCH└ FRQVLGHUHG└ DJDLQ"

358,77 └

,└ WKLQN☼ └ 6HQDWRU☼ └ WKH└ UHVSRQVH└ RI└ WKH└ 6L[WK└ &LUFXLW☼ └ DQG└ ZKHUH└ ZH└ DUH└ SUHVHQWO\☼ └ ZLWK└ WKH└ OLWLJDWLRQ☼ └ WKHUH└ DUH└ GHILQLWHO\└ QHHG└ ┼ ┼ └ WKHUH┘ GHILQLWHO\└ D└ QHHG└ WR└ DGGUHVV└ WKDW┘ RQ└ D└ SURVSHFWLYH└ EDVLV◀ └ +LWWRULFDOO\☼ └ DV└ \RX└ NQRZ☼ └ XQGHU└ WKH└ &HDQ└ :DWHU└ $FW☼ └ DQG└ HYHQ└ EHIRUH└ WKH└ &HDQ└ :DWHU└ ZDV└ SDVVHG☼ └ WKH└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6WDWHV☼ └ HTXDOO\└ 1DYLJDEOH└ :DWHUV☼ └ QDYLJDEOH┼ LQ┼ IDFW┘ ZDWHUV◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH╫ ┴ RI ┴┴

:H└ NQRZ☼ └ IURP└ D└ FRXSOH└ RI └ FDVHV☼ └ WKDW└ CHG└ XS└ WR└ WKH└ PRWW└ UHFHQW└ FDVH☼ └ 5DSDQRV☼ └ WKDW└ WKH└ &HDQ└ :DWHU└ $FW└ LV└ VLPSO\└ PRUH└ WKDQ└ QDYLJDEOH╫ └ LQ╫ IDFW☼ └ EXW└ ZKDW└ WKDW└ PRUH└ LV└ KDV└ WR└ EH└ GHWHUPLQHG└ DQG└ DVVHVVHG◀

$QG└ VR☼ └ DV└ ,└ LQGLFDWHG└ HDUOLHU☼ └ WR└ DGRWKHU└ 6HQDWRUV└ TXHVWLRQ☼ └ WKH└ PRWW└ LPSRUWDQW└ WKLQJ└ LV└ WR└ SURYLGH└ FHUWDLQW\☼ └ WR└ PDNH└ VXUH└ WKDW└ WKH└ &HDQ└ :DWHU└ $FW└ KHOSV└ WKRVH└ DW└ WKH└ WDWH└ CHYHO└ NQRZ└ ZKHUH└ WKH└ ERXQGDULHV└ DUH☼ └ RI└ ZKHUH└ WKH\└ KDYH└ MXULVGLFWLRQ└ DQG└ ZKHUH└ WKH\└ GRQW☼ └ VR└ WKDW└ ZH└ FDQ└ KDYH└ UHJXODWLRQV└ WKDW└ DUH└ IDLU└ DQG└ HTXLWDEOH☼ └ DQG└ XQFHUWDLQW\└ LV└ QRW└ FUHDWHG◀

%281'6 └

,Q└ WKH└ CDZVXLW└ WKDW└ \RX└ KDYH└ EURXJKW└ DJDLQVW└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ RQ└ EHKDOI└ RI└ WKH└ 6WDWH└ RI└ 2NODKRPD☼ └ ZRXOG└ LW└ EH└ IDLU└ WR└ VD\└ WKDW└ D└ QXPEHU└ RI└ WKRVH└ DUH└ EDVHG└ XSRQ└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\└ IDLOLQJ└ WR└ IROORZ└ LW\└ RZQ└ UXOHV☼ └ DQG└ WKH└ SURPXOJDWLRQ└ RI└ /KRVH└ UXOHV"

358,77 └

<HV◀ └ <HV☼ └ 6HQDWRU◀ └ ,└ WKLQN☼ └ ZKHWKHU└ LW\└ WKH└ 0$76└ FDVH☼ └ RU└ WKH└ &HDQ└ 3RZHU└ 3ODQ└ FDVH☼ └ RU└ WKH└ :2786└ FDVH☼ └ RU└ D└ PXOWLWXGH└ RI└ FDVHV☼ └ WKH└ FRXUW└ KDYH└ DJUHHG└ WKDW└ WKH└ (3$└ KDV└ H[FHHGHG└ LW\└ DXWKRULW\☼ └ WKDW└ WKH└ (3$└ KDV└ QRW└ DFWHG└ ZLWKLQ└ WKH└ IUDPHZRUN└ WKDW└ &RQJUHVV└ KDV└ HVWDEOLVKHG☼ └ LQ└ SHUIRUPLQJ└ WKH└ URCH└ WKDW└ LW\└ VXSSRVHG└ WR└ SHUIRUP◀

7KDW\└ WKH└ UHDVRQ└ ,└ PHQWLRQHG☼ └ LQ└ P\└ RSHQLQJ└ WDWHPHQW☼ └ WKDW└ SURFHVV└ PDWWHUV☼ └ UXOH└ RI└ ODZ└ PDWWHUV◀ └)HGHUDOLVP└ PDWWHUV◀ └ $QG└ ,P└ ┼ ┼ └ WKRVH└ LVVXHV└ PDWWHU└ EHFDXVH└ &RQJUHVV└ KDV└ VDLG└ VR◀ └ ,W\└ LV└ &RQJUHVV└ ZKR└ JLYHV└ DXWKRULW\└ WR└ WKH└ (3$◀ └ 7KH└ (3$└ LV└ DQ└ DGPLQLWWDWLYH└ DJHQF\◀ └ ,W\└ QRW└ D└ CHJLVODWLYH└ ERG\◀

$QG└ VR└ LW\└ LPSRUWDQW└ IRU└ WKDW└ DJHQF\└ WR└ DFW└ ZLWKLQ└ IUDPHZRUN☼ └ ZLWKLQ└ WKH└ VXEVWDQWLYH└ DXWKRULW\└ WKDW└ &RQJUHVV└ KDV└ SURYLGHG└ LW☼ └ LQ└ GRLQJ└ LW\└ MRE◀ └ $QG└ LQ└ ┼ ┼ └ LQ└ CHDGLQJ└ WKH└ (3$☼ └ LI└ FRQILUPHG☼ └ ,└ WKLQN☼ └ LI└ \RX└ ┼ ┼ └ LI└ ,└ GR└ WKDW└ HI IHFWLYHO\☼ └ LW└ ZLOO└ SURYLGH└ FRQILGHQFH☼ └ FHUWDLQW\└ WR└ WKRVH└ WKDW└ DUH└ UHJXODWHG☼ └ WR└ NQRZ└ ZKDW\└ H[SHFWHG└ RI└ WKHP☼ └ DQG└ LPSURYH└ RXU└ DLU☼ └ LPSURYH└ RXU└ ZDWHU└ EHFDXVH└ RI└ WKDW◀

5281'6 └

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH╢ ┼ R└

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ 5RXQGV◀

6HQDWRU└ 0DUN\◀

0$5.(< └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 7KLV└ PRUQLQJ☼ └ 12$$☼ └ 1$6$└ KDV└ GHFDUHG└
┴ ‼ ¶ ├ └ WKH└ KRWWHVW└ \HDU└ LQ└ WKH└ ¶ ┬ → ┼ \HDU╢ ROG└ UHFRUG└ WKDW└ KDV└ EHHQ└ N+SW◀ └
'RQDOG└ 7UXPS└ KDV└ FDOOHG└ JOREDO└ ZDUPLQJ└ D└ KRD[└ FDXVHG└ E\└ WKH└
&KLQHVH◀ └ 'R└ \RX└ DJUHH└ WKDW└ JOREDO└ ZDUPLQJ└ LV└ D└ KRD["

358,77 └
,└ GR└ QRW☼ └ 6HQDWRU◀

0$5.(< └
6R└ 'RQDOG└ 7UXPS└ LV└ ZURQJ"

358,77 └
,└ GR└ QRW└ EHOLHYH└ WKDW└ FOLPDWH└ FKDQJH└ LV└ D└ KRD[◀

0$5.(< └
2.◀ └ 7KDW└ LPSRUWDQW└ IRU└ WKH└ SUHVLGHQW└ WR└ KHDU◀ └ 0U◀ └ 3UXLWW☼ └ \RXYH└ PDGH└ D└
FDUHHU└ ZRUNLQJ└ RQ└ EHKDOI└ RI└ WKH└ IRVLO└ IXHO└ LQGXVWU\└ WR└ HYLVFHUDWH└
UHJXODWLRQV└ GHVLJHG└ WR└ SURWHFW└ SXEOLF└ KHDOWK└ DQG└ WKH└ HQYLURQPHQW◀ └ <RX└
KDYH└ VXHG└ WKH└ (3$└ ¶ └ WLPHV└ WR└ WRPS└ FCHDQ└ DLU└ DQG└ ZDWHU└ SURWHFWLRQV◀

(LJKW└ RI└ WKRVH└ FDVHV└ DUH└ WLOO└ RQJRLQJ☼ └ LQFOXGLQJ└ \RXU└ OLWLJDWLRQ└ WKDW└
FKDOOHQJHV└ FULWLFDO└ UXOHV└ WKDW└ UHGXFH└ CHYHDV└ RI└ KD]DUGRXV└ VPRJ☼ └ PHUFXU\└
DQG└ FDUERQ└ SROOXWLRQ◀ └ $V└ (3$└ DGPLQLWUDWRU☼ └ \RX└ ZRXOG└ EH└ LQ└ D└ SRVLWLRQ└
/R└ VHUYH└ DV└ SDLQWL I I☼ └ GHIHQGDQW☼ └ MXGJH└ DQG└ MXU\└ RQ└ WKHVH└ RQJRLQJ└ HLJKW└
CDZVXLWV☼ └ DQG└ WKDW└ ZRXOG└ EH└ ZURQJ◀

,Q└ \RXU└ HWKLFV└ DJUHHPHQW☼ └ \RX└ KDYH└ VDLG└ WKDW└ \RX└ ZRXOG└ QRW└ SDUWLFLSDWH└
LQ└ DQ\└ PDWWHU└ WKDW└ LV└ RQJRLQJ└ OLWLJDWLRQ└ ZLWKLQ└ RQH└ \HDU◀ └ %XW└ 0U◀ └ 3UXLWW☼ └
LVQW└ LW└ FRUUHFW└ WKDW└ WKHVH└ CDZVXLWV└ PD\└ YHU\└ ZHOO└ FRQWLQXH└ IRU└ PXFK└ ORQJHU└
/KDQ└ RQH└ \HDU"

AMERICAN OVERSIGHT

358,77 └
:HOO└ 6HQDWRU☼ └ ,└ KDYH└ WKH└ CHWWHU└ IURP└ WKH└ HWKLFV└ FRXQVHO└ DW└ WKH└ (3$☼ └ DQG└
/KH└ RQH╪ \HDU└ WLPH└ SHULRG└ LV└ LQWHQGHG└ WR└ DGGUHVV└ FRYHUHG└ HQWLWLHV☼ └ HQWLWLHV└
/KDW└ ,└ VHUYH└ LQ└ ┼ ┼ └ LQ└ FKLLPDQVKLS☼ └ RU└ D└ RIILFHU└ FDSDFLW\☼ └ WKH└ 6RXWKHUQ└
7KHRORJLFDO└ 6HPLQDU\☼ └ WKH└ :LGRZV└ 0LQLVWU\◀ └ 7KRVH└ HQWLWLHV└ DUH└ FRYHUHG└
HQWLWLHV◀

6R└ LI└ WKHUH└ LV└ D└ PDWWHU└ WKDW└ DULVHV└ EHIRUH└ WKH└ (3$└ ZLWKLQ└ D└ RQH╪ └ \HDU└
SHULRG☼ └ D└ SDUWLFXODU└ PDWWHU☼ └ D└ VSHFLILF└ FDVH└ WKDW└ LQYROYHV└ WKRVH└ HQWLWLHV☼ └
/KHQ└ D└ UHFXVDO└ ZRXOG└ EH└ LQ└ RUGHU◀ └ %XW└ WKDW└ UHDOO\└ WKH└ ┼ ┼ └ WKH└ IRFXV└ RI└ WKH└
RQH╪ \HDU└ WLPHOLQH◀

0$5.(< └
%XW└ ZLOO└ \RX└ DJUHH└ WR└ UHFXVH└ \RXUVHOI└ IURP└ WKRVH└ CDZVXLWV└ ZKLFK└ \RX└
EURXJKW☼ └ DV└ WKH└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD☼ └ DJDLQVW└ WKH└ (3$☼ └ QRW└ MXVW└
IRU└ RQH└ \HDU☼ └ EXW└ IRU└ WKH└ HQWLUHW\└ RI└ WKH└ WLPH└ WKDW└ \RX└ DUH└ WKH└
DGPLQLVWUDWRU└ RI└ WKH└ (3$◀ └ :LOO└ \RX└ FRPPLW└ WR└ GRLQJ└ WKDW'

358,77 └
6HQDWRU☼ └ ,└ ┼ ┼ └ IRU└ FDULW\☼ └ ,└ ┼ ┼ └ ,└ ┼ ┼ └ ,└ WKLQN└ WKDW└ LW└ LPSRUWDQW└ WR└ QRWH└
RQH╪ \HDU└ WLPH└ SHULRG☼ └ DJDLQ☼ └ LV└ IRU└ WKRVH└ FRYHUHG└ HQWLWLHV└ WKDW└ ZHUH└
KLJKOLJKWHG└ LQ└ WKH└ (3$└ CHWWHU◀ └ :LWK└ UHVSHFW└ WR└ SHQGLQJ└ OLWLJDWLRQ└ ┼ ┼ └ ZLWK└
UHVSHFW└ WR└ SHQGLQJ└ OLWLJDWLRQ☼ └ WKH└ (3$└ HWKLFV└ FRXQVHO└ KDV└ LQGLFDWHG☼ └ ZLWK└
UHVSHFW└ WR└ SDUWLFXODU└ PDWWHUV└ DQG└ VSHFLILF└ SDUWLHV☼ └ WKHUH└ ZLOO└ EH└ DQ└
RSSRUWXQLW\└ WR└ JHW└ FRXQVHO└ IURP└ WKH└ (3$└ DW└ WKDW└ SRLQW☼ └ WR└ GHWHUPLQH└ ZKDW└
\W\HSV└ FRXOG└ EH└ WDNHQ└ WR└ DYRLG└ DSSHDUDQFHV└ RI└ LPSURSULHW\◀

0$5.(< └
6R└ \RX└ ZLOO└ QRW└ ┼ ┼ └ DUH└ \RX└ VD\LQJ└ WKDW└ \RX└ ZLOO└ QRW└ UHFXVH└ \RXUVHOI└ IURP└
/KH└ DFWXDO└ PDWWHUV└ ZKLFK└ \RX└ DUH└ VXLQJ└ WKH└ (3$└ RQ└ ULJKW└ QRZ☼ └ DV└
DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD☼ └ IRU└ WKH└ WLPH└ WKDW└ \RX└ DUH└ WKH└ KHDG└ RI└ WKH└
(3$"

358,77 └
,P└ QRW└ VD\LQJ└ WKDW◀ └ ,P└ QRW└ ┼ ┼ └ ,P└ QRW└ VD\LQJ└ WKDW└ DW└ DOO☼ └ 6HQDWRU◀

0$5.(< └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH╢ ┼ RI └└

<RX└ DUH└ VD\LQJ└ WKDW◀ └ :LOO└ \RX└ UHFXVH└ \RXUVHOI"

358,77 └
,P└ VD\LQJ└ WKDW- ┼ ┼ └ WKDW- WKH└ (3$└ HWKLFV└ FRXQVHO└ KDV└ LQGLFDWHG└ WKRVH└ FDVHV└
ZLOO└ UHTXLUH└ D└ UHYLHZ└ E\└ WKH└ (3$└ HWKLFV└ FRXQVHO☼ └ DQG└ ┼ ┼ └ DQG└ LI└ LW- LQYROYHV└
D└ SDUWLFXODU└ PDWWHU└ ZLWK└ D└ VSHFLILF└ SDUW☼ └ WKHQ└ UHFXVDO└ ZRXOG└ SRWHQWLDOO\└
EH└ LQ└ RUGHU◀ └ $QG└ ,└ ZRXOG└ IROORZ└ WKH└ JXLGDQFH└ DQG└ FRXQVHO└ RI└ WKH└ (3$└
HWKLFV◀ ◀ ◀

0$5.(< └
,└ MXVW- WKLQN└ WKLV└ LV└ D└ ┼ ┼ └ WKLV└ LV└ D└ FHDU└ OLQH└ IRU└ WKH└ $PHULFDQ└ SXEOLF☼ └ JLYH
\RXU└ UHFRUG└ IURP└ 2NODKRPD└ RI└ VXLQJ└ WKH└ (3$└ RQ└ DOO└ RI└ WKHVH└ PDWWHUV☼ └
/KDW- LI└ \RX└ GRQW- DJUHH└ WR└ UHFXVH└ \RXUVHOI☼ └ WKHQ└ DJDLQ☼ └ \RX└ EHFRPH└
SODLQWLII☼ └ GHIHQGDQW☼ └ MXGJH└ DQG└ MXU\└ RQ└ WKH└ FDVHV└ WKDW- \RXUH└ EULQJLQJ☼ └ WKDW-
┼ ┼ └ ULJKW- QRZ☼ └ DV└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD☼ └ DJDLQVW- WKH└ (3$◀

$QG└ WKDW- ┼ ┼ └ WKH└ (3$└ LV└ IRU└ DOO└ RI└ WKH└ SHRSOH└ RI└ WKH└ 8QLWHG└ 6WDWHV☼ └ QRW- MXVW-
/KH└ IRVVLO└ IXHO└ LQGXVWU\└ RI└ 2NODKRPD◀ └ 6R└ \RXUH└ QRW- FRPPLWWLQJ└ ┼ ┼ └ DQG└ ,└
/KLQN└ WKDW/└ D└ ELJ└ PLWDNH☼ └ 0U◀ └ 3UXLWW☼ └ WR└ UHFXVH└ \RXUVHOI└ IURP└ WKRVH└
FDVHV◀ └ ,W- LV└ FULWLFDO◀

$QG└ PRUHRYHU☼ └ \RX└ DOVR└ DUH└ LQ└ D└ SRVLWLRQ└ WR└ LQIOXHQFH└ UHJXODWLRQV└ WKDW- FRXOG└
RYHUWXUQ└ VPRJ└ SURWHFWLRQV☼ └ FDUERQ└ SROOXWLRQ└ SURWHFWLRQV└ WKDW- DUH└ ULJKW-
QRZ└ RQ└ WKH└ ERRNV☼ └ WKDW- \RX└ DUH└ VXLQJ☼ └ DV└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD☼ └
/R└ RYHUWXUQ◀ └ :RXOG└ \RX└ FRPPLW- WR└ QRW- UHJXODWLQJ☼ └ SURPXOJDWLQJ└ QHZ└
UHJXODWLRQV└ LQ└ DQ\└ RI└ WKH└ DUHDV└ ZKHUH└ \RX☼ └ ULJKW- QRZ☼ └ DUH└ VXLQJ└ WKH└
(3$"└ :RXOG└ \RX└ PDNH└ D└ FRPPLWPHQW- WKDW- \RX└ ZRXOG└ UHFXVH└ \RXUVHOI└
IURP└ GRLQJ└ WKDW'

358,77 └
/HW- PH└ ┼ ┼ └ CHW- PH└ EH└ FCHDU☼ └ 6HQDWRU☼ └ EHFDXVH└ ZH└ WDONHG└ DERXW- WKLV└ LQ└ \RXU└
RIILFH◀ └ $QG└ ,└ YHU\└ PXFK└ HQMR\HG└ WKH└ FRQYHUVDWLRQ└ ZH└ KDG└ WKHUH☼ └ LQ└
DGGLWLRQ└ WR└ WKLV└ DUHD└ WKDW- ZH└ WDONHG└ DERXW◀ └ ,└ KDYH└ HYHU\└ ZLOOLQJQHVV└ DQG└
GHVLUH└ WR└ ┼ ┼ └ WR└ ┼ ┼ └ WR└ UHFXVH☼ └ DV└ GLUHFWHG└ E\└ (3$└ HWKLFV└ FRXQVHO◀

$QG└ LI└ ┼ ┼ └ DQG└ LI└ GLUHFWHG└ WR└ GR└ VR☼ └ ,└ ZLOO☼ └ LQ└ IDFW☼ └ GR└ VR☼ └ WR└ UHFXVH└ LQ
FDVHV◀ └ 7KHUH└ LV└ D└ GLIIHUHQW- ┼ ┼ └ GLIIHUHQFH☼ └ DV└ \RX└ NQRZ☼ └ EHWZHHQ└ SHQGLQJ└
OLWLJDWLRQ└ LQ└ D└ SDUWLFXODU└ PDWWHU☼ └ ZLWK└ VSHFLILF└ SDUWLHV☼ └ DQG└ SURVSHFWLYH└
UXOHPDNLQJ◀ └ 5XOHPDNLQJ└ JRHV└ WKURXJK└ D└ SURFHVV◀ └ 5XOHPDNLQJ◀ ◀ ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH╢┼ ├ RI└└

0$5.(< └
/RRN└ DW┴ ┼ ┼ └ \RXUH└ WKH└ ┼ ┼ └ ZKDW┴ WKH└ $PHULFDQ└ SHRSOH└ DUH└ H[SHFWLQJ└ KHUH☼ └ LV└
/KDW┴ (3$└ GRHVQW┴ WXUQ└ LQWR└ HYHU\└ SROOXWHUV└ DOO\◀ └ 7KH└ RQO\└ ZD\└ WR└ HQVXUH└
/KDW┴ LV└ IRU└ \RX└ WR└ UHFXVH└ \RXUVHI└ IURP└ WKH└ FDVHV└ WKDW┴ \RX└ KDYH└ EURXJKW☼ └
EHFDXVH└ PRVW┴ RI└ WKHP└ DUH└ WR└ RYHUWXUQ└ WKH└ FCDQ└ DLU☼ └ FCDQ└ ZDWHU☼ └ VPRJ└
UHJXODWLRQV◀

6R└ WR└ FUHDWH└ DQ└ DSSHDUDQFH└ RI└ LQGHSHQGHQFH☼ └ LVW└ FULWLFDO└ WKDW┴ \RX└ UHFXVH└
\RXUVHI◀

358,77 └
$QG└ ,└ ZLOO└ ┼ ┼ └ ,└ ZLOO└ UHFXVH◀ ◀ ◀

0$5.(< └
2WKHUZLVH└ ┼ ┼ └ RWKHUZLVH☼ └ KRQHVWO\☼ └ SHRSOH└ DUH└ JRLQJ└ WR└ WKLQN└ WKDW┴ LVW└ QRW┴
VXUH┴ WKH└ IR[└ JXDUGLQJ└ WKH└ KHQKRXVH☼ └ LVW└ WKH└ IR[└ GHVWUR\LQJ└ WKH└ KHQKRXVH◀

358,77 └
$QG└ WKDW◀ ◀ ◀

0$5.(< └
%HFDXVH└ \RX└ ┼ ┼ └ \RX└ KDYHQW┴ GLVWDQFHG└ \RXUVHI└ IURP└ WKH└ DFWXDO└ OLVLJDWLRQ└
/KDW┴ \RX└ KDYH└ LQLWLDWHG└ RQ└ PRVW┴ RI└ WKH└ NH\└ LVVXHV└ WKDW┴ \RX└ DUH└ QRZ└ JRLQJ└
/R└ KDYH└ UHVSRQVLELOLW\└ IRU└ SURVHFXWLQJ☼ └ LQ└ WHUPV└ RI└ WKH└ SXEOLF└ KHDOWK└ RI└ WKH└
HQWLUH└ FRXQWU\◀

358,77 └
$QG└ 6HQDWRU☼ └ ,└ FDQ└ VD\└ WR└ \RX☼ └ XQHTXLYRFDOO\☼ └ ,└ ZLOO└ UHFXVH└ DV└ GLUHFWHG└
E\└ (3$└ HWKLFV└ FRXQVHO◀

0$5.(< └
$QG└ ,P└ VD\LQJ└ WR└ \RX☼ └ LV└ WKDW┴ \RX└ VKRXOG└ MXVW┴ WXUQ└ RXW┴ VD\LQJ☼ └ ,P└ JRLQJ└
/R└ UHFXVH└ P\VHOI└ IURP└ DQ\WKLQJ└ WKDW┴ UHODWHV└ WR└ DQ\└ OLWLJDWLRQ└ WKDW┴ ,└ KDYH└
LQLWLDWHG☼ └ DV└ WKH└ DWWRUQH\└ JHQHUDO└ RI└ 2NODKRPD☼ └ WKDW┴ TXHVWLRQV└ WKH└ FCDQ└
DLU☼ └ FCDQ└ ZDWHU☼ └ FOLPDWH└ FKDQJH☼ └ RU└ VPRJ☼ └ RU└ PHUFXU\└ SURVHFXWLRQV└ ZKLFK└
DUH└ ULJKW┴ QRZ└ RQ└ WKH└ ERRNV☼ └ WKDW┴ WKH└ (3$└ LV└ KRQRUHG└ WR└ ┼ ┼ └ WR└ SURVHFXW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH╢ ┴ RI ┴┴

$QG└ LI└ \RX└ GRQW┴ GR└ WKDW└ └ WKHQ└ ZHUH└ JRLQJ└ WR└ KDYH└ D└ IXQGDPHQWDO└ FRQIOLFW┴
RI└ LQWHUHVW┴ WKDW┴ LV└ SUHVHQWHG└ E\└ \RXU└ SUHVHQFH└ DV└ WKH└ DGPLQLVWUDWRU└ RI└ WKH└
(3$◀ └ ,W┴ MXVW┴ JHWV└ GRZQ└ WR└ EHLQJ└ D└ PDWWHU└ DV└ VLPSOH└ DV└ WKDW◀

⅋$55$662 └
7KH└ VHQDWRUV└ WLPH└ KDV└ H[SLUHG◀ └ 7KDQN└ \RX└ └ 6HQDWRU└ 0DUN\◀

)RU└ FODUL ILFDWLRQ└ └ ZLOO└ \RX└ IXOO\└ IROORZ└ WKH└ DGYLFH└ RI└ WKH└ (3$└ HWKLFV└
FRXQVHO"

358,77 └
<HV└ └ 0U◀ └ &KDLUPDQ◀

⅋$55$662 └
7KDQN└ \RX◀ └ -XVW┴ IRU└ DGGLWLRQDO└ FODUL ILFDWLRQ└ └ UHJDUGLQJ└ FRQIOLFW└ RI└ LQWHUHVW└ └
,└ QRWH└ WKH└ CHWWHU└ WR└ WKLV└ FRPPLWWHH└ └ RQ└ -DQXDU\└ ┤ WK└ └ DQG└ ,└ DP└ VXEPLWWLQJ└
/R└ WKH└ UHFRUG└ └ | :H| └ ┼ ┼ └ WKLV└ LV└ WKH└ 21ILFH└ RI└ *RYHUQPHQW┴ (WKLFV└ └ | EHOLHYH└
/KDW┴ WKLV└ GRPLQHH└ LV└ LQ└ FRPSOLDQFH└ ZLWK└ DSSOLFDEOH└ ODZV└ DQG└ UHJXODWLRQV└
JRYHUQLQJ└ FRQIOLFW└ RI└ LQWHUHVW◀ |

$QG└ WKHQ└ WKHUH└ ZDV└ D└ CHWWHU└ \HWWHUGD\└ IURP└ :DWHU└ 6KDXE└ GLUHFWRU└ └
21ILFH└ RI└ *RYHUQPHQW┴ (WKLFV└ └ UHVSRQGLQJ└ WR└ D└ CHWWHU└ IURP└ 6HQDWRU└ &DUSHU└
DQG└ RWKHU└ (3:└ 'HPRFUDWV└ └ UHJDUGLQJ└ $VWRUGH\└ *HQHUDO└ 3UXLWW┴ DQG└
SRWHQWLDO└ FRQIOLFW└ RI└ LQWHUHVW└ └ DQG└ WKH\└ VD\└ └ | ,I└ WKH└ 21ILFH└ RI└ *RYHUQPHQW┴
(WKLFV└ KDV└ WUDQVPLWWHG└ D└ FHUWLILHG└ ILQDQFLDO└ GLVFORVXUH└ UHSRUW└ └ DQG└ DQ└
HWKLFV└ DJUHHPHQW┴ WR└ WKH└ 6HQDWH| └ ┼ ┼ └ ZKLFK└ WKH\└ KDYH└ └ | LW┴ PHDQV└ WKH└ 21ILFH└
RI└ *RYHUQPHQW┴ (WKLFV└ LV└ VDWLVILHG┴ WKDW┴ DOO└ ILQDQFLDO└ FRQIOLFW└ RI└ LQWHUHVW┴
KDYH└ EHHQ└ LGHQWLILHG┴ DQG└ UHVROYHG◀ |

6HQDWRU└ (UQVW◀

(5167 └
7KDQN└ \RX└ └ 0U◀ └ &KDLU◀

7KDQN└ \RX└ └ $VWRUGH\└ *HQHUDO└ 3UXLWW└ └ IRU└ DSSHDULQJ└ LQ└ IURQW└ RI└ XV└ WRGD\◀ └ ,└
HQMR\HG└ RXU└ ┼ ┼ └ RXU└ FRQYHUVDWLRQ└ └ ERWK└ RQH┼ RQ┼ RQH└ └ DQG└ WKHQ└ LQ└ D└ JURXS└
VHWWLQJ└ └ DV└ ZHOO◀ └ $QG└ ,└ ZRXOG└ OLNH└ WR└ JR└ EDFN└ DQG└ UHYLVLW┴ RXU└ GLVFXVVLRQ└ RQ└
/KH└ 5)6◀

AMERICAN OVERSIGHT

$V└ \RX└ NQRZ☼ └ ,RZD└ LV└ KRPH└ WR└ ┤ ┬ └ HWKDQRO└ UHILQHULHV◀ └ :H└ DUH└ WKH└ ODUJHVW└ SURGXFHU└ RI└ HWKDQRO└ ZHVW└ RU└ HDVW└ RI└ WKH└ 0LVVRXUL└ 5LYHU◀ └ 3UHVLGHQW╪ HCHFW└ 7UXPS└ UHLWHUDWHG└ KLV└ VXSSRUW└ IRU└ ELRIXHDV└ ZKLCH└ KH└ ZDV└ FDPSDLJQLQJ└ DFURVV└ ,RZD└ DQG└ DOO└ DFURVV└ WKH└ 0LGZHVW◀ └ $QG└ WKRVH└ DUHDV└ RI└ WKH└ FRXQWU\└ RYHUZKHOPLQJO\└ VXSSRUWHG└ KLV└ FDQGLGDF\☼ └ DQG└ CHG└ WR└ KLV└ YLFWRU\◀

$QG└ WKDQN└ \RX└ IRU└ WDDWLQJ☼ └ RQFH└ DJDLQ☼ └ WKDW└ \RX└ ZRXOG└ KRQRU└ KLV└ FRPPLWPHQW└ WR└ ELRIXHDV└ E\└ FDUU\LQJ└ RXW└ WKH└ 5)6└ DV└ LQWHQGHG└ E\└ &RQJUHVV◀ └ 3ROLF\└ FHUWDLQ\└ LV└ NH\└ IRU└ HFFRQPLF└ JURZWK☼ └ DQG└ WKLV└ VRPHWKLQJ└ WKDW└ ZH└ GLVFXVVHG└ LQ└ P\└ RI ILFH◀

8QIRUWXQDWHO\☼ └ DV└ D└ UHVXOW└ RI└ XQFHUWDLQ\└ VXUURXQGLQJ└ WKH└ (3$V└ UHCHZDECH└ IXHO└ YROXPH└ WDUJHWV└ LQ└ ┴ !! ¶ ┤ ☼ └ ┴ !! ¶ ↑ └ DQG└ ┴ !! ¶ ├ ☼ └ VHFRQG╪ └ JHCHUDWLRQ└ ELRIXHO└ LQVHWXPHQW└ GHFUHDVHG☼ └ DQG└ SURSRVHG└ SURMHFW└ PRYHG└ RYHUVHDV◀ └)RUWXQDWHO\☼ └ WKH└ (3$└ KDV└ UHFHQWO\└ FKDQJHG└ LW└ FRXUVH└ DQG└ UHCHDVHG└ XSGDWHG└ YROXPH└ WDUJHWV└ IRU└ WKH└ 5)6☼ └ WKDW└ PHHW└ WKH└ CHYHDV└ SURVFULEHG└ E\└ &RQJUHVV◀

,I└ FRQILUPHG└ DV└ DGPLQLWWLDWRU☼ └ ZKDW└ ZLOO└ \RX└ GR└ WR└ FRQWLQXH└ WR└ SURYLGH└ FHUWDLQW\☼ └ VR└ WKDW└ LQVHWXPHQW└ FDQ└ FRQWLQXH└ WR└ KDSSHQ☼ └ ULJKW└ KHUH└ DW└ KRPH└ LQ└ WKH└ 8QLWHG└ 6WDWHV"

358,77 └

<RX└ NQRZ☼ └ 6HQDWRU☼ └ DV└ \RX└ LQGLFDWHG└ LQ└ RXU└ PHHWLQJ☼ └ WKH└ LPSRUWDQFH└ RI└ /KH└ LQIUDWUXFWXUH└ LQVHXPHQW└ WKDW└ KDV└ RFFXUUHG☼ └ DQG└ UHOLDQFH└ XSRQ☼ └ WKH└ CDZ└ ZDV└ SDVVHG└ LQ└ ┴ !! !! ↑ └ DQG└ XSGDWHG└ LQ└ ┴ !! !! → ◀ └ $QG└ DV└ ,└ LQGLFDWHG└ HDUOLHU└ /R└ 6HQDWRU└)LVFKHUV└ TXHVWLRQ☼ └ WKH└ ODWLWXGH└ GLVFUHWLRQ└ WKDW└ KDV└ EHHQ└ JLYHQ└ /R└ WKH└ (3$└ DGPLQLWWLDWRU☼ └ ZLWK└ UHVSHFW└ WR└ ZDLYLQJ└ WKRVH└ WDXWXRU\└ WDUJHWV☼ └ VKRXOG└ EH└ MXGLFLRXVO\└ XVHG◀

,W└ VKRXOGQ└ EH└ DXWRPDWLF◀ └ ,W└ VKRXOG└ EH└ VRPHWKLQJ└ WKDW└ WKH└ (3$└ DGPLQLWWLDWRU└ VHHNV└ WR└ FRPSO\└ ZLWK└ DQG└ DGKHUH└ WR☼ └ EHFDXVH└ RI└ WKH└ ZLOO└ RI└ /KLV└ ERG\◀ └ $QG└ VR└ ,└ WKLQN└ WKRVH└ ZDLYHUV☼ └ REYLRXVO\☼ └ DUH└ LQ└ RUGHU☼ └ EXW└ ZLWK└ UHVSHFW└ WR└ PDUNHW└ FRQGLWLRQV☼ └ ZH└ KDYH└ CHW└ FRQVXPSWLRQ└ WRGD\☼ └ IXHO└ HI ILFLHQW└ YHKLFOHV☼ └ PDUNHW└ FRQGLWLRQV└ KDYH└ FKDQJHG└ VLQFH└ ┴ !! !! ↑ ◀

⅋XW└ GHVSLWH└ WKDW☼ └ WKH└ (3$└ DGPLQLWWLDWRU└ VKRXOG└ GRW└ XVH└ WKDW└ WR└ XQGHUPLQH└ RU└ WR└ VRPHKRZ└ SXW└ LQWR└ TXHVWLRQ☼ └ WKH└ FRPPLWPHQW└ PDGH└ E\└ /KLV└ ERG\└ LQ└ WKH└ 5HCHZDECH└)XHO└ 6WDQGDUGV└ WWDWXWH◀

(5167 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH╫┼ └ RI└└

7KDQN└ \RX└ IRU└ \RXU└ FRPPLWPHQW└ WR└ WKH└ 5)6└ DQG└ WKH└ LQWHQWLRQ└ RI└
&RQJUHVV◀ └ ,└ DOVR└ ZDQW└ WR└ WRXFK└ RQ└ DQ└ LVVXH└ \RX└ PHQWLRQHG└ LQ└ \RXU└
/HWWLPRQ\☼ └ ZKLFK└ LV└ WKH└ CHYHD└ RI└ IHDU└ DQG└ GLVWUXVW└ PDQ\└ IRONV└ KDYH└ RI└ WKH└
(3$◀ └ :KHQ└ ,P└ KRPH└ LQ└ ,RZD☼ └ ,└ KRVW└ WRZQ└ KDOOV└ DOO└ DFURVV└ WKH└ WDWH☼ └ DQG└
VXVW└ ZDQW└ WR└ KHDU└ ZKDW└ JRLQJ└ RQ└ LQ└ WKHLU└ FRPPXQLWLHV◀

$QG└ ZKDW└ ,└ KHDU☼ └ ZLWKRXW└ IDLO☼ └ DW└ WKHVH└ WRZQ└ KDOOV☼ └ LV└ WKDW└ IRONV└ DUH└
IUXVWUDWHG└ ZLWK└ WKH└ (3$└ DQG└ WKH└ | JRVFKD| └ PHQWDOLW\└ WKDW└ KDV└ WHPPHG└
IURP└ WKH└ DJHQF\◀ └ 0\└ FRQVWLWXHQWV└ WHOO└ PH└ WKH└ (3$└ LV└ RXW└ WR└ JHW└ WKHP☼ └
UDWKHU└ WKDQ└ ZRUN└ ZLWK└ WKHP☼ └ DQG└ WKHUH└ LV└ D└ KXJH└ ODFN└ RI└ WUXVW└ EHWZHHQ└
PDQ\└ RI└ P\└ FRQVWLWXHQWV└ DQG└ WKH└ (3$◀

$QG└ LI└ ZH└ WDNH└ D└ CRRN└ VSHFLILFDOO\└ DW└ WKH└ :2786└ UXCH☼ └ ,RZDQV└ WUXO\└ IHHO└
/KDW└ WKH└ (3$└ LJCRUHG└ WKHLU└ FRPPHQW└ DQG└ FRQFHUQV☼ └ WKUHZ└ WKHP└ XQGHU└
/KH└ UXJ☼ └ DQG└ WKHQ└ MXVW└ PRYHG└ IRUZDUG◀ └ :H└ NQRZ└ QRZ└ WKDW└ WKH└ (3$└ UHOLHG└
RQ└ JLPPLFN\└ PDW└ H╫ PDLOV└ DQG└ VRFLDO└ PHGLD└ HYHQW└ WR└ SURS└ XS└ WKHLU└
PHVVDJH☼ └ DQG└ WKHQ└ WKH\└ XVHG└ WKRVH└ WDFWLFV└ WR└ LQVLQXDWH└ WKDW└ DQ\RQH└ ZKR└
KDG└ UHDVRQDEOH└ FRQFHUQV└ DERXW└ WKH└ :2786└ UXCH└ DUH└ VRPHKRZ└ LQ└ IDYRU└
RI└ GLUV\└ ZDWHU☼ └ ZKLFK└ LV└ DEVROXWHO\└ ULGLFXORXV◀

$QG└ WKLV└ WYSH└ RI└ FXOWXUH└ WKDW└ ZDV└ FUHDWHG└ XQGHU└ WKH└ 2EDPD└
DGPLQLWUDWLRQ└ KDV└ GR└ SODFH☼ └ KDV└ GR└ SODFH└ KHUH◀ └ 6R└ 0U◀ └ 3UXLWW☼ └ ZKDW└ GR└
\RX└ SODQ└ WR└ GR└ LQ└ \RXU└ ILUVW└ GD\V└ DV└ WKH└ DGPLQLWUDWRU└ WR└ LPSURYH└ WKH└
UHODWLRQVKLSV└ (3$└ KDV└ ZLWK└ WKH└ KDUG╫ ZRUNLQJ└ IRONV└ DFURVV└ WKH└ FRXQWU\"

358,77 └
:HOO└ 6HQDWRU☼ └ DV└ ,└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ WDWHPHQW☼ └ WKLV└ SUDGLJP└ WKDW└
ZH└ OLYH└ ZLWKLQ└ WRGD\☼ └ LI└ \RXUH└ SUR╫ HQHUJ\☼ └ \RXUH└ DQWL╫ HQYLURQPHQW☼ └ LI└
\RXUH└ SUR╫ HQYLURQPHQW☼ └ \RXUH└ DQWL╫ HQHUJ\☼ └ LV└ VRPHWKLQJ└ WKDW└ ,└ WKLQN└ LV└
VXVW└ D└ IDOVH└ GLUHDWLYH◀ └ :H└ ╫ ╫ └ ZH└ FDQ└ GR└ EHWWHU└ WKDQ└ WKDW◀

,Q└ IDFW☼ └ WKLV└ FRXQWU\└ KDV└ VKRZQ└ IRU└ GHFDGHV└ WKDW└ ZH└ FDQ└ JURZ└ RXU└
HFRQRP\☼ └ DQG└ EH└ D└ JRRG└ WHZDUG└ RI└ RXU└ DLU☼ └ CDQG└ DQG└ ZDWHU◀ └
&RRSHUDWLYH└ IHGHUDOLVP└ LV└ DW└ WKH└ KHDUW└ RI└ PDQ\└ RI└ WKH└ HQYLURQPHQWDO└
WHDWXWHV└ WKDW└ KDYH└ EHHQ└ SDVVHG└ E\└ WKLV└ ERG\◀ └ $QG└ WKH└ UHDVRQ└ IRU└ WKDW└ LV☼ └
LW\└ WKH└ WDWHV☼ └ PDQ\└ WLPHV☼ └ WKDW└ KDYH└ WKH└ UHVRXUFHV☼ └ WKH└ H[SHUWLVH☼ └ DQG└
XQGHUWDQGLQJ└ ZKDW└ WKH└ XQLTXH└ FKDOOHQJHV└ DUH└ IRU└ WKH└ HQYLURQPHQW☼ └ LQ└
LPSURYLQJ└ RXU└ ZDWHU└ DQG└ RXU└ DLU◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH└ ‼ RI └

,W└ QRW└ WKDW└ WKH\└ GRQW└ FDUH└ DERXW└ LW◀ └ 6HQDWRU└ :KLWHKRXVH└ LQGLFDWHG└ D└ GHYROXWLRQ└ RI └ DXWKRULW\└ WR└ WKH└ VWDWHV└ ZRXOG└ FUHDWH└ D└ SURFHVV◀ └ 7KDW└ QRW└ ZKDW└ ,P└ DGYRFDWLQJ◀ └ $QG└ ,└ WKLQN└ ZH└ KHDU└ LQ└ WKH└ PDUNHWSODFH☼ └ ZH└ QHHG└ D└ SDUWQHUVKLS☼ └ D└ WUXH└ SDUWQHUVKLS☼ └ EHWZHHQ└ WKH└ (3$☼ └ LQ└ SHUIRUPLQJ└ LW└ URFK☼ └ DORQJ└ ZLWK└ WKH└ VWDWHV☼ └ LQ└ SHUIRUPLQJ└ WKHLUV◀

$QG└ LI└ ZH└ KDYH└ WKDW└ SDUWQHUVKLS☼ └ DV└ RSSRVHG└ WR└ SXQLVKPHQW☼ └ DV└ RSSRVHG└ /R└ XQFHUWDLQW\☼ └ DQG└ GXUHV└ WKDW└ ZH└ FUUHQWO\└ VHH└ LQ└ WKH└ PDUNHWSODFH☼ └ ,└ /KLQN└ ZHOO└ KDYH└ EHWWHU└ DLU☼ └ EHWWHU└ ZDWHU└ TXDOLW\└ DV└ D└ UHVXOW◀

(5167 └
7KDQN└ \RX◀ └ ,└ ORRN└ IRUZDUG└ WR└ WKDW└ SDUWQHUVKLS└ DQG└ WUDQVSDUHQF\◀

7KDQN└ \RX☼ └ 0U◀ └ &KDLU◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ (QZV◀

6HQDWRU└ 'XFNZRUWK◀

'&. :257+ └
7KDQN└ \RX◀

0U◀ └ 3UXLWW☼ └ ,P└ ┼ ┼ └ ,└ ZDQW└ WR└ FODUL I\└ \RXU└ UHVSRQVH└ WR└ 6HQDWRU└ (QZV└ RQ└ WKLV└ ZKROH└ FRQJUHVVLRQDO└ LQWHQW☼ └ ZKHQ└ LW└ FRPHV└ WR└ WKH└ 5)6◀ └ :KDW└ ,└ ZDQW└ WR└ NQRZ☼ └ DQG└ ZKDW└ WKH└ SHRSOH└ RI └ ,OOLQRLV└ ┼ ┼ └ ZH└ DUH└ DOVR└ D└ JUHDW└ SURGXFHU└ RI └ HWKDQRO◀ └ $QG└ ZKDW└ ZH└ QHHG└ WR└ NQRZ└ LV└ ZKHUH└ H[DFWO\└ \RX└ VWDQG└ RQ└ WKH└ 5)6◀

$UH└ \RX└ WKH└ DWWRUQH\└ JHQHUDO└ ZKR☼ └ RQO\└ WKUHH└ \HDUV└ DJR☼ └ VLGHG└ ZLWK└ ELJ└ RLO└ WR└ VODP└ WKH└ 5)6"└ <RX└ ┼ ┼ └ DQG└ ,└ TXRWH☼ └ VDLG└ WKDW└ | 5)6└ ZDV└ XQZRUNDECH☼ | └ DQG└ DOVR└ WKDW└ LW└ ZDV└ D└ | ICDZHG└ SURJUDP◀ |

6R└ ,P└ D└ OLWWOH└ FRQIXVHG└ RQ└ ZKDW└ \RXUH└ VD\LQJ└ WRGD\☼ └ EHFDXVH└ DUH└ \RX└ /KDW└ ┼ ┼ └ DUH└ \RX└ WKDW└ 0U◀ └ 3UXLWW☼ └ RU└ DUH└ \RX└ WKH└ 6FRWW└ 3UXLWW└ WRGD\☼ └ ZKR└ LV└ VD\LQJ└ DOO└ WKH└ ULJKW└ WKLQJV└ LQ└ WKLV└ FRQILUPDWLRQ└ KHDULQJ└ DQG└ LQ└ WKHVH└ PHHWLQJV└ WR└ WU\└ WR└ UHDVXUH└ SUR┼ 5)6└ \WDWHV└ E\└ UHSHDWLQJ└ QLFH┼ VRXQGLQJ☼ └ EXW└ XQWLPDWHO\└ YDJXH└ DQG└ KROORZ└ PDQWUD☼ └ WKDW└ LI└ FRQILUPHG☼ └ \RX└ ZRXOG└ HQIRUFH└ WKH└ 5)6└ CDZ└ DV└ ZULWWHQ└ E\└ &RQJUHVV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH└ ¶ RI└

$V└ \RX└ DQG└ ,└ DUH└ TXLWH└ ZHOO└ DZDUH└ RI☼ └ VXFK└ D└ WDWWHPHQW└ HVVHQWLDOO\└
GRGJHV└ WKH└ FULWLFDO└ LVVXH└ IRU└ ELRIXHDV└ SURGXFHUV└ DQG└ ZRUNHUV☼ └ EHFDXVH└
XQGHU└ WKH└ CDZ☼ └ WKH└ (3$└ KDV└ FRQVLGHUDEOH└ GLVFUHWLRQ└ WR└ DGMXVW└ WKH└
UHQHZDEOH└ YROXPH└ REOLJDWLRQ└ LQ└ D└ PDQQHU└ WKDW└ \RX└ ZRXOG└ DUJXH└ LV└
FRQWUDU\└ WR└ FRQJUHVVLRQDO└ LQWHQW☼ └ \HV└ PD\└ EH└ FRPSOLDQW└ ZLWK└ WKH└ H[SLFLW└
CHWWHU└ RI└ WKH└ WDWXWH◀

6R└ DV└ (3$└ DGPLQLWWUDWRU☼ └ \RX└ FRXOG└ WLOO└ WHFKQLFDO\└ EH└ LQ└ FRPSOLDQW└ ZLWK└
&RQJUHVV☼ └ ZLWK└ WKH└ CDZ☼ └ EXW└ DFWXDO\└ EH└ ZRUNLQJ└ DJDLQVW└ LW◀ └ $QG└ \RU└
DQVZHUV└ WRGD\└ KDYH└ QRW└ FODUL ILHG└ WKDW◀ └ 6R└ P\└ TXHVWLRQ└ WR└ \RX☼ └ 0U◀ └ 3UXLWW☼ └
LV└ WKLV◀

:KLFK└ VSHFL ILF└ DFWLRQV└ KDV└ (3$└ WDNHQ└ VLQFH└ ⊥ ‼ ‼ → ☼ └ ZKLCH└ DGPLQLWHULQJ└
/KH└ 5)6☼ └ WKDW└ \RX☼ └ LQ└ \RXU└ YLHZ☼ └ DUH└ QRW└ FRQVLVWHQW└ ZLWK└ FRQJUHVVLRQDO└
LQWHQW'└ &DQ└ \RX└ GPH└ DQ\"

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀ └ 7KH└ DGPLQLWUDWRU└ DQG└ WKH└ (3$└ URXWLQHO\└ PLVHV└
/KH└ WDWXWRU\└ WDUJHWV☼ └ LQ└ SXEOLVKLQJ└ WKRVH└ HDFK└ \HDU☼ └ FUHDWLQJ└ JUHDW└
XQFHUWDLQW\└ LQ└ WKH└ PDUNHWSODFH◀ └ ,Q└ IDFW☼ └ VRPH└ ┼ ┼ └ LQ└ VRPH└ \HDUV☼ └ WKH\YH└
PLVHG└ WKH└ ┼ ┼ └ WKH\YH└ PLVHG└ WKH└ WLPHOLQH☼ └ DV└ IDU└ DV└ VXEPLWWLQJ└ WKRVH└
/DUJHW☼ └ E\└ RYHU└ D└ \HDU☼ └ LQ└ VRPH└ FDVHV☼ └ RYHU└ WZR└ \HDUV◀

'8&.:257+ └
2.◀ └ 6R└ CHW└ PH└ ┼ ┼ └ CHW└ PH└ DVN└ \RX└ WKLV☼ └ WKHQ◀ └ <HV└ RU└ QR☼ └ GR└ \RX└ EHOLHYH└
/KDW└ &RQJUHVV└ LQWHQGHG└ IRU└ WKH└ 5)6└ WR└ LQFUHDVH└ WKH└ DPRXQW└ RI└
UHQHZDEOH└ IXHO└ ECHQGHG└ LQ└ RXU└ QDWLRQV└ OLTXLG└ WUDQVSRUWDWLRQ└ IXHO└ VXSSO\"└
<HV└ RU└ QR◀

358,77 └
:LWKRXW└ TXHVWLRQ◀ └ <HV◀

'8&.:257+ └
:LWKRXW└ TXHVWLRQ"

358,77 └
<HV◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH└→ ┴ RI ┴┴

'8&.:257+ └
$OO└ ULJKW◀ └ 0\└ VHFRQG└ TXHVWLRQ└ WKHQ└ └ LV└ \HV└ RU└ QR└ └ GR└ \RX└ EHOLHYH└
&RQJUHVV└ LQWHQGHG└ IRU└ WKH└ 5)6└ WR└ EH└ D└ \WDEOH└ SROLF\└ WKDW└ GULYHV└ SULYDWH└
LQYHVWPHQW└ LQ└ WKH└ UHGHZDEOH└ HQHUJ\└ LQGXVWU\"

358,77 └
<HV◀

'8&.:257+ └
$QG└ ILQDOO\☼ └ LI└ FRQILUPHG☼ └ ZLOO└ \RX└ FRPPLW└ WR└ RSSRVLQJ└ DQ\└ DQG└ DOO└
SURSRVDOV└ WR└ PRYH└ WKH└ SRLQW└ RI└ REOLJDWLRQ└ XQGHU└ WKH└ 5)6└ SURJUDP└ IURP└
UHILQHUV└ WR└ ECHQGHUV"

358,77 └
6HQDWRU☼ └ DV└ \RX└ NQRZ☼ └ WKH└ (3$└ LV└ DFWXDOO\└ LQYROYHG└ LQ└ D└ FRPPHQW└ SHULRG└
RQ└ WKDW└ YHU\└ LVVXH◀ └ $QG└ WR└ SUHVXGJH└ WKH└ RXWFRPH└ RI└ WKDW☼ └ ,└ WKLQN☼ └ ZRXOG└
EH└ ┼ ┼ └ ,└ ZRXOG└ QRW└ EH└ DECH└ WR└ GR└ ┼ ┼ └ WR└ GR└ WKDW◀ └ 7KHUH└ DUH└ PDQ\└ DVSHFWV└ RI└
/KH└ SURJUDP☼ └ IURP└ WKH└ WLDGLQJ└ SURJUDP☼ └ WKH└ PRQLWRULQJ└ RI└ IUDXG└ LQ└ WKH└
V\\WHP☼ └ WKDW└ QHHG└ WR└ EH└ EHWWHU\└ ┼ ┼ └ EHWWHU└ DGPLQLWLDWHG└ E\└ WKH└ (3$◀

7KHVH└ KDYH└ EHHQ└ DGPLQLWLDWLRQ└ LVVXHV◀ └ 7KH└ (3$└ KDV└ FUHDWHG└
XQFHUWDLQW\◀ └ :H└ WDONHG└ DERXW└ LW└ PLQXWH└ DJR└ ┼ ┼ └ D└ PLQXWH└ DJR☼ └ ZLWK└ WKH└
VHQDWRU☼ └ DERXW└ WKH└ DPRXQW└ RI└ LQYHVWPHQW└ WKDW└ JRHV└ LQWR└ WKH└
LQIUDWUXFWXUH└ EHFDXVH└ RI└ WKH└ ┴ ‼ ‼ ↑ └ ODZ◀

7KRVH└ LQGLYLGXDOV└ QHHG└ WR└ KDYH└ FHUWDLQW\└ DQG└ FRQILGHQFH└ WKDW└ WKH└ 5)6└ LV└
JRLQJ└ ┼ ┼ └ LV└ JRLQJ└ WR└ EH└ HQIRUFHG└ DQG└ DGPLQLWHUHG└ SXUVXDQW└ WR└ WKH└
GHVLUHV└ RI└ &RQJUHVV◀ └ 7KDW◀ ◀ ◀

'8&.:257+ └
5LJKW◀ └ %XW└ LI└ \RX└ ZHUH└ WR└ GR└ WKDW☼ └ WKHQ└ \RX└ ZRXOG└ DFWXDOO\└ KDYH└ WR└ DQVZHU└
┼ ┼ └ \RX└ ZRXOG└ KDYH└ WR└ DQVZHU└ \HV☼ └ EHFDXVH└ WR└ PRYH└ WKH└ 5)6└ SURJUDP└
IURP└ UHILQHUV└ WR└ ECHQGHUV└ LV└ DFWXDOO\└ RQH└ RI└ WKRVH└ ZD\V└ WKDW└ \RX└ FDQ└
DFWXDOO\└ XQGHUPLQH└ WKH└ 5)6└ WDQGEDUV└ DV└ LQWHQGHG└ E\└ &RQJUHVV☼ └ ZKLFK└
\RX└ \RXUVHOI└ MXVW└ GRZ└ VDLG└ ZDV└ LQWHQGHG└ WR└ LQFUHDVH└ WKH└ DPRXQW└ RI└
ELRIXHOV└ ECHQGHG└ LQWR└ WKH└ IXHO└ VXSSO\└ RI└ WKH└ 8QLWHG└ 6WDWHV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH└→ ┼ RI└└

7KLV└ LV└ P\└ SUREOHP◀ └ <RX└ ┼ ┼ └ RQ└ WKH└ RQH└ KDQG☼ └ \RXU└ HQWLUH└ WUDFN└ UHFRUG└
VKRZV└ \RX└ WR└ EH└ VRPHRQH└ ZKR└ RSSRVHV└ WKH└ 5)6☼ └ DQG└ \HW└ KHUH☼ └ LQ└ IURQW└
RI└ &RQJUHVV☼ └ DQG└ LQ└ PHHWLQJV└ ZLWK└ VHQDWRUV☼ └ \RX└ DUH└ JLYLQJ└ WKHMH└ YDJXH└
DQVZHUV└ WKDW└ VRXQG└ ULJKW└ ZKHQ└ LW└ FRPHV└ WR└ WKH└ 5)6☼ └ EXW└ UHDOO\└ RSHQV└ DOO└
\RUW└ RI└ EDFN└ GRRUV└ IRU└ \RX└ WR└ RSSRVH└ WKH└ 5HQHZDECH└)XHO└ 6WDQGDUG◀

$QG└ WKDW└ LV└ YHU\└ WUXEHMRPH☼ └ EHFDXVH└ DOO└ DFURVV└ WKH└ 0LGZHVW└ ┼ ┼ └ \RX└
NQRZ☼ └ IRU└ WKRVH└ RI└ XV└ ZKR└ KDYH└ IRXJKW└ WR└ WWUHQJWKHQ└ QDWLRQDO└ VHFXULW\└ E\└
CHVVHQLQJ└ RXU└ FRXQWU\V└ GDQJHURXV└ GHSHQGHQFH└ RQ└ IRUHLJQ└ RLO☼ └ ,P└ UHDOO\└
LQFUHGLEO\└ FRQFHUQHG└ DERXW└ WKH└ IXWXUH└ RI└ WKH└ 5)6└ DQG└ $PHULFDQ┼
SURGXFHG└ ELRIXHOV└ XQGHU└ D└ 6FRWW└ 3UXLWW┼ CHG└ (3$◀

$QG└ ,P└ DOVR└ LQFUHGLEO\└ FRQFHUQHG└ DERXW└ ZKDW└ \RXUH└ JRLQJ└ WR└ GR└ LQ└
/HUPV└ RI└ SURWHFWLQJ└ WKH└ HQYLURQPHQW◀ └ ,Q└ \RXU└ DQVZHU└ WR└ RQH└ RI└ P\└
FROOHDJXHV└ DERXW└ ZKDW└ WKH└ URQH└ RI└ WKH└ (3$└ LV☼ └ ZKDW└ LV└ WKH└ MRE└ RI└ WKH└ (3$☼ └
RQH└ RI└ WKH└ ILUVW└ TXHVWLRQV└ \RX└ JRW☼ └ \RX└ VSHQW└ ILYH└ PLQXWHV└ WDONLQJ└ EHIRUH└
\RX└ DFWXDOO\└ VDLG☼ └ SURWHFW└ WKH└ HQYLURQPHQW◀

<RX└ WDONHG└ DOO└ DERXW└ UHGXFLQJ└ (3$V└ LQIOXHQFH└ RYHU└ WDWHV└ IRU└ D└ JRRG└ ILYH└
PLQXWHV└ EHIRUH└ \RX└ DFWXDOO\└ JRW└ WKH└ HQYLURQPHQW◀ └ $QG└ WKHQ└ IRU└ P\└
IDUPHUV☼ └ P\└ FRUQ└ DQG└ \R\EHDQ└ SURGXFHUV└ IRU└ P\└ ELRIXHO└ LQGXVWU\☼ └ WKH└
5)6└ LV└ FULWLFDO└ LQ└ RUGHU└ WR└ FRQWLQXH└ WKDW◀

$QG└ ,└ ZRXOG└ UDWKHU└ EXLQ└ $PHULFDQ└ PDGH☼ └ $PHULFDQ└ FRUQ└ ┼ ┼ └ JURZQ└ FRUQ└
DQG└ \R\EHDQ└ LQ└ P\└ JDV└ WDQN☼ └ WKDQ└ ,└ ZRXOG└ RLO└ IURP└ WKH└ 0LGGCH└ (DVW◀ └ ,YH└
DOUHDG\└ EHHQ└ WR└ D└ ZDU└ IRXJKW└ RYHU└ RLO└ LQ└ WKH└ 0LGGCH└ (DVW☼ └ DQG└ ,└ GRQW└
LQWHQG└ WR└ DOORZ└ XV└ WR└ FRQWLQXH└ WR└ GR└ WKDW☼ └ ZKLFK└ LV└ ZK\└ WKH└ 5)6└ LV└ VR└
FULWLFDO☼ └ QRW└ MXVW└ IRU└ WKH└ MREV└ LQ└ ,OLQRLV☼ └ QRW└ MXVW└ WR└ VXSSRUW└ ,OLQRLV└
DJULFXOWXUH☼ └ EXW└ IRU└ RXU└ QDWLRQDO└ VHFXULW\☼ └ ZKHQ└ LW└ FRPHV└ WR└ ZKHUH└ ZHUH└
JRLQJ└ WR└ JHW└ RXU└ HQHUJ\└ VXSSO\◀

,P└ RXW└ RI└ WLPH◀ └ 7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ 'XFNZRUWK◀

358,77 └
,I└ ,└ PD\"└ 6HQDWRU☼ └ CHW┼ ┼ └ CHW┼ PH└ VD\└ WR└ \RX☼ └ WKH└ URCH└ RI└ WKH└ DGPLQLWUDWRU└ F
/KH└ (3$└ LV└ WR└ HQIRUFH└ DQG└ DGPLQLWHU└ WKH└ 5)6└ SURJUDP└ WR└ FDUU\└ RXW└ WKH└
REMHFWLYHV└ RI└ WKDW└ WUDWXWH◀ └ 7KRVH└ WDUJHWV└ WKDW└ KDYH└ EHHQ└ SXW└ LQ└ WKDW└
WUDWXWH└ E\└ WKLV└ ERG\└ CHHG└ WR└ EH└ UHVSHFWHG◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH└→ ┼ RI└└

7KH└ GLVFUHWLRQ└ DXWKRULWLW☼ └WKH└ ZDLYHU└ DXWKRULW\ └RI└WKH└ DGPLQLVWUDWRU└QHHGV└
/R└ EH└ MXGLFLRXV\└ XVHG└WR└ DGGUHVV└WKRVH└ FRQFHUQV└WKDW└ ZHYH└WDONHG└
DERXW◀ └ $QG└ VR└ ,└GRQW└ ZDQW└ \RX└WR└ KDYH└ DQ\└ FRQFHUQ└ DERXW└WKH└ ┼ ┼ └WKH└
LQWHQW☼ └REVHFWLYH└ RU└ ZLOO☼ └LI└ FRQILUPHG☼ └RI└ FDUU\LQJ└ RXW└WKH└ 5)6└ PDQGDWH└ RU└
/KH└ \WDWXWH└ LQ└ LW\└ ZKRCH◀

'8&.:257+ └
7KDW└ YHU\└ DQVZHU└ FRQFHUQV└ PH☼ └EHFDXVH└ \RXYH└ QRW└ DFWXDOO\└ VDLG└WKDW└
\RXUH└ JRLQJ└WR└ WXLFN└ ZLWK└ LW◀

%$55$662 └
,G└ OLNH└WR└ VXEPLW└ IRU└WKH└ UHFRUG☼ └WZR└ ┼ ┼ └RQH☼ └D└ CHWWHU└ IURP└WKH└ $PHULFDQ└
)DUP└ %XUHDX└)HGHUDWLRQ☼ └ZKLFK└ WXUQJO\└ VXSSRUW└WKH└ QRPLQDWLRQ└ RI└
6FRWW└ 3UXLWW└ DV└ DGPLQLWUDWRU└ RI└WKH└ 8◀ 6◀ └ (QYLURQPHQWDO└ 3URWHFWLRQ└
$JHQF\☼ └DQG└ XUJHV└ D└ YRWH└ LQ└ IDYRU└ RI└ KLV└ FRQILUPDWLRQ◀

7KH└ VHFRQG└ LV└ D└ CHWWHU└ IURP└WKH└ 'HPRFUDW└ DWWRUQH\└ JHQHUDO└ RI└WKH└ 6WDWH└
RI└ $UNDQVDV☼ └IRUPHU└ 'HPRFUDW└ $WWRUQH\└ *HQHUDO└ 'XVWLQ└ 0F'DQLHO☼ └ZKR└
KDV└WKLV└WR└ VD\└ DERXW└ $WWRUQH\└ *HQHUDO└ 6FRWW└ 3UXLWW└ ZRUN└ RQ└WKH└ WWHP└
SKRVSKRURXV└ CHYHDV└ LQ└WKH└ ,OLQRLV└ 5LYHU└ ZDWHUVKHG◀

+H└ VDLG☼ └| 5HFHQW└ SUHVV└ DFFRXQW└ UHJDUGLQJ└WKHVH└ HI IRUWV└ XQIDLUO\└
PLVFKDUDFWHUL]H└WKH└ ZRUN└WKDW└ ZDV└ GRQH└ E\└ *HQHUDO└ 3UXLWW└ DQG└ KLV└WHDP◀ └
+H└ ZDV└ D└ WDXQFK└ GHIHQGHU└ RI└ VRXQG└ VFLHQFH└ DQG└ JRRG└ SROLF\☼ └ DV└
DSSURSULDWH└ WRROV└WR└ SURWHFW└WKH└ HQYLURQPHQW└ RI└ KLV└ WDWH◀ └ ,└ VDZ└ ILUWKDQG└
KRZ└ *HQHUDO└ 3UXLWW└ ZDV└ DEOH└WR└ EULGJH└ SROLWLFDO└ GLYLGHV☼ └DQG└ PDQDJH└
PXOWLSOH└ DJHQF\└ DJHQGDV☼ └WR└ UHDFK└ DQ└ RXWFRPH└WKDW└ ZDV└ KHUDOGHG└ E\└
PRWW└ FUHGLEOH└ REVHUYHUV└ DV└ ERWK└ SRVLWLYH└ DQG└ KLWWRULFDO◀ |

6HQDWRU└ %RR]PDQ◀

%22=0$1 └
7KDQN└ \RX☼ └0U◀ └ &KDLUPDQ◀

$QG└WKDQN└ \RX☼ └$WWRUQH\└ *HQHUDO└ 3UXLWW☼ └IRU└ \RXU└ ZLOOLQJQHVV└WR└ VHUYH☼ └
DQG└ \RXU└ IDPLO\◀ └ ,└WKLQN└ HYHU\ERG\└ DW└WKH└ GDLV└ KHUH└ UHDOL]HV└WKDW└WKHVH└
UHDOO\└ DUH└ IDPLO\└ DI IDLUV└WKDW└ WUXO\└ DI IHFW└ HYHU\RQH◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH└ ┼ RI └└

,Q└ UHFHQW└ \HDUV└ └WKH└ (3$└ KDV└ PDGH└ LW└ LQFUHDVLQJO\└ GLIILFXOW└ IRU└ $UNDQVDV└
/R└ PDQDJH└ LWV└ GHOHJDWHG└ QDWLRQDO└ SROOXWDQW└ GLVFKDUJH└ HOLPLQDWLRQ└ V\VWHP◀ └
7KH└ ┼ ┼ └WRR└ RIWHQ└ └WKH└ SHUPLWV└ └UXQHPDNLQJV└ └RU└ RWKHU└ DFWLRQV└ VHQW└ WR└ (3$└
IRU└ UHYLHZ└ └DUH└ UHWXUQHG└ ZLWK└ GHPDQGV└ IDU└ PRUH└ UHWULFWLYH└ └DGGLWLRQDO└
H[SHQVLYH└ GDWD└ FROOHFWLRQV└ UHTXLUHG└ └DQG└ RWKHU└ FRVWO\└ RQHURXV└
UHTXLUHPHQWV◀

1HZ└ CHDGHUVKLS└ DW└ (3$└ KDV└ DQ└ RSSRUWXQLW\└ WR└ FRUUHFW└ WKLV└ FRHUFLYH└
IHGHUDOLVP└ └DQG└ LQWHDG└ └UHWXUQ└ FRRSHUDWLYH└ IHGHUDOLVP└ └DV└ LQWHQGHG◀ └
7KH└ \WDWHV└ KDYH└ WKH└ H[SHUWLVH└ DQG└ CRFDO└ NQRZOHGJH└ QHFHVVDU\└ WR└
DGPLQLWHU└ HQYLURQPHQWDO└ SURJUDPV◀

0U◀ └ 3UXLWW└ └(3$└ KDV└ WKH└ RSSRUWXQLW\└ WR└ SOD\└ D└ VLJQLILFDQW└ URCH└ LQ└
VXSSRUWLQJ└ D└ PRYH└ EDFN└ WR└ FRRSHUDWLYH└ IHGHUDOLVP◀ └ &DQ└ \RX└ SCHDVH└
H[SODLQ└ KRZ└ \RX└ SODQ└ WR└ FKDQJH└ WKH└ (3$┼ WDWH└ G\QDPLF"└ 0\└ H[SHULHQFH└
ZLWK└ (3$└ ┼ ┼ └DQG└ EHLQJ└ RQ└ 7UDQVSRUWDWLRQ└ LQ└ WKH└ +RXVH└ └EHLQJ└ UDQNLQJ└
PHPEHU└ RQ└ :DWHU└ WKHUH└ └UDQNLQJ└ PHPEHU└ LQ└ WKH└ 6HQDWH└ LV└ └WKH└ (3$└ LV└ ┼ ┼ └
/KHLU└ DWWLWXGH└ LV└ └ZHUH└ ZLWK└ \RX└ └XQGHUV└ \RX└ FRPH└ RXW└ ZLWK└ D└ ILQGLQJ└ WKDW└
LV└ FRQWUDU\└ └DQG└ WKHQ└ ZHUH└ JRLQJ└ WR└ GR└ LW└ RXU└ ZD\◀ └ 6R└ FDQ└ \RX└ DGGUHVV└
/KDW'

358,77 └
,└ WKLQN└ └WZR└ WKLQJV└ └6HQDWRU◀ └ 2QH└ └DV└ ZH└ LQGLFDWHG└ HDUOLHU└ └UXCH└ RI└ CDZ└ DQG└
PDNLQJ└ VXUH└ WKDW└ WKH└ DXWKRULWLV└ JUDQWHG└ WR└ WKH└ \WDWHV└ └XQGHU└ \WDWH└
LPSOHPHQWDWLRQ└ SCDQV└ └GHOHJDWLRQ└ XQGHU└ FHUWDLQ└ FCHDQ└ ZDWHU└ SURYLVLRQV└ └
/KDW└ WKDW\└ UHVSHFWHG◀

%XW└ DOVR└ └,└ WKLQN└ WKH└ (3$└ CHHGV└ WR└ SURYLGH└ PRUH└ DVVLWDQFH└ WR└ WKH└
\WDWHV└ └LQ└ ZRUNLQJ└ LQ└ SDUWQHUVKLS└ └DQG└ EH└ SURDFWLYH◀ └ 7KRVH└ UHJLRQDO└
DGPLQLWUDWRUV└ WKDW└ ZH└ KDYH└ DFURVV└ WKH└ FRXQWU\└ CHHG└ WR└ EH└ VHHQ└ DV└
SDUWQHUV└ └DQG└ GRW└ DGYHUVDULHV◀

$QG└ VR└ ,└ WKLQN└ └UHWXRULQJ└ WKDW└ FRQILGHQFH└ └UHWXRULQJ└ WKDW└ UHDWLRQVKLS└ └DQG└
VHHNLQJ└ WR└ GR└ VR└ └LV└ YHU\└ └YHU\└ LPSRUWDQW└ LQ└ FDUU\LQJ└ RXW└ WKLV└ SDUWQHUVKLS└
/KDW└ ZH└ NQRZ└ WKDW└ H[LWW└ RQ└ WKH└ YDULRXV└ HQYLURQPHQWDO└ WDWXWHV◀

%22=0$1 └
9HU\└ JRRG◀ └)RU└ WKH└ SDWW└ HLJKW└ \HDUV└ └(3$└ KDV└ DFWHG└ DV└ D└ SROLWLFDO└ DUP└ RI └
/KH└ 2EDPD└ DGPLQLWUDWLRQ└ WLPH└ └DQG└ WLPH└ DJDLQ◀ └ :HYH└ VHHQ└ UXCHV└
GHYHORSHG└ QRW└ EDVHG└ RQ└ VRXQG└ VFLHQFH└ └EXW└ RQ└ SROLWLFDO└ LGHRORJ\◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH└ ├ RI └└

:KHQ└ UXCHV└ KDYH└ EHHQ└ UHCHDVHG☼ └ WDWHV└ DQG└ SULYDWH└ VHFWRU☼ └ DQG└ HYHQ└
&RQJUHVV☼ └ KDYH└ KDG└ WURXEOH└ JHWWLQJ└ (3$└ WR└ VKRZ└ WKH└ VFLHQFH└ WKDW└
KHOSHG└ GHYHORS└ WKHVH└ UXCHV◀ └ 8QHU└ \RXU└ CHDGHUVKLS☼ └ FDQ└ ZH└ H[SHFW└ (3$└
/R└ EH└ PRUH└ WUDQVSDUHQW'

,Q└ RWKHU└ ZRUGV☼ └ KRZ└ WKH└ UXCHV└ DUH└ EHLQJ└ GHYHORSHG☼ └ WKH└ VFLHQFH└ EHKLQG└
/KHP◀ └ $QG└ \RXYH└ FRQWLQXDOO\└ DOOXGHG└ WR└ WKLV☼ └ DQG└ ,└ WKLQN└ LW└ VR└ LPSRUWDQW☼ └
DV└ DGPLQLWUDWRU└ RI└ WKH└ (3$☼ └ FDQ└ ZH└ FRXQW└ RQ└ \RX└ WR└ EDVH└ DOO└ RI└ \RXU└
GHFLVLRQV└ RQ└ WKH└ UXCH└ RI└ CDZ☼ └ QRW└ RQ└ WKH└ DGPLQLWUDWRUV└ RU└ HYHQ└ \RXU└ RZQ└
SROLWLFDO└ LGHRORJ\"

358,77 └
$EVROXWHO\☼ └ 6HQDWRU◀ └ ,Q└ UHVSRQVH└ WR└ WKH└ CDWWHU└ SDUW└ RI└ \RXU└ TXHVWLRQ☼ └ WKDW└
SXEOLF└ SDUWLFLSDWLRQ└ LV└ LPSRUWDQW◀ └ 7KHUH└ D└ UHDVRQ└ ZK\☼ └ LQ└ UXCHPDNLQJ☼ └
/KDW└ \RX└ WDNH└ FRPPHQW◀ └ 7KHUH└ D└ UHDVRQ☼ └ DV└ ,└ LQGLFDWHG└ HDUOLHU└ WR└
6HQDWRU└ (UQVW☼ └ WKDW└ \RX└ LQYROYH└ WKRVH└ WKDW└ DUH└ LPSDFWHG└ E\└ UXCHPDNLQJ☼ └
EHFDXVH└ \RX└ ZDQW└ WR└ XQGHUVWDQG└ WKH└ LPSDFW☼ └ ERWK└ HFRQRPLFDOO\└ DQG└
RWKHUZLVH☼ └ DQG└ WKH└ EHQHILW└ RI└ WKH└ HQYLURQPHQW☼ └ DV└ ZHOO└ DV└ PDNLQJ└ VXUH└
/KDW└ \RX└ FUDIW└ UXCHV└ DQG└ UHJXODWLRQV└ WKDW└ WDNH└ DOO└ WKRVH└ WKLQJV└ LQWR└
FRQVLGHUDWLRQ◀

6R└ KDULQJ└ WKH└ YRLFHV└ RI└ DOO└ $PHULFDQV└ LQ└ WKDW└ UXCHPDNLQJ└ SURFHVV☼ └
UHVSRQGLQJ└ WR└ WKRVH└ FRPPHQW└ LQ└ WKH└ UHFRUG└ EHIRUH└ UXCHV└ DUH└ ILQDOL]HG☼ └
/UDQVSDUHQF\☼ └ REVHUYLYL\☼ └ D└ FRPPLWPHQW└ WR└ SURFHVV☼ └ LV└ YHU\└ LPSRUWDQW☼ └ LQ└
P\└ YLHZ☼ └ RI└ UHVWRULQJ└ WKH└ FRQILGHQFH└ RI└ WKH└ $PHULFDQ└ SHRSOH└ LQ└ WKH└
UXCHPDNLQJ└ SURFHVVHV└ WKDW└ RFFXU└ KHUH└ LQ└ :DVKLQJWRQ☼ └ '◀ &◀

½22=0$1 └
6R└ DJDLQ☼ └ UHCHDVLQJ└ WKH└ ┼ ┼ └ WKH└ VFLHQWLILF└ GDWD└ EHKLQG└ WKDW└ ZRXOG└ EH└
VRPHWKLQJ└ WKDW└ \RXG└ YHU\└ PXFK└ VXSSRUW'

358,77 └
<HV☼ └ 6HQDWRU◀

½22=0$1 └
9HU\└ PXFK◀ └ 7KH└ SURECHP└ WKDW└ WKH└ (3$☼ └ (3:└ FRPPLWWHH└ KDV└ IDFHG└ ZLWK└
/KH└ FXUUHQW└ DGPLQLWUDWLRQ└ LV└ D└ CDFN└ RI└ FRPPXQLFDWLRQ◀ └ 7LPH└ DQG└ WLPH└
DJDLQ☼ └ (3$└ HLWKHU└ GLG└ QRW└ UHVSRQG└ WR└ TXHVWLRQV└ IURP└ FRPPLWWHH└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH└→ ┴ RI ┴┴

PHPEHUV☼ └ RU└ DW┬ WKH└ YHU\└ CHDWV☼ └ WRRN└ PRQWKV└ WR└ UHVSRQG◀ └ 8QGHU└ \RU└
CHDGHUVKLS☼ └ FDQ└ ZH└ H[SHFW┬ WKH└ (3$└ WR└ JHW┬ FRPPLWWHH└ PHPEHUV└ DQ\ZHUV└
LQ└ ┼ ┼ └ LQ└ D└ WLPHO\└ IDVKLRQ"

358,77 └
<HV☼ └ 6HQDWRU◀ └ $V└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ WVWDWHPHQW☼ └ OLWHQLQJ└ LV└ DQ└
LPSRUWDQW┬ URCH└ RI└ CHDGHUVKLS☼ └ DQG└ OLWHQLQJ└ WR└ WKH└ YRLFHV└ RI└ WKH└ IRNV└ KHUH└
LQ└ &RQJUHVV◀ └ $V└ ,└ ZHQW┬ WKURXJK└ DQG└ PHW┬ ZLWK└ PDQ\└ RI└ \RX☼ └ WKURXJK└ WKLV└
SURFHVV☼ └ WKHUH└ ZHUH└ LVVXHV└ SDUWLFXODU└ WR└ \RXU└ WVWDWH☼ └ WKDW┬ \RX└ PDGH└ PH└
DZDUH└ RI◀

$QG└ ,☼ └ LI└ FRQILUPHG└ DV└ (3$└ DGPLQLWVWDWRU☼ └ VHHN└ WR└ EH└ YHU\└ DFWLYH└ LQ└
OLWHQLQJ└ WR└ WKH└ CHHGV☼ └ ZLWK└ UHVSHFW┬ WR└ \RXU└ YDULRXV└ WVWDWHV☼ └ DQG└ UHVSRQG└
/R└ WKLV└ ERG\└ ZLWK└ UHVSHFW┬ WR└ TXHWVLRQV◀

%22=0$1 └
/HW┬ PH└ MXVW┬ FRPPHQW┬ RQ└ WKH└ ┼ ┼ └ RQ└ WKH└ $UNDQVDV┼ 2NODKRPD└ LVVXH◀ └ ,└ ZDV└
/KH└ FRQJUHVVPDQ└ LQ└ WKDW┬ GLVWULFW◀ └ $QG└ VR└ ,└ LQKHULWHG└ WKDW┬ LQ└ ┴ ‼ ‼ ¶ ◀ └ ,G└ EHHQ└
ZRUNLQJ└ RQ└ WKLV└ IRU└ ¶ ↑ └ \HDUV◀ └ $QG└ ,└ DSSUHFLDWH└ \RX└ DQG└ $VWRUCH\└ *HQHUDO└
0F'DQLHO└ GRLQJ└ D└ YHU\└ JRRG└ MRE└ RI└ JHWWLQJ└ WKLQJV└ GRQH◀

2Q└ WKH└ RWKHU└ KDQG☼ └ WKH└ LGHD└ WKDW┬ VRPHKRZ└ \RX└ ZHUH└ VRIW┬ ┼ ┼ └ LQ└ IDFW☼ └ ,└
ZRXOG└ DUJXH└ WKDW┬ \RX┬ ┼ ┼ └ \RX└ NQRZ☼ └ WKDW┬ WKH└ DJUHHPHQW┬ WKDW┬ ZDV└ UHDFKHG└
ZDV└ ZD\└ WRR└ UHVWULFWLYH☼ └ DQG└ LV└ SUREDEO\└ RQH└ RI└ WKH└ PRVW┬ UHVWULFWLYH└
ZDWHUVKHGV☼ └ DV└ IDU└ DV└ SKRVSKRURXV└ UHTXLUHPHQWV☼ └ RI└ DQ\└ SODFH└ LQ└ WKH└
8QLWHG└ 6WDWHV◀

358,77 └
:HOO☼ └ DV└ \RX└ NQRZ☼ └ 6HQDWRU☼ └ LQ└ WKDW┬ SURFHVV☼ └ ZH└ DFWXDOO\└ VHHFWHG└ D└
ELRCRJLW┬ IURP└ %D\CRU└ 8QLYHUVLW\└ WR└ HQJDJH└ LQ└ D└ VFLHQWLILF└ VWXG\└ RQ└ ZKDW┬
/KH└ SKRVSKRURXV└ CHYHDV└ VKRXOG└ EH☼ └ WKH└ QXPHULF└ TXDOLW\└ RI└ WKH└ ZDWHU◀ └ $QG└
LW┬ ZDV└ GHWHUPLQHG☼ └ DW┬ WKH└ HQG└ RI└ WKDW┬ SURFHVV☼ └ WKDW┬ ‼ ◀ ‼ ┼ → └ ZDV└ WKH└ ULJKW┬
WVDQGDUG☼ └ DQG└ LV└ QRZ└ HQIRUFHDECH└ RQ└ ERWK└ VLGHV└ RI└ WKH└ ERUDHU☼ └ IRU└ WKH└
ILUVW┬ WLPH└ LQ└ KLVWRU\◀ └ 6R└ LW┬ LV└ D└ YHU\└ LPSRUWDQW┬ RXWFRPH◀

%22=0$1 └
1R☼ └ ,└ XQGHUVWDQG◀ └ $QG└ ,└ FRPPHQG└ \RX└ RQ└ WKH└ SURFHVV◀ └ ,└ MXVW┬ ┼ ┼ └ \RX└
NQRZ☼ └ WKH└ LPSOLFDWLRQ└ KHUH└ LV└ VRPHKRZ☼ └ \RX└ NQRZ☼ └ \RX└ ZHUH└ ┼ ┼ └ \RX└
FDPH└ XS└ ZLWK└ D└ GHDO└ WKDW┬ ZDV└ ┼ ┼ └ ZDV└ WRR└ VRIW◀ └ $QG└ LI└ DQ\WKLQJ☼ └ ,└ ZRXOG└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUI3DJH└ ┴└ RI└└

DUJXH└ WKDW└ LW└ ZDV└ SHUKDSV└ D└ OLWWOH└ ELW└ WRR└ KDUVK◀ └ 6R└ ┼ ┼ └ EXW└ ,└ GR└ DSSUHFLDWH└
/KH└ SURPHWV◀ └ ,└ NQRZ└ WKDW└ \RX└ DQG└ RXU└ ┼ ┼ └ RXU└ IRUPHU└ DVVRUDWH\└ JHQHUDO└ ZHUH└
DEOH└ WR└ GR└ VRPHWKLQJ└ WKDW└ KDG└ EHHQ└ JRLQJ└ RQ└ IRU└ GHFDGHV◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

½22=0$1 └
5HDOO\└ DSSUHFLDWH└ LW◀

½$55$662 └
:HOO└ \RXYH└ EHHQ└ DW└ LW└ GRZ└ IRU└ DERXW└ WZR└ KRXUV◀ └ ,I└ \RX└ FDQ└ WXD\└ ZLWK└ XV└
/LOO└ ZH└ ILQLVK└ WKH└ ILUWV└ URXQG└ RI└ TXHVWLRQLQJ☼ └ ZH└ KDYH└ DERXW└ ILYH└ RU└ VL[└
DGGLWLRQDO└ TXHVWLRQV└ FRPLQJ◀ └ 6HQDWRU└ +DUULV└ LV└ QH[W☼ └ DQG└ WKHQ└ ZHOO└ EUHDN└
DW└ DERXW└ ¶ ┴ ┼ !! ☼ └ LI└ WKDW└ DOO└ ULJKW└ ZLWK└ HYHU\ERG\◀

&$53(5 └
$VN└ WKH└ ┼ ┼ └ ULJKW└ ┼ ┼ └ XQDQLPRXV└ FRQVHQW☼ └ PDNH└ D└ XQDQLPRXV└ FRQVHQW└
UHTXHVW☼ └ 0U◀ └ &KDLUPDQ◀

½$55$662 └
<HV☼ └ VLU◀

&$53(5 └
,G└ OLNH└ WR└ DVN└ XQDQLPRXV└ FRQVHQW└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG└ WKH└ CHJDO└ EULHI└
DJDLQVW└ WKH└ 0HUFXU\└ DQG└ $LU└ 7R[LFV└ 5XOH☼ └ ZKLFK└ 0U◀ └ 3UXLWW└ VXSSRUWHG☼ └
DQG└ WDWHG└ LQ└ WKDW└ EULHI☼ └ DQG└ ,OO└ MXVW└ TXRWH☼ └ LW└ VD\V☼ └ | +XPDQ└ H[SRVXUH└ WR└
PHWK\O└ PHUFXU\└ UHVXOWLQJ└ IURP└ FRDO┼ ILUHG└ HCHFWURJHQHUDWLQJ└ XWLOLWLHV└ LV└
H[FHHGLQJO\└ VPDOO☼ | └ FORVH└ TXRWH◀ └ 7KDW└ WKH└ TXRWH◀

,└ DOVR└ DVN└ XQDQLPRXV└ FRQVHQW└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG└ D└ UHFHQW└ DUWLFOH└
/KDW└ TXRWHV☼ └ ,└ WKLQN☼ └ WKH└ 1HZ└ <RUN└ 7LPHV◀ └ ,W└ TXRWHV└ D└ ┼ !! ┼ \HDU└ FDUHHU└
HPSOR\HH└ RI└ WKH└ 2NODKRPD└ 'HSDUWPHQW└ RI└ (QYLURQPHQWDO└ 4XDOLW\☼ └ WKDW└
KDV└ KLP└ VD\LQJ└ WKHMH└ ZRUGV☼ └ | +H| └ ┼ ┼ └ 0U◀ └ 3UXLWW☼ └ | KDV└ DGYRFDWHG└ DQG└
\WRRG└ XS└ IRU└ WKH└ SURILWW└ RI└ EXVLQHVVHV☼ └ EH└ LW└ SRQWU\└ FRPSDQLHV└ RU└ WKH└
HQHUJ\└ LQGXWU\└ DQG└ RWKHU└ SROOXWHUV☼ └ DW└ WKH└ H[SHQVH└ RI└ SHRSOH└ ZKR└ KDYH└
/R└ GULQN└ WKH└ ZDWHU└ RU└ EUHDWKH└ WKH└ DLU◀ |

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH↵ └ RI └┘

2ΛKHU└ ┼ ┼ └ RΛKHU└ \ΛDWHPHQW└ KDYH└ EHHQ└ LQWURGXFHG└ IRU└ WKH└ UHFRUG└ └ VD\LQJ└
TXLWH└ D└ GLIIHUHQW└ WKLQJ└ DERXW└ 0U◀ └ 3UXLWW◀ └ ,└ WKLQN└ LW\└ RQO\└ IDLU└ WR└ JR└ WR└
VRPHRQH└ ZKR\└ ZRUNHG└ WKHUH└ IRU└ ┤ ‼ └ \HDUV└ DQG└ KDV└ TXLWH└ D└ GLIIHUHQW└ YLHZ└
ΛKDQ└ WKH└ RQH└ WKDW└ KHV└ ┼ ┼ └ KH└ ┼ ┼ └ RXU└ ZLWQHVV└ KDV└ H[SUHVVHG◀ └ 7KDQN└ \RX◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

6HQDWRU└ +DUULV◀

+$55,6 └
7KDQN└ \RX└ &KDLUPDQ◀

0U◀ └ 3UXLWW└ └ DV└ DQ└ DΛWRUQH\└ JHQHUDO└ └ ,└ NQRZ└ └ DV└ D└ IRUPHU└ DΛWRUQH\└ JHQHUDO└
RI└ &DOLIRUQLD└ └ WKDW└ ZH└ └ DV└ DΛWRUQH\V└ JHQHUDO└ └ KDYH└ VHYHUDO└ GXWLHV└ └ ZKLFK└
LQFOXGH└ UHSUHVHQWLQJ└ RXU└ FOLHQW└ └ WΛDWH└ DJHQFLHV└ └ DQG└ DOVR└ WKH└ GLVFUHWLRQ└
DQG└ SRZHU└ WR└ LQLWLDWH└ ODZVXLW└ LQ└ RXU└ LQGHSHQGHQW└ FDSDFLW\└ DV└ DΛWRUQH\V└
JHQHUDO◀ └ :RXOG└ \RX└ DJUHH└ ZLWK└ WKDW'

358,77 └
6RPH└ \ΛDWHV└ SURYLGH└ PRUH└ ODWLWXGH└ WKDW└ └ WKDQ└ RΛKHUV◀

+$55,6 └
'RHV└ \RXU└ \ΛDWH"

358,77 └
2XU└ \ΛDWH└ KDV└ QRW└ SURYLGHG└ └ FRQVWLWXWLRQDOO\└ └ DV└ PXFK└ DXWKRULW\└ DV└ RΛKHU└
\ΛDWHV└ └ WR◀ ◀ ◀

♂ &52667$/.□

+$55,6 └
+DYH└ \RX└ QHYHU└ ┼ ┼ └ KDYH└ \RX└ QHYHU└ H[HUFLVHG└ \RXU└ LQGHSHQGHQW└ FDSDFLW\└
DV└ DΛWRUQH\└ JHQHUDO└ WR└ EULQJ└ D└ CHJDO└ DFWLRQ"

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUI3DJH└ ‼ RI └

6HQDWRU☼ └ ,└ ZRXOG└ KDYH└ WR└ NQRZ└ PRUH└ VSHFLILFV└ DERXW└ ZKDW└ \RXUH└
UHIHUULQJ└ WR◀ └ %XW└ LQ└ UHVSRQVH└ WR└ \RXU└ TXHVWLRQ☼ └ LW└ GRHV└ YDU\└
FRQVLGHUDEO\◀ ◀ ◀

♂ &52667$/.□

+$55,6 └
+DYH└ \RX└ HYHU└ H[HUFLVHG└ \RXU└ LQGHSHQGHQW└ FDSDFLW\└ DV└ WKH└ DWWRUQH\└
JHQHUDO└ RI└ \RXU└ VWDWH☼ └ WR└ LQLWLDWH└ D└ CHJDO└ DFWLRQ"

358,77 └
2XU└ OLWLJDWLRQ◀ ◀ ◀

+$55,6 └
<HV└ RU└ QR"

358,77 └
7KH└ OLWLJDWLRQ└ WKDW└ ZHYH└ HQJDJHG└ LQ☼ └ CDUJHD\└ KDYH└ EHHQ└ FRQVXOWDWLRQ└
ZLWK└ DJHQFLHV└ WKDW◀ ◀ ◀

+$55,6 └
/DUJHD\"└ 6R└ \RX└ KDYH└ DOVR└ H[HUFLVHG└ \RXU└ LQGHSHQGHQW└ FDSDFLW\└ DV└ WKH└
DWWRUQH\└ JHQHUDO└ RI└ \RXU└ VWDWH◀ └ ,V└ WKDW└ FRUUHFW☼ └ RU└ QRW"

358,77 └
,└ PD\└ KDYH☼ └ 6HQDWRU◀ └ ,└ GRQ└ ┼ ┼ └ ,└ GRQ◀ ◀ ◀

+$55,6 └
<RX└ GRQ└ NQRZ◀ ◀ ◀

358,77 └
<HV◀

+$55,6 └
◀ ◀ ◀ └ LI└ \RX└ KDYH└ RU└ QRW"└ <RX└ KDYH└ EHHQ└ DWWRUQH\└ JHQHUDO└ IRU└ \RXU└ VWDWH└ IRU└
DOPRVW└ VHYHQ└ \HDUV◀ └ ,V└ WKDW└ FRUUHFW"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH└ ¶ RI└└

358,77 └
$SSURDFKLQJ└WKDW▯ └ \HV◀ └ 6L[└ \HDUV▯ └ DFWKDOO\◀

+$55,6 └
$QG└ ,YH└ UHDG└WKDW- \RX└ KDYH└ LQLWLDWHG▯ └ DQG└ LW- KDV└ EHHQ└ PHQWLRQHG└ EHIRUH▯ └
¶ ┼ └ CDZVXLW\└ LQ└ \RXU└ LQGHSHQGHQW- FDSDFLW\ └ DV└ WKH└ DWWRUQH\ └ JHQHUDO└ RI └
2NODKRPD◀ └ $QG└ DSSDUHQWO\▯ └ VHYHQ└ RI └WKRVH└ FDVHV└ KDYH└ EHHQ└ UHVROYHG▯ └
VL[└ RI └ ZKLFK└ \RX└ KDYH└ ORVW◀

0\└ TXHVWLRQ└ LV▯ └ ,└ KHDU└WKDW- \RX└ DUH└ D└ CRYHU└ RI └EDVHEDOO◀ └ :KDW- ZRXOG└ \RXU└
EDWWLQJ└ DYHUDJH└WKHQ└ EH"

358,77 └
,W- ZDV└ JHQHUDOO\└ DERYH└ ┬ !! !! ▯ └ ZKLFK└ LV└ SUHWW\└ JRRG└ IRU└ D└ VHFRQG└ EDVHPDQ◀

+$55,6 └
<HDK◀ └ 0\└ FDOFXODWLRQ└ LV▯ └ LW\└ ¶ ┼ ┴ ◀ └ *RLQJ└ ┼ ┼ └ PRYLQJ└ RQ▯ └ ZRXOG└ \RX└ DJUHH└
/KDW- DWWRUQH\V▯ └ ZKR└ KDYH└WKH└ UHVSRQVLELOLW\ └ IRU└ GRLQJ└WKH└ ZRUN└ RI └MXWLFH▯ └
DQG└ SDUWLFXODUO\└ DV└ DQ└ DWWRUQH\└ JHQHUDO▯ └WKDW- ZH└ PDNH└ GHFLVLRQV└ EDVHG└
RQ└ SURSULHW\└ DQG└ LPSURSULHW\"└ :H└ PDNH└ GHFLVLRQV└ EDVHG└ RQ└ ZKDW- LV└ QRW-
RQO\└ DQ└ DFWXDO└ FRQIOLFW▯ └ EXW- ZKDW- LV└ DQ└ DSSHDUDQFH└ RI └FRQIOLFW◀ └ :RXOG└ \RX└
DJUHH└WKDW\└ LPSRUWDQW'

358,77 └
,└ EHOLHYH└WKDW\└ LPSRUWDQW▯ └ 6HQDWRU◀

+$55,6 └
2.◀ └ $QG└ VR▯ └ RQ└WKLV└ LWXH└ RI └ZKHWKHU└ RU└ QRW- \RX└ ZRXOG└ EH└ UHFXVHG└ LI └ \RX└
DUH└ QRPLQDWHG└ DQG└ DFWXDOO\└ YRWHG└ LQ└ DV└WKH└ DGPLQLWUDWRU└ RI └WKH└ (3$▯ └
\RX└ KDYH└ VDLG└WKDW- \RX└ ZLOO└ UHFXVH└ \RXUVHOI └ IURP└WKH└ FDVHV└ \RXU└ RI ILFH└
KDV└ EHHQ└ LQYROYHG└ ZLWK└ LI └ GLUHFWHG└ WR└ GR└WKDW◀ └ 'R└ \RX└ DJUHH└WKDW- \RX└ DOVR└
KDYH└WKH└ GLVFUHWLRQ└ WR└ UHFXVH└ \RXUVHOI └ IURP└WKRVH└ FDVHV"

358,77 └
,└ ┼ ┼ └ ,└ EHOLHYH▯ └ 6HQDWRU▯ └WKH└ UXOHV└ RI └ SURIHVVLRQDO└ FRQGXFW▯ └ LQ└ DGGLWLRQ└ WR└
/KH└ UHYLHZ└WKDW- 2*(▯ └ HWKLFV└ FRXQVHO└ DQG◀ ◀ ◀

AMERICAN OVERSIGHT

+$55,6 └
'R└ \RX└ EHOLHYH└ WKDW└ \RX└ KDYH└ WKH└ GLVFUHWLRQ└ WR└ UHFXVH└ \RXUVHOI└ IURP└ WKH└ FDVHV└ WKDW└ \RX└ ZHUH└ LQYROYHG└ ZLWK└ DV└ DWWRUQH\└ JHQHUDO"

358,77 └
,└ WKLQN└ LW└ DFWXDOO\└ WULQJHU└ WKDQ└ WKDW☼ └ 6HQDWRU◀ └ ,└ DFWXDOO\└ KDYH└ DQ└ REOLJDWLRQ☼ └ LQ└ WKRVH└ LQVWDQFHV☼ └ DV└ GLUHFWHG└ E\└ HWKLFV└ FRXQVHO◀ └ $QG└ WKDW└ /KH└ UHDVRQ└ ,└ LQGLFDWHG└ HDUOLHU☼ └ WKDW└ ,└ ZLOO◀ ◀ ◀

+$55,6 └
,QGHSHQGHQW└ RI└ DQ\└ GLUHFWLRQ└ IURP└ HWKLFV└ FRXQVHO☼ └ GR└ \RX└ DJUHH└ \RX└ KDYH└ WKH└ GLVFUHWLRQ└ WR└ UHFXVH└ \RXUVHOI└ IURP└ WKRVH└ FDVHV"

358,77 └
,└ EHOLHYH└ WKDW└ LW└ LPSRUWDQW└ WR└ PDLQWDLQ◀ ◀ ◀

+$55,6 └
,P└ DVNLQJ└ DERXW└ ZKHWKHU└ RU└ QRW└ \RX└ DFWXDOO\└ KDYH└ WKH└ GLVFUHWLRQ☼ └ WKH└ SRZHU☼ └ WR└ UHFXVH└ \RXUVHOI◀

358,77 └
3DUW└ RI└ ┼ ┼ └ SDUW└ RI└ WKH◀ ◀ ◀

+$55,6 └
'R└ \RX└ GLVDJUHH└ RU└ DJUHH└ ZLWK└ WKDW"

358,77 └
3DUW└ RI└ WKH└ GLVFUHWLRQ└ ┼ ┼ └ SDUW└ RI└ ┼ ┼ └ WKHUHV└ D└ GLVFUHWLRQ└ WR└ UHFXVH◀

+$55,6 └
&KDLO\◀ └ <RXUH└ IDPLOLDU└ ZLWK◀ ◀ ◀

358,77 └
,└ MXVW└ ZDQW└ WR◀ ◀ ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH└ ┼ RI └└

+$55,6 └

◀◀◀ └WKH└ FHDQ└ ┼ ┼ └ \RXUH└ IDPLOLDU└ ZLWK└ WKH└ &HDQ└ $LU└ $FW☼ └ \HV"

358,77 └

,P└ VRUU\☼ └ 6HQDWRU"

+$55,6 └

<RX└ DUH└ IDPLOLDU└ ZLWK└ WKH└ &HDQ└ $LU└ $FW'

358,77 └

,└ DP◀

+$55,6 └

$QG└ DV└ \RX└ PD\└ NQRZ☼ └ 6HFWLRQ└ ┴ !! ☼ └ 6XEGLYLVLRQ└ %└ RI└ WKH└ &HDQ└ $LU└ $FW└
UHFRJQL]HV└ &DOLIRUQLDV└ DXWKRULWLV\└ WR└ LVVXH└ DLU└ SROOXWLRQ└ WUDQGDUGV└ IRU└ QHZ└
PRWRU└ YHKLFOHV└ WKDW└ JR└ DERYH└ DQG└ EH\RQG└ IHGHUDO└ WUDQGDUGV◀

7KH└ (3$└ KDV└ KLWRULFDOO\└ UHFRJQL]HG└ &DOLIRUQLDV└ DXWKRULWLV\└ WR└ LVVXH└ QHZ└
PRWRU└ YHKLFOH└ SROOXWLRQ└ WUDQGDUGV└ WKDW└ JR└ DERYH└ DQG└ EH\RQG└ IHGHUDO└
WUDQGDUGV◀ └ ,Q└ \RXU└ RSHQLQJ└ WUDWHPHQW☼ └ \RX└ ZURWH☼ └ | ,W└ LV└ QRW└ (3$V└ PLVVLRQ└
/R└ EH└ DJDLQVW└ VHFWRUV└ RI└ LQGXVWU\☼ └ LQ└ JHQHUDO☼ └ RU└ DJDLQVW└ SDUWLFXODU└ WUDWHHV◀ |

:LOO└ \RX└ FRPPLW☼ └ WKHQ☼ └ WR└ XSKROGLQJ└ WKDW└ VDPH└ WUDQGDUG└ LQ└ UHFRJQL]LQJ└
&DOLIRUQLDV└ DXWKRULWLV\└ WR└ LVVXH└ LVW└ RZQ└ QHZ└ PRWRU└ YHKLFOH└ DLU└ SROOXWLRQ└
WUDQGDUGV"

358,77 └

1RZ└ 6HQDWRU☼ └ DV└ \RX└ LQGLFDWHG☼ └ &DOLIRUQLD└ ZDV└ DFWXDOO\└ UHJXODWLQJ└ WKRVH└
WUDQGDUGV└ EHIRUH└ WKH└ (3$└ ZDV└ DFWXDOO\└ FUHDWHG☼ └ ZKLFK└ LV└ ZK\└ WKH└
&DOLIRUQLD└ ZDLYHU└ H[LVWV☼ └ XQGHU└ WKDWWH◀

+$55,6 └

'R└ \RX└ DJUHH└ WR└ XSKROG└ WKDW└ VDPH└ WUDQGDUG└ WKDW└ KDV└ EHHQ└ KHOG└ E\└ \RXU└
SUHYLRXV└ ┼ ┼ └ SUHYLRXV◀ ◀◀

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDUI3DJH└ ┼ RI └└

,└ DJUHH└ WR└ UHYLHZ└ WKDW└ DV└ HDFK◀ ◀ ◀

+$55,6 └
◀ ◀ ◀ └ DGPLQLWUDWRUV"

358,77 └
◀ ◀ ◀ └ DGPLQLWUDWRU└ EHIRUH└ PH└ KDV◀ └ ,W└ EHHQ└ JUDQWHG└ DW└ WLPHV☼ └ DQG└ GHQLHG└ DW└ /LPHV◀

+$55,6 └
'R└ \RX└ DJUHH└ WR└ XSKROG└ LW"└ 5HYLHZLQJ└ DQG└ XSKROGLQJ└ DUH└ WZR└ GL I IHUHQW└ SRLQWV◀

358,77 └
6HQDWRU☼ └ DV└ \RX└ NQRZ☼ └ DGPLQLWUDWRUV└ LQ└ WKH└ SDVW└ KDYH└ QRW└ JUDQWHG└ WKH└ ZDLYHU☼ └ DQG└ LQ└ IDFW☼ └ KDYH└ JUDQWHG└ WKH└ ZDLYHU◀ └ 7KDW└ D└ UHYLHZ└ SURFHVV└ /KDW└ ZLOO└ EH└ FRQGXFWHG◀ ◀ ◀

♂ &52667$/.□

+$55,6 └
:KDW└ LV└ \RXU└ LQWHQWLRQ☼ └ VLU"

358,77 └
,└ GRQW└ NQRZ└ ZLWKRXW└ JRLQJ└ WKURXJK└ WKH└ SURFHVV└ WR└ GHWHUPLQH└ WKDW☼ └ 6HQDWRU◀ └ $QG└ ZRXOG└ ┼ ┼ └ RQH└ ┼ ┼ └ RQH└ ZRXOG└ QRW└ ZDQW└ WR└ SUHVXPH└ WKH└ RXWFRPH◀

+$55,6 └
,Q└ WKH└ ¶ ┤ └ FDVHV└ WKDW└ KDYH└ EHHQ└ SUHYLRXVO\└ PHQWLRQHG☼ └ LQ└ HDFK└ RI└ WKRVH└ FDVHV☼ └ UHJXODWHG└ FRPSDQLHV└ ZHUH└ DOVR└ D└ SDUW\└ WR└ \RXU└ VXLWV◀ └ ,V└ WKDW└ FRUUHFW"

358,77 └
,Q└ VRPH└ LQVWDQFHV☼ └ \HV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUI3DJH└ ┼ RI └└

+$55,6 └

,Q└ PRVW└ RI└ WKHP◀ └ &DQ└ \RX└ QDPH└ D└ IHZ└ LQVWDQFHV└ LQ└ ZKLFK└ \RX└ KDYH└ ILCHG└ D└ CDZVXLW☼ └ LQ└ \RXU└ LQGHSHQGHQW└ FDSDFLW\└ DV└ DWWRUQH\└ JHQHUDO☼ └ DJDLQVW└ D└ FRUSRUDWH└ HQWLW\☼ └ IRU└ YLRODWLQJ└ WKDWH└ RU└ IHGHUDO└ SROOXWLRQ└ CDZV"

358,77 └

6HQDWRU☼ └ ,└ KDYH└ D└ OLWW└ KHUH└ WKDW└ EHHQ└ SURYLGHG└ WR◀ ◀ ◀

+$55,6 └

&DQ└ \RX└ QDPH└ WKHP☼ └ SCHDVH"

358,77 └

6XUH◀ └ 7KHUHV└ D└ OLWW└ WKDW└ ┼ ┼ └ WKDW└ KDV└ EHHQ◀ ◀ ◀

+$55,6 └

&DQ└ \RX└ QDPH└ RQH"

358,77 └

<HV◀ └ 7KH└ ┼ ┼ └ WKH└ ILUWW└ LV└ WKH└ 0DKDUG└ (JJ└)DUP☼ └ LQYROYLQJ└ D└ &$7+2└ ♂ SK□ └ VLWXDWLRQ☼ └ DQG└ D└ FCHDQXS└ RI└ D└ CDUJH└ KHQ└ RSHUDWLRQ☼ └ WKDW└ DI IHFWHG└ ZDWHU└ TXDOLW\◀ └ &HOFR└ 0DQXIDFWXULQJ◀ ◀ ◀

♂ &52667$/.□

+$55,6 └

'LG└ \RX└ ILCH└ D└ CDZVXLW└ LQ└ WKDW└ FDVH☼ └ VLU"

358,77 └

,└ ┼ ┼ └ ,└ GLG☼ └ 6HQDWRU◀

+$55,6 └

2.◀ └ $QG└ ZKDW└ ZDV└ WKH└ RXWFRPH└ RI└ WKDW└ FDVH"

358,77 └

:H└ UHFHLYHG└ D└ JRRG└ RXWFRPH└ DJDLQVW└ WKHP◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH└ ├ RI└└

+$55,6 └
$QG└ WKH└ QDPH└ RI└ WKDW└ HQWLW\└ ZDV└ ZKDW"

358,77 └
0DKDUG└ (JJ└)DUP◀

+$55,6 └
$QG└ FDQ└ \RX└ QDPH└ DQ\└ RWKHU└ FDVHV└ ZKHUH└ \RX└ KDYH└ DFWXDOO\└ ILOHG└ D└
ODZVXLW└ DJDLQVW└ D└ FRUSRUDWH└ HQWLW\└ IRU└ YLRODWLQJ└ IHGHUDO└ SROOXWLRQ└ ODZV"

358,77 └
,Q└ IDFW└ └ WKDW└ FDVH└ ZDV└ EURXJKW└ LQ└ FRQQHFWLRQ└ ZLWK└ WKH└ (3$◀ └ $QG└ ,└ ZDQW└ WR└
DGGUHVV└ VRPHWKLQJ└ └ 6HQDWRU◀ └ (DULHU└ └ ZKHQ└ \RX└ VD\└ LQGHSHQGHQW└
FDSDFLW\└ └ WKRVH└ FDVHV└ WKDW└ \RX└ UHIHUUHG└ WR└ └ WKH└ OLVW└ RI└ FDVHV└ ZHUH└ DV└ DQ└
H[WHQVLRQ└ RI└ WKH└ '(4└ LQ└ WKH└ 6WDWH└ RI└ 2NODKRPD└ └ DQ└ H[WHQVLRQ└ RI└ WKH└
DJHQFLHV└ DW└ WKH└ IHGHUDO└ + + └ WKH└ \WDWH└ CHYHD└ └ WKDW└ KDG└ DXWKRULW\└ JUDQWHG└ WR└
/KHP└ E\└ WKLV└ ERG\└ WKDW└ ZH└ ZHUH◀ ◀ ◀

♂ &52667$/.□

+$55,6 └
$QG└ ,└ XQGHUVWDQG└ + + └ ,└ XQGHUVWDQG└ WKDW└ URCH└ └ DV└ D└ IRUPHU└ DVVRUCH\└ JHQHUDO└ └
EXW└ WKDW└ LV└ \RX└ UHSUHVHQWLQJ└ \RXU└ FOLHQW◀ └ ,P└ DVNLQJ└ DERXW└ \RXU└
LQGHSHQGHQW└ FDSDFLW\└ DV└ WKH└ DVVRUCH\└ JHQHUDO└ RI└ \RXU└ \WDWH◀ └ /HW└ PRYH└
RQ◀

2Q└ WKH└ LVVXH└ RI└ PHUFXU\◀ ◀ ◀

%$55$662 └
,└ ZRXOG└ + + └ ,└ ZRXOG└ + + └ ,└ ZRXOG└ VXJJHVW└ WKDW└ WKH└ VHQDWRU└ WLPH└ KDV└ H[SLUHG◀

+$55,6 └
7KDQN└ \RX◀

%$55$662 └
,Q└ WHUPV└ RI└ PRYLQJ└ RQ◀ └ 7KDQN└ \RX◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH└ ┴ RI ┴┴

,└ ZRXOG└ OLNH└ WR└ LQWURGXFH└ IRU└ WKH└ UHFRUG└ DQ└ LQGHSHQGHQW┼ ┼ └ D└ CHWWHU└ E\└
-◀ '◀ └ 6/URQJ└ ZKR└ LV└ WKH└ GLUHFWRU└ RI └ WKH└ 2NODKRPD└ 'HSDUWPHQW┼ RI └ :LOGOLIH└
&RQVHUYDWLRQ└ ZKR└ LQ└ UHIHUHQFH└ WR└ WKH└ VXEPLWWLRQ└ UHFHQWO\└ E\└ WKH└
UDQNLQJ└ PHPEHU└ PDNHV└ UHIHUHQFH└ WR└ WKH└ ┼ ┼ └ WKDW┼ IRUPHU└ HPSOR\HH└ ZKR└
LV└ UHWLUHG└ IURP└ WKH└ 6/DWH└ RI └ 2NODKRPD└ DQG└ LV└ FXUUHQWO\└ VHUYLQJ└ DV└ YLFH└
FKDLUPDQ└ RI └ WKH└ 2NODKRPD└ FKDSWHU└ RI └ WKH└ 6LHUUD└ &OXE◀

6R└ WKDW┼ WKH└ UHIHUHQFHV└ DUH└ IURP└ QRZ└ └ VRPHRQH└ ZKR└ LV└ QR└ ORQJHU└ D└ VWDWH└
HPSOR\HH└ EXW┼ WKH└ YLFH└ FKDLUPDQ└ RI └ WKH└ 2NODKRPD└ FKDSWHU└ RI └ WKH└ 6LHUUD└
&OXE◀ └ %XW┼ WKLV└ CHWWHU└ IURP└ 0U◀ └ 6/URQJ└ JRHV└ WR└ WDON└ DERXW┼ WKH└ HIIRUWV└ E\└
$WWRUQH\└ *HQHUDO└ 3UXLWW└ ZKR└ VD\V└ |)RU└ WKH└ SDVW┼ VL[└ \HDUV└ *HQHUDO└
3UXLWW┼ KDV└ EHHQ└ LQVWUXPHQWDO└ LQ└ PDQ\└ RI └ RXU└ VXFFHVVHV└ DQG└ KDV└ CHYHU└
DVNHG└ PH└ WR└ FRPSURPLVH└ UHJXODWRU\└ HIIRUWV└ WR└ EHQHILW┼ LQGXVWU\◀ |

+H└ VD\V└ | 2Q└ WKH└ FRQWUDU\└ DOO└ RI └ RXU└ SURVHFXW┼ DQG└ FDVHV└ WKDW┼ LQYROYHG└ KLV└
RIILFH└ ZHUH└ JLYHQ└ WDII└ VXSSRUW┼ DW┼ WKH└ KLJKHVW┼ CHYHO└ └ DQG└ PRUH└ RIWHQ└ WKDQ└
QRW└ └ UHVXOWHG└ LQ└ PRUH└ WULQJHU┼ HQYLURQPHQWDO└ SURWHFWLRQ◀ └ +H└ KDV└ EHHQ└ D└
WULRQ└ DOO\└ LQ└ GHIHQGLQJ└ RXU└ DELOLW\└ WR└ FRQWLQXH└ WKH└ JUHDW┼ SURJUHVV└ WKDW┼ ZH└
PDGH└ LQ└ SURWHFWLQJ└ 2NODKRPDV└ HQYLURQPHQW◀ |

&$53(5 └
0U◀ └ &KDLUPDQ└ └ PD\└ , └ DVN└ LQ└ UHVSRQVH└ └ CHW┼ PH└ MXVW┼ DVN└ IRU└ XQDQLPRXV└
FRQVHQW┼ WR└ └ IRU└ WKH└ UHFRUG└ ┼ ┼ └ DQG└ WKLV└ LV└ RQ└ EHKDOI└ RI └ 6HQDWRU└ :KLWHKRXVH└ └
UHEXWWDO└ DUJXPHQW┼ ┼ └ DUWLFOHV└ IRU└ 0U◀ └ 3UXLWW└ FODLP└ RQ└ OLWLJDWLRQ└ DJDLQVW┼
IRVVLO└ FRPSDQLHV◀

7RSOLCH└ SRLQW└ IURP└ WKHVH└ DUWLFOHV└ DUH└ RQH└ WKDW┼ WKH\└ DUH└ IUDXG└ FDVHV└ └
ILUVW┼ DQG└ IRUHPRVW◀ └ 6HFRQG└ └ VRPH└ ZHUH└ EURXJKW┼ E\└ KLV└ SUHGHFHVVRU└ └
'UHZ└ (GPRQGVRQ◀ └ 7KH└ FDVH└ ┼ ┼ └ WKLUG└ SRLQW└ └ FDVH└ DJDLQVW┼ %3└ ZDV└ ILOHG└
DQG└ CHIW┼ GRUPDQW└ └ DW┼ CHDWW┼ SHU└ ((└ SXEOLFDWLRQ◀ └ $QG└ DCVR└ WKDW┼ 0U◀ └ 3UXLWW┼
IRXJKW┼ DJDLQVW┼ WKH└ SDWLFLSDWLRQ└ RI └ WADWH└ ZKLWHCHEORZHUV└ LQ└ WKH└ OLWLJDWLRQ◀ └
7KDW┼ ZDV└ D└ UHIHUHQFH└ WR└ D└ TXL└ WDP└ DFWLRQ◀ └ 7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
:LWKRXW┼ REMHFWLRQ◀

6HQDWRU└ 6XOLYDQ◀

68//,9$1 └
7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HUH3DJH└ ┴ RI ┴┴

$QG└ *HQHUDO└ 3UXLWW└ └ LW└ JRRG└ WR└ VHH└ \RX└ DJDLQ◀ └ 7KDQN└ \RX└ IRU└ \RXU└ ZLOOLQJQHVV└ WR└ VHUYH◀

358,77 └
7KDQN└ \RX└ └ 6HQDWRU◀

68//,9$1 └
$QG└ WR└ \RXU└ IDPLO\◀ └ $V└ \RX└ NQRZ└ └ LW└ D└ WHDP└ HIIRUW└ └ VR└ ,└ ZDQW└ WR└ WKDQN└ /KHP└ DV└ ZHOO◀

,└ DSSUHFLDWHG└ \RXU└ RSHQLQJ└ WHVWLPRQ└ └ SDUWLFXODUO\└ \RXU└ ┼ ┼ └ \RXU└ ZULWWHQ└ WHVWLPRQ◀ └ $QG└ ,└ ZDQW└ WR└ HPSKDVL]H└ └ ZH└ DOO└ ZDQW└ FKDQ└ DLU◀ └ :H└ DOO└ ZDQW└ FKDQ└ ZDWHU◀ └ 0\└ WDVN└ RI└ $CDVND└ KDV└ VRPH└ RI└ WKH└ FKDOOHQJH└ DLU└ └ FKDOOHQJH└ ZDWHU└ └ SULWKLGH└ HQYLURQPHQW└ └ OLWHUDOO\└ └ LQ└ WKH└ ZRUDG◀

%XW└ \RXU└ HPSKDVLV└ RQ└ WKH└ DELOLW\└ WR└ GR└ ERWK└ └ WR└ JURZ└ DQ└ HFRQRP\└ └ WR└ GHYHORS└ RXU└ UHVRXUFHV└ UHVSRQVLEO\└ └ DQG└ SURWHFW└ WKH└ HQYLURQPHQW└ └ ,└ WKLQN└ └ LV└ YHU\└ └ YHU\└ LPSRUWDQW└ └ DQG└ ,└ DSSUHFLDWH└ WKDW└ IRFXV◀ └ ,└ EHOLHYH└ WKH└ (3$└ QHHGV└ D└ VHULRXV└ FRXUVH└ FRUUHFWLRQ◀ └ $V└ 6HQDWRU└ (UQVW└ WDON HG└ DERXW└ └ /KHUHV└ D└ ORW└ RI└ DQJHU└ └ HYHQ└ IHDU└ RI└ WKLV└ DJHQF\└ WKURXJKRXW└ PDQ\└ SDUW\└ RI└ /KH└ FRXQWU\◀

$QG└ ,└ EHOLHYH└ \RX└ DUH└ WKH└ ULJKW└ SHUVRQ└ WR└ SURYLGH└ WKDW└ FRXUVH└ FRUUHFWLRQ└ └ DQG└ GR└ VRPHWKLQJ└ WKDW└ LV└ YHU\└ LPSRUWDQW└ └ ZKLFK└ LV└ UHJDLQ└ WKH└ WUXVW└ RI└ WKH└ $PHULFDQ└ SHRSOH└ └ WKDW└ ,└ WKLQN└ KDV└ EHHQ└ ORVW└ └ LQ└ D└ ORW└ RI└ SODFHV└ LQ└ $PHULFD└ EHFDXVH└ RI└ WKH└ RYHU┼ UHDFK└ └ EHFDXVH└ RI└ WKH└ CDFN└ RI└ IRFXVLQJ└ RQ└ WKH└ CDZ◀

6R└ WKHUHV└ EHHQ└ D└ ORW└ RI└ GLVFXVVLRQ└ WKLV└ PRUQLQJ└ DERXW└ FRRSHUDWLYH└ IHGHUDOLVP◀ └ $QG└ FDQ└ \RX└ H[SODLQ└ LW└ LQ└ D└ OLWWOH└ PRUH└ GHWDLO"└ ,V└ WKDW└ \RXU└ /HUP└ └ RU└ LV└ WKDW└ D└ WHUP└ WKDW┼ ┼ └ GLG└ \RX└ FRPH└ XS└ ZLWK└ WKDW"└ 2U└ LV└ WKDW└ VRPHWKLQJ└ WKDW└ ZDV└ DFWXDOO\└ GLUHFWHG└ E\└ &RQJUHVV"

358,77 └
'LUHFWHG└ E\└ &RQJUHVV└ └ 6HQDWRU◀

68//,9$1 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDUL3DJH└ └ RI└└

$QG└ VR☼ └ LQ└ WKH└ &HDQ└ $LU└ $FW└ DQG└ WKH└ &HDQ└ :DWHU└ $FW☼ └ ZKR└ ZDV└ JLYHQ└ ┼ ┼ └
ZKDW└ HQWLWV\☼ └ LQ└ RXU└ 5HSXEOLFDQ└ IRUP└ RI└ JRYHUQ└ ZDV└ ┼ ┼ └ JRYHUQPHQW☼ └ ZDV└
JLYHQ└ WKH└ SULPDU\└ UHVSRQVLELOLW\└ RYHU└ FCHDQ└ DLU└ DQG└ FCHDQ└ ZDWHU└ LQ└ WKH└
8QLWHG└ 6WDWHV"

358,77 └
:HOO└ DV└ \RX└ NQRZ☼ └ 6HQDWRU☼ └ XQGHU└ WKH└ &HDQ└ $LU└ $FW☼ └ WKHUH└ DUH└ VRPH└ ┼ ┼ └
/KHUHV└ VRPHWKLQJ└ FDOOHG└ WDWH└ LPSOHPHQWDWLRQ└ SODQV☼ └ WKDW└ WKH└ (3$└ DQG└
/KH└ WDWHV└ UHYLHZ└ WRJHWKHU◀ └ %XW└ WKH└ WDWHV└ KDYH└ WKDW└ UHVSRQVLELOLW\◀ ◀ ◀

68//,9$1 └
6R└ LV└ LW└ DQ◀ ◀ ◀

358,77 └
◀ ◀ ◀ └ RI└ DGRSWLQJ└ D└ SODQ◀

68//,9$1 └
,VQW└ LW└ FRUUHFW☼ └ DFWXDOO\└ LQ└ WKH└ ODZ☼ └ LW└ VD\V◀ ◀ ◀

358,77 └
,W└ LV◀

68//,9$1 └
◀ ◀ ◀ └ WKH└ SULPDU\└ UHVSRQVLELOLW\☼ └ XQGHU└ WKH└ &HDQ└ $LU└ $FW└ DQG└ FCHDQ└ ZDWHU└ ┼ ┼ └
DQG└ ZKR└ GLUHFWHG└ WKDW"

358,77 └
&RQJUHVV◀

68//,9$1 └
2.◀ └ 6R└ ZKHQ└ \RXUH└ WDONLQJ└ DERXW└ FRRSHUDWLYH└ IHGHUDOLVP☼ └ WKDW└ QRW└
VRPH└ 6FRWW└ 3UXLWW┼ LQYHQWHG└ ┼ ┼ └ \RX└ DUH└ IRFXVLQJ└ RQ└ WKH└ LQWHQW└ RI└ WKH└
&RQJUHVV"

358,77 └

AMERICAN OVERSIGHT

3UREDEO\└ PRUH└ VR└ WKDQ└ DQ\└ WDWWWHV└ WKDW└ KDYH└ EHHQ└ DGRSWHG└ E\└
&RQJUHVV☼└ KLWRULFDOO\☼└ WKH└ HQYLURQPHQWDO└ WDWWWHV└ WKDW└ ZH└ NQRZ☼└ IURP└
FCHDQ└ ZDWHU└ WR└ FCHDQ└ DLU☼└ WR└ 6DIH└ 'ULQNLQJ└ :DWHU└ $FW☼└ LQ└ PDQ\└ SLHFHV└ RI└
CHJLVODWLRQ☼└ &RQJUHVV└ KDV└ EHHQ└ YHU\└ H[SLFLW☼└ YHU\└ VSHFLILF└ LQ└ VD\LQJ☼└ WKDW└
FRRSHUDWLYH└ IHGHUDOLVP☼└ WKH└ URCH└ RI└ WKH└ WDWHV└ LV└ LPSRWDQW☼└ VKRXOG└ EH└
UHVSHFWHG☼└ DQG└ VKRXOG└ EH└ HPSKDVL]HG◀

68//,9$1└
6R└ CHW-└ PH└ ┼ ┼└ CHW-└ PH└ VKRZ└ \RX└ D└ FKDUW-└ KHUH◀└ 7KLV└ LV└ WKH└ :DWHUV└ RI└ WKH└
8◀ 6◀☼└ DQG└ WKH└ WDWHV└ DQG└ HQWLWLHV└ WKDW└ VXHG└ WR└ WRRS└ WKDW└ UXCH☼└ ┼ ┴└
'HPRFUDW└ DQG└ 5HSXEOLFDQ☼└ DQG└ ,QGHSHQGHQW◀└ 'R└ \RX└ WKLQN└ WKLV└ LV└ DQ└
H[DPSCH└ RI└ FRRSHUDWLYH└ IHGHUDOLVP"└ $QG└ LI└ QRW☼└ LI└ \RXUH└ FRQILUPHG☼└ ZKDW-
DUH└ \RX└ JRLQJ└ WR└ GR└ WR└ JHW-└ EDFN└ WR└ ZKDW-└ LV└ QRW-└ D└ 6FRWW-└ 3UXLWW-└ LGHD☼└ LW└ WKH└
GLUHFW-└ GLUHFWLRQ└ RI└ WKH└ &RQJUHVV└ RI└ WKH└ 8QLWHG└ 6WDWHV"

358,77└
6HQDWRU☼└ ZKHQ└ \RX┼ ┼└ ZKHQ└ \RX└ WKLQN└ DERXW└ WKH└ UHDWLRQVKLS└ EHWZHHQ└ WKH└
(3$└ DQG└ WKH└ WDWHV☼└ WKH└ WDWHV└ DUH└ QRW-└ PHUH└ YHWVHDV└ RI└ IHGHUDO└ ZLOD◀└ 7KH\└
GRQW-└ H[LW-└ VLPSO\└ WR└ FDUU\└ RXW-└ IHGHUDO└ GLFWDWHV└ IURP└ :DVKLQJWRQ☼└ '◀ &◀└
7KHUH└ DUH└ VXEWDQWLYH└ UHTXLUHPHQW☼└ REOLJDWLRQV☼└ DXWKRULWLV☼└ MXULVGLFWLRQ└
JUDQWHG└ WR└ WKH└ WDWHV└ XQGHU└ HQYLURQPHQWDO└ WDWWWHV◀

7KDW-└ QHHGV└ WR└ EH└ UHVSHFWHG◀└ :KHQ└ LW└ QRW-└ UHVSHFWHG☼└ WKDW-└ LV└ ZKDW-
\SDZQHG└ PRW-└ RI└ WKLV└ OLWLJDWLRQ└ WKDW-└ KDV└ EHHQ└ UHIHUHQFHG└ KHUH└ WRGD\◀└
$QG└ ZK\└ GRHV└ LW-└ VSDZQ└ LW"└ %HFDXVH└ LW-└ PDWWHUV◀└ ,W-└ PDWWHUV└ WKDW-└ WKH└ WDWHV└
SDUWLFLSDWH└ LQ└ WKH└ ZD\└ WKDW-└ &RQJUHVV└ KDV└ GLUHFWHG☼└ DQG└ WKH\YH└ EHHQ└
XQDEOH└ WR└ GR└ VR└ IRU└ D└ QXPEHU└ RI└ \HDUV◀

68//,9$1└
6R└ DJDLQ☼└ FRRSHUDWLYH└ IHGHUDOLVP☼└ \RXUH└ FDUU\LQJ└ RXW-└ WKH└ ZLOD└ RI└
&RQJUHVV└ ZKHQ└ \RXUH└ IRFXVHG└ RQ└ WKDW-└ LWXH"

358,77└
7KDW└ H[DFWO\└ ULJKW◀└ 7KH└ H[SHUWLVH☼└ WKH└ UHVRXUFHV☼└ WKH└ NQRZCHGJH☼└ WKH└
DZDUHQHVV└ RI└ KRZ└ WR└ IL[└ HQYLURQPHQWDO└ LWXHV└ DW-└ WKH└ GRFDO└ CHYHO☼└ LV└
\RPHWKLQJ└ WKDW└ LPSRWDQW-└ IRU└ WKH└ HQWLUH└ FRXQWU\└ WR└ NQRZ◀

68//,9$1└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU3DJH└ ¶ RI └└

6R└ ,└ DP└ D└ IRUPHU└ DWWRUQH\└ JHQHUDO└ P\VHOI☼ └ ZKR└ KDV└ VXHG└ WKH└ (3$◀ └ $QG└
VRPH└ RI└ P\└ FROOHDJXHV└ RQ└ WKH└ RWKHU└ VLGH└ RI└ WKH└ DLVOH☼ └ \RX└ NQRZ☼ └ MXGJH└
%RRNHUV└ FRPPHQW└ + + └ ,└ WKLQN└ KH└ WULHG└ WR└ HTXDWH└ D└ OLWWOH└ ELW☼ └ VXLQJ└ WKH└
(3$☼ └ QRW└ FDULQJ└ IRU└ 2NODKRPDV└ FKLOGUHQ◀ └ 'R└ \RX└ FDUH└ DERXW└ 2NODKRPDV└
FKLOGUHQ"

358,77 └
:LWKRXW└ TXHVWLRQ◀ └ ,YH└ JRW└ D└ FRXSOH└ VLWWLQJ└ EHKLQG└ PH◀

68//,9$1 └
)RXUWHQ└ ODZVXLWV└ + + └ DQG└ DJDLQ☼ └ 6HQDWRU└ %RR]PDQ└ PHQWLRQHG└ WKLV☼ └ ZKDW└
KDV└ EHHQ└ WKH└ SULPDU\└ IRFXV└ RI└ WKRVH└ ODZVXLWV"└ ,W└ GRW└ WKDW└ \RX└ GRQW└ FDUH└
DERXW└ WKH└ HQYLURQPHQW☼ └ LV└ LW"

358,77 └
$EVROXWHO\└ GRW◀ └ ,└ PHDQ☼ └ LW└ VRPH└ + + └ ,└ FDUH└ YHU\└ PXFK└ DERXW└ WKH└
HQYLURQPHQW◀ └ ,W└ WR└ UHWXUQ└ WKH└ + + └ WKH└ UHDWLRQVKLS☼ └ DQG└ HQVXUH└ WKH└
UHDWLRQVKLS└ WKDW└ &RQJUHVV└ KDV└ GLUHFWHG☼ └ WKH└ URCH└ RI└ WKH└ WDWHV└ LQ└
LPSURYLQJ└ RXU└ HQYLURQPHQW◀

7KHUHV└ DQ└ LGHD└ LQ└ + + └ LQ└ :DVKLQJWRQ☼ └ WKDW└ WKH└ WDWHV☼ └ WKRVH└ LQ└ 2NODKRPD☼ └
RU└ LQ└ $ODVND☼ └ RU└ RWKHU└ SDUW└ RI└ WKH└ FRXQWU\☼ └ GRQW└ FDUH└ DERXW└ WKH└ ZDWHU└ ZH└
GULQN└ RU└ WKH└ DLU└ ZH└ EUHDWKH◀ └ 7KH└ IDUPHUV└ DQG└ UDQFKHUV☼ └ WKRVH└ LQ└ LQGXVWU\└
LQ└ WKH└ 6WDWH└ RI└ 2NODKRPD└ WKDW└ ,P└ + + └ PRXW└ RI└ WKHP└ DUH└ YHU\└ FRPPLWWHG└ WR└
/KDW◀ └ :KHQ└ WKH\└ KDYH└ GRW└ EHHQ☼ └ ZH└ KDYH└ WDNHQ└ HQIRUFHPHQW└ DFWLRQ└
DJDLQVW└ WKHP◀

68//,9$1 └
$QG└ + + └ DQG└ MXVW└ RQH└ ILQDO└ TXHVWLRQ◀ └ $QG└ D└ GRW└ RI└ P\└ FROOHDJXHV└ RQ└ WKH└
RWKHU└ VLGH└ RI└ WKH└ DLVOH└ VSHQG└ D└ GRW└ RI└ WLPH└ + + └ DQG└ ,└ WKLQN└ 6HQDWRU└ 6DQGHUV└
LV└ XS└ QH[W☼ └ YLOLI\LQJ└ WKH└ RLO└ DQG└ JDV└ LQGXVWU\☼ └ DV└ VRPHKRZ└ EDG└ DFWRUV☼ └
SROOXWHUV◀ └ $FFRUGLQJ└ WKH└ $PHULFD└ 3HWURCHXP└ ,QVWLWXWH☼ └ ┬ ├ ┤ ☼ ‼ ‼ ‼ └
2NODKRPDQV└ ZRUN└ LQ└ WKH└ RLO└ DQG└ JDV└ LQGXVWU\└ RU└ UHDWHG└ VHUYLFH└ VHFWRUV◀

$UH└ WKHVH└ SHRSOH└ EDG└ DFWRUV"└ $UH└ WKH\└ SROOXWHUV"└ &RXOG└ \RX└ GHVFULEH└ + + └
\RX└ WDON└ DERXW└ WKH└ JRRG└ SHRSOH└ LQ└ \RXU└ ZULWWHQ└ WDWHPHQW◀ └ :KR└ DUH└ WKHVH└
SHRSOH"└ $QG└ DUH└ \RX└ UHSUHVHQWLQJ└ WKHP☼ └ ZKHQ└ \RXUH└ EULQJLQJ└ WKHVH└
NLQG└ RI└ DFWLRQV"└ $UH└ WKH\└ HYLO└ SHRSOH"

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH└ ┴ RI ┴┴

358,77 └
1R└ 6HQDWRU◀ └ 7KH\UH└ ┼ ┼ └WKH\└ ZDQW└WR└ FRPSO\└ ZLWK└WKH└ CDZ◀ └ 7KH\└ ZDQW└WR└
NQRZ└ ZKDW└ H[SHFWHG└ RI└WKHP◀ └ 7KH\└ FDUH└ DERXW└WKH└ DLU└WKH\└ EUHDWKH└ └
DQG└WKH└ ZDWHU└WKH\└ GULQN└ └ DQG└WKH\└ ZDQW└WR└ PDNH└ VXUH└WKDW└WKH└ (3$└ LV└
SDUWQHULQJ└ ZLWK└ WKDWH└ DJHQFLHV└ DQG└ LQGXVWU\└WR└ HQVXUH└WKDW└WKDW└ RXWFRPH└
RFFXUV◀

68//,9$1 └
$QG└ DUHQW└WKHMH└ KXQGUHGV└ RI└WKRXVDQGV└ RI└ SHRSOH└ SDUW└ RI└WKDW└ LQGXWU\"

358,77 └
$EVROXWHO\◀ └ ,Q└ IDFW└ └ ┴ ↑ └ SHUFHQW└ RI└ RXU└ HQWLUH└ WDWH└ EXGJHW└ LQ└ 2NODKRPD└ LV└
IURP└WKDW└ LQGXWU\◀ └ 7KLV└ LV└ D└ WDWH└ FRQFHUQ◀ └ $QG└ PRUH└WKDQ└WKDW└ └ ZH└ KDYH└
VLJQLILFDQW└ UHJXODWLRQ└ RYHU└WKLV└ LQGXWU\◀ └ 2XU└ &RUSRUDWLRQ└ &RPPLWWLRQ└
KDV└ RYHUVLJKW└ RYHU└ PDQ\└ RI└WKHMH└ LWXHV◀ └ $QG└ VR└ ZH└ KDYH└ UHJXODWRU\└
ERGLHV└ └ IURP└ '(4└WR└WKH└ &RUSRUDWLRQ└ &RPPLWWLRQ└ └WR└ PWKHUV└ └WKDW└ DUH└
LQYROYHG└ LQ└ PDNLQJ└ VXUH└WKDW└WKH└ DLU└ ZH└ EUHDWKH└ DQG└WKH└ ZDWHU└ ZH└ GULQN└
LV└ ┼ ┼ └ LV└ FOHDQ└ └ LQ└WKH└ 6WDWH└ RI└ 2NODKRPD◀

68//,9$1 └
7KDQN└ \RX◀

7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
6HQDWRU└ *LOOLEUDQG◀

*,//,%5$1' └
7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

7KDQN└ \RX└ └ 0U◀ └ 3UXLWW└ └ IRU└ EHLQJ└ ZLOOLQJ└WR└ VHUYH└WKLV└ DGPLQLWWUDWLRQ└ └ IRU└
\RXU└ LQWHUHWW└ LQ└ SXEOLF└ VHUYLFH└ └ DQG└ \RXU└ SDWW└ SXEOLF└ VHUYLFH◀

358,77 └
7KDQN└ \RX└ └ 6HQDWRU◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUL3DJH└ ┼ RI└└

*,//,%5$1' └

,└ ZDQW└ WR└ WDON└ WR└ \RX└ DERXW└ VRPH└ RI└ WKH└ FRQWULWXHQWV└ LQ└ P\└ WDWH└ DQG└ WKH└ FKDOOHQJHV☼ └ WKH└ YHU\└ UHDO└ FKDOOHQJHV└ ZH└ IDFH◀ └)LUVW☼ └ ZH└ KDG└ PLOOLRQV└ RI└ SHRSOH└ OLYH└ XSHQGHG└ ZLWK└ VXSHU└ WRUP└ 6DQG\☼ └ ,└ PHDQ└ PLOOLRQV└ RI└ SHRSOH◀ └ :H└ KDG└ SDUHQWV└ ZKR└ ORVW└ WKHLU└ FKLOGUHQ☼ └ ZKR└ GURZQHG☼ └ EHFDXVH└ RI└ VXUJHV└ RI└ ZDWHU└ FRPLQJ└ WKURXJK└ WKHLU└ KRPHV☼ └ WKURXJK└ WKH└ WUHHWV◀

7KH└ ┼ ┼ └ WKH└ GHYDVWDWLRQ└ ZDV└ OLWHUDOO\└ XQSUDUDOOHOHG└ LQ└ P\└ WDWH◀ └ ,W└ ZDV└ MXVW└ VRPHWKLQJ└ ZH└ KDG└ QHYHU└ VHHQ└ EHIRUH◀ └ $QG└ ZH└ DUH└ JRLQJ└ WR└ EH└ ORRNLQJ└ WR└ \RX└ WR└ SURYHFW└ WKHVH└ IDPLOLHV☼ └ DQG└ SURYHFW└ WKHVH└ FRPPXQLWLHV☼ └ EHFDXVH└ ZH└ NQRZ☼ └ ZLWK└ JOREDO└ FOLPDWH└ FKDQJH☼ └ WKH└ LQFLGHQFH└ RI└ VXSHU└ WRUPV└ DQG└ YLROHQW└ ZHDWKHU└ LPSDFW└ LV└ FKDQJHG◀ └ ,W└ YHU\☼ └ YHU\└ GLIIHUHQW◀

$QG└ \RXYH└ DOUHDG\└ WROG└ IRONV└ WKDW└ \RX└ GR└ EHOLHYH└ WKDW└ JOREDO└ FOLPDWH└ FKDQJH└ LV└ UHDO◀ └ ,W└ KDV└ EHHQ└ FRWW└ E\└ ┼ ┼ └ FDXVHG└ E\└ KXPDQ└ DFWLYLWLV◀ └ 'R└ \RX└ EHOLHYH└ DOVR└ WKDW└ VHD└ OHYHOV└ DUH└ ULVLQJ"

358,77 └

6HQDWRU☼ └ ,└ EHOLHYH└ WKDW└ WKH└ (3$☼ └ DGGUHVVLQJ└ WKLV└ LVVXH└ EHFDXVH└ RI└ WKH└ 0DVV└ Y◀ └ (3$└ FDVH☼ └ DQG└ WKH└ HQGDQJHUPHQW└ ILQGLQJ☼ └ KDV└ REOLJDWLRQV└ WR└ DGGUHVV└ WKH└ &2┴ └ LVVXH◀ └ 7KH└ ┼ ┼ └ LQ└ GRLQJ└ VR☼ └ WKH\└ QHHG└ WR└ LQVROYH└ WKH└ SURFHVVHV└ DV└ VHW└ XS└ E\└ &RQJUHVV◀ └ $QG└ ┼ ┼ └ DQG└ VR└ ,└ WKLQN└ LW└ YHU\└ LPSRUWDQW└ WR└ GR└ ERWK◀

*,//,%5$1' └

%XW└ ┼ ┼ └ EXW└ \RXYH└ WXGLHG└ WKLV└ LVVXH└ RI└ VHD└ OHYHOV◀ └ <RX└ GR└ UHDO]H└ WKH└ DUH└ ULVLQJ◀ └ $QG└ LW└ RQH└ RI└ WKH└ UHDVRQ└ ZK\└ WKHVH└ WRUP└ VXUJHV└ ZHUH└ VR└ KLJK☼ └ DQG└ GHYDVWDWLQJ└ FRPPXQLWLHV└ DOO└ DFURVV└ 1HZ└ <RUN└ &LWL◀ └ 6R└ ,└ QHHG└ \RX└ WR└ EH└ YLJLODQW☼ └ EHFDXVH└ OLYHV└ DUH└ DW└ WDNH◀ └ $QG└ ,└ WKLQN└ \RX└ KDYH└ WKH└ SXUYLHZ└ /R└ GR└ WKDW◀ └ :LOO└ \RX└ EH└ YLJLODQW'

358,77 └

6HQDWRU☼ └ ZH└ ZLOO└ REYLRXVO\└ DGGUHVV└ WKRVH└ LVVXHV└ WKDW└ ZH└ WDONHG└ DERXW└ LQ└ \RXU└ RIILFH◀ └ $QG└ ,└ DSSUHFLDWH└ \RXU└ SDVVLRQ└ RQ└ WKLV└ LVVXH◀

*,//,%5$1' └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HDUL3DJH└ ┼ RI└└

2QH└ RI└WKH└ RWKHU└ LWXHV└WKDW└ ZH└WDONHG└ DERXW└ └WKDW└ ,└WKLQN└ LV└ HTXDOO\└ DV└ FRQFHUQLQJ└ LV└ LWXHV└ RI└ PHUFU\└WKDW└ KDYH└ EHHQ└ UDLVHG└ DERXW└ DWWKPD└ UDWHV└WKDW└ KDYH└ EHHQ└ UDLVHG└ DERXW└ JURXQG└ ZDWHU└ SROOXWHG◀ └ ,YH└ CRRNHG└ DW└ \RXU└ UHFRUG◀ └ 0RWW└ RI└WKH└ CDZXLWW└ \RX└ ILCHG└ DV└ DWWRUCH\└ JHQHUDO└ ZHUH└ UHDDWHG└WR└ EXVLCHWWHV└ └ VSHFLILFDOO\└ ZKDW└ ZDV└ LPSRWDQW└ IRU└ \RXU└ WWDWH└ LQ└ /HUPV└ RI└ HPSOR\HUV└ DQG└ EXVLCHWWHV◀

$QG└WKH└ IHZ└ CDZXLWW└ \RX└ GLG└ ILCH└ DERXW└ KXPDQ└ VDIHW\└ ZHUH└ IHZ└ DQG└ IDU└ EHWZHHQ◀ └ %XW└WKLV└ URCH└ DV└WKH└ KHDG└ RI└WKH└ (3$└ └ \RXUH└ JRLQJ└WR└ KDYH└ D└ PXFK└ PRUH└ LPSRWDQW└ URCH└WR└ SCD\◀ └ $QG└ ,└ ZDQW└WR└WDON└ VSHFLILFDOO\└ DERXW└ PHUFU\◀ └ ,I└ \RX└ EHOLHYH└WKDW└ PHUFU\└ LV└ D└WKUHDW└WR└ SXEOLF└ KHDOWK└ └ EXW└ RSSRVH└WKH└ UHPHG\└ RI└ UHGXFLQJ└ PHUFU\└ DLU└ SROOXWLRQ└ IURP└ SRZHU└ SCDQW└ EHFDXVH└ LW└WRR└ FRWWO\└ └ ZKDW└WKHQ└ GR└ \RX└WKLQN└ \RX└ VKRXOG└ GR└ └ RU└ ZKDW└ VKRXOG└ EH└ GRCH└WR└ DGGUHW└WKH└ PHUFU\└ SROOXWLRQ"

358,77 └
/HW└ PH└ VD\└ └ 6HQDWRU└ └ PHUFU\└ LV└ VRPHWKLQJ└ ┼ ┼ └ LW└ LV└ D└ KD]DUGRXV└ DLU└ SROOXWDQW└ XQGHU└ 6HFWLRQ└ ¶ ¶ ⊥ ◀ └ ,W└ LV└ VRPHWKLQJ└WKDW└WKH└ (3$└ KDV└ DXWKRULW\└ /R└ UHJXODWH└ DQG└ VKRXOG└ UHJXODWH◀ └ ,W└ VKRXOG└ GR└ VR☼ └WKRXJK☼ └ ZLWKLQ└WKH└ ┼ ┼ └WKH└ IUDPHZRUN└ HWWDEOLVKHG└ E\└WKLV└ ERG\◀ └ $QG└WKH└ 6XSUHPH└ &RXUW└ VDLG└WKDW└ /KH└ (3$└ GLG└ QRW└ IROORZ└WKH└ FRXW┼ EHCHILW└ REOLJDWLRQV◀

,W└ QRW└WKDW└WKH└ ┼ ┼ └WKH└ EHCHILWW└ KDYH└WR└ RXWZHLJK└WKH└ FRXW◀ └ ,W└ MXWW└WKDW└ /KH\└ VLPSO\└ GLGQW└ HQJDJH└ LQ└ D└ SURSHU└ UHFRUG┼ EDVHG└ VXSSRUW└ IRU└WKHLU└ UXCH◀ └ $QG└ VR└WKDW└ ┼ ┼ └WKDW└ JRHV└ EDFN└WR└ HDUOLHU└ TXHWWLRQV└ ZLWK└ RWKHU└ VHCDWRUV└ DERXW└WKH└ SURFHVV└ PDWWHULQJ☼ └ EHLQJ└ FRPPLWWHG└WR└WKH└ UXCH└ RI└ CDZ└ DQG└WKH└ UXCHPDNLQJ└ DWWKRULW\└WKDW└ &RQJUHW└ KDV└ JLYHQ└WKH└ (3$☼ └ LQ└ PDNLQJ└ VXUH└ /KDW☼ └ DV└ UXCHV└ DUH└ SDWHG☼ └WKDW└WKH\└ FDQ└ EH└ XSKHDG└ LQ└ FRXUW◀

*,//,%6$1' └
%XW└ ,└ QHHG└ \RX└ DOVR└WR└ EH└ ZRUULHG└ DERXW└ KXPDQ└ KHDOWK◀ └ ,└ ┼ ┼ └ ,└ XQGHUWDQG└ /KHUHV└ D└ FRWW◀ └ %XW└ ZKHQ└ \RXUH└WDONLQJ└ DERXW└ OLYHV☼ └ DQG└ \RXUH└WDONLQJ└ DERXW└ FKLOGUHQ└ ZKR└ FDQW└ EUHDWKH└ ┼ ┼ └ ,YH└ EHQ└WR└WKH└ HPHUJHQF\└ URRP└ DW└ ⊥ └ LQ└WKH└ PRUQLQJ└ ZLWK└ D└ FKLOG└ ZKR└ FDQW└ EUHDWKH◀ └ ,W└ D└ KRUULECH└WKLQJ◀

:HYH└ KDG└ FKLOGUHQ└ GLH└ LQ└ 1HZ└ <RUN└ &LW\☼ └ EHFDXVH└ QRQH└ RI└WKHLU└ /HDFKHUV☼ └ QR└ DGPLQLWWUDWRUV└ LQ└WKH└ VFKRROV└ NQHZ└ ZKDW└WR└ GR└ ZKHQ└ D└ FKLOG└ KDV└ DQ└ DWWKPD└ DWWDFN◀ └ ,W└ D└ KXJH└ SURECHP◀ └ 6R└ ,└ QHHG└ \RX└WR└ FDUH└ DERXW└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HUI3DJH└ ┼ RI └└

KXPDQ└ KHDOWK☼ └ DQG└ ┼ ┼ └ DQG└ UHDO\ └ EHOLHYH└ WKDW└ WKH└ FRWW☼ └ ZKHQ└ KXPDQ└
KHDOWK└ LV└ DW└ ULVN☼ └ ZKHQ└ SHRSOH└ DUH└ G\LQJ☼ └ LV└ IDU└ KLJKHU└ WKDQ└ LW└ LV└ WKH└ FRWW└ W
/KDW└ SROOXWHU└ WR└ FKDQ└ XS└ WKH└ DLU☼ └ DQG└ FKDQJH└ WKHLU└ SURFHVVHV◀

,└ QHHG└ \RX└ WR└ IHHO└ LW☼ └ DV└ LI└ \RXU└ FKLOGUHQ☼ └ VLWWLQJ└ EHKLQG└ \RX☼ └ DUH└ WKH└ RQHV└
LQ└ WKH└ HPHUJHQF\└ URRP◀ └ ,└ QHHG└ \RX└ WR└ NQRZ└ LW◀

358,77 └
$QG└ 6HQDWRU☼ └ ,└ ZRXOG└ VD\└ WR└ \RX☼ └ WKHUH└ DUH└ FHUWDLQ└ LQWDQFHV└ ZKHUH└ FRWW└
FDQW└ HYHQ└ EH└ FRQVLGHUHG☼ └ DV└ \RX└ NQRZ◀ └ 7KRVH└ FULWHULD└ SROOXWDQWW☼ └ XQGHU└
DQ└ DFW☼ └ SURJUDP☼ └ FRWW└ LV└ QRW└ HYHQ└ D└ IDFWRU☼ └ EHFDXVH└ KXPDQ└ KHDOWK└ LV└ WKH└
IRFXV◀

*,//,%5$1' └
6R└ CHW\└ WDON└ DERXW└ WKDW◀ └ 6R└ \RX└ DQG└ ,└ SUHYLHZHG└ WKLV└ LQ└ P\└ RIILFH◀ └ :H└
KDYH└ D└ KRUULECH└ SURECHP└ LQ└ 1HZ└ <RUN└ 6/NDWH☼ └ ZLWK└ 6XSHUIXQG└ VLWHV☼ └ DQG└
ZLWK└ JURXQG└ ZDWHU└ WKDW└ LV└ SROOXWHG◀ └ :H└ KDYH└ 3)2$└ LQ└ RXU└ ZDWHU◀ └ :H└
KDYH└ WKH└ CDUJHWW└ 38%└ 6XSHUIXQG└ VLWH└ LQ└ WKH└ 8QLWHG└ 6/NDWHV└ LQ└ WKH└ +XGVRQ└
5LYHU◀

:KHQ└ IDPLOLHV└ ZKR└ GRQW└ KDYH└ PRQH\└ ILVK└ LQ└ WKH└ +XGVRQ└ 5LYHU☼ └ WKH\└ HDW└
/KRVH└ ILVK◀ └ 7KH\└ JHW└ LOO◀ └ ,W└ LV└ KRUULECH◀ └ 7KH└ FRQWDPLQDQW└ DUH└ UHDO◀ └ 7KH\└
DUH└ SHUYDVLYH☼ └ DQG└ WKH\└ DUH└ GHWUR\LQJ└ OLYHV◀ └ 7KH\UH└ DOVR└ GHWUR\LQJ└ WKH└
HFRQRP\☼ └ EHFDXVH└ ZKHQ└ \RX└ KDYH└ FRQWDPLQDQW└ DOO└ RYHU└ WKH└ SODFH☼ └ \RX└
FDQW└ VHOO└ \RXU└ KRXVH◀ └ <RX└ FDQW└ SXW└ LQ└ LQGXVWULHV└ WKDW└ DUH└ UHO\LQJ└ RQ└
/RXULVP◀

,W└ D└ KXJH└ SURECHP◀ └ 6R└ 3)2$└ LV└ DQ└ H[DPSCH└ RI└ D└ ┼ ┼ └ RI└ D└ FKHPLFDO└ WKDW└
QHHGV└ WR└ EH└ WHWWHG◀ └ ,└ QHHG└ \RX└ WR└ SXW└ LW└ QXPEHU└ RQH└ RQ└ \RXU└ OLWW☼ └ WR└ WHWW└
LW◀ └ $QG└ LI└ LW└ LV└ WKH└ FDUFLQRJHQ└ WKDW└ PDQ\└ VFLHQWLWW└ KDYH└ VDLG└ LW└ LV☼ └ LW└ QHHGV
/R└ EH└ EDQQHG◀

358,77 └
7KH└ 76&$└ DXWKRULW\└ WKDW└ EHQ└ JUDQWHG└ E\└ WKLV└ ERG\└ ┼ ┼ └ \RX└ DQG└ ,└ WDONHG└
DERXW└ WKDW└ LQ└ \RXU└ RIILFH☼ └ 3)2$└ QHHGV└ WR└ EH└ DGGUHVVHG└ TXLFNO\☼ └ HYHQ└
XQGHU└ WKH└ 6DIH└ 'ULQNLQJ└ :DWHU└ $FW└ DV└ ZHOO◀

*,//,%5$1' └
:LOO└ \RX└ FRPPLW└ WR└ GRLQJ└ WKDW└ ZRUN"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDU3DJH└ ├ RI└

358,77 └
<HV◀

*,//,%5$1' └
7KDQN└ \RX◀

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU◀

6HQDWRU└ +DUPHU◀

+$53(5 └
0U◀ └ &KDLUPDQ☼ └ ,└ KDYH└ D└ XQDQLPRXV└ FRQVHQW└ UHTXHVW└ ,G└ OLNH└ WR└ VXEPLW└ IRU└
ΛKH└ UHFRUG◀ └ 2QH└ ┼ ┼ └ DQG└ WKLV└ LV└ VRUW└ RI└ LQ└ UHVSRQVH└ WR└ D└ TXHVWLRQ└ UDLVHG└ E\└
6HQDWRU└ +DUULV◀ └ $QG└ 0U◀ └ 3UXLWW☼ └ LQ└ KLV└ UHVSRQVH└ WR└ D└ TXHVWLRQ└ RQ└ ZKHWKHU└
KH└ KDG└ HYHU└ ILOHG└ D└ CDZXLW└ DJDLQVW└ D└ FRUSRUDWH└ HQWLW\└ IRU└ YLRODWLQJ└ VWDWH└
RU└ IHGHUDO└ SROOXWLRQ☼ └ DSSDUHQWO\└ ZDV└ QRW└ FRUUHFW◀

,└ ZDQW└ WR└ MXVW└ VXEPLW└ IRU└ WKH└ UHFRUG☼ └ D└ OLWW└ RI└ FDVHV└ WKDW└ KDYH└ EHHQ└ DFWLYH└
XQGHU└ 0U◀ └ 3UXLWW└ CHDGHUVKLS◀ └ $QG└ QRWLFH└ ZKLFK└ RQHV└ ZHUH└ VWDUWHG└ E\└ KLV└
SUHGHFHVVRU◀ └ $QG└ LW└ VKRZV└ WKDW└ WKH└ FDVH└ LQ└ ZKLFK└ KH└ PHQWLRQHG└ LQ└ KLV└
H[FKDQJH└ ZLWK└ 6HQDWRU└ +DUULV☼ └ ,└ WKLQN└ LW└ ZDV└ WKH└ HJJ└ FDVH☼ └ ZDV└ LW└ 0DKDUG└
┼ ┼ └ 0DKDUG└ HJJ└ FDVH☼ └ DFWXDOO\└ ZDV└ LQLWLDWHG☼ └ QRW└ E\└ 0U◀ └ 3UXLWW☼ └ EXW└ E\└ ┼ ┼ └ E
KLV└ SUHGHFHVVRU◀ └ 7KDQN└ \RX◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

$QG└ ,G└ OLNH└ WR└ VXEPLW└ WR└ WKH└ UHFRUG☼ └ DV└ ZHOO☼ └ KDYLQJ└ KHDUG└ WKDW└ VRPH└ RI└
P\└ 'HPRFUDWLF└ FROOHDJXHV└ KDYH└ H[SUHVVHG└ WKHLU└ FRQFHUQV└ WKDW└ $VWRUGH\└
*HQHUDO└ 3UXLWW└ LV└ QRW└ RSHQ└ WR└ WKH└ ILQGLQJ└ RI└ VFLHQFH☼ └ HVSHFLDOO\└ DV└ LW└
UHODWHV└ WR└ FOLPDWH└ FKDQJH☼ └ WKLV└ LV└ QRW└ VR◀ └ ,G└ OLNH└ WR└ FDOO└ WKH└ FRPPLWWHH└
DWWHQWLRQ└ WR└ D└ CHWWHU└ E\└ WKH└ ┼ ┼ └ WKH└ &RUQZDOO└ $OOLDQFH└ IRU└ WKH└ 6WHZDUGVKLS└ RI└
&UHDWLRQ◀

AMERICAN OVERSIGHT

7KH└ CHWWHU└ LV└ VLJQHG└ E\└ ¶ ┼ !! └ VFLHQWLVWV☼ └ HFRQRPLVWV☼ └ CHJDO└ VFKRODUV☼ └ SROLF\└
H[SHUWV☼ └ UHOLJLRXV└ CHDGHUV☼ └ DQG└ RYHU└ ┴ ┼ !! └ PWKHU└ FLWL]HQV☼ └ XUJLQJ└ $WWRUQH\└
*HQHUDO└ 3UXLWWW└ FRQILUPDWLRQ◀ └ 7KH└ JURXS└ LQFOXGHV└ 'DYLG└ /HJDWHV└ ZKR└ D└
3K◀ '◀ └ LQ└ FOLPDWRORJ\☼ └ SURIHVVRU└ RI └ FOLPDWRORJ\└ DQG└ JHRJUDSK\└ DW└ WKH└
8QLYHUVLW\└ RI └ 'HDZDUH◀

7KH└ DXWKRU└ SUDLVHV└ 3UXLWW☼ └ WKDWLQJ☼ └ | 0U◀ └ 3UXLWW└ KDV└ DOVR└ GHPRQWUDWHG└
XQGHUWDQGLQJ└ RI☼ └ DQG└ RSHQ┼ PLQGHGQHV└ WRZDUG└ VFLHQWLILF└ LQVLJKWV└
FUXFLDO└ WR└ WKH└ IRUPXODWLRQ└ DQG└ LPSOHPHQWDWLRQ└ RI └ HQYLURQPHQWDO└
UHJXODWLRQ◀ |

7KH└ RUJDQL]DWLRQV└ IRXQGHU└ DQG└ QDWLRQDO└ VSRNHVPDQ☼ └ &DOYLQ└ %HLVQHU☼ └ LV└
TXRWHG└ LQ└ WKH└ SUHVV└ UHOHDVH└ DQQRXQFLQJ└ WKH└ CHWWHU└ DV└ VD\LQJ└ WKH└
IROORZLQJ☼ └ | 6RPH└ HQYLURQPHQWDO└ DFWLYLWVW└ DUH└ GHWHUPLQHG└ WR└ SUHYHQW└ 0U◀ └
3UXLWW└ FRQILUPDWLRQ☼ └ SDLQWLQJ└ KLP└ DV└ D└ VFLHQFH└ GHQLHU└ RU└ D└ FOLPDWH└
FKDQJH└ GHQLHU◀ |

0U◀ └ %HLVQHU└ FRQWLQXHV☼ └ | +H└ LV└ QHLWKHU◀ └ +HV└ D└ VROLG☼ └ FRPPRQ┼ └ VHQVH└
DWWRUQH\└ JHQHUDO└ ZKR└ ZLOO└ EULQJ└ PXFK└ QHHGHG└ UHIRUP└ WR└ WKH└ (3$◀ | └
:LWKRXW└ REMHFWLRQ☼ └ WKH└ CHWWHU└ ZLOO└ EH└ VXEPLWWHG└ IRU└ WKH└ UHFRUG◀

6HQDWRU└ :LFNHU◀

:,&.(5 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ└ DQG└ 0U◀ └ 5DQNLQJ└ 0HPEHU◀ └ ,└ WKLQN└ LVW└ EHHQ└ D└
JRRG└ KHDULQJ└ VR└ IDU☼ └ WKDW└ ZH└ KDYH└ D└ ORW└ RI └ LQIRUPDWLRQ└ WKDW└ ZLOO☼ └ WKDWOO└ EH└
UHDVVXULQJ└ WR└ WKH└ $PHULFDQ└ SHRSOH◀

2QH└ WKLQJ└ ,└ ┼ ┼ └ ,└ GR└ REMHFW└ WR☼ └ WKRXJK☼ └ LVW└ VRPHWKLQJ└ WKDW└ KDSSHQHG└ IRU└
\HDUV└ VLQFH└ ,YH└ EHHQ└ D└ PHPEHU└ RI └ WKLV└ FRPPLWWHH☼ └ DQG└ WKDW└ VRPHKRZ└
/R└ ┼ ┼ └ WR└ OLW└ SROLWLFDO└ FRQWULEXWLRQV└ DQG└ ┼ ┼ └ DQG└ VXJJHVW└ WKDW└ VRPHKRZ└ WKH\└
PDNH└ DQ└ LQGLYLGXDO└ VXVSHFW└ RU└ ┼ ┼ └ RU└ GRW└ TXDOLILHG◀

0\└ GHDU└ IULHQG└ IURP└ 5KRGH└ ,VODQG└ VKRZHG└ D└ SRWWHU☼ └ DQG└ VKRZHG└ VRPH└
FRQWULEXWLRQV☼ └ DQG└ VXJJHVWHG└ WKDW└ EDVHG└ RQ└ WKRVH└ FRQWULEXWLRQV☼ └ IURP└
FRPSDQLHV└ OLNH└ 6RXWKHUQ└ &RPSDQ\☼ └ IRU└ H[DPSOH☼ └ ZKRV└ FRQWULEXWHG└ WR└
P\└ FDPSDLJQ☼ └ WKDW└ KLV└ DSSURSULDWHQHVV└ IRU└ WKH└ MRE└ VKRXOG└ EH└ ┼ ┼ └ VKRXOG└
EH└ FKDOOHQJHG◀

$QG└ VR└ ,P└ JODG└ WKDW└ WKH└ FKDLUPDQ└ KDG└ DGHG└ WR└ WKH└ UHFRUG☼ └ WKLV└ DUWLFOH└
IURP└ 6HSWHPEHU└ ┼ ☼ └ IURP└ WKH└ :DOO└ 6WUHHW└ -RXUQDO☼ └ 6HSWHPEHU└ ┼ └ RI └ CDWW\└
\HDU☼ └ SRLQWLQJ└ RXW└ WKH└ 'HPRFUDWLF└ SUHVLGHQWLDO└ FDQGLGDWH☼ └ +LODU\└ &OLQWRQ☼ └

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HDUI3DJH└ └ RI └└

$V└ DQ└ H[DPSOH☼ └ ZLWK└ UHVSHFW└ WR└ SRZHU└ JHQHUDWLRQ☼ └ WKHUH└ KDV└ WR└ EH└ D└
VLJQLILFDQW└ ILQGLQJ└ WKDW└ LW└ SRVHV└ ULVN└ WR└ SXEOLF└ KHDOWK└ DQG└ ZHOIDUH◀ └ 7KH\└
GLG└ QRW└ GR└ WKDW◀ └ 7KH\└ GLG└ QRW└ JR└ WKURXJK└ WKH└ SURSHU└ SURFHVVHV└ RI└ LQVLGH└
/KH└ IHQFH└ DQG└ UHJXODWLRQV└ RI└ IDFLOLWLHV☼ └ SRZHU└ JHQHUDWLRQ└ IDFLOLWLHV◀ └ 6R└
/KRVH└ PDWWHUV☼ └ 6HQDWRU☼ └ DUH└ DERXW└ UXOH└ RI└ ODZ◀ └ $QG└ WKH└ VDPH└ LV└ WUXH└ ZLWK└
/KH└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6/DWHV└ UXOH◀

:,&.(5 └
1RZ☼ └ \RX└ NQRZ☼ └ DQG└ ,└ KDYH└ QRW└ GHDYHG└ LQWR└ WKLV└ DV└ DQ└ DWWRUQH\☼ └ DV└ \RX└
KDYH☼ └ EXW└ ,└ FDQ└ WHOO└ \RX└ WKDW└ WKH└ 'HSDUWPHQW└ RI└ (QYLURQPHQWDO└ 4XDOLW\└ LQ└
P\└ \WDWH└ WROG└ PH└ YHU\└ HPSKDWLFDOO\☼ └ WKDW└ WKH└ &HDQ└ 3RZHU└ 3ODQ└ ZRXOG└
SXW└ XV└ RXW└ RI└ EXVLQHVV☼ └ EHFDXVH└ ZH└ ┼ ┼ └ ZH└ ZRXOG└ QRW└ KDYH└ KDG└ DQ└
DOWHUQDWLYH└ WR└ WKH└ FRDO└ WKDW└ ZH└ XVH◀ └ $QG└ ┼ ┼ └ DQG└ ┼ ┼ └ DQG└ VR└ ,└ KRSH└ ZH└ FDQ└
FRQWLQXH└ WR└ PDNH└ SURJUHVV└ RQ└ WKLV└ LVVXH◀

/HW└ PH└ DVN└ \RX└ DERXW└ ZRRG└ SURGXFWV◀ └)HGHUDO└ JRYHUQPHQW└ EX\V└ D└ ORW└ RI└
OXPEHU☼ └ XVHV└ D└ ORW└ RI└ ZRRG└ LQ└ FRQWUXFWLRQ☼ └ DQG└ SURFXUHV└ D└ ORW└ RI└ ZRRG◀ └
7KHUH└ DUH└ WDQGDUGV└ FHUWLI\LQJ└ WKDW└ WKH└ IRUHVWV└ DUH└ DSSURSULDWH◀ └ 2QH└ LV└
/KH└ $PHULFDQ└ 7UHH└)DUP└ 6\VWHP◀ └ $QRWKHU└ LV└ WKH└ 6XVWDLQDEOH└)RUHVWU\└
,QLWLDWLYH◀

(3$└ VHHPV└ WR└ OLNH└ D└ FHUWLILFDWLRQ└ SURJUDP└ FDOOHG└ WKH└)6&☼ └ WKH└)RUHVW└
6/WHZDUGVKLS└ &RXQFLO◀ └ 3URECHP└ LV☼ └ ZLWK└ ┼ ┼ └ ZLWK└ WKLV└ ┼ ┼ └ WKLV└ FHUWLILFDWLRQ└
SURJUDP☼ └ LW└ H[FOXGHV└ !! └ SHUFHQW└ RI└ WKH└ OXPEHU└ JURZQ└ LQ└ WKH└ 8QLWHG└
6/DWHV└ RI└ $PHULFD◀

:H└ KDYH└ KDG└ D└ ORW└ RI└ DFWLYLW\└ RQ└ ERWK└ VLGHV└ RI└ WKH└ DLVOH☼ └ LQ└ FKDOOHQJLQJ└
/KLV◀ └ $QG└ ┼ ┼ └ DQG└ ,└ REVHUYH☼ └ DOVR☼ └ WR└ D└ VR┼ FDOOHG└ LQWHULP└ UHFRPPHQGDWLRQ☼ └
PDGH└ E\└ (3$└ LQ└ WKLV└ UHJDUG◀ └ $V└ IDU└ DV└ ,P└ FRQFHUQHG☼ └ LW└ LV└ GLVFULPLQDWLRQ└
DJDLQVW└ GRPHVWLF└ ZRRG◀ └ $QG└ QRZ└ WKH\└ ┼ ┼ └ WKH\└ KDYH└ FRPH└ EDFN└ DQG└ WROG└
XV└ WKDW└ WKLV└ LQWHULP└ UHFRPPHQGDWLRQ└ LV└ XQGHU└ UHYLHZ◀

&RXOG└ \RX└ FRPPHQW└ DERXW└ ERWK└ RI└ WKHVH☼ └ WKH└ LGHD└ RI└ DQ└ LQWHULP└
UHFRPPHQGDWLRQ└ EHLQJ└ LPSRVHG└ RQ└ DQ└ HQWLUH└ LQGXVWU\☼ └ DQG└ DOVR└ JLYH└ XV└
DQ\└ WKRXJKW└ \RX└ KDYH└ DERXW└ XVLQJ└ WKH└)RUHVW└ 6/WHZDUGVKLS└ &RXQFLO└
FHUWLILFDWLRQ└ PRGHO└ DV└ RSSRVHG└ WR└ WKHVH└ RWKHU└ SHUIHFWO\└ JRRG└ 6XVWDLQDEOH└
)RUHVWU\└ ,QLWLDWLYH└ DQG└ $PHULFDQ└ 7UHH└)DUP└ 6\VWHP"

¾$55$662 └
$QG└ LI└ ,└ FRXOG└ DVN└ \RX└ WR└ LW☼ └ DV└ WKH└ VHQDWRU└ WLPH└ LV└ DERXW☼ XS◀

AMERICAN OVERSIGHT

358,77 └
6HQDWRU☼ └ DV└ \RX└ DQG└ ,└ GLVFXVVHG└ LQ└ RXU└ PHHWLQJ☼ └ ,P└ YHU\└ FRQFHUQHG└
DERXW└ WKH└ ODWWHU└ LVVXH☼ └ DQG└ ┼ ┼ └ DQG└ PDNLQJ└ VXUH└ WKDW└ DOO└ YRLFHV☼ └ DOO└ RSWLRQV└
DUH└ FRQVLGHUHG└ LV└ VRPHWKLQJ└ WKH└ (3$└ DGPLQLWUDWRU└ VKRXOG└ GR☼ └ DQG└ ,└
ZRXOG└ VHHN└ WR└ GR☼ └ LI└ FRQILUPHG◀

:LWK└ UHVSHFW└ WR└ WKH└ LQWHULP└ WHPS☼ └ ,└ WKLQN└ WKDW└ WKHUH└ LV└ D└ FRQFHUQ└ WKDW└ PDQ\└
KDYH└ RIIHUHG☼ └ WKURXJKRXW└ WKH└ ┼ ┼ └ WKURXJKRXW└ WKH└ CDWV└ VHYHUDO└ \HDUV☼ └ WKDW└
UHJXODWRUV└ LQ└ :DVKLQJWRQ☼ └ GRW└ MXVW└ WKH└ (3$☼ └ DUH└ VHHNLQJ└ WR└ XVH└ JXLGDQFH└
RU└ RWKHU└ WHPSV└ WR└ DYRLG└ ZKDW└ ZRXOG└ EH└ FDOOHG└ IRUPDO└ UXOHPDNLQJ☼ └ WKDW└
&RQJUHVV└ KDV└ REOLJDWHG└ WKRVH└ DJHQFLHV└ WR└ SHUIRUP☼ └ WR└ HQVXUH└ H[DFWO\└
ZKDW└ \RX└ MXVW└ GHVFULEHG☼ └ WKDW└ DOO└ YRLFHV└ DUH└ KHDUG◀

$QG└ ┼ ┼ └ DQG└ WKDW└ XQIRUWXQDWH└ ZKHQ└ DJHQFLHV└ GR└ WKDW☼ └ EHFDXVH└ WKDW└ DQ└
DEXVH└ RI└ WKH└ SURFHVV◀

%$55$662 └
7KDQN└ \RX☼ └ VLU◀

:,&.(5 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
6HQDWRU└ 6DQGHUV◀

6$1'(56 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ $QG└ ,└ DSRORJL]H└ IRU└ EHLQJ└ ODWH☼ └ EXW└ ZH└ ZHUH└ DW└
D└ KHDULQJ└ ZLWK└ &RQJUHVVPDQ└ 3ULFH☼ └ ZKR└ LV└ WKH└ QRPLQHH└ IRU└ ++6☼ └ DQG└
SHUKDSV└ GRW└ D└ JUHDW└ LGHD└ WR└ KDYH└ LPSRWDQW└ QRPLQDWLQJ└ KHDULQJV└ DW└
H[DFWO\└ WKH└ VDPH└ WLPH◀ └ 6R└ ,└ DSRORJL]H└ IRU└ GRW└ EHLQJ└ KHUH└ HDUOLHU◀

0\└ RIILFH└ KDV└ UHFHLYHG└ D└ JUHDW└ GHDO└ RI└ FRPPHQW└ IURP└ SHRSOH└ LQ└ WKH└
6WDWH└ RI└ 9HUPRQW☼ └ ZKLFK└ WDNHV└ HQYLURQPHQWDO└ SURWHFWLRQ└ YHU\└ VHULRXVO\☼ └
DV└ ZHOO└ DV└ IURP└ DOO└ RYHU└ WKH└ FRXQWU\◀ └ $QG└ WKH└ IHDU└ LV└ WKDW└ WKH└ QRPLQDWLRQ└
RI└ 0U◀ └ 3UXLWW└ LV└ D└ QRPLQDWLRQ└ GHVLJQHG└ WR└ SURWHFW└ WKH└ IRVVLO└ IXHO└ LQGXVWU\└
DQG└ QRW└ WKH└ HQYLURQPHQW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG/└ +HDL 3DJH¶ ‼└¶RI└

,└ ZRXOG└ OLNH└ WR└ DVN└ 0U◀ └ 3UXLWW└ D└ TXHVWLRQ◀ └ ,└ ┼ ┼ └ DV└ ,└ XQGHUVWDQG└ LW└ └ HDUOLHU
/KLV└ KHDULQJ└ └ \RX└ VDLG└ WKDW└ 0U◀ └ 7UXPS└ ZDV└ ZURQJ└ LQ└ VXJJHVWLQJ└ ┼ ┼ └ LQ└
WDLQJ└ RYHU└ DQG└ RYHU└ DJDLQ└ └ WKDW└ FOLPDWH└ FKDQJH└ ZDV└ D└ TXRVH↕ XQTXRWH└
| KRD[◀ | └ ,V└ WKDW└ └ LQ└ IDFW└ └ WKH└ FDVH"

358,77 └
7KDW└ LV└ FRUUHFW└ └ 6HQDWRU◀

6$1'(56 └
2.◀ └ /HW└ PH└ DVN└ \RX└ WKLV◀ └ $V└ \RX└ PD\└ NQRZ└ └ VRPH└ → └ SHUFHQW└ RI└
VFLHQWLVWV└ └ ZKR└ KDYH└ ZULWWHQ└ DUWLFOHV└ IRU└ SHHU└ UHYLHZHG└ MRXUQDOV└ └ KDYH└
FRQFOXGHG└ WKDW└ FOLPDWH└ FKDQJH└ LV└ UHDO◀ └ ,W└ LV└ FDXVHG└ E\└ KXPDQ└ DFWLYLWLHV◀ └
$QG└ LW└ LV└ DOUHDG\└ FDXVLQJ└ GHYDVWDWLQJ└ SURECHPV└ LQ└ RXU└ FRXQWU\└ DQG└
DURXQG└ WKH└ ZRUOG◀ └ 'R└ \RX└ EHOLHYH└ WKDW└ FOLPDWH└ FKDQJH└ LV└ FDXVHG└ E\└ WKH└
HPLVVLRQ└ └ E\└ FDUERQ└ HPLVVLRQV└ └ E\└ KXPDQ└ DFWLYLWLHV"

358,77 └
6HQDWRU└ └ DV└ ,└ LQGLFDWHG└ ┼ ┼ └ \RX└ ZHUHQW└ LQ└ KHUH└ GXULQJ└ P\└ RSHQLQJ└
VWDWHPHQW└ └ EXW└ DV└ ,└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ VWDWHPHQW└ └ FOLPDWH└ ┼ ┼ └ WKH└
FOLPDWH└ LV└ FKDQJLQJ└ └ DQG└ WKDW└ WKHUH└ ┼ ┼ └ KXPDQ└ DFWLYLWLHV└ FRQWULEXWH└ WR└ WKDW└
LQ└ VRPH└ PDQQHU◀

6$1'(56 └
,Q└ VRPH└ PDQQHU"

358,77 └
<HV└ └ VLU◀

6$1'(56 └
1LQHWH┼ VHYHQ└ SHUFHQW└ RI└ WKH└ VFLHQWLVWV└ ZKR└ ZURWH└ DUWLFOHV└ LQ└ SHHU└
UHYLHZHG└ MRXUQDOV└ EHOLHYH└ WKDW└ KXPDQ└ DFWLYLWLHV└ LV└ WKH└ IXQGDPHQWDO└ UHDVRQ└
ZH└ DUH└ VHHLQJ└ FOLPDWH└ FKDQJH◀ └ <RX└ GLVDJUHH└ ZLWK└ WKDW'

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ‼└┴RI┴└

,└ EHOLHYH└ WKH└ DELOLW\└ WR└ PHDVXUH└ ZLWK└ SUHFLVLRQ└ └WKH└ GHJUHH└ RI└ KXPDQ└ DFWLYLW\V└ LPSDFW└ RQ└ WKH└ FOLPDWH└ LV└ VXEVWDQW└ WR└ PRUH└ GHEDWH└ RQ└ ZKHWKHU└ WKH└ FOLPDWH└ LV└ FKDQJLQJ└ RU└ ZKHWKHU└ KXPDQ└ DFWLYLW\└ FRQWULEXWHV└ WR└ LW◀

6$1'(56 └
:KLFH└ \RX└ DUH└ GRW└ FHUWDLQ└ └WKH└ YDVW└ PDMRULW\└ RI└ VFLHQWLVWV└ DUH└ WHOOLQJ└ XV└ /KDW└ LI└ ZH└ GR└ GRW└ JHW└ RXU└ DFW└ WRJHWKHU└ └DQG└ WUDQVIRUP└ RXU└ HQHUJ\└ V\VWHP└ DZD\└ IURP└ IRVVLO└ IXHO└ └WKHUH└ LV└ D└ UHDO└ TXHVWLRQ└ DV└ WR└ WKH└ TXDOLW\└ RI└ WKH└ SODQHW└ WKDW└ ZH└ DUH└ JRLQJ└ WR└ EH└ CHDYLQJ└ RXU└ FKLOGUHQ└ DQG└ RXU└ JUDQGFKLOGUHQ◀

6R└ \RX└ DUH└ DSSO\LQJ└ IRU└ D└ MRE└ DV└ DGPLQLWWUDWRU└ IRU└ WKH└ (3$└ └WR└ SURPHFW└ RXU└ HQYLURQPHQW◀ └ 2YHUZKHOPLQJ└ PDMRULW\└ RI└ VFLHQWLVWV└ VD\└ ZH└ KDYH└ DFW└ ┼ ┼ └ JRW└ /R└ DFW└ EROGO\└ └DQG└ \RXUH└ WHOOLQJ└ PH└ WKDW└ WKHUH└ CHHGV└ WR└ EH└ PRUH└ GHEDWH└ RQ└ WKLV└ LVVXH└ └DQG└ WKDW└ ZH└ VKRXOG└ QRW└ EH└ DFWLQJ└ EROGO\"

358,77 └
1R└ └6HQDWRU◀ └ ,└ ┼ ┼ └ DV└ ,YH└ LQGLFDWHG└ └FOLPDWH└ ┼ ┼ └WKH└ FOLPDWH└ LV└ FKDQJLQJ◀ └ $QG KXPDQ└ DFWLYLW\└ LPSDFW└ WKDW◀

6$1'(56 └
%XW└ \RX└ KDYHQW└ WROG└ PH└ ZK\└ ┼ ┼ └ ZK\└ \RX└ WKLQN└ WKH└ FOLPDWH└ LV└ FKDQJLQJ◀

358,77 └
:HOO└ 6HQDWRU└ └WKH└ MRE└ RI└ WKH└ DGPLQLWWUDWRU└ LV└ WR└ FDUU\└ RXW└ WKH└ WDVNV└ DV└ SDVVHG└ E\└ WKLV└ ERG\└ └DQG└ WR└ FRPSO\└ ZLWK└ WKH◀ ◀ ◀

6$1'(56 └
:K\└ LV└ WKH└ FOLPDWH└ FKDQJLQJ"

358,77 └
6HQDWRU└ └LQ└ UHVSRQVH└ WR└ WKH└ &2┴ └ LVVXH└ └WKH└ (3$└ DGPLQLWWUDWRU└ LV└ FRQWUDLQHG└ E\└ WDVNV◀ ◀ ◀

6$1'(56 └
,P└ GRW┼ ┼ └ ,P└ DVNLQJ└ \RX└ D└ SHUVRQDO└ RSLQLRQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDU 3DJH¶ ‼└┬RI└└

358,77 └
0\└ ┼ ┼ └ P\└ SHUVRQDO└ RSLQLRQ└ LV└ ┼ ┼ └ LV└ LPPDWHULDO◀ ◀ ◀

6$1'(56 └
5HDOO\"

358,77 └
◀ ◀ ◀ └WR└WKH└MRE└RI└ ┼ ┼ └WR└WKH└MRE└RI└FDUU\LQJ└RXW◀ ◀ ◀

6$1'(56 └
<RX└DUH└JRLQJ└WR└EH└WKH└KHDG└RI└WKH└DJHQF\└WR└SURWHFW└WKH└HQYLURQPHQW☼ └
DQG└\RXU└SHUVRQDO└IHHOLQJV└DERXW└ZKHWKHU└FOLPDWH└FKDQJH└LV└FDXVHG└E\└
KXPDQ└DFWLYLW\└DQG└FDUERQ└HPLWWLRQV└LV└LPPDWHULDO"

358,77 └
6HQDWRU☼ └,YH└DFNQRZOHGJHG└WR└\RX└WKDW└WKH└KXPDQ└DFWLYLW\└LPSDFW└WKH◀ ◀ ◀

6$1'(56 └
,PSDFW"

358,77 └
<HV◀

6$1'(56 └
6FLHQWLILF└FRPPXQLW\└GRHVQW└WHOO└XV└LW└LPSDFW◀ └7KH\└VD\└LW└LV└WKH└FDXVH└
RI└FOLPDWH└FKDQJH◀ └:H└KDYH└WR└WUDQVIRUP└RXU└HQHUJ\└V\\WHP◀ └'R└\RX└
EHOLHYH└ZH└KDYH└WR└WUDQVIRUP└RXU└HQHUJ\└V\\WHP└LQ└RUGHU└WR└SURWHFW└WKH└
SODQHW└IRU└IXWXUH└JHQHUDWLRQV"

358,77 └
,└EHOLHYH└WKH└(3$└KDV└D└YHU\└LPSRUWDQW└UROH└LQ└UHJXODWLQJ└WKH└HPLWWLRQ◀ ◀ ◀

6$1'(56 └
<RX└GLGQW└DQVZHU└P\└TXHVWLRQ◀

AMERICAN OVERSIGHT

358,77 └

◀◀◀ └ RI └ &2┴ ◀

6$1'(56 └

'R└ \RX└ EHOLHYH└ ZH└ KDYH└ WR└ WUDQVIRUP└ RXU└ HQHUJ\└ V\WHP└ DZD\└ IURP└ IRVVLO└ IXHO☼ └ WR└ GR└ ZKDW└ WKH└ VFLHQWLILF└ FRPPXQLW\└ LV└ WHOOLQJ└ XV☼ └ LQ└ RUGHU└ WR└ PDNH└ VXUH└ WKDW└ WKLV└ SODQHW└ LV└ KHDOWK\└ IRU└ RXU└ FKLOGUHQ└ DQG└ JUDQGFKLOGUHQ"

358,77 └

6HQDWRU☼ └ ,└ EHOLHYH└ WKDW└ WKH└ DGPLQLWUDWRU└ KDV└ D└ YHU\└ LPSRUWDQW└ URCH└ WR└ SHUIRUP└ LQ└ UHJXODWLQJ└ &2┴ ◀

6$1'(56 └

&DQ└ \RX└ WHOO└ PH☼ └ DV└ ,└ WKLQN└ DOO└ RI└ XV└ NQRZ☼ └ 2NODKRPD└ KDV└ EHHQ└ VXEMHFWHG└ /R└ D└ UHFRUG╢ EUHDNLQJ└ QXPEHU└ RI└ HDUWKTXDNHV◀ └ 6FLHQWLVWV└ LQ└ 2NODKRPD└ ┼ ┼ └ RU└ VFLHQWLVWV└ VD\└ WKDW└ 2NODKRPD└ DOPRVW└ FHUWDLQ└ WR└ KDYH└ PRUH└ HDUWKTXDNHV☼ └ ZLWK└ KHLJKWHQHG└ ULVN└ RI└ D└ CDUJH└ TXDNH☼ └ SUREDEOH☼ └ WR└ HQGXUH└ IRU└ D└ GHFDGH☼ └ DQG└ WKDW└ WKH└ FDXVH└ RI└ WKLV└ LV└ IUDFNLQJ◀

&DQ└ \RX└ SRLQW└ PH└ ┼ ┼ └ SLFNLQJ└ XS└ RQ└ 6HQDWRU└ +DUULV└ GLVFXVVLRQ└ ZLWK└ \RX☼ └ FDQ└ \RX└ SRLQW└ PH└ WR└ DQ\└ RSLQLRQ└ WKDW└ \RX└ ZURWH☼ └ DQ\└ HQIRUFHPHQW└ DFWLRQV└ \RX└ WRRN└ DJDLQVW└ WKH└ FRPSDQLHV└ WKDW└ ZHUH└ LQVHFWLQJ└ ZDWHU└ IUDFNLQJ└ ZDWHU"

358,77 └

6HQDWRU☼ └ CHW└ PH└ VD\☼ └ ,P└ YHU\└ FRQFHUQHG└ DERXW└ WKH└ FRQQHFWLRQ└ EHWZHHQ└ DFWLYLVW└ LQ└ 2NODKRPD└ DQG◀ ◀◀

6$1'(56 └

$QG└ WKHUHIRUH└ \RX└ PXVW└ KDYH└ WDNHQ└ DFWLRQ☼ └ ,└ JXHVV◀ └ &DQ└ \RX└ WHOO└ PH└ ZKR└ \RX└ ILQHG└ IRU└ GRLQJ└ WKLV☼ └ LI└ \RXUH└ YHU\└ FRQFHUQHG"

358,77 └

7KH└ &RUSRUDWLRQ└ &RPPLVVLRQ└ LQ└ 2NODKRPD└ LV└ YHUWHG└ ZLWK└ WKH└ VXULVGLFWLRQ◀ └ $QG└ WKH\└ KDYH└ DFWXDOO\└ DFWHG└ RQ└ WKDW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ‼└↑RI└

6$1'(56 └
$QG└ \RX└ KDYH└ PDGH└ SXEOLF└ WHVWLPRQ\└ H[SUHVVLQJ└ \RXU└ GHHS└ FRQFHUQ└
DERXW└ WKLV"

358,77 └
:H└ KDYH└ ZRUNHG└ ZLWK└ ┼ ┼ └ WKHUH└ DUH└ WZR◀ ◀ ◀

6$1'(56 └
<RX└ KDYH└ PDGH└ SXEOLF└ WHVWLPRQ\└ ┼ ┼ └ \RXUH└ LQ└ D└ WDWH└ ZKLFK└ LV└ VHHLQJ└ D└
UHFRUG╪ EUHDNLQJ└ QXPEHU└ RI└ HDUWKTXDNHV◀ └ <RXUH└ WKH└ DVWRQLVK\└ JHQHUDO◀ └
2EYLRXVO\☼ └ \RX└ KDYH└ WRRG└ XS└ DQG└ VDLG└ \RX└ ZLOO└ GR└ HYHU\WKLQJ└ \RX└ FDQ└ WR└
\WRS└ IXWXUH└ HDUWKTXDNHV└ DV└ D└ UHVXOW└ RI└ IUDFNLQJ"

358,77 └
6HQDWRU☼ └ ,YH└ DFNQRZOHGJHG└ WKDW└ ,P└ FRQFHUQHG└ DERXW◀ ◀ ◀

6$1'(56 └
<RX└ DFNQRZOHGJHG└ WKDW└ \RX└ DUH└ FRQFHUQHG"

358,77 └
<HV◀

6$1'(56 └
<RXU└ WDWH└ LV└ KDYLQJ└ D└ UHFRUG└ QXPEHU└ RI└ ┼ ┼ └ ZHOO☼ └ LI└ WKDW└ WKH└ NLQG└ RI└
DGPLQLWWDWRU└ IRU└ WKH└ (3$└ ┼ ┼ └ \RXU└ WDWHV└ KDYLQJ└ D└ UHFRUG╪ EUHDNLQJ└
QXPEHU└ RI└ HDUWKTXDNHV◀ └ <RX└ DFNQRZOHGJH└ \RX└ DUH└ FRQFHUQHG◀ └ ,I└ WKDW└
/KH└ NLQG└ RI└ (3$└ DGPLQLWWDWRU└ \RX└ ZLOO└ EH☼ └ \RXUH└ QRW└ JRLQJ└ WR└ JHW└ P\└
YRWH◀

%$55$662 └
6HQDWRU└ ,KRIH◀

,1+2)(└

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH (QYLURQPHQW DQG 3XEOLF :RUNV &RPPLWWHH +RQG 3DJH¶ ‼ ├RI

0U◀ &KDLUPDQ \RX VHH D UHTXHVW◀ , DVN DW WKLV SRLQW LQ WKH UHFRUG ┼ ┼ DW /KLV SRLQW LQ WKH UHFRUG WKDW ZH UHSULQW WKH :DOO 6WUHHW -RXUQDO RS┼ HG SLHFH WKDW ZDV ZULWWHQ E\ WZR RXWVWDQGLQJ VFLHQWLVWV CDOOHG | 7KH 0\WK RI /KH &OLPDWH &KDQJH → 3HUFHQW◀ |

%\$55\$662
:LWKRXW REMHFWLRQ◀

, KDYH D OLWWOH ELW WLPH CHIW LQ P\ TXHVWLRQLQJ IURP WKH ILUVW URXQG◀ , MXVW DQWHG WR WDON DERXW VRPH RI WKH FRQFHUQV RI RYHU┼ UHJXODWLRQ DQG CHW-PH DVN GR \RX KDYH WKH VDPH FRQFHUQV RI WKH RYHU┼ UHJXODWLRQ RI 8◀ 6◀ PDQXIDFWXULQJ RYHU WKH ODVW HLJKW \HDUV" , EHOLHYH LW W H[SRUWHG PDQXIDFWXULQJ MREV RYHUVHDV WKDW JR ZLWK WKHP LQ WHUPV RI WKH PDQXIDFWXULQJ RI WKRVH JRRGV WR SODFHV OLNH &KLQD DQG ,QGLD WKDW DUH JRLQJ WR SURGXFH WKRVH SURGXFWV LQ D CHVV HQYLURQPHQWDOO\ IULHQGO\ ZD\◀

\$QG \RXG DJUHH ZLWK ┼ ┼ DJUHH ZLWK WKLV GRWLRQ WKDW WKLV DSSURDFK KDUPV QRW MXVW RXU ┼ ┼ WKH HQYLURQPHQW EXW DOVR RXU RZQ 8◀ 6◀ HFRQRP\"

358,77
, EHOLHYH 6HQDWRU WKDW LW SXW XV DW DQ HFRQRPLF GLVDGYDQWDJH ZKHQ ZH GRQ KDU DOO YRLFHV LQ WKH UXCHPDNLQJ SURFHVV ZLWK UHVSHFW WR WKHVH LVVXHV◀ \$EVROXWHO\◀

%\$55\$662
,G DOVR OLNH WR VXEPLW IRU WKH UHFRUG RQH DQ ┼ ┼ D RS┼ HG RQ &11 E\ -HE %XVK VD\LQJ | 6FRWW 3UXLWW LV UHDG\ WR WXLQ DURXQG WKH (3\$ WKDW , FDQQRW /KLQN RI D SHUVRQ PRUH VXLWHG WR CHDG WKH (QYLURQPHQWDO 3URWHFWLRQ \$JHQF\ WKDQ 2NODKRPD \$VWRUCH\ *HQHUDO 6FRWW 3UXLWW◀ +H KDV DFNQRZCHGJHG KXPDQ LPSDFW RQ WKH FOLPDWH DQG VXSSRUW D UREXVW GLVFXVVLRQ DERXW LVW HI IHFW DQG ZKDW WKH JRYHUQPHQW VKRXOG DQG VKRXOGQW GR WR DGGUHVV LW◀ |

\$QG WKHQ DOVR VXEPLWWLQJ IRU WKH UHFRUG D ┼ ┼ D UHSRUW WKDW ┼ ┼ WKDW , GLG D UDQNLQJ PHPEHU RI WKH 6XEFRPPLWWHH RQ &CHDQ \$LU DQG 1XFCHDU 6DIHW\ RI WKLV FRPPLWWHH ┼ ┼ WKLV ZDV D FRXSCH RI \HDUV DJR FDOCHG | 5HG 7DSH 0DNLQJ \$PHULFDQV 6LFN◀ |

AMERICAN OVERSIGHT

,└ SXW└ WKLV└ WRJHWKHU└ DV└ D└ SK\VLFLDQ☼ └ ZKHUH└ ZH└ WDON└ DERXW└ XQHPSOR\PHQW☼ └
ORQJ┼ WHUP└ XQHPSOR\PHQW└ LQFUHDVHV└ WKH└ OLNHOLKRRG└ RI└ KRVSLWDO└ YLVLWV☼ └
LOOQHVVHV☼ └ SUHPDWXUH└ GHDWKV└ LQ└ FRPPXQLWLHV☼ └ GXH└ WR└ MREOHVVQHVV◀ └ ,W└ KXUWV└
FKLOGUHQ└ KHDOWK☼ └ KXUWV└ IDPLO\└ ZHOO┼ EHLQJ☼ └ DQG└ TXRWH└ VFLHQWLWW└ ZKR└ SRLQW└
/KDW└ WKH└ XQHPSOR\PHQW└ UDWH└ LV└ ZHOO┼ └ HVWDEOLVKHG└ DV└ D└ ULVN└ IDFWRU└ IRU└
HOHYDWHG└ LOOQHVV└ DQG└ PRUWDOLW\└ UDWHV└ LQ└ HSLGHPLRORJLFDO└ WXGLHV└ SHUIRUPHG└
VLQFH└ WKH└ ← ‼ V◀

$QG└ DGGLWLRQDOO\☼ └ WKHUH└ LV└ LQIOXHQFLQJ└ RQ└ PHQWDO└ GLVRUGHUV☼ └ RQ└ VXLFLGH☼ └
DOFRKRO└ DEXVH☼ └ DOFRKROLVP◀ └ :H└ DOVR└ VHH└ LW└ ZLWK└ VSRXVH└ DEXVH☼ └ GUXJ└
DEXVH☼ └ VR└ WKDW└ WKH└ UHJXODWLRQV└ WKDW└ FRPH└ RXW└ RI└ WKH└ (3$☼ └ WKDW└ GR└ FXW└ LQWR└
HPSOR\PHQW└ RI└ KDUG┼ ZRUNLQJ└ $PHULFDQV☼ └ DFWXDOO\└ FRQWULEXWH└ WR└ D└
GHWHULRUDWLRQ└ RI└ WKHLU└ KHDOWK◀ └ ,└ GRQW└ NQRZ└ LI└ \RX└ KDYH└ DQ\└ FRPPHQW└ RQ└
/KDW☼ └ RU└ ZKDW└ \RX└ PD\└ KDYH└ VHHQ└ LQ└ 2NODKRPD└ DW└ WLPHV└ RI└
XQHPSOR\PHQW◀

358,77 └
6HQDWRU☼ └ ZH└ KDYH└ VHHQ└ VLPLODU└ LVVXHV└ LQ└ 2NODKRPD◀ └ :H└ KDYH└
SUHVFULSWLRQ└ GUXJ└ DEXVH└ WKDW└ RFFXUV└ DW└ UDWHV└ WKDW└ DUH└ XQSUHFHGHQWHG☼ └ DV└
LQ└ RWKHU└ SDUWV└ RI└ WKH└ FRXQWU\◀ └ $QG└ VR└ WKHUH└ LV└ D└ VLPLODU└ FRQFHUQ└ WKDW└ ZH└
KDYH└ LQ└ 2NODKRPD◀

%$55$662 └
,W└ LV└ ┼ ┼ └ ,└ DSSUHFLDWH└ \RXU└ ┼ ┼ └ \RXU└ SDWLHQFH☼ └ \RXU└ KRQHVW\☼ └ \RXU└ IRUWKULJKW└
SUHVHQWDWLRQ└ WKLV└ PRUQLQJ◀ └ :H└ DUH└ JRLQJ└ WR└ JR└ WR└ D└ VHFRQG└ URXQG◀ └ ,└ QRZ└
KDYH└ D└ ¶ ┴ └ ┼ ┼ └ DERXW└ ¶ ┴ ┤ ↑ ◀

,I└ LW└ DOO└ ULJKW└ ZLWK└ \RX☼ └ 5DQNLQJ└ 0HPEHU└ &DUSHU☼ └ ZHOO└ FRPH└ EDFN└ LQ└ DQ└
KRXU◀ └ :HOO└ WDNH└ DQ└ KRXU└ EUHDN└ DQG└ FRPH└ EDFN└ DQG└ UHVXPH└ LQ└ WKH└
VHFRQG└ URXQG└ RI└ TXHVWLRQLQJ└ DW└ ¶ ┤ ↑ ◀ └ 7KH└ FRPPLWWHH└ LV└ LQ└ UHFHVV◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

♂ 5(&(66□

%$55$662 └

AMERICAN OVERSIGHT

:HOO└ UHVXPH└ WKH└ FRQILUPDWLRQ└ KHDULQJ└ IRU└ 6FRWW┼ 3UXLWW┼ (3$└
$GPLQLVWUDWRU◀ └ $QG└ $VVRFLDWH\└ *HQHUDO└ 3UXLWW└ CHW┼ PH└ MXVW┼ WKDQN┼ E\└ VD\LQJ└
VRPHWLPHV└ \RX└ JHW┼ D└ FKDQFH└ WR└ VLW┼ GRZQ└ RYHU└ OXQFK└ DQG└ \RX└ VD\└ | ,YH└
EHHQ└ DQVZHULQJ└ TXHVWLRQV└ IRU└ WZR└ DQG└ D└ KDOI└ KRXUV◀ └ <RX└ NQRZ└ └ ,└ ZLVK└ ,└
KDG└ VDLG└ VRPHWKLQJ└ GLIIHUHQW\└ DERXW┼ VRPHWKLQJ└ RU└ RWKHU◀ | └ $Q\WKLQJ└ WKDW┼
\RXG└ OLNH└ WR└ FODULI\"

358,77 └
-XVW┼ RQH└ SRLQW┼ RI└ FODULILFDWLRQ└ LQ└ UHVSRQVH└ WR└ 6HQDWRU└ :KLWHKRXVH┼
TXHVWLRQV└ WKLV└ PRUQLQJ└ DERXW┼ GLIIHUHQW┼ HQYLURQPHQWDO└ HQIRUFHPHQW┼ \WHSV└
ZHYH└ WDNHQ◀ └ :LWK└ UHVSHFW┼ WR└ WKH└ CHDN\└ XQGHUJURXQG└ \WRUDJH└ DQG└ GRXEOH┼
GLSSLQJ└ LQ└ RXU└ WDWH┼ └ ,YH└ LQLWLDWHG└ RIILFLDOO\└ WKUHH└ FDVHV└ WKHUH└ ZLWK└
UHVSHFW┼ WR└ 9DCHUR└ └ %3└ └ DQG└ &RCRFR◀

([[RQ└ DQG└ D└ QXPEHU└ RI└ RWKHU└ FDVHV└ DUH└ \WLOO└ LQ└ VHWWOHPHQW┼ GLVFXVVLRQV└ └
DQG└ VR└ WKRVH└ FDVHV└ KDYH└ QRW┼ PDWHULDOL]HG└ LQ└ DFWXDO└ OLWLJDWLRQ└ MXVW┼ \HW◀

%$55$662 └
7KDQN└ \RX└ IRU└ WKDW┼ FODULILFDWLRQ◀ └ $Q\ZD\└ └ D└ FRXSCH└ RI└ TXLFN└ TXHVWLRQV◀ └ ,Q└
/KH└ FLW\└ RI└ &KH\HQQH└ └ :\RPLQJ└ LW┼ ZDV└ GLVFRYHUHG└ WKDW┼ WULFKORURHWK\CHQH└ └
/KDW└ D└ FKHPLFDO└ WKDW┼ EHHQ└ XVHG└ E\└ WKH└ PLOLWDU\└ WR└ GHJUHDVH└ WKH└
HQJLQHV└ RI└ URFNHW┼ PRWRUV└ └ ZDV└ VHHSLQJ└ LQWR└ WKH└ FLWLHV└ GULQNLQJ└ ZDWHU└
VXSSO\◀

7KH└ $UP\└ &RUSV└ RI└ (QJLQHHUV└ └ ZKLFK└ ZDV└ LQ└ FKDUJH└ RI└ D└ QHDE\└ IRUPHU└
$VODV└ QXFOHDU└ PLVVLOH└ VLWH└ └ UHIXVHG└ WR└ HVHQ└ DGPLW┼ WKDW┼ WKH└ VLWH└ ZDV└ WKH└
FDXVH└ RI└ WKH└ SROOXWLRQ◀ └ ,└ IRXJKW┼ WKH└ &RUSV└ RQ└ WKLV└ WR└ GR└ WHWLQJ└ QHHGHG└ └ WR└
SURYH└ ZKDW┼ ZDV└ REYLRXV└ WR└ HVHU\RQH└ ZKR└ ORRNHG└ DW┼ LW◀ └ 7KH└ WHWW┼ UHVXOW┼
VKRZHG└ D└ CDUJH└ SOXPH└ FRPLQJ└ IURP└ WKH└ $VODV└ VLWH└ GLUHFWO\└ LQWR└ WKH└ FLW\V└
ZHOOV◀

7KH└ FRXUW┼ LV└ QRZ└ DGGUHVVLQJ└ WKH└ SROOXWLRQ└ RI└ WKH└ FLW\V└ ZDWHU└ VXSSO\◀ └ ,W┼ └
QRZ└ SURWHFWHG└ WKURXJK└ D└ WDWH┼ RI┼ WKH┼ DUW┼ ZDWHU└ WUHDWPHQW┼ IDFLOLW\└ WKDW┼ └
LQWDOOHG└ E\└ WKH└ FRUSV◀ └ %XW┼ └ FDQ└ \RX└ JLYH└ PH└ D└ ┼ ┼ └ SHUKDSV└ DQ└ H[DPSOH└
ZKHQ└ \RX└ VHUYHG└ DV└ 2NODKRPD└ 6WDWH└ $VWRUQH\└ *HQHUDO└ ZKHUH└ \RX└ ZHQW┼
DMWHU└ SROOXWHUV┼ └ DQG└ \RX└ KHDG└ WKH┼ DFFRXQWDEOH└ LQ└ WKDW┼ VDPH└ ZD\"

358,77 └

AMERICAN OVERSIGHT

<H-V☼ └ 6HQDWRU◀ └ $V└ ,└ LQGLFDWHG└ HDUOLHU└ ┼ ┼ └ DQG└ ,└ WKLQN└ WKLV└ ZDV└ LQGLFDWHG└ LQ└ ┼ ┼
LQ└ ┼ ┼ └ LQ└ WKLV└ PRUQLQJV└ WHWWLPRQ\☼ └ ,└ PHQWLRQHG└ WKH└ FDVH└ ZLWK└ WKH└
♂ LQDXGLECH□ └ SURGXFLQJ└ ♂ LQDXGLECH□☼ └ DQG└ WKDW└ ZDV└ VRPHWKLQJ└ WKDW└ ZH└
DFWXDOO\└ LQLWLDWHG◀ └ ,└ NQRZ└ WKHUH└ ZDV└ VRPH└ TXHVWLRQ└ WKDW└ 6HQDWRU└ &DUSHU└
UDLVHG└ LQ└ WKDW└ UHJDUG◀

7KDW└ ZDV└ ERWK└ LQ└ UHVSHFW└ WR└ IHGHUDO└ DQG└ \WDWH└ YLRODWLRQV└ DQG└ ZH└ DFWXDOO\└
VRLQHG└ WKH└ WDWH└ RI└ 7H[DV└ DQG└ WKH└ (3$└ LQ└ WKDW└ HQIRUFHPHQW└ DFWLRQ◀ └ %XW☼ └
,YH└ VXEPLWWHG└ IRU└ WKH└ UHFRUG☼ └ DV└ \RX└ NQRZ☼ └ D└ OLWW└ RI└ FDVHV└ ZKHUH└ ZHYH└
ZRUNHG└ ZLWK└ WKH└ :LOGOLIH└ &RPPLWWLRQ└ LQ└ 2NODKRPD☼ └ WKH└ '(4☼ └ DURXQG└
♂ LQDXGLECH□ └ PDWWHUV└ DQG└ HQIRUFHPHQW└ RI└ RXU└ \WDWH└ ODZV◀

%$55$662 └
7KH└ ┼ ┼ └ LWW└ LQWHUHWLQJ◀ └ :KDW└ ZDV└ WRXEOLQJ└ WR└ PDQ\└ RI└ XV└ LQ└ WKH└ SUHYLRXV└
DGPLQLWWUDWLRQ└ ZDV└ ZKHQ└ RIILFLDOV└ ZLWKLQ└ WKH└ 2EDPD└ DGPLQLWWUDWLRQ└ ZHQW└
/R└ H[WUDRUGLQDU\└ CHQJWKV└ WR└ DYRLG└ GLVFORVLQJ└ WKHLU└ RIILFLDO└ ZULWWHQ└
FRPPXQLFDWLRQV└ XQGHU└ WKH└)UHHGRP└ RI└ ,QIRUPDWLRQ└ $FW◀ └ 7KLV└ LV└ WKH└ ODZ└
/KDW└ DOORZV└ SXEOLF└ DFFHVV└ WR└ JRYHUQPHQW└ UHFRUGV◀

)RU└ H[DPSOH└ (3$└ DGPLQLWWUDWRU└ /LVD└ -DFNVRQ☼ └ DW└ WKH└ WLPH☼ └ XVHG└ DQ└ (3$└
HPDLO└ DFFRXQW└ XQGHU└ WKH└ QDPH└ RI└ 5LFKDUG└ :LGVRU└ ┼ ┼ └ 5LFKDUG└ :LGVRU☼ └
DV└ RSSRVHG└ WR└ KHU└ RZQ└ HPDLO└ DFFRXQW◀ └ $QG└ VR☼ └ LI└ FRQILUPHG☼ └ ZLOO└ \RX└
UHIUDLQ└ IURP└ WDNLQJ└ DQ\└ VXFK└ DFWLRQ└ WKDW└ PDNHV└ LW└ GLIILFXOW└ RU└ LPSRVVLEOH└
IRU└ WKH└ SXEOLF└ WR└ DFFHVV└ \RXU└ RIILFLDO└ ZULWWHQ└ FRPPXQLFDWLRQV└ XQGHU└ WKH└
)UHHGRP└ RI└ ,QIRUPDWLRQ└ $FW'└ 358,77 └ <H-☼ └ 0U◀ └ &KDLUPDQ◀ └ $QG└ DV└ ,└
LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ WDWHPHQW☼ └ ,└ UHDOO\└ EHOLHYH└ WKDW└ ♂ LQDXGLECH□ └
SDUWLFLSDWLRQ☼ └ WUDQVSDUHQF\☼ └ DQG└ UXOHPDNLQJ└ LV└ YHU\└ LPSRUWDQW☼ └ DQG└ ,└ WKLQN└
/KDW└ H[WHQGV└ WR└ WKLV└ PDWWHU└ DV└ ZHOO◀ └ %$55$662 └ ,└ ZLOO└ UHVHUYH└ WKH└
UHPLQGHU└ ┼ ┼ └ UHPDLQGHU└ RI└ P\└ WLPH◀ └ 6HQDWRU└ &DUSHU◀

&$53(5 └
7KDQN◀ └ 7KDQN☼ └ 0U◀ └ &KDLUPDQ◀ └ :H└ ┼ ┼ └ DV└ ┼ ┼ └ DV└ ZH└ GLVFXVVHG└ EHIRUH☼ └
\RXUH└ SDUW└ RI└ ┼ ┼ └ ,└ WKLQN└ ┼ ┼ └ DW└ CHDWW└ WKUHH└ CDZVXLWW☼ └ 0U◀ └ 3UXLWW◀ └ ,└ WKLQN└ F
SHQGLQJ└ RQ└ WKH└ ┼ ┼ └ WKH└ (3$V└ HIIRUW└ WR└ UHGXFH└ PHUFXU\└ HPLWWLRQV└ IURP└
SRZHU└ SODQW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ¶└!!RI└└

$QG└ ZH└ NQRZ└ WKDW└ ↑ !! └ SHUFHQW└ RI└ RXU└ QDWLRQV└ PHUFXU\└ HPLVVLRQV└ FRPH└
IURP└ ┼ ┼ └ IURP└ SRZHU└ SODQWV◀ └ 1RW└ QXFOHDU└ SODQWV☼ └ EXW└ JHQHUDOO\└ IRVVLO└ IXHO└
SODQWV☼ └ CDUJHO\└ FRDO└ ILUH└ SODQWV◀ └ :H└ NQRZ└ WKDW└ WKHUH└ DUH└ PRUH└ ILVK└
FRQVXPSWLRQ└ DGYLVRULHV└ LQ└ WKH└ 8◀ 6◀ └ IRU└ PHUFXU\└ WKDQ└ ,└ WKLQN└ DOO└ RWKHU└
FRQWDPLQDQWV└ FRPELQHG☼ └ LQFOXGLQJ└ LQ└ \RXU└ KRPH└ WDWWH└ RI└ 2NODKRPD◀

,I└ \RX└ EHOLHYH└ WKDW└ WKH└ (3$└ VKRXOG└ QRW└ PRYH└ IRUZDUG└ RQ└ WKH└ ┼ ┼ └ WKH└
0HUFXU\└ DQG└ $LU└ 7R[LFV└ UXOH☼ └ KRZ└ GR└ WKDWHV└ FCDQ└ XS└ PHUFXU\"└ :KDW└ GR└
\RX└ WKLQN└ DUH└ WKH└ KHDOWK└ LPSDFW└ RI└ PHUFXU\└ HPLVVLRQV"

358,77 └
6HQDWRU☼ └ ,└ DFWXDOO\└ KDYH└ QRW└ WDWWHG└ WKDW└ ,└ EHOLHYH└ WKH└ (3$└ VKRXOG└ QRW└
PRYH└ IRUZDUG└ RQ└ UHJXODWLQJ└ PHUFXU\└ RU└ ┼ ┼ └ RU└ DGRSWLQJ└ UXCHPDNLQJ└ LQ└ WKDW└
UHJDUG◀ └ 2XU└ ┼ └ RXU└ FKDOOHQJH└ ZDV└ ZLWK└ UHJDUG└ WR└ WKH└ SURFHVV└ WKDW└ ZDV└
XVHG└ LQ└ WKDW└ FDVH☼ └ DQG└ KRZ└ LW└ ZDV└ QRW└ FRPSOLFLW└ ZLWK└ WKH└ WDWWXWHV└ DV└
GHILQHG└ E\└ &RQJUHVV◀

6R☼ └ WKHUH└ LV└ QRW└ D└ WDWWHPHQW☼ └ QRU└ D└ EHOLHI└ WKDW└ ,└ KDYH☼ └ WKDW└ PHUFXU\└ LV└
VRPHWKLQJ└ WKDW└ VKRXOGQW└ EH└ UHJXODWHG└ XQGHU└ VHFWLRQ└ ¶ ¶ ┴ └ DV└ D└ KD]DUGRXV└
DLU└ SROOXWDQW◀ └ ,└ KDYH☼ └ DV└ \RX└ NQRZ└ ┼ ┼ └ WKDW└ LV└ D└ ┼ ┼ └ WKDW└ VHFWLRQ└ GHDOV└ ZLWK└
GLUHFWO\└ KHDOWK└ FRQFHUQV└ RI└ RXU└ FLWL]HQV◀

7KDW└ WKH└ UHDVRQ└ ZK\└ WKHUH└ LV└ FRQWUROOHG└ WHFKQRORJ\└ WKDW└ LV└ YHU\└
KHLJKWHQHG└ LQ└ WKDW└ WDWWXWH☼ └ 0D[LPXP└ $FKLHYDEOH└ &RQWURO└ 7HFKQRORJ\☼ └
/KDW└ ┼ └ WKDW└ LV└ UHTXLUHG◀ └ $QG└ VR☼ └ ,└ EHOLHYH└ WKDW└ PHUFXU\└ VKRXOG└ EH└ GHDOW└
ZLWK☼ └ DQG└ GHDOW└ ZLWK└ LQ└ D└ PHDQLQJIXO└ ZD\└ E\└ WKH└ (3$☼ └ EXW└ VXEVHFW└ WR└ WKH└
SURFHVVHV└ WKDW└ WKLV└ ERG\└ KDV└ RXWOLQHG◀

&$53(5 └
6HQDWRU└ ♂ LQDXGLEOH□ └ DQG└ ,└ ZRUNHG└ WRJHWKHU└ IRU└ D└ QXPEHU└ RI└ \HDUV└ RQ└
&CDU└ 6NLHV└ CHJLVODWLRQ◀ └ 7KH└ *HRUJH└ %XVK└ $GPLQLWWUDWLRQ└ KDG└ SURSRVHG└
&CDU└ 6NLHV└ GHDOLQJ└ ZLWK└ VXOIXU└ GLR[LGH☼ └ QLWURXV└ R[LGH☼ └ DQG└ PHUFXU\◀ └ $QG└
VHYHUDO└ FROOHDJXHV└ RI└ P\└ RZQ☼ └ LQFOXGLQJ└ 6HQDWRU└ $CH[DQGHU└ ZRUNHG└ RQ└
CHJLVODWLRQ└ VLPLODU◀

2CH└ RI└ WKH└ GLIIHUHQFHV└ EHWZHHQ└ ZKDW└ ZH└ SURSRVHG└ DQG└ WKH└ %XVK└
$GPLQLWWUDWLRQ└ SURSRVHG☼ └ ZDV└ ZLWK└ UHVSHFW└ WR└ UHGXFLQJ└ WKH└ HPLVVLRQV└ RI└
PHUFXU\◀ └ ,└ GRQW└ UHFDOO└ H[DFWO\└ ZKDW└ WKH└ %XVK└ SURSRVDO└ FDOOHG└ IRU└ LQ└ WHUPV└
RI└ HPLVVLRQ└ UHGXFWLRQV└ IURP└ ┼ ┼ └ IURP└ SRZHU└ SODQWV☼ └ DQG└ RWKHUV└ IURP└
PHUFXU\└ EXW└ LW└ ZDVQW└ YHU\└ DJJUHVVLYH◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ¶└¶R└└

,└ SURSRVHG└ D└ ┼ ┼ └ D└ UHGXFWLRQ└ RI└ ← ‼ └ SHUFHQW└ RYHU└ D└ PHUWDLQ└ QXPEHU└ RI└ \HDUV◀ └
6HQDWRU└ $QH[DQGHU└ VDLG└ KH└ WKRXJKW└ WKDW└ IRONV└ FRXOG└ GR└ EHWWHU└ WKDQ└ ← ‼ └
SHUFHQW└ DQG└ KH└ SURSRVHG└ ‼ └ SHUFHQW└ UHGXFWLRQ└ VFKHGXOH◀

:H└ KDG└ OLWHUDOO\└ KHUH└ DW└ WKLV└ WDEOH└ └ ZLWQHVVHV└ IURP└ XWLOLWLHV└ └ DQG└ RQH└
ZLWQHVV└ IURP└ D└ WUDGH└ DVVRFLDWLRQ└ └ UHSUHVHQWLQJ└ WHFKQRORJ\└ FRPSDQLHV└
/NDW└ IRFXVHG└ RQ└ UHGXFLQJ└ HPLVVLRQV└ RI└ KDUPIXO└ VXEVWDQFHV└ LQWR└ RXU└ DLU└
DQG└ WR└ RXU└ ZDWHU◀ └ (YHU\└ XWLOLW\└ UHSUHVHQWDWLYH└ VDLG└ └ | :H└ FDQQRW└ PHHW└ DQ└
← ‼ └ SHUFHQW└ UHGXFWLRQ└ LQ└ PHUFXU\◀ |

7KH└ ZLWQHVV└ IURP└ WKH└ WUDGH└ DVVRFLDWLRQ└ UHSUHVHQWLQJ└ WKH└ ┼ └ WKH└ LQGXVWU\└ └
LQ└ ZKLFK└ ┼ ┼ └ DQG└ WKLV└ LV└ MXVW└ WR└ WU\└ WR└ UHGXFH└ HPLVVLRQV└ OLNH└ PHUFXU\└ ┼ ┼ └ VDLG
QRW└ RQO\└ FDQ└ ZH└ PHHW└ ┼ ┼ └ LQGXVWU\└ FDQ└ ZH└ PHHW└ WKRVH└ UHGXFWLRQV└ RYHU└ WKH└
\HDUSXDWHG└ SHULRG└ RI└ WLPH└ └ WKH\└ FDQ└ H[FHHG└ WKHP◀ └ $V└ LW└ WXUQV└ RXW└ └ WKH\└
H[FHHGHG└ WKHP◀

7KH\└ DFWXDOO\└ GLG└ EHWWHU└ WKDQ└ ← ‼ └ SHUFHQW◀ └ 6KH└ GLG└ EHWWHU└ WKDQ└ ‼ └ SHUFHQW◀ └
7KH\└ GLG└ LW└ PRUH└ TXLFNO\└ WKDQ└ ,└ WKLQN└ ZDV└ DQWLFLSDWHG◀ └ ,V└ WKDW└ LQWXLWLYH└
/R└ \RX└ LQ└ DQ\└ ZD\└ RQ└ WKLV└ TXHVWLRQ"

358,77 └
,V└ WKDW└ ZKDW"└ ,P└ VRUU\◀

&$53(5 └
,QWXLWLYH└ WR└ \RX◀ └ ,V└ WKHUH└ DQ\└ CHVVRQ└ WKHUH└ IRU└ \RX└ RU└ IRU└ XV└ IURP└ WKDW└
H[SHULHQFH"

358,77 └
:HOO└ DV└ ,YH└ LQGLFDWHG└ 6HQDWRU└ └ ,└ UHDOO\└ EHOLHYH└ WKDW└ LW└ LPSRUWDQW└ WKDW└ LW└
D└ SDUWQHUVKLS└ EHWZHHQ└ WKH└ (3$└ DQG└ WKH└ VWDWHV◀ └ ,└ PDGH└ UHIHUHQFH└ WR└ WKH└
SKUDVH└ HDUOLHU└ └ | QDWLRQDO└ VWDQGDUGV└ DQG└ CHLJKERUKRRG└ VROXWLRQV◀ |

,└ ┼ ┼ └ ,└ WKLQN└ WKDW└ WKDW└ VKRZV└ WKDW└ WKH└ (3$└ FDQ└ EH└ LQYROYHG└ └ DQG└ VKRXOG└ EH└
LQYROYHG└ └ LQ└ VHWWLQJ└ VWDQGDUGV└ └ VHWWLQJ└ REMHFWLYH└ └ VFLHQFH┼ └ EDVHG└
VWDQGDUGV└ └ WR└ LPSURYH└ DLU└ TXDOLW\└ DQG└ SURWHFWLQJ└ WKH└ KHDOWK└ RI└ RXU└
FLWL]HQV└ └ EXW└ DOVR└ EH└ D└ PHDQLQJIXO└ SDUWQHU└ ZLWK└ WKH└ VWDWHV└ LQ└
LPSOHPHQWLQJ└ WKRVH└ CDZV◀

&$53(5 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HW 3DJH¶ ¶└┴RI ┴

/HW┴ PH└ MXVW┴ WARS└ \RX└ WKHUH☼ └ SCHDVH◀ └ 7KH└ ┼ ┼ └ ,└ OLNH└ WR└ VD\☼ └ | ,Q└ DGYHUWLVH\└ OLI┴
RSSRUWXQLW\◀ | └ 7KDW└ QRW┴ PH◀ └ 7KDW└ $CEHUW┴ (LQWHLQ◀ └ %XW┴ WKH└ ┼ ┼ └ WKHUH└ LV└
HFRQRPLF└ DGYDQWDJH└ WR└ EH└ JDLQHG└ IURP└ FCHDQLQJ└ XS└ SROOXWLRQ◀ └ :HYH└
VHHQ└ LW◀

7KHUHV└ FRPSDQLHV└ WKDW┴ ZRUNHG└ RQ└ WKH└ PHUFXU\└ HPLVVLRQV☼ └ WKH\└ PDGH└
PRQH\└ GRLQJ└ WKDW┴ ┼ ┼ └ LQWDOOLQJ└ WKDW┴ WHFKQRORJ\└ DURXQG└ WKH└ ZRUOG◀ └ 6LPLODUO\└
/KHUH└ KDV└ EHHQ└ PRQH\└ PDGH└ IURP└ 'LHVHO└ (PLVVLRQ└ 5HGXFWLRQ└ $FW◀ └ 7KH└
$PHULFDQ└ WHFKQRORJ\└ UHGXFLQJ└ HPLVVLRQV└ IURP└ ┼ ┼ └ IURP└ ROG└ GLHVHO└ ┼ ┼ └
GLHVHO└ HQJLQHV◀

+DYH└ \RX└ ┼ ┼ └ GR└ \RX└ HYHU└ JLYH└ DQ\└ WKRXJKW┴ WR└ WKDW☼ └ WKH└ HFRQRPLF└ JDLQ☼ └ WKH└
HFRQRPLF└ DGYDQWDJH└ WKDW┴ FDQ└ ICRZ└ IURP└ GHYHORSLQJ└ WKDW┴ WHFKQRORJ\└ WR└
UHGXFH└ HPLVVLRQV"└ ,└ DFWXDOO\└ WKLQN└ WKDW┴ VRPH└ UHJXODWLRQV☼ └ FCHDU└
UHJXODWLRQ└ ┼ ┼ └ DQG└ ,OO└ GHYHU└ IRUJHW┴ D└ FRQYHUVDWLRQ└ ZH└ KDG└ ZLWK└ ┼ ┼ └ ZKHQ└ ZH└
ZHUH└ ZRUNLQJ└ RQ└ RXU└ &CHDU└ 6NLHV└ CHJLVODWLRQ☼ └ DGGUHVVLQJ└ IRUHLJQ└
SROOXWDQWV☼ └ PHHWLQJ└ ZLWK└ D└ EXQFK└ RI└ XVLOLVW\└ &(2V☼ └ DQG└ ZHUH└ WDONLQJ└ DERXW┴
KRZ└ WR└ JR└ IRUZDUG└ RQ└ WKLV└ ┼ ┼ └ WKDW┴ LVVXH◀

$QG└ DW┴ WKH└ HQG└ RI└ WKH└ FRQYHUVDWLRQ☼ └ RCH└ RI└ WKH└ XVLOLVW\└ &(2V☼ └ ,└ WKLQN└ LW┴ ZDV└
♂ LQDXGLECH□☼ └ ROGHU└ IHOORZ☼ └ DQG└ ,└ GRQW┴ UHPHPEHU└ ZKHUH└ KHV└ IURP☼ └ EXW┴ KH└
VDLG└ ┼ ┼ └ DW┴ WKH└ HQG└ RI└ WKH└ GD\☼ └ KH└ VDLG☼ └ | +HUHV└ ZKDW┴ \RX└ QHHG└ WR└ GR◀ | └ ┼ ┼
\RX☼ └ XV☼ └ &RQJUHVV☼ └ &3$└ ┼ ┼ └ | <RX└ QHHG└ WR└ WHOO└ XV└ ZKDW┴ WKH└ UXCHV└ DUH└ JRQQD└
EH◀ └ <RX└ QHHG└ WR└ JLYH└ XV└ VRPH└ WLPH☼ └ VRPH└ ICH[LELOLW\◀ └ $QG└ \RX└ QHHG└ WR└ JHW┴
RXW┴ RI└ WKH└ ZD\◀ | └ 7KDW┴ ZKDW┴ KH└ VDLG◀

7HOO└ XV└ ZKDW┴ WKH└ UXCHV└ DUH└ JRLQJ└ WR└ EH☼ └ JLYH└ XV└ VRPH└ ICH[LELOLW\☼ └ DQG└ JHW┴
RXW┴ RI└ WKH└ ZD\◀ └ 'R└ \RX└ EHOLHYH└ WKDW┴ DFWXDOO\└ VHWWLQJ└ WARGEDUGV└ ┼ ┼ └
ZKDW┴HYHU└ LW┴ KDSSHQV└ WR└ EH☼ └ ZLWK└ PHUFXU\└ UHGXFWLRQV└ ZLWK└ ♂ LQDXGLECH□ └
WARGEDUGV☼ └ ZLWK└ IXHO└ HI ILFLHQF\└ UHTXLUHPHQWV☼ └ WKDW┴ DFWXDOO\└ VHWWLQJ└ WKRVH└
WARGEDUGV☼ └ PDNLQJ└ LW┴ FCHDU☼ └ WKDW┴ ZH└ DFWXDOO\└ SURYLGH└ PHUWDLQW\└ DQG└
DFWXDOO\└ RSHQ└ WKH└ GRRU└ IRU└ HFRQRPLF└ ┼ ┼ └ HFRQRPLF└ SURGXFWLYLW\└ ┼ ┼ └
SURGXFWLRQ"

358,77 └
,└ GR☼ └ 6HQDWRU☼ └ DFWXDOO\◀

&$53(5 └
&DQ└ \RX└ JLYH└ XV└ DQ└ H[DPSCH└ ZKHUH└ \RX└ DFWXDOO\└ VDZ└ WKDW┴ KDSSHQ└ ┼ ┼ └
ZHUH└ KHDSIXO└ LQ└ PDNLQJ└ WKDW┴ KDSSHQ"

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ¶└┬RI└└

358,77 └

,Q└ 2NODKRPD┼ ┼ └ WKLV└ LV└ QRW┴ ZLGHO\└ NQRZQ└ EHFDXVH└ ZH└ DUH└ NQRZQ└ DV└ DQ└ RLO└ DQG└ JDV└ WDWH☼ └ EXW┴ ┼ ┼ └ EXW┴ LQ└ WKH└ JHQHUDWLRQ└ RI└ HOHFWULFLWL└ LQ└ RXU└ WDWH☼ └ ¶ → SHUFHQW┴ RI└ RXU└ HOHFWULFLWL└ LV└ JHQHUDWHG└ WKURXJK└ ZLQG◀ └ $QG└ VR☼ └ ZHYH└ KDG└ D└ KHDY\└ HPSKDVLV└ RQ└ UHQHZDEOHV◀ └ $QG└ WKDW┴ SXW└ XV└ LQ└ WRS└ WKUHH└ RI└ WKH└ FRXQWU\◀

$QG└ VR☼ └ RXU└ FRUSRUDWLRQ└ FRPPLWWLRQ└ ┼ ┼ └ ,└ DFWXDOO\└ KDYH└ REOLJDWLRQV└ WR└ DSSHDU└ EHIRUH└ WKH└ &RUSRUDWLRQ└ &RPPLWWLRQ☼ └ LQ└ WKH└ VHWWLQJ└ RI└ UDWHV◀ └ 6R☼ └ DV└ XWLOLWL└ FRPSDQLHV└ DUH└ ORRNLQJ└ DW┴ PRGL\LQJ└ WKHLU└ IDFLOLWLHV└ WR└ FRPSO\└ ZLWK└ HQYLURQPHQWDO└ WDWXWHV☼ └ WKHUH└ LV└ JUHDW┴ GLVFXVLRQ└ DERXW┴ KRZ└ WR└ GR└ ΛKDW┴ PRUH└ HFRQRPLFDOO\☼ └ DQG└ WR└ DFKLHYH└ WKH└ ┼ ┼ └ WKH└ DLU└ TXDOLW\└ REMHFWLYHV└ ZH└ KDYH☼ └ XQGHU└ (3$└ PDQGDWHV└ DQG└ WDWH└ PDQGDWHV◀

$QG└ VR☼ └ ,YH└ EHHQ└ YHU\└ LQYROYHG└ LQ└ WKDW┴ SURFHVV☼ └ WKURXJK└ WKDW┴ SDUW┴ RI└ P\└ RI ILFH◀

&$53(5 └

7KDQN◀ └ 7KDQN☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └

7KDQN└ \RX☼ └ 6HQDWRU└ &USHU◀ └ 6HQDWRU└ &DSLWR◀

&$3,72 └

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 7KDQN└ \RX└ DJDLQ└ EHIRUH└ EHLQJ└ EHIRUH└ XV└ DQG└ FRQJUDWXODWLRQV└ RQ└ \RXU└ QRPLQDWLRQ◀

358,77 └

7KDQN└ \RX☼ └ 6HQDWRU◀

&$3,72 └

<RX└ NQRZ☼ └ ,└ WKLQN└ WKDW┴ DV└ \RX└ FDQ└ WHOO└ IURP└ WKLV└ FRPPLWWHH└ DQG└ UHDOO\└ WKH└ FRQWU\☼ └ LV└ GLYLGHG└ RQ└ D└ QRW┴ RI└ WKH└ LWXHV└ LQ└ DQG└ DURXQG└ LQYROYLQJ└ ZKDW┴ \RXUH└ HQGHDYRULQJ└ WR└ KHDGOLQH└ KHUH└ DW┴ WKH└ (3$◀ └ %XW┴ ,└ WKLQN└ WKDW┴ XQGHUWDQGLQJ└ RQH└ DQRWKHU└ LV└ H[WUHPHO\└ LPSRUWDQW┴ QR└ PDWWHU└ KRZ└ PDQ\└ ΛLPHV└ ,└ PLJKW┴ VD\└ WKH└ VDPH└ WKLQJ└ DQG└ VRPHERG\└ HOVH└ RQ└ WKH└ RWKHU└ VLGH└ PLJKW┴ VD\└ WKH└ VDPH└ WKLQJ◀

AMERICAN OVERSIGHT

,W┌ JLYHV└ PH└ D└ JUHDWHU└ XQGHUVWDQGLQJ└ RI└ ZKHUH└ WKH\└ OLYH└ DQG└ KRZ└ WKH\└ ┼ ┼ └
KRZ└ WKH\└ WKLQN└ WKH└ EHVW┌ ZD\└ WR└ SXUVXH└ HQYLURQPHQWDO└ LVVXHV┌ DUH◀ └ 6R☼ └ LQ└
/KH└ FURZG└ WKDW┌ MRLQHG└ XV└ KHUH└ DIWHU└ OXQFK☼ └ DUH└ VHYHUDO└ FRDO└ PLQHUV☼ └ ZKR└
/LDYHOHG└ DOO└ PRUQLQJ└ ┼ ┼ └ KDYH└ EHHQ└ ZDLWLQJ└ LQ└ WKH└ KDOO└ DQG└ PDGH└ VRPH└
QHZ└ IULHQGV└ LQ└ WKH└ DXGLHQFH└ WKHUH└ DQG└ ,└ ZDQW└ WR└ WKDQN└ WKHP└ IRU└ FRPLQJ◀

%HFDXVH└ WKRVH└ DUH└ WKH└ IDFHV└ RI└ WKH└ LVVXHV└ WKDW┌ ,└ WU\└ WR└ DGGUHVV└ ZKHQ└
ZHUH└ WDONLQJ└ DERXW┌ WKH└ GLIIHUHQW┌ IDFHWV└ RI└ WKH└ UHJXODWRU\└ HQYLURQPHQW┌
/KDW┌ ZH└ VHH└ WKDW└ EHHQ└ SXW┌ IRUWK└ RYHU└ WKH└ ODVW└ VHYHUDO└ \HDUV◀

6R└ WKLV└ TXHVWLRQ└ IRU└ \RX└ DOO◀ └ ,Q└ P\└ YHU\└ ILUVW┌ KHDULQJ└ DV└ D└ 8QLWHG└ 6WDWHV└
6HQDWRU└ RQ└ WKLV└ FRPPLWWHH└ ZH└ KDG└ WKH└ $VVLVWDQW┌ $GPLQLVWUDWRU☼ └ -DQHW☼ └
0F&DEH☼ └ VKH└ FDPH└ WR└ WHVWLI\└ DERXW┌ (3$└ &2┴ └ UXOHV◀

:KHQ└ ,└ SUHVVHG└ KHU└ DERXW┌ ZK\└ LQ└ WKH└ SXEOLF└ PHHWLQJV└ RQ└ WKH└ H[LVWLQJ└
SODQW┌ UXOHV└ (3$└ KDG└ QRW┌ ERWKHUHG└ WR└ FRPH└ WR└ :HVW┌ 9LUJLQLD└ RU└ IRU└ WKDW┌
PDWWHU└ DQ\└ RI└ WKH└ RWKHU└ WDVNV└ WKDW┌ PRVW└ KHDYLO\└ UHO\└ RQ└ FRDO└ IRU└
HOHFWULFLW\└ JHQHUDWLRQ☼ └WKLV└ LV└ ZKDW┌ VKH└ VDLG◀ └ $QG└ ,└ TXRWH☼ └ | ┌:H└ WULHG└ WR└
ZKHQ└ ZH└ ZHUH└ VFKHGXOLQJ└ QDWLRQDO└ CHYHO└ PHHWLQJV└ ZH└ ZDQWHG└ WR└ KDYH└
/KRVH└ LQ└ CRFDWLRQV└ ZKHUH└ SHRSOH└ ZHUH└ FRPIRUWDEOH└ FRPLQJ◀ |

:HOO☼ └ 0U◀ └ $VVRUGH\└ *HQHUDO☼ └ ,└ ZDQW┌ \RX└ WR└ EH└ FRPIRUWDEOH└ FRPLQJ└
DQ\ZKHUH└ LQ└ WKLV└ FRXQWU\└ WR└ WDON└ DERXW┌ ┼ ┼ └ ZKHWKHU└ LW┌ 5KRGH└ ,VODQG└ RU└
ZKHWKHU└ LW┌ :HVW┌ 9LUJLQLD☼ └ $OVR┌ ┼ ┼ └ SHRSOH└ QHHG└ WR└ NQRZ└ WKDW┌ \RXUH└
OLWWHQLQJ└ DQG└ \RX└ FDUH☼ └ DQG└ WKDW┌ \RXUH└ XQGHUVWDQGLQJ└ WKH└ UDPLILFDWLRQV└
IRU└ WKH└ GHFLVLRQV└ WKDW┌ \RX└ PDNH◀

6R└ WKLV└ GLGQW┌ VLW┌ YHU\└ ZHOO└ IRU└ PH◀ └ :H└ KDG└ D└ PHHWLQJ└ DW┌ WKDW┌ LQ└
%HFNH\☼ └ :HVW┌ 9LUJLQLD☼ └ ZKLFK└ LV└ WKH└ ELUWKSODFH└ RI└ WKH└ UDQNLQJ└ PHPEHU└
DQG└ ZH└ KDG└ %R└ &RSH\└ WKHUH☼ └ ZKR└ ZDV└ D└ CDLG└ RII└ FRDO└ PLQHU◀ └ +H└ WDONHG└
DERXW┌ DOO└ WKH└ KDUGVKLSV└ RI└ KLV└ IULHQGV└ DQG└ CHLJKERUV◀

:H└ KDG└ WKH└ FRXQW\└ FRPPLVVLRQHU└ ZKR└ WDONHG└ DERXW┌ WKH└ ORVV└ RI└ UHYHQXH└
/R└ WKH└ FRXQW\└ DQG└ KRZ└ LW┌ LPSDFWLQJ└ WKH└ VFKRRO└ V\\WHPV☼ └ DQG└ WKH└ UHDO└
HWWDWH└ YDOXHV☼ └ DQG└ WKH└ EDQNUXSWFLHV└ RI└ DOO└ RI└ WKH└ GLIILFXOW┌ FRDO└ FRPSDQLHV☼ └
DQG└ SHRSOH└ ZKR└ KDYH└ EHHQ└ RXW┌ RI└ ZRUN◀

6R└ ,└ ZRXOG└ LPSORUH└ \RX└ WR└ FRPPLW┌ WRGD\└ WR└ YLVLW┌ :HVW┌ 9LUJLQLD☼ └ ERWK└ VLGHV└
RI└ :HVW┌ 9LUJLQLD└ DQG└ WR└ WDON└ WR└ RXU└ FRDO└ PLQHUV└ DQG└ WKHLU└ IDPLOLHV◀ └ 7R└ WDON└
DERXW┌ ZKDW┌ WKH└ MRE└ DQG└ HFRQRPLF└ LPSDFW☼ └ DQG└ KRZ└ ZH└ FDQ└ ZRUN└
/RJHWKHU└ ZLWK└ ERWK└ VLGHV└ WR└ WU\└ WR└ JHW┌ WR└ WKH└ LQWHQGHG└ JRDO└ RI└ FOHDQHU└ DLU☼ └
DQG└ FOHDQHU└ ZDWHU◀

AMERICAN OVERSIGHT

358,77 └

6HQDWRU☼ └ ,└ UHDOO\└ DSSUHFLDWH└ \RX└ VKDULQJ└ WKDW☼ └ DQG└ WKDW└ WKH└ UHDVRQ└ ,└ PHQWLRQ└ LQ└ P\└ RSHQLQJ└ WDWHPHQW└ WKH└ LPSRUWDQFH└ RI└ OLWHQLQJ└ DQG└ CHDGLQJ◀ └ 7KLV└ SURFHVV└ WKDW└ ,YH└ EHHQ└ D└ SDUW└ RI└ REYLRXVO\└ LV└ YHU\└ QHZ☼ └ EXW└ ,└ VSHQW└ WLPH└ ZLWK└ HDFK└ RI└ \RX☼ └ PDQ\└ RI└ \RX☼ └ LQ└ LQGLYLGXDO└ PHHWLQJV└ DQG└ 6HQDWRU└ *LOLEUDQG└ WDONHG└ DERXW└ LVVXHV└ WKDW└ ZHUH└ LPSRUWDQW└ WR└ KHU☼ └ DURXQG└ &(5&/$◀

<RX└ FLWHG└ FRQFHUQV└ DQG└ LVVXHV└ WKDW└ DUH└ LPSRUWDQW└ WR└ \RX└ LQ└ :HVW└ 9LUJLQLD◀ └ ,└ WKLQN└ LW└ D└ YHU\└ LPSRUWDQW└ LI└ FRQILUPHG└ DV└ DGPLQLWUDWRU└ WKDW└ ,└ VSHQG└ WLPH└ UHVSRQGLQJ☼ └ CHDUQLQJ☼ └ DQG└ OLWHQLQJ└ WR└ \RX└ DQG└ \RXU└ UHVSHFWLYH└ WDWHV└ DQG└ WU\LQJ└ WR└ EH└ KHDSIXO└ ZLWK└ UHJDUG└ WR└ WKH└ HQYLURQPHQWDO└ LVVXHV└ WKDW└ \RX└ IDFH◀

&$3,72 └

7KDQN└ \RX◀ └ 7KDQN└ \RX☼ └ WKDW└ PHDQV└ D└ ORW◀ └ 7KDQN└ \RX◀ └ ,└ ZRXOG└ OLNH└ WR└ JHW└ \RPH└ FODUL ILFDWLRQ└ RQ└ D└ WRSLF└ WKDW└ NLQG└ RI└ KDV└ EHHQ└ FRPLQJ└ XS└ DQG└ FRPLQJ└ XS└ DERXW└ KRZ└ PDQ\└ WLPHV└ \RX└ DV└ WKH└ $VWRUCH\└ *HQHUDO└ KDYH└ VXHG└ WKH└ (3$◀ └ $QG└ \RX└ EHJDQ└ \RXU└ WDWHPHQW└ E\└ VD\LQJ└ WKDW☼ └ | 7KH└ UXCH└ RI└ CDZ└ LV└ YHU\└ LPSRUWDQW└ WR└ \RX◀ |

$QG└ WKHQ└ \RX└ WDONHG└ DERXW└ VHYHUDO└ RI└ WKH└ FDVHV☼ └ DQG└ SUREDEO\└ PRVW└ RI└ /KH└ FDVHV└ WKDW└ \RX└ EURXJKW└ IRUZDUG☼ └ LV└ GRW└ FKDOOHQJLQJ└ WKH└ UHJXODWLRQV└ VR└ PXFK└ DV└ WKH└ SURFHVV└ RU└ ZKHWKHU└ WKH└ UXCH└ RI└ CDZ└ KDV└ EHHQ└ RYHUWWSSHG└ LQ└ /KH└ ERXQGDULHV└ RI└ WKH└ (3$└ KDV└ EHHQ└ WKH└ ┼ ┼ └ LQWHQW└ RI└ &RQJUHVV└ E\└ CHJLVODWLQJ└ WR└ WKH└ (3$└ KDV└ EHHQ└ RYHUWWSSHG◀

$QG└ WKH└ FRXUW└ KDYH└ DJUHHG└ LQ└ VRPH└ FDVHV☼ └ WKDW└ WKLV└ LV└ WKH└ FDVH◀ └ &RXOG└ \RX└ NLQG└ RI└ UHWWDWH└ WKDW└ SRVLWLRQ└ RQ└ WKH└ ┼ ┼ └ RQ└ WKH└ GL IHUHQW└ DFWLRQV"

358,7 └

:HOO☼ └ 6HQDWRU☼ └ DV└ ,YH└ LQGLFDWHG☼ └ ,└ WKLQN└ LQ└ UHVSRQVH└ WR└ 6HQDWRU└ 6XOLYDQ☼ └ SUREDEO\└ PRUH└ VR└ WKDQ└ PRVW└ WDWWWHV└ WKDW└ DUH└ SDVHG└ E\└ &RQJUHVV☼ └ WKLV└ ERG\└ KDV└ UHFRJQL]HG└ WKH└ YHU\└ LPSRUWDQW└ DQG└ YLEUDQW└ URCH└ WKH└ WDWHV└ SOD\└ LQ└ SDUWCHUVKLS└ ZLWK└ WKH└ (3$└ DW└ LPSCHPHQWLQJ└ DQG└ HQIRUFLQJ└ RXU└ HQYLURQPHQWDO└ WDWWWHV◀

$QG└ PDQ\└ RI└ \RX└ KDYH└ WDONHG└ DERXW└ WKDW└ LQ└ \RXU└ RI ILFHV◀ └ +RZ└ \RXU└ '(4└ ZRUNV└ DW└ WKH└ 5HJLQDO└ $GPLQLWWDUWRU◀ └ $QG└ ┼ ┼ └ DQG└ ┼ ┼ └ VR└ ZKHQ└ ZH└ WDON└ DERXW└ UXCH└ RI└ CDZ└ DV└ \RX└ GHDO└ ZLWK└ PHUFXU\☼ └ DV└ \RX└ GHDO└ ZLWK└ &2┴ ☼ └ DV└ \RX└ GHDO└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ¶└╞RI└└

ZLWK└ ZDWHU└ LVVXHV└ DURXQG└ ZKDW└ LV└ WKH└ GHILQLWLRQ└ DQG└ LQ└ WKRVH└ FDVHV└ LW└
LPSRUWDQW└ WKDW└ \RX└ GR└ VR└ FRQVLGHU└ ZLWK└ WKH└ IUDPHZRUN└ WKDW└ EHHQ└
HVWDEOLVKHG└ E\└ WKLV└ ERG\☼ └ DQG└ LW└ UHVSHFWHG◀

╱HFDXVH└ WKDW└ JLYHV└ FRQILGHQFH└ WR└ WKH└ SHRSOH└ DUH└ UHJXODWLQJ◀ └ <RX└ NQRZ☼ └
ZKHQ└ \RX└ KDYH└ DQ└ DGPLQLVWUDWLYH└ DJHQF\└ RI└ DQ\└ VWDWH└ WKDW└ DFW└
LQFRQVLVWHQW└ RU└ WULHV└ WR└ HQGDUJH└ LW└ DXWKRULWV☼ └ LW└ UHDOO\└ GRHVQW└ LQVSLUH└
FRQILGHQFH☼ └ LQ└ WKRVH└ WKDW└ DUH└ UHJXODWHG◀

<RXUH└ VHHLQJ└ D└ PDWWHU└ RI└ SLFNLQJ└ ZLQQHUV└ DQG└ ORVHUV☼ └ DQG└ EHLQJ└ DJDLQVW└
FHUWDLQ└ WKLQJV☼ └ DV└ RSSRVHG└ WR└ SURWHFWLQJ└ SHRSOH└ DQG└ VR└ WKDW└ UXOH└ RI└ ODZ└ LV└
QRW└ VRPHWKLQJ└ WKDW└ DFDGHPLF└ LQ└ P\└ YLHZ◀ └ ,W└ QRW└ VRPHWKLQJ└ WKDW└ MXVW└
CHJDO◀ └ ,└ WKLQN└ LVW└ LPSRUWDQW└ WR└ HQVXULQJ└ JRRG└ RXWFRPHV└ DV└ IDU└ DV└
LPSURYLQJ└ RXU└ DLU└ DQG└ SURWHFWLQJ└ RXU└ ZDWHUV◀

&$3,72 └
7KDQN└ \RX◀

╱$55$662 └
6HQDWRU└ :KLWHKRXVH◀

:+,7(+286(└
7KDQN└ \RX☼ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ ZKHQ└ ZH└ CHIW└ RII└ ZH└ ZHUH└ WDONLQJ└ DERXW└
/KLQJV└ WKDW☼ └ WR└ TXRWH└ WKH└ &KDLUPDQ☼ └ | PLJKW└ SODFH└ WR└ \RX└ LQ└ D└ FRQIOLFW└ RI└
LQWHUHWV☼ └ EXW└ KDYH└ QRW└ EHHQ└ GLVFORVHG| └ DQG└ ZH└ ZHUH└ WDONLQJ└ DERXW└ WKH└
GDUN└ PRCH\└ RSHUDWLRQ└ WKDW└ VXSSRUW└ WKH└ 5HSXEOLFDQ└ $/WRUCH\└ *HQHUDO└
$VVRFLDWLRQ◀

╱HIRUH└ ZH└ JHW└ EDFN└ LQWR└ WKDW☼ └ CHW└ PH└ DVN└ \RX└ WKLV└ DV└ D└ K\SRWKHWLFDO☼ └ LI└ \RX└
KDG└ UDLVHG└ VLJQLILFDQW└ DPRXQW└ RI└ PRCH\└ IRU└ WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└
)XQG└ IURP└ FRUSRUDWLRQV└ ZKR└ ZLOO└ EH└ VXEMHFW└ WR└ (3$V└ UHJXODWLRQ☼ └ EHIRUH└
(3$☼ └ ZLWK└ PDWWHUV└ EHIRUH└ (3$☼ └ PLJKW└ WKDW└ SODFH└ \RX└ LQ└ D└ FRQIOLFW└ RI└
LQWHUHWV'

358,77 └

AMERICAN OVERSIGHT

7KH└ ┼ ┼ └WKH└ (3$└ HWKLFV└ FRXQFLO└ KDV└ VDLG└ ┼ ┼ └DQG└ E\└WKH└ ZD\└WKHMH└ DUH└
FDUHU└ LQGLYLGXDOV└ DV└ \RX└ NQRZ☼ └ 6HQDWRU◀ └ $GMXVWLQJ└ D└ IHZ└ LV└ D└ FDUHU└
SHUVRQ└ DW┴ (3$└ HWKLFV└ DQG└ VR└ DV└WKH\YH└ UHYLHZHG└WKHMH└ SRWHQWLDO└
FRQIOLFWV└WKH\└ ┼ ┼ └WKH\└ KDYH└ ┼ ┼ └ ,YH└ GLVFORVHG└ DOO└ HQWLWLHV└WKDW┴ ,YH└ EHHQ└
DII ILOLDWHG└ ZLWK└ ┼ ┼

:+,7(+286(└
,└ XQGHUWDQG└WKDW☼ └ EXW┴ ,P└ DVNLQJ└ \RX└ LI└ \RX└WKLQN└ LW┴ PLJKW┴ SODFH└ \RX└ LQ└ D└
FRQIOLFW┴ RI└ LQWHUHWV┴ EHFDXVH└ ZH└ ERWK└ XQGHUWDQG┴WKDW┴WKH└ HWKLFV└ UXOHV└WKDW┴
/KH└ (3$└ LV└ HQIRUFLQJ└ SUH╪ GDWHV└ &LWL]HQV└ 8QLWHG☼ └ SUH╪ GDWH└ GDUN└ PRQH\└
DQG└WKH\YH└ VDLG└ LQ└WKH└ CHWWHU└WKH\└ DUHQW┴ HYHQ└ ORRNLQJ└ DW┴WKDW┴ EHFDXVH└
/KH\└ GRQW┴ KDYH└WKH└ DXWKRULWL\└ WR◀

7KDW┴ GRHVQW┴ PHDQ└ LW┴ GRW┴ D└ FRQIOLFW┴ RI└ LQWHUHWV◀ └ ,W┴ PHDQV└WKDW┴WKH└
UHJXODWRU\└ DXWKRULWL\└ RQ└ JRYHUQPHQW┴ HWKLFV└ KDVQW┴ FDXJKW┴ XS└ ZLWK└WKLV└
SRWW┴ &LWL]HQV└ 8QLWHG└ GDUN└ PRQH\└ ZRUDG◀ └ 0\└ TXHWLRQ└ LV☼ └ \RXUH└ D└ ODZ\HU☼ └
\RX└ NQRZ└ FRQIOLFWV└ RI└ LQWHUHWV☼ └ \RXYH└ EHHQ└ DQ└ $WWRUQH\└ *HQHUDO◀

0LJKW┴ LW┴ EH└ D└ FRQIOLFW┴ RI└ LQWHUHWV┴ ZLWKLQ└ \RXU└ GHILQLWLRQ└ RI└WKH└WHUP└ LI└ \RX└
KDG└ UDLVHG└ VLJQLILFDQW┴ DPRXQWV└ RI└ PRQH\└ IRU└WKLV└ 5XCH└ RI└ /DZ└ 'HIHQVH└
)XQG└ DQG└WKH\└ KDG└ EXVLQHVV└ EHIRUH└ ┼ ┼ └DQG└WKH\OO└ KDYH└ EXVLQHVV└ EHIRUH└
(3$└ ZLWK└ \RX"└ ,V└WKDW┴ D└ SRWHQWLDO└ FRQIOLFW┴ RI└ LQWHUHWV"

358,77 └
,└WKLQN└ MXVW┴ LQ└ ┼ ┼ └LI└ \RX└ DFWXDOO\└ GLG└ DGGUHVV└WKRVH└ HQWLWLHV└WR└WKH└ GHJUHH└
/KDW┴ ,└ ZDV└ CHYHU└ RQ└ RIILFH└ RI└WKH└ VXSHU└ IXQG└WKDW┴ \RX└ ┼ ┼ └WKH└ VXSHU└ SDFN└
/KDW┴ \RX└ UHIHUUHG└WR└ HDUOLHU☼ └WKH└ /LEHUW\└ ┴ ◀ ‼ ☼ └DQG└ VR└WKH\└ ORRNHG┴ DW┴WKRVH└
┼ ┼

:+,7(+286(└
7KH└ TXHWLRQ└ ZDV└ IXQG╪ UDLVLQJ

358,77 └
7KH\└ ORRNHG┴ DW┴WKRVH└ HQWLWLHV└ ┼ ┼

:+,7(+286(└
7KDW└WKH└ TXHWLRQ└ ZH└ GRQW┴ KDYH└ DQ\└ DQVZHUV└ RQ☼ └ LV└ ZKDW┴ \RX└ UDLVHG◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGGV└ +HL 3DJH¶ ¶└ RI└

358,77 └

7KH\└ ORRNHG└ DW└ WKRVH└ HQWLWLHV└ WR└ GHWHUPLQH└ ZKDW└ WKH└ QDWXUH└ RI└ P\└

UHDVRQVKLS└ ZDV☼ └ DQG└ WKHQ└ LQGLFDWHG└ WKDW└ WKRVH└ ZRXOG└ KDYH└ WR└ EH└

HYDOXDWHG└ LQ└ WKH└ IXWXUH☼ └ DV└ FDVHV└ DURVH◀ └ $QG└ ┼ ┼

:+,7(+286(└

5LJKW└ QRZ☼ └ WKH└ &KDLUPDQ└ DVNHG└ \RX└ D└ TXHVWLRQ☼ └ ZKLFK└ LV└ DUH└ WKHUH└

PDWWHUV└ WKDW└ PLJKW└ SODFH└ \RX└ LQ└ D└ FRQIOLFW└ RI└ LQWHUHVW└ WKDW└ \RX└ KDYH└ QRW└

GLVFORVHG◀ └ <RX└ DQVZHUHG☼ └ | 1R◀ | └ 0LJKW└ QRW└ KDYLQJ└ UDLVHG└ VLJQLILFDQW└

PRQH\☼ └ CHW└ VD\└ D└ PLOOLRQ└ GROODU◀

/HW└ VD\└ \RX└ PDGH└ D└ FDOO└ WR└ 'HYRQ└ (QHUJ\☼ └ DQG└ VDLG☼ └ | ,└ GLG└ \RXU└ CHWWHU└

IRU└ \RX☼ └ ♂ LQDXGLECH□ └ QHHGV└ D└ QRW└ RI└ PRQH\☼ └ ZHYH└ JRW└ WKLV└ GDUN└ PRQH\└

/KLQJ└ ZKHUH└ ZH└ FDQ└ ODXQGHU└ \RXU└ LGHQWLW\└ FCHDQ└ RII└ LW☼ └ DQG└ WKH└ PRQH\└ ZLOO└

JR└ LQWR└ ♂ LQDXGLECH□ ◀ └ ,└ QHHG└ D└ PLOOLRQ└ EXFNV└ RXW└ RI└ \RX◀ └ 0LJKW└ WKDW└ QRW└

FUHDWH└ D└ FRQIOLFW└ RI└ LQWHUHWW└ IRU└ \RX└ LI└ WKDW└ ZHUH└ WKH└ IDFW"

358,77 └

0V◀ └)HZ└ ♂ SK□ └ KDV└ LQGLFDWHG☼ └ LQ└ KHU└ CHWWHU└ WR└ PH☼ └ ┼ ┼ └ DJDLQ└ WKHMH└ DUH└ FDUHU

LQGLYLGXDOV└ DW└ (3$└ HWKLFV└ ┼ ┼ └ WKDW└ LI└ D└ SDWLFXODU└ PDWWHU└ LQYROYLQJ└ VSHFLILF└

SDUWLHV└ DULVH└ LQ└ WKH└ IXWXUH└ LW└ ZLOO└ EH└ HYDOXDWHG└ DW└ WKDW└ SRLQW└ ┼ ┼

:+,7(+286(└

+RZ└ ZLOO└ WKH\└ NQRZ└ LI└ \RX└ DUH└ QRW└ ZLOOLQJ└ WR└ GLVFORVH└ WKDW└ \RX└ UDLVHG└ WKH└

K\SRWKHWLFDO└ PLOOLRQ└ GROODUV└ IURP└ 'HYRQ└ (QHUJ\"

358,77 └

:HOO☼ └ WKRVH└ DUH└ QRW└ HYHQ└ FRYHUHG└ HQWLWLHV└ XQGHU└ KHU└ CHWWHU└ DW└ WKLV└ ┼ ┼

:+,7(+286(└

7KDW└ P\└ SRLQW☼ └ EXW└ WKDW└ PD\└ YHU\└ ZHOO└ FUHDWH└ D└ FRQIOLFW└ RI└ LQWHUHWW☼ └

PLJKWQW└ LW"

358,77 └

6HQDWRU☼ └ ,└ GLG└ QRW└ VHUYH└ LQ└ DQ└ RIILFHU└ FDSDFLW\└ DW└ WKDW└ HQWLW\◀ └ ,Q└ IDFW└ ┼ ┼

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ¶└ R╢ └┘

:+,7(+286(└

<RXYH└ VDLG└ WKDW└ DOUHDG\└ WRR◀ └ %XW└ WKDW└ ┼ ┼ └ WKDW└ DOVR└ QRW└ WKH└ TXHVWLRQ◀ └ 7KH└ TXHVWLRQ└ LV└ D└ YHU\└ VLPSOH└ RQH☼ └ GLG└ \RX└ UDLVH└ PRQH\└ IRU└ WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└)XQG└ IURP└ HQWLWLHV└ WKDW└ ZLOO└ DSSHDU└ EHIRUH└ (3$└ DV└ SRWHQWLDO└ GHIHQGDQWV└ DQG└ VXEMHFW└ WR└ UHJXODWLRQ└ DQG└ LI└ VR☼ └ KRZ└ PXFK☼ └ DQG└ ZKDW└ GLG└ \RX└ WHOO└ WKHP"└ $QG└ ZKDW└ GLG└ \RX└ DVN"└ ,W└ VHHPV└ WR└ PH└ WKDW└ QRW└ DQ└ XQXVXDO└ RU└ ┼ ┼

358,77 └

7KH└ 5XCH└ RI└ /DZ└ 'HIHQVH└)XQG☼ └ DFFRUGLQJ└ WR└ 0V◀ └)HZ☼ └ ZRXOG└ QHHG└ WR└ EH└ D└ SDUW\└ LQ└ WKH└ IXWXUH└ IRU└ WKDW└ WR└ EH└ DQ└ LVVXH◀ └ 7KDW└ ZKDW└ VKHV└ LQGLFDWHG└ LQ└ KHU└ CHWWHU└ WR└ PH◀ └ $W└ WKH└ WLPH☼ └ LI└ LVVXHV└ DULVH└ LQ└ WKH└ IXWXUH└ ,└ ZL VHHN└ WKH└ FRXQVHO└ RI└ (3$└ HWKLFV☼ └ LQYROYH└ WKH└ DGYLFH└ RI└ WKRVH└ FDUHU└ IRONV☼ └ DQG└ PDNH└ D└ GHFLVLRQ☼ └ DQG└ UHFXVH└ LI└ QHFHVDU\◀ └ 7KDW└ LV└ VRPHWKLQJ└ ,└ FRPPLW└ WR└ GRLQJ◀

:+,7(+286(└

♑XW☼ └ DW└ WKLV└ SRLQW└ ┼ ┼ └ DW└ WKLV└ SRLQW☼ └ ZKDW└ ,└ GHGXFH└ IURP└ \RXU└ WDWHPHQW└ LV└ ΛKDW└ LI└ WKDW└ VHW└ RI└ K\SRWKHWLFDO└ IDFW└ ZHUH└ WUXH☼ └ LI└ \RX└ KDG└ UDLVHG└ D└ PLOOLRQ└ GROODUV└ IURP└ D└ ELJ└ HQHUJ\└ FRUSRUDWLRQ└ WR└ JR└ WKURXJK└ WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└)XQG☼ └ WR└ VXSSRUW└ \RXU└ HIIRUW└ DW♂ LQDXGLECH□ └ WKDW└ WKDW└ LV└ QRW└ \RPHWKLQJ└ DQ\ERG\└ VKRXOG└ FDUH└ DERXW└ HYHQ└ LI└ WKDW└ FRUSRUDWLRQ└ LV└ EHIRUH└ \RX└ DW└ (3$└ DQG└ VXEMHFW└ WR└ \RXU└ UHJXODWLRQ└ ┼ ┼

358,77 └

2K☼ └ ,└ WKLQN└ LW└ VRPHWKLQJ└ WKDW└ LI└ SUHVHQWHG└ LQ└ WKH└ IXWXUH☼ └ WKDW└ ZRXOG└ ┼ ┼ └ ♂ LQDXGLECH□ └ D└ IHZ☼ └ P\VHOI└ ┼ ┼ └ (3$└ HWKLFV└ ZRXOG└ HYDOXDWH└ WKDW└ DQG└ ,└ ZRXOG└ ΛDNH└ WKH└ DSSURSULDWH└ WWHSV└ WR└ UHFXVH└ LI└ ┼ ┼

:+,7(+286(└

♑XW☼ └ KRZ└ ZRXOG└ LW└ EH└ SUHVHQWHG└ LQ└ WKH└ IXWXUH└ LI└ \RX└ DUH└ QRW└ ZLOOLQJ└ WR└ SUHVHQW└ LW└ QRZ"└ :K\└ ZRXOG└ LW└ PDWWHU└ LQ└ WKH└ IXWXUH└ DQG└ QRW└ QRZ"

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH (QYLURQPHQW DQG 3XEOLF :RUNV &RPPLWWHH +RQG 3DJH¶ ⊥⊥!!RI ⊥⊥

,I WKHUH LV D PDWWHU ┼ ┼ D FDVH WKDW FRPHV EHIRUH WKH (3$V DXWKRULWV◀ 7KDW ZRXOG EH VRPHWKLQJ ┼ ┼ WKHUHV RQJRLQJ DV \RX NQRZ 6HQDWRU 0V◀)HZ LQGLFDWHG WKLV LQ KHU CHWWHU ┼ ┼ WKHUHV RQJRLQJ REOLJDWLRQV WKDW , ZLOO KDYH LI FRQILUPHG DV DGPLQLVWUDWRU WR EULQJ WKRVH NLQGV RI PDWWHUV WR WKH DWWHQWLRQ RI (3$ HWKLFV◀

:+,7(+286(
:HOO IRU ZKDW LW'V ZRUWK , WKLQN WKDW WKH 6HQDWH KDV D URCH LQ SROLFLQJ WKLV DV ZHOO◀ 7KDW WKH ZKRCH SXUSRVH RI DGYLFH DQG FRQVHQW DQG WKH UHVRQ /KHUH DUH WKHMH JRYHUQPHQW HWKLFV ILOLQJV LV VR WKDW ZH FDQ CRRN DW WKLV H[DFW TXHVWLRQ◀

$QG WKH IDFW WKH\ KDYHQ EHHQ XSGDWHG WR WDNH LQWR DFFRXQW GUN PRCH\ DQG DOO RI WKHMH ELJ SROLWLFDO RUJDQL]DWLRQV WKDW KDYH EHHQ FUHDWHG ZLWK GUN PRCH\ GRHVQW WDNH DZD\ 6HQDWH REOLJDWLRQ WR ILQG RXW ZKDW FRQILFWV RI LQWHUHVW \RX ZLOO EULQJ WR WKH SRVLWLRQ RI $GPLQLVWUDWRU $QG LW JLYHV PH YHU\ OLWWOH FRPIRUW WKDW \RXUH QRW ZLOOLQJ WR DQVZHU WKRVH TXHVWLRQV KHUH◀

0\ WLPH KDV H[SLUHG◀ ,OO FRQWLQXH LQ RWKHU URXQGV◀

%$55$662
7KDQN \RX YHU\ PXFK 6HQDWRU :KLWHKRXVH◀ , ZRXOG OLNH WR LQWURGXFH RUHFRUG DQ DWWDFKH WKH $VVRFLDWH 3UHVV LQ WKH 6HDWWOH 7LPHV KHDGOLQHG | (WKLFV 2ILFLDOV &HDU 7UXPS (3$ 1RPLQHH | ,W VD\V | 7KH 2ILFH RI *RYHUQPHQW (WKLFV RQ 0RQGD\ UHCHDVHG WKH SHUVRQDO ILQDQFLDO GLVFORVXUH UHSRUW IRU 6FRWW 3UXLWW FXUUHQWO\ 2NODKRPDV $WWRUQH\ *HQHUDO◀ 7KH ┼ ┼ WKH (WKLFV 2ILFH DI ILUPHG WKDW 3UXLWW GLVFORVXUHV FRPSO\ ZLWK DSSOLFDEOH IHGHUDO ODZV DQG UXOHV◀

+LV ILQDQFHV LW VD\V DUH DPRQJ WKH CHDWW FRPSOLFDWHG RI 7UXPSV FDELQHW QRPLQHHV◀ | 6HQDWRU %RR]PDQ◀

%22=0$1
7KDQN \RX 0U◀ &KDLUPDQ◀ , ┼ ┼ , UHDOO\ GR ILQG LW LURQLF ┼ ┼ LURQLF DQG K\SRFULWLFDO WKDW ZHUH LQ D VLWXDWLRQ WKDW P\ IULHQGV RQ WKH RWKHU VLGH RI /KH DLVCH RI WKLV FRPPLWWHH XVLQJ WKHLU GHILQLWLRQ RI GUN PRCH\ DV HCHFWHG RI ILFLDOV KDYH OLWHUDOO\ UDLVHG PLOOLRQV RI GROODUV RI VR┼ FDOCHG GUN PRCH\◀

AMERICAN OVERSIGHT

7KH└ ┼ ┼ └ ,G└ OLNH└ WR└ WDON└ D└ OLWWOH└ ELW└ DERXW└ VRPH└ RI└ WKH└ RYHU└ UHJXODWRU\└ EXUGHQ└ /KDW└ WKH└ WDWHV└ DUH└ IDFLQJ◀ └ $LU└ TXDOLW\└ LQ└ $UNDQVDV☼ └ LV└ DPRQJ└ VRPH└ RI└ WKH└ FKDOOHQJ└ LQ└ WKH└ QDWLRQ└ GHVSLWH└ WKH└ SURJUHVV└ WKDW└ WKDW└ WKH└ WDWH└ KDV└ PDGH☼ └ ORRNLQJ└ IRUZDUG└ WU\└ WR└ GR└ WKH└ ULJKW└ WKLQJ◀ └ 7KH└ 5HJLRQDO└ +D]H└ IHGHUDO└ SODQ└ LV└ JRLQJ└ WR└ SURGXFH└ D└ WUHPHQGRXV└ HFRQRPLF└ EXUGHQ└ RQ└ HP◀

,└ WKLQN└ LW╱V└ D└ SULPH└ H[DPSOH└ RI└ WKH└ KDSKD]DUG└ UHJXODWRU\└ DWPRVSKHUH└ ZH└ /KDW└ ZHYH└ KDG└ LQ└ WKH└ SDVW☼ └ ZLWK└ OLWWOH└ LQSXW└ IURP└ WKH└ WDWHV└ DQG└ WDOHQWHG└)RU└ \HDUV└ WKH└ UHJXODWRU\└ FHUWDLQW\└ KDV└ SUHYHQWHG└ EXVLQHVVHV└ IURP└ KLULQJ└ QHZ└ HPSOR\HHV☼ └ WKRXVDQGV└ HFRQRPLF└ JURZWK◀

,Q└ IDFW└ WKH└ 1DWLRQDO└ 6PDOO└ %XVLQHVV└ $VVRFLDWLRQ└ WKDW└ ZDV└ MXVW└ UHDDVHG☼ └ IRXQG└ WKDW└ PRUH└ WKDQ└ KDOI└ RI└ VPDOO└ EXVLQHVVHV└ KDYH└ KHDG└ RII└ RQ└ KLULQJ└ EHFDXVH└ WKH\└ GRQ╱ NQRZ└ ZKDW└ WKH└ UXOHV└ DUH└ JRQQD└ EH◀

&DQ└ \RX└ ┼ ┼ └ \RXYH└ PHQWLRQHG└ VHYHUDO└ WLPHV└ ┼ ┼ └ FDQ└ \RX└ WDON└ D└ OLWWOH└ ELW└ PRUH└ DERXW└ WKH└ LPSDFW└ WKDW└ \RXYH└ VHHQ└ LQ└ UHJDUG└ WR└ UHJXODWRU\└ XQFHUWDLQW\└ LQ└ WKH└ WDWH└ RI└ 2NODKRPD"└ 7KH└ H[SHULHQFHV└ \RXYH└ KDG◀

358,77 └
6HQDWRU☼ └ WKH└ YLVLELOLW\└ SURJUDP☼ └ ZHYH└ KDG└ VLPLODU└ FKDOOHQJHV└ LQ└ 2NODKRPD◀ └ 7KH└ 5HJLRQDO└ $LGV└ 3URJUDP└ XQGHU└ WKH└ &HDQ└ $LU└ $FW☼ └ WKDW└ VHFWLRQ└ RI└ WKH└ &HDQ└ $LU└ $FW└ LV└ UHDOO\└ TXLWH└ D└ ELW└ GLIIHUHQW└ WKDQ└ RWKHU└ SURYLVLRQV└ RI└ WKH└ &HDQ└ $LU└ $FW◀ └ ,W└ JLYHV└ SURPLVH└ WR└ WKH└ WDWHV└ LQ└ DGRSWLQJ└ SODQV└ WR└ LQFUHDVH└ RU└ LPSURYH└ YLVLELOLW\◀

7KDW└ SDUWLFXODU└ VHFWLRQ└ RI└ WKH└ CDZ└ VD\V└ WKDW└ E\└ WKH└ \HDU└ ┴ ‼ ├ ┤ ☼ └ WKDW└ ZH└ VKRXOG└ KDYH└ QDWKDO└ YLVLELOLW\└ LQ└ VRPH└ NH\└ DUHDV└ DFURVV└ WKH└ FRXQWU\◀ └ 2NODKRPD└ VHYHUDO└ \HDUV└ DJR└ ┼ ┼ └ DFWXDOO\└ LQ└ ┴ ‼ ¶ ‼ ☼ └ XQGHU└ D└ GLIIHUHQW└ DGPLQLVWUDWLRQ☼ └ ERWK└ *RYHUQRU└ DQG└ $VWRUCH\└ *HQHUDO└ VXEPLWWHG└ D└ WDWH└ LPSOHPHQWDWLRQ└ SODQ└ WKDW└ EHDW└ WKDW└ GHDGOLQH└ E\└ GHFDGHV◀

%XW└ GHVSLWH└ WKDW☼ └ WKH└ (3$└ FDPH└ LQ└ DQG└ UHMHFWHG└ WKDW└ WDWH└ LPSOHPHQWDWLRQ└ SODQ└ DQG└ IRUFHG└ D└ IHGHUDO└ LPSOHPHQWDWLRQ└ SODQ└ RQ└ WKH└ WDWH☼ └ FRVWLQJ└ FRQVXPHUV└ TXLWH└ D└ ELW└ RI└ PRQH\◀ └ 2QH└ WKLQJ└ WKDW└ ,└ ZRXOG└ DGG└ WKDW└ ,└ GLGQW└ WDON└ DERXW└ HDUOLHU☼ └ ZH└ WDONHG└ DERXW└ ┼ ┼ └ ZH└ WDONHG└ DERXW└ FRRSHUDWLYH└ IHGHUDOLVP└ DQG└ WKH└ LPSRUWDQFH└ RI└ SDUWQHUVKLS◀

AMERICAN OVERSIGHT

,└ WDONHG└ DERXW└ WKDW◀ └ <RXYH└ WDONHG└ DERXW└ WKDW◀ └ 8QGHU└ WKLV└ SDWW└
DGPLQLWUDWLRQ└ WKH└ XVH└ RI└ IHGHUDO└ LPSHPHQWDWLRQ└ SODQV☼ └ LI└ \RX└ FRPELQH└
3UHVLGHQW└ %XVK☼ └ 3UHVLGHQW└ &OLQWRQ└ DQG└ 3UHVLGHQW└ *HRUJH└ :◀ └ %XVK☼ └
/KRVH└ WKUHH└ DGPLQLWUDWLRQV└ FRPELQHG☼ └ WKH\└ LVXHG└ ILYH└ IHGHUDO└
LPSHPHQWDWLRQ└ SODQV└ XQGHU└ WKH└ &HDQ└ $LU└ $FW☼ └ LQ└ WKUHH└ DGPLQLWUDWLRQV◀

7KLV└ DGPLQLWUDWLRQ└ KDV└ LVXHG└ ↑ ├ ◀ └ 6R└ LW└ VKRZV└ DQ└ DWWLWXGH└ RI└
LQGLIIHUHQFH◀ └ $Q└ DWWLWXGH└ RI└ WU\LQJ└ WR└ EH└ GLFWDWRULDO└ LQ└ VRPH└ UHVSHFWV└
/RZDUG└ WKH└ WDWHV└ URGH└ RU└ PDQLSXODWLYH└ RI└ WKH└ WDWHV└ URGH└ LQ└ D└ ZD\└ WKDW☼ └
,└ WKLQN☼ └ FRXQWHUSURGXFWLYH└ IRU└ DLU└ TXDOLW\◀

%22=0$1 └
6R☼ └ ZKHQ└ \RX└ DQG└ IHOORZ└ $PHULFDQV└ *HQHUDOV☼ └ RWKHU└ WDONHRGHUV└ VXH└ WKH└
)HGHUDO└ *RYHUQPHQW└ ZKHWKHU└ LW└ 5HJLRQDO└ +D]H└ RU└ :DVWHUV└ RI└ WKH└ 8◀ 6◀ └ RU└
ZKDWHYHU☼ └ \RXU└ JRDO└ LV└ QRW└ WR└ GR└ DZD\└ ZLWK└ UHJXODWLRQ☼ └ \RXU└ JRDO└ LV└ WR└
PDNH└ LW└ VXFK└ WKDW└ WKH└ (3$└ IROORZ└ WKHLU└ UHJXODWRU\└ DXWKRULWLHV◀ └ ,V└ WKDW└
FRUUHFW'

358,77 └
<HV☼ └ 6HQDWRU◀ └ $QG└ LQ└ DQ└ H[DPSOH└ ,└ SURYLGHG└ WR└ \RX☼ └ ZKHUH└ WKH└ WDDWH└
LPSHPHQWDWLRQ└ SODQ└ RI└ 2NODKRPD└ WKDW└ ZDV└ UHMHFWHG└ ZH└ DFWXDOO\└ VDWLVILHG└
/KH└ WDDWXWRU\└ PDQGDWH☼ └ LW└ ZDV└ XQGHU└ WKH└ UHJLRQDOL]HG└ SURJUDP◀

:H└ UHDFKHG└ QDWXUDO└ YLVLELOLW\└ D└ FRXSOH└ GHFDGHV└ DKHDG└ RI└ VFKHGXOH◀ └ 7KH└
PHWKRGRORJ\└ WKDW└ ZDV└ XVHG☼ └ WKH└ (3$└ MXVW└ VLPSO\└ GLVDJUHHG└ ZLWK◀ └ $QG└
VR☼ └ WKH\└ XVHG└ WKHLU└ DXWKRULW\└ WR└ GLVSDFH└ WKDW└ WDWH└ SODQ☼ └ FRQWLQJ└
FRQVXPHUV└ LQ└ WKH└ WDWH└ KXQGUHGV└ RI└ PLOOLRQV└ RI└ GROODUV└ LQ└ LQFUHDVHG└ XWLOLW\└
FRVWV◀

%22=0$1 └
2QH└ RI└ WKH└ WKLQJV└ WKDW└ ┼ ┼ └ WKDW└ ,└ WKLQN└ ZHYH└ VHHQ└ DOVR└ LQ└ WKH└ ODWW└ HLJKW└
\HDUV└ LV└ WUHPHQGRXV└ PLWLRQ└ FUHHS└ RQ└ WKH└ SDUW└ RI└ WKH└ (3$└ ZKHUH└ WKH\└
KDYH└ JRWWHQ└ LQWR└ DUHDV└ ZKHUH└ WKH\└ GRQW└ KDYH└ WKH└ H[SHUWLVH◀

7KH\└ GRQW└ KDYH└ WKH└ ┼ ┼ └ WKH☼ └ \RX└ NQRZ☼ └ WKH└ ZHOO└ H[SHUWLVH└ ,└ WKLQN└ ZRXOG└ EH└
/KH└ EHWW└ ZRUG☼ └ LQ└ UHJDUGV└ WR└ FRPLQJ└ RXW└ ZLWK└ VRPH└ RI└ WKH└ WKLQJV└ WKH\YH└
GRQH└ ZKHUH└ WKH\└ CDFN└ MXULVGLFWLRQ└ DQG└ KDYHQW└ UHDOO\└ EHHQ└ LQ└ WKH└ SDWW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ┴└┬RI└└

&DQ└ ZH└ FRXQW└ RQ└ \RX└ WR└ ZRUN└ ZLWK└ WKH└ RWKHU└ DJHQFLHV└ WR└ WDNH└ WKHLU└ H[SHUWLVH└ LQWR└ FDUHIXO└ FRQVLGHUDWLRQ└ DV└ ZH└ FRPH└ RXW└ ZLWK└ WKH└ UXOHV└ DQG└ UHJXODWLRQV"

358,77 └
,└ WKLQN└ LQWHUDJHQF\└ FRRSHUDWLRQ└ LV└ YHU\☼ └ YHU\└ LPSRUWDQW◀ └ 2EYLRXV\└ ZLWK└ UXCHPDNLQJ└ WKDW└ VRPHWKLQJ└ WKDW└ RFFXUV☼ └ DQG└ VKRXOG└ RFFXU☼ └ ,└ WKLQN☼ └ LQ└ D└ YHU\└ FROODERUDWLYH└ ZD\◀ └ $QG└ VR└ \HV☼ └ 6HQDWRU☼ └ ,└ EHOLHYH└ LW└ YHU\└ LPSRUWDQW└ DV└ WKH└ (3$└ FRQGXFW└ LW└ EXVLQHVV☼ └ WKDW└ LW└ ZRUNV└ ZLWK└ WKH└ FRUH└ ┼ ┼ └ ZRUNV└ ZLWK└ RWKHU└ DJHQFLHV└ DW└ WKH└ IHGHUDO└ CHYHO└ WR└ HQVXUH└ WKDW└ LW└ GRLQJ└ DOO└ LW└ FDQ└ /R└ DGYDQFH└ DQG└ SURWHFW└ ZDWHU└ TXDOLW\└ DQG└ DLU└ TXDOLW\◀ └ %XW☼ └ GR└ VR└ LQ└ WKH└ IUDPHZRUN└ HWABEOLVKHG└ E\└ &RQJUHVV◀

%22=0$1 └
$QG☼ └ GRHV└ LW└ IHHO└ OLNH└ LW└ WKH└ XQLPDWH└ GHFLGHU☼ └ DJDLQ☼ └ ZKHQ└ WKH\└ VRPHWLPHV└ GR└ QRW└ KDYH└ WKH└ H[SHUWLVH└ RI└ WKH└ RWKHU└ DJHQFLHV"

358,77 └
<HV☼ └ 6HQDWRU◀ └ ,└ DJUHH◀

%22=0$1 └
7KDQN└ \RX◀

358,77 └
7KDQN└ \RX◀

%22=0$1 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└ %RR]PDQ◀ └ 6HQDWRU└ 0HUNCH\◀

0(5./(< └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ DUH└ \RX└ ┼ ┼ └ DUH└ \RX└ IDPLOLDU└ ZLWK└ WKLV└ SUHFH└ RI└ PHGLFDO└ HTXLSPHQW"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┴└┤RI└┴

358,77 └
<HV☼ └ DQ└ LQKDCHU└ LW┤ CRRNV└ OLNH"

0(5./(< └
<HV☼ └ DQ└ DWAKPD└ LQKDCHU◀ └ 7KH└ ┼ ┼ └ DUH└ \RX└ IDPLOLDU└ ZLWK└ KRZ└ PDQ\└
$PHULFDQV└ KDYH└ DWAKPD"

358,77 └
1R☼ └ 6HQDWRU☼ └ ,P└ QRW◀

0(5./(< └
:HOO☼ └ LW/└ DERXW┤ ¶ └ RXW┤ RI└ ¶ !! └ $PHULFDQV└ LQFOXGLQJ└ RYHU└ → └ PLOOLRQ└ FKLOGUHQ☼ └
VR└ LW/└ D└ SUHWW\└ VLJQLILFDQW┤ KHDWK└ SUREOHP└ DFURV└ WKH└ FRXQWU\└ DQG└ ,└ NQRZ└ ,└
KDYH└ EHHQ└ IRUWXQDWH└ QRW┤ WR└ KDYH└ DWAKPD☼ └ EXW┤ VRPH└ IRNV└ ,└ NQRZ└ ZKR└
KDYH└ DQG└ KDYH└ DWAKPD└ DWWDFNV└ IHHO└ OLNH└ WKH\UH└ VXIIRFDWLQJ└ DQG└
\RPHWLPHV└ WKH\└ JR└ LQWR└ FULVLV◀

3HRSOH└ JR└ LQWR└ FULVLV└ ZLWK└ DWAKPD☼ └ VRPHWLPHV└ WKH\└ ┼ ┼ └ WKH\└ GLH└ IURP└ LW☼ └ VR└
LW/└ D└ WHUUL I\LQJ└ FRQGLWLRQ◀ └ $QG☼ └ WKH└ (3$└ LQ└ 2FWREHU└ ┴ !! ¶ ↑ └ WAUHQJWKHQHG└
/KH└ QDWLRQDO└ DPELHQW┤ DLU└ TXDOLW\└ WADQGDUGV└ IRU└ JURXQG┼ └ CHYHO└ R]RQH◀

7KH\└ WAUHQJWKHQHG└ LW┤ WR└ → !! └ SDWW└ SHU└ ELOOLRQ└ DGMXVWLQJ└ LW┤ IURP└ → ↑ └ SDWW└ SHU└
ELOOLRQ☼ └ EHFDXVH└ WKH\└ DUJXHG└ LW┤ ZDV└ DQ└ DWWDLQDEOH└ WADQGDUG└ WKDW┤ ZRXOG└
VDYH└ ┬ └ WR└ ├ └ ELOOLRQ└ GROODUV☼ └ DQG└ LQ└ DGGLWLRQ└ RI└ FRXUVH☼ └ JUHDWO\└ LPSURYHV└ WKH└
TXDOLW\└ RI└ OLIH└ E\└ GLPLQLVKLQJ└ WKH└ DPRXQW┤ RI└ ┼ ┼ └ RI└ DWAKPD└ DWWDFNV└ DQG└ ┼ ┼ └
DQG└ GHDWKV◀ └ $QG☼ └ \RX└ FKDOCHQJH└ WKLV◀

<RX└ ┼ ┼ └ \RX└ CDXQFKHG└ D└ CDZVXLW┤ DJDLQWV┤ WKLV└ ┼ ┼ └ WKLV└ WADQGDUG◀ └ $QG☼ └ ZDV└ WKH└
EDVLV└ RI└ \RXU└ CDZVXLW┤ FRVW┼ EHCHILW┤ DQDO\VLV☼ └ WKDW┤ WKH\└ GLGQW┤ IROORZ└ WKHLU└
SURFHVV"

358,77 └
,W┤ ZDV└ QRW☼ └ 6HQDWRU◀ └ $V└ \RX└ NQRZ☼ └ XQGHU└ WKH└ 1DVK└ ♂ SK□ └ 3URJUDP☼ └ WKH└
:KLWHQ└ ♂ SK□ └ 'HFLVLRQ└ VD\V└ FRVW┤ FDQQRW┤ EH└ FRQVLGHUHG└ LQ└ D└ FULWHULD└
SROOXWDQW◀

0(5./(< └
$QG└ ZKDW┤ ZDV└ WKH└ WADQGDUG└ WKDW┤ \RX└ ZHUH└ FKDOCHQJLQJ"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ┴└↑RI└

358,77 └

,W┘ ZDV└ D└ UHFRUGV└ EDVHG└ FKDOOHQJH└ WKDW┘ WKH└ QHHG└ WR└ ┼ ┼ └ WR└ ┼ ┼ └ WR└ UDWFKHW┘ GRZQ└

IURP└ → ↑ └ SDUW└ SHU└ ELOOLRQ└ WR└ → ‼ └ SDUW└ SHU└ ELOOLRQ└ ┼ ┼ └ DV└ \RX└ NQRZ└ WKH└ → ‼ └

SDUW└ SHU└ ELOOLRQ└ KDG└ RQO\└ EHHQ└ LQ└ WKH└ RSHUDWLRQ└ IRU└ WZR└ \HDUV◀ └ $QG└ ,└

/KLQN☼ └ 6HQDWRU☼ └ LW└ LPSRUWDQW┘ IURP└ D└ SULRULW\└ SHUVSHFWLYH◀ └ $└ UHPRXUFH└

SHUVSHFWLYH└ RI└ WKH└ (3$└ ZKHQ└ ┤ ‼ └ SHUFHQW┘ RI└ WKH└ FRXQWU\└ LV└ LQ└

QRQDWWDLQPHQW┘ IRU└ RQH└ RI└ WKRVH┘ FULWHULD└ SROOXWDQWV└ SHUKDSV└ WKHUH└ VKRXOG└

EH└ IRFXV└ RQ└ KRZ└ WR└ PHHW┘ WKH└ CHYHO└ DCUHDG\└ LQ└ WDWWWH☼ └ RU└ DCUHDG\└ LQ└ UXCH└ ┼ ┼

0(5./(< └

<RX└ FKDOOHQJH└ WKLV└ EDVHG└ RQ└ WKH└ DWWDLQDELOLW\└ WDQGDUG"└ ,└ DCUHDG\└ NQRZ└

/KDW┘ ┼ ┼

358,77 └

,W┘ ZDV└ D└ UHFRUGV└ EDVHG└ FKDOOHQJH☼ └ \HV◀

0(5./(< └

,W└ DWWDLQDELOLW\└ WDQGDUG◀ └ $QG└ WKHUH└ ZHUH└ QXPHURXV└ JURXSV└ WKDW┘ ┼ ┼ └ WKDW┘

ZHLJHG└ LQ└ DQG└ VDLG☼ └ | 1R☼ └ WKLV└ LV└ WRWDOO\└ DWWDLQDECH◀ | └ $QG☼ └ ,OO└ VXEPLW┘ D└ OLW

IRU└ WKH└ UHFRUG☼ └ RI└ WKDW☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └

:LWKRXW┘ REMHFWLRQ◀

0(5./(< └

$QG☼ └ WKH└ NH\└ WR└ WKLV└ LV└ WKDW┘ E\└ LPSOHPHQWLQJ└ WKDW┘ ┼ ┼ └ E\└ WKH└ WLPH└ LW┘└

LPSOHPHQWHG└ ┼ ┼ └ LW┘ ZRXOG└ VDYH└ DQXDOO\└ ┴ ┬ ‼ ☼ ‼ ‼ ‼ └ ┼ ┼ └ DQ└ HXWLPDWH└ RI└ FRXUH└

┼ ┼ └ DWKPD└ DWDFNV┘ DPRQJ└ FKLOGUHQ☼ └ ¶ ├ ‼ ☼ ‼ ‼ ‼ └ PLWHG└ VFKRRO└ GD\V☼ └ D└

/UHPHQGRXV└ QXPEHU└ RI└ PLWHG└ ZRUNGD\V☼ └ ├ ┬ ‼ └ HPHUJHQF\└ URRP└ YLVLW┘└

DQG└ ┬ ┤ ‼ └ FDVHV└ RI└ DFXWH└ EURQFKLWLV◀

%XW☼ └ LW┘ DOVR└ ZRXOG└ VDYH└ ┼ ┼ └ EHWW┘ HXWLPDWH└ ┼ ┼ └ ┬ ┴ ‼ └ WR└ ├ ├ ‼ └ SUHPDWXUH└ GHDWKV◀

6R└ KHUH└ LV└ VRPHWKLQJ└ WKDW┘ SURIRXQGO\└ DI IHFWV└ WKH└ KHDOWK└ RI└ IRNV└ LQ└

2NODKRPD└ DQG└ IRNV└ DFURVV└ WKH└ FRXQWU\☼ └ IRNV└ LQ└ P\└ KRPH└ WDWH└ RI└

2UHJRQ◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HL 3DJH¶ ┴└┤RI└┴

6RPHWKLQJ└ WKDW└ H[SHUW└ DIWHU└ H[SHUW└ VDLG└ LV└ IXOO\└ DVVDLODEOH☼ └ DQG└ \RX└
FKDOOHQJH└ LW└ QRW└ RQ└ D└ SURFHVV└ LVVXH└ WKDW└ LV└ QRW└ RQ└ ZKHWKHU└ RU└ QRW└ WKHUH└
ZDV└ D└ FRVW╪ EHQHILW└ DQDO\VLV☼ └ EHFDXVH└ DV└ \RX└ ULJKWO\└ SRLQWHG└ RXW☼ └ FRVW└ LV└
QRW└ DOORZHG└ WR└ EH└ D└ IDFWRU☼ └ EXW└ ZKHWKHU└ LW└ ZDV└ DVVDLODEOH◀

6R☼ └ ZK\└ ILJKW└ VR└ KDUG└ RQ└ WKH└ VLGH└ RI└ WKH└ RLO└ LQGXVWU\"└ 5DWKHU└ WKDQ└ ILJKWLQJ└
RQ└ WKH└ VLGH└ RI└ WKH└ KHDOWK└ RI└ WKH└ SHRSOH└ RI└ 2NODKRPD"└ 358,77 └ 6HQDWRU☼ └
CHW└ PH└ VD\└ WR└ \RX└ ZLWK└ UHVSHFW└ WR└ WKH└ 1$6+└ SURJUDP☼ └ ZKHQ└ \RX└ CRRN└ DW└
/KH└ GRQDWDLQPHQW└ ZH└ KDYH└ LQ└ WKLV└ FRXQWU\☼ └ LVW└ SUHVHQWO\└ DURXQG└ ┤ ‼ └
SHUFHQW◀ └ ,└ WKLQN└ LQFUHDVLQJ└ WKH└ GRQDWDLQPHQW└ SHUFHQWDJH☼ └ DV└ RSSRVHG└ WR└
IRFXVLQJ└ UHVRXUFHV└ WR└ JHW└ GRQDWDLQPHQW└ LQWR└ DVVDLQPHQW☼ └ LV└ D└ YHU\└
LPSRUWDQW└ URCH└ RI└ WKH└ (3$◀

:H└ VKRXOG└ WDNLQJ└ WKRVH└ PDJJLQDO└ DQG└ PRGHUDWH└ DUHDV└ LQ└ RXU└ PDS☼ └ WKDW└
DUH└ GRQDWDLQPHQW☼ └ DQG└ ZRUN└ ZLWK└ ORFDO└ RI ILFLDOV☼ └ WKRVH└ FRXQWLHV☼ └ WKURXJK└
PRQLWRULQJ└ DQG└ DVVLWDQFH└ WR└ KHOS└ PRYH└ IURP└ GRQDWDLQPHQW└ WR└
DVVDLQPHQW◀ └ 7KDW└ LV└ D└ YHU\└ LPSRUWDQW└ JRDO└ RI└ WKH└ (3$◀ └ ,Q└ HDFK└ RI└ WKHVH└ ┤ ┤

0(5./(< └
7KDQN└ \RX◀ └ 7KDQN└ \RX◀ └ <RXYH└ PDGH└ \RXU└ SRLQW└ FCHDU◀ └ ,└ MXVW└ VLPSO\└
GLVDJUHH└ ZLWK└ \RX◀ └ 1RQH└ RI└ WKHVH└ WDQGEDUGV└ ZKHQ└ WKH\└ DUH└ VHW└ DUH└
DVVDLCHG◀ └ 7KDW└ LV└ WKH└ SRLQW◀ └ ,W└ LV└ DQ└ REVHFWLYH└ WR└ EH└ ZRUNHG└ DW└ RYHU└ WLPH◀ └
7KHUH└ ZDV└ D└ WXUDWHJ\└ WKDW└ WKLV└ PLJKW└ WDNH└ XQWLO└ ┴ ‼ ┴ ↑ └ WR└ EH└ IXOO\└
LPSCHPHQWHG◀

%XW☼ └ LQ└ WKH└ FRXUVH└ RI└ CD\LQJ└ RXW└ WKDW└ YLVLRQ└ DQG└ KDYLQJ└ IRCNV└ DFURVV└ WKH└
FRXQWU\└ ZRUN└ WRZDUGV└ WKDW└ YLVLRQ☼ └ \RX└ HQG└ XS└ VDYLQJ└ D└ WUHPHQGRXV└
DPRXQW└ RI└ PRCH\└ DQG└ D└ WUHPHQGRXV└ DPRXQW└ RI└ OLYHV◀

$QG└ ,☼ └ DV└ D└ 6HQDWRU└ IURP└ 2UHJRQ☼ └ ILJKWLQJ└ IRU└ WKH└ TXDOLW\└ RI└ OLIH└ RI└
2UHJRQLDQV☼ └ GHHSO\└ UHVHQW└ IRCNV└ ILJKWLQJ└ IRU└ RLO└ LQGXWU\☼ └ WKDW└ DUH└ WU\LQJ└ WR└
GDPDJH└ WKH└ KHDOWK└ RI└ P\└ FRQVWLWXHQWV☼ └ DQG└ $PHULFDQV└ DFURVV└ WKLV└
FRXQWU\◀ └ ,W└ LV└ D└ TXHVWLRQ└ RI└ YDOXHV◀

$QG└ YDOXLQJ└ SURILWV└ RI└ FRPSDQLHV└ RYHU└ WKH└ KHDOWK└ RI└ RXU└ FLWL]HQV└ LV└ D└
FKDUDFWHU└ LVVXH└ DQG└ WKDW└ LV└ ZKDW└ WKHVH└ KHDULQJV└ DUH└ DOO└ DERXW◀ └ :H└ DUH└
FKDUJHG└ ZLWK└ +DPLOWRQ☼ └ WR└ GHWHUPLQH└ ZKHWKHU└ RU└ QRW└ DQ└ LQGLYLGXDO└ LV└ RI└ ILW└
FKDUDFWHU◀ └ 7R└ PH└ WKLV└ LV└ D└ FKDUDFWHU└ LVVXH└ ┤ ┤ └ YDOXLQJ└ SURILWV└ RYHU└ SHRSOH╱
KHDOWK◀ └ 7KDQN└ \RX☼ └ 0U◀ └ &KDLU◀

%$55$662 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH (QYLURQPHQW DQG 3XEOLF :RUNV &RPPLWWHH +RQG 3DJH¶ ⊥└→RI └┘

7KDQN \RX ☼ 6HQDWRU 0HUNOH\◀ ,P VXEPLWWLQJ IRU WKH UHFRUG D UHSRUW E\ /KH 1DWLRQDO %ODFN &KDPEHU RI &RPPHUFH HQWLWOHG | 3RWHQWLDO ,PSDFW RI 3URSRVHG (3$ 5HJXODWLRQV RQ /RZ ,QFRPH *URXSV DQG 0LQRULWLV◀ |

7KH UHSRUW JRHV IURP ⊥ ‼ ¶ ↑ ☼ JRHV RQ WR VD\ WKDW☼ (3$ UHJXODWLRQV LQFOXGLQJ LWV UHJXODWLRQ RQ FDUERQ GLR[LGH HPLVVLRQV ZRXOG UHVXOW LQ WKH \HDU ⊥ ‼ ⊥ ‼ ☼ QHDUO\ ⊥ ‼ ‼ ☼ ‼ ‼ ‼ EODFN MREV ZRXOG EH CRWH DQG PRUH WKDQ ┬ ‼ ‼ ☼ ‼ ‼ ‼ +LVSDQLF MREV ZRXOG EH CRWH DQG DGGLWLRQDO\ WKHUH ZRXOG EH FRPPHQFHPHQW ZLWK WKLV D PHGLXP KRXVHKROG LQFRPH VLJQLILFDQW GHFUHDVHV WKURXJKRXW WKH FRPPXQLWLHV OLWHG LQ WKH UHSRUW◀ 6HQDWRU)LVFKHU◀

),6&+(5 └
7KDQN \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ $QG ZHUH ┼ ┼ └ KHUH ZH JR DJDLQ RQ URXQG WZR☼ └ VR └ ,└ DP └ KDSS\ └ WKDW ZH KDYH DQ RSSRUWXQLW\ └ WR FRQWLQXH TXHVWLRQLQJ └ ZLWK \RX └ *HQHUDO 3UXLWW◀ └ 1HEUDVND☼ └ PXFK OLNH 2NODKRPD LV D UXUDO \WDWH DQG ZLWK └ PDQ\ └ FDVHV WKH FRVWV WRZQ └ RU WKH QHLJKERU └ FDQ └ EH └ CRFDWHG └ PLCHV └ DQG └ VRPHWLPHV └ KRXUV └ DZD\◀

,Q └ 1HEUDVND └ RQH └ RI └ IRXU └ MREV └ LV └ GLUHFWO\ └ WLHG └ WR └ SURGXFWLRQ └ DJULFXOWXUH◀ └ 8QGHU └ WKLV └ DGPLQLWWUDWLRQ └ IDUPHUV └ DQG └ UDFKHUV └ IHDW └ HVSHFLDOO\ └ WDUJHWHG └ E\ └ WKH └ (3$◀ └)RU └ H[DPSOH☼ └ LQ ⊥ ‼ ¶ ¶ └ DQG ⊥ ‼ ¶ ⊥ ☼ └ (3$ └ UHJLRQ └ VHYHQ └ FRQGXFWHG └ DHULDO └ VXUYHLOODQFH └ RU └ IO\RYHUV └ RI └ IHG └ \DUGV └ LQ └ P\ └ WDWH◀ └ :KLCH └ IO\LQJ └ RYHU └ P\ └ WDWH └ WKH └ (3$ └ GRFXPHQWHG └ WKHVH └ IDFLOLWLHV └ ZLWK └ SKRWRJUDSKV◀

7KLV └ ZDV └ YHU\ └ GLVFRQFHUWLQJ └ WR └ PH └ JLYHQ └ WKDW └ PDQ\ └ OLYHVWRFN └ SURGXFHUV └ LQ └ 1HEUDVND └ DOVR └ OLYH └ DQG └ UDLVH └ WKHLU └ IDPLOLHV └ RQ └ WKHVH └ SURSHUWLHV◀ └ 1RW └ RQO\ └ ZHUH └ WKHVH └ SURGXFHUV └ QRW └ LQIRUPHG └ EHIRUHKDQG☼ └ EXW └ WKH └ (3$ └ KDV └ DOHDG\ └ GHCHJDWHG └ WKH DXWKRULWV └ WR └ FDUU\ └ RXW └ WKH &HDQ └ :DWHU └ $FW └ LQ └ 1HEUDVND └ WR └ WKH └ 6WDWH └ 'HSDUWPHQW └ RI └ (FRQRPLF ┼ ┼ └ RU └ (QYLURQPHQWDO └ 4XDOLW\◀

:KDW └ ZLOO └ \RX └ GR └ WR └ HQVXUH └ WKDW └ WKH └ (3$ └ WKLFNV └ WR └ LW└ FRUH └ PLVVLRQ └ DQG └ IXUWKHUPRUH☼ └ KRZ └ ZLOO └ \RX └ ZRUN └ ZLWK └ WKH └ UHJXODWHG └ FRPPXQLW\ └ LQFOXGLQJ └ DJULFXOWXUH └ WR └ EXLOG └ WUXVW └ DPRQJ └ FRQWLWXWHQFLHV └ WKDW └ KDYH └ EHHQ └ ,└ ZRXOG └ VD\ └ WKH └ VXEMHFW └ RI └ EXOO\LQJ └ WDFWLFV └ E\ └ WKLV └ (3$ └ WKDW └ ZH └ KDYH └ QRZ" └ 358,77 └ 6HQDWRU☼ └ DV └ ,└ LQGLFDWHG └ LQ └ P\ └ RSHQLQJ └ WDWHPHQW └ VRPH └ FRUH └ /KHPHV └ LI └ FRQILUPHG └ DV └ DGPLQLWWUDWRU └ WKDW ,└ ZRXOG └ VHHN └ WR └ FRPSO\ └ ZLWK◀ └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HW 3DJH¶ ┴└←RI└└

2QH└ LV└ SXEOLF└ SDUWLFLSDWLRQ☼ └ IXOO└ SDUWLFLSDWLRQ└ WR└ HQVXUH└ WKDW└ DOO└ YRLFHV└ DUH└ KHDUG└ DV└ WKH└ (3$└ FRQGXFWV└ LWV└ DFWLYLWLHV└ ZLWK└ UHVSHFW└ WR└ UXOHPDNLQJ└ SDUWLFXODUO\◀

$QG└ ,└ WKLQN└ WKDW└ SHUKDSV└ ZKDW└ \RX└ DUH└ UHIHUULQJ└ WR└ LV└ D└ QDFN└ RI└ WKDW└ YRLFH☼ └ RU└ RSSRUWXQLW\└ LQ└ WKH└ CDWV└ VHYHUDO└ \HDUV◀ └ $QG└ VR☼ └ ,└ ZRXOG└ ZRUN└ WR└ EXLOG└ D└ FROODERUDWLYH└ UHDWLRQVKLS└ ZLWK└ WKRVH└ WDWHV└ DV└ ,YH└ LQGLFDWHG◀

,└ WKLQN└ WKH└ 'HSDUWPHQW└ RI└ (QYLURQPHQWDO└ 4XDOLW\└ DW└ WKH└ WDWH└ CHYHO└ DUH└ YDOXDEOH└ SDUWQHUV└ WKDW└ ZH└ QHHG└ WR└ UHVSRUH└ WKHLU└ FRQILGHQFH└ LQ└ WKH└ SDUWQHUVKLS└ ZLWK└ WKH└ (3$└ DQG└ WKHQ└ VHHN└ WR└ OLWHQ└ WR└ WKH└ FRPPXQLW\└ FRQFHUQV└ LQ└ DGGUHVVLQJ└ DQG└ UHVSRQGLQJ└ WR└ HQYLURQPHQWDO└ LVVXHV

),6&+(5 └
7KDQN└ \RX◀ └ ,Q└ RQH└ RI└ KHU└ H[LW└ LQWHUYLHZV└ (3$└ $GPLQLWUDWRU└ *LQD└ 0F&DUWK\└ KDV└ DGPLWWHG└ WKDW└ VKH└ KDV└ KDG└ D└ EDG└ UHDWLRQVKLS└ ZLWK└ DJULFXOWXUH└ DQG└ ZLWK└ WKH└ DJULFXOWXUDO└ FRPPXQLW\└ DQG└ VKH└ OLWHG└ LW└ DV└ RQH└ RI└ KHU└ UHJUHWV◀

,└ WKLQN└ D└ EDG└ UHDWLRQVKLS└ LV└ DQ└ XQGHUWDWHPHQW└ LQ└ WKLV└ FDVH◀ └ 7KLV└ DGPLQLWUDWLRQ└ (3$└ SKLORVRSK\└ LV└ GLDPHWULFDOO\└ RSSRVHG└ WR└ WKH└ LGHD└ /NDW└ IDUPHUV└ FDQ└ EH└ JRRG└ WHZDUGV└ RI└ RXU└ CDQG☼ └ RXU└ ZDWHU☼ └ RXU└ HQYLURQPHQW└ DQG└ LQWHDG└ LW└ VHHPG└ WKDW└ WKLV└ DGPLQLWUDWLRQ└ (3$└ ZDQWHG└ WR└ UHJXODWH└ DQG└ LQ└ VRPH└ FDVHV└ LW└ CRRNHG└ OLNH└ WKH\└ ZDQWHG└ WR└ SUHYHQW└ IDUPLQJ◀

7KH└ DJULFXOWXUDO└ FRPPXQLW\└ LV└ ORRNLQJ└ IRUZDUG└ WR└ D└ QHZ└ CHDGHUVKLS└ ZLWK└ /NH└ (3$└ DQG└ ZRUNLQJ└ ZLWK└ \RX◀ └ $QG└ 0U◀ └ &KLUPDQ☼ └ ,└ KDYH└ KHUH└ VRPH└ \WDWHPHQW└ IURP└ DJULFXOWXUH└ RI ILFLDOV└ DQG└ JURXSV└ WKDW└ ,└ ZRXOG└ OLNH└ LQVHUWHG└ LQWR└ WKH└ UHFRUG◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

),6&+(5 └
$QG☼ └ LI└ ,└ PD\☼ └ ,└ ZRXOG└ FORVH└ E\└ TXRWLQJ└ D└ IHZ└ RI└ WKRVH◀ └ -LP└ 5HHVH☼ └ WKH└ 2NODKRPD└ 6HFUHWDU\└ RI└ $JULFXOWXUH└ VD\V└ WKDW☼ └ | 6FRWW└ 3UXLWW└ ZLOO└ FRQWLQXHG└ (3$V└ HIIRUW└ WR└ SURWHFW└ RXU└ HQYLURQPHQW☼ └ EXW└ ZLWK└ UHVSHFW└ WRZDUGV└ CDQG└ RZQHUV☼ └ WD[SD\HUV☼ └ PXQLFLSDOLWLHV☼ └ EXVLQHVVHV└ DQG└ &RQJUHVV◀ |

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDOWK 3DJH¶ ┴└ R╢ ┴└

7KDW└ LV└ QLFH└ WR└ KHDU☼ └ VLU◀ └ 7UR\└ 6/LOOZDWHU☼ └ 1HEUDVND└ &DVWOHPDQ└ 3UHVLGHQW└
WDWHG☼ └ | 6LPSO\└ SXW☼ └ 0U◀ └ 3UXLWW└ VHHV└ FCHDLD\└ WKDW└ DJULFXOWXUH└ DQG└
HQYLURQPHQW└ DUH└ QRW└ RSSRVLQJ└ WHUPV☼ └ EXW└ UDWKHU☼ └ WKH\└ DUH└
FRPSOHPHQWDU\◀

+H└ ZLOO└ ZRUN└ WR└ FXOLYDWH└ WKH└ UHDWLRQVKLSV☼ └ ZKLFK└ ZLOO└ CHDG└ WR└ WKH└ 8QLWHG└
6/DWHV└ CHDGLQJ└ LQ└ IRRG└ DQG└ ILEHU└ SURGXFWLRQ☼ └ ZKLCH└ LPSURYLQJ└ WKH└
HQYLURQPHQW└ LQ└ ZKLFK└ LW└ LV└ DFFRPSOLVKHG◀ | └ $JDLQ☼ └ ,└ DP└ KDSS\└ WR└ ┼ ┼ └ WR└ CRRN└
IRUZDUG└ WR└ WKDW└ UHDWLRQVKLS└ EHLQJ└ HWDEOLVKHG└ DJDLQ☼ └ VR└ WKDW└ DOO└ SDUW└ RI└
RXU└ VRFLHW\└ KHUH└ LQ└ WKLV└ FRXQWU\└ FDQ└ SDUWLFLSDWH└ DQG└ UHFHLYH└ WKH└
UHFRJQLWLRQ└ WKDW└ ZH└ DUH└ JRRG└ \WHZDUGV└ RI└ WKH└ CDQG◀

,I└ FRQILUPHG☼ └ ZKDW└ ┼ ┼ └ ZKDW└ ZLOO└ EH└ \RXU└ UHDWLRQVKLS└ ZLWK└ WKH└ DJULFXOWXUDO└
FRPPXQLW\"└ $UH└ \RX└ JRLQJ└ WR└ HQIRUCH└ FXUUHQW└ CDZ☼ └ DQG└ ZLOO└ \RX└ DOVR└
UHVSHFW└ WKH└ OLPLW└ WKDW└ ZH└ KDYH└ RQ└ WKRVH└ CDZV"

358,77 └
<HV☼ └ RQ└ ERWK└ DFFRXQW☼ └ 6HQDWRU◀ └ $QG└ DOVR└ WKH└ WKHPH└ WKDW└ ,└ PHQWLRQHG└ LQ└
P\└ RSHQLQJ└ \WDWHPHQW└ WKDW└ ,└ ZRXOG└ KLJKOLJKW└ DJDLQ☼ └ LV└ WKDW└ ZH└ ┼ ┼ └ ZH└ QHHG└
/R└ UHMHFW└ WKLV└ SDUDGLJP└ WKDW└ LI└ \RXUH└ SUR┼ └ HQHUJ\└ \RXUH└ DQWL┼ HQYLURQPHQW☼ └
LI└ \RXUH└ SUR┼ HQYLURQPHQW☼ └ \RXUH└ DQWL┼ └ HQHUJ\◀

,└ EHOLHYH└ WKDW└ ZH└ DV└ D└ FRXQWU\└ KDYH└ GHPRQVWUDWHG☼ └ ZHYH└ PDGH└ JUHDW└
SURJUHVV└ VLQFH└ WKH└ ¶ → ‼ V└ LPSURYLQJ└ RXU└ DLU└ TXDOLW\└ DQG└ SURWHFWLQJ└ RXU└
ZDWHUV◀ └ :H└ FDQ└ JURZ└ DQ└ HFRQRP\└ DQG└ DOVR└ SURWHFW└ DQG└ EH└ D└ JRRG└
\WHZDUG└ RI└ RXU└ HQYLURQPHQW◀ └ $QG└ ZH└ QHHG└ WR└ UHWXUQ└ WKDW└ SURSHU└ EDODQFH└
DQG└ FRPPLWPHQW└ WR└ ERWK☼ └ DV└ ZH└ VHHN└ WR└ GR└ RXU└ MRE◀

),6&+(5 └
7KDQN└ \RX◀ └ $V└ ,└ ┼ ┼ └ DV└ ,└ VDLG└ HDUOLHU☼ └ HYHU\└ PHPEHU└ RI└ WKLV└ FRPPLWWHH└
EHOLHYHV└ LQ└ FCHDQ└ DLU☼ └ FCHDQ└ ZDWHU◀ └ :H└ ZDQW└ DQ└ HQYLURQPHQW└ WKDW└ LV└ ┼ ┼ └ WKDW└
LV└ UHVSHFWHG└ ZKHUH└ ZH└ FDQ└ PDQDJH└ RXU└ QDWXUDO└ UHVRXUFHV└ LQ└ D└
UHVSRQVLEOH└ PDQQHU☼ └ VR└ WKDQN└ \RX☼ └ VLU◀

358,77 └
<HV☼ └ 0DDP◀

%$55$662 └
7KDQN└ \RX☼ └ 6HQDWRU└)LVFKHU◀ └ 6HQDWRU└ &DUGLQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ┼└!!RI└└

&$5',1 └

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ ,└ ZDQW└ WR└ WU\└ WR└ JHW└ \RXU└ XQGHUVWDQGLQJ☼ └ ,└ KHDUG└ \RX└ VD\└ WKDW└ \RX└ ZDQWHG└ WR└ VHH└ WKH└ UHJXODWLRQV└ DQG└ CDZV└ SUHGLFWDEOH☼ └ VR└ WKDW└ WKH└ WDNHKROGHUV└ NQRZ└ H[DFWO\└ ZKDW└ LV└ UHTXLUHG☼ └ VR└ WKHUHV└ CDFN└ RI└ ┼ ┼ └ WKHUHV└ QR└ FRQIXVLRQ◀ └ 6R└ ,└ ZDQW└ WR└ FRQFHQWUDWH└ RQ└ WKH└ ZDWHUV└ RI└ WKH└ 8◀ 6◀

%HFDXVH☼ └ HYHU└ VLQFH└ WKH└ 6XSUHPH└ &RXUW└ GHFLVLRQ☼ └ WKHUH└ KDV└ EHHQ└ DQ└ XQFHUWDLQW\└ DV└ WR└ ZKDW└ ZDWHUV└ DUH└ LQ└ IDFW└ VXEMHFW└ WR└ UHJXODWLRQ└ E\└ WKH└ IHGHUDO└ JRYHUQPHQW└ DQG└ ZKDW└ ZDWHUV└ DUH└ QRW◀ └ 'R└ \RX└ EHOLHYH└ WKDW☼ └ WKDW└ FDULW\└ VKRXOG└ EH└ VHW└ E\└ WKDWWWH☼ └ RU└ VKRXOG└ LW└ EH└ VHW└ E\└ UHJXODWLRQV└ IURP└ /KH└ ($"

358,77 └

6HQDWRU☼ └ ,└ WKLQN└ LW\└ D└ JUHDW└ ┼ ┼ └ D└ JUHDW└ TXHVWLRQ☼ └ DQG└ \RX└ CRRN└ DW└ WKH└ VHULHV RI└ FDVHV└ JRLQJ└ EDFN└ WR└ %D\YLHZ☼ └ DOO└ WKH└ ZD\└ EDFN└ WR└ 5DSDQRV◀ └ ,└ WKLQN└ /KDW└ \RXUH└ H[DFWO\└ ULJKW◀ └ 7KH└ GHILQLWLRQ└ LQ└ WKH└ &HDQ└ :DWHU└ $FW└ VD\V└ WKDW└ QDYLJDEOH└ ZDWHUV☼ └ DUH└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6WDWHV◀ └ 7KDW└ GRHVQW└ SURYLGH└ D└ JUHDW└ GHDO└ RI└ FODULW\└ WR└ WKRVH└ WKDW└ DGPLQLWWHU└ WKH└ CDZ◀

$QG└ ,└ WKLQN└ WKH└ ($$└ WDNLQJ└ WWHSV└ WR└ SURYLGH└ FODULW\└ LV└ LPSRUWDQW☼ └ DEVHQW└ &RQJUHVV└ UHVSRQGLQJ◀ └ 6R└ ,└ ┼ ┼ └ ,└ WKLQN└ WKDW└ SHUKDSV└ WKHUH└ LV└ D└ WLPH└ DQG└ SODFH└ IRU└ $UWLFOH└ ,└ UHVSRQVH☼ └ &RQJUHVLRQDO└ UHVSRQVH└ WR└ ZKDW└ WKLV└ ERG\└ PHDQV└ ZKHQ└ LW└ VD\V└ CDYLJDEOH└ ZDWHUV☼ └ RU└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6WDWHV◀

&$5',1 └

$QG☼ └ RI└ FRXUVH☼ └ WKH└ &RQJUHVV☼ └ IRU└ ZKDWHYHU└ UHDVRQV☼ └ IRU└ D└ CRQJ└ SHULRG└ RI└ /LPH☼ └ KDV└ QRW└ EHHQ└ DEOH└ WR└ UHVSRQG└ DV└ WR└ ZKDW└ ZH└ WKLQN└ WKH└ GHILQLWLRQ└ RI└ /KH└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ └ VKRXOG└ EH◀ └ 7KH└ $GPLQLWWUDWLRQ└ GLG└ FRPH└ IRUZDUG└ ZLWK└ SURSRVHG└ UHJXODWLRQV☼ └ ZKLFK└ ZHUH└ UHVLWHG└ E\└ PDQ\└ RI└ WKH└ \WDNHKROGHUV└ WKDW└ \RX└ DUH└ DZDUH└ RI◀

+RZ└ ZRXOG└ \RX└ ┼ ┼ └ ZKDW└ GLG└ ┼ ┼ └ ZKDW└ ZRXOG└ ┼ ┼ └ KRZ└ ZRXOG└ \RX└ GHILQH└ WKH└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ "└ :KDW└ ZDV└ ZURQJ└ LQ└ WKH└ UHJXODWLRQ"└ ,└ GRQW└ ZDQW└ WR└ JR└ /KURXJK└ DOO└ WKH└ GHWDLOV☼ └ EXW└ WHOO└ PH☼ └ \RX└ NQRZ☼ └ ZKHUH└ GR└ \RX└ WKLQN└ ZH└ VKRXOG└ UHJXODWH"

<RX└ DUHDG\└ VDLG└ PRUH└ WKDQ└ MKWW└ QDYLJDEOH☼ └ VR└ ZKDW└ ┼ ┼ └ ZKDW└ ┼ ┼ └ KRZ└ GR└ ZH└ GHILQH└ LW"└ +RZ└ GR└ \RX└ GR└ LW"└ :KHUH└ GLG└ WKH└ $GPLQLWWUDWLRQ└ JR└ ZURQJ"

AMERICAN OVERSIGHT

358,77 └

7KH└ FKDOOHQJH☼ └ XS└ XQWLO└ ORZ☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ FXUUHQW└ UXOH☼ └ WKLV└ LQYROYHV└ DFWXDOO\└ DQ└ HUURU└ FDVH☼ └ WKH└ 8◀ 5◀ └ FDVH└ ZKHUH└ -XVWLFH└ 6FDOLD└ /DQHG└ DERXW└ WKH└ FRXQWHUEDODQFH└ WR└ 0DVVDFKXVHWWV└ (3$└ ZKHUH└ WKH└ \WHSV└ /DQHQ└ E\└ WKH└ (3$└ WR└ WDNH└ WKH└ HQGDQJHUPHQW└ ILQGLQJ└ LQ└ ⊥ ‼ ‼ └ WKDW└ GHDW└ ZLWK└ PRELOH└ ┼ ┼ └ 7LWOH└ ,,└ PRELOH└ VRXUFHV◀

$QG└ WKHQ└ OLQN└ WKDW└ RYHU└ WR└ WKH└ 36'└ SURJUDP└ ZDV└ VRPHWKLQJ└ WKDW└ -XVWLFH└ 6FDOLD└ VDLG☼ └ WUDQVIRUPHG└ WKH└ WDWWWWH└ DQG└ ZDV└ QRW└ ODZIXO└ RU└ FRQWWLWWXWLRQDO◀ └ ,└ WKLQN└ WKH└ VDPH└ WKLQJ└ SHUKDSV└ LV└ JRLQJ└ RQ└ ZLWK└ WKH└ FXUUHQW└ UXOH☼ └ WKDW└ /KHUH└ UHDOO\└ LVQW└ ┼ ┼ └ ZKHQ└ \RX☼ └ ZKHQ└ \RX└ DUH└ FODWWLI\LQJ└ GU\└ FUHHN└ EHGV└ LQ└ 6RXWKHDWW└ 2NODKRPD└ WKDW└ DUH└ GU\└ ‼ └ SHUFHQW└ RI└ WKH└ \HDU☼ └ DV└ D└ ZDWHU└ RI└ /KH└ 8QLWHG└ 6WDWHV☼ └ WKDW└ FHDU└ LV└ VRPHWKLQJ└ WKDW└ LV└ ◀ ◀ ◀

&$5',1 └

6LU☼ └ WKH└ DGPLQLWWUDWLRQ└ LQ└ LWW└ UHJXODWLRQ└ KDG└ FHUWDLQ└ H[FHSWLRQV└ WKDW└ WULHG└ /R└ GHDO└ ZLWK└ WKDW◀ └ <RX└ REYLRXVO\└ GLGQW└ WKLQN└ WKRVH└ H[FHSWLRQV└ ZKHUH└ FHDU└ HQRXJK"

358,77 └

:HOO☼ └ DFWXDOO\└ WKH└ 6L[WK└ &LUFXLW└ VDLG└ WKDW☼ └ WKDW└ WKRVH└ FODUL ILFDWLRQV└ ZHUH└ QRW└ VXIILFLHQW◀ └ ,└ ZRXOG└ DJUHH└ ZLWK└ \RX└ 6HQDWRU└ &UGLQ└ WKDW└ ,└ EHOLHYH└ WKH└ FODULW\└ DURXQG└ WKLV└ GHILQLWLRQ☼ └ WKH└ MXULVGLFWLRQ└ RI└ WKH└ (3$└ LV└ HVVHQWLDO└ WR└ JHW└ ULJKW└ DQG└ WR└ DGGUHVV◀

$QG└ DV└ ,└ LQGLFDWHG└ HDUOLHU└ WR└ VRPH└ TXHVWLRQV☼ └ WKH└ 6XSUHPH└ &RXUW└ LV└ DFWXDOO\└ WDNHQ└ XS└ D└ PDWWHU└ IURP└ ODWW└)ULGD\☼ └ LVW└ PRUH└ MXULVGLFWLRQDO└ DQG└ QRW└ PHULW└ EDVHG☼ └ EXW└ WKH└ UHVSRQVH└ E\└ &RQJUHVV☼ └ WKH└ UHVSRQVH└ WR└ SURYLGH└ FODULW\└ SHUKDSV└ LV└ D└ YHU\└ LPSRUWDQW└ WWHS└ WR└ WDNH◀

&$5',1 └

:HOO☼ └ ,└ ZDQW└ WR└ SXUVXH└ WKLV└ DQG└ ,└ WKLQN└ PD\EH└ DVN└ TXHWWLRQV└ IRU└ WKH└ UHFRUG└ DV└ WR└ VSHFLILF└ SURYLVLRQV└ WKDW└ \RX└ EHOLHYH└ VKRXOG└ EH└ LQ└ WKDW└ UXOH└ /KDW└ ZRXOG└ EH└ WKDQ└ WKH└ SURSRVHG└ UXOH└ DQG└ ,└ DSSUHFLDWH└ UHVSRQVH└ WR└ WKDW└ \RU└ ZH└ FDQ└ WU\└ WR└ VHH└ ZKHUH└ ZHUH└ KHDGLQJ└ LQ└ \RXU└ WKRXJKW└ SURFHVV└ DV└ WR└ KRZ└ \RX└ GHILQH└ WKH└ UHJXODWHG└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ └ 7KDW└ ZRXOG└ EH└ KHOSIXO└ WR└ XV◀

AMERICAN OVERSIGHT

358,77 └

$QG└ ┼ ┼ └ DQG└ ,└ WKLQN└ 6HQDWRU☼ └ WKH└ UHDVRQ└ WKDW└ GL╎ILFXOW☼ └ DV└ \RX└ NQRZ└ LV└ EHFDXVH└ LQ└ WKDW└ SURFHVV☼ └ ZKDWHYHU└ SURFHVV└ WKDW└ ZRXOG└ WDNH└ ┼ ┼ └ WDNH└ SODFH☼ └ WKDW└ ZRXOG└ EH└ UXCH└ PDNLQJ☼ └ ZKLFK└ PHDQV└ WKDW└ WKHUHG└ EH└ FRPPHQW└ DQG└ ◀ ◀ ◀

&$5',1 └

:HOO☼ └ ,└ XQGHUVWDQG└ WKDW◀ └ ,P└ QRW└ WU\LQJ└ WR└ JHW└ HYHU\└ ,└ GRWWHG☼ └ HYHU└ 7└ ┼ ┼ └ MXW ZDQW└ WR└ JHW└ \RXU└ SKLORVRSK\└ DV└ WR└ ZKHUH└ WKH└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ └ OLQHV└ ZRXOG└ EH└ GUDZQ└ DQG└ ZKHUH└ \RX└ WRRN└ H[FHSWLRQ└ WR└ WKH└ UHJXODWRU\└ HI╎RUW└ RI└ WKH└ 2EDPD└ DGPLQLWUDWLRQ◀

/HW└ PH└ JHW└ WR└ WKH└ VHFRQG└ SRLQW☼ └ LI└ ,└ PLJKW└ RQ└ IUDFNLQJ◀ └)UDFNLQJ└ DQ└ LQWHUHVWLQJ└ DUHD└ EHFDXVH└ LW└ WDWH└ UHJXODWHG└ SULQFLSDOO\◀ └ 7KHUH└ YHU\└ IHZ└ IHGHUDO└ UHJXODWLRQV◀ └ 7KHUH└ EHHQ└ ┼ ┼ └ DQG└ P\└ WDWH└ KDV└ JDV└ GHSRVLW└ WKDW└ FRXOG└ EH└ VXEMHFW└ WR└ IUDFNLQJ└ DQG└ 3HQQ\OYDQLD☼ └ RXU└ GHLJKERULQJ└ WDWH└ KDV└ GRQH└ WKDW◀

7KHUH└ EHHQ└ VRPH└ SURECHPV└ ZLWK└ SROOXWLQJ└ ┼ ┼ └ SROOXWLRQ└ LQ└ ZDWHU◀ └ :H└ NQRZ└ DERXW└ WKH└ JDV└ UHCHDUHV☼ └ LW└ DOUHDG\└ EHHQ└ WDONHG└ DERXW◀ └ 7KHUH└ VRPH└ FRQFHUQ└ SDUWLFXODU\└ ZLWK└ GHHS└ ZHOO└ GULOOLQJ└ WKDW└ ZKHQ└ \RX└ LQMHFW└ WKH└ IOXLGV└ EDFN└ LQWR└ WKH└ FDYLWLHV└ WKDW└ LW└ PD\└ FDXVH└ LQWDELOLW\◀

,Q└ \RXU└ WDWH☼ └ ,└ NQRZ└ WKHUH└ ZHUH└ D└ QRW└ RI└ HDUWKTXDNHV◀ └ 7KHUHYH└ EHHQ└ /DONLQJ└ DERXW└ KRZ☼ └ ZKHWKHU└ WKHVH└ HDUWKTXDNHV└ ZHUH└ PRWLYDWHG└ E\└ WKH└ IUDFNLQJ└ DFWLYLWLHV└ RU└ QRW◀ └ +RZ└ ZHOO└ KDYH└ WKH└ WDWHV└ UHJXODWHG└ IUDFNLQJ└ DQG└ ZKHUH└ GR└ \RX└ VHH└ WKH└ IHGHUDO└ URCH└ VKRXOG└ EH└ LQ└ SURWHFWLQJ└ RXU└ HQYLURQPHQW└ IURP└ IUDFNLQJ"

358,77 └

:HOO☼ └ ,└ WKLQN└ ┼ ┼ └ ,P└ JODG└ \RYH└ PHQWLRQHG└ WKH└ WDWH└ URCH└ EHFDXVH└ ZHYH└ DFWXDOO\└ EHHQ└ UHJXODWLQJ└ K\GUDXOLF└ IUDFNLQJ└ LQ└ 2NODKRPD└ VLQFH└ WKH└ ODWH¶ ┼ ‼ V☼ └ HDUO\└ ¶ ↑ ‼ V◀ └ ,W└ ┼ ┼ └ LW└ GRW└ D└ QHZ└ SURFHVV◀ └ +RUL]RQWDO└ GULOOLQJ└ L EXW└ WKH└ K\GUDXOLF└ IUDFWXULQJ└ SURFHVV└ LV└ GRW└ DQG└ PDQ\└ WDWHV└ KDYH└ EHHQ└ YHU\└ DJJUHVVLYH└ DW└ UHJXODWLQJ└ IRU└ D└ QXPEHU└ RI└ GHFDGHV◀

:LWK└ UHVSRQVH└ WR└ ┼ ┼ └ UHVSRQVH└ WR└ WKH└ VHLVPLF└ LWXH└ WKDW└ \RXUH└ WDONLQJ└ DERXW☼ └ WKH└ HDUWKTXDNHV└ LQ└ 2NODKRPD☼ └ WKH└ &RUSRUDWLRQ└ &RPPLVVLRQ└ KDV└ DFWXDOO\└ GHFDUHG└ RI└ OLPLW└ FHUWDLQ└ GULOOLQJ└ DFWLYLW\└ LQ└ KRW└ VSRW└ DUHDV◀ └ 7KH\YH└ WDNHQ└ D└ YHU\└ DJJUHVVLYH└ DSSURDFK◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HL 3DJH¶ ┼└┬RI└└

$QG└ ,└WRR└ VKDUH└WKHLU└ FRQFHUQ◀ └ ,YH└ EHHQ└ LQ└ FRQYHUVDWLRQ└ ZLWK└WKH└
FRPPLWWHHUV└ DW└WKH└ &RUSRUDWLRQ└ &RPPLWWHQ◀ └ 7KDW\└ ZKR└ KDV└
VXUVGLFWLRQ└ LQ└WKLV└ PDWWHU◀ └ $QG└WKH\└ KDYH└WDNHQ└ DJDLQ└ └YHU\└ PHDQLQJIXO└
WWHSV└WR└GHFDUH└ RII└ OLPLW└ FHUWDLQ└ GULOOLQJ└ DFWLYLWLV└WR└WU\└WR└ VHH└ LI└ LW└ ZLOO└ LV
KHOS└ UHGXFH└WKH└ QXPEHU└ RI└ HDUWKTXDNHV└ KDSSHQLQJ└ LQ└ 2NODKRPD└ └DQG└ LW└
KDV└ KHOSHG◀

&$5',1 └
7KDQN└ \RX◀ └ 7KDQNV└ 0U◀ └ ◀ ◀ ◀

%$55$662 └
7KDQN└ \RX◀ └ 7KDQNV└ 0U◀ └ ┼ ┼ └WKDQN└ \RX└ 6HQDWRU└ &DUGLQ◀ └ 6HQDWRU└ ,QKRIH"

,1+2)(└
7KDQN└ \RX└ 0U◀ └ &KDLUPDQ◀ └ ,└ KDYH└WZR└ XQLTXH└ 6HQDWH└ UHTXHVWV└ └VR└ GRQW└
WWDUW└ P\└ FORFN└ \HW◀ └ 2QH└ LV└ └ ,└ UHDOO\└ EHOLHYH└ DQG└ SHUKDSV└ ,P└ D└ OLWWOH└ ELW└
VHQVLWLYH└WR└WKLV└ EXW└WKDW└ └ 0U◀ └ 3UXLWW└ LQWHJULW\└ KDV└ EHHQ└ SXW└ LQWR└ TXHVWLRQ└
ZLWK└WKH└ DFFXVDWLRQV└ RI└ FRQWULEXWLRQV└WR└ KLV└ FDPSDLJQ◀

,G└ OLNH└WR└ NHHS└ LQ└ PLQG└WKDW└ DQWKRXJK└WKH└ RLO└ LQGXVWU\└ LV└ D└ KXJH└ LQGXVWU\└ LQ└
ΛKH└ 8QLWHG└ 6WDWH└ RI└ 2NODKRPD◀ └ 7KH\└ KDYH└WKLQJV└ FDOOHG└ 3$&V└ ZKHUH└WKH└
PLGGOH└ LQFRPH└ SHRSOH└ ZLOO└ VD\└ └ \HV└ └ ZH└ DUH└ ┼ ┼ └ \RX└ NQRZ└ └WKH\└ VXSSRUWHG└
PH└ DOVR◀

%XW└ ,└ ZRXOG└ ┼ ┼ └ ,└WKLQN└WKDW└ ZH└ QHHG└WR└ KDYH└ LQ└WKH└ UHFRUG└WKDW└WKHUH└ DUH└
VRPHWKLQJV└WKDW└ DUH└ JRLQJ└ RQ└WKDW└ VKRXOG└ QRW└ EH└ JRLQJ└ RQ└ └ DQG└WKLV└
DIIHFWV└WKH└ 'HPRFUDWV└ DQG└ QRW└WKH└ 5HSXEOLFDQV◀ └ 7KHUHV└ D└ JX\└ QDPHG└ └
7RP└ 6PLHU└ ♂ SK□ └ DQG└ ,P└ JRLQJ└WR└ SXW└WKLV└ LQ└WKH└ UHFRUG└ └ ZKR└ DFWXDOO\└ VDLG└
KH└ ZDV└ JRLQJ└WR└ SXW└ • ¶ ‼ ‼ └ PLOOLRQ└ LQWR└ FDPSDLJQV└ RI└WKH└ LQGLYLGXDOV└
ΛDONLQJ└ DERXW└WKH└ JCREDO└ ZDUPLQJ└ DQG└ ZKDW└WKH\└ H[SHFWHG◀ └ ,└ ┼ ┼ └ LQ└ ⊥ ‼ ¶ ├ └
KH└ GLGQW└ GR└WKDW◀

+H└ RQO\└ SXW└ LQ└ ┼ ┼ └ ,P└ VRUU\└ └ ¶ ┤ └ ┼ ┼ └ • → ↑ └ PLOOLRQ└ RI└ KLV└ RZQ└ PRQH\◀ └ ,Q└ ⊥
KH└ ZDV└WKH└ CDUJHWW└ FRQWULEXWRU└ SXWWLQJ└ LQ└ • ← ├ └ PLOOLRQ└ RI└ KLV└ RZQ└ PRQH\◀ └
,P└ QRW└ JRLQJ└WR└ UHDG└WKLV└ EHFDXVH└ LW└ GRHV└ UHICHFW└WKH└ QDPHV└ RI└ SHRSOH└
ZKR└ DUH└ DW└WKLV└ GDLV◀ └ ,└ DVN└WKDW└WKLV└ └ \RX└ NQRZ└ └WR└ FRQVHQW└WR└WKLV└ EHLQJ└
HQWHUHG└ LQWR└WKH└ UHFRUG◀

%$55$662 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ┬└┤R└└

:LWKRXW┘ REMHFWLRQ◀

,1+2)(└
$GRWKHU└ WKLQJ└ ┼ ┼

&$53(5 └
,G└ UHDOO\└ OLNH└ WR└ REMHFW┘ ┼ ┼ └ ,└ QHHG└ WR└ DVN└ IRU└ D└ FODULILFDWLRQ└ IURP└ P\└ IULHQG└
IURP└ 2NODKRPD◀ └ 7KH└ ┼ ┼ └ WKH└ PRQLHV└ WKDW┘ \RXUH└ UHIHUULQJ└ WR☼ └ ZHUH└ WKRVH└
GRQDWLRQV└ WKDW┘ ZHUH└ GLVFORVHG☼ └ IXOO\└ GLVFORVHG"

,1+2)(└
2K└ \HV☼ └ ,└ EHOLHYH└ WKH\└ ZHUH◀

&$53(5 └
7KHQ└ WKDW┘ GRHV└ QRW┘ VRXQG└ OLNH└ GDUN└ PRQH\└ WR└ PH◀

,1+2)(└
:HOO☼ └ DOO└ ULJKW◀ └ $Q\ZD\└ RQ└ WKH└ ODWW┘ TXHVWLRQ└ WKDW┘ ┼ ┼ └ WKDW┘ 0U◀ └ 3UXLWW┘ KDG└
FRQFHUQLQJ└ WKH└ HDUWKTXDNHV☼ └ ,G└ OLNH└ WR└ PDNH└ WKLV└ D└ SDUW┘ RI└ WKH└ UHFRUG☼ └
EHFDXVH└ ,P└ VXUSULVHG☼ └ \RX└ JX\V└ WKDW┘ WKH└ 2NODKRPD└ &RUSRUDWLRQ└
&RPPLWWLRQ└ KDV└ UHDOO\└ IRFXVHG└ LQ└ RQ└ WKLV└ WKLQJ└ DQG└ WDONHG└ ┼ ┼ └ DQG└ WDONHG└
DERXW┘ WKLV└ LV└ ZDWHU└ ZDWHU└ DQG└ GLVSRVDO└ ZHOOV└ WKDW┘ ZHUH└ FRQFHUQHG└ ZLWK◀

7KH\└ FODPSHG└ GRZQ└ RQ└ LW┘ DQG└ \RXUH└ H[DFWO\└ ULJKW┘ LQ└ \RXU└ UHVSRQVH└ WR└
/KH└ TXHVWLRQ☼ └ H[FHSW┘ \RX└ GLGQW┘ JR└ IDU└ HQRXJK◀ └ ,Q└ ┴ ‼ ¶ ├ ☼ └ WKH\└ DFWXDOO\└
UHGXFHG└ WKH└ HDUWKTXDNHV└ E\└ ┬ ¶ └ SHUFHQW◀ └ $QG└ VR└ ZH└ DUH└ GRLQJ☼ └ LQ└ WKH└
\WDWH└ RI└ 2NODKRPD└ VRPHWKLQJ└ WKDW┘ LV└ ┼ ┼ └ LV└ ┼ ┼ └ ZHYH└ EHHQ└ FRPSOHPHQWHG└
DERXW☼ └ WKH└ IDFW┘ WKDW┘ ZH└ DUH└ WDNLQJ└ WKH└ ┼ ┼ └ WDNLQJ└ WKHMH└ ┼ ┼ └ WKHMH└ DFWLRQV◀ └ 6R
,G└ OLNH└ WR└ PDNH└ WKLV└ DV└ D└ SDUW┘ ◀ ◀ ◀

›$55$662 └
:LWKRXW┘ REMHFWLRQ◀

,1+2)(└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ┼└↑R└└

◀◀◀└RI└WKH└UHFRUG◀└1RZ☼└WKH└RWKHU└WKLQJ└,└ZDQW└WR└EULQJ└RXW☼└DQG└,YH└GRQH└
/KLV└EHIRUH└EXW-,└ZDVQW-JRLQJ└WR└GR└LW-XQWLO└SHRSOH└NHHS-WDONLQJ└DERXW-WKH└
VFLHQWLVW-DQG└DOO└WKH└VFLHQFHV☼└DQG└DOO└WKH└VFLHQWLVW└┼┼└DQG└,└NQRZ└WKDW-
SHRSOH└ZDQW-WR└EHOLHYH└WKDW◀

%XW-,└UHPHPEHU└VR└ZHOO☼└\RX└NQRZ└┼┼└JR└DKHDG└DQG└WDON-WKH└FORFN☼└WKDW└
ILQH└┼┼└,└UHPHPEHU└VR└ZHOO└┼┼

♂81.12:1□└
:H└MXVW-ZDQW-WR└PDNH└VXUH└WKDW-WKH└FORFN└GRHVQW-MXVW-JHW-WRSSHG└IRU└WKH└
5HSXEOLFDQV└DQG└UXQV└IRU└XV◀

,1+2)(└
<RXUH└┼┼└\RXUH◀◀◀

♂81.12:1□└
:HOFRPH└IRUPHU└FKDLU└◀◀◀

,1+2)(└
<HDK☼└\RXUH└D└┼┼└\RX└DUH└DCHUW☼└,└ZRXOG└VD\└WKDW-WR└P\└IULHQG◀

♂/$8*+7(5□

,1+2)(└
$Q\ZD\☼└,└FDQ└UHPHPEHU└ZKHQ└,└ZDV└JRLQJ└WR└JR└RYHU└WR└┼┼└ZLWK└HYHU\└
\HDU└WKH└8◀1◀└KDV└D└ELJ└SDUW\☼└WKH\└LQYLWH└HYHU\RQH└WR└FRPH└┼┼└FRPH└LQ└
DQG☼└,└ZDV└JRLQJ└WR└JR-WR└&RSHQKDJHQ-WR└EH-WKH└RQH└PDQ-WDXWK└VTXDG☼└
ZKLFK└,└GLG└DQG└,└ZHQW-RYHU└WKHUH◀

%XW-GXULQJ└WKDW-WLPH☼└ULJKW-EHIRUH└,└CHMW☼└,└DVNHG└WKH└DGPLQLWUDWRU└RI└WKH└
(3$☼└WKH└MRE└WKDW-\RXUH└,└EHOLHYH└JRLQJ└WR└KDYH☼└/LVD└-DFNVRQ☼└,└VDLG☼└,└
KDYH└D└IHHOLQJ└RQFH└,└CHDYH└WRZQ└\RXUH└JRLQJ└WR└FRPH└XS└ZLWK└DQ└
HQGDQJHUHPHQW-ILQGLQJ└DQG└\RXUH└JRLQJ└WR└JLYH└\RX└MXVWL ILFDWLRQ└IRU└
JHWWLQJ└LQYROYHG└LQ-WKLV└┼┼└LQ-WKLV└LVVXH◀

$QG└VKH└VPLCHG☼└VR└,└FRXOG└WHOO└LW-ZDV└WUXH◀└$QG└,└VDLG└WKDW-ZKHQ└\RX└GR└
/KLV☼└LW-KDV└WR└EH└EDVHG└RQ└VFLHQFH◀└7HOO└PH└WKH└VFLHQFH└WKDW-\RX└DUH└
JRLQJ└WR└XVH└IRU└WKLV◀└$QG└VKH└VDLG☼└ZLWK└WKH└,3&&☼└,QWHUJRYHUQPHQWDO└
3DQHO└RQ└&OLPDWH└&KDQJH◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┬└├RI└└

1RZ☼ └ DV└ OXFN└ ZRXOG└ KDYH└ LW☼ └ LQ└ P\└ OXFN☼ └ QRW└ WKHLUV☼ └ ULJKW└ DMWHU└ WKDW└ LV└ ZKHQ
&OLPDWH╪ JDWH└ FDPH☼ └ DQG└ WKDW└ ZKHQ└ LW└ ZDV└ GLVFORVHG└ WKDW└ WKH└
LQGLYLGXDOV☼ └ WKH└ VFLHQWLVW└ LQ└ ,3&&└ ULJJHG└ WKH└ QXPEHUV└ DQG└ FDPH└ XS└ ZLWK└
VXFK└ DQ└ RXWUDJHRXV└ OLE└ LQ└ WHUPV└ RI└ ZKDW└ FDXVHV└ JOREDO└ ZDUPLQJ☼ └ DOO└ RI└
/KDW└ DQG└ ,OO└ MXVW└ UHDG└ D└ FRXSOH└ RI└ WKHP└ KHUH◀

2QH└ RI└ WKH└ SK\VLFLVW└ LQ└ WKH└ ,3&&└ VDLG☼ └ | &OLPDWH╪ JDWH└ ZDV└ D└ IUDXG└ RQ└ D└
VFDOH└ ,YH└ QHYHU└ VHHQ└ EHIRUH◀ | └ &OLYH└ &RRN└ ZLWK└ WKH└)LQDQFLDO└ 7LPHV└ VDLG☼ └
| 7KH└ FORVHGPLQGHGQHVV└ RI└ WKHVH└ VXSSRVHG└ PHQ└ RI└ VFLHQFH└ LV└ VXUSULVLQJ└
HYHQ└ WR└ PH☼ └ WKH└ WALQN└ RI└ LQWHOOHFWXDO└ FRUUXSWLRQ└ LV└ RYHUSRZHULQJ◀ |

$QG└ WKH└ 8◀ 1◀ └ ┼ ┼ └ WKH└ 8◀ .◀ └ 7HOHJUDSK☼ └ WKDW└ RQH└ RI└ WKH└ ODUJHVW└ LQ└ WKH└ 8◀ .◀ ☼
/KH└ SXEOLFDWLRQV☼ └ LW└ VDLG☼ └ | ,W└ WKH└ ZRUVW└ VFLHQWLILF└ VFDQGDO└ RI└ RXU└
JHQHUDWLRQ◀ | └ 1RZ☼ └ QRERG\└ WDONV└ DERXW└ WKDW◀ └ %XW└ WKDW└ WKH└ VFLHQFH└ WKDW└
/KH\└ DUH└ WDONLQJ└ DERXW☼ └ DQG└ ,└ UHDOO\└ EHOLHYH└ LW└ QHFHVVDU\└ WR└ KDYH└ WKDW└ DV└
D└ SDUW└ RI└ WKLV└ UHFRUG└ RI└ WKLV└ PHHWLQJ◀

1RZ☼ └ *HQHUDO└ 3UXLWW☼ └ WKH└ ┼ ┼ └ LQ└ ┴ !! ¶ ┴ ☼ └ WKH└ (3$└ DQG└ WKH└ 1DWLRQDO└ +LJKZD\└
7UDIILF└ 6DIHW\└ $GPLQLVWUDWLRQ└ LVVXHG└ XSGDWH└ ┼ ┼ └ XSGDWHG└ IXHO└ HFRQRP\└
\WDQGDUGV└ WKDW└ ZHUH└ WKH└ UHVXOW└ RI└ D└ FRPSURPLVH└ DQG└ WKDW└ FRPSURPLVH└
ZDV└ EHWZHHQ└ WKH└ 2EDPD└ DGPLQLWUDWLRQ☼ └ WKH└ DXWRPDNHUV└ LQ└ WKH└ WDWH└ RI└
&DOLIRUQLD◀ └ 5LJKW"

$QG└ WKH└ SDUW└ RI└ WKLV└ GHDO└ UHTXLUHG└ D└ UHYLHZ└ RI└ WKHVH└ UHJXODWLRQV└ LQ└ ┴ !! ¶ ← └
EHIRUH└ ┼ ┼ └ WKHVH└ DUH└ WKHLU└ ZRUGV☼ └ QRW└ PLQH└ ┼ ┼ └ EHIRUH└ DQ\└ QHZ└ WDQGDUGV└
ZHUH└ SXW└ LQ└ SODFH◀ └ $MHU└ ORVLQJ└ WKH└ HOHFWLRQ└ KRZHYHU☼ └ WKH└ 2EDPD└
DGPLQLWUDWLRQ└ EURNH└ WKH└ GHDO└ E\└ SUHPDWXUHO\└ LVVXLQJ└ QHZ└ UHJXODWLRQV◀

7KLV└ GHFLVLRQ└ ZDV└ PDGH└ XQ[SHFWHGO\└ DQG└ ZHOO└ RYHU└ D└ \HDU└ EHIRUH└ WKH└
(3$└ VDLG└ WKDW└ WKH\G└ PDNH└ WKH└ GHWHUPLQDWLRQ◀ └ 7KLV└ VKRUWHQHG└ D└ WLPH└
IUDPH└ DQG└ SURFHVV└ LV└ FRQFHUQLQJ◀ └ 6R☼ └ 0U◀ └ &KLUPDQ☼ └ ,└ GR└ DVN└
XQDQLPRXV└ FRQVHQW└ WKDW└ WKH└ SUHYLRXV└ (3$└ WLPHOLQH└ IRU└ WKH└ H[HFWHG└
DFWLRQ└ RQ└ WKH└ PLG┼WHUP└ UHYLHZ└ EH└ LQFOXGHG└ LQ└ WKH└ UHFRUG◀

?$55$662 └
:LWKRXW└ REMHFWLRQ◀

,1+2)(└
$QG└ $VWRUCH\└ *HQHUDO└ 3UXLWW☼ └ DV└ DGPLQLWUDWRU☼ └ ZLOO└ \RX└ ORRN└ LQWR└ WKLV└
PDWWHU└ WR└ VHH└ ZKHWKHU└ WKLV└ H[WUHPH└ DFWLRQ└ ZDV└ DSSURSULDWH└ RU└ D└ KDZN\└
SROLWLFDO└ GHFLVLRQ"

AMERICAN OVERSIGHT

&4◀ FRP┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ┬└→RI └┘

358,77 └

6HQDWRU└ DV└ \RX└ LQGLFDWHG└ WKH└ REOLJDWLRQ└ ZDV└ WR└ PHHW└ WKH└ 1RYHPEHU└

┴ ‼ ‼ ← └ PLG┼ WHUP└ UHYLHZ└ ┼ ┼ └ ┴ ‼ ¶ ← └ PLG┼ WHUP└ UHYLHZ└ └ DQG└ ,└ WKLQN└ WKH└ WXG\└ WKH

ZDV└ FRPSOHWHG└ LW└ ZDV└ ILQLVKHG└ 'HFHPEHU└ ┬ ‼ WK└ DQG└ WKH\└ LVVXHG└ WKHLU└

ILQGLQJV└ ZLWKLQ└ ¶ ┼ └ GD\V◀

7KDW└ WLPH└ SHULRG└ LV└ VRPHWKLQJ└ └ ,P└ QRW└ VXUH└ WKDW└ └ WKDW└ QRUPDOO\└ KDSSHQV└

DV└ IDU└ DV└ WKH└ WLPH└ └ WKH└ YHORFLW\└ RI└ ¶ ┼ └ GD\V└ └ EXW└ LW└ PHULW└ UHYLHZ└ DQG└ ,└

ZRXOG└ UHYLHZ└ WKDW└ └ \HV◀

,1+2)(└

:HOO└ └ WKH└ IROORZ└ XS└ TXHVWLRQ└ ZRXOG└ EH└ └ ZRXOG└ \RX└ FRPPLW└ WR└ VLWWLQJ└ GRZQ└

ZLWK└ WKH└ 7UDQVSRUWDWLRQ└ 6HFUHWDU\└ (ODLQH└ &KDR└ └ DQG└ ┼ ┼ └ ,YH└ DOUHDG\└ WDONHG└

/R└ KHU└ DERXW└ WKLV└ LQFLGHQWDOO\└ └ ERWK└ RI└ WKHP└ ZLOO└ EH└ FRQILUPHG└ └ ,P└

FRQYLQFHG└ DQG└ \RXUH└ ZRUNLQJ└ WR└ DGGUHVV└ WKH└ LPSDFW└ RI└ WKH└ (3$└

GHFLVLRQ└ RQ└ DXWRPRELOH└ PDQXIDFWXUHUV└ DQG└ FRQVXPHUV└ ◀ ◀ ◀

358,77 └

<HV◀

,1+2)(└

◀ ◀ ◀ └ DQG└ ZRUNHG└ ZLWK└ KHU└ RQ└ WKDW└ ┼ ┼ └ LQ└ WKDW└ LVVXH◀

358,77 └

$EVROXWHO\◀

,1+2)(└

$OO└ ULJKW◀ └ 9HU\└ JRRG◀ └ 7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └

7KDQN└ \RX└ └ 6HQDWRU◀ └ 6HQDWRU└ %RRNHU"

%22.(5 └

7KDQN└ \RX└ YHU\└ PXFK◀ └ 7KDQN└ \RX└ 0U◀ └ 3UXLWW◀ └ ,└ MXVW└ ZDQW└ WR└ MXPS└ LQWR└ RQH└

RI└ WKH└ DUHDV└ WKDW└ \RXYH└ VDLG└ LV└ D└ SULQFLSOH└ SDUW└ RI└ RQH└ RI└ \RXU└

DFKLHYHPHQWV◀ └ ,Q└ \RXU└ RSHQLQJ└ WHVWLPRQ\└ └ \RX└ VDLG└ └ WKDW└ DV└ DWWRUQH\└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┼└←RI└└

JHQHUDO└ \RX└ FRQIURQWHG└ ZLWK└ DQ└ LPSRUWDQW└ ZDWHU└ TXDOLW\└ LVVXH└ RQ└ WKH└
VFHQLF└ ,OLQRLV└ 5LYHU└ DERXW└ WKH└ KLJK└ SKRVSKRURXV└ CHYHOV└ WKDW└ ZHUH└
FDXVLQJ└ D└ UDQJH└ RI└ SUREOHP└ WKDW└ FRPH└ IURP└ WKH└ PDQXUH└ SULQFLSDOO\└ IDUP└
DQLPDOV◀

$QG└ \RX└ JR└ RQ└ WR└ WDONH└ WKDW└ WKLV└ ZDV└ DQ└ KLVWRULF└ DJUHHPHQW└ WR└ FOHDQ└ XS└
/KH└ ULYHU◀ └ ,W└ ZDV└ LQ└ \RXU└ RSHQLQJ└ WDWHPHQW└ DQG└ D└ QXPEHU└ RI└ WKH└
GRFXPHQWV└ WKDW└ \RX└ SURYLGHG◀ └ <RX└ DOVR└ GHVFULEHG└ WKH└ DJUHHPHQW└ ZLWK└
$UNDQVDV└ DV└ DQ└ LPSRUWDQW└ DJUHHPHQW└ WR└ UHGXFH└ WKH└ SROOXWLRQ◀

$JDLQ└ WKDW└ ZDV└ D└ UHVXOW└ IURP└ SRQWU\└ JURZHUV☼ └ DQG└ ,P└ TXRWLQJ└ \RX└
DFWXDOO\└ GLUHFWO\☼ └ | 7KDW└ ZDV└ RFFXUULQJ└ DV└ D└ UHVXOW└ RI└ SROOXWLRQ└ IURP└ SRXOWU\└
JURZHUV◀ | └ $UH└ \RX└ IDPLOLDU└ ZLWK└ WKLV"

358,77 └
<HV☼ └ DOVR└ GLVFKDUJH└ IURP└ PXQLFLSDOLWLHV└ LQ└ 1RUWKZHVW└ $UNDQVDV└ DV└ ZHOO☼ └
/KDW◀ ◀ ◀ ◀

½22.(5 └
,└ WKLQN└ WKDW└ DQ└ LPSRUWDQW└ SRLQW☼ └ \HV◀

358,77 └
<HDK◀

½22.(5 └
,└ ZRXOG└ OLNH└ WR└ DVN└ \RX└ MXVW└ VRPH└ TXHVWLRQ└ DERXW└ WKLV☼ └ EXW└ ,└ WKLQN└ LW└
LPSRUWDQW◀ └ ,└ UHDOO\└ GXJ└ LQWR└ WKLV└ DQG└ GLG└ VRPH└ UHVHDUFK◀ └ &DQ└ \RX└ KROG└ ┼ ┼ └
KROG└ WKLV└ XS◀ └ ,└ MXVW└ ZDQW└ WR└ JR└ WKURXJK└ ZLWK└ P\└ FROOHDJXH└ ZKDW└ WKH└ IDFW└
SDWWHUQ└ LV└ WKDW└ CHDG└ WR└ ZKDW└ ┼ ┼ └ WKLV└ PRPHQW└ ZKHUH└ \RX└ LQWHUYHQHG◀

$QG└ LW└ UHDOO\└ WDUWV└ ZLWK└ D└ 6XSUHPH└ &RXUW└ GHFLVLRQ└ ZD\└ EDFN└ LQ└ ¶ ⊥☼ └
$UNDQVDV└ Y◀ └ 2NODKRPD◀ └ ,└ LPDJLQH└ \RXUH└ IDPLOLDU└ ZLWK└ WKH└ 6XSUHPH└ &RXUW└
GHFLVLRQ☼ └ WKDW└ WKH└ UHVXOW└ EHWZHHQ└ WKRVH└ WZR└ WDWHV└ WKDW└ KHOG└ WKDW└
EDVLFDOO\└ XS└ ULYHU└ WDWHV☼ └ VXFK└ LQ└ $UNDQVDV└ PXVW└ FRPSO\└ ZLWK└ WKH└ ZDWHU└
TXDOLW\└ WDQGDUGV└ WKDW└ DUH└ DGRSWHG└ E\└ GRZQULYHU└ WDWHV└ DQG└ WKHQ└
DSSURYHG└ E\└ WKH└ (3$◀

<RXUH└ IDPLOLDU└ ZLWK└ WKDW"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┬└ R╢ └┘

358,77 └

,P└ IDPLOLDU└ ZLWK└ WKH└ OLWLJDWLRQ☼ └ \HV◀

½22.(5 └

6R└ ┼ ┼ └ VR└ DVKHU└ WKDW└ 6XSUHPH└ &RXUW└ GHFLVLRQ└ HI IHFWLYH└ -XO\└ ¶ ☼ └ ┴ ‼ ‼ ┴ ☼ └

2NODKRPD└ DFWKDOO\└ GLG└ DGRSW└ D└ ◀ ‼ ┬ → └ ZDWHU└ TXDOLW\└ WDQGDUG└ IRU└

SKRVSKRUXV└ DQG└ LPSRVHGQVO\└ WKH\└ JDYH└ D└ GHFDGH☼ └ WHQ└ \HDU└ SKDVH└ LQ└

SHULRG└ EHIRUH└ IXOO└ FRPSOLDQFH└ ZDV└ UHTXLUHG◀ └ $QG└ WKHQ└ LQ┴ ‼ ‼ ┬ ☼ └ \RXU└

SUHGHFHVVRU└ 'UHZ└ (GPRQGVRQ└ GHJUDLDWHG└ DJUHHPHQW└ ZLWK└ $UNDQVDV☼ └

ZKLFK└ ,YH└ UHDG└ FDOOHG└ WKH└ 6WDWHPHQW└ RI└ -RLQW└ 3ULQFLSOHV└ DQG└ $FWLRQV◀

0U◀ └ &KDLU☼ └ ,G└ OLNH└ WR└ HQWHU└ WKDW└ IRU└ WKH└ UHFRUG◀

½$55$662 └

:LWKRXW└ REMHFWLRQ◀

½22.(5 └

$QG└ WKHQ└ LQ┴ ‼ ‼ ┬ ☼ └ WR└ JLYH└ PRUH└ WHHWK└ WR└ WKLV└ ┼ ┼ └ WKLV└ JRHV└ WR└ ZKDW└ \RX└

ZHUH└ VD\LQJ└ DERXW└ PXQLFLSDOLWLHV☼ └ LW└ FUHDWHG└ SKRVSKRUXV└ OLPLW└ IRU└

PXQLFLSDO└ GLVFKDUJHV◀ └ $QG└ WKDW└ ┴ ‼ ‼ ┬ └ DJUHHPHQW└ DOVR└ WKDW└ ,YH└ UHDG└

/KLRXJK☼ └ DOVR└ WKDWHV└ WKDW└ 2NODKRPD└ ZLOO└ UHHYDOXDWH└ WKH└ ◀ ‼ ┬ → └ FULWHULD└ IRU└

/RWDO└ SKRVSKRUXV└ LQ└ 2NODKRPDV└ ULYHUV└ E\└ ┴ ‼ ¶ ┴ ◀

$QG└ WKHQ☼ └ WKLV└ LV└ D└ ELJ└ SDUW└ LQ└ DFFRUGDQFH└ ZLWK└ WKH└ ┼ ┼ └ ZLWK└ WKH└ LQWXLWLRQ☼ └

/KH└ PDQGDWHV└ RI└ WKH└ 6XSUHPH└ &RXUW☼ └ WKH└ (3$└ JDYH└ LW└ DSSURYDO└ WR└

2NODKRPDV└ ◀ ‼ ┬ → └ SKRVSKRUXV└ WDQGDUG◀ └ 7KLV└ ZDV└ FULWLFDO└ EHFDXVH└

XQGHU└ WKH└ 6XSUHPH└ &RXUW└ GHFLVLRQ☼ └ QRZ└ 2NODKRPD└ KDG└ WR└ ┼ ┼ └ KDG└ D└ ZDWHU└

TXDOLW\└ WDQGDUG└ DSSURYHG└ E\└ WKH└ (3$└ WKDW└ ZDV└ QRZ└ HQIRUFHDEOH└ DJDLQVW└

XS└ WDWHV└ OLNH└ $UNDQVDV◀

1RZ☼ └ CHW└ IDW└ IRUZDUG└ WR└ $SULO└ ┴ ‼ ¶ ┴ ◀ └ 2NODKRPDV└ :DWHU└ 5HVRXUFHV└

½RDUG└ UHYLHZHG└ WKH└ EHW└ VFLHQWLILF└ LQIRUPDWLRQ└ DYDLODEOH└ LQ└ ┴ ‼ ¶ ┴ ◀ └ ,W└

UHHYDOXDWHG└ DQG└ UHDIILUPHG└ WKH└ ◀ ‼ ┬ → └ SKRVSKRUXV└ WDQGDUG◀ └ 0U◀ └ &KDLU☼ └ ,└

ZDQW└ WR└ SXW└ LQ└ DQ└ H[HFXWLYH└ VXPPDU\└ RI└ WKDW└ UHYLHZ◀

½$55$662 └

:LWKRXW└ REMHFWLRQ◀

AMERICAN OVERSIGHT

½22.(5 └

$QG└ WKHQ└ RQ└ -XQH└ ┬ !! ☼ └ ┴ !! ¶ ┴ ☼ └ WKH└ WHQ└ \HDU└ SKDVH└ LQ└ JRLQJ└ EDFN└ WR└ WKH└ 6XSUHPH└ &RXUW- GHFLVLRQ☼ └ WKH└ DFWLRQV└ E\└ 2NODKRPD☼ └ WKH└ WHQ└ \HDU└ SKDVH└ LQ└ SHULRG└ ZDV└ FRPSOHWHG└ LQ└ IXOO└ FRPSOLDQFH└ ZLWK└ WKH└ ◀ !! ┬ → └ EHFDPH└ UHTXLUHG◀ └ ,W- EHFDPH└ QRZ└ ZKDW- ZDV└ UHTXLUHG└ E\└ ┼ ┼ └ E\└ WKH└ WDVWHV◀

6R└ MXVW- WR└ UHFDS└ DOO└ RI└ WKLV└ EHFDXVH└ LVW└ D└ QRW☼ └ ┴ !! └ \HDUV☼ └ 2NODKRPDV└ (3$└ DSSURYHG└ D└ ◀ !! ┬ → └ SKRVSKRURXV└ WDQGDUG☼ └ PRUH└ WKDQ└ WZR└ GHFDGHV└ LQ└ WKH└ PDNLQJ◀ └ ,W- KDV└ MXVW- EHHQ└ UHDIILUPHG└ E\└ WKH└ 2NODKRPD└ :DWHU└ 5HVRXUFHV└ ½RDUG☼ └ DQG└ WKHQ└ WKH└ WHQ└ \HDU└ FRPSOLDQFH└ SHULRG└ SKDVH└ LQ└ KDG└ H[SLUHG◀

$QG└ VR└ ZKHQ└ \RX└ VDLG└ WKDW- \RX└ KDG└ HQWHUHG└ LQWR└ D└ VHFRQG└ DJUHHPHQW- ZLWK└ $UNDQVDV└ WKDW- LQ└ \RXU└ ZRUGV☼ └ | :DV└ D└ KLWWRULF└ DJUHHPHQW- WR└ FOHDQ└ XS└ /KH└ ULYHU☼ └ WKDW- ZRXOG└ UHGXFH└ SROOXWLRQ└ IURP└ SRXOWU\└ JURZHUV◀ |

$QG└ WKLV└ LV└ WKH└ TXHVWLRQ└ WKDW- ,└ KDYH└ VLGFHUHD\☼ └ ,└ SXOOHG└ WKDW- ┴ !! !! !! └ DJUHHPHQW- DQG└ UHDG└ LW- ┼ ┼ └ H[FXVH└ PH└ ┼ ┼ └ WKH└ ┴ !! ¶ ┬ └ DJUHHPHQW- DQG└ UHDG└ LW- DQG└ LW- ZDV└ WKRURXJKO\└ WR└ VHH└ WKDW- LW- DFWXDOO\└ GLGQW- WDNH└ DQ\└ WKHSV└ WR└ UHGXFH└ SROOXWLRQ└ EXW- DFWXDOO\└ ROD\└ SURSRVHV└ DQRWKHU└ XQGHFHVDU\└ WKG\└ DQG└ DWWHPSW└ WR└ VXVSHQG└ FRPSOLDQFH└ WKDW- ZDV└ WZR└ GHFDGHV└ LQ└ WKH└ PDNLQJ└ ZLWK└ WKH└ ◀ !! ┬ → └ WDQGDUG◀

,W- VXVSHQGHG└ FRPSOLDQFH└ IRU└ \HW- DQRWKHU└ WKUHH└ \HDUV└ RI└ SROOXWLRQ◀ └ ,VQW- /KDW- WUXH└ WKDW☼ └ WKDW└ ZKDW- WKH└ DJUHHPHQW- GLG"

358,77 └

,W- LVQW☼ └ 6HQDWRU◀ └ 7KHUH└ ZDV└ DFWXDOO\└ QR└ HQIRUFHPHQW- RI└ WKH└ ◀ !! ┬ → └ WDQGDUG└ /DNLQJ└ SODFH└ RQ└ $UNDQVDV└ VLGH└ RI└ WKH└ ERUGHU◀ └ 7KH└ UHDVRQ└ ┼ ┼ └ \RX└ UHIHU└ WR└ /KH└ PHPRUDQGXP└ RI└ XQGHUWDQGLQJ◀ └ ,└ DFWXDOO\└ KDYH└ D└ VHFRQG└ WDWHPHQW- RI└ SULQFLSOHV└ KHUH└ EHIRUH└ PH☼ └ DV└ ZHOO◀

7KDW- H[SLUHG└ LQ└ ┴ !! ¶ ┴ ☼ └ ¶ ┬ └ WLPH└ IUDPH└ DQG└ WKDW└ ZKDW- SUHVHQWHG└ P\└ RI ILFH└ ZLWK└ WKH└ RSSRUWXQLW\└ WR└ JR└ WR└ $UNDQVDV└ WR└ HQVXUH└ WKDW- WKH└ ◀ !! ┬ → └ WDQGDUG└ ZRXOG└ DFWXDOO\└ EH└ HQIRUFHG└ IURP└ D└ WDWH└ ODZ└ SHUVSHFWLYH└ RQ└ WKDW- VLGH└ RI└ /KH└ ERUGHU◀

7KDW- KDG└ GHYHU└ WDNHQ└ SODFH└ LQ└ KLWRU\◀ └ <RX└ PHQWLRQHG└ WKH└ (3$◀ └ 7KHUH└ ZDV└ QR└ HQIRUFHPHQW- DXWKRULW\└ WKDW- KDG└ WDNHQ└ SODFH└ RQ└ WKDW- SKRVSKRURXV└ ODGLFDWHG└ E\└ WKH└ (3$◀ └ 2NODKRPD└ KDG└ LW- DV└ \RX└ ┼ ┼ └ DV└ \RXYH└ LQGLFDWHG└ DV└ D└ WDQGDUG└ EXW- LW- ZDV└ QRW- EHLQJ└ HQIRUFHG└ XSWUHDP└ LQ└ $UNDQVDV└ DQG└ WKDW- ZKDW- WKH└ DJUHHPHQW- DGGUHVVHV◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┤└¶RI└└

%22.(5 └

0U◀ └ 3UXLWW▯ └ VR└ ,└ GRQW└ KDYH└ WKH└ VHQLRULWL└ RU└ WKH└ WDWXUH└ RU└ WKH└ JUDQGFKLOGUHQ└ RI└ 6HQDWRU└ ,QKRIH▯ └ VR└ ,└ FDQW└ JR└ RYHU└ P\└ WLPH◀ └ %XW└ ,└ ZLOO└ VD\└ WKLV▯ └ LQ└ P\└ QH[W└ URXQG▯ └ ,└ ZLOO└ JR└ EDFN└ LQWR└ WKLV└ EHFDXVH└ WKH└ GRFXPHQW└ GRQW└ VHHP└ FRQVLWWHQW└ DW└ DOO└ ZLWK└ ZKDW└ \RX└ VD\LQJ└ DQG└ ,G└ OLNH└ LQ└ P\└ QH[W└ URXQG└ RI└ TXHVWLRQLQJ└ WR└ JR└ LQWR└ D└ OLWWOH└ ELW└ GHHSHU└ LQWR└ WKLV└ KLWRULF└ VHWWOHPHQW◀ └ 7KDQN└ \RX▯ └ 0U◀ └ &KDLU◀

%$55$662 └

7KDQN└ \RX└ 6HQDWRU└ %RRNHU◀ └ ,└ ZRXOG└ LQWURGXFH└ IRU└ WKH└ UHFRUG└ DQ└ DUWLFOH└ /KDW└ DSSHDUHG└ LQ└ WKH└ 7XOVD└ :RUOG▯ └ WKLV└ SDWW└ -DQXDU\└ ¶ ┴ ▯ └ ┴ ‼ ¶ → ▯ └ JRLQJ└ ZD\└ EH\RQG└ WKH└ ┴ ‼ └ \HDUV└ RI└ WKDW└ SDQHO▯ └ EXW└ RI└ WKH└ VOLGH◀

%XW└ ┬ ┬ └ \HDUV▯ └ DQG└ LWW└ E\└ (G└)LWH▯ └ ZKR└ VHUYHG└ DV└ WKH└ DJHQF\└ DGPLQLWWUDWRU└ RI└ WKH└ 2NODKRPD└ 6FHQLF└ 5LYHUV└ &RPPLWWLRQ└ IURP└ 6HSWHPEHU└ ¶ ← ┬ └ XQWLO└ -XQH└ ┴ ‼ ¶ ├ ▯ └ ┬ ┬ └ \HDUV◀ └ $QG└ KLV└ WWDWHPHQW└ LQ└ WKLV└ RS┼ HG└ WKDW└ KH└ ZURWH└ LV└ │ ,└ KDYH└ IRXQG└ WKDW└ 3UXLWW└ KDV└ DOZD\V└ GRQH└ ULJKW└ E\└ RXU└ VFHQLF└ ULYHUV◀

+H└ KDV▯ └ IRU└ WKH└ ILUVW└ WLPH└ HYHU▯ └ KH└ KDV└ JRWWHQ└ WKH└ WWDWH└ RI└ $UNDQVDV▯ └ ZKLFK└ KDSSHQV└ WR└ KDYH└ SDUW└ RI└ WKH└ WWU┼DPV└ ZHYH└ GHVLJQDWHG└ DV└ VFHQLF└ ULYHUV▯ └ RUJLQDOLQJ└ LQ└ DQG└ ICRZLQJ└ WKURXJK└ WKHLU└ WWDWH└ WR└ DJUHH└ WR└ 2NODKRPDV└ 6FHQLF└ 5LYHUV└ 3KRVSKRURXV└ 6WDQGDUG▯ └ DQ└ LQFUHGLEOH└ HQYLURQPHQWDO└ DFFRPSOLVKPHQW▯ └ WKH└ HI IHFW└ RI└ ZKLFK└ FDQQRW└ EH└ XQGHUWWDWHG◀ │ └ 6HQDWRU└ 5RXQGV"

5281'6 └

7KDQN└ \RX▯ └ 0U◀ └ &KDLUPDQ◀ └ $WWRUQH\└ *HQHUDO└ 3UXLWW▯ └ LQ└ $XJXWW└ RI└ ┴ ‼ ¶ ├ ▯ └ /KH└ (3$└ ,QVSHFWRU└ *HQHUDO└ IRXQG└ WKDW└ WKH└ (3$└ KDG└ IDLOHG└ WR└ IROORZ└ /KLRXJK└ ZLWK└ LWW└ FRPPLWPHQW└ WR└ XSGDWH└ LWW└ ┴ ‼ ¶ ‼ └ /LIHF\FH└ $QDO\VLV└ IRU└ FRUQ└ HWKDQRO└ DQG└ KDV└ DOVR└ IDLOHG└ WR└ SHJIRUP└ LWW└ CHJDOO\└ UHTXLUHG└ FRPSUHKHQVLYH└ WWXG\└ RQ└ WKH└ HQYLURQPHQWDO└ HI IHFWW└ RI└ WKH└ 5)6▯ └ WKH└ 5HQHZDEOH└)XHO└ 6WDQGDUG◀ └ (3$V└ LQIRUPDWLRQ└ RQ└ HWKDQROV└ OLIH└ F\FH└ HPLWWLRQV└ LV└ LQDFFXUDWH└ DQG└ LWW└ RXWGDWHG◀

AMERICAN OVERSIGHT

7RGD\V└ EHWW└ DYDLODEOH└ VFLHQFH└ VKRZV└ WKDW└ ECHQGLQJ└ HWKDQRO└ LQWR└
JDVROLQH└ FDQ└ VLJQLILFDQWO\└ UHGXFH└ JUHHQKRXVH└ JDVHV◀ └ +RZHYHU└ └ WKH└ (3$└
KDV└ IDLOHG└ WR└ XSGDWH└ LWV└ RZQ└ VFLHQFH└ ZLWK└ PRVW└ UHFHQW└ EHWW└ VFLHQFH└ WKDW└
LV└ DYDLODEOH└ DQG└ FRQWLQXH└ WR└ UHO\└ RQ└ RXWGDWHG└ LQDFFXUDWH└ VFLHQFH└ ZKHQ└
VHWWLQJ└ GDLRGDO└ SROLF\└ UHJXODWRU\└ ELRIXHDV└ SROLF\◀

:KDW└ DUH└ \RXU└ WKRXJKWV└ RQ└ WKH└ (3$└ UHO\LQJ└ RQ└ RXWGDWHG└ LQDFFXUDWH└
VFLHQFH└ WR└ VHW└ IHGHUDO└ UHJXODWRU\└ SROLF\"

358,77 └
6HQDWRU└ └ ,└ WKLQN└ LW\└ WKH└ REOLJDWLRQ└ RI└ WKH└ (3$└ LQ└ WDNLQJ└ WHSV└ └ UXCHPDNLQJ└
DQG└ RVKHUZLVH└ WR└ HQVXUH└ WKDW└ LW└ KDV└ WKH└ PRVW└ XS┼WR┼GDWH└ └ REMHFWLYH└
VFLHQWLILF└ GDWD└ SRVVLEOH◀

5281'6 └
/HW└ PH└ IROORZ└ XS└ D└ OLWWOH└ ELW◀ └ 7KH└ FXUUHQW└ (3$└ SURFHVV└ IRU└ FRQVLGHULQJ└ RI└
/KH└ VFLHQWLILF└ LQIRUPDWLRQ└ XQGHUSLQQLQJ└ PDMRU└ UHJXODWLRQV└ └ ,└ EHOLHYH└ └ LV└
ICDZHG└ DQG└ LW\└ XQEDODQFHG◀ └)RU└ H[DPSOH└ WKH└ 6FLHQWLILF└ $GYLVRU\└ %RDUG└ └
RU└ WKH└ 6$%└ LV└ WR└ SURYLGH└ VFLHQWLILF└ DGYLFH└ WR└ WKH└ (3$└ DGPLQLWWUDWRU└ DQG└
&RQJUHVV◀

¾%W└ WKHUH└ LV└ D└ VLJQLILFDQW└ CDFN└ RI└ JHRJUDSKLF└ GLYHUVLW\└ LQ└ \WDWH└ DQG└ CRFDO└
DQG└ WULEDO└ UHSUHVHQWDWLRQ└ RQ└ WKH└ 6$%◀ └ &DQ└ \RX└ H[SODLQ└ WR└ XV└ ZKDW└ \RXU└
YLHZV└ DUH└ RQ└ WKH└ DJHQF\└ VFLHQFH└ DQG└ ZKDW└ \RX└ HQYLVLRQ└ DV└ WKH└ UROH└ RI└
DJHQF\└ VFLHQFH└ DW└ WKH└ (3$"

358,77 └
6HQDWRU└ └ DV└ \RX└ DQG└ ,└ WDON└ DERXW└ LQ└ RXU└ PHHWLQJ└ └ ,└ WKLQN└ LW\└ LPSRUWDQW└
/R└ KDYH└ WKDW└ JHRJUDSKLFDO└ UHSUHVHQWDWLRQ└ EHWWHU└ UHSUHVHQWHG└ └ DQG└ ┼ ┼ └ DQG└
/KDW└ WKHUH\└ VRPH└ FRQIOLFW\└ RI└ LQWHUHWV└ DSSOLFDWLRQ└ ZLWK└ WKH└ 6FLHQFH└
$GYLVRU\└ %RDUG└ WKDW└ QHHG└ WR└ EH└ DGGUHVVHG└ └ DV└ ZHOO◀

$QG└ DOVR└ └ LW\└ WKH└ &HDQ└ $LU└ 6FLHQFH└ $GYLVRU\└ &RPPLWWHH└ └ ZKLFK└ LV└ D└
\WDQGLQJ└ FRPPLWWHH└ RI└ WKH└ 6FLHQFH└ $GYLVRU\└ %RDUG◀

5281'6 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ┤└┬RI└└

,YH└ JRW┴ D└ FKDUW┴ WKDW┴ VKRZV└ WKH└ JHRJUDSKLF└ PDNHXS└ RI└ WKH└ ┴ ‼ ¶ ↑ └
FKDUWHUHG└ 6$%◀ └ 2I└ WKH└ ↑ ┤ └ PHPEHUV☼ └ WKH└ PDMRULWY\ └ RI└ WKHP└ FRPH└ IURP└
(DVW┴ RU└ :HVW┴ &RDVW┴ WDWHV◀ └ &DQ└ \RX└ JHW┴ WKDW┴ FKDUW┴ IRU└ PH☼ └ SCHDVH"└ ,YH└
DOVR└ JRW┴ D└ FKDUW┴ WKDW┴ VKRZV└ WKH└ QXPEHU└ RI└ WDWHV└ WKDW┴ KDYH└ JRYHUQPHQW┴
UHSUHVHQWDWLYHV└ RQ└ WKH└ 6$%◀

+RZ└ ZRXOG└ \RX└ EURDGHQ└ WKH└ JHRJUDSKLF└ VFRSH└ RI└ 6$%└ PHPEHUV└ WR└
PDNH└ FHUWDLQ└ WKDW┴ WDWHV└ DQG└ YDULRXV└ JRYHUQPHQWDO└ HQWLWLHV└ DUH└
UHSUHVHQWHG"└ 7KH└ RQH└ RQ└ WKH└ CHIW┴ VKRZV└ WKH└ EODFN└ GLYHUVLW\ └ ZLWK└ UHJDUG└
/R└ WKH└ DFWXDO└ PHPEHUV└ RQ└ WKH└ ERDUG☼ └ DQG└ WKH└ RQH└ RQ└ WKH└ ULJKW┴ DFWXDOO\└
VKRZV└ WKDW┴ ZH└ KDYH└ D└ JUDQG└ WRWDO└ RI└ WZR└ WDWHV└ ZLWK└ UHSUHVHQWDWLRQ└ IRU└
WDWH└ DQG└ ORFDO└ XQLW┴ RI└ JRYHUQPHQW┴ RQ└ WKRVH└ ERDUGV

358,77 └
6HQDWRU☼ └ LI└ FRQILUPHG☼ └ LW┴ LV└ DQ└ LWXH☼ └ DV└ ,YH└ LQGLFDWHG☼ └ DQG└ ZH└ WDONHG└
DERXW┴ LQ└ \RXU└ RIILFH☼ └ WKDW┴ LV└ LPSRUWDQW┴ WR└ DGGUHVV└ WR└ HQVXUH└ WKDW┴ WKHUHV└
FRQILGHQFH└ WKDW☼ └ DV└ VFLHQFH└ LV└ GULYLQJ└ UXCHPDNLQJ└ WKDW┴ LW┴ REVHUYLYH└ DQG└
/KDW┴ LW┴ WHWKHUHG└ WR└ WKH└ UXCHV└ WKDW┴ DUH└ DGRSWHG└ E\└ WKH└ (3$◀

6R└ WKLV└ LV└ D└ YHU\└ LPSRUWDQW┴ LWXH└ WKDW┴ QHHGV└ WR└ EH└ HYDOXDWHG└ DQG└
GLVFXVVHG└ DQG└ WR└ HQVXUH└ WKH└ HIILFDF\└ RI└ WKH└ VFLHQFH└ WKDW┴ RFFXUV└ DW┴ WKH└
(3$◀

5281'6 └
:RXOG└ \RX└ FRPPLW┴ WR└ XV└ WKDW┴ \RX└ ZRXOG└ PDNH└ LW┴ DQ└ HIIRUW┴ WR└ VHH└ WKDW┴ WKH└
6FLHQFH└ $GYLVRU\└ %RDUG└ DFWXDOO\└ UHICHFWV└ VRPH└ IDLUQHVV└ ZLWK└ UHJDUG└ WR└
JHRJUDSKLF└ GLYHUVLW\☼ └ DV└ ZHOO└ DV└ UHFRJQL]LQJ└ WKH└ LPSRUWDQW┴ URCH└ WKDW┴ ORFDO└
DQG└ UHJLRQDO└ JRYHUQPHQWV☼ └ WDWH└ DQG└ ORFDO└ JRYHUQPHQW└ KDYH└ LQ└
GHWHUPLQLQJ└ RU└ DW┴ CHDWV┴ SDUWLFLSDWLQJ└ LQ└ WKHVH└ ERDUGV└ DQG└ FRPPLWWLRQV"

358,77 └
,I└ FRQILUPHG☼ └ ,└ ORRN└ IRUZDUG└ WR└ ZRUNLQJ└ ZLWK└ \RX└ RQ└ WKDW┴ LWXH◀

5281'6 └
7KDQN└ \RX◀ └ /HW┴ PH└ MXWW┴ ILQLVK└ UHDO└ TXLFN\└ ZLWK└ MXWW┴ RQH└ RWKHU└ LWHP☼ └ DQG└ ,└
┼ ┼ └ ,└ EHOLHYH└ OLWWHQHG└ D└ ORW┴ WR└ DQG└ ,└ ┼ ┼ └ ZKHWKHU└ \RXUH└ ZRUNLQJ└ RQ└ EHKDOI└ RI└
LQGXWULHV☼ └ ZKHWKHU└ \RXUH└ ZRUNLQJ└ RQ└ EHKDOI└ RI└ WKH└ IRONV└ IURP└ 2NODKRPD☼ └
\RXU└ URCH└ DV└ DQ└ DGPLQLWWUDWRU└ ZLWK└ UHJDUG└ WR└ FCHDQ└ DLU☼ └ ZDWHU└ DQG└ VR└ IRUWK◀

AMERICAN OVERSIGHT

$V└ WKH└ DWWRUQH\└ JHQHUDO☼ └ \RX└ UHSUHVHQWHG└ WKH└ LQWHUHVWV└ RI└ \RXU└ WDWHV☼ └ ERWK└ \RXU└ WDWHV└ HFRQRP\└ DQG└ \RXU└ WDWHV└ HQYLURQPHQW◀ └ %XW└ MXVW└ EHFDXVH└ \RX└ DUH└ SUR┼ HFRQRPLF└ GHYHORSPHQW└ DQG└ SUR┼ HFRQRPLF└ GHYHORSPHQW└ JURZWK└ GRHV└ QRW└ PHDQ└ WKDW└ \RX└ KDYH└ WR└ EH└ DQWL┼ HQYLURQPHQW◀

3UHVHUYLQJ└ WKH└ HQYLURQPHQW└ DQG└ SUHVHUYLQJ└ WKH└ HFRQRP\☼ └ ,└ GRQ╨W└ EHOLHYH└ DUH└ PXWXDOO\└ H[FOXVLYH◀ └ ,└ GRQ╨W└ WKLQN└ \RXYH└ JRW└ WR└ FKRRVH└ EHWZHHQ└ WKH└ /NZR◀ └ +RZ└ ZRXOG└ \RX└ EDODQFH└ HFRQRPLF└ JURZWK└ ZLWK└ PDNLQJ└ FHUWDLQ└ WKDW└ ZH└ KDYH└ FOHDQ└ DLU└ DQG└ FOHDQ└ ZDWHU"

358,77 └
,└ WKLQN└ SDUW└ RI└ LW\└ LQKHUHQW└ LQ└ WKH└ WUDGWWWHV└ DQG└ WKH└ SURFHVV└ WKDW└ WKH└ (3$└ LV└ VXSSRVHG└ WR└ FRQGXFW◀ └ ,└ NQRZ└ WKDW└ VRPHWLPHV└ UXCHPDNLQJ└ LV└ VHHQ└ DV└ VRPHWKLQJ└ WKDW\└ GRW└ WHUULEO\└ LPSRUWDQW└ RU└ ┼ ┼ └ RU└ VRPHWKLQJ└ ODERULRXV◀

%XW└ WKH└ UHDVRQ└ UXCHPDNLQJ☼ └ WKH└ UHDVRQ└ &RQJUHVV└ KDV└ VDLG└ WKDW└ \RX└ WDNH└ ┼ ┼ └ \RX└ RIIHU└ GRWLFH└ RQ└ D└ SURSRVHG└ UXCH└ DQG└ \RX└ WDNH└ FRPPHQW☼ └ LV└ LW\└ QHHGHG└ WR└ PDNH└ VXUH└ DOO└ YRLFHV└ DUH└ KHDUG└ DQG└ WKDW└ WKHUH└ LV└ DQ└ LQIRUPHG└ GHFLVLRQ└ WKDW└ UHJXODWRUV└ DUH└ PDNLQJ└ EHIRUH└ WKH\└ ILQDOL]H└ UXCHV☼ └ EHFDXVH└ RI└ WKH└ LPSDFW└ LW└ KDV└ RQ└ WKH└ HFRQRP\└ DQG└ RQ└ WKH└ HQYLURQPHQW└ LQ└ WKLV└ LQVWDQFH◀

6R☼ └ UXCHPDNLQJ└ LV└ VRPHWKLQJ└ WKDW└ ZH└ VKRXOG└ WDNH└ VHULRXV\└ DQG└ WKDW└ ZH└ VKRXOG└ GR└ VR└ FRQVLVWHQW└ ZLWK└ WKH└ IUDPHZRUN└ RXWOLQHG└ E\└ &RQJUHVV└ VR└ /NDW└ DOO└ WKRVH└ YRLFHV└ DUH└ KHDUG└ WKDW└ \RXUH└ UHIHUULQJ└ WR☼ └ 6HQDWRU☼ └ LQ└ ┼ ┼ └ LQ└ /NH└ UXCHPDNLQJ└ SURFHVV◀

5281'6 └
7KDQN└ \RX◀ └ 7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX└ YHU\└ PXFK☼ └ 6HQDWRU└ 5RXQGV◀ └ 6HQDWRU└ 0DUNH\"

0$5.(< └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ HDUOLHU└ WRGD\└ \RX└ VDLG└ WKDW└ WKH└ (3$└ KDV└ DQ└ LPSRUWDQW└ URCH└ LQ└ UHJXODWLQJ└ FDUERQ└ GLR[LGH└ EHFDXVH└ RI└ WKH└ ┴ ‼ ‼ → └ ODQGPDUN└ 6XSUHPH└ &RXUW└ UXOLQJ└ LQ└ 0DVVDFKXVHWWV└ Y◀ └ (3$◀

AMERICAN OVERSIGHT

7KH└ (3$└ DGPLQLVWUDWRUV└ IRU└ ERWK└ 3UHVLGHQW└ %XVK└ DQG└ 3UHVLGHQW└ 2EDPD└ PDGH└ D└ GHFLVLRQ└ WKDW└ FDUERQ└ SROOXWLRQ└ SRVHV└ D└ GDQJHU└ WR└ $PHULFD☼ └ RWKHUZLVH└ NQRZQ└ DV└ WKH└ (QGDQJHUPHQW└)LQGLQJ◀ └ :LOO└ \RX└ SURPLVH└ WR└ NHHS└ RQ└ WKH└ ERRNV└ WKH└ VFLHQWLILF└ ILQGLQJ└ WKDW└ FDUERQ└ SROOXWLRQ└ SRVHV└ D└ GDQJHU└ WR└ WKH└ $PHULFDQ└ SXEOLF└ KHDOWK└ DQG└ ZHOIDUH"

358,77 └

7ZR└ WKLQJV☼ └ 6HQDWRU◀ └)LUVW☼ └ ZLWK└ UHVSHFW└ WR└ 0DV◀ └ Y◀ └ WKH└ (3$☼ └ WKH└ 6XSUHPH└ &RXUW└ VDLG└ WR└ WKH└ (3$└ WKDW└ WKH\└ KDG└ WR└ PDNH└ D└ GHFLVLRQ└ ┼ ┼

0$5.(< └

7KDW└ ULJKW◀

358,77 └

◀ ◀ ◀ └ WR└ GHWHUPLQH└ ZKHWKHU└ &2└ └ SRVHG└ D└ ULVN◀ └ $QG☼ └ DV└ \RX└ LQGLFDWHG☼ └ LQ└ ┴ !! !! └ WKH\└ GLG└ VR◀ └ 7KDW└ LV└ WKH└ CDZ└ RI└ WKH└ CDQG☼ └ WKRVH└ WZR└ FDVHV◀ └ 7KHUH└ DQ└ REOLJDWLRQ└ RI└ WKH└ (3$└ DGPLQLVWUDWRU└ WR└ GR└ KLV└ RU└ KHU└ MRE└ LQ└ IXOILOOLQJ└ 0DV◀ └ Y◀ └ (3$└ LQ└ WKDW└ (QGDQJHUPHQW└)LQGLQJ└ IURP└ ┴ !! !! ◀

0$5.(< └

6R└ \RX└ ZLOO└ NHHS└ WKDW└ VFLHQWLILF└ ILQGLQJ└ RQ└ WKH└ ERRNV"

358,77 └

7KH└ (QGDQJHUPHQW└)LQGLQJ└ LV└ WKHUH└ DQG└ QHHGV└ WR└ EH└ HQIRUFHG└ DQG└ UHVSHFWHG◀

0$5.(< └

2.◀ └ $QG└ \RX└ ZLOO└ QRW└ UHYLHZ└ WKDW└ VFLHQWLILF└ ILQGLQJ"

358,77 └

7KHUH└ QRWKLQJ└ WKDW└ ,└ NQRZ└ WKDW└ ZRXOG└ FDXVH└ D└ UHYLHZ└ DW└ WKLV└ SRLQW◀

0$5.(< └

AMERICAN OVERSIGHT

7KDW└ YHU\└ JRRG◀ └ 0DVVDFKXVHWWV└ Y◀ └ (3$└ PDGH└ LW└ SRVVLEOH└ IRU└ WKDWHV└ OLNH└
&DOLIRUQLD└ DQG└ 0DVVDFKXVHWWV└ WR└ VHW└ KLJKHU└ WDQGDUGV└ IRU└ WKH└ IXHO└
HFRQRP\└ RI└ YHKLFHV└ XVLQJ└ WKHLU└ DXWRPLV\└ XQGHU└ WKH└ &HDQ└ $LU└ $FW◀ └ 7KLV└
LV└ D└ SRZHUIXO└ WRRO└ IRU└ WKDWHV└ WR└ UHGXFH└ HPLVVLRQV└ DQG└ DGGUHVV└ JOREDO└
ZDUPLQJ◀

$V└ D└ GLUHFW└ UHVXOW└ RI└ WKH└ &HDQ└ $LU└ $FW└ DXWRPLV\└ FRPELQHG└ ZLWK└ P\└ ┴ ‼ ‼ → └
)XHO└ (FRQRP\└ /DZ☼ └ WKH└ 2EDPD└ $GPLQLWUDWLRQ└ UHFKHG└ DQ└ KLWWRULF└
DJUHHPHQW└ ZLWK└ WKH└ DXWR└ LQGXVWU\\V└ VXSSRUW└ WR└ LQFUHDVH└ IXHO└ HFRQRP\└
WKDWHV└ WR└ ↑ ┤ ◀ ↑ └ PLOHV└ SHU└ JDOORQ└ E\└ ┴ ‼ ┴ ↑ ◀

7KRVH└ WKDWHV└ DUH└ SURVHFXWHG└ WR└ UHGXFH└ RXU└ GHSHQGHQFH└ RQ└ IRUHLJQ└ RLO└
E\└ PRUH└ WKDQ└ ┴ └ PLOOLRQ└ EDUUHOV└ D└ GD\☼ └ SUHYHQW└ ┼ └ ELOOLRQ└ WRQV└ RI└ FDUERQ└
SROOXWLRQ☼ └ DQG└ VDYH└ FRQVXPHUV└ PRUH└ WKDQ└ • ¶ ◀ → └ WULOOLRQ└ DW└ WKH└ JDV└ SXPS└
EHFDXVH└ WKHLU└ FDUV└ ZLOO└ EH└ VR└ PXFK└ PRUH└ HI ILFLHQW◀

7KRVH└ WKDWHV└ DUH└ DOVR└ XQGHUVKLQJ└ D└ 7HVOD└ UHYROXWLRQ☼ └ FHDQ└ HQHUJ\└
YHKLFHV└ DOO└ DFURVV└ WKH└ FRXQWU\◀ └ 7HQ└ WKRXVDQG└ SHRSOH└ DUH└ JRLQJ└ WR└ EH└
HPSOR\HG☼ └ IRU└ H[DPSOH☼ └ LQ└ 1HYDGD☼ └ LQ└ WKLV└ WHFKQRORJ\└ DUHD◀

<RXYH└ VDLG└ WKDW└ \RX└ ZDQW└ WKDWHV└ WR└ SOD\└ D└ ODUJHU└ UROH└ LQ└ HQYLURQPHQWDO└
UHJXODWLRQ◀ └ ,Q└ \RXU└ ┴ ‼ ¶ ↑ └ WHVWLPRQ\└ EHIRUH└ WKH└ +RXVH└ 6FLHQFH└
&RPPLWWHH☼ └ \RX└ ZURWH└ TXRWH☼ └ | 7KH└ (3$└ ZDV└ CHYHU└ LQWHQGHG└ WR└ EH└ RXU└
QDWLRQV└ IURQWOLQH└ HQYLURQPHQWDO└ UHJXODWRU◀ └ 7KH└ WKDWHV└ ZHUH└ WR└ KDYH└
UHJXODWRU\└ SULPDF\◀ |

%XW└ HDUOLHU└ WRGD\☼ └ \RX└ ZRXOGQ└ FRPPLW└ WR└ PDLQWDLQLQJ└ &DOLIRUQLD└ DQG└
0DVVDFKXVHWWV└ DQG└ RWKHU└ WHWHV└ DELOLW\└ WR└ EH└ UHJXODWRU\└ ♂ VLF□ └ SULPDF\└ DV└
/KH└ CHDGHUV└ RI└ WKH└ HI IRUW└ WR└ SURWHFW└ WKHLU└ RZQ└ WHWHV└ WR└ GR└ ZKDW└ LV└ EHWW└ IRU└
JOREDO└ ZDUPLQJ└ LQ└ WKHLU└ RZQ└ WHWHV◀

6R└ ,P└ JRLQJ└ WR└ DVN└ \RX└ DJDLQ◀ └ :LOO└ \RX└ VXSSRUW└ WKH└ WHWHVWRRU\└ ULJKW└ RI└
WHWHV└ WR└ GR└ PRUH└ WR└ UHGXFH└ GHSHQGHQFH└ RQ└ IRUHLJQ└ RLO☼ └ UHGXFH└ JOREDO└
ZDUPLQJ└ SROOXWLRQ☼ └ VDYH└ PRQH\└ DW└ WKH└ JDV└ SXPSV☼ └ DQG└ FUHDWH└ WHQV└ RI└
/KRXVDQGV☼ └ KXQGUHGV└ RI└ WKRXVDQGV└ RI└ MREV└ LQ└ WKH└ FHDQ└ EDU└ MRE└
EXVLQHVV"

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ┤└→R└└

,└ WKLQN└ 6HQDWRU└ JHQHUDOO\└ WKH└ DQVZHU└ WR└ WKDW└ ZRXOG└ EH└ \HV◀ └ %XW└ LQ└ DSSOLFDWLRQ└ ZLWK└ WKH└ &DOLIRUQLD└ ZDLYHU└ WKDW└ ZDV└ GLVFXVVHG└ HDUOLHU└ WKDW└ DQ└ DGVRGLFDWRU\└ SURFHVV└ WKDW└ ,└ FDQW└ SUHVXGJH└ ZKDW└ ZRXOG└ RFFXU└ WKHUH◀ └ $V└ \RX└ NQRZ└ SUHYLRXV└ DGPLQLWWDWRUV└ KDYH└ HLWKHU└ JUDQWHG└ RU└ GHQLHG└ WKDW└ EDVHG└ XSRQ└ D└ UHFRUG└ WKDW└ ZDV└ PDGH◀

,└ GR└ UHVSHFW└ DQG└ GR└ EHOLHYH└ WKDW└ WDWHV└ KDYH└ D└ YHU\└ LPSRUWDQW└ URCH◀ └ :HYH└ DFNQRZOHGJHG└ WKDW└ RU└ ,YH└ DFNQRZOHGJHG└ WKDW└ WRGD\└ ZLWK└ UHVSHFW└ /R└ WKH└ &KHVDSHDNH└ %D\└ VLWXDWLRQ└ └ DV└ DQ└ H[DPSOH◀ └ $QG└ VR└ └ ,└ ZLOO└ CRRN└ DW└ /KDW└ LVXH└ OLNH└ RWKHUV└ └ WR└ PDNH└ VXUH└ WKDW└ LW└ UHVSHFWHG└ EXW└ DOVR└ LV└ FRQVLWHQW└ ZLWK└ WKH└ WDWXWRU\└ IUDPHZRUN└ WKDW└ \RXYH└ RXWOLQHG◀

0$5.(< └
'R└ \RX└ VXSSRUW└ WKH└ CDZ└ WKDW└ VD\V└ WKDW└ &DOLIRUQLD└ KDV└ D└ ULJKW└ WR└ DVN└ IRU└ D└ ZDLYHU"

358,77 └
,W└ WDWXWRU\└ DQG└ VRPHWKLQJ└ WKH└ DGPLQLWWDWRU└ KDV└ DQ└ REOLJDWLRQ└ WR└ GR◀ └ 6R└ └ \HV└ └ ,└ GR└ UHVSHFW└ LW◀

0$5.(< └
'R└ \RX└ VXSSRUW└ WKH└ FXUUHQW└ &DOLIRUQLD└ ZDLYHU└ IRU└ JUHHQKRXVH└ JDV└ WDQGDUGV"

358,77 └
6HQDWRU└ WKDW└ ZKDW└ ZRXOG└ EH└ HYDOXDWHG└ DQG└ ,└ WKLQN└ LW└ YHU\└ GLIILFXOW└ DQG└ ZH└ VKRXOGQW└ SUHVXGJH└ WKH└ RXWFRPH└ LQ└ WKDW└ UHJDUG└ LI└ FRQILUPHG└ DV└ DGPLQLWWDWRU◀

0$5.(< └
6R└ └ \RXUH└ TXHWWLRQLQJ└ WKH└ FXUUHQW└ ZDLYHU"└ <RX└ GRQW└ WKLQN└ WKH\UH└ HQWLWOHG└ WR└ WKH└ FXUUHQW└ ZDLYHU◀

358,77 └
:HOO└ WKH└ ZDLYHU└ LV└ VRPHWKLQJ└ WKDW└ JUDQWHG└ RQ└ DQ└ DQQXDO└ EDVLV└ DQG└ WKH└ DGPLQLWWDWRU└ ZRXOG└ EH└ UHVSRQVLEOH└ IRU└ PDNLQJ└ WKDW└ GHFLVLRQ◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RXVH└ +H[3DJH¶ ┤└←RI└└

0$5.(< └
<HS◀ └ $QG└ VR☼ └ \RX└ VD\└ \RXUH└ JRLQJ└ WR└ UHYLHZ└ LW'

358,77 └
<HV☼ └ 6HQDWRU◀

0$5.(< └
<HDK◀ └ $QG└ ZKHQ└ \RX└ VD\└ UHYLHZ☼ └ ,└ KHDU└ XQGR☼ └ \RX└ NQRZ☼ └ WKH└ ULJKW└ RI└
/KH└ WDWHV◀ └ $QG└ ,└ WKLQN└ WR└ D└ FHUWDLQ└ H[WHQW└ WKDW└ ┼ ┼ └ LW└ WURXEOHVRPH☼ └
EHFDXVH└ REYLRXVO\└ ZKDW└ ZHYH└ KHDUG└ DOO└ GD\└ LV└ KRZ└ PXFK└ \RX└ VXSSRUW└
WDWHV└ ULJKW└ ZKHQ└ LW└ FRPHV└ WR└ WKHVH└ LWXHV◀

%XW└ QRZ└ ZKHQ└ LW└ FRPHV└ WR└ WKH└ ULJKW└ RI└ &DOLIRUQLD└ RU└ 0DVVDFKXVHWW└ DQG└
RWKHU└ WDWHV└ WR└ EH└ DECH└ WR└ UHGXFH└ FDUERQ└ SROOXWLRQ☼ └ \RXUH└ VD\LQJ└ \RXUH└
JRLQJ└ WR└ UHYLHZ└ WKDW◀ └ 6R☼ └ P\└ SURECHP└ UHDOO\└ JRHV└ WR└ WKLV└ GRXECH└ WDQGEDUG└
/KDW└ LV└ FUHDWHG└ WKDW└ ZKHQ└ \RX└ VXH└ IURP└ WKH└ 2NODKRPD└ SHUVSHFWLYH☼ └ IURP└
/KH└ RLO└ DQG└ JDV└ LQGXVWU\└ SHUVSHFWLYH└ DQG└ \RX└ UHSUHVHQW└ 2NODKRPD☼ └ \RX└
VD\└ WKH\└ KDYH└ D└ ULJKW└ WR└ GR└ ZKDW└ WKH\└ ZDQW└ WR└ GR└ LQ└ WKH└ WDWH└ RI└
2NODKRPD◀

%XW└ ZKHQ└ LW└ FRPHV└ WR└ 0DVVDFKXVHWW└ RU└ LW└ FRPHV└ WR└ &DOLIRUQLD└ DQG└ LW└
FRPHV└ WR└ WKH└ TXHVWLRQ└ RI└ WKRVH└ WDWHV└ ZDQWLQJ└ WR└ LQFUHDVH└ WKHLU└
SURWHFWLRQ└ IRU└ WKH└ HQYLURQPHQW☼ └ SURWHFW└ WKHLU└ ┼ ┼ └ WKHLU└ YLFWLPL]DWLRQ└ IURP└
FDUERQ└ SROOXWLRQ☼ └ \RX└ VD\└ WKHUH☼ └ \RXUH└ JRLQJ└ WR└ UHYLHZ◀

$QG└ ,└ WKLQN└ WKDW└ WKH└ KLWRU\└ RI└ WKH└ DJHQF\└ LQ└ JUDQWLQJ└ UHYLHZV└ WKDW└ KDYH└
EHHQ└ QHFHVVDU\└ IRU└ 0DVVDFKXVHWW☼ └ IRU└ &DOLIRUQLD└ DQG└ RWKHU└ WDWHV└ WR└
LPSURYH└ WKH└ HQYLURQPHQW☼ └ DUH└ WKLOO└ YDOLG◀ └ 7KH└ VFLHQFH└ KDVQW└ FKDQJHG◀

7KH└ QHZ└ FKDQ└ HQHUJ\└ WHFKQRORJLHV└ KDYH└ GRW└ FKDQJHG◀ └ 7KH└ GDQJHU└ WR└
/KH└ SXEOLF└ IURP└ HQYLURQPHQWDO└ H[SRVXUH└ WR└ FDUERQ└ SROOXWLRQ└ KDV└ GRW└
FKDQJHG◀ └ $QG└ VR└ IURP└ RXU└ SHUVSHFWLYH☼ └ \RX└ NQRZ☼ └ ZH└ ┼ ┼ └ ZH└ DUH└ IHDUIXO└ RI└
ZKDW└ D└ UHYLHZ└ ZRXOG└ DFWXDOO\└ UHVXOW└ LQ◀ └ $QG└ IURP└ P\└ SHUVSHFWLYH☼ └ ,└ WKLQN└
LW└ JRLQJ└ WR└ CHDG└ WR└ \RX└ XQGRLQJ└ WKDW└ ┼ ┼

%$55$662 └
7KH└ 6HQDWRUV└ WLPH└ KDV└ H[SLUHG◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ┤└ RI└

0$5.(<└

┼ ┼ └ ULJKWV└ RI└ WKH└ WDWHV└ WR└ EH└ DEOH└ WR└ SURYLGH└ WKDW└ SURWHFWLRQ◀

%$55$662└

7KDQN└ \RX☼ └ 6HQDWRU└ 0DUNH\◀ └ ,P└ JRLQJ└ WR└ LQWURGXFH☼ └ IRU└ WKH└ UHFRUG☼ └ D└
UHSRUW└ IURP└ WKH└ 1DWLRQDO└ (QHUJ\└ $VVLWDQW└ 'LUHFWRUV└ $VVRFLDWLRQ◀ └ 7KHVH└
DUH└ WKH└ WDWHV└ RI ILFLDOV└ ZKR└ RYHUVHH└ WKH└ ILQDQFLDO└ DVVLWDQFH└ SURJUDPV└ IRU└
SHRSOH└ WR└ KHDW└ WKHLU└ KRPHV◀

7KH└ UHSRUW└ VD\V└ WKDW└ ZKHQ└ HQHUJ\└ SULFHV└ JR└ XS☼ └ WKH└ KLJKHU└ HQHUJ\└ SULFHV└
UHVXOW└ LQ└ ┴ ┤ └ SHUFHQW└ RI└ WKH└ UHFLSLHQW└ ZKR└ JR└ ZLWKRXW└ IRRG└ IRU└ DW└ CHDVW└ D└
GD\☼ └ ┬ → └ SHUFHQW└ JR└ ZLWKRXW└ PHGLFDO└ RU└ GHQWDO└ FDUH☼ └ ┬ ┤ └ SHUFHQW└ GLGQW└ ILOO└ D└
SUHVFULSWLRQ└ DQG└ ¶ └ SHUFHQW└ KDG└ VRPHRQH└ LQ└ WKHLU└ KRPH└ EHFRPH└ VLFN└
EHFDXVH└ WKH└ KRXVH└ ZDV└ FROG└ GXH└ WR└ LQFUHDVHG└ HQHUJ\└ FRVWV◀ └ 6HQDWRU└
(UQVW'

(5167└

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ $JDLQ☼ └ $VVRFLDWH\└ *HQHUDO└ 3URJUDP☼ └ WKDQN└ \RX└ IRU└
EHLQJ└ KHUH└ WRGD\◀ └ ,└ ZRXOG└ OLNH└ WR└ JR└ EDFN└ WR└ VRPHWKLQJ└ WKDW└ D└ FROOHDJXH☼ └
6HQDWRU└ 'XFNZRUWK☼ └ PHQWLRQHG└ HDUOLHU└ WRGD\└ DQG└ WKDWV└ WKH└ 3RLQW└ RI└
2EOLJDWLRQ◀

7KH└ SURSRVDO└ WR└ FKDQJH└ WKH└ 3RLQW└ RI└ 2EOLJDWLRQ└ XQGHU└ WKH└ 5)6└ LV└ DQ└
H[DPSOH└ RI└ D└ UHJXODWRU\└ FKDQJH└ WKDW└ ZRXOG└ GHWDELOL]H└ WKH└ SROLF\└
HQYLURQPHQW└ LI└ DGRSWHG◀ └ $QG☼ └ ZKDW└ LQWHUHVWLQJ└ ZLWK└ WKH└ 3RLQW└ RI└
2EOLJDWLRQ☼ └ ZH└ KDYH└ WZR└ VLGHV└ WKDW└ QRUPDOO\└ RSSRVH└ HDFK└ RWKHU└ WKDW└
KDYH└ DFWXDOO\└ FRPH└ WRJHWKHU◀

6R☼ └ ERWK└ ELRIXHO└ SURGXFHUV└ DQG└ WKH└ $PHULFDQ└ 3HWUROHXP└ ,QVWLWXWH└ RSSRVH└
/KLV└ FKDQJH☼ └ ERWK└ JURXSV◀ └ $QG└ ,└ ZRXOG└ OLNH└ WR└ VXEPLW└ D└ CHWWHU└ IRU└ WKH└
UHFRUG└ VKRZLQJ└ WKH└ XQLWHG└ RSSRVLWLRQ└ WR└ PRYLQJ└ WKH└ 3RLQW└ RI└ 2EOLJDWLRQ◀ └
0U◀ └ &KDLU☼ └ LI└ ZH└ FRXOG└ KDYH└ WKDW└ HQWHUHG└ LQWR└ WKH└ UHFRUG◀

%$55$662└

:LWKRXW└ REMHFWLRQ◀

(5167└

$QG☼ └ ,G└ OLNH└ WR└ UHYLVLW└ WKLV☼ └ LI└ \RX└ FDQ☼ └ \HV└ RU└ QR☼ └ DV└ DGPLQLWWUDWRU☼ └ ZLOO└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ↑└!!RI└└

RSSRVH└ FKDQJHV└ WR└ WKH└ 3RLQW└ RI└ 2EOLJDWLRQ"

358,77 └
6HQDWRU└ DV└ \RX└ DQG└ ,└ LQGLFDWHG└ ┼ ┼ └ DV└ ,└ LQGLFDWHG└ LQ└ P\└ PHPRLQJ└ ZLWK└ \RX└
DQG└ ,└ WKLQN└ LQ└ UHVSRQVH└ WR└ 6HQDWRU└ 'XFNZRUWK└ HDUOLHU└ └WKHUHV└ D└ FRPPRQ└
SHULRG└ LQ└ SURFHVV└ QRZ└ DW└ WKH└ (3$└ DERXW└ WKH└ 3RLQW└ RI└ 2EOLJDWLRQ◀ └ ,└ WKLQN└
SUHVXGJLQJ└ └\RX└ NQRZ└ └WKH└ RXWFRPH└ RI└ WKDW└ SURFHVV└ DW└ WKLV└ SRLQW└ LV└
XQZLVH◀

,└ FDQ└ VD\└ WR└ \RX└ DV└ ,└ VDLG└ WR└ \RX└ LQ└ WKH└ RIILFH└ └DQ\└ WWHSV└ WKDW└ ,└ ZRXOG└ WDNH
DV└ (3$└ DGPLQLWUDWRU└ ZLWK└ UHVSHFW└ WR└ DQ\└ LWXHV└ DV└ IDU└ DV└ WKH└ 5,1└
SURJUDP└ └WKH└ PRQLWRULQJ└ RI└ WKDW└ SURJUDP└ └3RLQW└ RI└ 2EOLJDWLRQ└ └DOO└ WKHVH└
YDULRXV└ LWXHV└ WKDW└ ZH└ GLVFXW└ └WKH└ MRE└ RI└ WKH└ (3$└ DGPLQLWUDWRU└ LV└ WR└
PDNH└ VXUH└ WKDW└ WKH└ WDWXWH└ LV└ XSKHOG└ DQG└ HQIRUFHG└ DQG└ QRW└ XQGHUPLQHG◀

7KH└ YLWDOLW\└ RI└ WKH└ 5)6└ SURJUDP└ KDV└ EHHQ└ GHILQHG└ E\└ &RQJUHVV└ GDWLQJ└
EDFN└ WR└ ┴ !! !! ↑ ◀ └ $Q\└ WWHSV└ WKDW└ WKH└ (3$└ DGPLQLWUDWRU└ WDNHV└ QHHGV└ WR└ EH└
GRQH└ LQ└ VXFK└ D└ ZD\└ WR└ IXUWKHU└ WKH└ REMHFWLYHV└ RI└ &RQJUHVV└ LQ└ WKDW└ WWDWXWH└ └
QRW└ XQGHUPLQH└ WKH└ REMHFWLYHV└ RI└ &RQJUHVV└ LQ└ WKDW└ WWDWXWH◀

(5167 └
:HOO└ └,└ GR└ DSSUHFLDWH└ \RX└ EHLQJ└ REMHFWLYH└ DQG└ ,P└ VXUH└ WKDW└ 6HQDWRU└
'XFNZRUWK└ DQG└ ,└ ZLOO└ ORRN└ IRUZDUG└ WR└ FRQWLQXLQJ└ WR└ HGXFDWH└ \RX└ RQ└ WKRVH└
LWXHV◀ └ 6R└ └WKDQN└ \RX└ └YHU\└ PXFK◀

,└ ZRXOG└ OLNH└ WR└ VKRZ└ D└ FKDUW└ RI└ WKH└ WWDWH└ RI└ ,RZD└ DQG└ ,└ ZRXOG└ OLNH└ WR└ JR└
EDFN└ WR└ VRPH└ RI└ 6HQDWRU└ &DUGLQV└ FRPPHQW└ DERXW└ ZKR└ VKRXOG└ GHILQH└
ZKDW└ WKH└ H[SDQGHG└ GHILQLWLRQ└ RI└ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ LV◀

6R└ └WKLV└ LV└ D└ FKDUW└ RI└ WKH└ 6WDWH└ RI└ ,RZD└ DQG└ └DV└ \RX└ FDQ└ VHH└ └ZLWK└ WKH└
H[SDQGHG└ GHILQLWLRQ└ DV└ SURYLGHG└ E\└ WKH└ (3$└ └ → └ SHUFHQW└ RI└ WKH└ 6WDWH└ RI└
,RZD└ LV└ QRZ└ FRQVLGHUHG└ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ 6R└ └LI└ \RX└ ZHUH└ LQ└ DQ└ DUHD└
OLNH└ PLQH└ └6RXWKZHWV└ ,RZD└ KHUH└ └ULJKW└ GRZQ└ KHUH└ └,└ OLYH└ LQ└ D└ :DWHU└ RI└ WKH└
8◀ 6◀ └ 0RVW└ RI└ WKH└ WWDWH└ LV└ FRYHUHG└ E\└ WKH└ :DWHUV└ RI└ WKH└ 8◀ 6◀

$QG└ ,└ EULQJ└ WKDW└ XS└ EHFDXVH└ LQ└ D└ PRPHQW└ ,P└ JRLQJ└ WR└ VKRZ└ \RX└ DQRWKHU└
SLFWXUH└ RI└ WKH└ FRQVHTXHQFHV└ RI└ WKH└ (3$└ GHILQLQJ└ ZKDW└ D└ :DWHU└ RI└ WKH└
8◀ 6◀ └ LV◀ └ /DWW└ &RQJUHVV└ └WKLV└ FRPPLWWHH└ H[PLQHG└ WKH└ VFRSH└ RI└ WKH└
)HGHUDO└ &ODQ└ :DWHU└ $FW└ MXULVGLFWLRQ└ └(3$└ DQG└ WKH└ &RUSV└ RI└ (QJLQHHUV└
FODLP└ WRGD\└ └HYHQ└ ZLWKRXW└ WKH└ QHZ└ :2786└ UXOH◀

AMERICAN OVERSIGHT

7KH└ FRPPLWWHH└ IRXQG└ WKDW└ (3$└ DQG└ WKH└ &RUSV└ DUH└ DOUHDG\└ H[SDQGLQJ└ /KHLU└ MXULVGLFWLRQ└ XVLQJ└ WKH└ FRQFHSW└ WKDW└ WKH\└ FRGLILHG└ LQ└ :2786☼ └ WKH\└ DUH└ MXVW└ GRLQJ└ LW└ E\└ D└ FDVH┼ E\┼ FDVH└ EDVLV◀ └ 7KH└ MXULVGLFWLRQDO└ FODLPV└ WKDW└ DUH└ DOUHDG\└ EHLQJ└ PDGH└ DUH└ YHU\└ WURXEOLQJ◀

)RU└ H[DPSOH☼ └ WKH└ 2EDPD└ (3$└ WROG└ WKH└ SXEOLF└ WKDW└ WKH\└ ZLOO└ QRW└ UHJXODWH└ SXGGOHV◀ └ 7KH\└ ZLOO└ QRW└ UHJXODWH└ SXGGOHV◀ └ +RZHYHU☼ └ ZH└ CHDUQHG└ WKDW└ WKH└ &RUSV└ LV└ DOUHDG\└ UHJXODWLQJ└ SXGGOHV└ E\└ FODLPLQJ└ WKDW└ D└ SXGGOH└ LQ└ D└ JUDYHO└ SDUNLQJ└ ORW└ LV└ LQ└ TXRVHV☼ └ | D└ GHJUDGHG└ ZHWODQG☼ └ D└ GHJUDGHG└ ZHWODQG| ☼ └ D└ GHJUDGHG└ ZHWODQG◀

7KH└ 2EDPD└ (3$└ DOVR└ WROG└ IDUPHUV└ QRW└ WR└ ZRUU\└ DERXW└ EHLQJ└ UHJXODWHG└ EHFDXVH└ RUGLQDU\└ IDUPLQJ└ DFWLYLWLHV└ KDYH└ D└ WLDWXWRU\└ H[HPSWLRQ◀ └ :H└ CHDUQHG└ WKDW└ WKH└ &RUSV└ RI└ (QJLQHHUV└ DQG└ WKH└ 'HSDUWPHQW└ RI└ -XVWLFH└ KDYH└ GHFLGHG└ WKDW└ SOZLQJ└ LV└ QRW└ DQ└ RUGLQDU\└ IDUPLQJ└ DFWLYLW\◀ └ ([SODLQ└ WKDW└ WR└ P\└ GHDU└ GHFHDVHG└ JUDQGIDWKHU└ DQG└ P\└ IDWKHU☼ └ ZKRV└ DFWLYLWLHV└ LQ└ IDUPLQJ└ LQFOXGH└ SOZLQJ◀

$FFRUGLQJ└ WR└ WKH└ 2EDPD└ DGPLQLWWUDWLRQ☼ └ DQ\└ SOZLQJ└ WKDW└ SXVKHV└ VRLO└ LQWR└ IXUURZV└ LV└ QRW└ H[HPSW└ IDUPLQJ└ DFWLYLW\└ EHFDXVH└ WKH└ WRSV└ RI└ SOZHG└ IXUURZV└ FDQ└ GU\└ RXW◀ └ $FFRUGLQJ└ WR└ D└ EULHI└ ILHG└ E\└ WKH└ 8QLWHG└ 6WDWHV└ LQ└ TXRVHV☼ └ | 7KH└ IXUURZ└ WRSV└ QRZ└ VHUYH└ DV└ VPDOO└ PRXQWDLQ└ UDQJHV◀ |

5LJKW└ WKHUH└ IRQV☼ └ | VPDOO└ PRXQWDLQ└ UDQJHV◀ | └ | 7KHVH└ IXUURZ└ WRSV└ QRZ└ SURYLGH└ FRQGLWLRQV└ WKDW└ DUH└ QRW└ FRQGXFLYH└ WR└ JURZWK└ DQG└ GHYHORSPHQW└ RI└ ZHWODQG└ SODQW└ VSHFLHV◀ └ 7KH\└ DUH└ PDQ\└ XSODQGV☼ | └ HQG└ TXRWH◀

7KLV└ LV└ D└ SLFWXUH└ RI└ WKHVH└ VPDOO└ PRXQWDLQ└ UDQJHV└ IURP└ WKH└ JRYHUQPHQW└ H[SHUW└ UHSRUW◀ └ 0U◀ └ 3UXLWW☼ └ ZLOO└ \RX└ FRPPLW└ WR└ PH└ WKDW└ LI└ FRQILUPHG☼ └ (3$└ ZLOO└ ZRUN└ ZLWK└ WKH└ &RUSV└ DQG└ '2-└ WR└ PDNH└ VXUH└ WKDW└ IHGHUDO└ DJHQFLHV└ \WRS└ WU\LQJ└ WR└ UHJXODWH└ RUGLQDU\└ IDUPLQJ└ SUDFWLFHV◀

358,77 └
<HV☼ └ 6HQDWRU◀

(5167 └
7KDQN└ \RX└ IRU└ WKDW└ YHU\└ FRQFLVH└ DQVZHU◀ └ 7KDQN└ \RX☼ └ 0U◀ └ &KDLU◀

%$55$662 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +ROGV└ +HDU 3DJH¶ ↑ └┴RI ┴└

7KDQN└ \RX☼ └ 6HQDWRU└ (UQVW◀ └ 6HQDWRU└ 'XFNZRUWK"

'&.:257+ └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ ,└ MXVW└ ZDQW└ WR└ ◀ ◀ ◀

358,77 └
<HV☼ └ 6HQDWRU◀

'&.:257+ └
,└ ZDQW└ WR└ FRPH└ EDFN└ WR└ WKLV└ TXHVWLRQ└ DJDLQ◀ └ $QG└ CHW└ PH└ MXVW└ WHOO└ \RX☼ └ ,└
SOD\HG└ VHFRQG└ EDVH☼ └ DV└ ZHOO◀ └ 7KLV└ LV☼ └ \RX└ NQRZ☼ └ WKLV└ LV└ D└ KDQJLQJ└ FXUYH└
EDOO◀ └ <RX└ FDQ└ NQRFN└ WKLV└ RXW└ RI└ D└ SDUN└ ZLWK└ D└ \HV☼ └ DOO└ ULJKW"

:LOO└ \RX└ FRPPLW☼ └ \HV└ RU└ QR☼ └ WR└ UHYHUVLQJ└ WKH└ (3$V└ FXUUHQW└ LQWHUSUHWDWLRQ└
/KDW└ DYDLODEOH└ LQIUDWUXFWXUH└ VKRXOG└ OLPLW└ WKH└ UHTXLUHPHQW└ WR└ ECHQG└
ELRIXHDV└ LQWR└ RXU└ IXHO└ VXSSO\└ JLYHQ└ WKDW└ LW└ UXQV└ FRXQWHU└ WR└ FRQJUHVVLRQDO└
LQWHQW"

358,77 └
,└ ZLOO└ QRW└ WDNH└ DQ\└ VWHSV└ WR└ XQGHUPLQH└ WKH└ REMHFWLYHV└ DQG└ WKH└ VWDWXWH└ RI└
/KH└ 5)6└ DV└ DGPLQLVWUDWRU☼ └ DV└ (3$◀

'&.:257+ └
6R☼ └ DUH└ \RX└ FRPPLWWLQJ└ ┼ ┼ └ ZLOO└ \RX└ FRPPLW└ WR└ RSSRVLQJ└ DQ\└ DWWHPSW└ WR└
PRYH└ WKH└ 3RLQW└ RI└ 2EOLJDWLRQ└ IURP└ WKH└ IDUPHU☼ └ WKH└ VR\EHDQ└ SURGXFHUV☼ └
/KH└ FRUQ└ SURGXFHUV☼ └ DQG└ ELRIXHO└ PDQXIDFWXUHUV☼ └ DZD\└ IURP└ WKHP└ DQG└
/RZDUGV└ WKH└ ECHQGHUV☼ └ EHFDXVH└ WKDW└ ZRXOG└ EH└ FRXQWHU└ WR└ FRQJUHVVLRQDO└
LQWHQW"

358,77 └
6HQDWRU☼ └ WKDW└ LV└ VRPHWKLQJ└ DV└ ,YH└ LQGLFDWHG◀ └ 7KHUH└ LV└ DQ└ RSHQ└ FRPPHQW└
SHULRG└ RQ└ WKDW└ YHU\└ LVVXH◀ └ $QG☼ └ LI└ FRQILUPHG☼ └ ,└ ZRXOG└ EH└ GHDOLQJ└ ZLWK└ WKDW└
LVVXH└ DQG└ QHHG└ WR└ UHVSRQG└ WR└ WKH└ FRPPHQW└ WKDW└ KDYH└ EHHQ└ PDGH└ DV└
SDUW└ RI└ WKH└ UHFRUG◀

,W└ ZRXOG└ EH└ XQZLVH└ WR└ SUHMXGJH└ WKDW└ RXWFRPH◀ └ ,└ FDQ└ VD\└ WR└ \RX└ WKDW└ DQ\└
WWHSV└ WKDW└ ,└ ZRXOG└ WDNH└ DV└ DGPLQLWWUDWRU└ ZRXOG└ EH└ LQ└ IXUWKHUDQFH└ RI└ WKH└
5)6└ DQG└ QRW└ WR└ XQGHUPLQH└ WKH└ 5)6◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ↑└┬RI└└

'8&.:257+ └

%XW└WKH└FRPPHQW└SHULRG└KDV└QRWKLQJ└WR└GR└ZLWK└FRQJUHVVLRQDO└LQWHQW◀ └

(DUOLHU└WRGD\☼ └\RX└VDLG└WKDW└\RX└ZRXOG└DELGH└E\└FRQJUHVVLRQDO└LQWHQW◀ └

1RZ☼ └WKH└FRQJUHVVLRQDO└LQWHQW└LV└WR└NHHS└WKDW└3RLQW└RI└2EOLJDWLRQ└ZLWK└WKH└

\R\EDQ└DQG└FRUQ└SURGXFHUV└DQG└WKH└ELRIXHO└PDQXIDFWXUHUV☼ └QRW└WR└PRYH└

DZD\└IURP└LW└UHJDUGOHVV└RI└ZKDW└WKH└RSHQ└FRPPHQW└SHULRG└VD\V◀

6R☼ └\RXUH└VD\LQJ└WKDW└\RXUH└ZLOOLQJ└┼┼└WKDW└\RU└DQVZHU└LV└QR☼ └EHFDXVH└

\RX└ZRXOG└EH└RSHQ└WR└PRYLQJ└LW└DZD\└IURP└WKH└VR\EDQ└DQG└FRUQ└

JURZHUV☼ └WKH└IDUPHUV☼ └WRZDUGV└WKH└ECHQGHUV☼ └LI└WKDW└ZKDW└WKH└FRPPHQW└

SHULRG└┼┼└LI└WKDW└LV└ZKDW└FRPHV└RXW└RI└WKH└FRPPHQW└SHULRG"└,V└WKDW└ZKDW└

\RXUH└VD\LQJ"└$QG└WKDW└ZRXOG└EH└DJDLQVW└FRQJUHVVLRQDO└LQWHQW☼ └WKRXJK◀

358,77 └

6HQDWRU☼ └,└WKLQN└PD\EH└ZHUH┼┼└ZLWK└UHVSHFW└WR└FRQJUHVVLRQDO└LQWHQW└DQG└

/KH└WDONHG☼ └WKH└LQWHQW☼ └DV└IDU└DV└WKH└3RLQW└RI└2EOLJDWLRQ☼ └LV└QRW└DGGUHVVHG└

LQ└WKH└WDONHG└LWHPOI◀ └7KDW└LV└D└GHFLVLRQ└DQG└WKH└DGPLQLWUDWRU└KDV└EHHQ└

LQYROYHG└LQ└WKDW└SURFHVV└KLWKRULFDOO\◀ └,W└EHHQ└VXEMHFW└WR└PXFK└

GLVFXVVLRQ◀ └,Q└IDFW☼ └WKH└(3$└KDV└GHDOW└ZLWK└WKLV└LVVXH└EHIRUH◀

:KDW└,P└VD\LQJ└WR└\RX└LV☼ └LW└WKH└MRE└RI└WKH└DGPLQLWUDWRU└WR└HQIRUFH└WKH└

SURJUDP☼ └WR└DGPLQLWHU└WKH└SURJUDP☼ └WR└HQVXUH└WKDW└WKH└LQWHQW└RI└

&RQJUHVV└DV└IDU└DV└WKH└5)6└LV└XSKHOG◀ └,└ZLOO└GR└WKDW◀

7R└SUHVXGJH└WKH└RXWFRPH└RI└WKDW└SDUWLFXODU└FRPPHQW└SHULRG└LV└VRPHWKLQJ└

/KDW└,└FDQW└GR└DQG└VKRXOGQW└GR└DW└WKLV└SRLQW◀ └,└ZRXOG└QHHG└WR└UHVSRQG└WR└

/KDW└RQH\└DIWHU└EHLQJ└FRQILUPHG└DQG└JRLQJ└WKURXJK└WKH└UHVW└RI└WKH└

SURFHVV◀

'8&.:257+ └

6R☼ └\RXUH└VD\LQJ└WKDW└\RX└ZRXOG└EH└RSHQ└WR└PRYLQJ└WKH└3RLQW└RI└

2EOLJDWLRQ└DZD\└IURP└WKH└FRUQ└DQG└VR\EDQ└SURGXFHUV└DQG└HWKDQRO└

PDQXIDFWXUHUV"

358,77 └

,P└VD\LQJ└◀◀◀

'8&.:257+ └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ↑└┤RI└└

,I└WKDW└LV└ZKDW└WKH└┼┼└LI└WKDW└LV└ZKDW└WKH└RSHQ└FRPPHQW└SHULRG└VD\V☼└LI└ /KDWV└WKH└UHVXOW☼└WKHQ└\RX└ZRXOG└EH└RSHQ└WR└PRYLQJ└LW└DZD\└IURP└WKH└ IDUPHUV"

358,77└

1R☼└,P└VD\LQJ☼└6HQDWRU☼└WKDW└DQ\└DFWLRQV└WDNHQ└DV└DGPLQLWWUDWRU└WKDW└ ZRXOG└MHRSDUGL]H└DQG└HQGDQJHU└WKH└5)6└DV└LQWHQGHG└E\└&RQJUHVV☼└,└ ZRXOG└QRW└WDNH◀└7KDW└LV└GLIIHUHQW└IURP└SUHVXGJLQJ└DQ└RXWFRPH└LQ└WKDW└ SDUWLFXODU└PDWWHU◀

'8&.:257+└

⅋W└WKH└LQWHQW└RI└&RQJUHVV└LV└WR└NHHS└WKH└3RLQW└RI└2EOLJDWLRQ└ZLWK└WKH└ SURGXFHUV◀

358,77└

7KDW└VRPHWKLQJ└,P└QRW└DZDUH└RI☼└6HQDWRU◀

'8&.:257+└

2.◀└:HOO☼└CHW└PRYH└RQ└WR└┼┼└,P└YHU\└FRQFHUQHG└DQG└ZHOO└IROORZ└XS└ZLWK└ /KLV└LQ└WKH└IXWXUH◀└/HW└JR└WR└VDIH└GULQNLQJ└ZDWHU◀└,└VLW└RQ└RYHUVLJKW└ JRYHUQPHQW└┼┼└,└VDW└RQ└*RYHUQPHQW└2YHUVLJKW└FRPPLWWHH└LQ└WKH└+RXVH└ ZKHUH☼└LQ└D└ELSDUWLVDQ└PDQQHU☼└ZH└H[SORUHG└ZKDW└KDSSHQHG└LQ└)OLQW☼└ 0LFKLJDQ◀

$QG└,└ZDV└DFWXDOO\└ICDEEHUJDWHG└HDUOLHU└WRGD\└ZKHQ☼└LQ└UHVSRQVH└WR└P\└ FROOHDJXH☼└6HQDWRU└&UXL]☼└ZKHWKHU└\RX└EHOLHYH└WKHUH└DQ\└VDIH└CHYHO└RI└ CHDG└WKDW└FKLOGUHQ└FDQ└FRQVXPH◀└<RX└UHVSRQGHG└E\└VD\LQJ☼└DQG└,└TXRWH☼└ |└6HQDWRU☼└WKDW└LV└QRW└VRPHWKLQJ└,YH└UHYLHZHG└RU└NQRZ└DERXW◀└,└EHOLHYH└ /KHUH└VRPH└FRQFHUQ└EXW└,└KDYH└QRW└CRRNHG└LQWR└WKH└VFLHQWL ILF└UHVHDUFK└ RQ└WKDW◀|

<RXUH└DERXW└WR└EHFRPH└WKH└(3$└DGPLQLWWUDWRU◀└<RXUH└VHHNLQJ└WR└EH└WKH└ (3$└DGPLQLWWUDWRU└DQG└\RXYH└QRW└CRRNHG└LQWR└WKH└LVVXH└RI└CHDG└LQ└RXU└ GULQNLQJ└┼┼└LQ└RXU└GULQNLQJ└ZDWHU└VXSSO\"└,└WKLQN└WKDW└WKDW└LV└VRPHWKLQJ☼└ HVSHFLDOO\└LQ└WKH└DIWHUPDWK└RI└)OLQW☼└LV└┼┼└LV└D└VHULRXV└RYHUVLJKW└RQ└\RXU└ SDUW◀

AMERICAN OVERSIGHT

+DYH└ \RX└ HYHQ└ WKRXJKHG└ WKH└)OLQW└ ZDWHU└ FULVLV└ LQ└ SUHSDULQJ└ IRU└ WKLV└ KHDULQJ"└ $QG└ GR└ WKH└ QDPHV└ 0DU\└ *DGH└ DQG└ 6XVDQ└ +HPDQ└ ULQJ└ D└ EHOO└ /R└ \RX"

358,77 └

7KH└ VLWXDWLRQ└ LQ└ SRLQW└ DV└ ,└ LQGLFDWHG└ HDUOLHU└ └WKH└ (3$└ VKRXOGYH└ DFWHG└ PRUH└ H[SHGLWLRXVO\└ LQ└ UHVSRQGLQJ└ WR└)OLQW└ DQG└ GLG└ QRW◀ └ 7KHUH└ ZDV└ LQGLFDWLRQ└ DW└ WKH└ UHJLRQDO└ CHYHO└ WKDW└ WKHUH└ ZHUH└ FRQFHUQV└ DQG└ WKHUH└ ZDV└ QRW└ D└ UHVSRQVH◀

$QG└ ,└ WKLQN└ WKDW└ WKH└ (3$└ EHDUV└ UHVSRQVLELOLW\└ IRU└ ZKDW└ KDSSHQHG└ LQ└)OLQW└ DQG└ ZRXOG└ VHHN└ WR└ └ LQ└ WKH└ IXWXUH└ └ DYRLG└ WKRVH└ NLQG└ RI└ VLWXDWLRQV└ E\└ EHLQJ└ PRUH└ SURDFWLYH└ WKURXJK└ WKH└ UHJLRQDO└ DGPLQLVWUDWRUV└ DQG└ WKH└ WDWHV└ DQG└ PXQLFLSDOLWLHV└ LQ└ HQVXULQJ└ WKH└ TXDOLW\└ RI└ RXU└ GULQNLQJ└ ZDWHU◀

'&.:257+ └

$V└ (3$└ DGPLQLWUDWRU└ └ ZLOO└ \RX└ FRPPLW└ WR└ DSSRLQWLQJ└ D└ SHUPDQHQW└ UHJLRQDO└ DGPLQLWUDWRU└ WR└ WKH└ 0LGZHVW└ UHJLRQ└ WKDW└ ZLOO└ EH└ EDVHG└ RXW└ RI└ &KLFDJR└ EXW└ WKH\└ FRYHU└ 0LFKLJDQ"

:H└ KDYH└ LVVXHV└ ZLWK└ CHDG└ LQ└ *DHVEXUJ└ └ ,OLQRLV└ └ IRU└ H[DPSOH◀ └ $QG└ ZLOO└ \RX└ JLYH└ WKHP└ WKH└ UHVSRQVLELOLW\└ DQG└ WKH└ DELOLW\└ WR└ DFW└ SURDFWLYHO\└ VR└ WKDW└ /KH\└ FDQ└ \WHS└ LQ└ ZKHQ└ WKH\└ VHH└ WKDW└ WKH└ \WDWH└ LV└ QRW└ GRLQJ└ LW└ MRE└ LQ└ SURWHFWLQJ└ WKH└ VDIH└ ZDWHU└ GULQNLQJ└ VXSSO\└ IRU└ LW└ FLWL]HQV"

358,77 └

$V└ \RX└ NQRZ└ └ 6HQDWRU└ └ WKH└ (3$└ ┼ ┼ └ DQG└ WKH└ DQVZHU└ LV└ \HV◀ └ 7KH└ (3$└ KDV└ HPHUJHQF\└ RUGHU└ DXWKRULW\└ WR└ UHVSRQG└ WR└ VLWXDWLRQV└ OLNH└ \RX└ GHVFULEHG◀ └ $QG└ ,└ WKLQN└ WKH└ (3$└ VKRXOG└ \WHS└ LQ└ └ LQ└ WKRVH└ VLWXDWLRQV└ LQ└ D└ YHU\└ PHDQLQJIXO└ ZD\◀

'&.:257+ └

7KDW└ JRRG└ QHZV└ EHFDXVH└ WKH\└ GLG└ QRW└ GR└ LW└ LQ└ WKH└ FDVH└ RI└)OLQW◀ └ 7KDQN└ \RX◀ └ ,P└ RXW└ RI└ WLPH└ └ 0U◀ └ &KDLUPDQ◀

¾$55$662 └

7KDQN└ \RX└ YHU\└ PXFK◀ └ ,└ ZRXOG└ OLNH└ WR└ LQWURGXFH└ IRU└ WKH└ UHFRUG└ DQ└ DUWLFOH└ IURP└ WKH└ 2NODKRPDQ└ E\└ 5LFN└ *UHHQ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ↑└┤RI└└

$QG└ WR└ UHDG☼ └ LW- VD\V☼ └ -◀ '◀ └ 6/NURQJ☼ └ 'LUHFWRU└ RI└ WKH└ 6/NDWH└ :LOGOLIH└
&RQVHUYDWLRQ└ 'HSDUWPHQW- VD\V└ RI└ $/ZRUGH\└ *HQHUDO└ 3UXLWW☼ └ TXRWH└
| $/ZRUGH\└ *HQHUDO└ 3UXLWW- KDV└ EHHQ└ D└ UHDOO\└ JRRG└ SDUWQHU└ DQG└ DOO\└ LQ└
PDNLQJ└ VXUH└ ZH└ KDYH└ DGHTXDWH└ SURWHFWLRQV└ LQ└ SODFH└ IRU└ WKH└ TXDOLW\└ DQG└
TXDQWLW\└ RI└ ZDWHU☼ └ VDLG└ 6/NURQJ| ☼ └ ZKR└ SUHYLRXVO\└ CHDG└ WKH└ 2NOCKRPD└
:DWHU└ 5HVRXUFHV└ %RDUG└ DQG└ ZDV└ 6/NDWH└ 6HFUHWDU\└ RI└ WKH└ (QYLURQPHQW◀

,└ KDYH└ QHYHU└ VHHQ└ KLP└ SXW- XV└ LQ└ D└ SRVLWLRQ└ ZKHUH└ ZH└ KDG└ WR└ FRPSURPLVH└
DQ\WKLQJ└ WR└ SURWHFW- WKH└ ZDWHUV└ RI└ 2NOCKRPD◀ | └ 6HQDWRU└ %RR]PDQ"

½22=0$1 └
7KDQN☼ └ 0U◀ └ &KDLUPDQ◀ └ $QG└ ,└ ZDQW- WR└ JR└ WKURXJK└ ┼ ┼ └ DJDLQ☼ └ REYLRXV\☼ └
&RQJUHVVPDQ└ LQ└ WKH└ GLWULFW- ZLWK└ WKH└ $UNDQVDV☼ └ 2NOCKRPD☼ └ ,OLQRLV└ ULYHU└
VLWXDWLRQ◀ └ ,└ ZDV└ HCHFWHG└ LQ└ D└ VSHFLDO└ HCHFWLRQ└ LQ└ ┴ ‼ ‼ ¶ └ DQG└ LQKHULWHG└ WKLV◀ └
7KLV└ KDV└ EHHQ└ JRLQJ└ RQ└ IRU└ DERXW- WHQ└ \HDUV◀ └ ,Q└ ┴ ‼ ‼ ¶ ☼ └ IURP└ WKDW- WLPH└ RQ└
XQWLO└ UHFHQWO\└ ZHYH└ SUREDEO\└ ZRUNHG└ RQ└ WKLV☼ └ LW- VHHPV└ OLNH└ HYHU\└ ZHHN◀

½%XW- ZKDW- KDSSHQHG└ ZDV☼ └ LQ└ ┴ ‼ ‼ ┬ ☼ └ WKH└ (3$└ FDPH└ RXW- DQG└ VDLG└ WKDW- WKH└
WDQGDUG└ ZDV└ VXFK└ WKDW- E\└ ┴ ‼ ¶ ┬ ☼ └ WKH└ ULYHU└ QHHGHG└ WR└ EH└ ┼ ┼ └ KDYH└
DWWDLQPHQW- RI└ ◀ ‼ ┬ → └ WDQGDUG└ RI└ SKRVSKRURXV◀ └ $UNDQVDV└ ZRUNHG└ YHU\☼ └
YHU\└ KDUG☼ └ FKDQJHG└ RXW- DOO└ RI└ LW\└ WUHDWPHQW- SODQW└ LQ└ WKDW- DUHD◀ └ 7KDW\└ RQH└
RI└ WKH└ IDWWHVW- JURZLQJ└ DUHDV└ LQ└ WKH└ FRXQWU\◀

$JDLQ☼ └ \RX└ NQRZ☼ └ WKH└ UDWHSD\HUV└ SD\└ IRU└ DOO└ WKDW☼ └ KDXHG└ RXW- FKLFNHQ└ OLWWHU└
DQG└ DOO└ WKRVH└ NLQG└ RI└ WKLQJV☼ └ DQG└ PDGH└ D└ GUDPDWLF└ LPSURYHPHQW- LQ└ WKH└
DWWDLQPHQW◀ └ 7KH└ SURECHP└ ZDV☼ └ WKRXJK☼ └ $UNDQVDV☼ └ DQG└ \RX└ PHQWLRQHG└
DJDLQ☼ └ P\└ JRRG└ IULHQG☼ └ 6HQDWRU└ %RRNHU☼ └ DQG└ KH└ LV└ D└ JRRG└ IULHQG☼ └
PHQWLRQHG└ D└ CRW- DERXW- 2NOCKRPD☼ └ WKLV└ DQG└ WKDW◀ └ $UNDQVDV└ QHYHU└ DJUHHG└
/R└ DQ\└ RI└ WKDW◀

6R└ WKH\└ ZHUH└ JRLQJ└ IRUZDUG└ EW- WKH\└ IHQW- OLNH└ WKH\└ FRXOG└ QRW- REVDLQ└
/KH└ ◀ ‼ ┬ → └ WDQGDUG└ EHFDXVH└ WKH└ ILUW- QDWLRQDO└ ULYHU└ LV└ LQ└ $UNDQVDV☼ └ WKH└
½XIIDCR└ 5LYHU☼ └ DQG└ LW- ZDV└ QRW- DW- ◀ ‼ ┬ → ◀ └ $QG└ LW\└ SULWLQH◀ └ 6R☼ └ ZHQW- ZLWK└
JRRG└ IDLWK◀

,Q└ ┴ ‼ ¶ ‼ └ ┼ ┼ └ LQ└ ┴ ‼ ‼ ↑ ☼ └ ,└ EHOLHYH☼ └ WKH└ DWWRUCH\└ JHQHUDO└ LQ└ 2NOCKRPD└ VXHG└ ┼
VXHG└ $UNDQVDV◀ └ 7KDW- ZDV└ ┼ ┼ └ DQG└ \RX└ FDQ└ FRUUHFW- PH└ LI└ ,P└ ZURQJ└ RQ└
VRPH└ RI└ WKHVH└ WKLQJV└ ┼ ┼ └ EW- LQ└ ┴ ‼ ¶ ‼ ☼ └ WKDW- FDVH└ ZDV└ ┼ ┼ └ ZDV☼ └ DOO└ RI└ WKLV└
ZDV└ SXW- LQ└ SODFH└ EW- WKH└ IHGHUDO└ MXGJHV└ QHYHU└ UXCHG└ RQ└ LW◀ └ 6R└ LW- ZDV└ RSHQ◀

AMERICAN OVERSIGHT

:H└ IDWV└ IRUZDUG☼ └ ┴ ‼ ¶ ┬ └ LV└ DUULYLQJ◀ └ $UNDQVDV└ GRHV└ WKLOO└ QRW└ DJUHH└ WKDW└ /KH└ ◀ ‼ ┬ → └ WDQGDUG└ LV└ WKH└ DSSURSULDWH└ RQH☼ └ VR└ WKH\└ ZHUH└ VTXDULQJ└ RII└ JHWWLQJ└ UHDG\└ WR└ VXH└ HDFK└ RWKHU└ DJDLQ◀ └ $QG└ $WWRUQH\└ *HQHUDO└ 3UXLWW☼ └ $WWRUQH\└ *HQHUDO└ 0F'DQLHO☼ └ D└ 'HPRFUDW└ LQ└ P\└ WDWH☼ └ JRW└ WRJHWKHU└ DQG└ VDLG☼ └ KH\☼ └ \RX└ NQRZ☼ └ CHWW└ QRW└ ZDWVH└ D└ WRQ└ RI└ PRQH\└ ZLWK└ ODZ\HUV◀

/HWV☼ └ \RX└ NQRZ☼ └ XVH└ VFLHQFH└ DQG└ WKLQJV└ OLNH└ WKLV└ WR└ ILJXUH└ WKLV└ RXW◀ └ 6R└ /KH\└ FKRVH└ D└ QHXWUDO└ VLWH☼ └ %D\RU└ 8QLYHUVLW\☼ └ ZKLFK└ KDV└ DQ└ H[FHOOHQW└ ZDWHU└ GHSDUWPHQW◀ └ 7KH\└ FDPH└ LQ☼ └ GLG└ D└ WXG\└ DQG└ WKHQ└ FDPH└ EDFN└ DQG└ VDLG└ ◀ ‼ ┬ → └ LV└ WDQGDUG└ DQG└ ULJKW└ QRZ└ WKH└ WDWHV└ DUH└ OLYLQJ└ ZLWK└ WKDW◀

6R☼ └ LW└ UHDOO\└ ZDV└ ┼ ┼ └ LW└ ZDV└ D└ WUHPHQGRXV└ HIIRUW☼ └ WRRN└ D└ ORQJ└ WLPH☼ └ DQG└ LW└ ZDV└ D└ YHU\☼ └ YHU\└ GLIILFXOW└ VLWXDWLRQ◀ └ 6R☼ └ \RX└ NQRZ☼ └ ,└ DSSODXG└ \RX◀ └ ,└ ZDQW└ /R└ SXW└ LQ└ WKH└ UHFRUG└ D└ CHWWHU└ IURP└ RXU└ IRUPHU└ $WWRUQH\└ *HQHUDO└ 0F'DQLHO└ /KDW└ DJDLQ└ RXWOLQHV└ WKLV└ DQG└ ZDV└ YHU\☼ └ YHU\└ FRPSOLPHQWDU\└ RI└ WKH└ $WWRUQH\└ *HQHUDO◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

%22=0$1 └
7KDQN└ \RX◀ └ /HW└ PH└ MXVW└ TXRWH└ RQH└ RI└ WKH└ ILQDO└ SDUDJUDSKV☼ └ | 5HFHQW└ SUHVV└ DFFRXQW└ UHJDUGLQJ└ WKHMH└ HIIRUWV└ XQIDLUO\└ PLVFKDUDFWHUL]H└ WKH└ ZRUN└ WKDW└ ZDV└ GRQH└ E\└ *HQHUDO└ 3UXLWW└ DQG└ KLV└ WHDP◀

+H└ ZDV└ D└ WDXJKW└ GHIHQGHU└ RI└ VRXQG└ VFLHQFH└ DQG└ JRRG└ SROLF\└ DV└ DSSURSULDWH└ WRROV└ WR└ SURWHFW└ WKH└ HQYLURQPHQW└ RI└ WKLV└ WDWH◀ └ ,└ VDZ└ ILUWKDQG└ KRZ└ *HQHUDO└ 3UXLWW└ ZDV└ DEOH└ WR└ EULGJH└ SROLWLFDO└ GLYLGHV└ DQG└ PDQDJH└ PXOWLSOH└ DJHQF\└ DJHQGDV└ WR└ UHDFK└ DQ└ RXWFRPH└ WKDW└ ZDV└ KHUDOGHG└ E\└ PRVW└ FUHGLEOH└ REVHUYHUV└ DV└ ERWK└ SRVLWLYH└ DQG└ KLWWRULF◀ |

$QG└ ,└ WKLQN☼ └ DJDLQ☼ └ DV└ VRPHERG\└ WKDW└ ZDV└ LQWLPDWHO\└ LQYROYHG└ LQ└ WKDW☼ └ PRUH└ LQYROYHG└ WKDQ└ ,└ ZDQWHG└ WR└ EH└ LQ└ WKLQJV☼ └ WKDW└ LW└ UHDOO\└ ZDV└ D└ KHURLF└ HIIRUW└ E\└ \RXUVHOI└ DQG└ WKH└ SHRSOH└ LQ└ $UNDQVDV└ WU\LQJ└ WR└ UHVROYH☼ └ \RX└ NQRZ☼ └ D└ GLIILFXOW└ VLWXDWLRQ◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ↑└←RI└└

½22=0$1 └
7KDQN└ \RX◀ └ 7KDW└ UHDOO\└ DOO└ ,└ KDYH☼ └ 0U◀ └ &KDLU◀

½$55$662 └
7KDQN└ \RX└ YHU\└ PXFK☼ └ 6HQDWRU◀ └ 6HQDWRU└ 6XOLYDQ"

68//,9$1 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ☼ └ DQG└ *HQHUDO└ 3UXLWW◀ └ ,└ ZDQWHG└ WR└ IRFXV└ RQ└ ┼ ┼ └
\RX└ NQRZ☼ └ ,└ WDONHG└ HDUOLHU☼ └ D└ QXPEHU└ RI└ XV└ WDONHG└ HDUOLHU└ DERXW└ WKH└
IUXVWUDWLRQV└ WKDW└ WKH└ $PHULFDQ└ SHRSOH└ KDYH└ ZLWK└ WKH└ (3$◀ └ :H└ WDONHG└
DERXW└ DQJHU◀ └ 6HQDWRU└ (UQVW└ WDONHG└ DERXW└ IHDU◀ └ ,└ EHOLHYH└ LW└ H[WHQGV└ WR└ D└
FRXSOH└ RI└ UHDVRQV└ XQGHUO\LQJ└ WKDW◀

2QH└ LV└ WKH└ DJHQF\└ FXUUHQWO\└ IHHOV└ WKDW└ LW└ HPSRZHUHG└ WR└ UHJXODWH└ OLWHUDOO\└
HYHU\└ QRRN└ DQG└ FUDQQ\└ RI└ $PHULFDQ└ OLIH◀ └ $QG└ UHDOWHG└ WR└ WKDW☼ └ WKH└ VHHP└
/R└ KDYH└ YHU\└ OLWWOH└ UHVSHFW└ IRU└ WKH└ UXOH└ RI└ ODZ◀ └ 6R☼ └ CHW└ PH└ WRXFK└ RQ└ WKRVH◀

6HQDWRU└ (UQVW└ WDONHG└ DERXW└ WKH└ :2786└ UXOH└ DQG└ WKH└ ┼ ┼ └ OLWHUDOO\☼ └ WKH└
(3$└ FODLPHG└ WKH└ DELOLW\└ WR└ UHJXODWH└ SXGGOHV◀ └ $V└ D└ WDDWH└ ZLWK└ ┼ ┼ └ SUH╪
:2786└ E\└ WKH└ ZD\└ ┼ ┼ └ ╞ ↑ └ SHUFHQW└ RI└ $PHULFDV└ ZHWDDQGV└ LQ└ $DVND☼ └ ZH└
KDYH└ YHU\└ VLJQLILFDQW└ FRQFHUQV└ DERXW└ WKLV◀

½%W└ ,└ ZDQWHG└ WR└ DFWXDOO\└ DGGUHVV└ DQ└ HDUOLHU└ FRPPHQW└ E\└ 6HQDWRU└
:KLWHKRXVH☼ └ ZKHUH└ KH└ VDLG└ WKDW└ WKHUH└ QRWKLQJ└ LQ└ \RXU└ UHFRUG└ WKDW└
VKRZV└ WKDW└ \RX└ KDYH└ WKH└ EDFNJURXQG└ WR└ KHDS└ $PHULFDV└ ILVKLQJ└ LQGXVWU\◀

:HOO☼ └ ,└ FRXOGQ└ GLVDJUHH└ PRUH└ ZLWK└ 6HQDWRU└ :KLWHKRXVH☼ └ ZKRV└ D└ IULHQG└
DQG└ FROOHDJXH◀ └ 0\└ WDWH└ KDV└ D└ ILVKLQJ└ LQGXVWU\☼ └ OLNH└ 5KRGH└ ,VODQGV◀ └ ,W└ D└
OLWWOH└ ELJHU◀ └ 6L[W\└ SHUFHQW└ RI└ DOO└ WKH└ VHD└ OLIH☼ └ WKDW└ FRQVLGHUDEO\└ ELJHU◀ └
7KDQN└ \RX◀ └ 0U◀ └ &KDLUPDQ☼ └ ZRXOG└ \RX└ SOHDVH└ DFNQRZOHGJH└ WKDW└ IRU└ WKH└
UHFRUG◀

♂ /$8*+7(5□

½$55$662 └
:LWK└ QR└ REMHFWLRQ◀

68//,9$1 └

AMERICAN OVERSIGHT

$OPRVW└ ├ !! └ SHUFHQW└ RI└ DOO└ VHDIRRG└ KDUYHVWHG└ LQ└ WKH└ 8QLWHG└ 6WDWHV└ FRPHV└ IURP└ WKH└ ZDWHUV└ RI└ $ODVND└ DQG└ LW└ FRQWLGHUHG└ WKH└ EHVW└ PRVW└ VXVWDLQDEOH└ EHWV└ PDQDJHG└ IURP└ DQ└ HQYLURQPHQWDO└ WDQGSRLQW└ ILVKHU\└ LQ└ /KH└ ZRUOG◀ └ $QG└ \RX└ NQRZ└ ZKDW└ WKH└ QXPEHU└ RQH└ LVVXH└ └ WKH└ WRS└ LVVXH└ RI└ /KH└ ILVKHUPHQ└ RI└ $ODVND└ LV"└ (3$└ RYHUUHDFK◀

6R└ CHW└ PH└ JLYH└ \RX└ D└ VSHFLILF└ H[DPSCH◀ └ 7KLV└ LV└ D└ UHJXODWLRQ◀ └ ,W└ ⊥ !! !! └ SDJHV└ RQ└ $PHULFDV└ ILVKHUPDQ└ WKH└ XQLWHG└ VPDOO└ EXVLQHVVPHQ└ DQG└ ZRPHQ◀ └ 7KLV└ DFWXDOO\└ UHTXLUHV└ ┼ ┼ └ HYHU\└ ILVKHUPDQ└ LQ└ $ODVND└ └ FRPPHUFLDO└ ILVKHUPDQ└ D└ GLVFKDUJH└ SHUPLW└ WR└ OLWHUDOO\└ KRVH└ RII└ WKH└ GHFN└ RI└ D└ VKLS◀

7KLQN└ DERXW└ WKDW◀ └ ,I└ \RXUH└ JXWWLQJ└ D└ ILVK└ DQG└ ILVK└ JXWW└ RU└ SLHFHV└ RI└ D└ ILVK└ IDOO└ RQ└ WKH└ GHFN└ RI└ \RXU└ VKLS└ DQG└ \RX└ KRVH└ LW└ GRZQ└ └ ILVK└ EDFN└ LQWR└ WKH└ ZDWHU└ RI└ WKH└ RFHDQ└ └ \RX└ QHHG└ D└ SHUPLW└ └ ⊥ !! !! └ SDJHV◀ └ 7KLV└ LV└ WKH└ NLQG└ RI└ /KLQJ└ ZKHUH└ WKH└ WUXWW└ EHWZHHQ└ $PHULFDQV└ DQG└ WKH└ (3$└ KDV└ HURGHG└ VR└ PXFK└ EHFDXVH└ RI└ WKHVH└ NLQG└ RI└ LVVXHV◀

,I└ FRQILUPHG└ └ ZLOO└ \RX└ ZRUN└ ZLWK└ PH└ DQG└ RWKHUV└ RQ└ WKLV└ FRPPLWWHH└ WR└ PDNH└ VXUH└ WKDW└ WKHVH└ NLQG└ RI└ UHJXODWLRQV└ DUH└ EDODQFLQJ└ HQYLURQPHQWDO└ QHHGV└ ZLWK└ MREV└ WKDW└ DUH└ VR└ LPSRUWDQW"└ <RXYH└ PHQWLRQHG└ LW└ DV└ D└ FRXS◀ └ :LOO└ \RX└ ZRUN└ ZLWK└ XV└ RQ└ WKDW└ DQG└ ZRXOG└ \RX└ FDUH└ WR└ FRPPHQW└ RQ└ D└ UHJXODWLRQ└ OLNH└ WKLV"└)LVK└ EDFN└ LQWR└ WKH└ RFHDQ└ UHTXLULQJ└ D└ SHUPLW◀

&RQJUHVV└ E\└ WKH└ ZD\└ KDV└ H[WHQGHG└ WKLV└ WZLFH└ └ PHDQLQJ└ WULHG└ WR└ ┼ ┼ └ WKH└ LPSOHPHQWDWLRQ└ RI└ WKLV◀ └ 6R└ WKHUH└ ELSDUWLVDQ└ DJUHHPHQW└ WKDW└ ZH└ QHHG└ WR└ GR└ VRPHWKLQJ└ DERXW└ WKLV└ RYHUUHDFK◀ └ :RXOG└ \RX└ FDUH└ WR└ FRPPHQW└ RQ└ /KLV"

358,77 └
6HQDWRU└ └ ,└ WKLQN└ LW└ H[HPSODU\└ RI└ D└ ODFN└ RI└ SULRULWV◀ └ ,└ PHDQ└ └ ZH└ KDYH└ PDQ\└ ┼ ┼ └ OLNH└ ,└ LQGLFDWHG└ HDUOLHU└ └ ┤ !! └ SHUFHQW└ RI└ RXU└ FRXQWU\└ LV└ LQ└ GRQ├ DWDLQPHQW└ XQGHU└ WKH└ 1$$46└ SURJUDP◀ └ :H└ KDYH└ RYHU└ ¶ ┬ !! !! └ FLUFH└ VLWHV└ LQ└ WKLV└ FRXQWU\└ WKDW└ QHHG└ DWWHQWLRQ└ WR└ PRYH└ WKRVH└ DUHDV└ LQWR└ UHPHGLDWLRQ└ DQG└ UHWWRUH└ WKRVH└ DUHDV└ IRU└ HQYLURQPHQWDO├ └ UHODWHG└ LVVXHV◀

$QG└ VR└ └ ,└ WKLQN└ LQ└ VRPH└ UHVSHFWV└ ZKDW└ \RX└ FLWH└ WKHUH└ LV└ MXVW└ PLVHG└ SULRULWLHV└ └ RI└ WU\LQJ└ WR└ IRFXV└ RQ└ VRPHWKLQJ└ OLNH└ WKDW└ DV└ RSSRVHG└ WR└ IRFXVLQJ└ RQ└ WKHVH└ RWKHU└ DUHDV└ WKDW└ ZLOO└ UHDOO\└ LPSURYH└ WDQJLEO\└ WKH└ HQYLURQPHQWDO└ SURWHFWLRQV└ IRU└ RXU└ SHRSOH└ DFURVV└ WKH└ FRXQWU\◀

AMERICAN OVERSIGHT

68//,9$1 └

/HW┴ PH└ WDON└ QH[W┴ DERXW┴ WKH└ UXCH└ RI└ CDZ☼ └ DQG└ ,P└ JCDG└ \RX└ HPSKDVL]HG└ LW┴ DV└
D└ SULRULW\◀ └ ,└ EHOLHYH└ LW┴ UHDOO\└ RQH└ RI└ WKH└ SULQFLSOH└ UHDVRQV└ ZK\☼ └ DJDLQ☼ └
/KHUH└ VXFK└ D└ CDFN└ RI└ WUXW┴ EHWZHHQ└ WKH└ $PHULFDQ└ SHRSOH└ DQG└ WKH└ (3$◀ └
³%W☼ └ LW┴ QRW┴ MXW┴ D└ 5HSXEOLFDQ└ LVVXH◀

$V└ D└ PDWWHU└ RI└ IDFW☼ └ WKHUHV└ D└ QXPEHU└ RI└ H[DPSOHV└ ZKHUH└ WKLV└ LV└ YLHZHG└
DV└ D└ ELSDUWLVDQ└ LVVXH└ WKDW┴ ZH└ QHHG└ WR└ DGGUHVV◀ └ <RX└ PD\└ KDYH└ VHHQ└ ZLWK└
UHJDUG└ WR└ WKH└ &HDQ└ 3RZHU└ 3ODQ☼ └ /DUHQFH└ 7ULEH☼ └ QRW┴ NQRZQ└ DV└ D└ WWURQJ└
WWDXQFK└ 5HSXEOLFDQ☼ └ +DUYDUG└ /DZ└ SURIHVVRU☼ └ WWDWHG☼ └ | 7KH└ (3$└ LV└
DWWHPSWLQJ└ WR└ H[HUFLVH└ ODZPDNLQJ└ WKDW┴ EHORQJV└ WR└ WKH└ &RQJUHVV└ DQG└
VXGLFLDO└ SRZHU└ WKDW┴ EHORQJV└ WR└ WKH└ IHGHUDO└ FRXUWV◀

(3$└ LV└ DWWHPSWLQJ└ DQ└ XQFRQVWLWXWLRQDO└ WUL IHFWD☼ └ XVXUSLQJ└ WKH└ SUHURJDWLYHV└
RI└ WKH└ WWDWHV☼ └ &RQJUHVV└ DQG└ WKH└ IHGHUDO└ FRXUWV└ DOO└ DW┴ RQFH└ ZLWK└ LW┴ &HDQ└
3RZHU└ 3ODQ◀ | └ 7KHQ└ KH└ WWDWHG☼ └ | %XLQLQJ└ WKH└ FRQWLWXWLRQ└ VKRXOG└ QRW┴
EHFRPH└ SDUW┴ RI└ RXU└ 1DWLRQDO└ (QHUJ\└ 3ROLF\◀ |

<RXYH└ EHHQ└ LQYROYHG└ LQ└ VRPH└ RI└ WKHVH└ FDVHV☼ └ WKH└ &HDQ└ 3RZHU└ 3ODQ☼ └
/KH└ :DWHUV└ RI└ WKH└ 8◀ 6◀ └ ,Q└ ERWK└ RI└ WKHVH└ FDVHV☼ └ FRXUW└ KDYH└ WWD\HG└ WKH└
(3$V└ UXCH◀ └ :K\└ GR└ \RX└ WKLQN└ WKDW┴ WKH└ FRXUW└ KDYH└ GRQH└ WKDW┴ DQG└ GR└ \RX└
/KLQN└ WKH└ UXCH└ RI└ CDZ☼ └ WKDW┴ KDV└ EHHQ└ LJGRUHG└ E\└ WKH└ (3$☼ └ LV└ VRPHWKLQJ└
/KDW┴ \RX└ QHHG└ WR└ ┼ ┼ └ WKDW┴ \RX└ LI└ ┼ ┼ └ LI└ FRQILUPHG☼ └ WKDW┴ \RX└ ZLOO└ ZRUN└ RQ└ WR└
UHJDLQ└ WKH└ WUXW┴ EHWZHHQ└ WKH└ (3$└ DQG└ WKH└ $PHULFDQ└ SHRSOH◀

358,77 └

<RX└ NQRZ☼ └ DV└ ,└ LQGLFDWHG☼ └ 6HQDWRU☼ └ HDUOLHU☼ └ ,└ WKLQN└ DW┴ WLPHV☼ └ SHUKDSV└
/KRVH└ LQ└ CDZ└ DQG└ WKH└ FRXUW☼ └ WKH\└ CRRN└ DW┴ UXCH└ RI└ CDZ└ DV└ VRPHWKLQJ└ WKDW┴
DFDGHPLF└ DQG└ WHFKQLFDO◀ └ %W┴ LW┴ UHDO☼ └ DQG└ LW┴ DI IHFW┴ SHRSOH└ LQ└ YHU\└ UHDO└
ZD\V◀

:KHQ└ \RX└ KDYH└ DJHQFLHV└ RI└ DQ\└ W\SH└ WKDW┴ DFW┴ LQFRQVLWWHQW└ ZLWK└ WKH└
WWDWXWRU\└ DXWKRULW\└ JLYHQ└ WR└ WKHP└ E\└ &RQJUHVV◀ └ ,W┴ FUHDWHV└ WKH└ NLQG└ RI└
XQFHUWDLQW\└ WKDW┴ \RXH└ WDONLQJ└ DERXW◀ └ 3HRSOH└ GRQ┴ NQRZ└ ZKDW┴ H[SHFWHG└
RI└ WKHP└ DQG└ SDUDO\VLV└ KDSSHQV◀

$QG☼ └ VR☼ └ UXCH└ RI└ CDZ└ LV└ LPSRUWDQW┴ WR└ HFRQRPLF└ GHYHORSPHQW◀ └ ,W┴ LPSRUWDQW┴
/R└ VHQG└ PHVVDJHV└ RI└ FHUWDLQW\◀ └ ,W┴ LPSRUWDQW┴ VR└ WKDW┴ SHRSOH└ FDQ└ SODQ└
DQG└ DOORFDWH└ UHVRXUFHV◀ └ 7KHUH└ DUH└ PDQ\└ CDZV└ WKDW┴ SHRSOH└ CRRN└ DW┴ DQG└
VD\☼ └ ZHOO☼ └ ,└ GRQ┴ UHDOO\└ OLNH└ WKDW◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGJV└ +HL 3DJH¶ ├└¶RI └└

%XW└ VR└ CRQJ└ DV└ WKH\└ NQRZ└ LW└ H[SHFWHG└ RI└ WKHP└ WKH\└ FDQ└ SODQ└ DQG└ DOORFDWH└ UHVRXUFHV└ WR└ FRPSO\◀ └ $QG└ ,└ WKLQN└ WKDW└ ZKDW└ LPSRUWDQW└ DERXW└ UXCH└ RI└ CDZ◀

68//,9$1 └
$QG└ DV└ ┼ ┼ └ DQG└ DV└ RCH└ RI└ WKH└ CHDG└ OLWLJDWRUV└ RQ└ WKH└ :2786└ UXCH└ DQG└ WKH└ &CHDQ└ 3RZHU└ 3ODQ└ DQG└ WKH└ IDFW└ WKDW└ WKH└ 6XSUHPH└ &RXUW└ DQG└ WKH└ 6L[WK└ &LUFXLW└ KDG└ SXW└ WD\V└ RQ└ WKRVH└ UXCHV└ └ ZKDW└ GR└ \RX└ WKLQN└ WKDW└ LQGLFDWHV└ WKH└ &RXUW└ YLHZ└ LV└ RI└ WKRVH└ WZR└ UXCHV└ LWXHG└ E\└ WKH└ (3$└ DW└ WKLV└ PRPHQW'

358,77 └
:HOO└ LW└ XQSUHFHGHQWHG└ IRU└ WKH└ 6XSUHPH└ &RXUW└ WR└ KDYH└ GRQH└ ZKDW└ WKH\└ GLG└ LQ└ WKH└ &CHDQ└ 3RZHU└ 3ODQ◀

68//,9$1 └
1HYHU└ KDSSHQHG└ LQ└ WKH└ KLWRU\◀

358,77 └
1HYHU└ KDSSHQHG└ LQ└ WKH└ KLWRU\└ RI└ MXULVSUXGHQFH└ EHIRUH└ WKH└ 8◀ 6◀ └
6XSUHPH└ &RXUW◀ └ 7KDW└ VD\V└ D└ ORW◀

68//,9$1 └
7KDQN└ \RX└ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX└ YHU\└ PXFK◀ └ 6HQDWRU└ 0RUDQ"

025$1 └
0U◀ └ &KDLUPDQ└ └ ,G└ \LHOG└ WR└ VRPHERG\└ DKHDG└ RI└ PH└ LI└ ,└ FDQ└ KDYH└ ┼ ┼ └ LI└ /KH\G└ \LHOG└ EDFN└ WR└ PH└ IRU└ WKH└ CH[W└ TXHVWLRQ◀

%$55$662 └

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ├└┤RI└└

%XW└ ,└ DOVR└ DWWXPH└ WKDW└ \RX└ DUH└ ZLOOLQJ└ WR└ DWXUH└ PH└ WKDW└ ZKHQ└ GLUHFWHG└ E\└ WKH└ CDZ└ WR└ FRRSHUDWH└ ZLWK└ RWKHU└ DJHQFLHV└ WR└ KDYH└ WKH└ LQSXW└ RI└ DQ└ DJHQF\└ WKDW└ RXU└ VXEFRPPLWWHH└ KDV└ MXULVGLFWLRQ└ RYHU└ └ DV└ D└ SHUVRQ└ LQ└ WKH└ 6HQDWH└ UHVSRQVLEOH└ IRU└ WKHVH└ LWXHV└ └ ,└ JR└ WR└ WKH└ DJHQF\└ WKDW└ ,└ KDYH└ WKH└ PRVW└ LQIOXHQFH└ RYHU└ DQG└ WKH\└ VD\└ ZHOO└ └ WKH└ (3$└ KDV└ DOUHDG\└ GRQH└ LW└ /KLQJ◀

,└ DWWXPH└ ZH└ FDQ└ EULQJ└ WKRVH└ NLQG└ RI└ SUDFWLFHV└ WR└ DQ└ HQG"

358,77 └
$EVROXWHO\└ └ 6HQDWRU◀ └ ,└ WKLQN└ WKDW└ LQWHUDJHQF\└ GLVFXVVLRQ└ └ WKDW└ FROODERUDWLRQ└ WR└ HQVXUH└ WKDW└ WKHUH└ LV└ PHDQLQJIXO└ GLVFXVVLRQ└ └ UHYLHZ└ RI└ DFWLRQ└ WDNHV└ SODFH◀ └ ,└ ZDQW└ WR└ VSHDN└ JHQHUDOO\└ WR└ \RXU└ GHGLFDWLRQ└ UHIHUHQFH└ EHFDXVH└ ,└ GR└ WKLQN└ WKDW└ WKDW└ LV└ D└ YHU\└ LPSRUWDQW└ LWXH└ WKDW└ \RX└ UDLVH◀

,└ WKLQN└ D└ ORW└ RI└ WLPHV└ ZKDW└ KDV└ KDSSHQHG└ LV└ WKDW└ &RQJUHVV└ KDV└ VSRNHQ└ LQ└ YHU\└ JHQHUDO└ ZD\V└ ┼ ┼ └ ,OO└ GR└ VD\└ YDJXH└ EXW└ DSSURDFKLQJ└ YDJXHQHVV└ └ DQG└ JLYLQJ└ FDUWH└ EODQFKH└ RU└ VXEVWDQWLDO└ DXWKRULW\└ WR└ DJHQFLHV└ ZLWKRXW└ SURYLGLQJ└ WKH└ NLQG└ RI└ IUDPHZRUN└ WKDW└ QHFHVVDU\└ IRU└ WKHP└ WR└ PDNH└ WKHLU└ GHFLVLRQ◀ └)URP└ D└ VHSDUDWLRQ└ RI└ SRZHUV└ LWXH└ LW└ WKLQN└ WKDW└ YHU\└ LPSRUWDQW◀

,└ WKLQN└ LW└ YHU\└ LPSRUWDQW└ IRU└ &RQJUHVV└ └ $UWLFOH└ ¶ └ WR└ H[HUFLVH└ LWV└ DXWKRULW\└ /R└ JLYH└ WKH└ GLUHFWLRQ└ WR└ WKHVH└ DJHQFLHV└ KRZ└ WKH\└ VKRXOG└ FRQGXFW└ WKHLU└ EXVLQHVV◀ └ 6HQDWRU└ &DUGLQ└ LQ└ KLV└ FRPPHQW└ DQG└ TXHVWLRQV└ HDUOLHU└ DERXW└ /KH└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6/DWHV└ UXOH└ └ ,└ WKLQN└ WKDW└ LV└ D└ SUHFHP└ SUHVHQW\└ └ CDUJHO\└ EHFDXVH└ WKH└ GHILQLWLRQ└ RI└ ZDWHUV└ RI└ WKH└ 8QLWHG└ 6/DWHV└ LQ└ WKH└ \WDWXWH└ LV└ VR└ ELJ└ DQG└ VR└ JHQHUDO└ └ LW└ FUHDWHV└ XQFHUWDLQW\◀

$QG└ VR└ ,└ WKLQN└ PDNLQJ└ VXUH└ WKDW└ &RQJUHVV└ SHJIRUPV└ LWV└ URLH└ DQG└ WKH└ H[HFXWLYH└ EUDQFK└ SHJIRUPV└ LWV└ URLH└ LQ└ HQIRUFLQJ└ CDZV└ DQG└ ZH└ WU\└ WR└ GR└ CHV└ GHCHJDWLRQ└ DQG└ UHVSHFW└ VHSDUDWH└ RI└ SRZHUV└ LV└ YHU\└ YHU\└ LPSRUWDQW◀

025$1 └
,└ DSSUHFLDWH└ \RXU└ UHDVXUDQFH└ RI└ KRZ└ \RX└ ZRXOG└ FRQGXFW└ └ LI└ FRQILUPHG└ └ /KH└ DJHQF\◀ └ ,W└ DOVR└ LV└ D└ UHICHFWLRQ└ XSRQ└ WKH└ QHHG└ IRU└ &RQJUHVV└ WR└ GR└ LW└ \RE└ EHWWHU└ DQG└ SHUKDSV└ └ ,└ JXHVVHG└ \RXG└ KDYH└ GRWKLQJ└ WR└ GR└ ZLWK└ WKDW◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ├└↑RI└└

%XW└ IRU└ PH└ DQG└ P\└ FROHDJXHV☼ └ ZH└ QHHG└ WR└ EH└ PXFK└ PRUH└ SUHFLVH└ DQG└ FCHDU└ LQ└ CHJLVODWLRQ└ DQG└ PXFK└ PRUH└ OLNHO\└ WR└ GHDO└ LQ└ VPDOOHU└ ELW└ VL]HG└ SLHFHV└ VR└ WKDW└ WKH└ ┼ ┼ └ WRR└ RIWHQ└ ,└ WKLQN└ &RQJUHVV└ LV└ LQWHUHVWHG└ ┼ ┼ └ ,└ GRQW└ ZDQW└ WR└ EH└ GHURJDWRU\└ WR└ DQ\└ ┼ ┼ └ DQ\└ RI└ P\└ FROHDJXHV◀

%XW└ WRR└ RIWHQ└ ZH└ ORRN└ IRU└ WKH└ KHDGOLQH└ WKDW└ ZHYH└ VROYHG└ D└ SURECHP└ DQG└ \HW└ ZHYH└ ┼ ┼ └ ZH└ FRPSOLQ└ DERXW└ ZKDW└ DQ└ DJHQF\V└ GHFLVLRQV└ DUH└ DQG└ ZHYH└ JLYHQ└ WKHP└ VR└ PXFK└ DXWKRULWA☼ └ WKH\└ KDYH└ WKH└ DELOLWA└ WR└ PDNH☼ └ ZKDW└ ,└ ZRXOG└ FRQVLGHU☼ └ DQG└ VRPH└ RI└ XV└ PD\└ FRQVLGHU└ D└ EDG└ GHFLVLRQ◀

358,77 └
$QG└ WKHUH└ DUH└ LPSRWDQW└ WWHSV└ WKDW└ KDYH└ EHHQ└ WDNHQ◀ └ :HYH└ PHQWLRQHG└ 7$6.$└ WKLV└ PRUQLQJ☼ └ ZKHUH└ \RX└ KDG└ GRQH└ MXWW└ WKDW└ GXULQJ└ WKLV└ SDWW└ \HU◀ └ $QG└ VR└ ,└ WKLQN└ WKDW☼ └ WKDWW└ D└ YHU\└ LPSRWDQW└ LWHP└ WKDW└ \RX└ UDLVH☼ └ 6HQDWRU◀

025$1 └
7KDQN└ \RX◀ └ 7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX└ YHU\☼ └ 6HQDWRU└ 0RUDQ◀ └ :HOO└ GRZ└ PRYH└ WR└ D└ WKLUG└ URXQG└ RI└ TXHWWLRQV└ DQG└ $WWRUH\└ *HQHUDO└ 3UXLWW☼ └ \RXYH└ MXWW└ PHQWLRQHG└ 7$6.$◀ └ <RX└ VHQW└ D└ CHWWHU└ WR└ WKLV└ FRPPLWWHH└ LQ└ $SULO└ ┴ ‼ ¶ ↑ └ VXSSRUWLQJ└ WKH└)UDQN└ /DWWHQEHUJV└ &KHPLFDO└ 6DIHW\└ $FW◀

,Q└ IDFW└ WKH└ WLPLQJ└ RI└ \RXU└ CHWWHU└ ZDV└ CHW└ WKDQ└ D└ PRQWK└ DIWHU└ WKH└ ELOO└ ZDV└ LQWURGXFHG☼ └ DQG└ \RX└ ZHUH└ WKH└ ILUWW└ DWWRUH\└ JHQHUDO└ LQ└ WKH└ 8QLWHG└ 6WDWHV└ /WR└ VXSSRUW└ WKH└ ELOO◀ └ 7KH└ ELOO└ XQLPDWHD\└ UHFHLYHG└ RYHUZKHOPLQJ└ ELSDUWLVDQ└ VXSSRUW└ LQ└ &RQJUHVV◀

,W└ ZLOO└ EH└ \RXU└ MRE└ WR└ LPSOHPHQW└ WKH└ ELSDUWLVDQ└ UHIRUPV└ DQG└ HQVXUH└ ZH└ KDYH└ FRQVLWWHQW└ UHJXODWLRQ└ WKURXJKRXW└ WKH└ FRXQWU\◀ └ :RXOG└ \RX└ GLVFXW└ /KH└ SODQ└ WKDW└ \RX└ PLJKW└ KDYH└ WR└ LPSOHPHQW└ WKLV└ CHJLVODWLRQ└ DQG└ ZLOO└ \RX└ FRPPLW└ WR└ LPSOHPHQWLQJ└ WKH└ CHJLVODWLRQ└ LQ└ D└ WLPHO\└ PDWWHU"

358,77 └
6HQDWRU└ DQG└ 0U◀ └ &KDLUPDQ☼ └ \HV☼ └ ,└ WKLQN└ LQ└ UHVSRQVH└ WR└ REOLJDWLRQV└ RI└ WKH└ (3$☼ └ WKLV└ ERG\└ KDV└ SXW└ WLPHOLQHV└ EHIRUH└ WKH└ (3$└ WR└ FDUU\└ RXW└ FHUWDLQ└ UXCHPDNLQJ☼ └ WKH└ 3ULRULWL]DWLRQ└ 5XCH☼ └ WKH└ 5LVN└ (YDOXDWLRQ└ 5XCH☼ └ IHHV└ WKDW└ QHHG└ WR└ EH└ HWWDEOLVKHG☼ └ DOO└ WKRVH└ DUH└ PLG┼ └ WHUP└ LQ└ ┴ ‼ ¶ → ◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ├└┤Rl └┘

$QG└ ,└ WKLQN└ WKH└ PDWWHU└ RI└ WKH└ (3$└ DGPLQLWUDWRU└ VKRXOG└ ┼ ┼ └ PDNLQJ└ WKDW└ D└ SULRULW\└ DW└ WKH└ DJHQF\◀ └ ,└ DOVR└ WKLQN└ WKDW└ LQ└ UHVSRQVH└ WR└ 6HQDWRU└ *LOOLEUDQG└ HDUOLHU└ DQG└ RWKHUV└ KDYH└ UDLVHG└ WKLV☼ └ WRR☼ └ WKHUH└ DUH└ FHUWDLQ└ ♂ LQDXGLECH□ └ WKDW└ QHHG└ WR└ EH└ DGGUHVVHG└ LQ└ HYDOXDWLQJ└ WKDW└ OLWLQJ└ XQGHU└ 76&$└ RU└ SHUKDSV└ /KH└ 6DIH└ 'ULQNLQJ└ :DWHU└ $FW└ DV└ ZHOO◀

$QG└ VR└ ,└ WKLQN└ WKHUHV└ VSHFLILF└ DFWLRQV└ WKDW└ QHHG└ WR└ EH└ WDNHQ└ EXW└ DOVR└ WKH└ UXOHPDNLQJ└ SURFHVV└ DQG└ WKH└ GHDGOLQHV└ EHLQJ└ DGKHUHG└ WR◀

⁾$55$662 └
7KH└ ┼ ┼ └ \RX└ PDGH└ UHIHUHQFH└ WR└ ┼ ┼ └ DQG└ ,└ GLG└ LQ└ P\└ RSHQLQJ└ VWDWHPHQW☼ └ DV└ ZHOO☼ └ WR└)OLQW└ DQG└ WKHUH└ ZDV└ VRPH└ JLYH└ DQG└ WDNH└ RQ└)OLQW└ D└ OLWWOH└ HDUOLHU◀ └ 7KH└ RWKHU└ WKLQJ└ ,└ EURXJKW└ XS└ ZDV└ WKH└ *RG└ .LQJ└ 0LGH└ VSLOO└ LQ└ &RORUDGR☼ └ DQ└ HQYLURQPHQWDO└ GLVDVWHU└ FDXVHG└ E\└ WKH└ (3$◀

/DVW└)ULGD\☼ └ WKH└ (3$└ DQQRXQFHG└ WKDW└ LW└ KDV└ GHOLHG└ DOO└ FOLPV└ IRU└ WKH└ • ¶ ◀ ┴ └ ELOOLRQ└ LQ└ ORVW└ LQFRPH☼ └ ORVW└ RI└ XVH└ RI└ SURSHUW\└ DQG└ GDPDJHV└ WR└ WKH└ EXVLQHVVHV└ DQG└ WKH└ SURSHUW\└ VXIIHUHG└ E\└ → ┬ └ WULEHV☼ └ E\└ ODQG└ RZQHUV☼ └ ORFDO└ EXVLQHVVHV☼ └ ORFDO└ JRYHUQPHQW└ DV└ D└ UHVXOW└ RI└ WKH└ VSLOO◀

7KH└ (3$V└ H[FXVH└ ZDV└ LVW└ CHJDO└ LQWHUSUHWDWLRQ└ RI└ WKH└)HGHUDO└ 7RUW└ &ODLPV└ $FW◀ └ $FFRUGLQJ└ WR└ WKH└ (3$☼ └ LI└ D└ IHGHUDO└ DJHQF\└ KXUW└ VRPHRQH└ WKURXJK└ D└ GLVFUHWLRQDU\└ DFWLRQ☼ └ WKHQ└ WKH└)HGHUDO└ 7RUW└ &ODLPV└ $FW└ GRHV└ QRW└ DSSO\◀

1RZ└ WKLV└ GRHVQW└ HYHQ└ VRXQG└ ULJKW└ WR└ PH◀ └ 6R└ LI└ FRQILUPHG☼ └ ZLOO└ \RX└ FRPPLW└ WKDW└ \RXOO└ UHYLHZ└ WKDW└ GHFLVLRQ└ DQG└ XVH└ ZKDWHYHU└ DXWKRULW\└ LV└ DYDLODEOH└ WR└ \RX└ XQGHU└ WKH└ CDZ└ WR└ KHDS└ WKH└ SHRSOH└ WKDW└ KDYH└ EHHQ└ KDUPHG└ E\└ WKH└ (3$V└ CHJOLJHQFH◀

358,77 └
<HV☼ └ 0U◀ └ &KDLUPDQ◀

⁾$55$662 └
7KDQN└ \RX◀ └ 6HQDWRU└ &DUSHU"

&$53(5 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ├└→RI└└

7KDQN└ YHU\└ PXFK◀ └ $└ TXHVWLRQ◀ └ 0U◀ └ &KDLUPDQ☼ └ ,└ NQRZ└ \RX└ GLG└ QRW└ XVH└ ZKHQ└ \RX└ ┼ ┼ └ KDYH└ \RX└ ┼ ┼ └ ZKHQ└ \RX└ WDUJHWHG└ WKLV└ URXQG└ RI└ WKH└ TXHVWLRQ☼ └ \RX└ GLG└ QRW└ XVH└ OLNH└ ┴ └ PLQXWHV└ DQG└ ┼ ‼ └ VHFRQGV└ RI└ \RXU└ WLPH◀ └ $QG└ ZKHQ└ \RX└ ┼ ┼ └ ZKHQ└ \RX└ FRPPHQW└ OLNH└ \RXYH└ MXVW└ FRPPHQWHG☼ └ DUH└ \RX└ GUDZLQJ└ GRZQ└ RQ└ WKDW└ ┴ └ PLQXWHV└ DQG└ ┴ ‼ └ VHFRQGV"

%$55$662 └
,└ WKLQN└ ,└ MXVW└ ┼ ┼ └ \HV☼ └ WKDW└ ZDV└ ┼ ┼ └ WKDW└ ZDV└ ┼ ┼ └ ,└ GRZ└ LQ└ WKH└ WKLUG└ URXQG┆
TXHVWLRQLQJ◀ └ <HV☼ └ VLU◀

&$53(5 └
$OO└ ULJKW◀

%$55$662 └
$QG└ WKHQ└ ,└ ZRXOG└ UHIHUW└ WKH└ IDFW└ WKDW└ CRRNLQJ└ EDFN└ DW└ (3$└ QRPLQDWLRQ└ KHDULQJ└ SURFHVVHV☼ └ ZKHQ└ *LGG└ 0F&DUWK\└ ZDV└ QRPLQDWHG└ DQG└ FDPH└ WR└ /KLV└ FRPPLWWHH☼ └ &KDLUPDQ└ %UEDUD└ %R[HU☼ └ WZR└ URXQGV☼ └ ILUVW└ URXQG└ ILYH└ PLQXWHV☼ └ VHFRQG└ URXQG└ WZR└ PLQXWHV◀ └ :HUH└ QRW└ LQ└ WKH└ WKLUG└ URXQG└ RI└ ILYH└ PLQXWHV◀

6R└ ,└ WKLQN└ WKDW└ WKH└ &KDLUPDQ└ KDV└ WULHG└ WR└ OLWWHQ└ WR└ RXU└ ┼ ┼ └ LQ└ IRU└ RXU└ GLVFXVVLRQV└ DQG└ ZLWK└ RWKHU└ PHPEHUV└ WR└ PDNH└ VXUH└ WKDW└ DOO└ WKH└ 'HPRFUDWV└ DQG└ HYHU\└ PHPEHU└ KDG└ D└ FKDQFH└ WR└ DVN└ DV└ PDQ\└ TXHVWLRQV◀ ◀ ◀

&$5',1 └
7KDQN└ \RX└ IRU└ WKDW└ FODULILFDWLRQ◀

%$55$662 └
◀ ◀ ◀ └ DV└ WKH\└ KDG◀

&$5',1 └
7KDQN└ \RX◀ └ ,└ ZDQW└ WR└ JR└ EDFN└ WR└ VRPHWKLQJ└ WKDW└ ZDV└ VDLG└ E\└ RQH└ RI└ RXU└ FROOHDJXHV└ ZLWK└ UHVSHFW└ WR└ (3$└ DQG└ DFWXDOO\└ YLVLWLQJ└ WKDWHV└ DQG└ SDUWLFLSDWLQJ└ LQ└ PHHWLQJV└ LQ└ WKRVH└ WKDWHV☼ └ ZLWK└ UHVSHFW└ WR└ WKH└ FRPELQHG└ SRZHU└ SODQ◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ ├└←RI └└

$QG└ ,└ WKLQN└ LW┴ ZDV└ VDLG└ WKDW┴ LW┴ ZDVQW┴ :HVW┴ 9LUJLQLD☼ └ P\└ QDWLYH└ WRWDWH☼ └
QDWLYH└ WRWDWH└ RI└ P\└ IULHQG└ IURP└ :HVW┴ 9LUJLQLD└ ZDV☼ └ WKDW┴ ZDV└ QRW┴ YLVLWHG◀ └
:HYH└ KHDUG└ VLQFH└ WKHQ└ IURP└ -RH└ *RIIPDQ☼ └ ZKR└ LV└ WKH└ FRXQWHO└ WR└ -DHW┴
0F&DLQ◀ └ -DHW┴ LV└ WKH└ (3$└ DVVLWDQW┴ DGPLQLWUDWRU└ IRU└ DLU☼ └ DV└ \RX└ PD\└
NQRZ☼ └ WKDW┴ KH└ VDLG└ KH└ SHUVRQDOO\└ SDUWLFLSDWHG└ LQ└ PHHWLQJV◀

2Q└ D└ &HDQ└ 3RZHU└ 3ODQ└ LQ└ :HVW┴ 9LUJLQLD└ DOVR└ LQ└ .HQWXFN\☼ └)ORULGD☼ └
7H[DV☼ └ 3HQQV\OYDQLD☼ └ 1HYDGD☼ └ :DVKLQJWRQ☼ └ 2UHJRQ☼ └ &DOLIRUQLD☼ └
:\RPLQJ☼ └ 1RUWK└ 'DNRWD☼ └ &RORUDGR☼ └ ,OOLQRLV☼ └ DQG└ ,└ WKLQN└ 1HEUDVND◀ └ ,└ ZURWH└
D└ CHWWHU└ WR└ *LQD└ 0F&DUWK\└ RQ└ -DQXDU\└ ¶ ¶ ◀

<RX└ PD\└ UHFDOO☼ └ 0U◀ └ 3UXLWW☼ └ ,└ ZURWH└ D└ CHWWHU└ WR└ \RX☼ └ ,└ WKLQN└ RQ└ 'HFHPEHU└
┴ ← └ DQG└ SRVHG└ D└ VHULHV└ RI└ TXHVWLRQV└ WR└ \RX└ DQG└ DVNHG└ IRU└ \RXU└ UHVSRQVHV└
E\└ -DQXDU\└ ☼ └ DQG└ ,└ KDYH└ \HW┴ WR└ UHFHLYH└ WKRVH└ ┼ ┼ └ WKRVH└ UHVSRQVHV◀ └ $QG└ ,└
ZURWH└ D└ CHWWHU└ WR└ KHU└ RQ└ -DQXDU\└ ¶ ¶ ☼ └ WR└ DJDLQ└ WR└ *LQD└ 0F&DUWK\└ DQG└ WR└
$VVLWDQW┴ 6HFUHWDU\└ 'DUF\└ RI└ WKH└ ┼ ┼ └ WKH└ 'HSDUWPHQW┴ RI└ WKH└ $UP\◀

$QG└ ,└ ┼ ┼ └ ,└ ZURWH└ EHFDXVH└ ZHUH└ JHWWLQJ└ RXU└ KHDULQJ└ LQ└ ┼ ┼ └ RQ└ RXU└ RIILFH└ D└
ZKROH└ OLW┴ RI└ ┼ ┼ └ RI└ DVFHUWDLQV└ DERXW┴ WKH└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ └ $QG└ ,└ WKLQN└ WKLV
LV└ PD\EH└ DQ└ LQWUXPLYH└ IRUXP└ IRU└ DOO└ RI└ XV◀ └ +HUH┴ WKH└ WKLQJV└ WKDW┴ ZH└
ZHUH└ KHDULQJ└ DQG└ DOO└ WKHVH└ SHRSOH└ MXVW┴ FDOOLQJ└ LQ└ ┼ ┼ └ LQ└ 'HDZDUH└ DQG└ CHG└
XV└ WR└ DVN└ WKHVH└ TXHVWLRQV◀

2CH└ RI└ WKH└ TXHVWLRQV└ ZDV☼ └ DUH└ WKH└ (3$└ DQG└ WKH└ &RUSV└ FXUUHQWO\└
LPSHPHQWLQJ└ QHZ└ &HDQ└ :DWHU└ 5XOH"└ $QG└ WKH└ DVFHUWDLQ└ ZDV└ WKDW┴
LQGHHG└ WKDW┴ EHHQ└ KDSSHQLQJ◀ └ 6R└ ZH└ DVN☼ └ LV└ WKDW┴ UHDOO\└ WKH└ FDVH◀ └ $QG└
/MZR└ GD\V└ ODWHU☼ └ WZR└ GD\V└ ODWHU└ ZH└ UHFHLYHG└ D└ UHVSRQVH☼ └ | 1R☼ └ WKH└
DJHQFLHV└ DUH└ QRW┴ QRZ└ LPSHPHQWLQJ└ WKH└ QHZ└ &HDQ└ :DWHU└ 5XOH◀

,PSHPHQWDWLRQ└ RI└ WKH└ QHZ└ UXOH└ ZDV└ WHPSRUDU\└ \WD\HG└ E\└ WKH└ 6L[WK└
&LUFXLW┴ &RXUW┴ RI└ $SSHDOV◀ └ $QG└ 6HSWHPEHU└ ┴ !! ¶ ↑ ☼ └ WKH└ DJHQFLHV└
LPPHGLDWHO\└ GLUHFWHG└ WKHLU└ ILHOG└ RIILFHV└ WR└ \WRS└ XVLQJ└ WKH└ QHZ└ UXOH└ DQG└
LQVWHDG└ UHVXPH└ LPSHPHQWLQJ└ UHJXODWLRQV└ LQ└ LQWHUSUHWLQJ└ WKH└ JXLGDQFH└
SURJR└ WR└ WKH└ QHZ└ UXOH◀ └ 7KDW┴ ZDV└ RQH└ RI└ WKH└ TXHVWLRQV└ ZH└ DVNHG◀

:H└ DOVR└ DVNHG☼ └ EHFDXVH└ ZHUH└ KHDULQJ└ DVFHUWDLQV└ RWKHUZLVH└ E\└ WKH└ (3$└
DQG└ &RUSV└ FXUUHQWO\└ SXUVXLQJ└ HQIRUFHPHQW┴ DFWLRQV└ SXUVXDQW┴ WR└ WKH└ QHZ└
&HDQ└ :DWHU└ 5XOH◀ └ $QG└ ZH└ JRW┴ RQ└ WKH└ VDPH└ GDWH☼ └ -DQXDU\└ ¶ ┬ └ WKLV└
UHVSRQVH☼ └ WKH\└ VDLG☼ └ | 1R☼ └ WKH└ DJHQFLHV└ DUH└ QRW┴ SXUVXLQJ└ DQ└
HQIRUFHPHQW┴ DFWLRQV└ SXUVXDQW┴ WR└ WKH└ QHZ└ &HDQ└ :DWHU└ 5XOH☼ └ DQG└ ZLOO┴ QRW┴
HQIRUFH└ WKLV└ UXOH└ XQGHU└ DQG└ XQWLO└ WKH└ 6L[WK└ &LUFXLW┴ &RXUW┴ $SSHDOV└ \WD\V└ LV└
OLIWHG◀

AMERICAN OVERSIGHT

7KH└ QH[W└ TXHVWLRQ└ ZH└ DVNHG└ EHFDXVH└ ZHUH└ KHDULQJ└ DVFHUWDLQV└
RWKHUZLVH☼ └ GRHV└ DQ\WKLQJ└ LQ└ WKH└ &HDQ└ :DWHU└ 5XOH└ UHYRNH└ RU└ RWKHUZLVH└
PRGLI\└ WKH└ &HDQ└ :DWHU└ $FW└ WDWXWRU\└ DQG└ UHJXODWRU\└ H[FHSWLRQV└ IRU└
IDUPLQJ└ DQG└ UDQFKLQJ◀ └ 5HVSRQVH☼ └ WZR└ GD\V└ ODWHU☼ └ -DQXDU\└ ¶┬☼ └ ZDV☼ └ | 1R☼ └
/KH└ &HDQ└ :DWHU└ 5XOH└ PDNHV└ DEVROXWHO\└ QR└ FKDQJHV└ WR└ GRUPDO└ IDUPLQJ☼ └
UDQFKLQJ└ DQG└ IRUHVWU\└ H[HPSWLRQV└ HWDEOLVKHG└ XQGHU└ WKH└ &HDQ└ :DWHU└
$FW└ LQ└ LPSOHPHQWLQJ└ UHJXODWLRQV◀

6R☼ └ TXHVWLRQ└ QXPEHU└ IRXU◀ └ 6RPH└ KDYH└ FODLPHG└ WKDW└ ODQGRZQHUV└ ZLOO└ QR└
ORQJHU└ EH└ DEOH└ WR└ UHO\└ RQ└ WKH└ &HDQ└ :DWHU└ $FW└ WDWXWRU\└ DQG└ UHJXODWRU\└
H[HPSWLRQV└ IRU└ IDUPLQJ└ DQG└ UDQFKLQJ└ VKRXOG└ WKH└ &HDQ└ :DWHU└ 5XOH└ JR└
LQWR└ HIIHFW└ EHFDXVH└ ZKLOH└ WKH└ WDWXWH└ DQG└ UHJXODWLRQV└ UHPDLQ└ XQFKDQJHG☼ └
/KH└ DJHQF\└ KDV└ QDUURZHG└ WKH└ ┼┼ └ WKRVH└ H[HPSWLRQV└ LQ└ SUDFWLFH└ WKURXJK└
/KH└ DFWLRQV└ LQ└ WKH└ ILHOG◀

,V└ WKDW└ WUXH"└ $QG└ WKH└ DQVZHU└ LV└ VXUSULVLQJO\☼ └ | 7KH└ DVFHUWDLQ└ RI└ WKH└
DJHQFLHV└ KDYH└ QDUURZHG└ DSSOLFDWLRQ└ RI└ WKH└ WDWXWRU\└ DQG└ UHJXODWRU\└
H[HPSWLRQV└ IRU└ IDUPLQJ☼ └ UDQFKLQJ└ DQG└ IRUHVWU\└ LV└ XQWUXH◀

7KH└ DJHQFLHV└ KDYH└ WDNHQ└ QR└ WHSV└ LQWHQGHG└ WR└ UHGXFH└ WKH└ VFRSH└ RI└ WKH└
H[HPSWLRQV└ DQG└ ZH└ KDYH└ QRW└ REVHUYHG└ FKDQJHV└ E\└ ILHOG└ RI ILFHV└ LQ└ WKH└
ZD\└ WKH\└ LQWHUSUHW└ RU└ LPSOHPHQW└ WKHVH└ H[FHSWLRQV◀ └ ,Q└ IDFW☼ └ WKH└ &RUSV└ KDV└
UHHPSKDVL]HG└ SXEOLFO\└ WKDW└ WKHVH└ H[HPSWLRQV└ DUH└ VHOI┼ └ LPSOHPHQWLQJ◀

)DUPHUV☼ └ UDQFKHUV└ DQG└ IRUHVWHUV└ DUH└ QRW└ UHTXLUHG└ WR└ JHW└ DSSURYDO└ IURP└
/KH└ DJHQF\└ SULRU└ WR└ XVLQJ└ WKH└ H[HPSWLRQV◀ | └ ,└ UDLVH└ WKLV└ EHFDXVH└
VRPHWLPHV└ ZKDW└ SHRSOH└ DVVHUW└ WR└ EH└ WUXH☼ └ VRPHWLPHV└ LVW└ RYHU└ WKH└
,QWHUQHW☼ └ VRPHWLPHV└ LVW└ RQ└ WHOHYLVLRQ☼ └ VRPHWLPHV└ LVW└ LQ└ ┼┼ └ RQ└ WKH└ UDGLR☼ └
QHZVSDSHUV◀ └ $VFHUWDLQV└ DUH└ PDGH└ DQG└ LQ└ WKLV└ FDVH└ WKHUHV└ D└ ZKROH└ CRQJ└
OLWV└ RI└ DVFHUWDLQV└ WKDW└ DUH└ PDGH☼ └ GRQH└ RI└ WKHP└ DUH└ WUXH◀

7KH\└ DUH└ GLVWRUWLRQV☼ └ XQWUXH└ LV└ DERXW└ ZKDW└ WKH└ (3$└ LV└ GRLQJ└ ZLWK└ UHVSHFW└
/R└ D└ UHJXODWLRQ└ WKDW└ ZDV└ WDLORUHG◀ └ $QG└ ,└ ZRXOG└ DVN└ WR☼ └ IRU└ WKH└ UHFRUG☼ └ 0U◀ └
&KDLUPDQ└ WR└ EH└ DEOH└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG└ WKH└ TXHVWLRQV└ WKDW└ ZH└
SRVHG└ WR└ (3$└ RQ└ -DQXDU\└ ¶¶ └ DQG└ DOVR└ WKH└ UHVSRQVHV└ WKDW└ ZH└ KDYH└
UHFHLYHG◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

&$53(5 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ →└!!R└└

7KDQN└ \RX◀

%\$55\$662 └
6HQDWRU└ ,QKRIH"

&\$53(5 └
,P└ QRW┴ WKURXJK◀

%\$55\$662 └
2K└ └ ,P└ VRUU\◀ └ 7KDQN└ \RX└ DQG└ JR└ ULJKW┴ DKHDG◀

&\$53(5 └
,└ ZDV└ WKDQNLQJ└ \RX└ IRU└ HQWHULQJ└ LW┴ IRU└ UHFRUG◀

%\$55\$662 └
<RX└ KDYH└ ┴ !! └ ┼ ┼ └ QHW└ JR└ EDFN└ IRU└ WKH└ ┴ ┬ └ VHFRQGV└ UHPDLQLQJ◀

&\$53(5 └
2K└ └ WKDQNV◀ └ ,G└ OLNH└ WR└ QRWH└ DW┴ D└ FKDLW└ LI└ \RX└ GRQW┴ PLQG◀ └ 7KLV└ LV└ D└ UHSRUW┴
/NLV└ LV└ D└ UHSRUW┴ FDUG◀ └ &DQ└ \RX└ UDLVH└ LW┴ XS"└ <HDK└ └ WKDQN└ \RX◀ └ 7KLV└ LV└ D└
UHSRUW┴ FDUG└ WKDW┴ OLWW└ ¶ → └ FRXQWLHV◀ └ +RZ└ PDQ\└ FRXQWLHV└ GR└ \RX└ KDYH└ LQ└
2NODKRPD"

358,77 └
6HYHQ└ ┼ ┼

&\$53(5 └
6HYHQW\┼ VHYHQ◀

♂ /\$8*+7(5□

358,77 └
0U◀ └ &KDLUPDQ└ └ FDQ└ , └ UHIHU└ WR└ 6HQDWRU└ ,QKRIH└ RQ└ WKHVH└ TXHVWLRQV"

%\$55\$662 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ →└¶R└└

<HDK☼ └ \HDK☼ └ \HDK◀

&$53(5 └
,└ ZDV└ ZDWFKLQJ└ ┼ ┼ └ KLV└ OLSV└ DUH└ DSSDUHQWO\└ PRYLQJ└ ZKHQ└ \RX└ VSHDN☼ └ VR◀

♂ 81.12:1□ └
,W└ ULJKW└ KHUH◀

&$53(5 └
$OO└ ULJKW☼ └ WKDQN└ \RX◀ └ $W└ WKH└ VDPH└ WLPH└ \RXYH└ EHHQ└ VXLQJ└ (3$└ RQ└ LW└
R]RGH└ WDQGDUGV☼ └ DOO└ WKH└ FRXQWLHV└ LQ└ 2NODKRPD☼ └ IRU└ LW└ GDWD└ LV└ FROOHFWLQJ└
HDUQHG└ DQ└)└ IURP└ WKH└ $PHULFDQ└ /XQJ└ $VVRFLDWLRQ└ IRU└ QRW└ PHHWLQJ└ R]RGH└
KHDOWK└ WDQGDUG◀

<RX└ KDYH└ ┼ ‼ └ FRXQWLHV└ WKDW└ WKH\└ ZLOO└ KDYH☼ └ WKH└ $PHULFDQ└ /XQJ└
$VVRFLDWLRQ└ GRHVQW└ KDYH└ GDWD└ RQ└ SURJUHVV└ PDGH└ RU└ QRW└ PDGH└ ZLWK└
UHVSHFW└ WR└ R]RGH◀ └ 7KHVH└ DUH└ WKH└ RQHV└ ZH└ KDYH└ LQIRUPDWLRQ└ RQ☼ └ ¶ → └ ┼ ┼ └
RQH☼ └ ¶ → └ FRXQWLHV└ IURP└ 0DGHLUD└ WR└ 7XOVD◀ └ <RX└ OLYH└ LQ└ 7XOVD☼ └ ,└ VXVSHFW☼ └
\RXUH└ LQ└ 7XOVD└ FRXQW\"

358,77 └
<HV☼ └ VLU◀

&$53(5 └
<HDK☼ └ WKH\└ DOO└ JRW└)V◀ └ 7KH\└ JRW└)V◀ └ 7KLV└ LV└ ODWH└ \HDU☼ └ ┴ ‼ ¶ ├ ◀ └ 0\└ TXHVWLRQ!
/R└ \RX└ LV☼ └ ZKDW└ GLG└ \RX└ GR└ DERXW└ LW"└ :KDW└ GLG└ \RX└ GR└ DERXW└ EHIRUH└ RU└
VLQFH"

358,77 └
6HQDWRU☼ └ WZR└ WKLQJV☼ └ RQH└ ┼ ┼

&$53(5 └
6RPHWLPHV└ SHRSOH└ ZLOO└ EHOLHYH└ ZKDW└ ZH└ VD\◀ └ 7KH\└ ZDQW└ WR└ ┼ ┼ └ WKH\└ PD\└
QRW└ EHOLHYH└ ZKDW└ ZH└ VD\☼ └ EXW└ WKH\OO└ EHOLHYH└ ZKDW└ ZH└ GR◀ └ :KDW└ KDYH└ \RX└
GRQH└ DERXW└ WKLV"

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ →└└RI└└

358,77 └

<HV☼ └ VR└ 6HQDWRU☼ └ WZR└ WKLQJV◀ └ ,└ UHDOO\└ EHOLHYH└ WKHUH└ QHHGV└ WR└ EH└ D└

/UHPHQGRXV└ HIIRUW└ PDGH└ E\└ FRQWLHV└ DFURVV└ WKLV└ FRQWU\└ WR└ PRYH└ QRQ╪

DVVDLQPHQW└ LQWR└ DVVDLQPHQW◀ └ 2YHU└ ┤ ‼ └ SHUFHQW└ RI└ WKH└ FRQWU\└ ┼ ┼ └ RU└

SUHVHQWV☼ └ ┤ ‼ └ SHUFHQW└ RI└ WKH└ FRQWU\└ DSSUR[LPDWHO└ LV└ LQ└ QRQ╪ DVVDLQPHQW└

DQG└ WKHUH└ QHHGV└ WR└ EH└ JUHDW└ SULRULWL]DWLRQ└ ZLWK└ WKH└ (3$└ DQG└ ORFDO└ RI ILFLDOV└

LQ└ DFKLHYLQJ└ DVVDLQPHQW◀ └ 6HFRQG☼ └ WKH└ (3$└ ◀ ◀ ◀

&$53(5 └

%XW└ WKDW└ ZDVQW└ P\└ TXHVWLRQ◀ └ 0\└ TXHVWLRQ☼ └ 0U◀ └ 3UXLWW☼ └ ZDV☼ └ ZKDW└ GLG└ \RX└

GR└ DERXW└ WKDW◀ └ <RXYH└ JRW└ ¶ → └ FRQWLHV└ LQ└ ZKLFK└ WKH\└ KDYH└ WKH└ GDWD└ IURP└

CDWW└ \HDU◀ └ :KDW└ GLG└ \RX└ GR└ DERXW└ LW☼ └ EHIRUH└ RU└ VLQFH◀ └ 7KDWW└ ZKDW└ ,P└

DVNLQJ└ \RX◀

358,77 └

$V└ ,YH└ LQGLFDWHG☼ └ \RX└ NQRZ☼ └ DV└ LQGLFDWHG└ LQ└ RXU└ PHHWLQJ☼ └ LQGLYLGXDOO\☼ └ WKH└

SULPDU\└ HQIRUFHPHQW└ UHVSRQVLELOLW\└ LQ└ 2NODKRPD└ ZLWK└ UHVSHFW└ WR└ DLU└

TXDOLW\└ SHUPLWW└ DQG└ WKH└ UHXW└ LV└ WKH└ 'HSDUWPHQW└ RI└ (QYLURQPHQWDO└ 4XDOLW\◀

$QG└ WKHUH└ KDYH└ EHHQ└ DFWLRQV└ WDNHQ└ E\└ '(4└ DQG└ WKH\└ FRQWLQXDOO\└ ZRUN└

ZLWK└ WKRVH└ FRXQWLHV└ WR└ UHDFK└ DVVDLQPHQW◀ └ $QG└ ZH└ SURYLGH└ JHQHUDO└

FRXQVHO└ DGYLVH└ WR└ WKDW└ DJHQF\└ LQ└ WKH└ SHUIRUPDQFH└ RI└ WKHLU└ UROH◀

&$53(5 └

,P└ ┼ ┼ └ ,P└ QRW└ WKH└ DVWRUCH\└ JHQHUDO└ RI└ 'HODZDUH└ DQG└ ,└ KDYH└ QR└ LQWHQWLRQ└ WR└

EH└ EXW└ LI└ ¶ → └ RI└ RXU└ WWDWHV└ ┼ ┼ └ ¶ → └ RI└ RXU└ FRQWLHV└ LQ└ 'HODZDUH└ ┼ ┼ └ ZH└ RQO\!

KDYH└ WKUHH☼ └ EXW└ LI└ ¶ → └ RI└ WKHP└ RU└ LI└ DOO└ WKUHH└ RI└ WKHP└ JRW└)V☼ └ ,└ SUREDEO\└ ┼

ZRXOG└ GR└ VRPHWKLQJ└ DERXW└ LW◀ └ 7KDQN└ \RX◀

%$55$662 └

6HQDWRU└ ,QKRIH"

,1+2)(└

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ →└┬RI└└

7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ &RQJUHVV└ UHFHQWO\└ SDVVHG└ D└ ELSDUWLVDQ└ ELOO☼ └ PDQ\└ RI└ XV└ XS└ KHUH└ VXSSRUWHG└ LW◀ └ ,└ NQRZ└ ,└ GLG◀ └ $V└ SDUW└ RI└ WKH└ :DWHU└ ,QIUDVWUXFWXUH└ %LOO└ WR└ DOORZ└ WDWHV└ WR└ CHDG└ LPSOHPHQWDWLRQ└ DQG└ HQIRUFHPHQW└ RI└ (3$V└ FRDO└ DVK└ UXOH└ WKURXJK└ WKH└ WDWH╫ EDVHG└ SHUPLW└ SURJUDP◀

7KDW└ UXOH└ LV└ DOUHDG\└ LQ└ HIIHFW└ DQG└ LW└ LPSRVHV└ WKDW└ WKH└ (3$└ PRYH└ TXLFNO\└ RQ└ WKLV◀ └ ,I└ \RX└ DUH└ FRQILUPHG☼ └ DUH└ \RX└ JHW└ ULJKW└ RQ└ WKLV└ WKLQJ"

358,77 └
<HV☼ └ 6HQDWRU└ ,CKRIH◀

,1+2)(└
$OO└ ULJKW◀ └ 6XH└ DQG└ VHWWCH☼ └ ZH└ DOO└ NQRZ└ ZKDW└ WKDW└ LV◀ └ :H└ NQRZ└ WKDW└ WKH└ JURXSV☼ └ PD\EH└ VRPH└ RI└ WKH└ HQYLURQPHQWDOLWV☼ └ H[WUHPLWV└ JURXSV└ ZLOO└ ILCH└ CDZVXLW└ DQG└ DJDLQW└ WKH└ (3$◀ └ 7KH└ (3$☼ └ LQWHDG└ RI└ GHIHQGLQJ└ DJDLQW└ /KH└ CDZVXLW└ ZLOO└ HQWHU└ LQWR└ D└ ┼ ┼ └ D└ UHVROXWLRQ└ EHKLQG└ FORVHG└ GRRUV└ ZLWKRXW└ DQ\└ SXEOLF└ LQSXW└ RU└ SDUWLFLSDWLRQ◀

7KHVH└ VHWWCHPHQW└ UHVXOW└ LQ└ CHZ└ VHW└ RI└ CHJDOO\└ ELQGLQJ└ SULRULWLHV└ DQG└ GXWLHV└ IRU└ WKH└ (3$└ WKDW└ DFKLHYH└ WKH└ GHPDQGV└ RI└ VSHFLDO└ LQWHUHWW◀ └ &DQ└ \RX└ VKDUH└ \RXU└ WKRXJKW└ RQ└ VXH└ DQG└ VHWWCH"

358,77 └
6HQDWRU☼ └ WKLV└ LVXH└ FDPH└ XS└ HDUOLHU☼ └ DQG└ LW└ D└ FRQFHUQ└ EHFDXVH└ LW└ UHJXODWLRQ└ WKURXJK└ OLWLJDWLRQ└ DQG└ DQ\└ WLPH└ WKDW└ \RX└ ┼ ┼ └ WKHUH└ D└ SDFH└ IRU└ FRQVHQW└ GHFUHHV└ LQ└ RXU└ OLWLJDWLRQ└ V\\WHP◀

%XW└ WR└ XVH└ D└ FRQVHQW└ GHFUHH└ WR└ E\SDVV└ &RQJUHVV☼ └ E\SDVV└ WKH└ UHJXODWRU\└ UHTXLUHPHQW└ EHLQJ└ SODFHG└ XSRQ└ WKRVH└ DJHQFLHV└ WR└ HQJDJH└ LQ└ UXOHPDNLQJ└ WKRXJK└ OLWLJDWLRQ└ LV└ VRPHWKLQJ└ ,└ WKLQN└ VKRXOG└ QRW└ RFFXU◀

,1+2)(└
$QG└ WKDW└ WKH└ SDUW└ WKDW└ GLG└ QRW└ FRPH└ XS└ HDUOLHU☼ └ DQG└ ,└ DSSUHFLDWH└ WKDW└ YHU\└ PXFK◀ └ $QG└ WKHQ└ CDWWO\☼ └ WKH└ FRWW└ RI└ UHJXODWLRQV◀ └ $V└ \RX└ NQRZ☼ └ WKH└ 6XSUHPH└ &RXUW└ RYHUWXUQHG└ (3$V└ PHUFXU\└ DQG└ DLU└ WR[LFLWLHV└ WKDW└ PHW└ WKH└ UXCH└ LQ└ ⊥ ‼ ¶ ↑ └ EHFDXVH└ WKH└ (3$└ IDLOHG└ WR└ LJQRUH└ WKH└ IDFW└ WKDW└ WKH└ FRWW└ ZDV└ • ◀ ├ └ ELOOLRQ└ DQXDOO\└ RI└ WKH└ UXCH◀

AMERICAN OVERSIGHT

1RZ└ LQ└ IDFW└ └WKH└ (3$V└ UHJXODWR\└ LWVHG└ UXOHV└ RYHU└ WKH└ SDWK└ HLJKW└ \HDUV└
/KDW└ DUH└ YHU\└ FRWWO\└ IRU└ RXU└ LQGXVWULHV└ DQG└ RXU└ MRE└ FUHDWRUV◀ └ $FFRUGLQJ└ WR└
/KH└ &56└ ┼ ┼ └ QRZ└ WKH└ &56└ └ ZKHQ└ WKH└ PDNH└ DQ└ HYDOXDWLRQ└ DUH└ PXFK└ PRUH└
FRQVHUYDWLYH◀ └ 7KH└ ILJXUH└ LW└ DOZD\V└ D└ YHU\└ FRQVHUYDWLYH└ ILJXUH◀

%XW└ WKH└ VDLG└ └WKH└ &HDQ└ 3RZHU└ 3ODQ└ └ LW└ ZRXOG└ EH└ DW└ CHDWW└ • ↑ └ ELOOLRQ└ WR└ • ← ┘
ELOOLRQ└ D└ \HDU◀ └ 7KH└ ILJXUHV└ ,YH└ KHDUG└ RQ└ WKDW└ DUH└ IDU└ JUHDWHU└ EHFDXVH└ LW└
ZRXOGQW└ EH└ WKDW└ PXFK└ GLIIHUHQFH└ WKDQ└ WKH└ ROG└ V\WHPV└ WKDW└ WKH\└ WULHG└ WR└
GR└ WKURXJK└ CHJLVODWLRQ◀

7KH└ PHWKDQH└ WDQGDUGV└ RQ└ RLO└ DQG└ JDV└ IDFLOLWLHV└ • ┼ ↑ !! └ PLOOLRQ└ D└ \HDU◀ └
7KH└ QHZ└ R]RQH└ WDQGDUGV└ • ¶ ◀ ┤ └ ELOOLRQ◀ └ 7KH└ ┴ !! ¶ ↑ └ FRDO└ DVK└ WDQGDUGV└ └
• ↑ ← → └ PLOOLRQ└ D└ \HDU◀ └ $QG└ WKH└ ┴ !! ¶ ¶ └ VXOIXU└ GLR[LGH└ WDQGDUGV└ • ¶ ◀ ↑ └ ELOOLF
\HDU◀

1RZ└ ZKHQ└ \RX└ KHDU└ WKLV└ └ DOO└ WKLV└ PRQH\V└ EHLQJ└ VSHQW└ IRU└ FRPSOLDQFH└
FRWW└ E\└ RXU└ MRE└ FUHDWRUV└ └ SHRSOH└ RXW└ WKHUH└ DUH└ ZRUNLQJ└ IRU└ D└ OLYLQJ└ DQG└
/KH\UH└ KLULQJ└ SHRSOH◀ └ :KDW└ DUH└ WKRXJKW└ DQG└ ZKDW└ GR└ \RX└ EHOLHYH└ VKRXOG└
EH└ UROH└ RI└ WKH└ FRWW└ RI└ (3$V└ GHFLVLRQ└ PDNLQJ"

358,77 └
,└ WKLQN└ LW└ YHU\└ LPSRUWDQW└ LQ└ WKH└ UXOHPDNLQJ└ SURFHVV└ └ 6HQDWRU◀ └ $QG└ WKH└
6XSUHPH└ &RXUW└ DQG└ FRXUW└ KDYH└ UHFRJQL]HG└ WKDW└ YHU\└ LPSRUWDQW└ IDFWRU◀ └ ,└
PHQWLRQHG└ HDUOLHU└ WKH└ FDVH└ WKDW└ ZH└ ZHUH└ LQYROYHG└ LQ└ 2NODKRPD└ LQYROYLQJ└
/KH└ 5HJLRQDO└ +D]H└ 3URJUDP◀

7KDW└ ZDV└ DQ└ H[DPSOH└ ZKHUH└ 2NODKRPD└ DFWXDOO\└ FRPSOLHG└ DQG└ PHW└ DQG└
VDWLVILHG└ WKH└ UHTXLUHPHQW└ XQGHU└ WKH└ ┼ ┼ └ XQGHU└ WKH└ WDWWXWH└ DQG└ WKH└ UXOH└ EXW└
/KHLU└ WHSV└ WKDW└ ZHUH└ WDNHQ└ ZHUH└ GLVSDUHG└ E\└ WKH└ (3$☼ └ DGGLQJ└ KXQGUHGV└
RI└ PLOOLRQV└ RI└ FRWW└ ┼ ┼ └ GROODUV└ RI└ FRWW└ WR└ FRQVXPHUV└ LQ└ WKH└ JHQHUDWLRQ└ RI└
HOHFWULFLWL\◀

$QG└ VR☼ └ FRWW└ DUH└ YHU\└ LPSRUWDQW└ DQG└ ZH└ QHHG└ WR└ PDNH└ VXUH└ WKDW└ ┼ ┼ └ WKDW└
/KH\UH└ FRQVLGHUHG└ LQ└ FHUWDLQ└ DUHDV└ RI└ WKH└ WDWWXWH☼ └ DV└ ,└ LQGLFDWHG└ HDUOLHU☼ └
/KH\└ FDQW└ EH└ XQGHU└ 7LWOH└ ¶ ☼ └ WKH└ 1H[W└ SURJUDP◀ └ %XW└ ┼ ┼ └ EXW└ ┼ ┼ └ EXW└ LQ└ WKDW└
FDVH☼ └ WKDW└ \RXUH└ UHIHUULQJ└ WR└ LV└ DQ└ REOLJDWLRQ└ RI└ WKH└ (3$└ WR└ DFWXDOO\└
HQJDJH└ LQ└ D└ FRWW└ EHQHILW└ DQDO\VLV└ DQG└ PDNH└ D└ UHFRUG└ EHIRUH└ LW└ PDGH└ LWW└
GHFLVLRQ◀

,1+2)(└
'R└ \RX└ WKLQN└ WKDW└ WKH└ CDZV└ WKDW└ DUH└ RQ└ WKH└ ERRNV└ ULJKW└ QRZ└ DGHTXDWH\└

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ →└↑RI└└

KDQGOH└ WKLV└ VLWXDWLRQ"

358,77 └
,└ GR└ WKLQN└ ┼ ┼ └ ,└ GR└ CDUJHO\☼ └ 6HQDWRU◀ └ ,└ WKLQN└ LW└ PRWLO\└ DQ└ DSSOLFDWLRQ└ LVVXH└
/KDW└ WKH└ DJHQF\└ DQG└ WKH└ UHJXODWRU└ GRLQJ└ LW└ MRE└ XQGHU└ WKH└ WDWXWH└ DV└
SURYLGHG└ E\└ &RQJUHVV◀

,1+2)(└
0P┼ KPP◀ └ 7KDQN└ \RX└ YHU\└ PXFK◀

?$55$662 └
6HQDWRU└ :KLWHKRXVH◀

:+,7(+286(└
$QG└ SUHVXPDEO\└ 0U◀ └ 3UXLWW☼ └ LW└ JRHV└ ZLWKRXW└ VD\LQJ└ WKDW└ LI└ WKH└ (3$V└ JRLQJ└
/R└ FRQVLGHU└ FRVW└ WR└ WKH└ LQGXVWU\└ RI└ FRQIRUPLQJ└ WR└ SROOXWLRQ└ JXLGHOLQHV☼ └ LW└
VKRXOG└ DOVR└ FRQVLGHU└ EHQHILWV└ WR└ WKH└ SXEOLF└ IURP└ FKDQJHU└ DLU☼ └ FKDQJHU└
ZDWHU└ DQG└ WKH└ UHVXOWV└ RI└ WKDW└ FRPSOLDQFH☼ └ ULJKW"

358,77 └
,W└ VKRXOG◀ └ ,W└ VKRXOG☼ └ 6HQDWRU◀

:+,7(+286(└
6R└ ZH└ KDYH└ EHHQ└ WDONLQJ└ DERXW└ IXQG└ UDLVLQJ└ GRQH└ E\└ \RX└ IRU└ WKH└ 5XCH└ RI└
/DZ└ 'HIHQVH└)XQG└ GXULQJ└ WKH└ WLPH└ ZKHQ└ \RX└ ZHUH└ ERWK└ D└ ERDUG└
PHPEHU└ DQG└ IRU└ D└ IXOO└ \HDU☼ └ WKH└ FKDLUPDQ└ RI└ WKH└ UXCH└ RI└ ODZ└ GHIHQVH└ IXQG└
DQG└ WKH└ IDFW└ WKDW└ ZH└ KDYH└ H[DFWO\└]HUR└ LQIRUPDWLRQ└ LQ└ WKLV└ FRPPLWWHH└
DERXW└ WKDW└ IXQG└ UDLVLQJ◀

:H└ DOVR└ KDYH└]HUR└ ┼ ┼ └ DQG└ CHW└ PH└ DVN└ XQDQLPRXV└ FRQVHQW└ IRU└ WKH└ SDJH└
IURP└ ◀ ◀ ◀

?$55$662 └
:LWKRXW└ REMHFWLRQ◀

:+,7(+286(└

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HL 3DJH¶ →└╞RI└└

◀◀◀ └ \RXU└ ILOLQJ└WKDW└ GLVFORVHV└WKDW└ KH└ ZDV└ LQ└ IDFW└ D└ PHPEHU└ RI└WKH└ ERDUG└ RI└
GLUHFWRUV└ DQG└ FKDLUPDQ└ RI└WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└)XQG◀ └ :H└ DOVR└ KDYH└
D└ PHWLQJ└ DJHQGD└ IURP└WKH└ 5HSXEOLFDQ└ $VWURQH\└ *HQHUDOV└ $VVRFLDWLRQ└
GXULQJ└ D└WLPH└WKDW└ \RX└ ZHUH└ DQ└ H[HFXWLYH└ FRPPLWWHH└ PHPEHU└ RI└WKH└
$VWURQH\└ *HQHUDOV└ $VVRFLDWLRQ└ PHWLQJ└ DW└WKH└ *UHHQEULHU☼ └ ZKLFK└ ,└ ZLOO└
\WLSXODWH└ IRU└ P\└ IULHQG└ IURP└ :HVW└ 9LUJLQLD☼ └ LV└ D└ CRYHD\└ SODFH└WR└ JR◀

$QG└WKH└ DJHQGD└ ZKLFK└ ,G└ OLNH└WR└WDNH└WKLV└ SDJH└ RI└ DQG└ SXW└ LQWR└WKH└
UHFRUG☼ └ PHQWLRQV└ D└ SULYDWH└ PHHWLQJ└ ZLWK└ 0XUUD\└ (QHUJ\◀ └ ,W└ PHQWLRQV└ D└
SULYDWH└ PHHWLQJ└ ZLWK└ 6RXWKHUQ└ &RPSDQ\◀ └ ,W└ PHQWLRQV└ D└ SULYDWH└ PHHWLQJ└
ZLWK└WKH└ $PHULFDQ└)XHO└ 3HWURFKHPLFDO└ 0DQXIDFWXUHUV◀

,I└ \RXOO└ VKRZ└WKH└ JUDSKLF☼ └WKHMH└ DUH└ DOO└WKH└ VDPH└ JURXSV└WKDW└ ,YH└ EHHQ└
DVNLQJ└ DERXW└ LQ└WHUPV└ RI└ \RXU└ IXQG└ UDLVLQJ└ IRU└WKH└ 5XCH└ RI└ /DZ└ 'HIHQVH└
)XQG☼ └ DQG└ \RX└ NQRZ☼ └WKHUHV└ 0XUUD\└ (QHUJ\☼ └ DQG└WKHUHV└ 6RXWKHUQ└
&RPSDQ\☼ └ DQG└ ,P└ VXUH└WKH└ $PHULFDQ└)XHO└ 3HWURFKHPLFDO└ 0DQXIDFWXUHUV└
UHSUHVHQW└ D└ CRW└ RI└WKH└ R\WKHUV◀

$V└ ,└ XQGHUVWDQG└ LW☼ └ ZH└ NQRZ└ CRWKLQJ☼ └ QR└ PLQXWHV☼ └ QR└ WUDQVFULSW☼ └ QR└
UHSRUW└ DERXW└ ZKDW└WRRN└ SODFH└ LQ└WKRVH└ PHHWLQJV└WKDW└ DUH└ GHVFULEHG└ DV└
SULYDWH└ PHHWLQJV└ RQ└ D└ VKHW└WKDW└ LV└ WDPSHG☼ └ FRQILGHQWLDO◀ └ &RUUHFW'└ :H└
NQRZ└ CRWKLQJ└ DERXW└WKH└ FRQW HQW└ RI└WKRVH└ PHHWLQJV☼ └ VR└ ◀◀◀

358,77 └
6HQDWRU☼ └ ,└ GLGQW└ JHQHUDWH└WKH└ GRFXPHQW◀ └ ,└ NQRZ└ CRWKLQJ└ DERXW└WKH└ ┼ ┼ └
KRZ└WKDW└ GRFXPHQW└ JRW└ JHQHUDWHG└ RU└ ZKDW└ ◀◀◀

:+,7(+286(└
$UH└ \RX└ GHQ\LQJ└WKDW└WKRVH└ SULYDWH└ PHHWLQJV└WRRN└ SODFH"

358,77 └
1R☼ └ 6HQDWRU◀ └ ,└ MXVW└ GLGQW└ JHQHUDWH└WKH└ GRFXPHQW◀ └ $QG└ GRQW└ NQRZ└ DERXW└
/KH└ FRQW HQW└ RI└WKHP☼ └ ZKLFK└ \RXYH└ UHSUHVHQWHG◀

:+,7(+286(└
2.☼ └ DQG└ ZH└ GRQW└ NQRZ└ DQG└ EHFDXVH└ \RX└ ZHUH└ RQ└WKH└ H[HFXWLYH└
FRPPLWWHH└ RI└ 5$*$☼ └WKDW\└ LQIRUPDWLRQ└WKDW└ ZH└ FRXOG└ JHW◀ └ 5LJKW'└ ,└ PHDQ☼ └
LW\└ DYDLODEOH└ LI└WKHUH└ ZHUH└ PLQXWHV└ RU└ UHSRUW\└ RXW└ RI└WKRVH└ PHHWLQJV☼ └
QRWHV└ WDNHQ☼ └ EXW└ ZH└ GRQW└ KDYH└WKHP◀ └ &RUUHFW'

AMERICAN OVERSIGHT

358,77 └
6HQDWRU└ └WKDW└ ZRXOG└ EH└ D└ UHTXHVW└ PDGH└ WR└ WKH└ 5HSXEOLFDQ└ $VVRFLDWLRQ\└
*HQHUDO└ $VVRFLDWLRQ◀ └ ,└ PLJKW└ DGG└ └WKH└ 5HSXEOLFDQ└ $VVRFLDWLRQ\└ *HQHUDO└
$VVRFLDWLRQ└ └WKHUHV└ D└ 'HPRFUDW└ $VVRFLDWLRQ\└ *HQHUDO└ $VVRFLDWLRQ└ └DV└ ZHOO◀

:+,7(+286(└
,P└ ┼ ┼ └ ,P└ QRW└ IDXOWLQJ└ WKDW◀ ◀ ◀

358,77 └
$QG└ WKH\└ KDYH└ WKH└ VDPH└ NLQG└ RI└ WKLQJ└ ◀ ◀ ◀

:+,7(+286(└
,P└ WDONLQJ└ DERXW└ SULYDWH└ PHHWLQJV└ WKDW└ ◀ ◀ ◀

358,77 └
6R└ WKHVH└ PHHWLQJV└ ┼ ┼ └ WKHVH└ PHHWLQJV└ WDNH└ SODFH└ DOO└ RI└ WKH└ WLPH└ ◀ ◀ ◀

:+,7(+286(└
◀ ◀ ◀ └ DW└ D└ WLPH└ WKDW└ \RX└ ZHUH└ RQ└ WKH└ H[HFXWLYH└ FRPPLWWHH└ ZLWK└ VRPH└ RI└ WKH└
UHDO\└ └UHDO\└ ELJ└ SROOXWHUV└ ZLWK└ ZKRP└ \RXYH└ EHHQ└ YHU\└ FORVH└ SROLWLFDO\└
DVVRFLDWHG◀

358,77 └
7KHUHV└ D└ ┼ ┼ └ WKHUHV└ D└ FRQIHUHQFH└ └ ,└ PD\└ 6HQDWRU└ RI└ :HVWHUQ└ $VVRFLDWHG└
*HQHUDO└ ◀ ◀ ◀

:+,7(+286(└
,└ NQRZ◀

358,77 └
◀ ◀ ◀ └WKDW└ JRHV└ E\└ WKH└ 1DWLRQDO└ $VVRFLDWLRQ└ ◀ ◀ ◀

:+,7(+286(└
7KH\└ WDON└ DERXW└ ZDWHU◀ └ 'ULYHV└ WKDW└ ZKDW└ WKH\└ ◀ ◀ ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +ROGV└ +HDU 3DJH¶ →└←RI └┴

358,77 └

$QG└ WKHUH└ DUH└ PHPEHUV└ WKDW└ WDNH└ SDFH└ DW└ HDFK└ RI└ WKRVH└ HYHQWV☼ └ DV└ ZHOO◀

:+,7(+286(└

7KH└ UHWV└ RI└ WKH└ DWWRUQH\└ JHQHUDOV└ DYRLG└ WKDW☼ └ VR└ ZH└ GRQW└ ZDQW└ WR└ WDON└ DERXW└ ZDWHU◀ └ /HW└ WDON└ DERXW└)2,$◀ └ <RXYH└ KDG└ D└ FRQYHUVDWLRQ└ ZLWK└ WKH└ &KDLUPDQ└ DERXW└)2,$◀ └ $V└ ,└ XQGHUVWDQG└ LW☼ └ WKHUH└ LV└ D└)2,$└ UHTXHVW└ WR└ WKH└ 2NODKRPD└ $WWRUQH\└ *HQHUDOV└ RIILFH☼ └ WR└ \RXU└ RIILFH└ IRU└ HPDLOV└ EHWZHHQ└ \RXU└ RIILFH└ DQG└ 'HYDQ└ (QHUJ\└ DQG└ .RFK└ ,QGXVWULHV└ DQG└ $PHULFDQV└ IRU└ 3URVSHULW\☼ └ WKH└ .RFK└ IURQW└ JURXS└ DQG└ 0XUUD\└ (QHUJ\└ DQG└ WKH└ $PHULFDQ└ 3HWURFKHP└ ,QVWLWXWH◀

$QG└ WKH└ LQIRUPDWLRQ└ WKDW└ ,└ KDYH└ LV☼ └ LV└ WKDW☼ └ WKDW└ RSHQHG└ UHFRUGV└ DFW└ UHTXHVW└ ZDV└ ILOHG└ PRUH└ WKDQ└ → ┤ ‼ └ GD\V└ DJR☼ └ PRUH└ WKDQ└ WZR└ \HDUV└ DJR☼ └ /KDW└ LQ└ UHVSRQVH└ WR└ LW☼ └ \RXU└ RIILFH└ KDV└ FRQFHGHG└ WKDW└ WKHUH└ DUH└ ┬ ☼ ‼ ‼ ‼ └ UHVSRQVLYH└ GRFXPHQWV☼ └ ┬ ☼ ‼ ‼ ‼ └ HPDLOV└ DQG└ RWKHU└ GRFXPHQWV└ EHWZHHQ└ \RXU└ RIILFH└ DQG└ WKHVH└ FRPSDQLHV◀

$QG└ WKDW└ LQ└ → ┤ ‼ └ GD\V└ H[DFW\└]HUR└ RI└ WKRVH└ GRFXPHQWV└ KDYH└ EHHQ└ SURGXFHG◀ └ ,V└ WKDW└ DFFHSWDEOH└ WXUQDURXQG└ RQ└ D└)2,$└ UHTXHVW"└ $QG└ VKRXOG└ ZH└ QRW└ EH└ FRQFHUQHG└ WKDW└ \RXU└ RIILFH└ LV└ QRW└ FRPSO\LQJ└ ZLWK└ WKH└)2,$└ UHTXHVW└ WKDW└ UHODWHV└ WR└ VSHFLILFDOO\└ WR└ \RXU└ PDQ\└ RI└ WKHVH└ FRPSDQLHV└ WKDW└ DUH└ JRLQJ└ WR└ EH└ EHIRUH└ \RX└ DV└ (3$└ DGPLQLWUDWRU└ LI└ \RXUH└ FRQILUPHG"

358,77 └

6HQDWRU☼ └ ZH└ DFWXDOO\└ KDYH└ ┼ ┼ └ ,└ DFWXDOO\└ KDYH└ D└ JHQHUDO└ FRXQVHO└ DQG└ DQ└ DGPLQLWUDWRU└ LQ└ P\└ RIILFH└ WKDW└ DUH└ GHGLFDWHG└ WR└ SHUIRUPLQJ└ RU└ SURYLGLQJ└ UHVSRQVHV└ WR└ RSHQ└ UHFRUGV└ UHTXHVW◀ ◀ ◀ ◀

:+,7(+286(└

1RW└ YHU\└ GHGLFDWHG◀ └ ,└ LW└ WDNHV└ → ┤ ‼ └ GD\V☼ └ DQG└ LW☼ └ WLOO└]HUR◀

358,77 └

$QG└ ┼ ┼ └ ,P└ QRW└ ┼ ┼ └ ,P└ QRW└ LQYROYHG└ LQ└ WKDW└ SURFHVV◀ └ 7KDW└ LV└ KDQGOHG└ LQGHSHQGHQWO\└ E\└ WKDW└ DGPLQLWUDWRU└ DQG└ WKDW└ JHQHUDO└ FRXQVHO└ LQ└ UHVSRQGLQJ◀ └ 6R└ ,└ FDQW└ VSHDN└ WR└ WKH└ WLPHOLQH└ DQG└ ZK\└ LW☼ └ WDNHQ└ WKDW└ OHQJWK└ RI└ WLPH◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH¶ →└ R╢└└

%XW- ,└ FDQ└ WHOO└ \RX└ WKDW- RXU└ RIILFH└ ZRUNV└ ┼ ┼ └ ZH└ DFWXDOO\└ JR└ DFURVV└ WKH└ VWDWH└ RI└ 2NODKRPD└ WKURXJK└ ┼ ┼ └ LQ└ WUDLQLQJ└ ZLWK└ RIILFLDOV└ CRFDOO\└ LQ└ FRPSOLDQFH└ ZLWK└)2,$└ DQG└ RSHQ└ UHFRUGV└ CDZ☼ └ VR└ ◀◀◀

♂ &52667$/.□

:+,7(+286(└
:HOO☼ └ PD\EH└ \RX└ RXJKW- WR└ VHQG└ \RXU└ SHRSCH└ WR└ \RXU└ RZQ└ WUDLQLQJ└ EHFDXVH└ LW- GRHVQW- VHHP└ WR└ EH└ WKLFNLQJ└ YHU\└ ZHOO◀

358,77 └
,P└ QRW- VXUH└ ZKDW- WKH└ ┼ ┼ └ WKH└ UHSUHVHQWDWLRQ└ \RX└ PDGH└ DERXW- WKH└ WLPHOLQH☼ └
,P└ QRW- ┼ ┼ └ ,└ GRQW- NQRZ└ DQG└ WKDW- ◀◀◀

:+,7(+286(└
*LYHQ└ KRZ└ PDQ\└ RI└ WKHVH└ JURXSV└ KDYH└ LPSRWDQW- ILQDQFLDO└ LQWHUHVWV└ EHIRUH└ WKH└ (3$☼ └ GR└ \RX└ QRW- WKLQN└ WKDW- ┼ ☼ ‼ ‼ ‼ └ HPDLOV└ EDFN└ DQG└ IRUWK└ EHWZHHQ└ \RX└ DQG└ \RXU└ RIILFH└ DQG└ WKHP└ DUH└ UHOHYDQW- WR└ SRWHQWLDO└ FRQIOLFW- RI└ LQWHUHVWV- DV└ DQ└ DGPLQLVWUDWRU└ DQG└ VKRXOG└ EH└ EHIRUH└ XV└ DV└ ZH└ FRQVLGHU└ /KLV"

358,7 └
$JDLQ☼ └ ,└ WKLQN└ WKH└ (3$└ RI└ WKLV└ FRXQVHO└ KDV└ CDLG└ D└ YHU\└ FOHDU└ SURFHVV└ ZLWK└ UHVSHFW- WR└ FRYHUHG└ HQWLWLHV☼ └ DV└ ZH└ GHVFULEHG└ LW- HDUOLHU└ DQG└ RQ└ SUWLFXODU└ PDWWHUV└ DQG└ VSHFLILF└ FDVHV☼ └ ,└ ZLOO└ IROORZ└ WKH└ DGYLFH└ RI└ WKDW- (3$└ FDUHHU└ SHUVRQ└ HWKLFV└ WR└ PDNH└ VXUH└ WKDW- WKHUH└ DUH◀◀◀

:+,7(+286(└
<RX└ NHHS└ VD\LQJ└ WKDW- DQG└ ◀◀◀

%$55$662 └
7KH└ 6HQDWRUV└ WLPH└ KDV└ H[SLUHG◀

:+,7(+286(└
:DQW- PH└ WR└ ILQLVK└ P\└ VHQWHQFH"

AMERICAN OVERSIGHT

%$55$662 └
3CHDVH└ GR◀

:+,7(+286(└
7KH└ SURECHP└ ZLWK└ WKDW└ LV└ WKDW└ LI └ \RX└ KDYHQW└ GLVFORVHG└ DQ\└ RI └ WKLV└
LQIRUPDWLRQ└ WKHQ└ WKH└ (3└ HWKLFV└ FRXQVHO└ ZRXOG└ KDYH└ QR└ LGHD└ WR└ HYHQ└
ORRN◀ └ 7KH\└ ZRXOG└ KDYH└ QR└ LGHD└ ZKDW└ WKH└ ULVNV└ DUH◀ └ <RX└ FDQW└ VD\☼ └ QRERG\└
FDQ└ ORRN└ DW└ ZKHWKHU└ , └ GLG└ WKLV☼ └ EXW└ E\└ WKH└ ZD\☼ └ WKH\UH└ JRLQJ└ WR└ ORRN└ DW└ LW◀ └
,W└ MXVW└ GRHVQW└ DGG└ XS◀ └ 6RUU\☼ └ DERXW└ WKH└ ┼ ┼ └ JRLQJ└ RYHU└ P\└ WLPH◀

%$55$662 └
7KDQN└ \RX◀ └ 7KDQN└ \RX└ 6HQDWRU◀ └ , └ ZRXOG└ OLNH└ WR└ SRLQW└ RXW☼ └ ZH└ KDG└ D└ UHSRUW└
FDUG└ WKDW└ ZDV└ MXVW└ EURXJKW└ XS└ DQG└ ,G└ OLNH└ WR└ LQWURGXFH└ IRU└ WKH└ UHFRUG└ D└
CHWWHU└ WR└ ┼ ┼ └ IURP└ HDFK└ RI └ WKH└ ILYH└ PHPEHUV└ RI └ &RQJUHVV└ IURP└ WKH└ WDWH└ RI └
2NODKRPD└ ZLWK└ WKHLU└ WHDGIDWV└ UHSRUW└ IRU└ 6FRWW└ 3UXLWW☼ └ LQ└ VD\LQJ☼ └ | :H└ DUH└
SURXG└ RI └ KLV└ VHUYLFH└ WR└ RXU└ WDWH└ DQG└ DUH└ YHU\└ FRQILGHQW└ WKDW└ KH└ ZLOO└ GR└ D└
VXSHUE└ MRE└ VHUYLQJ└ RXU└ QDWLRQ└ DQG└ RXU└ FLWL]HQV└ LQ└ WKLV└ CHZ└ URCH◀ |

$OVR└ DV└ IROORZ└ XS└ IRU└ WKH└ ILUWV└ URXQG└ RI └ TXHWWLRQV☼ └ WKHUH└ ZDV└ VRPH└
GLVSXWH└ DERXW└ D└ CDZVXLW└ DJDLQVW└ 0DKDUG└ (JJ└)DUP└ DQG└ ZKR└ LW└ ZDV└ ILCHG└
E\◀ └ , └ KDYH└ KHUH└ WKH└ FRPSODLQW└ LQ└ WKH└ FDVH└ DQG└ LW└ ZDV└ ILCHG└ 0D\└ ¶ ← ☼ └ ┴ ‼ ¶ ¶ ◀
&DQ└ \RX└ UHDG└ LW"

,W└ VD\V☼ └ | $QG└ WKH└ WDWH└ RI └ 2NODKRPD☼ └ E\└ DQG└ WKURXJK└ $WWRUCH\└ *HQHUDO└
6FRWW└ 3UXLWW◀ | └ 6R└ \RX└ DUH└ WKH└ RCH└ WKDW└ ILCHG└ WKH└ VXLW└ DCRQJ└ ZLWK└ WKH└
DWWRUCH\└ JHQHUDO└ RI └ 7H[DV└ DJDLQVW└ 0DKDUG└ (JJ└)DUP└ DQG└ WKLV└ ZLOO└ EH└
VXEPLWWHG└ IRU└ WKH└ UHFRUG└ DV└ ZHOO◀ └ 6HQDWRU└ &DSLWR"

&$3,72 └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 6LQFH└ WKH└ 5DQNLQJ└ 0HPEHU└ PHQWLRQHG└ WKDW└
0U◀ └ -RH└ *RIIPDQ└ KDG└ YLVLWHG☼ └ , └ FDOCHG└ WR└ WKH└ DWWHQWLRQ└ LQ└ EHMHFKLQJ└ \RX└
/KDW└ ZKHQ└ \RXUH└ VXFFHVVIXOO\└ WKH└ DGPLQLWUDWRU└ DW└ WKH└ (3$└ WKDW└ \RX└ ZLOO└
CLWHQ└ WR└ HYHU\ERG\└ DQG└ FRPH└ WR└ WDWHV└ WKDW└ DUH└ PRWW└ GLUHFWO\└ DIIHFWHG◀

+H└ PHQWLRQHG└ WKDW└ WKH└ DWRFLDWHG└ DWLWWDQW└ DGPLQLWUDWRU└ KDG└ PDGH└ WKH└
CRQJ└ OLWW└ WKDW└ KH└ KDG└ VDLG◀ └ %XW└ , └ ZRXOG└ OLNH└ WR└ SRLQW└ RXW└ FODUL ILFDWLRQ◀ └ 7KH└
(3$└ DQQRXQFHG└ RQ└ 6HSWHPEHU└ ┬ ‼ ☼ └ D└ GD\└ ,OO└ UHPHPEHU└ EHFDXVH└ WKDW└
/KH└ ELUWKGD\└ RI └ P\└ \RXQJHVW└ FKLOG☼ └ DQG└ WKH\└ DQQRXQFHG└ ZKHUH└ WKH\└ ZHUH└
JRLQJ└ IRU└ WKHLU└ OLWWHQLQJ└ VHVVLRQV◀

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

7KH└ ┼ ┼ └ LQ└ WRWDO└ WKH└ DJHQF\└ UHFHLYHG└ DPRXQW└ ┤ ◀ ┬ └ PLOOLRQ└ FRPPHQWV└ DERXW└ DOO└ DVSHFWV└ RI └WKH└ SURSRVH└ UXOH└ PRUH└ WKDQ└ DQ\└ UXOH└ LQ└ (3$└ KLWRU\☼ └ DQG└ /KRXVDQGV└ RI └SHRSOH└ SDUWLFLSDWHG└ LQ└ WKH└ DJHQF\V└ SXEOLF└ KHDULQJV☼ └ :HELQDUV☼ └ OLWHQLQJ└ VHVVLRQV└ DQG└ VR└ IRUWK☼ └ DOO└ DFURVV└ WKH└ FRXQWU\◀ └ 7KH└ DJHQF\└ PDGH└ PDQ\└ UHYLVLRQV└ LQ└ WKH└ ILQDO└ UXOH└ DQG└ LQ└ UHVSRQVH└ WR└ WKRVH└ FRPPHQWV◀ └ 7KDQN└ \RX◀

?$55$662 └

6HQDWRU☼ └WKHQ└ ,G└ DVN└ WKDW└ WKH└ ┼ ┼ └ RQFH└ D└ TXHVWLRQHU└ WDUWW☼ └ WKH\└ EH└ DOORZHG└ WR└ FRQWLQXH└ EHFDXVH└ ZH└ FRXOG└ JHW└ LQWR└ D└ CHQJWK\└ GLVFXVVLRQ◀ └ 7KH└ (3$└ ZDV└ IRXQG└ JXLOW\└ RI └FRYHUW└ SURSDJDQGD└ IRU└ VROLFLWLQJ└ LQIRUPDWLRQ└ /KLRXJK└ D└ QXPEHU└ RI └HQYLURQPHQWDO└ JURXSV◀

,W└ ZDV└ D└ ┼ ┼ └ FRQWLQXHV└ WR└ EH└ D└ ECRW└ RQ└ WKH└ UHFRUG└ RI └WKH└ (3$└ DQG└ D└ TXHVWLRQ└ RI └WKLV└ ┼ ┼ └ WKH└ HQWLUH└ $GPLQLWWUDWLRQ└ DQG└ WKHLU└ DSSURDFK└ WRZDUG└ DELOLWLHV└ RI └WKH└ ┼ ┼ └ IRU└ WKH└ UXOH└ RI └CDZ└ YHUVXV└ DQG└ (3$└ RXW└ RI └FRQWURO◀ └ 6R☼ └ ZHUH└ JRLQJ└ WR└ DOORZ└ WKH└ TXHVWLRQHU└ WR└ FRQWLQXH◀ └ $QG└ ,└ UHYHUW└ EDFN└ WR└ \RX☼ └ 6HQDWRU└ &DSLWR◀

&$3,72 └

7KDQN└ \RX☼ └ QRW└ WR└ EHDW└ D└ GHDG└ KRUVH☼ └ EXW└ WR└ WU\☼ └ ,OO└ VD\└ WKDW└ WKH└ $VVLWWDQW└ $GPLQLWUDWRU└ 0F.D\☼ └ ZKHQ└ VKH└ ZDV└ WHOOLQJ└ PH└ WKDW└ WKH└ RQO\└ RQH└ WR└ JR└ ZKHUH└ SODFHV└ ZHUH└ FRPIRUWDEOH☼ └ VKH└ ORRNHG└ DW└ PH└ DQG└ VDLG☼ └ | 6HQDWRU☼ └ ZHUH└ JRLQJ└ LQWR└ 3LWWVEXUJK◀ |

*HH☼ └WKDQN└ D└ ORW◀ └ ,Q└ DQ\└ HYHQW☼ └ ZKLFK└ LV└ QRW└ LQ└ :HVW└ 9LUJLQLD☼ └ ,OO└ PDNH└ /KDW└ SRLQW☼ └ P\└ TXHVWLRQ└ LV☼ └ \RXYH└ VDLG└ D└ ORW└ DERXW└ WKDWHV☼ └ DQG└ ,└ DJUHH◀ └ 7KH└ WKDWHV└ VKRXOG└ KDYH└ WKH└ SULPDF\☼ └ LVW└ LQ└ WKH└ CDZ☼ └ DQG└ WKDW└ VRPHWKLQJ└ /KDW└ SDUW└ RI └ZK\└ \RX└ EURXJKW└ VXLW☼ └ DQG└ SDUW└ RI └WKH└ UHDVRQ└ \RXYH└ EHHQ└ VXFFHVVIXO└ ZLWK└ RWKHU└ $WWRUQH\V└ *HQHUDO◀

/HW└ PH└ DVN└ \RX└ D└ TXHVWLRQ☼ └ CHW└ VD\└ \RX└ KDYH└ D└ WDWH└ ZKHUH└ \RXU└ WKH└ DGPLQLWUDWRU└ RI └WKH└ (3$☼ └ DQG└ \RX└ GHP└ WKDW└ WKDW└ WDWHV└ 21ILFH└ RI └(QYLURQPHQWDO└ 4XDOLW\└ RU└ '(3☼ └ ZKLFK└ LV└ ZKDW└ LW└ LV└ LQ└ :HVW└ 9LUJLQLD☼ └ MXVW└ GRHVQW└ PHDVXUH└ XS◀ └ 7KH\UH└ QRW└ SURWHFWLQJ└ WKHLU└ SHRSOH└ KHDOWK◀ └ 7KH\UH└ QRW└ HQIRUFLQJ└ WKH└ CDZ◀

AMERICAN OVERSIGHT

7KH\└ DUH└ LQ└ \RXU└ MXGJPHQW└ DQG└ IRQV└ WKDW└ \RXU└ ZRUNLQJ└ ZLWK└ DUH└ QRW┴ XS└ WR└ WKH└ WDVN└ DQG└ DUH└ CHWWLQJ└ WKHLU└ SHRSCH└ GRZQ◀ └ :KDW┴ DYHQXHV└ RI └ FRUUHFWLRQ└ ZRXOG└ \RX└ KDYH└ DW┴ WKH└ (3$└ GR└ \RX└ KDYH└ DQG└ ZKDW┴ ZRXOG└ \RX└ H[HUFLVH└ LQ└ WKDW┴ NLQG└ RI└ FDWHJRU\"└ $QG└ ZKDW┴ NLQG└ RI└ MXGJPHQW└ ZRXOG└ KDYH└ WR└ EH└ PDGH└ IRU└ WKRVH└ WKLQJV└ WR└ RFFXU"

358,77 └

6HQDWRU└ ,└ UHDOO\└ DSSUHFLDWH└ WKH└ TXHVWLRQ◀ └ %HFDXVH└ ,└ WKLQN└ WKHUH└ DUH└ /LPHV└ ZKHUH└ WDWWHUV└ DUH└ ♂ LQDXGLECH□◀ └ <RX└ NQRZ└ WKDW┴ WKH\└ GRQW┴ SHUIRUP└ /KH└ REOLJDWLRQV└ WKDW┴ WKH\└ KDYH└ CHW└ VD\└ XQGHU└ WKH└ &CHDQ└ $LU└ $FW┴ LQ└ DGRSWLQJ└ WDWH└ LPSCHPHQWDWLRQ└ SODQ◀ └ 2U└ DV└ WKH\└ DGRSW┴ WKH└ WDWH└ LPSCHPHQWDWLRQ└ SODQ└ WKH\└ GRQW┴ WDNH└ LQWR└ FRQVLGHUDWLRQ└ DOO└ WKH└ IDFWRUV└ /KDW┴ &RQJUHVV└ KDYH└ SXW┴ LQ└ WKH└ WDWXWH└ DQG└ WKH└ (3$└ UHTXLUHV◀

,Q└ WKRVH└ LQWDQFHV└ └ LW└ YHU\└ DSSURSULDWH└ IRU└ WKH└ (3$└ WR└ XVH└ LW└ DXWKRULW\└ └ OLNH└ D└ IHGHUDO└ LPSCHPHQWDWLRQ└ SODQ└ └ WR└ WDNH└ RYHU└ WKDW┴ MXULVGLFWLRQ└ DQG└ WR└ LQVXUH└ WKDW┴ WKH└ VDIHW\└ DQG└ KHDOWK└ RI└ RXU└ FLWL]HQV└ LV└ SURWHFWHG└ └ DQG└ DLU└ TXDOLW\└ LV└ PDLQWDLQHG└ DQG└ ZDWHU└ TXDOLW\└ LV└ PDLQWDLQHG◀ └ 6R└ └ WKHUH└ LV└ D└ WLPH└ DQG└ SODFH└ IRU└ WKDW◀

,└ WKLQN└ LQ└ PDQ\└ LQWDQFHV└ └ KRZHYHU└ └ WKH└ CDWW┴ VHYHUDO└ \HDUV└ └ LW└ W└ EHHQ└ WKH└ ILUWW┴ UHVSRQVH└ └ DV└ RSSRVHG└ WR└ └ \RX└ NQRZ└ └ FRRSHUDWLRQ└ DQG└ D└ IHGHUDO└ LPSCHPHQWDWLRQ└ SODQ└ LV└ DEVROXWHO\└ LQ└ RUGHU┴ DW┴ WLPHV◀ └ %$55$662 └ 6HQDWRU└ 0HUNCH\◀ └ 0(5./(< └ 0U◀ └ &KLUPDQ└ └ EHIRUH└ \RX└ WDUW┴ P\└ FORFN└ └ ,G└ OLNH└ WR└ IROORZ┼ └ XS└ RQ└ 6HQDWRU└ ,QKRIHV└ WXUDWHJ\└ KHUH└ RI└ VXEPLWWLQJ└ FHUWDLQ└ IDFW└ EDFN└ IRU└ WKH└ UHFRUG◀ └ $QG└ ,G└ DVN└ XQDQLPRXV└ FRQVHQW┴ WR└ VXEPLW┴ IRU└ WKH└ UHFRUG└ └ DQ└ DUWLFOH└ IURP└ WKH└ 8QLRQ└ RI└ &RCHUCHG└ 6FLHQWLWWW└ UHODWHG└ WR└ WKH└ VR┼ FDOOHG└ &OLPDWH└ *DWH◀ └ 7KDW┴ WKH└ 6HQDWRU└ UHIHUUHG└ WR└ HDUOLHU◀

$QG└ WKDW┴ QRWHV└ WKDW┴ WKH└ PDQXIDFWXUHG└ FRQWURYHUV\└ RYHU└ HPDLOV└ \WRCHQ└ IURP└ WKH└ 8QLYHUVLW\└ KDV└ JHQHUDWHG└ D└ QRW┴ RI└ KHDW└ └ EXW┴ QRW┴ OLJKW◀ └ (PDLO└ FRQWHQW┴ EHLQJ└ TXRWHG└ └ GHV└ QRW┴ LQGLFDWH└ FOLPDWH└ GDWD└ UHVHDUFK└ KDV└ EHHQ└ FRPSURPLVHG◀

0RWW┴ LPSRUWDQW\└ └ QRWKLQJ└ LQ└ WKH└ FRQWHQW┴ RI└ WKHVH└ WWRCHQ└ HPDLOV└ KDV└ DQ\└ LPSDFW┴ RQ└ RXU└ RYHUDOO└ XQGHUWWDQGLQJ└ RI└ KXPDQ└ DFWLYLWLHV└ GULYLQJ└ GDQJHURXV└ CHYHDV└ RI└ JCREDO└ ZDUPLQJ◀ └ 0HGLD└ UHSRUW W└ DQG└ FRQWUDU\└ FODLPV└ /KDW┴ WKH\└ GR└ DUH└ LQDFFXUDWH◀ └ 6R└ ,└ VXEPLW┴ WKDW┴ ┼ ┼

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDW 3DJH¶ ←└┤RI └┘

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

0(5./(< └
┼ ┼ └ IRU└ WKH└ UHFRUG◀ └ 7KDQN└ \RX◀ └ ,G└ DOVR└ OLNH└ ┼ ┼

%$55$662 └
7KLV└ &KDLUPDQ☼ └ VLQFH└ P\└ QDPH└ LV└ LQYROYHG☼ └ CHW└ PH└ UHVSRQG◀ └ :HUH└ \RX└
OLWHQLQJ└ ZKHQ└ ,└ WDONHG└ DERXW└ WKH└ YDULRXV└ SXEOLFDWLRQV└ WKDW└ KDYH└ FRPH└
RXW☼ └ DQG└ WDONHG└ DERXW└ KRZ└ IUDXGXOHQW└ LW└ ZDV☼ └ WKHMH└ DUH└ SXEOLFDWLRQV☼ └
VFLHQFH└ SXEOLFDWLRQV☼ └ KDYH└ JRQH└ LQ☼ └ PDGH└ WKHLU└ RZQ└ HYDOXDWLRQV☼ └ DQG└ IRU└
/KH└ 8◀ .◀ └ 7HCHJUDSK└ WR└ VD\└ LW└ WKH└ ZRUW└ VFLHQWLILF└ VFDQGDO└ IRU└ RXU└
JHQHUDWLRQ☼ └ WKHQ└ WKDW└ SUHVV└ H[WUHPH"

0(5./(< └
0\└ FROOHDJXH☼ └ ZH└ FRXOG└ KDYH└ DQ└ HQWLUH└ GD\└ GHGLFDWHG└ WR└ WKH└ UHYLHZ└ RI└
/KH└ VFLHQWLILF└ OLWHUDWXUH└ RQ└ WKLV☼ └ DQG└ ,└ ┼ ┼ └ LW└ ZRXOG└ ZHLJK└ YHU\└ KHDYLO\└ RQ└ WKH
VFDOHV└ LQ└ WKH└ GLUHFWLRQ└ ,YH└ LQGLFDWHG☼ └ LQ└ VXSSRUW└ RI└ WKH└ LQIRUPDWLRQ└
SUHVHQWHG└ E\└ WKH└ 8QLRQ└ RI└ &RQFHUQHG└ 6FLHQWLVWV◀ └ :H└ PD\└ MXVW└ KDYH└ WR└
DJUHH└ WR└ GLVDJUHH◀ └ 7KDW└ ZK\└ ,└ VXEPLWWHG└ LW└ IRU└ WKH└ UHFRUG◀ └ :HOO└ CHW└ WKH└
SXEOLF└ GHFLGH◀

♂ 81.12:1□ └
7KDW└ ZK\└ WKH└ WATAWHPHQW└ LV└ UHSHDWHG└ RYHU└ DQG└ RYHU└ DJDLQ└ DERXW└ WKH└
VFLHQFH└ LV└ VHWWOHG☼ └ LV└ CRW└ DQ└ DFFXUDWH└ WATAWHPHQW◀

%$55$662 └
,G└ LQYLWH└ WKH└ 6HCDWRU└ WR└ TXHWALRQ└ WKH└ ZLWQHVV◀

0(5./(< └
7KH└ EHDXA\└ RI└ WKH└ 6HCDWH☼ └ LV└ ZH└ JHW└ WR└ KDYH└ RXU└ RZQ└ RSLQLRQV◀ └
0HDQZKLCH☼ └ ,G└ DOVR└ OLNH└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG└ LQ└ UHVSRQVH└ WR└ ZKHQ└ ,└
ZDV└ VSHDNLQJ└ DERXW└ DWAKPD☼ └ 0U◀ └ &KDLUPDQ☼ └ \RX└ GRWHG└ D└ WATG\└ IURP└ WKH└
1DWLRQDO└ %CDFN└ &KDPEHU└ RI└ &RPPHUFH◀

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ←└↑RI└└

$QG└ LW└ LPSRUWDQW└ WR└ QRWH└ WKDW└ WKDW└ RUJDQL]DWLRQ└ KDV└ EHHQ└ IXQGHG└ E\└ WKH└
$PHULFDQ└ 3HWURFKXP└ ,QVWLWXWH└ E\└ D└ .RFK└ %URWKHUV└ IURQW└ JURXS☼ └ DQG└ E\└
([[RQ◀ └ $QG└ WKDW└ WKHUH└ LV└ D└ VHULHV└ RI└ UHVSRQVHV└ WKDW└ LQYRNH└ WKH└ RSSRVLWH└
VLGH└ RI└ WKDW└ DQG└ WKH└ 1$$&3☼ └ ZKLFK└ FHUWDLQ\└ VSHDN└ IRU└ D└ EURDG└ VZDWKH└
RI└ $IULFDQ└ $PHULFDQV☼ └ WDNHV└ D└ YHU\☼ └ YHU\└ GLIIHUHQW└ WRQH☼ └ DQG└ LW└ KDV└
HQGRUVHG└ WKH└ &HDQ└ ┼ ┼

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

0(5./(< └
7KDQN└ \RX◀ └ ,G└ DOVR└ OLNH└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG☼ └ WZR└ DUWLFOHV└ ┼ ┼ └ RU└ WZR└
\WDWHPHQW└ IURP└ WKH└ 1DWLRQDO└ &RQJUHVV└ RI└ $PHULFDQ└ ,QGLDQV☼ └ DQG└ IURP└
/DWLQR└ RUJDQL]DWLRQV└ ┼ ┼ └ D└ ZKROH└ JURXS└ RI└ /DWLQR└ 2UJDQL]DWLRQV☼ └ WKDW└ DUH└
YHU\└ FRQFHUQHG└ DERXW└ WKLV└ QRPLQDWLRQ◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

0(5./(< └
7KDQN└ \RX└ YHU\└ PXFK☼ └ 0U◀ └ &KDLUPDQ◀ └ $QG└ WKHQ└ ,G└ OLNH└ WR└ WXUQ└ WR└ D└
TXHVWLRQ└ WKDW└ KDV└ SX]]OHG└ PH└ RYHU└ WLPH☼ └ DQG└ LW└ LQ└ WKH└ FRQWH[W└ RI└ KRZ└
RQH└ HYDOXDWHV└ KRZ└ RQH└ YLHZV└ WKH└ ZRUOG◀

$QG└ ,└ KHDUG└ RQH└ RI└ P\└ FROOHDJXHV└ RQFH└ SUHVHQW└ LW└ WKLV└ ZD\☼ └ LI└ \RX└ JR└ WR└ D└
GRFWRU└ DQG└ WKH\└ VD\└ \RX└ KDYH└ FDQFHU☼ └ \RX└ GHFLGHG└ \RX└ EHWWHU└ JHW└ D└
VHFRQG└ RSLQLRQ☼ └ DQG└ WKHQ└ \RX└ JR└ WR└ ¶ !! !! └ GRFWRUV└ DQG└ → └ RI└ WKHP└ VD\└ \RX└
KDYH└ FDQFHU└ DQG└ \RX└ EHWWHU└ DFW☼ └ PRVW└ SHRSOH└ IHHO└ OLNH☼ └ KPPP☼ └ → └
GRFWRUV└ WROG└ PH└ ,└ VKRXOG└ DFW◀

7KHQ└ WROG└ PH└ ,└ VKRXOG└ JR└ WDNH└ VRPH└ KHDOWKFDUH└ VXSSOHPHQW◀ └ 0D\EH└ ,└
EHWWHU└ KDYH└ WKH└ RSHUDWLRQ◀ └ $QG└ WKDW└ UHDOO\└ WKH└ SDFH└ ZKHUH└ ZH└ DUH└ LQ└
FOLPDWH└ VFLHQFH└ GRZ☼ └ ZKHUH└ WKH└ RYHUZKHOPLQJ└ ZHLJKW└ RI└ WKH└ VFLHQWLILF└
FRPPXQLW\└ ZHLJKV└ LQ└ DQG└ VD\V☼ └ | <HV☼ └ LW└ YHU\└ RJLFDO◀ | └ <RX└ FDQ└ GR└ LW└ LQ└ D└
CDERUDWRU\☼ └ DV└ 6HQDWRU└ :KLWHKRXVH└ GRWHG☼ └ WKDW└ FDUERQ└ GLR[LGH└ WUDSV└
KHDW◀

AMERICAN OVERSIGHT

<RX└ FDQ└ GR└ LW- LQ└ D└ CDERUDWRU\└ WKDW- PHWKDQH└ WUDSV└ KHDW◀ └ <RX└ FDQ└ WUDFN└ WKH└ FKDQJH└ LQ└ WKH└ HQYLURQPHQW- RI└ WKH└ FRQFHQWUDWLRQ└ RI└ WKRVH└ JDVHV◀ └ <RX└ FDQ└ VHH└ WKH└ LPSDFW- RQ└ WKH└ JURXQG└ GRZ◀ └ 0\└ KRPH└ WDWH└ \RX└ KDYH└ DQ└ LPSDFW- RQ└ WKH└ R\WHUV└ EHFDXVH└ WKH└ 3DFLILF└ 2FHDQ└ LV└ ┬ ‼ └ SHUFHQW- PRUH└ DFLGLF└ WKDQ└ LW- ZDV└ EHIRUH└ ZH└ WDUWHG└ EXLQLQJ└ FRDO◀

7KDW- LV└ D└ VFDU\└ WKLQJ└ ZKHQ└ VKHOOILVK└ KDYH└ WURXEOH└ IRUPLQJ└ VKHOOV◀ └ ,W- KDV└ DQ└ HFRQRPLF└ LPSDFW◀ └ 2XU└ SLQH└ EHHWOHV└ DUH└ WKULYLQJ└ EHFDXVH└ WKH└ ZLQWHUV└ QRW- FROG└ HQRXJK└ WR└ NLOO└ WKHP☼ └ DQG└ VR└ LW\└ KDYLQJ└ D└ KXJH└ LPSDFW- RQ└ RXU└ IRUHVWV◀ └ 7KDW\└ DQ└ HFRQRPLF└ LPSDFW- RQ└ UXUDO└ $PHULFD◀ └ 7KH└ VRXWKHUQ└ SDUW- RI└ P\└ WDWH└ KDV└ KDG└ WKUHH└ ZRUVW- HYHU└ GURXJKWV└ LQ└ WKH└ ODVW- ¶ ↑ └ \HDUV◀

,W- LV└ D└ KXJH└ LPSDFW- RQ└ DJULFXOWXUH└ FRPPXQLWV◀ └ 7KH└ WUHDPV└ LQ└ 2UHJRQ└ FRPLQJ└ IURP└ WKH└ VQRZ└ SDFNV☼ └ KDYH└ EHHQ└ GHFOLQLQJ└ LQ└ VL]H└ DQG└ UDLVLQJ└ LQ└ /HPSHUDWXUH└ ┼ ┼ └ YHU\└ EDG└ IRU└ WURXW☼ └ YHU\└ EDG└ IRU└ VDOPRQ└ ┼ ┼ └ WKDW\└ DQ└ LPSDFW- RQ└ RXU└ ILVKLQJ└ FRPPXQLWV◀

6R└ WKH└ JOREDO└ ZDUPLQJ└ WKDW- LV└ WDNLQJ└ SODFH└ DQG└ EHLQJ└ GULYHQ└ E\└ WKH└ EXLQLQJ└ RI└ IRVVLO└ IXHOV└ LV└ KDYLQJ└ D└ KXJH└ HFRQRPLF└ LPSDFW- RQ└ WKH└ FLWL]HQV└ RI└ P\└ WDWH◀ └ 0\└ UXUDO└ FLWL]HQV◀ └ 0\└ FLWL]HQV└ ZKR└ GHSHQG└ RQ└ WLPEHU☼ └ ZKR└ GHSHQG└ RQ└ ILVKLQJ☼ └ ZKR└ GHSHQG└ RQ└ IDUPLQJ◀ └ 6KRXOG└ WKH└ FLWL]HQV└ VHHN└ WR└ DGDUHVV└ WKLV└ SURECHP"└ %HFDXVH└ ZHUH└ MXVW- RQ└ WKH└ IURQW- HQG└ RI└ WKLV└ KDSSHQLQJ◀

7HQ└ \HDUV└ DJR└ ZH└ ZHUH└ WDONLQJ└ DERXW- PRGHOV└ WKDW- CHG└ WR└ WKH└ FRQVHUVDWLRQ└ 6HQDWRU└ ,QKRIH└ KDG└ DERXW- &OLPDWH└ *DWH☼ └ DERXW- SUHVVLQJ└ ZLWK└ DVXPSWLRQV└ DQG└ PRGHOV☼ └ ZH└ GRQW- QHHG└ PRGHOV└ QRZ◀ └ :H└ KDYH└ IDFW└ RQ└ WKH└ JURXQG◀ └ 7KH└ PRVH└ DUH└ G\LQJ└ EHFDXVH└ WKH└ WLFNV└ DUHQW- EHLQJ└ NLOOHG└ E\└ WKH└ ZLQWHU└ EHLQJ└ FROG└ HQRXJK◀

7KH└ ILVK└ DUH└ PLJUDWLQJ└ RQ└ WKH└ $WODQWLF└ FRDVW- DQG└ 0DLQH└ ORVLQJ└ LW\└ CREWHUV└ WR└ &DQDGD◀ └ 7KHVH└ IDFW└ RQ└ WKH└ JURXQG└ DUH└ H[WUDRUGLQDULO\└ UHDO☼ └ /KH\└ KDYH└ D└ KXJH└ HFRQRPLF└ LPSDFW◀ └ $QG└ VKRXOGQW- ZH└ WDNH└ D└ YHU\└ VHULRXV└ DSSURDFK└ WR└ WKH└ XUJHQF\└ RI└ WKLV└ SURECHP└ DV└ ZH└ VHH└ LW- GHVFHQGLQJ└ XSRQ└ XV"

358,77 └
6HQDWRU☼ └ ,└ WKLQN└ WKH└ (3$☼ └ DQG└ LI└ FRQILUPHG└ DV└ WKH└ $GPLQLWUDWRU☼ └ WKHUHV└ FXUUHQWO\└ DQ└ REOLJDWLRQ└ WR└ GHDO└ ZLWK└ WKH└ LVXH◀ └ 7KH└ 0DVDFKXVHWW\└ 9(3$└ FDVH└ VD\V└ WKDW- &2└ └ LV└ D└ SROOXWDQW- XQGHU└ WKH└ &HDQ└ $LU└ $FW☼ └ DQG└ DV└ VXFK☼ └ WKDW\└ ZKDW- JHQHUDWHG└ WKH└ ┴ ‼ ‼ └ (QGDQJHUPHQW-)LQGLQJ◀

AMERICAN OVERSIGHT

&4◀ FRP┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH¶ ←└→RI └┘

6R└ , └WKLQN└WKHUH└ LV└ D└ CHJDO└ REOLJDWLRQ└ SUHVHQWO\└ IRU└WKH└ (3$└ $GPLQLWUDWRU└ /R└ UHVSRQG└WR└WKH└ &2┴ └ LWXH└WKURXJK└ SURSHU└ UHJXODWLRQV◀

0(5./(< └
,└ EHOLHYH└ \RXUH└ DFNQRZOHGJLQJ└WKDW└ ZKLFK└ ,P└ JRDG└WR└ KHDU└ └WKDW└ LW└ LV└ D└ VHULRXV└ SUREOHP└ DQG└WKDW└WKH└ (3$└ └WKDW└ FDUERQ└ GLR[LGH└ LV└ D└ SROOXWDQW└ └ DQG└ ZH└ KDYH└ D└ CHJDO└ REOLJDWLRQ└WR└WDNH└ LW└ RQ◀

358,77 └
,└WKLQN└ 0DVVDFKXVHWW└ 9(3$└ VD\└WKDW└ └ FRXQWHU┼ EDODQFHG└ E\└WKH└ 85└ GHFLVLRQ└WKDW└ FDPH└ RXW└ D└ IHZ└ \HDUV└ ODWHU└ └WKDW└ \RX└ FDQW└WUDQVIRUP└ D└ WDWXWH└ DV└WKH└ (3$└ VRXJKW└WR└ GR└ ZLWK└WKH└ 36'└ SURJUDP◀ └ 6R└ └ ,└WKLQN└WKH└ FRXUW└ KDV└ VSRNHQ└ HPSKDWLFDOO\└ DERXW└WKLV└ LWXH└ └ DQG└WKH└ (3$└ KDV└ D└ CHJDO└ REOLJDWLRQ└WR└ UHVSRQG◀

0(5./(< └
$QG└ DV└ \RX└ NLQG└ RI└ UDQN└WKH└ XUJHQF\└ ZLWK└ ZKLFK└ \RX└ EULQJ└WR└WKLV└ └ GR└ \RX└ VHH└ LW└ DV└ VRPHWKLQJ└ \RX└ ZDNH└ XS└ HYHU\└ GD\└ ┼ ┼ └WKH└ QH[W└ JHQHUDWLRQ└ ZLOO└ ZHLJK└ ZKHWKHU└ RU└ QRW└ ZH└ DFWHG└ SURPSWO\└ └ RU└ LV└ LW└ PRUH└ └ ,└ KDYH└ D└ CHJDO└ REOLJDWLRQ└ EHFDXVH└ RI└WKLV└ FRXUW└ GHFLVLRQ└ └ VR└ ,CO└ KDYH└WR└ KDYH└ VRPH└ IRONV└ SD\└ VRPH└ DWWHQWLRQ└WR└ LW'

358,77 └
,└WKLQN└WKH└ LPSRUWDQFH└ └ 6HQDWRU└ └ LW\└ YHU\└ GLIILFXOW└WR└ SULRULWL]H└ └ \RX└ NQRZ└ └ 6HQDWRU└ -LOO└ /H¼U\DQV└ ♂ SK□ └ QRW└ KHUH└ └ EXW└ ZKHQ└ VKH└WDONHG└WR└ PH└ DERXW└ ♂ LQDXGLEOH□ └ DQG└WKH└WKUHDW└WKDW└ VKHV└ IDFLQJ└ LQ└ 1HZ└ <RUN└ └ LV└WKDW└ DQ\└ CHVV└ LPSRUWDQW└WKDQ└WKH└ &2┴ └ LWXH"

,W\└ QRW◀ └ $QG└ VR└ └WKH└ (3$└ GHDOV└ ZLWK└ YHU\└ ZHLJKW\└ LWXHV└ └ DV└ \RX└ NQRZ└ └ ZDWHU└ DQG└ DLU└ TXDOLW\└ └ LW\└ D└ PDWWHU└ RI└ SULRULWL]LQJ└WKH└ UHVRXUFHV└WR└ DFKLHYH└ EHWWHU└ RXWFRPHV└ LQ└ HDFK└ └ DQG└ ,└WKLQN└ LW\└ YHU\└ LPSRUWDQW└WR└ GR└ VR└ DV└ DQ└ $GPLQLWUDWRU◀

0(5./(< └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ ←└←RI └└

,└ GR└ IHHO└ OLNH└ SHUKDSV└ \RX└ GRQW└ XQGHUVWDQG└ WKH└ JUDYLW\└ RI└ WKH└ VLWXDWLRQ☼ └
IURP└ \RXU└ UHVSRQVH◀ └ %HFDXVH└ WKHUH└ DUH└ IHHGEDFN└ PHFKDQLVPV└ WKDW└ DUH└
WDUJHWLQJ└ WR└ RFFXU└ ZLWK└ WKH└ RSHQ└ EOXH└ ZDWHU☼ └ DQG└ WKH└ $UPLF└ IHHGEDFN└ IURP└
PHWKDQH└ EXEEOLQJ└ XS└ IURP└ WKH└ SHUPDIURVW└ EXEEOLQJ└ XS└ IURP└ WKH└ SHDW└
ERJV◀

%XEEOLQJ└ XS└ IURP└ ZKDW└ ZDV└ SUHYLRXV\└ IUR]HQ└ PHWKDQH└ RQ└ WKH└ ERWWRP└ RI└
/KH└ RFHDQ└ WKDW└ KDV└ LQFUHGLEO\└ DFFHOHUDWLQJ└ LPSDFW└ RQ└ JOREDO└ ZDUPLQJ◀ └
2XU└ UDWH└ RI└ FDUERQ└ GLR[LGH└ SROOXWLRQ└ LV└ QRW└ GHFUHDVLQJ└ JOREDOO\☼ └ LW└ KDV└
GRXEOHG└ LQ└ UDWH└ IURP└ RQH└ SDUW└ SHU└ PLOOLRQ└ SHU└ \HDU☼ └ WR└ WZR└ SDUW└ SHU└
PLOOLRQ└ SHU└ \HDU◀

6R☼ └ ZH└ DUH└ RQ└ DQ└ DFFHOHUDWLQJ└ FXUYH└ DV└ D└ KXPDQ└ FLYLOL]DWLRQ◀ └ ,I└ KXPDQ└
FLYLOL]DWLRQ└ GRHVQW└ JHW└ LW└ WRJHWKHU└ YHU\└ TXLFNO\☼ └ ZH└ DUH└ LQ└ YHU\└ GHHS└
/URXEOH☼ └ DQG└ ,└ ZRXOG└ KRSH└ WKDW└ DW└ VRPH└ SRLQW☼ └ SHUKDSV└ WKH└ XUJHQF\└ RI└ WKH└
VLWXDWLRQ└ ZRXOG└ EH└ VRPHWKLQJ└ \RXOO└ JUDE└ D└ KROG└ RI◀ └ 7KDQN└ \RX◀

%$55$662 └
6HQDWRU└ 5RXQGV"

5281'6 └
7KDQN└ \RX☼ └ 0U◀ └ &KLUPDQ◀ └ $VWRUCH\└ *HQHUDO└ 3UXLWW☼ └ CDW└ \HDU└ DW└ DQ└
RYHUVLJKW└ KHDULQJ☼ └ ZH└ KHDG└ UHSRWW└ RI└ WKH└ (3$└ UHJLRQDO└ RI ILFHV└ ZKR└
ZHUH└ VHQGLQJ└ FRPSDQLHV└ LQIRUPDWLRQ└ FROOHFWLRQ└ UHTXHVW☼ └ RU└ ,&5V◀ └
3XUVXDQW└ WR└ 6HFWLRQ└ ¶ ¶ ┤ └ RI└ WKH└ &HDQ└ $LU└ $FW☼ └ UHJDUGLQJ└ WKHLU└ RSHUDWLRQV└
ZLWK└ QR└ H[SODQDWLRQ└ DV└ WR└ WKH└ UHDVRQV└ IRU└ WKH└ ,&5V◀

7KHVH└ ,&5V☼ └ ZKLFK└ FRPSDQLHV└ DUH└ CHJDOO\└ REOLJDWHG└ WR└ UHVSRQG└ WR└ FDQ└
FRVW└ WKH└ FRPSDQLHV└ PLOOLRQV└ RI└ GROODUV└ WR└ FROOHFW└ WKH└ LQIRUPDWLRQ└ WR└
UHVSRQG└ WR└ WKH└ UHTXHVWV◀ └ 7KH\└ RIWHQ└ KDU└ QR└ IROORZ┼ XS└ IURP└ WKH└ (3$└
UHJDUGLQJ└ ZKHWKHU└ WKHLU└ UHVSRQVH└ ZDV└ DGHTXDWH☼ └ RU└ ZKDW└ WKH└ LQIRUPDWLRQ└
ZRXOG└ EH└ XVHG└ IRU◀

/DVW└ \HDU└ ,└ UHTXHVWHG└ IURP└ WKH└ (3$☼ └ D└ UHFRUG└ RI└ WKH└ ,&5V└ WKDW└ KDG└ EHHQ└
VHQW└ WR└ 8◀ 6◀ └ FRPSDQLHV└ WKURXJKRXW└ WKH└ YDULRXV└ UHJLRQV◀ └ ,└ ZDV└ WROG└ E\└ WKH└
(3$└ WKDW┼☼ └ WKDW└ WKHUH└ ZDV└ QR└ ZD\└ WR└ JHW└ WKLV└ LQIRUPDWLRQ└ EHFDXVH└ WKH\└
GLGQW└ KDYH└ LW◀

6HFRQG☼ └ LQ└ ┴ ‼ ¶ ↑ ☼ └ ,└ ZURWH└ D└ CHWWHU└ WR└ WKH└ (3$└ $GPLQLWUDWRU└ *LG└
0F&DUWK\☼ └ UHTXHVWLQJ└ WKH└ HFRQRPLF└ LQIRUPDWLRQ└ WKDW└ IRUPV└ WKH└ EDVLV└ RI└
/KH└ &HDQ└ 3RZHU└ 3ODQ└ DQG└ WKH└ 2]RQH└ 1R[└ 6ODQGDUGV◀

AMERICAN OVERSIGHT

7KHVH└ DUH└ WKH└ PDMRU└ UHJXODWLRQV└ WKDW└ ZHUH└ EHLQJ└ TXLFNO\└ LPSRVHG└ RQ└ $PHULFDQ└ WD[SD\HUV◀ └ 7KH└ UHVSRQVH└ ZKLFK└ ,└ UHFHLYHG└ WRRN└ WZR├ DQG├ D├ └ KDOI└ PRQWKV└ WR└ JHW└ WKH└ UHVSRQVH☼ └ EXW└ ,P└ ┼ ┼ └ XQGHUWDQG└ WKDW└ ,P└ RQH└ RI└ /KH└ IHZ└ UHFLSLHQWV└ ZLWK└ DQ└ DFWXDOO\└ CHWWHJ└ EDFN└ IURP└ WKH└ (3$◀

$QG└ ,└ ZRXOG└ DVN└ WKDW└ LW└ EH└ LQFOXGHG└ DV└ SDUW└ RI└ WKH└ UHFRUG└ RI└ WKH└ PHHWLQJ└ /RGD\☼ └ 0U◀ └ &KDLUPDQ☼ └ DQG└ WKH└ CHWWHU└ ZDV└ EDVLFDOO\└ QRWKLQJ└ ┼ ┼ └ QRWKLQJ└ VKRUW└ RI└ UHIHUULQJ└ PH└ WR└ DQ└ ,QWHUQHW└ OLQN└ WKDW└ GLUHFWHG└ PH└ WR└ :HESDJH☼ └ /KH└ VDPH└ :HESDJH└ ZKLFK└ JHQHUDWHG└ WKH└ TXHVWLRQV└ LQ└ WKH└ ILUVW└ SODFH◀

(VVHQWLDOO\☼ └ WKH\└ MXVW└ VLPSO\└ VXJJHVWHG└ WKDW└ ,└ *RRJOH└ LW◀ └ 1RW└ KDUGO\└ D└ UHVSRQVH└ WKDW└ \RX└ ZRXOG└ H[SHFW└ EDFN└ IURP└ DQ\└ IHGHUDO└ DJHQF\☼ └ DW└ CHDLW└ RQH└ WKDW└ ZDV└ WU\LQJ└ WR└ EH└ UHVSRQVLYH└ ZLWK└ UHJDUG└ WR└ PDMRU└ SURSRVHG└ UXOHV◀

:RUNLQJ└ DW└ D└ 8QLWHG└ 6WDWHV└ VHQDWRU☼ └ ,YH└ IRXQG└ LW└ CHDUO\└ LPSRVVLEOH└ WR└ HDVLO\└ DFFHVV└ WKH└ LQIRUPDWLRQ└ WKDW└ ,P└ CRRNLQJ└ IRU◀ └ ,└ FDQW└ LPDJLQH└ WKH└ GLIILFXOW\└ RI└ D└ VPDOO└ EXVLQHVV☼ └ D└ IDUPHU└ RU└ D└ UDQFKHU└ ZKR└ WKH\└ DUH└ VHHNLQJ└ WR└ JHW└ LQIRUPDWLRQ└ IURP└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ $JHQF\◀

$V└ WKH└ (3$└ DGPLQLVWUDWRU☼ └ WKH└ URCH└ ZKLFK└ \RX└ DUH└ VHHNLQJ☼ └ GR└ \RX└ EHOLHYH└ WKDW└ WKLV└ LV└ DQ└ DGHTXDWH└ ZD\└ WR└ FRPPXQLFDWH└ ZLWK└ WKH└ SXEOLF└ DQG└ HCHFWHG└ RIILFLDOV☼ └ DQG└ ZKDW└ DUH└ \RX└ YLHZV└ RQ└ PDNLQJ└ DJHQF\└ FRPPXQLFDWLRQ└ DQG└ UHFRUGNHHSLQJ└ PRUH└ WUDQVSDUHQW└ DQG└ DFFHVVLECH"

358,77 └
6HQDWRU☼ └ WKLV└ LV└ DFWXDOO\└ D└ FRPPRQ└ WKHPH☼ └ DV└ ,└ PHW└ ZLWK└ PDQ\└ RI└ \RX└ RQ└ /KLV└ FRPPLWWHH☼ └ ERWK└ 'HPRFUDWV└ DQG└ 5HSXEOLFDQV☼ └ LW└ ZDV└ H[SHVHG└ WR└ PH└ WKDW└ D└ FRQFHUQ└ DERXW└ WKH└ CDFN└ RI└ UHVSRQVH└ E\└ WKH└ (3$└ DW└ DOO└ LQ└ UHVSRQVH└ WR└ LQTXLULHV☼ └ CHW└ DCRQH└ WKH└ WLPH└ UHVSRQVH◀

$QG└ VR└ ,└ EHOLHYH└ LW└ YHU\└ LPSRUWDQW☼ └ DV└ ,└ LQGLFDWHG└ LQ└ P\└ RSHQLQJ└ VWDWHPHQW└ WR└ OLWWHQ☼ └ QRW└ RQO\└ WKH└ YRLFH└ RI└ WKH└ $PHULFDQ└ SHRSOH☼ └ EXW└ OLWWHQ└ /R└ PHPEHUV└ RI└ &RQJUHVV☼ └ OLWWHQ└ WR└ PHPEHUV└ RI└ WKLV└ ERG\└ ZLWK└ UHVSHFW└ WR└ /KH└ LVVXHV└ WKDW└ DUH└ FRQFHUQ└ WR└ WKHP└ LQ└ WKHLU└ UHVSHFWLYH└ VWDWHV◀

$QG└ WKDW└ VRPHWKLQJ└ ,└ WDNH└ YHU\└ VHULRXVO\└ DQG└ ZRXOG└ VHHN└ WR└ UHVSRQG└ H[SHGLWLRXVO\└ WR└ \RX└ DQG└ WR└ RWKHUV└ RI└ WKLV└ ERG\└ ZLWK└ UHVSRQVHV◀

5281'6 └

AMERICAN OVERSIGHT

7KH 5DQNLQJ 0HPEHU KDG DVNHG DQG ZDV IROORZLQJ XS ZLWK WKH TXHVWLRQV LQ WHUPV RI \RXU URCH DV WKH DVVRLCH\ JHQHUDO ZLWK UHJDUG WR IUDFNLQJ LVVXHV LQ WKH 2NODKRPD EXW DOVR ZLWK UHJDUG WR FCHDQ DLU DVVDLQPHQW CHYHDV DQG VR IRUWK◀

$QG LW VHHPHG WR PH WKDW ZKDW \RX ZHUH WU\LQJ WR SRUWUD\ DW WKH WLPH EHFDXVH , WKLQN WKLV LV LPSRUWDQW LV LW ┼ ┼ \RX KDYH D GLIIHUHQW URCH DV DQ DVVRLCH\ JHQHUDO WKDQ \RX ZRXG EH LI \RX ZHUH UHVSRQVLECH DV WKH DJHQF\ ZLWKLQ WKH \WDWH ZKR KDG WKH GLUHFW DQG \WDWXWRU\ DXWKRULW\ WR UHVSRQG WR WKRVH LVVXHV◀

,W VHHPV WR PH WKDW WKDW RCH RI WKH URCHV WKH (3$ DGPLQLWWUDWRU KDV ZKLFK ZRXG EH GLIIHUHQW WKDQ WKDW RI DQ DVVRLCH\ JHQHUDO ┼ ZKLFK LV WKH H[HFXWLRQ RI WKH CDZV WKDW ZHYH SDVVHG◀ ┼ &RXG \RX H[SDQG D OLWWOH ELW" ¾HFDXVH , WKLQN WKLV LV UHDOO\ LPSRUWDQW LQ WHUPV RI \RXU ┼ ┼ WKH ZD\ \RX SHUFHLYH \RXU GXWLHV ZLWK UHJDUG WR H[HFXWLQJ WKH CDZV WKDW PXFK GLIIHUHQW URCH DV DVVRLCH\ JHQHUDO◀ ┼ 7KDW PXFK GLIIHUHQW P\ FXUUHQW URCH DV DVVRLCH\ JHQHUDO◀

$QG DV , WULHG WR LQGLFDWH WR 6HQDWRU &DUSHU WKDW LQ UHVHFW WR HQIRUFHPHQW DFWLRQV LQ WKH WDWH RI 2NODKRPD ┼ WKDW YHWHG VSHFLILFDOO\ LQ WKH 'HSDUWPHQW RI (QYLURQPHQWDO 4XDOLW\◀ ┼ 7KH\UH WKH RQHV WKDW EULQJ HQIRUFHPHQW DFWLRQV DJDLQVW FRPSDQLHV ZKR GR QRW FRPSO\ ZLWK DLU SHUPLWV ┼ HW FHWHUD◀

:H SURYLGH JHQHUDO FRXQVHO WR WKHP LQ WKDW SURFHVV EXW LW LV QRW RUU RXU UHVSRQVLELOLW\ ┼ EXW PRUH ┼ LW\ QRW RXU MXULVGLFWLRQ◀ ┼ $QG WKDW\ LPSRUWDQW WR PH EHFDXVH LW JRHV EDFN WR UXCH RI CDZ ┼ LW JRHV EDFN WR SURFHVV◀

, WKLQN RIWHQ WLPHV ZKDW ZH VHH LQ WKLV FRXQWU\ LV WKDW WKRVH NLQG RI GLVUHJDUG WKH DXWKRULW\ RU MXULVGLFWLRQ WKDW\ EHHQ JLYHQ WR WKHP E\ WKH \WDWXWH RI WKH FRQVWLWXWLRQ DQG WKH\ DFW DQ\ZD\◀ ┼ 7KDW\ ZKDW FUHDWHV ┼ , /KLQN D CDFN ┼ ┼ ┼ D CDFN RI FRQILGHQFH LQ WKH $PHULFDQ SHRSOH◀ ┼ $QG VR ,YH /ULHG WR UHVSHFW WKRVH ERXQGDULHV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ └¶RI└

,YH└ WULHG└ WR└ UHVHFW└ P\└ URCH└ DV└ DWWRUCH\└ JHQHUDO└ DV└ DWWRUCH\└ JHQHUDO☼ └
\WD\└ LQ└ P\└ CDCH☼ └ LI└ \RX└ ZLOO└ DQG└ SURYLGH└ WKH└ FRXQVHO└ DQG└ SHUIRUP└ WKH└ MRE└
/KDW└ ZHUH└ VXSSRVHG└ WR└ SHUIRUP└ WR└ WKDW└ DJHQF\☼ └ EXW└ WKHQ└ DOORZ└ WKDW└
DJHQF\└ WR└ HQIRUFH☼ └ DV└ UHTXLUHG└ E\└ CDZ◀

5281'6 └
$QG└ WKHQ└ YHU\└ TXLFNO\☼ └ WKDW└ DOVR└ PHDQV└ WKDW└ ZLWK└ UHJDUG└ WR└ GHWHUPLQLQJ└
/KH└ VFLHQFH└ EHKLQG└ WKH└ CDZV└ WKDW└ ZH└ FUHDWH☼ └ DV└ WKH└ DGPLQLWUDWRU☼ └ \RXUH└
QRW└ JRLQJ└ WR└ PDNH└ WKH└ GHWHUPLQDWLRQ└ \RXUVHI◀ └ <RX└ H[SHFW└ WKDW└ VRXQG└
VFLHQFH└ DQG└ WKDW└ VFLHQWLVWV└ ZLWK└ WKDW└ EDFNJURXQG└ ZRXOG└ EH└ PDNLQJ└ WKH└
UHFRPPHQGDWLRQV└ WKDW└ \RX└ ZRXOG└ WKHQ└ EDVH└ D└ GHFLVLRQ└ RQ"

358,77 └
<HV☼ └ DQG└ ZHUH└ REMHFWLYH└ DQG└ WUDQVSDUHQW└ LQ└ WKDW└ SURFHVV◀

5281'6 └
7KDQN└ \RX◀ └ 7KDQN└ \RX└ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX└ 6HQDWRU└ 5RXQGV◀ └ 6HQDWRU└ %RRNHU"

%22.(5 └
0U◀ └ &KDLUPDQ☼ └ LI└ \RX└ ZRXOG└ JUDFHIXOO\└ KROG└ WKH└ FORFN└ IRU└ D└ VHFRQG☼ └
EHFDXVH└ ,└ ZDQW└ WR└ UHVSRQG└ YHU\└ VXFFLQFWO\└ WR└ \RFHWKLQJ└ WKDW└ 0U◀ └ + + └
6HQDWRU└ %RR]PDQ└ DQG└ \RX└ VDLG◀ └)LUVW└ RI└ DOO└ WR└ \RX☼ └ VLU☼ └ ,└ MXVW└ ZDQW└ WR└ VD\☼ └
LW└ P\└ ILUVW└ WLPH└ JRLQJ└ WKURXJK└ QRPLQDWLRQ└ KHDULQJV◀ └ <RX└ KDYH└ EHHQ└ YHU\└
JHQHURXV└ ZLWK└ WKH└ ZD\└ \RYH└ EHHQ└ FRQGXFWLQJ└ WKHMH└ KHDULQJV◀

,└ WKLQN└ LW└ LPSRUWDQW└ WKDW└ ZH└ NQRZ└ WKDW☼ └ DQG└ ,└ DSSUHFLDWH└ WKH└ QXPEHU└ RI└
URXQGV└ WKDW└ \RX└ DUH└ GRLQJ◀ └ $QG└ WKHQ└ WR└ 6HQDWRU└ %RR]PDQ☼ └ ,└ UHDOO\└ GR└
DSSUHFLDWH└ KLP└ DGGLQJ└ WR└ WKH└ OLCH└ RI└ LQTXLU\└ RQ└ KDYLQJ└ \RX└ WR└ PH└ DV└ D└
IULHQG☼ └ ZKLFK└ PHDQV└ D└ ORW└ WR└ PH◀

3HRSOH└ DURXQG└ KHUH☼ └ \RXU└ FROOHDJXHV└ NQRZ└ WKDW└ \RX└ KDYH└ D└ GHHS└
UHVSHFW└ IRU└ WKH└ NLQG└ RI└ NLQGQHVV└ DQG└ + + └ DQG└ MXVW└ GHFHQF\└ WKDW└ \RX└
UHSUHVHQW└ WR└ D└ CHYHO└ WR└ ZKLFK└ ,└ DVSLUH└ WR└ EXW└ KDYH└ QRW└ DWWDLQHG◀ └ 6R└ ,└ WKDQN└
\RX└ IRU└ WKDW◀ └ 7KDQN└ \RX└ IRU└ LQGXOJLQJ└ PH◀

AMERICAN OVERSIGHT

%$55$662 └
7KDQN└ \RX◀

%22.(5 └
$QG└ DJDLQ└ └ ZLWK└ ┼ ┼ └ ZLWK└ UHVSHFW└ WR└ P\└ FROOHDJXH└ ZKR└ LV└ D└ UHDO\└ JRRG└
PDQ└ LI└ WKLV└ ZDV└ EHWZHHQ└ 'HODZDUH└ DQG└ 1HZ└ -HUVH\└ ,P└ WKH└ XS└ WRWDWH└ ,└
ZRXOG└ EH└ YHU\└ KDSS\└ ZLWK└ WKH└ DJUHHPHQW└ WKDW└ LW└ VHHPV└ WKDW└ \RX└ ┼ ┼ └ WKDW└
\RX└ GLG◀

%XW└ \RX└ ZHUH└ WKH└ GRZQ└ WRWDWH└ └ DQG└ ┼ ┼ └ DQG└ VR└ WKDW└ ZKDW└ ,└ GRQW└
XQGHUVWDQG◀ └ 1RZ└ └ \RX└ VDLG└ HDUOLHU└ LQ└ \RXU└ WHVWLPRQ\└ LQ└ UHJDUGV└ WR└ WKLV└
PDWWHU└ WKDW└ \RX└ KDYH└ D└ FRS\└ RI└ WKH└ ┴ ‼ ‼ ┬ └ DJUHHPHQW◀ └ 'R└ \RX└ KDYH└ WKDW'

358,77 └
,└ KDYH└ WKH└ VHFRQG└ DJUHHPHQW└ 6HDWRU└ └ WKH└ RQH└ ◀ ◀ ◀

%22.(5 └
2.└ └ ZHOO└ └ CHW/└ MXVW└ CRRN└ DW└ D└ ┴ ‼ ‼ ‼ └ DJUHHPHQW└ DQG└ ,└ NQRZ└ \RX└ FOLPHG└ LQ└
\RXU└ WHWWLPRQ\└ HDUOLHU└ WKDW└ WKH└ ┴ ‼ ‼ ┬ └ DJUHHPHQW└ KDG└ DQ└ H[SLUDWLRQ└ RQ└ LW◀

358,77 └
,W└ ZDV└ D└ WHQ└ \HDU└ SHULRG└ WKDW└ └ WKDW└ QHHGHG└ WR└ EH└ UHYDOXDWHG◀ └ 7KLV└ LV└ WKH└
VHFRQG└ WDWHPHQW└ ,└ KDYH└ KHUH└ └ 6HDWRU◀ └ ,└ GRQW└ KDYH└ ◀ ◀ ◀

%22.(5 └
<HV└ └ VLU◀ └ ,└ MXVW└ ZDQW└ WR└ FODUL\└ WKDW└ LW└ VHHPV└ WKDW└ LW└ D└ FRQWUDGLFWLRQ◀ └
7KHUHV└ QR└ H[SLUDWLRQ└ RQ└ WKH└ ┴ ‼ ‼ ┬ └ DJUHHPHQW◀ └ ,W└ KDG└ D└ UHYDOXDWLRQ└ └ D└
SHULRG└ LQ└ ZKLFK└ LW└ ZRXOG└ EH└ UHYDOXDWHG└ DQG└ LW└ ZDV└ UHYDOXDWHG└ E\└ \RXU└
WDWHPH└ ZLWK└ LQYROYHPHQW└ RI└ WKH└ (3$└ DQG└ WKH└ LQYROYHPHQW└ RI└ $UNDQVDV└ DQG└
/KH\└ FDPH└ XS└ ZLWK└ WKH└ VDPH└ ◀ ‼ ┬ → └ WDQGDUG◀

$QG└ LI└ \RX└ CRRN└ DW└ WKH└ SURYLVLRQV└ RI└ ZKDW└ \RX└ GR└ KDYH└ LQ└ IURQW└ RI└ \RX└ └ WKH└
┴ ‼ ¶ ┬ └ DJUHHPHQW└ └ DQG└ ,└ KDYH└ D└ EORZ└ XS└ RI└ 3DJH└ ┤ └ RI└ WKDW└ DJUHHPHQW└ └ LW└
WDWHV└ WKDW└ └ WDUJHWLQJ└ KHUH└ └ LW└ WDWHV└ WKDW└ | 2NODKRPD└ WKURXJK└ WKH└ :HVW└
5HVRXUFHV└ %RDUG└ ZLOO└ SURSRVH└ D└ UXOH└ DPHQGPHQW└ WKDW└ UHPRYHV└ WKH└ GDWH└

AMERICAN OVERSIGHT

/R└ DFKLHYH└ IXOO└ FRPSOLDQFH└ ZLWK└ WKH└ QXPHULF└ SKRVSKRUXV└ FULWHULRQ└ VHW-
IRUWK└ LQ└ 2NODKRPD└ DGPLQLWUDWLYH└ FRGH◀ | └ $QG└ WKHQ└ LW└ OLWW└ WKHMH└ WZR└
FRGHV◀

$QG└ LI└ \RX└ ORRN└ DW-WKRVH└ WZR└ FRGHV☼ └ ZKDW-WKRVH└ WZR└ FRGHV└ GR└ ┼ ┼ └ \RX└
NQRZ└ ZKDW-WKH\└ DUH◀ └ 7KH\└ VHW-WKH└ VHFWLRQV└ RI└ SKRVSKRUXV└
FRQFHQWUDWLRQV└ VKDOO└ QRW-H[FHHG└ ◀ ‼ ┬ → └ E\└ -XQH└ ┬ ‼ ◀ └ ,W└ UHPRYLQJ└ WKH└ -XQH└
┬ ‼ └ GHDGOLQH└ LQ└ WKHMH└ WZR└ WDWWHV◀

$QG└ VR└ WKDW-┼ ┼ └ WKDW└ ZKDW-LV└ IUXWUDWLQJ└ WR-PH└ LV└ WKDW-WKLV└ LV└ ZKDW-\RXUH└
KHDGLQJ└ DV└ DJUHHPHQW☼ └ EXW-\RX└ DUHG\└ KDG└ LQ└ \RXU└ ⊥ ‼ ¶ ┬ └ DJUHHPHQW☼ └
LW└ FHDU└ WKDW-\RXUH└ GRLQJ└ WR-PH☼ └ DQG└ ,└ GRQW-NQRZ└ RI└ DQRWKHU└ ZD\└
UHDGLQJ└ LQ└ WKH└ IDFW☼ └ LV└ \RX└ WDNH└ D└ ELQGLQJ└ UXOH└ RI└ ODZ└ DQG└ \RX└ VXVSHQG└ LW-
IRU└ DQRWKHU└ WKUHH└ \HDUV└ DOORZLQJ└ WKH└ PRUH└ SRODWLRQ└ WR└ WDNH└ SODFH◀

358,77 └
6HQDWRU☼ └WKDW-┼ ┼ └WKDW-LV└ QRW-┼ ┼ └WKH└ LWXH└ KHUH└ ZDV└ QRW-ZKHWKHU└ 2NODKRPD└
FRXOG└ HQIRUFH└ LW\└ ◀ ‼ ┬ → └ WDQGDUG☼ └ LW-ZDV└ ZKHWKHU└ $UNDQVDV└ ZDV└ JRLQJ└ WR└
DGRSW-WKDW-WDQGDUG└ RQ└ WKDW-VLGH└ RI└ WKH└ ERUGHU◀ └ 7KDW-KDG└ QHYHU└ WDNH└
SODFH└ LQ└ KLWRU\◀ └ 7KDW-ZDV└ WKH└ FRQFHUQ└ RI└ 2NODKRPDQV◀ └ 7KDW-ZDV└ WKH└
FRQFHUQ└ RI└ 0U◀ └)LWH└ DW-WKH└ VFHQLF└ ,OLGRLV└ 5LYHU◀

½22.(5 └
$QG└ VR└ ,└ UHVSHFW-WKDW◀ └ ,P└ JRLQJ└ WR└ WXLSXODWH└ WR└ ZKDW-\RX└ VDLG◀ └ ,I└ \RX└ ┼ ┼ └ ,P
UXQQLQJ└ RXW-RI└ WLPH☼ └ VLU└ ┼ ┼ └ EHFDXVH└ ,└ DJUHH└ ZLWK└ \RX☼ └ ZKHWKHU└ $UNDQVDV└
ZDV└ JRLQJ└ WR└ EH└ DECH└ WR└ OLYH└ XS└ WR└ WKDW-WDQGDUG☼ └ EXW-\RXUH└ WKH└
2NODKRPD└ DWWRUQH\└ JHQHUDO☼ └ DQG└ WKLV└ LV└ ZKDW-,└ ZDQW-WR└ VD\◀

$V└ VRRQ└ DV└ \RX└ GLG└ WKLV└ VR└ FDOOHG☼ └ KLWRULF└ DJUHHPHQW-WKDW-VHW-LW-EDFN☼ └
\RX└ EDVLFDOO\└ WXUQHG-WR-WKH└ (3$└ ZLWK└ WKH└ UXOH└ ┼ ┼ └ ZLWK└ WKH└ SRZHU└ RI└ WKH└ ODZ└
RI└ WKH└ 6XSUHPH└ &RXUW-DQG└ VD\☼ └ 2.☼ └ EDFN└ RII└ RI└ P\└ FRUSRUDWLRQV◀ └ :K\└ GR└
,└ VD\└ WKDW-VR└ FRQILGHQW\"└ %HFDXVH└ ,└ SXOO└ D└ CHWWHU└ IURP└ 7\VRQ└)RRGV└ WKDW-
OLWHUDOO\└ VL[└ GD\V└ DIWHU└ \RU└ VR└ FDOOHG☼ └ KLWRULF└ DJUHHPHQW-RI└ VXVSHQGLQJ└
/KLV└ UXOH└ IRU└ WKUHH└ \HDUV☼ └WKH\UH└ GHOLJKWHG◀

7KH\└ ZULWH└ WR└ WKH└ (3$└ DQG└ VD\☼ └ KH\☼ └ \RX└ ┼ ┼ └WKH\└ KDYH└ QRZ└ DOUHDG\└ KHUG└
RI└ WKH└)HEUXDU\└ ⊥ ‼ WK└ DJUHHPHQW-E\└ $UNDQVDV└ DQG└ 2NODKRPD└ RII ILFLDOV└ WR└
\RLQWO\└ FRQGXFW-DQ└ FRPSUHKHQVLYH└ WWXG\└ RI└ FRQFHQWUDWLRQV└ DQG└ LPSDFW-W└
LQ└ WKH└ ,OLGRLV└ 5LYHU└ 6KHG◀ └ 7KH\UH└ H[FLWHG◀

AMERICAN OVERSIGHT

7KH\└ OLWHUDOO\└ VD\☼ └ FRPSOLDQFH└ KRZHYHU☼ └ ZLWK└ WKH└ QRZ└ ◀ ‼ ┬ → └ PLOOLJUDP└ KDV└
EHHQ└ VXVSHQGHG☼ └ VR└ OD\└ RII└ XV☼ └ (3$☼ └ XQGHU└ WKLV└ DJUHHPHQW└ XQWLO└ WKH└
WWXG\└ SURFHVV└ LV└ FRPSHWHG◀ └ 7KH\└ VD\☼ └ | ,Q└ FRQFOXVLRQ☼ └ WKH└ E\┼ WWDWH└
DJUHHPHQW└ KDV└ VXVSHQGHG└ LPSOHPHQWDWLRQ└ GDWH└ RI└ ◀ ‼ ┬ → └ GXULQJ└ WKH└ WHUP└
RI└ WKH└ DJUHHPHQW◀ |

,QGXWU\└ LV└ UHDOO\└ KDSS\└ DERXW└ WKLV└ DQG└ EHOLHYHV☼ └ DQG└ RI└ FRXUVH└ WKLV└ CHWWHU☼ └
XQGHUV└ \RXUH└ VD\LQJ└ 7\VRQV└ ZDV└ ZURQJ☼ └ WKH\└ EHOLHYH└ WKDW└ ZKDW└ \RX└ GLG└
LV└ JLYH└ WKHP└ WKH└ (3$└ ZLWK└ WKH└ SRZHU└ RI└ WKH└ 6XSUHPH└ &RXUW└ DQG└ WKH└ ┴ ‼ └
\HDUV└ RI└ ZRUN└ WKDW└ SUHGHFHVVRUV└ RI└ \RXU└ KDG└ GRQH☼ └ WKH└ SRZHU└ WR┼ ┼ └ WR└ ┼ ┼ └
/R└ VXVSHQG└ WKDW└ SRZHU└ RI└ WKHP└ WR└ FRPSO\└ ZLWK└ WKH└ CDZ◀

$QG└ VR└ WKDW└ UHDOO\└ ZKDW└ ,P└ WWUXJJOLQJ└ ZLWK◀ └ 2Q└ RQH└ KDQG└ \RX└ VD\└ WKDW└
\RX└ ILHOG└ CDZVXLWV└ DJDLQVW└ ¶┤ └ SHRSCH└ DJDLQVW└ WKH└ (3$◀ └ ,W└ WKLV└ LGHD└ RI└
IHGHUDOLVP◀ └ 2I└ 2NODKRPD└ VRYHUHLJQW\☼ └ 2NODKRPD└ WWDWHV└ ULJKWV☼ └ \RXUH└
ILHUFHO\└ ILJKWLQJ└ IRU└ 2NODKRPD☼ └ DQG└ RQ└ WKH└ VLGH└ RI└ WKH└ SROOXWHUV◀

$QG└ \RX└ VD\☼ └ WKH└ (3$└ LV└ DWWHPSWLQJ└ WR└ GR└ WKLQJV└ EXW☼ └ WKHQ└ RQ└ WKH└ RWKHU└
KDQG└ LQ└ WKLV└ FDVH└ WKDW└ \RUH└ WDONLQJ└ DERXW☼ └ \RX└ VZLWFK└ VXGGHQO\└ WR└ VD\☼ └
| :HOO☼ └ 2NODKRPDV└ ZDWHU└ TXDOLW\└ WWDQGDUG└ IRU└ SKRVSKRURXV└ WKDW└ KDV└
EHHQ└ ZRUNHG└ RQ└ IRU└ ┴ ↑ └ \HDUV☼ └ DUPHG└ ZLWK└ DQ└ (3$└ DSSURYDO☼ └ DUPHG└ ZLWK└
D└ 6XSUHPH└ &RXUW└ GHFLVLRQ└ RQ└ SRLQW└ VD\LQJ└ WKDW└ XS└ ULYHU└ WWDWHV└ DUH└
ERXQG☼ └ LQGXWULHV└ EHOLHYH└ WKDW└ WKH\UH└ ERXQG☼ └ EXW└ VXGGHQO\└ \RXUH└ QR└
ORQJHU└ ILJKWLQJ└ IRU└ 2NODKRPD◀

<RXUH└ ILJKWLQJ└ WR└ SURWHFW└ LQGXWU\└ DQG└ RQ└ WKH└ VLGH└ RI└ LQGXWU\└ DJDLQ◀

358,7 └
,└ FDQ└ DVXUH└ \RX☼ └ 6HQDWRU☼ └ WKDW└ LQGXWU\└ GLGQW└ WKLQN└ WKH\└ ZHUH└ ERXQG◀ └
$QG└ ,└ FDQ└ ◀ ◀ ◀

½22.(5 └
7KHQ└ ZK\└ GLG└ 7\VRQV└ ZULWH└ WKH└ CHWWHU☼ └ VLU"

358,77 └
,└ GRQW└ ┼ ┼ └ ,└ GRQW└ NQRZ◀ └ ,└ GRQW└ NQRZ└ ZK\└ WKH\└ VDLG└ WKDW☼ └ EHFDXVH└ DV└
6HQDWRU└ %RR]PDQ└ LQGLFDWHG└ HDUOLHU☼ └ WKH└ SKRVSKRURXV└ CHMHD└ DW└ ◀ ‼ ┬ → └ ZDV└
XQHQIRUFHDEOH└ RQ└ WKH└ $UNDQVDV└ VLGH└ RI└ WKH└ ERUGHU└ DQG└ WKDW└ ZKHUH└ WKH└
FRQWULEXWLRQ└ ZDV┼ ┼ └ WKDW└ ZDV└ WKH└ FRQFHUQ◀ └ $QG└ XQWLO└ WKLV└ DJUHHPHQW└ WKDW└
ZH└ KDG└ KHUH☼ └ ZDV└ QHJRWLDWHG└ DQG└ VLJQHG└ E\└ $UNDQVDV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ └↑RI└└

7KDW└ KDG└ QHYHU└ RFFXUUHG└ LQ└ WKH└ KLWRU\└ RI└ 2NODKRPD◀

½22.(5 └
½%W└ VLU☼ └ $UNDQVDV└ ZDV└ SDUW\└ WR└ WKH└ ┴ !! ¶ ┴ └ VFLHQWLILF└ LQYHVWLJDWLRQ◀ └ 7KH\UH└
ERXQG└ E\└ D└ 6XSUHPH└ &RXUW└ MXULVGLFWLRQ☼ └ ZKLFK└ ,YH└ SRLQWHG└ RXW└ WR└ \RX└
DOUHDG\└ DQG└ ,└ FRXOG└ UHDG└ \RX└ WKH└ ELQGLQJ└ SDUDJUDSKV☼ └ ERXJKW└ LQ└ E\└ WKH└
(3$└ DQG└ REYLRXVO\└ XQGHUWRRG└ E\└ LQGXVWU\└ WKDW└ WKH\└ ZHUH└ ERXQG└ E\└ WKDW└
WDQGDUG◀

<RXU└ DJUHHPHQW└ GLGQW└ H[WHQG└ ┼ ┼ └ GLGQW└ ┼ ┼ └ GLGQW└ WRS└ LW◀ └ ,W└ H[WHQGHG└ WKH└ ┼ ┼ └
/KH└ ┼ ┼ └ WKH└ SHULRG└ LQ└ ZKLFK└ SHRSOH└ FRXOG└ SROOXWH◀ └ ,└ GRQW└ XQGHUWDQG└ KRZ└
/KDW└ FRXOG└ EH└ KLWRULF◀

358,77 └
6HQDWRU☼ └ ,└ MXVW└ ┼ ┼ └ ,└ WKLQN└ DV└ \RX└ ORRN└ DW└ ZKDW└ ZDV└ DFKLHYHG└ EHWZHHQ└
$UNDQVDV└ DQG└ 2NODKRPD☼ └ \RX└ KDYH└ WKH└ $UNDQVDV└ DWWRUQH\└ JHQHUDO☼ └ (G└
)LWH☼ └ ZKR└ ZDV└ WKH└ ROG└ ┼ ┼ └ ZKR└ KDG└ EHHQ└ LQYROYHG└ LQ└ WKHVH└ LVVXHV☼ └ DV└
LQGLFDWHG└ HDUOLHU└ VLQFH└ ¶ ← ┬ ☼ └ WU\LQJ└ WR└ HQIRUFH└ DQG└ REWDLQ└ ZDWHU└ TXDOLW\└ WR└
┼ ┼ └ WKDW└ LPSURYHG└ WKH└ ,OLQRLV└ ┼ ┼ └ WKH└ 6FHQLF└ ,OLQRLV└ 5LYHU☼ └ KH└ FLWHG└ WKH└
KLWRULF└ UHVXOW└ LQ└ WKLV└ ┼ ┼ └ LQ└ WKLV└ PDWWHU◀

6R└ ,P└ XQDZDUH└ RI└ WKH└ CHWWHU└ WKDW└ \RXUH└ UHIHUULQJ└ WR☼ └ EXW└ ,└ FDQ└ DVVXUH└ \RX└
/KDW└ LQGXVWU\└ ZDV└ GRW☼ └ GRW└ DW└ DOO└ H[FLWHG└ DERXW└ ◀ !! ┬ → └ EHLQJ└ HQIRUFHG└ RQ└ WKH└
$UNDQVDV└ VLGH└ RI└ WKH└ ERUGHU◀

½22.(5 └
$QG└ ,OO└ FRQFOXGH└ MXVW└ E\└ VD\LQJ☼ └ VLU☼ └ LVW└ FKDU└ WKDW└ LQGXVWU\└ ZDV└ H[FLWHG└
DERXW└ WKH└ WKUHH┼ \HDU└ GHD\└ WKDW└ \RX└ ERXJKW└ WKHP└ WR└ FRQWLQXH└ WR└ SROOXWH◀ └
,W└ ZULWWHQ└ WKHUH└ LQ└ D└ CHWWHU◀ └ $QG└ LW└ VHHPV└ WR└ PH└ WKH└ WKHPH└ LQ└ \RXU└ LV└ GRW└
IHGHUDOLVP└ DQG└ WDWWHV└ ULJKW☼ └ EXW└ GHUHJXODWLRQ└ DQG└ VLGLQJ└ ZLWK└ SROOXWHUV└
DJDLQVW└ WKH└ HQYLURQPHQW└ DQG└ WKH└ SXEOLF└ KHDOWK└ WDQGDUGV◀

$QG└ LW└ XQIRUWXQDWH└ WR└ PH└ WKDW☼ └ WKDW└ ┼ ┼ └ WKDW└ ┼ ┼ └ XQCHW└ \RX└ FDQ└ VKRZ└ PH└
\RPHWKLQJ└ GLIIHUHQW└ LQ└ WKH└ ZD\└ WKDW└ WKLV└ DFWXDOO\└ KHOSHG└ WR└ FOHDQ└ XS└ WKH└
ULYHU└ TXLFNHU☼ └ EXW└ ,└ MXVW└ GRQW└ VHH└ WKDW└ DW└ DOO└ LQ└ WKH└ HYLGHQFH└ DQG└ WKH└ IDFW└
/KDW└ ,└ KDYH└ EHIRUH└ PH◀

½$55$662 └

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

7KH\└ VSHQW└ • ¶ └ ELOOLRQ☼ └ \RX└ NQRZ☼ └ GRLQJ└ D└ JUHDW└ MRE└ RI└ FKDQLQJ└ WKLQJV└ XS☼ └
UDLVLQJ└ HYHU\ERG\V└ UDWHV◀ └ (3$└ KDV└ FRPH└ EDFN└ DQG└ ZDQW└ WKHP└ WR└
VSHQG└ DQRWKHU└ • ¶ └ ELOOLRQ└ IRU└ ┼ ┼ └ IRU└ D└ WLQ\└ IUDFWLRQ└ WKDW└ HYHU\ERG\└ DJUHHV└
ZRXOG└ QRW└ KDYH└ DQ\└ LPSDFW└ RQ└ WKH└ ZDWHU└ TXDOLW\└ LQ└ WKH└ ULYHU◀ └ 7KRVH└ DUH└
/NKH└ NLQG└ RI└ WKLQJV└ WKDW└ \RX└ JHW└ LQWR◀

6R☼ └ DJDLQ☼ └ ,P└ QRW└ ┼ ┼ └ ,P└ UHDOO\└ QRW└ KDSS\└ DW└ DOO└ DERXW└ WKH└ ◀ ‼ ┬ → ◀ └ ,└ WKLQN╎
7\VRQV└ DQG└ WKH└ LQGXVWU\└ ZHUH└ KDSS\└ LQ└ WKH└ VHQVH└ WKDW└ \RX└ ZRXOG└ KDYH└ D└
VLWXDWLRQ└ ZKHUH└ \RX└ ZRXOG└ KDYH└ VRPH└ ILQDOLW\☼ └ \RX└ ZRXOG└ KDYH└ VRPH└
UHVROXWLRQ└ VR└ WKDW└ HYHU\ERG\└ FRXOG└ JR└ IRUZDUG◀

%$55$662 └
6HQDWRU└ (UQVW☼ └ DQ\└ ILQDO└ FRPPHQW☼ └ RU└ WKRXJKWV└ RU└ TXHVWLRQV"

(5167 └
,└ ┼ ┼ └ WKDQN└ \RX└ 0U◀ └ &KLUPDQ◀ └ ,└ GRQW└ KDYH└ DQ\└ IXUWKHU└ TXHVWLRQV◀ └
:KDWHYHU└ DGGLWLRQDO└ TXHVWLRQV└ ,└ KDYH☼ └ ,└ ZLOO└ VXEPLW└ IRU└ WKH└ UHFRUG◀ └ %XW└ ,└
GR└ KDYH└ VRPH└ FORVLQJ└ FRPPHQWV◀ └ ,└ GR└ ZDQW└ WR└ SXVK└ EDFN└ D└ OLWWOH└ ELW└ RQ└
/NKH└ ┼ ┼ └ RQ└ WKH└ UDQNLQJ└ PHPEHUV└ FRPPHQW└ HDUOLHU◀

,└ KDG└ JRQH└ WKURXJK└ D└ VHULHV└ RI└ H[DPSOHV└ RI└ RYHUUHDFK└ E\└ WKH└
JRYHUQPHQW└ ZLWK└ WKH└ H[SDQGHG└ GHILQLWLRQ└ RI└ ZDWHUV└ RI└ WKH└ 8◀ 6◀ ☼ └ DQG└ WKH└
UDQNLQJ└ PHPEHU└ KDG└ WZDWHG└ WKDW└ KH└ KDG└ D└ CHWWHU└ WKDW└ KHG└ UHFHLYHG└ IURP└
/NKH└ $GPLQLWUDWRU└ *LGD└ 0F&DUWK\◀

$QG└ ,└ KDYH└ QR└ GRXEW└ WKDW└ VKH└ ZDV└ DQVZHULQJ└ WKRVH└ TXHVWLRQV└ KRQHVWO\☼ └
EHFDXVH└ VKH└ ZDVQW└ WKH└ RQH└ PDNLQJ└ WKH└ WWDWHPHQW◀ └ 7KH└ WWDWHPHQW└
/NDW└ ,└ SUHVHQWHG└ FDPH└ IURP└ WKH└ &RUSV└ RI└ (QJLQHHUV└ DQG└ WKH└ 'HSDUWPHQW└
RI└ -XWLFH◀ └ 1RZ└ ,└ NQRZ└ WKLV└ WR└ EH└ WUXH◀ └ 7KHVH└ DUH└ QRW└ DV└ LPSOLHG└ IURP└
VRPH└ REVFXUH└ :HEVLWH└ RI I└ WKH└ ,QWHUQHW└ GRQH└ E\└ VRPH└ EORJJHU└ LQ└ D└
EDVHPHQW└ VRPHZKHUH◀

7KH└ FRPPHQW└ DFWXDOO\└ FDPH└ IURP└ WKLV└ FRPPLWWHH☼ └ FDVH└ WWXGLHV└ IURP└
/NLV└ FRPPLWWHH└ 6HSWHPEHU└ ┴ ‼ ¶ ├ ◀ └ 7KHVH└ DUH└ H[DPSOHV└ RI└ FDVH└ WWXGLHV└
IURP└ DOO└ DFURVV└ WKH└ 8QLWHG└ 6WDWHV☼ └ DQG└ ,└ ZLOO└ FLWH└ MXWW└ RQH└ WKDW└ ,└ ┼ ┼ └ ,└
RSHQHG└ XS└ WR◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG/└ +HL 3DJH¶ └↔RI └┴

| $└ CDQG└ RZQHU└ LQ└ &DOLIRUQLD└ UHFHLYHG└ DQ└ LQYHVWLJDWLRQ└ CHWWHU└ IURP└ WKH└
&RUSV└ LQIRUPLQJ└ KLP└ WKDW└ GLVNLQJ└ SHUIRUPHG└ E\└ D└ WHQDQW└ IDUPHU└ RQ└ KLV└
CDQG└ PD\└ KDYH└ UHVXOWHG└ LQ└ DQ└ XQDXWKRUL]HG└ GLVFKDUJH└ LQWR└ :2786◀ | └
$QG└ WKDW└ UHJXODWRUV└ KDG└ RSHQHG└ D└ FDVH└ DJDLQVW└ WKH└ CDQG└ RZQHU◀ └ 7KH\└
DUH└ EHLQJ└ LPSOHPHQWHG└ FDVH└ E\└ FDVH◀

7KLV└ CHWWHU└ FDPH└ DV└ D└ VXUSULVH└ WR└ WKH└ CDQG└ RZQHU└ ZKR└ KDG└ EHHQ└ GLVNLQJ└
/KLV└ SDUWLFXDU└ VLWH└ SHULRGLFDOO\└ RYHU└ WKH└ SDVW└ ¶ ↑ └ \HDUV└ WR└ VXVWDLQ└ JUD]LQJ└
FRQGLWLRQV└ IRU└ KLV└ FDWWOH└ └ D└ SUDFWLFH└ KH└ EHOLHYHG└ ZDV└ QRUPDO└ XQWLO└ KH└
UHFHLYHG└ WKLV└ QRWLFH◀

7KH└ &RUSV└ WROG└ WKH└ CDQG└ RZQHUV└ FRQVXOWDQW└ WKDW└ DOO└ GLVNLQJ└ IRU└ DQ└
SXUSRVH└ DQG└ DW└ DQ└ GHSWK└ ZLWK└ DQ└ SRWHQWLDO└ :2786└ LV└ D└ GLVFKDUJH└ LQWR└
:2786└ DQG└ LQ└ WKH└ DEVHQFH└ RI└ D└ SHUPLW└ UHSUHVHQWV└ DQ└ XQDXWKRUL]HG└
GLVFKDUJH└ LQ└ YLRODWLRQ└ RI└ WKH└ &OHDQ└ :DWHU└ $FW◀ └ 7KLV└ LV└ DQ└ DFWXDO└ CHWWHU└
IURP└ WKH└ &RUSV└ WKDW└ ZDV└ VXEPLWWHG└ WR└ WKLV└ FRPPLWWHH└ └ WKH└ (3:└
FRPPLWWHH└ CDWW└ \HDU◀

6R└ WKLV└ LV└ QRW└ PDGH└ XS◀ └ 7KLV└ LV└ D└ YHU\└ UHDO└ LPSDFW└ WR└ DOO└ $PHULFDQV◀ └ $QG└
\R└ ,└ DSSUHFLDWH└ \RXU└ WHQDFLW└ └ $/WRUQH\└ *HQHUDO└ 3UXLWW└ WKDW└ LI└ \RX└ DUH└
FRQILUPHG└ └ \RX└ ZLOO└ ZRUN└ ZLWK└ WKRVH└ WKDW└ ZLVK└ WR└ FRQWLQXH└ IDUPLQJ└ QRUPDO└
SUDFWLFHV◀ └ %XW└ WKLV└ LV└ QRW└ PDGH└ XS└ IRQV◀ └ $QG└ ZH└ MXVW└ QHHG└ HYHU\RQH└ WR└
XQGHUVWDQG└ WKDW└ WKH└ &RUSV└ └ WKH└ '2-└ DQG└ WKH└ (3$└ KDYH└ JRQH└ EH\RQG└
ZKDW└ ZH└ FRQVLGHU└ WR└ EH└ UHDVRQDEOH└ DSSOLFDWLRQ└ RI└ WKH└ CDZ◀ └ 7KDQN└ \RX└
YHU\└ PXFK◀

♂ 81.12:1□ └
0U◀ └ &KDLUPDQ└ └ LI└ ,└ FRXOG└ MXVW└ UHVSRQG└ YHU\└ EULHIO\◀ └ 7KH└ CHWWHU└ WKDW└ ,└ VHQW└
RQ└ -DQXDU\└ ¶ ¶ └ ZDV└ QRW└ MXVW└ WR└ WKH└ (3$◀ └ ,W└ ZDV└ WKH└ KHDG└ RI└ WKH└ (3$└ DQG└
DOVR└ WKDW└ RI└ WKH└ DVVLVWDQW└ VHFUHWDU\└ RI└ WKH└ $UP\└ WKH└ 'HSDUWPHQW└ RI└ WKH└
$UP\└ ZKRV└ LQ└ FKDUJH└ RI└ WKH└ $UP\└ &RUSV└ RI└ (QJLQHHUV◀ └ 6R└ LW└ ZDV└ UHDOO\└
/R└ ERWK└ └ ERWK└ (3$└ DQG└ WKH└ $UP\└ &RUSV└ RI└ (QJLQHHUV◀

,└ JDYH└ WKHP└ D└ ¶ ↕ ┴ └ GR]HQ└ RU└ PRUH└ TXHVWLRQV└ └ DQG└ VDLG└ └ WKLV└ LV└ ┼ ┼ └ WKHMH└ DUH
/KH└ DVVHUWLRQV└ WKDW└ ZHUH└ KHDULQJ◀ └ :KDW└ LV└ WKH└ WUXWK"└ $QG└ WKH└
UHVSRQGHG└ MRLQW\◀ └ 6R└ └ ,└ ZRXOG└ MXVW└ CHDYH└ LW◀

(5167 └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH¶ └ R╢ ┴┴

$QG└ LI└ ┼ ┼ └ LI└ ,└ FDQ└ UHVSRQG└ WR└ WKDW◀ └ ,└ ┼ ┼ └ ,└ DSRORJL]H└ EHFDXVH└ ,└ ZDV└ JRLQJ└ V
XVH└ 6HQDWRU└ 5RXQGV└ CHWWHU└ DV└ D└ SURS◀ └ ,└ KDG└ QRW└ VHHQ└ D└ CHWWHU└ IURP└ WKH└
(3$◀ └ ,└ KDG└ ZULWWHQ└ $GPLQLWUDWRU└ *LG└ 0F&UWK\└ QHDUO\└ WZR└ \HDUV└ DJR└
RQ└ VRPH└ LVVXHV└ WKDW└ ,└ ZDV└ ZDQWLQJ└ DGGUHVVHG└ IRU└ ,RZD◀

$QG└ ,└ LQYLWHG└ KHU└ WR└ FRPH└ WR└ ,RZD└ DQG└ YLVLW◀ └ 6KH└ QHYHU└ HYHU└ UHVSRQGHG└ WR└
PH└ RU└ P\└ WDII◀ └ 6R└ WKDQN└ \RX☼ └ 0U◀ └ &KDLU◀

%$55$662 └
6HQDWRU└ 0DUN\"

0$5.(< └
7KDQN└ \RX☼ └ 0U◀ └ &KDLUPDQ◀ └ 0U◀ └ 3UXLWW☼ └ \RX└ KDYH└ FULWLFL]HG└ WKH└ 2EDPD└
$GPLQLWUDWLRQ└ RQ└ D└ QXPEHU└ RI└ RFFDVLRQV└ IRU└ DOOHJHGO\└ TXRWH└ | FROOXGLQJ└
ZLWK└ HQYLURQPHQWDO└ JURXSV└ WR└ HQJDJH└ LQ└ VXH└ DQG└ VHWWOH└ WDFWLFV◀ | └ <RX└ MXVW└
UHLWHUDWHG└ \RXU└ FRQFHUQ└ WR└ 6HQDWRU└ ,QKRIH◀

%XW└ LQ└ 'HFHPEHU☼ └ PDQ\└ RI└ \RXU└ FR╢ SODLQWL,,└ DWWRUQH\V└ JHQHUDO└ ZKR└ DUH└
VXLQJ└ WKH└ (3$└ RYHU└ WKH└ &HDQ└ 3RZHU└ 3ODQ└ VHQW└ D└ CHWWHU└ WR└ 3UHVLGHQW╢
HCHFW└ 7UXPS└ XUJLQJ└ KLP└ WR└ VHWWOH└ WKHLU└ CDZXLW└ UHODWHG└ WR└ WKH└ &HDQ└
3RZHU└ 3ODQ◀ └ 7KDW└ VXUH└ VRXQGV└ OLNH└ DQ└ LQYLWDWLRQ└ WR└ HQJDJH└ LQ└ VXH└ DQG└
VHWWOH└ WR└ PH◀

7R└ DYRLG└ WKH└ DSSHDUDQFH└ RI└ HQWHULQJ└ LQWR└ VZHHWKHDUW└ VHWWOHPHQW└ RQ└ WKH└
&HDQ└ 3RZHU└ 3ODQ└ LQ└ FDVHV☼ └ ZLOO└ \RX└ FRPPLW└ WR└ UHFXVLQJ└ \RXUVHOI└ IURP└ DOO└
RQJRLQJ└ OLWLJDWLRQ└ WKDW└ \RX└ DUH└ LQYROYHG└ LQ"

358,77 └
6HQDWRU☼ └ ,└ ZRXOG└ VD\└ WR└ \RX└ WKDW└ WKH└ VXH└ DQG└ VHWWOH└ SUDFWLFH☼ └ ZKHWKHU└ E\└
/KLV└ DGPLQLWUDWLRQ└ RU└ IXWXUH└ DGPLQLWUDWLRQV└ LV└ D└ SUDFWLFH└ WKDW└ VKRXOG└ QRW└
EH└ IROORZHG◀ └ ,└ EHOLHYH└ WKDW└ UHJXODWLRQV└ WKURXJK└ OLWLJDWLRQ└ LV└ ZURQJ◀

,└ EHOLHYH└ WKDW└ WKH└ UXOH└ PDNLQJ└ SURFHVV└ WKDW└ &RQJUHVV└ KDV└ HVWDEOLVKHG└
VKRXOG└ EH└ UHVSHFWHG└ E\└ DJHQFLHV☼ └ QRW└ RQO\└ WKH└ (3$└ EXW└ DFURVV└ WKH└
ERDUG◀ └ ,└ ZRXOG└ PHQWLRQ└ RQH└ FDVH└ WR└ \RX◀ └ 7KDW└ FDVH└ LV└ ◀ ◀ ◀

0$5.(< └

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDL 3DJH╙└ ‼└!‼RI└

%XW└ WKLV└ LV└ ZKDW└ WKH└ ┼ ┼ └ LW└ ORRNV└ OLNH└ WKDW└ ZKDW└ WKH└ DWWRUQH\V└ JHQHUDO└ DUH└ GRLQJ└ ZKR└ DUH└ VXLQJ└ DQG└ \RXUH└ D└ FR╪ SODLQWL I I└ LQ└ WKLV└ FDVH└ RQ└ WKH└ &HDQ└ 3RZHU└ 3ODQ◀ └ :LOO└ \RX└ UHFXVH└ \RXU└ ┼ ┼ └ ZLOO└ \RX└ UHFXVH└ \RXUVHOI└ IURP└ DQ\└ UROH└ LQ└ WKH└ VHWWOLQJ└ RI└ WKHVH└ FDVHV☼ └ LQ└ WKH└ GHJRWLDWLRQ└ RQ└ WKH└ VHWWOLQJ└ RI└ /KHVH└ FDVHV"

358,77 └
7KH└ VXH└ DQG└ VHWWOH└ SUDFWLFH└ VKRXOG└ QRW└ EH└ XVHG└ E\└ DQ\└ DGPLQLVWUDWLRQ└ WR└ UHJXODWH◀ └ :HYH└ H[SHULHQFHG└ LQ└ 2NODKRPD└ D└ FDVH└ LQYROYLQJ└ WKH└)LVK└ DQG└ :LOGOLIH└ DQG└ (QGDQJHUHG└ 6SHFLHV└ $FW└ DQG└ WKH└ UHLWLQJ└ RI└ CHVHU└ SUDLULH└ FKLFNHQ└ WKDW└ LPSDFWHG└ RXU└ \WDWH◀ └ 6R└ VXH└ DQG└ VHWWOH└ LV└ ZURQJ◀

0$5.(< └
6R└ WKDW└ LV└ DJDLQ└ ◀ ◀ ◀

358,77 └
7KDW└ VXH└ DQG└ VHWWOH└ LV└ ZURQJ◀

0$5.(< └
$UH└ \RX└ JLYLQJ└ PH└ D└ \HV☼ └ WKDW└ \RX└ ZLOO└ QRW└ VHWWOH└ ZLWK└ WKHVH└ DWWRUQH\V└ JHQHUDO"

358,77 └
,└ ZLOO└ QRW└ HQJDJH└ LQ└ D└ VXH└ DQG└ VHWWOH└ SUDFWLFH└ LI└ FRQILUPHG└ DV└ WKH└ (3$└ $GPLQLVWUDWRU◀

0$5.(< └
2.☼ └ EXW└ ◀ ◀ ◀

358,77 └
$Q\└ WLPH◀

0$5.(< └
6R☼ └ ZLOO└ \RX└ QHJRWLDWH└ ZLWK└ WKHP└ WR└ ┼ ┼ └ WR└ UHDFK└ D└ VHWWOHPHQW☼ └ VXFK└ DV└ WKDW└ KDV└ EHHQ└ UHFRPPHQGHG└ E\└ WKH└ ┼ ┼ └ E\└ WKH└ DWWRUQH\V└ JHQHUDO└ ZKR└ DUH└ WKH└ SODLQWL IV└ LQ└ WKLV└ FDVH└ DJDLQVW└ WKH└ &HDQ└ 3RZHU└ 3ODQ"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH╙ ‼└¶R╙

358,77 └
6HQDWRU☼ └ LW┘ LV└ D└ EHOLHI└ RI└ PLQH┘ WKDW┘ WKH└ XVH└ RI└ VXH└ DQG└ VHWWOH└ LV└ D└ SUDFWLFH└
/KDW┘ ◀◀◀

0$5.(< └
5LJKW◀

358,77 └
◀◀◀ └ VKRXOG└ QRW┘ EH└ GRQH└ E\└ ◀◀◀

0$5.(< └
,└ KHDU└ \RX◀

358,77 └
◀◀◀ └ DQ\└ DJHQF\└ RI└ WKH└ 8◀ 6◀ └ JRYHUQPHQW◀

0$5.(< └
6R└ \RXOO└ ┼ ┼ └ ZLOO└ \RX└ UHFXVH└ \RXUVHI└ IURP└ DQ\└ LQYROYHPHQW┘ LQ└ WKLV└ OLWLJDWLRQ└
DV└ LW┘ LV└ EHLQJ└ GHFLGHG"

358,77 └
$V└ ,YH└ LQGLFDWHG┘ WR└ \RX└ 6HQDWRU☼ └ WKH└ (3$└ DW┘ WKLV└ FRXQVHO☼ └ FDUHHU└ VWDII└ DW┘
/KH└ (3$└ KDV└ VDLG┘ WKDW┘ D└ SDUWLFXODU└ PDWWHU└ LQ└ VSHFLILF└ FDVH☼ └ WKDW┘ WKRVH└ ┼ ┼ └
/KRVH└ ZLOO└ EH└ HYDOXDWHG┘ DW┘ WKH└ WLPH◀ └ ,OO└ VHHN└ WKHLU└ FRXQVHO└ DQG└ FRPSO\└
ZLWK└ WKHLU└ FRXQVHO◀

0$5.(< └
+RQHVWO\☼ └ 0U◀ └ 3UXLWW☼ └ WKHUH└ LV└ QR└ ELJJHU└ FDVH└ WKDQ└ WKH└ &HDQ└ 3RZHU└ 3ODQ◀ └
,W┘ JRHV└ WR└ WKH└ SURPLVH└ WKDW┘ WKH└ 8QLWHG└ 6WDWHV└ LV└ PDNLQJ└ WR└ WKH└ ZRUOG┘ WKDW┘
ZH└ DUH└ JRLQJ└ WR└ UHGXFH└ VLJQLILFDQWO\└ RXU└ JUHHQKRXVH└ JDVHV◀ └ 6R└ WKLV└ MXVW┘
JRHV└ WR└ \RX☼ └ DV└ DQ└ LQGLYLGXDO└ VD\LQJ└ WKDW┘ VLQFH└ \RX└ EURXJKW┘ WKH└ FDVH└
ZLWK└ WKHVH└ RWKHU└ DWWRUQH\V└ JHQHUDO└ WKDW┘ \RX└ ZLOO└ QRZ└ UHFXVH└ \RXUVHI◀

358,77 └
,└ ZRXOG└ WKDW┘ ◀◀◀

AMERICAN OVERSIGHT

0$5.(< └

6LQFH└ \RX└ DUH└ LQ└ IDFW└ WKH└ SDLQWLQJ└ DQG└ GHIHQGDQW└ LQ└ WKLV└ FDVH└ └ LI└ \RX└ DUH└ FRQILUPHG└ DV└ WKH└ (3$└ DGPLQLWUDWRU◀

358,77 └

6HQDWRU└ DV└ ,└ LQGLFDWHG└ WR└ \RX└ HDUOLHU└ └ DQG└ ,P└ VRUU\└ WR└ LQWHUUXSW└ \RX└ EXW└ DV└ ,└ LQGLFDWHG└ WR└ \RX└ HDUOLHU└ └ ,└ ZLOO└ UHFXVH└ LI└ GLUHFWHG└ E\└ WKH└ (3$└ DW└ WKLV└ FRXQWU└ └WKH└ FDUHHU└ WDII└ DW└ (3$└ HWKLFV◀ └ <RX└ NQRZ└ WKHVH└ LQGLYLGXDOV◀ └ 7KH\└ DUH└ ┼ ┼ └WKH\└ DUH└ ┼ ┼ └WKH\YH└ EHHQ└ WKHUH└ DQG└ WKH\└ ┼ ┼ └ ,└ ZLOO└ IROORZ└ WKHLU└ FRXQVHO└ DQG└ JXLGDQFH◀

0$5.(< └

:HOO└ DOO└ ULJKW◀ └ ,└ NQRZ└ ,P└ QRW└ JRLQJ└ WR└ JHW└ \RX└ WR└ UHFXVH└ \RXUVHOI└ IURP└ DQ\└ RI└ WKHVH└ FDVHV└ EXW└ ,P└ MXVW└ WHOOLQJ└ \RX└ └LVW└ JRLQJ└ WR└ ZLQG└ XS└ EHLQJ└ D└ KXJH└ FRQIOLFW└ RI└ LQWHUHVW└ LI└ WKHVH└ DWWRUQH\V└ JHQHUDO└ JHW└ WR└ VHWWOH└ RQ└ WKHLU└ WHUPV└ ZLWK└ WKH└ 7UXPS└ DGPLQLWUDWLRQ└ └DQG└ \RXUH└ VLWWLQJ└ WKHUH└ LQ└ WKH└ PLGGOH└ RI└ /KH└ URRP└ DV└ WKDW└ RFFXUV◀

1RZ└ CHW└ PH└ ┼ ┼ └CHW└ PH└ JR└ WR└ DQRWKHU└ VXEMHFW└ DQG└ WKDW└ LV└ WKLV└ EHWWOH└ RI└ 7UXPS└ ZDWHU◀ └ 7UXPS└ ZDWHU└ └ QDWXUDO└ VSULQJ└ ZDWHU└ └ RQ└ WKH└ ODEHO└ LW└ VD\V└ TXRWH└ | 3XUH└ └ IUHVK└ DQG└ IUHH└ IURP└ FRQWDPLQDQWV◀ └ 7KLV└ LV└ ZDWHU└ WKH└ ZD\└ LW└ ZDV└ PHDQW└ WR└ EH◀ | └ 7UXPS└ KRWHO└ JXHVW└ KDYH└ WKH└ OX[XU\└ RI└ GULQNLQJ└ WKLV└ ZDWHU└ └ LI└ WKH\└ GRQ└ WUXVW└ ZKDW└ FRPHV└ RXW└ RI└ WKH└ WDS◀

/RZ└ LQFRPH└ FRPPXQLWLHV└ DFURVV└ RXU└ FRXQWU\└ GR└ QRW└ KDYH└ WKH└ VDPH└ OX[XU\◀ └ 'R└ \RX└ DJUHH└ WKDW└ WKH└ (3$└ SOD\V└ D└ FULWLFDO└ URCH└ LQ└ HQVXULQJ└ WKDW└ DOO└ $PHULFDQV└ UHJDUGHVV└ RI└ UDFLDO└ RU└ HFRQRPLF└ EDFNJURXQGV└ KDYH└ D└ ULJKW└ WR└ FCHDQ└ ZDWHU└ └ IUHH└ IURP└ FRQWDPLQDQWV"

358,77 └

$EVROXWHO\└ └ LQ└ IDFW└ └ 6HQDWRU└ %RRNHU└ DQG└ ,└ DOUHDG\└ WDONHG└ DERXW└ HQYLURQPHQWDO└ MXVWLFH└ LQ└ RXU└ PHHWLQJ◀

0$5.(< └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG/└ +HL 3DJH╙└ ‼└┬RI└└

$QG└ WKDW└ LV└ JUHDW◀ └ $V└ WKH└ ZLGH└ VSUHDG└ CHDG└ FRQWDPLQDWLRQ└ LQ└)OLQW\ └
0LFKLJDQ└ ZDWHU└ VXSSO\└ WUDJLFDOO\└ UHPLQGV└ XV\ └ CRZ└ LQFRPH└ DQG└ PLQRULW\└
FRPPXQLWLHV└ RIWHQ└ EHDU└ IDU└ JUHDWHU└ HQYLURQPHQWDO└ EXUGHQV◀ └ <HW└ \RX└ WROG└
6HQDWRU└ &DUGLQ└ HDUOLHU└ WRGD\└ WKDW└ \RX└ GLGQW└ NQRZ└ LI└ WKHUH└ LV└ DQ\└ VDIH└
CHMHO└ RI└ CHDG◀

%XW└ VFLHQWLILF└ H[SHUW\ └ LQFOXGLQJ└ WKH└ &'&└ DQG└ :RUOG└ +HDOWK└ 2UJDQL]DWLRQ└
KDYH└ FRQFOXGHG└ WKDW└ WKHUH└ LV└ QR└ VDIH└ CHMHO└ RI└ CHDG└ H[SRVXUH◀ └ :LOO└ \RX└
FRPPLW└ WR└ PDNLQJ└ HQYLURQPHQWDO└ MXVWLFH└ IRU└ SRRU└ DQG└ PLQRULW\└
FRPPXQLWLHV└ DQ└ LPPHGLDWH└ SULRULW\└ RI└ WKH└ (3$\ └ LI└ \RX└ DUH└ FRQILUPHG└ DV└
DGPLQLVWUDWRU"

358,77 └
,└ EHOLHYH└ LW\└ D└ YHU\└ LPSRUWDQW└ URCH└ RI└ WKH└ (3$└ DGPLQLVWUDWRU◀

0$5.(< └
:HOO\ └ PLQRULW\└ FRPPXQLWLHV└ RIWHQ└ GRQW└ KDYH└ WKH└ FRQLHV└ ◀◀◀

%$55$662 └
7KH└ 6HQDWRUV└ WLPH└ KDV└ H[SLUHG└ LQ└ WKH└ WKLUG└ URXQG◀

0$5.(< └
2.\ └ WKDQN└ \RX└ 0U◀ └ &KDLUPDQ◀

%$55$662 └
7KDQN└ \RX◀ └ 7KH└ ┼ ┼ └ DQG└ QRZ└ 6HQDWRU└ 6XOLYDQ◀

68//,9$1 └
6HQDWRU└ ♂ VLF□ └ 3UHVV\ └ ,└ MXVW└ KDG└ RQH└ ILQDO└ TXHVWLRQ◀ └ :H└ WDONHG└ DERXW└ VRPH└
RI└ WKH└ FKDOOHQJHV└ WKDW└ ZH└ KDYH◀ └ <RX└ NQRZ\ └ WKLV└ FRPPLWWHH└ EHHQ└
ZRUNLQJ└ RQ└ WKH└ LQIUDWUXFWXUH└ LVVXHV◀ └ 7KHUH└ D└ CRW└ RI└ GLVFXVVLRQV└ RYHU└
CDWW└ \HDU└ DERXW└)OLQW\ └ 0LFKLJDQ└ DQG└ DJLQJ└ LQIUDWUXFWXUH\ └ ZKLFK└ ,└ WKLQN└ LV└ D└
FRQFHUQ└ DW└ WKH└ WLPH└ DQG└ CRFDO└ DQG└ IHGHUDO└ CHMHDV◀

AMERICAN OVERSIGHT

7KHUHV└ DOVR└ D└ FKDOOHQJH└ LQ└ FHUWDLQ└ SDUWV└ RI└ WKH└ FRXQWU\└ RQ└ QR└ LQIUDVWUXFWXUH☼ └ QRQH☼ └ RQ└ FHDQ└ ZDWHU└ DQG└ VHZHU◀ └ $QG└ P\└ WZDWH└ KDV└ RYHU└ ┼ ‼ └ FRPPXQLWLHV└ WKDW└ GRQW└ KDYH└ DQ\└ FHDQ└ ZDWHU└ DQG└ VHZHU└ LQ└ WHUPV└ RI└ /KH└ GLVHDVHV└ DQG└ WKH└ OLYLQJ└ FRQGLWLRQV└ LQ└ FRPPXQLWLHV└ OLNH└ WKDW└ DV└ \RX└ FDQ└ LPDJLQH☼ └ LW└ FDQ└ EH└ YHU\└ GLIILFXOW◀

6R└ LQ└ D└ ELSDUWLVDQ└ ZD\└ WKLV└ FRPPLWWHH└ DFWHG└ ODWH└ \HDU☼ └ HVWDEOLVKHG└ D└ QHZ└ SURJUDP└ IRU└ GLVDGYDQWDJHG└ FRPPXQLWLHV☼ └ VPDOO└ FRPPXQLWLHV└ WR└ ZRUN└ RQ└ /KRVH└ NLQG└ RI└ LVVXHV└ IRU└ GLIIHUHQW└ FRPPXQLWLHV☼ └ ZKHWKHU└ LQ└ $ODVND└ RU└ RWKHU└ SDUW└ RI└ WKH└ FRXQWU\└ WKDW└ OLWHUDOO\└ OLYH└ LQ└ WKLUG┼ ZRUOG└ FRQGLWLRQV└ LQ└ \RPH└ FRPPXQLWLHV◀

6R└ WKDW└ ZRXOG└ EH└ DGPLQLWHUHG└ E\└ WKH└ (3$☼ └ WKLV└ QHZ└ SURJUDP◀ └ $QG└ ,└ MXVW└ ZDQW└ WR└ JHW└ \RXU└ FRPPLWPHQW└ WR└ ZRUN└ ZLWK└ XV└ WR└ IXOO\└ IXQG└ WKDW└ QHZ└ SURJUDP└ WR└ ZRUN└ RQ└ WKRVH└ NLQG└ RI└ LVVXHV◀

358,77 └
$V└ ZH└ WDONHG└ DERXW└ LQ└ RXU└ PHHWLQJ☼ └ 6HQDWRU☼ └ ,└ EHOLHYH└ VRPHWLPHV└ ZKHQ└ LQIUDVWUXFWXUH└ LV└ UHIHUHQFHG☼ └ ZH└ WKLQN└ URDGV└ DQG└ EULGJHV└ DQG└ ZH└ GRQW└ /KLQN└ ZDWHU└ LQIUDVWUXFWXUH◀

68//,9$1 └
<HDK◀

358,77 └
$QG└ ,└ WKLQN└ DOO└ WKRVH└ DUH└ LPSRUWDQW◀ └ $QG└ ,└ ZRXOG└ PDNH└ WKDW└ D└ SULRULW\└ LQVHUIDFLQJ└ ZLWK└ &RQJUHVV└ LI└ FRQILUPHG└ DV└ (3$└ DGPLQLWUDWRU◀

68//,9$1 └
*UHDW☼ └ WKDQN└ \RX◀ └ 7KDQNV◀

%$55$662 └
7KDQN└ \RX└ 6HQDWRU└ 6XOOLYDQ◀ └ ,└ ZDQW└ WR└ WKDQN└ DOO└ WKH└ PHPEHUV└ IRU└ WKH└ UHVSHFWIXO└ ZD\└ LQ└ ZKLFK└ WKH└ EXVLQHVV└ ZDV└ FRQGXFWHG└ WRGD\◀ └ 0HPEHUV└ PD\└ DOVR└ VXEPLW└ IROORZ└ XS└ ZULWWHQ└ TXHVWLRQV☼ └ EXW└ LW└ VHHPV└ WKDW└ HYHU\RQH└ KDG└ SCHQW└ RI└ RSSRUWXQLW\└ WR└ DVN└ RUDO└ TXHVWLRQV◀ └ 6FKHGXOHG└ IRU└ WKH└ FORVH└ ┼ ┼ └ WKH└ UHFRUGLQJ└ IRU└ WKH└ FORVH└ RI└ EXVLQHVV☼ └ 7KXUVGD\☼ └ -DQXDU\└ ¶ ◀ └ 6HQDWRU└ &DUSHU"

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH╨ ‼└↑RI└

&$53(5 └
,└ WKRXJKW└ ZH└ ZHUH└ JRLQJ└ WR└ GR└ RQH└ PRUH└ URXQG◀

%$55$662 └
,└ WKRXJKW└ WKUHH└ URXQGV└ ZDV└ WKH└ CRQJHVW└ LQ└ WKH└ KLWWRU\└ RI└ WKLV◀ └ 7KH└ CDWV└ ┼ ┼ └
/KH└ RQH\└ PWKHU└ WLPH└ WKHUH└ ZHUH└ WKUHH└ URXQGV└ ZDV└ &KULWW\└ 7RGG└ :KLWPDQ└
LQ└ ┴ ‼ ‼ ¶ ◀ └ $QG└ WKRVH└ ZHUH└ WKUHH└ URXQGV└ RI└ ILYH└ PLQXWHV└ HDFK└ DQG└ WKH└
UHDVRQ└ WKDW└ VKH☼ └ DV└ D└ 5HSXEOLFDQ└ CRPLQHH└ ZDV└ JLYHQ└ WKUHH└ URXQGV└ LV└
/KDW└ WKH└ FKDLUPDQ└ RI└ WKH└ FRPPLWWHH└ ZDV└ +DUU\└ 5HLG◀

6R└ WKH└ WKUHH└ URXQGV◀ └ 7KH└ ZLWQHVV└ KDV└ EHHQ└ KHUH└ VLQFH└ ¶ ‼ ‼ ‼ ◀ └ ,W└ LV└ QRZ└
┼ ┬ ‼ ☼ └ VR└ KH\ └ EHHQ└ VL[┼ DQG┼ D┼ KDOI└ KRXUV☼ └ DQG└ ,└ WKLQN└ WKUHH└ URXQGV└ E\└ DQ\└
FULWHULD└ WKDW└ RQH└ ZRXOG└ XVH└ HDFK└ RI└ ILYH└ PLQXWHV☼ └ ZKHQ└ ┼ ┼ └ ZKHQ└ *LGD└
0F&DUWK\└ ZDV└ QRPLQDWHG└ DQG└ ,└ KDG└ VLJQLILFDQW└ QXPEHUV└ RI└ TXHVWLRQV☼ └
%DUEDUD└ %R[HU└ OLPLWHG└ PH└ WR└ ILYH└ PLQXWH└ URXQGV☼ └ RQH└ ILYH└ PLQXWH└ URXQG└
DQG└ RQH└ WZR└ PLQXWH└ URXQG◀

:H└ KDYH└ PRUH└ WKDQ└ GRXEOHG└ WRGD\└ WKDW└ DPRXQW└ RI└ WLPH└ IRU└ TXHVWLRQLQJ◀

&$53(5 └
0U◀ └ &KDLUPDQ"

%$55$662 └
6HQDWRU"

&$53(5 └
,P└ FHUWDLQ\└ QRW└ VD\LQJ└ WKDW└ \RXYH└ EHHQ└ XQIDLU└ ZLWK└ XV☼ └ EXW└ XQWLO└ WKLV└ YHU\└
PLQXWH☼ └ ,└ GRQW└ WKLQN└ LW└ KDV└ EHHQ└ FOHDU└ WR└ DQ\RQH└ WKDW└ WKHUH└ ZDV└ D└ WKUHH└
URXQG└ OLPLW☼ └ DQG└ ,└ EHOLHYH└ \RX└ RSHQHG└ WKH└ KHDULQJ└ E\└ VD\LQJ└ WKDW└ ZHG└ JR└
RQ└ XQWLO└ SHRSOHV└ TXHVWLRQV└ ZHUH└ DQVZHUHG◀

6R└ WKLV└ LV└ D└ ELW└ RI└ D└ GRYHWDLO☼ └ EXW└ DJDLQ└ SOHDVH└ GRQW└ WDNH└ LW└ DV└ D└ FULWLFLVP└
RI└ \RXU└ IDLUQHVV◀ └ ,└ WKLQN└ WKDW└ \RX└ KDYH└ EHHQ└ IDLU◀ └ 7KLV└ LV└ MXVW└ QHZV└ DQG└ ,└
GR└ KDYH└ D└ EXQFK└ RI└ TXHVWLRQV└ ULJKW└ KHUH└ WKDW└ ,G└ KRSHG└ WR└ DVN└ DV└ ┼ ┼ └ DV└
ZKDW└ ,└ H[SHFWHG└ WR└ EH└ D└ ILQDO└ IRXUWK└ URXQG◀

%$55$662 └
:HOO☼ └ WKHQ└ ,└ ZRXOG└ DOUHDG\└ LQYLWH└ \RX└ WR└ SCHDVH└ VXEPLW└ WKRVH└ IROORZ└ XS└

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH╙ ‼└┤RI╙

ZULWWHQ└ TXHVWLRQV└ E\└ WRPRUURZ└ DW└ FORVH└ RI└ EXVLQHVV◀

&$53(5 └
0U◀ └ &KDLUPDQ◀ └ 0U◀ └ &KDLUPDQ☼ └ FRXOG└ ,└ EH└ UHFRJQL]HG"└ ◁HDK☼ └ ,└ ◀◀◀

%$55$662 └
6HQDWRU└ &DUSHU└ DQG└ WKHQ└ 6HQDWRU└ %RRNHU◀

&$53(5 └
,└ DSSUHFLDWH└ WKH└ ZD\└ \RXYH└ FRQGXFWHG└ WKLV└ ┼ ┼ └ WKLV└ KHDULQJ└ WRGD\◀ └
$SSUHFLDWH└ DOO└ WKH└ PHPEHUV└ FRPLQJ└ DJDLQ└ ┼ ┼ └ FRPLQJ└ EDFN└ DJDLQ└ DQG└
DJDLQ◀ └ :KHQ└ ┼ ┼ └ ZKHQ└ ZH└ ZHUH└ WDONLQJ└ D└ ZHHN└ RU└ WZR└ DJR└ DERXW└ ZKHUH└ WR└
KDYH└ WKH└ KHDULQJ☼ └ ZKHWKHU└ WR└ KDYH└ RQH└ GD\└ RI└ KHDULQJV└ RU└ WZR└ GD\V└ RI└
KHDULQJV☼ └ ZH└ ZHUH└ LQWHUHVWHG└ ┼ ┼ └ RXU└ VLGH└ ZDV└ LQWHUHVWHG└ LQ└ KDYLQJ└ WZR└
GD\V└ RI└ KHDULQJV◀

:H└ ZHUH└ LQWHUHVWHG└ LQ└ KDYLQJ└ DQ└ RXWLQH└ SDQHO└ DQG└ LW└ ZDV└ H[SODLQHG└ WR└
XV└ WKDW└ WKH└ ┼ ┼ └ WKDWV└ QRW└ UHDOO\└ WKH└ WUDGLWLRQ└ RI└ WKH└ FRPPLWWHH└ WR└ KDYH└ DQ└
RXWLQH└ SDQHO◀ └ %XW└ ┼ ┼ └ DQG└ \RX└ VDLG☼ └ ,G└ SUHIHU└ WR└ GR└ LW└ LQ└ RQH└ GD\└ DQG└ ZHOO└
WKD\└ DV└ CRQJ└ DV└ SHRSOH└ KDYH└ TXHVWLRQV◀ └ ,└ WKLQN└ WKDW└ ZDV└ DOPRVW└ H[DFWO\└
\RXU└ ZRUGV◀ └ $QG└ WKDW└ KDUG└ WR└ DUJXH└ ZLWK◀

:H└ FDQ└ WKD\└ DV└ CRQJ└ DV└ SHRSOH└ KDYH└ TXHVWLRQV◀ └ 6RPH└ RI└ WKH└ IRNV└ KDYH└
VRPH└ PRUH└ TXHVWLRQV◀ └ ,└ NQRZ└ ,└ GR◀ └ $QG└ ZHUH└ QRW└ UXQQLQJ└ RXW└ WKH└ FORFN◀ └
7KH\UH└ KRQHVW└ TXHVWLRQV◀ └ $QG└ ,└ ZRXOG└ MXVW└ DVN└ WKDW└ \RX└ WKLQN└ EDFN└ RQ└
RXU└ HDUOLHU└ FRQYHUVDWLRQ└ DQG└ \RX└ VHH└ \RXU└ ZD\└ FCHDU└ WR└ KDYH└ RQH└ PRUH└
URXQG└ DQG└ ZHOO└ FDOO└ LW└ D└ GD\◀

%$55$662 └
◁HDK☼ └ ZHOO☼ └ ,└ ZRXOG└ VD\└ D└ FRXSOH└ RI└ WKLQJV◀ └ 2QH☼ └ LV└ ,└ RI IHUHG└ WR└ WXDJW└ WKH└
FRPPLWWHH└ PHWLQJ└ HDUOLHU└ WRGD\└ EHFDXVH└ WKHUH└ DUH└ PDQ\└ RI└ XV└ ZKR└
KDYH└ FRPPLWPHQWV└ LQWR└ WKH└ HYHQLQJ◀ └ 3HRSOH└ IURP└ RXU└ KRPH└ WDWHV└ ZKR└
DUH└ KHUH└ IRU└ WKH└ LQDXJXUDWLRQ└ DFWLYLWLHV◀ └ :H└ KDYH└ FRPPLWPHQWV└ IRU└ RXU└
KRPH└ WDWHV◀ └ $QG└ WKH└ LGHD└ RI└ WDUJLQJ└ DW└ ‼ ‼ └ ZDV└ UHMHFWHG◀

7KH└ ┼ ┼ └ ZDQWHG└ WR└ JR└ DORQJ☼ └ ,└ WKLQN└ ULJKW└ EHIRUH└ WKH└ WKLUG└ URXQG☼ └ ,└ VDLG☼ └
QRZ☼ └ LI└ WKHUHV└ JRLQJ└ WR└ EH└ DQ└ RQJRLQJ☼ └ PD\EH└ ZH└ VKRXOG└ WDNH└ D└ EUHDN☼ └
JLYH└ WKH└ ZLWQHVV└ DQ└ RSSRUWXQLW\└ WR└ WDNH└ D└ EUHDN◀ └ ◁RX└ VDLG☼ └ QR☼ └ CHW└ SORZ└
RQ◀ └ 7KH└ ZLWQHVV└ KDV└ EHHQ└ VLWWLQJ└ WKHUH└ QRZ└ IRU└ MXVW└ DERXW└ WKUHH└ KRXUV◀

AMERICAN OVERSIGHT

$QG└ GHSHQGLQJ└ RQ└ WKH└ ZLVKHV└ RI└ WKH└ FRPPLWWHH☼ └ P\└ SUHIHUHQFH└ LV└ WR└ VD\└
ZH└ KDYH└ GRQH└ PRUH└ WKDQ└ HYHU└ GRQH└ LQ└ WKH└ ODVW└ ¶ ├ └ \HDUV└ RU└ ¶ → └ \HDUV└ IRU└
QRPLQHHV◀ └ ,└ PHDQ└ LI└ SHRSOH└ KDYH└ RQH└ RU└ WZR└ TXHVWLRQV☼ └ ,└ ZRXOG└ ZDQW└ WR└
JLYH└ WKH└ ZLWQHVV└ DQ└ RSSRUWXQLW\└ WR└ WWLHWFK└ KLV└ CHJV◀ └ ,OO└ EH└ KDSS\└ WR└ WWD\└
DQG└ ZH└ FDQ└ FRPH└ EDFN└ ZLWK└ D└ WKUHH└ PLQXWH└ URXQG◀

%XW└ ,└ MXVW└ GRQW└ ┼ ┼ └ ,└ WKLQN└ WKHUH└ ┼ ┼ └ SHRSOH└ KDYH└ REOLJDWLRQV└ DQG└
FRPPLWPHQWV└ DQG└ ZH└ WKRXJKW└ ZH└ ZRXOG└ EH└ FRPSHWHG└ E\└ QRZ☼ └ DQG└ LW└
GRHV└ VHHP└ WKDW└ PDQ\└ RI└ WKH└ HQG☼ └ \RX└ NQRZ☼ └ QRW└ DV└ ┼ ┼ └ DQG└ IRU└ SHRSOH└ WKDW└
DUH└ KHUH└ QRZ☼ └ WKH\└ FRXOG└ JR└ D└ ┼ ┼ └ \RX└ NQRZ◀

6R└ ZH└ KDYH└ WZR└ PHPEHUV☼ └ WKUHH└ PHPEHUV☼ └ LI└ \RX└ ZDQW└ WR└ JR└ WZR└ WR└
/KUHH└ PLQXWHV☼ └ RU└ RQH└ RU└ WZR└ TXHVWLRQV☼ └ ,└ WKLQN└ ZH└ ZRXOG└ EH└ DECH└ WR└
DFFRPPRGDWH└ EXW└ WR└ EULQJ└ EDFN└ WKH└ HQWLUH└ FRPPLWWHH└ DQG└ JR└ LQWR└ WKH└
QLJKW└ ┼ ┼

&$53(5 └
1R☼ └ ,P└ QRW└ ┼ ┼ └ ,P└ QRW└ VXJJHVWLQJ└ ZH└ EULQJ└ EDFN└ WKH└ HQWLUH└ ┼ ┼ └ ,P└ JRLQJ└ WR└
VXJJ└ VXJJHVW└ WKDW☼ └ LI└ ZH└ FDQ☼ └ PD\EH└ ZH└ FDQ└ DJUHH└ KHUH◀ └ 7KRVH└ WKDW└ DUH└
KHUH└ WRGD\☼ └ ULJKW└ WKLV└ PRPHQW☼ └ LI└ WKH\└ KDYH└ TXHVWLRQ☼ └ JLYH└ WKHP└ ILYH└
PLQXWHV◀ └ $QG└ WKHQ└ ZKHQ└ WKH\UH└ GRQH☼ └ WKHQ└ ZHUH└ GRQH☼ └ ZHUH└ GRQH◀ └
<HDK◀

%$55$662 └
$Q\└ REMHFWLRQ└ IURP└ RXU└ VLGH"└ $Q\└ ZLWK└ WKHVH└ RWKHU└ ◀◀◀

&$53(5 └
<RX└ KDYH└ WR└ JR└ ZLWK└ ◀◀◀

%$55$662 └
6HQDWRU└ ,QKRIH"

,1+2)(└
$OWKRXJK└ ZH└ ZRXOG└ EH└ DECH└ WR└ \LHOG└ EDFN└ DQ\└ WLPH└ WKDW└ ◀◀◀

%$55$662 └
6XUH◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH╙└ ‼└←RI└┘

,1+2)(└
◀◀◀ └ ZH└ KDYH└ LI└ ZH└ GLGQW┘ ZDQW┘ WR└ XVH└ LW◀

&$53(5 └
2U└ \RX└ FRXOG└ \LHOG┘ WR└ XV◀

,1+2)(└
2.☼ └ ,└ FDQ└ RQO\└ VD\└ WKDW┘ ◀◀◀

♂ /DXJKWHU□

,1+2)(└
,└ FDQ└ RQO\└ VD\└ WKDW┘ ,YH└ FKOLUHG└ WKLV└ FRPPLWWHH└ IRU└ TXLWH└ D└ QXPEHU└ RI└
\HDUV◀ └ ,YH└ EHHQ└ WKURXJK└ WKLV└ RQFH└ EHIRUH└ DQG└ WKHUH└ LV└ DOZD\V└ DQ└ HI IRUW┘
E\└ WKRVH└ ZKR└ DUH└ SHUKDSV└ QRW┘ UHDOO\└ VDWLVILHG└ DV└ VRPH└ RI└ WKH└ RWKHUV└
PLJKW┘ EH└ WR└ WU\└ WR└ PDNH└ LW┘ FRQWLQXH└ RQ└ DQG└ RQ◀ └ ,└ ZRXOG└ SUHIHU└ WR└
JR└ ┼ ┼ └ JR└ DKHDG◀

,└ WKLQN└ ZHYH└ DOO└ KDG└ DGHTXDWH└ WLPH└ DQG└ ┼ ┼ └ DQG└ EH└ SUHSDUHG└ WR└ YRWH◀

♀$55$662 └
:HOO☼ └ ZH└ GRQW┘ KDYH└ D└ YRWH└ VFKHGXOHG└ IRU└ WRGD\└ RQ└ WKLV◀ └ :H└ GRQW┘ KDYH└
DQ└ DJUHHPHQW┘ RQ└ WKDW◀ └ 6R┘ WKHUH└ ZRXOGQW┘ EH└ ┼ ┼ └ ZRXOGQW┘ EH└ D└ YRWH◀ └ ,└
ZRXOG└ ┼ ┼ └ ,└ ZRXOG└ VD\└ LI└ ┼ ┼ └ LI└ WKH└ ┼ ┼ └ LI└ WKH└ ◀◀◀

,1+2)(└
:HOO☼ └ LI└ WKDW┘ WKH└ FDVH└ WKHQ└ ZH└ FDQ└ FRQILGH└ LW┘ WR☼ └ IRU└ WKH└ UHFRUG◀

♂ 81.12:1□ └
♂ ,QDXGLEOH□◀

♀$55$662 └
$Q\└ RWKHU└ VXJJHVWLRQV└ IURP└ WKH└ ◀◀◀

68//,9$1 └

AMERICAN OVERSIGHT

&4◀ FRP╢┼6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH╙ ‼└ R╢╙

0U◀ └ &KDLUPDQ☼ └ ,└ WKLQN└ \RXYH└ EHHQ└ H[FHHGLQJO\└ IDLU☼ └ SDUWLFXODU\└ UHODWLYH└
/R└ WKH└ FRQILUPDWLRQ└ RI└ *LQD└ 0F&DUWK\└ DQG└ ,└ WKLQN└ LW└ SXUHO\└ ZLWKLQ└ \RXU└
FDOO└ WR└ KDYH└ WKH└ DGGLWLRQDO└ TXHWLRQV└ EH└ VXEPLWWHG└ IRU└ WKH└ UHFRUG◀ └ 6\LOO└ WKH└
RSSRUWXQLW\└ IRU└ WKH└ ZLWQHVV└ WR└ DQVZHU└ WKH└ TXHWLRQV◀

+HOO└ \WLOO└ KDYH└ WR└ GR└ LW└ EHIRUH└ KLV└ FRQILUPDWLRQ☼ └ EXW└ UHODWLYH└ WR└ DQ\└ RWKHU└
(3$└ DGPLQLWUDWRU└ KHDULQJ☼ └ \RXYH└ EHHQ└ YHU\└ JHQHURXV☼ └ YHU\└ IDLU└ DQG└ ,└
/KLQN└ WKDW└ IURP└ WKDW└ SHUVSHFWLYH└ ◀ ◀ ◀

&$53(5 └
&RXOG└ ,└ ┼ ┼ └ FRXOG└ ,└ MXVW└ ◀ ◀ ◀

68//,9$1 └
◀ ◀ ◀ └ ,└ WKLQN└ WKDW☼ └ WKDW└ D└ YHU\└ IDLU└ RXWFRPH☼ └ WR└ \WLOO└ DVN└ WKH└ TXHWLRQV◀ └ -X\
VXEPLW└ WKH└ TXHWLRQV└ IRU└ WKH└ UHFRUG◀

&$53(5 └
<HDK☼ └ FRXOG└ ,└ UHVSRQG└ WR└ RXU└ FROOHDJXH└ IURP└ $ODVND"└ ,└ GRQW└ NQRZ└ LI└ \RX└
UHPHPEHU☼ └ D└ \HDU└ RU└ WZR└ DJR☼ └ WKHUH└ ZDV└ D└ MRLQW└ VHVVLRQ└ RI└ WKH└ +RXVH└
DQG└ 6HQDWH└ FRPPLWWHHV└ DQG└ R\KHU└ ♂ VLF□ └ FRPPLWWHHV☼ └ DQG└ WKH└ ZLWQHVV└
ZDV└ *LQD└ 0F&DUWK\└ DQG└ ,└ DUULYHG└ IRXU└ KRXUV└ LQWR└ WKH└ KHDULQJ└ DQG└ DVWHU└ D└
ZKLOH└ ,└ ZDV└ UHFRJQL]HG└ WR└ ┼ ┼ └ WR└ DVN└ D└ TXHWLRQ◀

$QG└ P\└ TXHWLRQ└ RI└ *LQD└ 0F&DUWK\└ ZDV☼ └ | <RXYH└ EHHQ└ KHUH└ IRU└ IRXU└
KRXUV☼ └ KDYHQW└ \RX"| └ 6KH└ VDLG☼ └ | <HV◀ | └ $QG└ ,└ VDLG☼ └ | ,V└ WKHUH└ TXHWLRQ└ \RX└
KDYHQW└ EHHQ└ DVNHG└ WKDW└ \RX└ ZLVK└ \RX└ KDG└ EHHQ└ DVNHG"| └ $QG└ VKH└ VDLG☼ └
| <HV◀ | └ ,└ VDLG☼ └ | :KDW└ LV└ LW"| └ 6KH└ VDLG☼ └ | ,└ ZLVK└ ,G└ EHHQ└ DVNHG└ LI└ ,└ QHHGHG└
EDWKURRP└ EUHDN◀ |

,└ GRQW└ ┼ ┼ └ ,└ GRQW└ NQRZ└ LI└ WKH└ ZLWQHVV└ QHHGV└ D└ EDWKURRP└ EUHDN☼ └ EXW└ LI└ \RX└
QHHG└ RQH└ IRU└ D└ FRXSOH└ PLQXWHV☼ └ ZH└ FDQ└ DUUDQJH└ WKDW◀ └ $QG└ ,└ FDQ└ VD\☼ └
KHUHV└ ZKDW└ ZHUH└ DVNLQJ└ IRU◀ └)LYH└ PLQXWHV☼ └ &RU\└ %RRNHU☼ └ 6KHOGRQ└
:KLWHKRXVH☼ └ 7RP└ &DUSHU◀ └ :H└ DVN└ KLP└ D└ TXHWLRQ└ DQG└ ZHUH└ GRQH◀ └
7KDW└ LW◀ └ &DQ└ \RX└ KDQGOH└ WKDW"

%$55$662 └
,└ DVNHG└ EHIRUH└ ◀ ◀ ◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDL 3DJH╙└ ¶└!!R╢└

&$53(5 └
:K\└ GRQ╓└ \RX└ VD\☼ └ \HV"└ :HUH└ ZDWALQJ└ D└ ORW└ RI└ WLPH└ KHUH☼ └ RWKHUZLVH└
ZHOO└ MXW╓└ ◀◀◀

%$55$662 └
+RZ└ DERXW└ WKH└ ◀◀◀

&$53(5 └
◀◀◀ └ NHHS└ WDONLQJ└ DURXQG└ LW◀

%$55$662 └
$V└ \RX└ VDLG☼ └ \RX└ KDYH└ D└ FRXSCH└ RI└ TXHWALRQV☼ └ \RX└ KDYH└ D└ FRXSCH└ ┼ ┼ └ CHW└
JR└ WKUHH└ PLQXWHV└ HDFK└ DQG└ WKHQ└ ZHOO└ FDOO└ LW└ JRRG◀

&$53(5 └
$OO└ ULJKW◀

%$55$662 └
<RXUH└ ┼ ┼ └ \RXUH└ XS◀

%22.(5 └
0U◀ └ &KDLUPDQ"

%$55$662 └
6HQDWRU└ %RRNHU"

%22.(5 └
,G└ DVNHG└ WR└ EH└ UHFRJQL]HG└ HDUOLHU◀ └ ,└ GR└ ZDQW└ WR└ ◀◀◀

%$55$662 └
<HV☼ └ RK☼ └ ,P└ ┼ ┼ └ ,└ DSRORJL]H◀ └ <HV☼ └ VLU"

%22.(5 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDL 3DJH╨└ ¶└¶RI└

1R☼ └ ,└ MXVW└ ZDQW└ WR└ UHSHDW☼ └ ,└ GR└ WKLQN└ ZKDW└ 6HQDWRU└ 6XOLYDQ└ VDLG☼ └ \RX└ KDYH└ EHHQ└ YHU\☼ └ YHU\└ JHQHURXV◀ └ ,W└ WUXH◀ └ ,└ DSSUHFLDWH└ ZKDW└ VHHPV└ OLNH└ DQ└ DFFRUG└ ULJKW└ QRZ└ RI└ D└ IHZ└ PLQXWHV└ HDFK☼ └ ,G└ DSSUHFLDWH└ WKDW◀

2QH└ WKLQJ└ \RX└ GLGQW└ PDUN☼ └ ZKLFK└ ,└ WKLQN└ VKRXOG└ EH└ UHDO\└ LPSRUWDQW└ LV└ ,└ KDYH└ QR└ V\PSDWK\└ IRU└ WKH└ QRPLQHH└ DQG└ KLV└ HQGXUDQFH◀ └ ,└ GR└ KDYH└ IRU└ KLV└ IDPLO\└ EHKLQG└ KLP└ ZKR└ KDV└ VDW└ WKURXJK└ DOO└ WKLV☼ └ DQG└ ,└ MXVW└ ZDQW└ WR└ PDUN└ IRU└ WKH└ UHFRUG└ WKDW└ WKH\└ DUH└ WUXH└ FKDPSV└ DQG└ ,└ WKLQN└ WKDW└ LPSRUWDQW└ WR└ NQRZ◀ └ $QG└ ,└ WKDQN└ WKHP└ IRU└ WKHLU└ LQGXOJHQFH☼ └ QRW└ WKH└ QRPLQHH☼ └ EXW└ ◀◀◀

%$55$662 └
:HOO☼ └ ,└ ZRXOG└ MXVW└ VD\└ ◀◀◀

%22.(5 └
◀◀◀ └ ,└ WKLQN└ WKDW└ PRUH└ HYLGHQFH└ WKDW└ KH└ FDUHV└ IRU└ WKH└ FKLOGUHQ└ RI└ 2NODKRPD◀

♂ /DXJKWHU□

%$55$662 └
,└ ZRXOG└ MXVW└ VD\☼ └ PDQ\└ SHRSOH└ ┼ ┼ └ PRUH└ SHRSOH└ YRWH└ IRU└ PH└ EHFDXVH└ RI└ P\└ ZLIH└ WKDQ└ YRWH└ IRU└ PH☼ └ DQG└ ,└ ZRXOG└ VXJJHVW└ IRU└ \RX└ DV└ ZHOO☼ └ LQ└ WKH└ FDVH└ RI└ /KLV└ QRPLQHH◀ └ 6R└ ◀◀◀

%22.(5 └
/HW└ PH└ \LHOG└ WR└ 6HQDWRU└ :KLWHKRXVH◀

%$55$662 └
2.◀

:+,7(+286(└
,└ MXVW└ ZDQWHG└ WR└ WRXFK└ RQ└ WZR└ WKLQJV└ DQG└ WKHQ└ ZHOO└ ZUDS└ XS◀ └ 7KH└ ILUVW└ LV└ /KDW└ RQ└ \RXU└ TXHVWLRQQDLUH☼ └ \RX└ OLVWHG└ DQ└ HPDLO└ DGGUHVV└ ZLWK└ D└ PH◀ FRP└ GRPDLQ☼ └ DV└ \RXU└ EXVLQHVV└ HPDLO◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH╨└ ¶└┴RI└┴

<RX└ DOVR└ KDYH└ DQ└ RDJ◀ RN◀ JRY└ DGGUHVV◀ └ $UH└ WKHUH└ RWKHU└ HPDLO└ DGGUHVV└
/KDW\ \RX└ KDYH└ DQG└ DUH└ WKHUH└ RWKHU└ HPDLO└ DGGUHVVHV└ WKDW\ \RX└ XVH└ IRU└
EXVLQHVV└ RWKHU└ WKDQ└ \RXU└ PH◀ FRP└ DQG└ \RXU└ RDJ◀ RN◀ JRY└ HPDLO└
DGGUHVVHV"

358,77 └
7KH└ ┼ ┼ └ ,P└ VRUU\└ 6HQDWRU◀ └ 7KH└ ┼ ┼ └ WKH└ PH└ DGGUHVV└ LV└ QRW\ D└ EXVLQHVV└ HPDLO└
DGGUHVV◀ └ ,W\ D└ ┼ ┼ └ LW\ D└ ┼ ┼ └ DQG└ ,P└ QRW\ VXUH└ ZK\ └ LW\ ZDV└ GHVLJQDWHG└ DV└ VXFK◀ ⁞
,P└ RQ└ P\└ ILUVW\ YLVLW\ ◀ ◀ ◀

:+,7(+286(└
2.☼ └ PD\EH└ ZH└ FDQ└ SUHVFULEH└ WKH└ ILOLQJ└ RQ└ WKDW◀ ◀ ◀

358,77 └
<HDK☼ └ EXW\ WKHUH└ DUH└ QR└ ◀ ◀ ◀

:+,7(+286(└
◀ ◀ ◀ └ VR\ WKHUHV└ QR└ RWKHU└ ◀ ◀ ◀

358,77 └
◀ ◀ ◀ └ WKHUH└ DUH└ QR└ RWKHU└ HPDLO└ DGGUHVVHV☼ └ LI└ WKDW\ \RXU└ TXHVWLRQ☼ └ 6HQDWRU◀

:+,7(+286(└
:H└ KDYH└ JRQH└ WKURXJK└ WKH└ FDVHV└ WKDW\ \RX└ OLVW\ DV└ \RXU└ HQYLURQPHQWDO└
FDVHV└ DQG└ ZKHQ└ ZH└ WDNH└ RXW\ WKH└ FDVHV└ WKDW\ ZHUH└ WARWDWHG└ E\└ \RXU└
SUHGHFHVVRU☼ └ 'UHZ└ (GPRQGVRQ☼ └ DQG└ ZKHQ└ \RX└ WDNH└ RXW\ WKH└ FDVHV└ WKDW\
DUH└ ILVK└ NLOO└ FDVHV☼ └ ZKLFK└ DV└ ,└ XQGHUVWDQG└ LV└ D└ IRUP└ \RX└ CDNH└ PDWHU└ ♂ SK□ └
/KDW\ LV└ UHVROYHG└ E\└ CHWWHU└ DW\ WKH└ WWDII└ CHYHD☼ └ \RX└ FRXQW\ WKH└ ILVK☼ └ \RX└ SD\└ WKH
IHH◀

$QG└ ZKHQ└ \RX└ WDNH└ RXW\ WKH└ TXL└ WDP└ FDVHV☼ └ ZKLFK└ DUH└ D☼ └ IRU└ WKRVH└ ZKR└
DUHQW\ CDZ\HUV☼ └ D└ SULYDWH└ LQGLYLGXDO└ ZKR└ EULQJV└ DQ└ DFWLRQ└ DQG└ WKHQ└
DWWRUCH\└ JHQHUDO└ FDQ└ WWHS└ LQ└ DQG└ WDNH└ WKH└ DFWLRQ└ RYHU└ LI└ WKH\└ ZDQW☼ └ EXW\
LW\└ EURXJKW\ LQ└ WKH└ ILUVW\ LQWDQFH└ E\└ D└ SULYDWH└ LQGLYLGXDO◀ └ $QG└ WKHQ└ LI└ \RX└
/DNH└ RXW\ WKH└ FDVHV└ LQ└ ZKLFK└ \RX└ VXHG└ (3$☼ └ WKHUH└ LV└ YLUWXDOO\└ QRWKLQJ└ CHIW◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HL 3DJH└ ¶└┬RI└

$QG└ LQ└ DGGLWLRQ└ WR└ WKDW└ └ ZH└ KDYH└ WKDW└ \RX└ FRVHG└ WKH└ (QYLURQPHQWDO└ 3URWHFWLRQ└ 8QLW└ LQ└ 2NODKRPD└ DV└ D└ IUHH└ WUDQVLQJ└ XQLW◀ └ <RX└ WROG└ PH└ ZKHQ└ ZH└ PHW└ WKDW└ \RX└ KDG└ URQHG└ LW└ LQWR└ \RXU└)HGHUDOLVP└ XQLW└ └ EXW└ ,└ ZDV└ MXVW└ RQ└ /KH└)HGHUDOLVPV└ XQLW└ :HEVLWH└ DQG└ WKH└ ZRUG└ | HQYLURQPHQWDO| └ GRHVQW└ HYHQ└ DSSHDU└ RQ└ WKDW◀

$QG└ LW└ DSSHDUV└ WR└ EH└ UXQ└ E\└ WKH└ VROLFLWRU└ JHQHUDO└ DQG└ LW└ VD\V└ RYHU└ DQG└ RYHU└ DJDLQ└ WKDW└ LVW└ LQYROYHG└ LQ└ DSSHDODWH└ OLWLJDWLRQ◀ └ $QG└ RI└ FRXUV└ └ LI└ \RXUH└ EULQJLQJ└ DQ└ DFWLRQ└ └ \RXUH└ QRW└ VWDUWLQJ└ DW└ WKH└ DSSHDODWH└ FHYHO◀ └)LQDOO\└ └ WKH└ ┼ ┼

358,77 └
6HQDWRU└ └ LI└ ,└ PD\└ ┼ ┼ └ WKH└ 'HSXW\└ 6ROLFLWRU└ *HQHUDO└ &OD\WRQ└ %DQN└ ZDV└ DFWXDOO\└ HPSOR\HG└ E\└ WKH└ SUHYLRXV└ DWWRUQH\└ JHQHUDO◀ └ +H└ KDV└ EHHQ└ GHVLJQDWHG└ D└ GHSXW\└ 6ROLFLWRU└ JHQHUDO└ DQG└ LV└ UHVSRQVLEOH└ IRU└ HQYLURQPHQWDO└ UHODWHG└ DGYLVH└ DQG└ FRQVHQW└ WR◀ ◀ ◀

:+,7(+286(└
<HS◀

358,77 └
◀ ◀ ◀ └ WKRVH└ DJHQFLHV◀

:+,7(+286(└
<HDK└ └ WKDW└ D└ GLIIHUHQW└ IXQGDPHQWDO└ └ 7KDW└ D└ GLIIHUHQW└ IXQGDPHQWDO└ WKDQ└ /R\ EULQJ└ DQ└ DFWLRQ◀ └ ,YH└ EHHQ└ DQ└ DWWRUQH\└ JHQHUDO└ └ WRR◀ └ ,└ NQRZ└ WKH└ GLIIHUHQFH◀ └ 7KH└ DWWRUQH\└ JHQHUDO└ KDV└ DQ└ REOLJDWLRQ└ WR└ SURYLGH└ CDZ\HUV└ WR└ JLYH└ DGYLFH└ WR└ DJHQFLHV└ └ EXW└ \RX└ DOVR└ KDYH└ WKH└ DXWKRULW\└ WR└ EULQJ└ FULPLQDO└ DFWLRQV└ └ LI└ \RX└ ZLVK└ └ DQG└ \RX└ KDYH└ WKH└ DXWKRULW\└ WR└ EULQJ└ FLYLO└ DFWLRQV└ └ LI└ \RX└ ZLVK◀

$QG└ LW└ WKRVH└ DXWKRULWLHV└ WKDW└ ,└ EHOLHYH└ KDYH└ GRW└ JRWWHQ└ PXFK└ DWWHQWLRQ◀ └ $QG└ WKH└ CDW\└ SLHFH└ RI└ WKDW└ └ EHFDXVH└ \RX└ ZLOO└ KDYH└ D└ FKDQFH└ WR└ UHVSRQG└ └ EXW└ ,P└ RQ└ D└ VKRUW└ FORFN└ └ WKDQN└ └ LV└ WKDW└ WKHUH└ ZDV└ DQ└ 2NODKRPD└ (QYLURQPHQWDO└ &ULPH└ 7DVN└IRUFH└ WKDW└ \RXU└ SUHGHFHVVRU└ CHG└ DQG└ LW└ GHVFULEHV◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH╨ ¶└┤RI└

$QG└ ,G└ DVN└ WR└ KDYH└ WKHMH└ GRFXPHQW└ SXW└ LQWR└ WKH└ ┼ ┼ └ WKH└ UHFRUG☼ └ IURP└
¶ → └ WR└ ┴ ‼ ¶ ‼ ☼ └ WKH└ 2(&76☼ └ WKH└ (QYLURQPHQWDO└ &ULPHV└ 7DVN└IRUFH└ RI└ WKH└
(QYLURQPHQWDO└ 3URWHFWLRQ└ 8QLW└ LQ└ FRQGXFWLRQ└ ZLWK└ WKH└ (3$└ DQG└ RWKHU└
HQWLWLHV└ FRQGXFWHG└ ¶ ┤ ┴ └ FULPLQDO└ LQYHVWLJDWLRQV└ UHVXOWLQJ└ LQ└ ↑ ├ └
SURVHFXWLRQV◀

&ULPLQDO└ FDVHV└ UHVXOWHG└ LQGLYLGXDO└ FRQYLFWLRQV└ RQ└ ¶ ¶ ‼ └ IHORQ\└ DQG└ ┴ ¶ └
PLVGHPHDQRU└ FRXQW☼ └ • ← └ PLOOLRQ└ LQ└ ILQHV☼ └ ┴ ← └ \HDUV└ RI└ MDLO└ WLPH◀ └ :H└ FDQ└
SXW└ LW└ LQ└ WKH└ UHFRUG◀ └ ,V└ WKHUH└ HYHQ└ ┼ ┼ └ GR└ \RX└ HYHQ└ SDUWLFLSDWH└ LQ└ WKH└
2NODKRPD└ (QYLURQPHQWDO└ &ULPHV└ 7DVNIRUFH└ \WLOO"

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

358,77 └
6HQDWRU☼ └ DV└ ,YH└ LQGLFDWHG☼ └ ZH└ HDFK└ GD\└ ZLWK└ RXU└ 'HSDUWPHQW└ RI└
(QYLURQPHQWDO└ 4XDOLW\└ RQ└ HQIRUFHPHQW└ DORQJ└ ZLWK└ RWKHU└ DJHQFLHV◀ └ ,└
JXHVV└ LW└ D└ PDWWHU└ RI└ TXRWH↕ XQTXRWH└ | ZKR└ WDNHV└ WKH└ FUHGLW└ IRU└ WKDW└ VWHS└
RI└ HQIRUFHPHQW◀ | └ %XW└ WKRVH└ LQGLYLGXDOV└ KDYH└ RI IHUHG└ \WDWHPHQW└ WR└ WKLV└
ERG\◀ └ 7KH\└ DUH└ D└ PDWWHU└ RI└ WKH└ UHFRUG◀

<RXYH└ KHDUG└ \WDWHPHQW└ WKDW└ WKH└ &KLLPDQ└ KDV└ UHIHUUHG└ WR└ WKDW└ ┼ ┼ └ WKDW└
ZH└ KDYH└ ZRUNHG└ GLOLJHQWO\└ ZLWK└ WKRVH└ DJHQFLHV└ WR└ HQIRUFH└ DSSURSULDWHD\☼ └
DQG└ ,└ ZRXOG└ UHIHU└ WR└ WKHLU└ \WDWHPHQW└ LQ└ UHVSRQVH◀

%$55$662 └
7KDQN└ \RX└ ┼ ┼ └ 6HQDWRU└ %RRNHU◀

%22.(5 └
7KDQN└ \RX└ YHU\└ PXFK◀ └ 6R└ ILUVW└ RI└ DOO☼ └ ,└ DSSUHFLDWH└ \RX└ WDONLQJ└ DERXW└
HQYLURQPHQWDO└ MXVWLFH└ DQG└ PHQWLRQHG└ WKDW└ ZH└ GLG└ WDON└ DERXW└ WKDW└ DQG└ ,└
IHOW└ JRRG└ DERXW└ \RXU└ SHUVRQDO└ FRPPLWPHQW└ WR└ DW└ CHDWW└ PH└ WKDW└ \RX└ ZHUH└
SXUVXH└ WKDW◀ └ ,└ MXVW└ ZDQW└ WR└ MXVW└ JR└ WKURXJK└ WKLV└ CDWW└ SRLQW◀ └ ,└ ZDQW└ WR└ SXW└
/RJHWKHU└ D└ IDFW└ SDWWHUQ└ KHUH☼ └ WKHQ└ CHW└ \RX└ KDYH└ WKDW└ DQG└ GLVSXWH└ LW◀

,└ NQRZ└ WKHUHV└ DW└ CHDWW└ RQH└ SRLQW└ LQ└ KHUH└ \RX└ GLVSXWH☼ └ EXW└ ,└ UHDOO\└ ZDQW└ WR└
JHW└ WR└ WKH└ ┼ ┼ └ ZKDW└ ,└ GUDZ└ IURP└ WKH└ IDFWW☼ └ DQG└ \RX└ FDQ└ DJDLQ☼ └ KDYH└ WKH└ CDWW└
ZRUG◀ └ 6R☼ └ ZKDW└ ,P└ VHHLQJ☼ └ ZKHQ└ ,└ SXW└ WRJHWKHU└ DOO└ WKH└ IDFWW☼ └ DQG└ MXVW└ D└
SDWWHUQ◀

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HDO 3DJH╙ ¶└┤RI└

,└ UHDOO\└ MXVW└ ZDQW└ \RX└ WR└ UHVSRQG└ WKDW☼ └ VLU◀ └ $QG└ ,OO└ VD\V☼ └ EHFDXVH└ WKLV└ ZLOO└ EH└ P\└ ODVW└ ZRUG☼ └ \RX└ ZLOO└ KDYH└ LW☼ └ ,└ ZDQW└ WR└ WKDQN└ \RX└ IRU└ \RXU└ LQGXOJHQFH◀ └ ,└ NQRZ└ WKLV└ KDV└ EHHQ└ D└ ORQJ└ GD\└ DQG└ ,└ ZDQW└ WR└ WKDQN└ \RXU└ IDPLO\└ DV└ ZHOO◀

358,77 └
7KDQN└ \RX☼ └ 6HQDWRU◀ └ $QG└ CHW└ PH└ ┼ ┼ └ CHW└ PH└ UHVSRQG◀ └ 7KHUH╱V└ EHHQ└ VRPH└ FRQIXVLRQ└ DERXW└ WKH└ OLVLJDWLRQ◀ └ <RX└ PDGH└ UHIHUHQFH╱V└ WR└ VHYHUDO└ WKLQJV└ /KHUH└ DQG└ LI└ ,└ PD\└ UHVSRQG└ WR└ D└ FRXSOH◀ └ 7KH└ OLWLJDWLRQ└ WR└ ZKLFK└ \RX└ UHIHU☼ └ 6HQDWRU└ %RR]PDQ└ DFWXDOO\└ UHIHU└ WR└ LW└ DV└ ZHOO◀

0\└ SUHGHFHVVRU└ GLG└ EULQJ└ DQ└ DFWLRQ└ DSSUR[LPDWHO\└ ┴ ‼ ‼ → └ WLPH└ IUDPH└ DJDLQVW└ WKH└ SRXOWU\└ LQGXVWU\└ DQG└ PDQ\└ RWKHU└ GHIHQGDQWV└ LQ└ WKH└ QRUWKHUQ└ GLVWULFW└ RI└ 2NODKRPD◀ └ 7KDW└ FDVH└ KDG└ EHHQ└ IXOO\└ OLWLJDWHG☼ └ VXEPLWWHG└ WR└ WKH└ FRXUW└ IRU└ GHFLVLRQ└ EHIRUH└ ,└ HYHU└ FDPH└ LQWR└ RIILFH◀

,W└ ZDV└ DQ└ H[DPSOH└ RI└ SRWHQWLDOO\└ UHJXODWLRQ└ WKURXJK└ OLWLJDWLRQ☼ └ DQG└ ,YH└ /DONHG└ DERXW└ WKDW└ HDUOLHU└ LQ└ UHVSRQVH└ WR└ TXHVWLRQV◀ └ ,└ KDG└ HYHU\└ DXWKRULW\└ /R└ GLVPLVV└ WKDW└ FDVH└ ZKHQ└ ,└ FDPH└ LQWR└ RIILFH◀ └ ,└ GLG└ QRW◀ └ 7KDW└ FDVH└ LV└ VWLOO└ SHQGLQJ└ WRGD\☼ └ DZDLWLQJ└ D└ IHGHUDO└ MXGJH╱V└ GHFLVLRQ◀ └ ,YH└ WDNHQ└ QR└ DFWLRQ└ /R└ XQGHUPLQH└ WKDW└ FDVH◀

,YH└ GRQH└ QRWKLQJ└ EXW└ ILOH└ EULHIV└ LQ└ VXSSRUW└ RI└ WKH└ FRXUW╱V└ PDNLQJ└ D└ GHFLVLRQ◀ └ 6R└ ,└ ┼ ┼ └ WKDW╱V└ D└ SRLQW└ RI└ FODULW\└ RQ└ WKH└ OLWLJDWLRQ◀ └ :LWK└ UHVSHFW└ WR└ RXU└ ┼ ┼ └ RXU└ RIILFH☼ └ ,└ VXEPLWWHG└ WKLV└ LQ└ UHVSRQVH└ WR└ 6HQDWRU└ :KLWHKRXVH╱V└ UHTXHVW◀ └ :H└ PHW└ HDUOLHU☼ └ RU└ H[FXVH└ PH☼ └ ODVW└ ZHHN└ DQG└ KH└ DVNHG└ DERXW└)7(V└ DQG└ EXGJHW◀ └ ,YH└ VXEPLWWHG└ UHVSRQVH╱V└ WR└ KLP◀

:H└ KDYH└ DOPRVW└ D└ • → ‼ ‼ ☼ ‼ ‼ ‼ └ EXGJHW└ WKDW└ WKH└ DGPLQLVWUDWRU└ RI└ RXU└ RIILFH└ KDV└ DWWULEXWHG└ WR└ HQYLURQPHQWDO└ UHDVRQV└ DQG└ VHYHQ└)7(V└ WKDW└ DUH└ DVVRFLDWHG└ ZLWK└ WKDW└ DV└ ZHOO◀ └ 6R☼ └ ,└ ZDQW└ WR└ PDNH└ VXUH└ WKDW└ WKRVH└ WZR└ ┼ ┼ └ WKRVH└ WZR└ LWHPV└ ZHUH└ VKDUHG└ ZLWK└ \RX└ LQ└ UHVSRQVH└ WR└ \RXU└ ┼ ┼ └ \RXU└ FRPPHQWV◀

╱22.(5 └
<RX└ KDYH└ QRWKLQJ└ WR└ UHVSRQG└ WR└ RQ└ ┼ ┼ └ RQ└ WKH└ 6ADWH└ 4XHVWLRQ└ → → → "

358,77 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQGV└ +HDOWK└ 3DJH└└ ¶└→RI└└

7KH└ 6WDWH└ 4XHVWLRQ└ → → → ☼ └ ZHUH└ DFWXDOO\└ LQYROYHG└ LQ└ D└ EDOORW└ GUDIWLQJ└ RI└
/KRVH└ WKLQJV└ DQG└ VR☼ └ WKRXJK└ ┼ ┼ └ WKRXJK└ \RX└ UHSUHVHQWHG└ WKDW└ , └ ZDV└
DFWLYHO\└ LQYROYHG└ LQ└ HQGRUVHPHQW└ RU└ LQYROYHG└ LQ└ WKH└ ┼ ┼ └ , └ ┼ ┼ └ , └ UHDOO\└ ZDV└ QRW└
DV└ IDU└ DV└ WKH└ DFWXDO└ YRWH└ DQG└ ┼ ┼ └ QRZ☼ └ WKHUH└ ZDV└ VRPH└ RS┼ HG└ DQG└ VRPH└
GHFLVLRQV☼ └ EXW└ ,YH└ WULHG└ WR└ ┼ ┼ └ WR└ PDNH└ VXUH└ WKDW└ , └ GLGQW└ JHW└ LQYROYHG└ LQ└
/KDW└ EHFDXVH└ RI└ RXU└ RWKHU└ REOLJDWLRQV└ LQ└ WKH└ RI ILFH◀

%$55$662 └
6HQDWRU└ &DUSHU"

%22.(5 └
$QG└ , └ FDQ└ VXEPLW└ WKLV└ IRU└ WKH└ UHFRUG☼ └ VLU☼ └ WKH└ ┼ ┼ └ WKH└ ◀ ◀ ◀

%$55$662 └
<HV☼ └ ZLWKRXW└ REMHFWLRQ◀

%22.(5 └
7KDQN└ \RX☼ └ VLU◀

&$53(5 └
0U◀ └ 3UXLWW☼ └ HDUOLHU└ WRGD\└ , └ PHQWLRQHG└ WKDW└ ,G└ VXEPLWWHG└ D└ OLWW└ RI└ DERXW└ ↑ ‼ └
TXHVWLRQV└ WR└ \RX└ VKRUWO\└ DIWHU└ &KULWWPDV◀ └ , └ DVNHG└ IRU└ D└ UHVSRQVH└ E\└
-DQXDU\└ ☼ └ DQG└ JRW└ QRQH☼ └ DQG└ , └ DVNHG└ P\└ WDII└ HDUOLHU└ WKLV└ PRUQLQJ└ LI└
ZHG└ JRWWHQ└ WKH└ ZULWWHQ└ UHVSRQVHV└ RQ└ WKRVH└ TXHVWLRQV└ DV└ RI└ WRGD\☼ └ DQG└ , └
XQGHUWDQG└ WKDW└ ZH└ KDYH└ QRW◀

<RXUH└ JRLQJ└ WR└ UHFHLYH└ D└ QXPEHU└ RI└ TXHVWLRQ└ IRU└ WKH└ UHFRUG└ IURP└ XV☼ └
'HPRFUDW└ DQG└ 5HSXEOLFDQ☼ └ DQG└ ,P└ DQ[LRXV└ ZKDW└ \RXU└ UHVSRQVH└ DUH└ WR└
/KRVH└ ┼ ┼ └ WKRVH└ TXHVWLRQV◀ └ %XW└ ZH└ QHHG└ \RXU└ DQVZHUV◀ └ $QG└ ZH└ QHHG└ JRRG└
DQVZHUV◀ └ $QG└ WKH└ LGHD└ RI└ ZDLWLQJ└ WZR└ RU└ WKUHH└ ZHHNV└ DQG└ QRW└ SURYLGLQJ└
DQ\WKLQJ└ LV└ MXVW└ XQDFFHSWDEOH◀ └ 6R└ MXVW└ ┼ ┼ └ MXVW└ WR└ SXW└ RQ└ ┼ ┼ └ SXW└ WKDW└ RXW└
/KHUH◀

358,77 └
:HOO☼ └ LI└ , └ FRXOG☼ └ 6HQDWRU└ ◀ ◀ ◀

&$53(5 └

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG\└ +HL 3DJH╨└ ¶└←RI└└

6HFRQG\☼ └ ,└ ZRXOG└ OLNH└ WR└ DVN└ \RX└ D└ TXHVWLRQ☼ └ LI└ ,└ PD\◀

358,77 └
◀◀◀ └ LI└ ┼ ┼ └ LI└ ,└ PD\└ RIIHU└ WKLV◀ └ ,└ WULHG└ WR☼ └ DQG└ ,└ WDONHG└ WR└ WKH└ &KLLUPDQ└
/KLV☼ └ ZLWK└ UHVSHFW└ WR└ \RXU└ ┼ ┼ └ \RXU└ TXHVWLRQV└ \RX└ VXEPLWWHG☼ └ ,└ ZDV└
UHVSHFWLQJ└ WKH└ SURWRFRO└ RI└ WKH└ &KLU└ LQ└ UHVSRQGLQJ└ WR└ WKRVH└ TXHVWLRQV└
DQG└ FRPPLWWHG└ WKDW└ WKRVH└ TXHVWLRQV└ ZRXOG└ EH└ DQVZHUHG└ IRU└ WKH└ UHFRUG└
SRVW└ WKH└ KHDULQJ☼ └ DQG└ WKDW└ ZKDW└ ,└ ZDV└ GLUHFWHG└ WR└ GR└ E\└ WKH└ &KLUPDQ◀

&$53(5 └
$OO└ ULJKW◀ └ 6HFRQG☼ └ EDVHG└ RQ└ \RXU└ HDUOLHU└ WHVWLPRQ\☼ └ ,└ MXVW└ ZDQW└ WR└ FODUL\└
\RPHWKLQJ◀ └ ,I└ FRQILUPHG☼ └ FDQ└ ZH└ KDYH└ \RXU└ DVVXUDQFHV└ WKDW└ WKH└ (3$└ ZLOO└
FRQWLQXH└ WR└ UHJXODWH└ PHUFXU\└ HPLVVLRQV└ IURP└ SRZHU└ SODQWV└ XQGHU└
6HFWLRQ└ ¶ ¶ ┴ └ RI└ WKH└ &HDQ└ $LU└ $FW☼ └ DQG└ \RX└ ZLOO└ GRW└ GHIHU└ WR└ WKH└ WDWHV"

358,77 └
0HUFXU\☼ └ XQGHU└ WKH└ 6HFWLRQ└ ¶ ¶ ┴ └ LV└ ┼ ┼ └ LV└ VRPHWKLQJ└ WKDW└ WKH└ (3$└ VKRXOG└
GHDO└ ZLWK└ DQG└ UHJXODWH◀

&$53(5 └
7KDQN└ \RX◀ └ ,└ ┼ ┼ └ ,└ FDPH└ DFURVV└ D└ TXRWH└ IURP└ \RX└ WKDW└ VDLG└ ┼ ┼ └ ,└ WKLQN└ \RX└
WDONHG└ WKH└ IROORZLQJ└ DERXW└ DQ└ (3$└ UXOH└ LQYROYLQJ└ FURVV┼ WDWH└ VPRJ└
SROOXWLRQ└ DQG└ WKH└ (3$└ UXOH◀ └ ,└ WKLQN└ \RX└ ZHUH└ TXRWHG└ DV└ VD\LQJ☼ └
| 7KLHDWHQHG└ WKH└ FRPSHWLWLYH└ HGJH└ 2NODKRPD└ KDV└ HQMR\HG└ IRU└ \HDUV└ ZLWK└
ORZ└ FRVW└ DQG└ UHOLDEOH└ HOHFWULF└ JHQHUDWLRQ◀

7KLV└ ORZ└ FRVW└ HQHUJ\└ GRW└ RQO\└ EHQHILWV└ 2NODKRPD└ PDQXIDFWXUHUV☼ └ EXW└
JLYHV└ RXU└ WDWH└ D└ FRQVLGHUDEOH└ HGJH└ LQ└ UHFUXLWLQJ└ GHZ└ MREV◀ | └ $QG└ WKH└
TXHVWLRQ└ ,└ ZRXOG└ DVN☼ └ DV└ DW└ WKH└ SHULO└ RI└ WKRVH└ RI└ XV└ ZKR└ OLYH└ LQ└ WDWHV└ WKDW└
DUH└ GRZQZLQG└ IURP└ ZKHUH└ 2NODKRPD└ PLJKW└ EH☼ └ DV└ \RX└ ORZHU└ \RXU└
HQHUJ\└ FRVW└ WR└ EHQHILW└ 2NODKRPDQV☼ └ ,└ MXVW└ ZDQW└ WR└ DVN└ \RX☼ └ LQ└ WKH└ VSLULW└ RI└
/KH└ *RGHQ└ 5XOH☼ └ NHHS└ LQ└ PLQG└ ZKDW└ WKDW└ PHDQV└ IRU└ XV◀

.HHS└ LQ└ PLQG└ ZKDW└ WKDW└ PHDQV└ IRU└ ┼ ┼ └ IRU└ XV☼ └ EHFDXVH└ LQ└ P\└ WDWH☼ └ DV└ ,└
VDLG└ HDUOLHU└ RQ☼ └ ,└ FDQ└ VKXW└ GRZQ└ P\└ WDWHV└ HFRQRP\└ DQG└ ZH└ WLOO└ ZRXOG└
KDYH└ EHHQ└ RXW└ RI└ FRPSOLDQFH└ IURP└ DQ\└ QXPEHU└ RI└ FCHDQ└ DLU└
UHTXLUHPHQWV☼ └ DQG└ WKDW└ ZDV└ GRW└ EHFDXVH└ RI└ DQ\WKLQJ└ ZH└ SXW└ XS└ LQ└ WKH└ DLU◀

AMERICAN OVERSIGHT

&4◀ FRP╫6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RQG└ +HL 3DJH╙└ ¶└ R╙└

,W└ EHFDXVH└ RI└ ZKDW└ IRQV└ RXW└ WR└ WKH└ ZHXW└ SXW└ XS└ LQ└ WKH└ DLU└ DQG└ LW└ HYHQWXDOO\└ FDPH└ GRZQ└ WR└ HQG└ RI└ $PHULFDV└ WDLO└ SLSH◀ └ ,└ ZRXOG└ MXVW└ DVN└ WKDW└ \RX└ GR└ WKDW◀ └ 7KH└ CDW☼ └ ZH└ KDYH└ D└ FKDUW☼ └ WKLV└ TXLFNO\└ FKDUW☼ └ PD\└ ZH└ VHH└ /KLV└ FKDUW"└ 7KLV└ LV└ DQ└ LQWHUHWLQJ└ FKDUW◀ └ 7KLV└ LV└ ZKDW└ ZH└ FDOO└ D└ EXV\└ FKDUW◀ └ ,W└ D└ EXV\└ FKDUW◀

$QG└ LW└ ORRNV└ DW└ WKH└ LVVXH└ RI└ FURVV┼ ERUGHU└ DLU└ SROOXWLRQ◀ └ $V└ \RX└ FDQ└ VHH└ ZLWK└ WKLV└ FKDUW☼ └ VPRJ└ SROOXWLRQ└ LQ└ RXU└ FRXQWU\└ PRYHV└ DOO└ RYHU└ WKH└ SDFH☼ └ ,└ PHDQ└ DOO└ RYHU└ WKH└ SDFH◀ └ $V└ ,└ PHQWLRQHG☼ └ DV└ 'HDZDUHV└ JRYHUQRU☼ └ WKH└ \└ VKXW└ GRZQ└ P\└ WDWH└ LQ└ RUGHU└ WR└ FRPH└ LQWR└ FRPSOLDQFH└ ZLWK└ WKH└ FOHDQ└ DLU└ FKDOOHQJHV◀

8QGHU└ \RXU└ YLVLRQ└ IRU└ (3$☼ └ LW└ VRXQGV└ OLNH└ WKDWHV└ ZLOO└ EH└ CHIW└ RQ└ WKHLU└ RZQ└ /R└ GHDO└ ZLWK└ WKLV└ YHU\└ FRPSH[└ SUREOHP└ WKDW└ ZH└ VHH└ GHFRQWUDGHG└ ULJKW└ KHUH◀ └ $QG└ ,└ ZRXOG└ MXVW└ DVN☼ └ KRZ└ GR└ WKDWHV└ DGGUHVV└ WKLV└ SROOXWLRQ☼ └ WKLV└ NLQG└ RI└ SROOXWLRQ└ \RX└ VHH└ GHPRQVWUDWHG└ KHUH└ ZLWKRXW└ WKH└ DVVLWDQFH└ RI└ /KH└ (3$"

358,77 └
:HOO☼ └ 6HQDWRU☼ └ DV└ ,└ LQGLFDWHG└ HDUOLHU└ WRGD\☼ └ ,└ EHOLHYH└ WKDW☼ └ DV└ DQ└ H[DPSOH└ /KH└ &URVV┼ 6/DWH└ $LU└ 3ROOXWLRQ└ 5XOH└ WR└ ZKLFK└ \RX└ MXVW└ UHIHUUHG└ LV└ D└ YHU\└ LPSRUWDQW└ DXWKRULW\└ WKDW└ WKH└ (3$└ QHHGV└ WR└ H[HUFLVH◀ └ ,W└ QHHGV└ WR└ GR└ VR└ ZLWKLQ└ WKH└ SURFHVVHV└ WKDW└ KDYH└ EHHQ└ SURYLGHG└ E\└ WKH└ WDWXWH◀ └ %XW└ LW└ ┼ ┼ └ LW\└ VRPHWKLQJ└ WKDW\└ YHU\└ LPSRUWDQW└ IRU└ WKH└ (3$└ WR└ SHUIRUP└ DQG└ H[HFXWH◀

&$53(5 └
$OO└ ULJKW◀ └ 0U◀ └ ┼ ┼ └ ,└ ZDV└ JRLQJ└ WR└ VXEPLW└ D└ UHTXHVW└ WR└ VXEPLW└ IRU└ WKH└ UHFRUG☼ 0U◀ └ &KDLUPDQ└ WR└ D└ QXPEHU└ RI└ CHWWHUV└ RI└ FRQFHUQV└ WKDW└ DERXW☼ └ DQG└ PDQ\└ CHWWHUV└ LQ└ RSSRVLWLRQ└ WR☼ └ LQ└ VRPH└ FDVHV└ IRU☼ └ R/KHU└ FDVHV└ RSSRVLWLRQ└ WR└ 0U◀ └ 3UXLWW└ QRPLQDWLRQ☼ └ DERXW└ ¶ ┼ └ LQ└ DOO◀ └ ,└ ZRXOG└ MXVW└ DVN└ WR└ FRQVHQW└ WR└ SXW└ LW└ LQWR└ WKH└ UHFRUG◀

%$55$662 └
:LWKRXW└ REMHFWLRQ◀

&$53(5 └
7KDQN└ \RX└ VR└ PXFK◀

AMERICAN OVERSIGHT

&4◀ FRP╢6HQDWH└ (QYLURQPHQW└ DQG└ 3XEOLF└ :RUNV└ &RPPLWWHH└ +RGV└ +HL 3DJH╙ ┴└‼R╙

%$55$662 └
7KDQN└ \RX◀

&$53(5 └
$QG└ DJDLQ└ WR└ 0U◀ └ 3UXLWW└ └ \RXU└ IDPLO\└ └ WKDQN└ \RX└ DOO└ IRU└ ┼ ┼ └ IRU└ MRLQLQJ└ XV└
/RGD\◀ └ ,└ MXVW└ ZDQW└ WR└ VD\└ ,└ SHHN└ DW└ .'└ ♂ SK□ └ \RXU└ VRQ└ ULJKW└ └ VLWWLQJ└ ULJKW└
EHKLQG└ \RX◀ └ ,└ FRXOG└ EDUHO\└ VHH└ .'V└ OLSV└ PRYLQJ└ ZKHQ└ \RX└ VSRNH◀ └ $QG└
VR└ └ ,└ VXVSHFW└ KH└ KDV└ D└ IXWXUH└ LQ└ CDZ└ └ ,P└ QRW└ VXUH└ └ EXW└ ◀ ◀ ◀

358,77 └
:HOO└ VHH◀ └ 7KDQN└ \RX└ └ 6HQDWRU◀

%$55$662 └
$QG└ $WWRUH\└ *HQHUDO└ 3UXLWW└ └ ,└ GR└ ZDQW└ WR└ IROORZ└ XS└ ZLWK└ ZKDW└ \RX└ VDLG└ └
/KH└ ┼ ┼ └ \RX└ ZHUH└ LQWURGXFHG└ E\└ WKH└ FRPPLWWHH◀ └ ,└ KDYH└ D└ FRS\└ IRU└ WKH└ UHFRUG└
RI└ WKH└ -DQXDU\└ └ WK└ CHWWHU└ └ ZKLFK└ ZDV└ WKH└ GD\└ WKDW└ \RX└ ZHUH└ DVNHG└ WR└
VXEPLW└ WKH└ ↑ ┴ └ DQVZHUV└ WR└ WKH└ UHVSRQVHV◀

,W└ D└ CHWWHU└ IURP└ PH└ WR└ WKH└ 5DQNLQJ└ 0HPEHU└ VD\LQJ└ └ | 3CHDVH└ QRWH└ └ WKH└
(3:└ &RPPLWWHH└ GRHV└ QRW└ UHTXLUH└ QRPLQHHV└ WR└ UHVSRQGHG└ WR└ TXHVWLRQV└
LQ└ DGYDQFH└ RI└ D└ KHDULQJ◀ | └ $QG└ ,└ NQRZ└ \RXOO└ EH└ UHVSRQGLQJ└ WR└ WKH└ ZULWWHQ└
TXHVWLRQV└ WKDW└ ZLOO└ EH└ VXEPLWWHG└ E\└ WRPRUURZ└ QLJKW◀

&$53(5 └
0U◀ └ &KDLUPDQ└ └ FRXOG└ ,└ MXVW└ DGG└ ┼ ┼ └ DGG└ D└ VKRUW└ WKLQJ"

7KDW└ ┼ ┼ └ WKDW└ ┼ ┼ └ WKDW└ D└ FRQYHUVDWLRQ└ EHWZHHQ└ \RX└ DQG└ WKH└ &KDLUPDQ└ └ ,└
XQGHUVWDQG└ WKDW◀ └ %XW└ DJDLQ└ └ ,└ MXVW└ UHLWHUDWH└ └ \RXOO└ UHFHLYH└ D└ CRW└ RI└
TXHVWLRQV└ └ LQFOXGLQJ└ VRPH└ WKDW└ KDYH└ EHHQ└ XQDQVZHUHG└ IURP└ WKH└ ↑ ‼ └ RU└ VR└
,└ VXEPLWWHG└ WZR└ RU└ WKUHH└ ZHHNV└ DJR◀ └ :H└ QHHG└ \RXU└ UHVSRQVHV◀ └ :H└ QHHG└
\RXU└ UHVSRQVHV◀ └ $QG└ KRSH└ WKH└ &KDLUPDQ└ ZLOO└ JLYH└ \RX└ D└ UHDVRQDEOH└
DPRXQW└ RI└ WLPH└ WR└ UHVSRQG└ WR└ WKRVH└ TXHVWLRQV└ └ EHFDXVH└ WKHUHOO└ EH└ TXLWH└ D└
IHZ└ RI└ WKHP└ └ DQG└ WKH\UH└ QRW└ JRLQJ└ WR└ EH└ OLNH└ PXOWLSOH└ FKRLFH└ DQVZHUV◀ └ ,WOO└
┼ ┼ └ WKH\└ ZRQW└ EH└ WUXH└ DQG└ IDOVH◀ └ 7KH\OO└ EH└ PRUH└ FRPSOH[◀ └ 7KDQN└ \RX◀

%$55$662 └

AMERICAN OVERSIGHT

$GGLWLRQDOO\☼ └ ,P└ JRLQJ└WR└ LQWURGXFH└ IRU└WKH└ UHFRUG└ DQ└ DUWLFOH└ IURP└WKH└ (FRQRPLWV- DERXW- PHUFXU\└ DQG└WKH└ 0HUFXU\└ 5XOH☼ └ DQG└ LW\└ LQWHUHVWLQJ└ EHFDXVH└ LW- VD\V☼ └ | 5XOH└ PDNLQJ└ LV└ EHLQJ└ PDGH└WR└ ORRN└ PRUH└ EHQHILFLDO└ XQGHU└ %UDQN└ 2EDPD◀ | └ %XW- LW- JRHV└WR└ VD\☼ └ | $└ FDVXDO└ OLWWHQHU└ ZRXOG└ KDYH└ DVVXPHG└WKDW- DOO└WKHVH└ EHQHILWV└ FDPH└ IURP└ UHGXFHG└ PHUFXU\◀

,Q└ IDFW☼ └ UHGXFH└ PHUFXU\└ H[SODLQHG└ QRQH└ RI└WKH└ SXUSRUWHG└ IXWXUH└ UHGXFWLRQ└ LQ└ GHDWKV☼ └ KHDUW- DWWDFNV└ DQG└ DWWKPD└ DQG└ CHV└WKDQ└ ‼ ◀ ‼ ¶ └ SHUFHQW- RI└WKH└ PQHWDU\└ EHQHILWV◀ └ ,QWHDG☼ └ DOPRVW- DOO└ RI└WKH└ EHQHILWV└ FDPH└ IURP└ FRQFRPLWDQW- UHGXFWLRQV└ LQ└ D└ SROOXWDQW- WKDW- ZDV└ QRW- WKH└ SULQFLSDO└ WDUJHW- RI└ ΛKH└ 0HUFXU\└ 5XOH☼ └ QDPHO\└ ILQH└ SDUWLFOHV◀

$QG└ ,OO└ VXEPLW- WKDW- IRU└WKH└ UHFRUG└ DV└ ZH└ ORRN└ DW- WKH└ LVVXHV└ JRLQJ└ LQWR└WKH└ ┼ ┼ └ LQ└WKH└ IXWXUH◀ └ 6R└ ,└ ZDQW- WR└WKDQN└ DOO└ RI└WKH└ PHPEHUV└ RI└WKH└ &RPPLWWHH└ IRU└ \RXU└ SDWLHQFH◀ └ ,└ FHUWDLQO\└ ZDQW- WR└WKDQN└WKH└ ORPLQHH└ IRU└ KLV└WLPH└ DQG└ KLV└WHVWLPRQ\└WRGD\◀ └ 7KH└ KHDULQJ└ LV└ DGMRXUQHG◀

/LWW- RI└ 3DQHO- 0HPEHUV└ DQG└ :LWQHVVHV

3$1(/└ 0(0%(56 └
6(1◀ └ -2+1└ %$55$662☼ └ 5┼ :<2◀ └ &+$,50$1

6(1◀ └ -$0(6└ 0◀ └ ,1+2)(☼ └ 5┼ 2./$◀

6(1◀ └ 6+(//(<└ 0225(└ &$3,72☼ └ 5┼ :◀ 9$◀

6(1◀ └ 0,&+$(/└ '◀ └ &5$32☼ └ 5┼ ,'$+2

6(1◀ └ -2+1└ %22=0$1☼ └ 5┼ $5.◀

6(1◀ └ -())└ 6(66,216☼ └ 5┼ $/$◀

6(1◀ └ 52*(5└ :,&.(5☼ └ 5┼ 0,66◀

6(1◀ └ '(%└),6&+(5☼ └ 5┼ 1(%◀

6(1◀ └ 0,.(└ 5281'6☼ └ 5┼ 6◀ '◀

6(1◀ └ '$1└ 68//,9$1☼ └ 5┼ $/$6.$

6(1◀ └ -21,└ (5167☼ └ 5┼ ,2:$

6(1◀ └ -(55<└ 025$1☼ └ 5┼ .$1◀

AMERICAN OVERSIGHT

6(1◀ └ 7+20$6└ 5◀ └ &$53(5☼ └ '┼ '(/◀ └ 5$1.,1*└ 0(0%(5

6(1◀ └ %(1-$0,1└ /◀ └ &$5',1☼ └ '┼ 0'◀

6(1◀ └ 6+(/'21└ :+,7(+286(☼ └ '┼ 5◀ ,◀

6(1◀ └ -())└ 0(5./(<☼ └ '┼ 25(◀

6(1◀ └ .,567(1└ *,//,%5$1'☼ └ '┼ 1◀ <◀

6(1◀ └ &25<└ %22.(5☼ └ '┼ 1◀ -◀

6(1◀ └ ('$5'└ -◀ └ 0$5.(<☼ └ '┼ 0$66◀

6(1◀ └ .0/$└ +$55,6☼ └ '┼ &$/,)◀

6(1◀ └ 7$00<└ '8&.:257+☼ └ '┼ ,//◀

6(1◀ └ -$0(6└ /$1.)25'☼ └ 5┼ 2./$◀

6(1◀ └ %(51$5'└ 6$1'(56☼ └ ,┼ 97◀

:,71(66(6 └
67$7(└ $77251(<└ *(1(5$/└ 6&277└ 358,77☼ └ 5┼ 2./$◀ ☼ └
120,1$7('└ 72└ %(└ $'0,1,675$725└ 2)└ 7+(└ (19,5210(17$/└
3527(&7,21└ $*(1&<

6RXUFH &4└ 7UDQVFULSW

AMERICAN OVERSIGHT

Senate Environment and Public Works Committee
Hearing entitled, "Nomination of Attorney General Scott Pruitt to be Administrator of the U.S. Environmental Protection Agency"
January 18, 2017
Questions for the Record for the Honorable E. Scott Pruitt

Senator Booker:

1. For many years I have worked with the EPA on the Passaic River superfund clean-up project in my home city of Newark. In 2016, the EPA announced an historic plan to remediate the Passaic River from toxic chemicals, PCBs, and other contaminants that resulted from the production of Agent Orange. The project will remove 3.5 million cubic yards of toxic sediment from the lower eight miles of the Passaic River in New Jersey—the largest environmental dredging project in the history of the federal Superfund program.
a. If confirmed do you commit to make implementation of the Passaic River cleanup project a priority?
b. If confirmed do you commit to carrying out the EPA Region II March 3, 2016 "Record of Decision" for the Lower 8.3 miles of the Lower Passaic River in a timely and efficient manner?

I am not familiar with the details of the remedy that has been selected for the Passaic River Superfund site, but if confirmed, I expect to make clean up of contaminated sites one of my priorities and will seek input from Congress and relevant stakeholders before taking action in this matter.

2. As the former Mayor of Newark, I have seen how low-income and minority communities living in close proximity to the port of Newark are exposed to high levels of air pollution resulting in serious health problems. Across the nation 13 million people—3.5 million of whom are children—live near major marine ports or rail yards. What is your plan to address the pressing environmental justice concerns regarding poor air quality near major seaports and other congested nodes in our nation's freight network? I have been a champion of the bipartisan Diesel Emissions Reduction Act (DERA) Program that helps replace diesel engines and helps make major sea ports and inland transportation hubs cleaner and more efficient. If confirmed can you commit to supporting the DERA program?

As I committed to you during the meeting in your office, I understand there are wide ranging variety of environmental justice issues affecting urban and rural America. In fact, as you will recall, I've committed to work with your office and visit impacted areas with you. I am also aware that the Diesel Emissions Reduction Act Program has received bipartisan support from

AMERICAN OVERSIGHT

members of the Environment and Public Works Committee. If confirmed, I would like to work with members of Congress to best direct resources to bipartisan initiatives.

3. Climate change is one of the most pressing issues currently facing the planet. Rising sea levels and extreme weather are currently threatening the safety and security of my constituents in New Jersey. Lower income and vulnerable communities are disproportionately impacted by the extreme heat and flooding events that are becoming more common and more severe. Given the immediate and increasing threat to my constituents and to people everywhere, what is your plan to address climate change?

If confirmed, I will work to achieve the objectives of EPA-administered laws consistent with the process and framework established by Congress. I will work closely with the states in establishing and implementing regulatory standards to ensure a meaningful and effective advancement of these objectives.

4. In 2016, troubling reports of lead contamination in school drinking water in New Jersey and other areas of the country made clear the urgent need to test school drinking water and remediate school drinking water infrastructure that is contaminating the water our children drink.
a. What is your plan to prioritize and expedite the EPA's efforts to eliminate lead contamination in school drinking water?

If confirmed, I will fully carry out EPA's authorities, including its authorities under the Safe Drinking Water Act. I note that in the WIIN Act, Congress amended the Safe Drinking Water Act to authorize funding for voluntary school lead testing. If confirmed and if funding is provided, I will carry out that program.

5. If you are confirmed, how would EPA respond when a state permits pollution to be discharged into a smaller waterway that leads to contamination of drinking water supplies in a downstream state?

If confirmed, I would follow the processes set forth in the Clean Water Act and its implementing regulations.

6. How do you define "environmental justice"? Do you think it's a serious issue?

I am familiar with the concept of environmental justice. As I testified, the Administrator plays an important role regarding environmental justice. I agree that it is important that all Americans be treated equally under the law, including the environmental laws.

AMERICAN OVERSIGHT

7. Decades of peer-reviewed academic and government research demonstrate that low-income communities and communities of color disproportionately experience environmental burdens compared to other populations in the United States. Do you agree with this conclusion? If not, why?

As I testified at the hearing, I am familiar with the concept of environmental justice and believe the Administrator plays an important role in this regard. I agree that it is important that all Americans be treated equally under the law, including the environmental laws.

8. What do you believe are the legal obligations of EPA to ensure that recipients of EPA funds comply with Title VI of the Civil Rights Act of 1964?

The obligations of recipients of federal funds are defined by the statutes and regulations to which you refer. Those statutes and regulations speak for themselves.

9. There are currently hundreds of unresolved Title VI civil rights complaints before EPA. Recent reports from EPA's OIG and independent organizations have documented EPA's long-standing failure to enforce Title VI. If confirmed, what will you do as EPA Administrator to address this?

If confirmed, I would expect to be briefed by staff and review any recommendations by the Office of Inspector General before taking action on this issue.

10. Indigenous communities are consistently targeted for energy extraction, nuclear waste, uranium mining and/or oil and natural gas pipelines. How will you address this moving forward?

If confirmed, I will faithfully execute all laws enacted by Congress relating to protection of indigenous communities.

11. Children living in communities of color and low-income communities have the highest blood lead levels of all children in the United States, and even some developing countries. As Administrator, what steps would you take to address this?

I am concerned about high-blood levels in children and children's health generally. As I testified, the Administrator has a significant role regarding environmental issues. If confirmed, I would expect to be briefed to learn about EPA's legal authorities and ongoing programs and outstanding recommendations from the Inspector General, if any, concerning this issue before taking action.

AMERICAN OVERSIGHT

12. As Administrator will you continue to convene and implement the advice and recommendations of the National Environmental Justice Advisory Council, a federal advisory committee to EPA since 1993?

As I testified, the Administrator plays an important role regarding environmental justice. I am not personally familiar with the legal authorities or activities concerning this advisory committee but I would expect, if confirmed, to be briefed by staff about ongoing programs and activities before taking any action. If confirmed, I would work to faithfully execute the laws EPA is responsible for administering, in order to protect human health and the environment for all Americans. If confirmed, I would expect EPA to operate in an open and transparent manner, consider the views of stakeholders as appropriate, act based on sound science, and follow the laws as established by Congress.

13. As Administrator, will you work to have of EPA's EJ 2020 Plan fully implemented?

As I testified, the Administrator plays an important role regarding environmental justice. I am personally unfamiliar with the details of current initiatives regarding environmental justice referenced in the question, but I would expect, if confirmed, to be briefed by staff about ongoing programs and activities before taking any action.

14. Do you intend to meet minority community members and leaders who have concerns about an environmental or health issue within your EPA jurisdiction?

Yes, if confirmed.

15. Public participation is the cornerstone of a healthy democracy and a basic component of good US policy development and enforcement. What are your plans to maximize inclusion and participation in decision-making processes by historically marginalized communities of color?

As I testified, the Administrator plays an important role regarding environmental justice. If confirmed, I would expect EPA to operate in an open and transparent manner, consider the views of stakeholders as appropriate, act based on sound science, and follow the laws as established by Congress, including the Civil Rights Act. If confirmed, I would work to faithfully execute the laws EPA is responsible for administering, in order to protect human health and the environment for all Americans.

16.Illegal solid waste dumping sites where hundreds of thousands of pounds of trash and waste tires harbor disease-carrying vectors and pests such as mosquitoes, which transmit life threatening diseases like dengue, west Nile and zika viruses can be found all over the United States. These dumping sites

AMERICAN OVERSIGHT

disproportionally affect low income and minority communities. What will you do to address this health threat to these communities?

I understand the Resource Conservation and Recovery Act prohibits open dumping, and under this law states have primary responsibility to regulate solid waste disposal. If confirmed, I would expect to be briefed by staff and to hear the views of states and other stakeholders before taking any action consistent with EPA's legal authorities.

17.Monitoring of our coastal waters is critical to ensure the health and safety of its swimmers and bathers. Many coastal communities, especially low-income and minority communities have limited free recreational opportunities other than spending the day at the beach. As EPA administrator will you commit to continuing EPA's BEACHES program, which provides funding for state water quality monitoring programs that ensure healthy and safe recreation?

I am not personally familiar with the BEACHES program, but I would expect, if confirmed, to be briefed by staff about the program. If confirmed, I would work to faithfully execute the laws EPA is responsible for administering, including those authorizing the BEACHES program, in order to protect human health and the environment for all Americans. If confirmed, I would expect EPA to operate in an open and transparent manner, consider the views of stakeholders as appropriate, act based on sound science, and follow the laws as established by Congress.

18.A 2014 study by scientists at Lawrence National Laboratory at Berkeley reported that an estimated 10 % of chemicals used in fracking fluid are known to be toxic to humans and aquatic life. Fracking practices commonly are conducted in fringe low-income and working class communities. Since these toxics are known to leach into waterways how will you ensure this is prevented?

As was affirmed by Congress in drafting the Lautenberg Act, hazard is only one characteristic of risk and simply stating a chemical substance has toxicity does not mean there is exposure. EPA is tasked with carrying out laws as directed by Congress and if I am confirmed, I will use the authorities vested in me to protect drinking water under the Safe Drinking Water Act.

19. Nationally, 13 percent of the population lives within three miles of a Superfund site while in New Jersey, 50 percent of the population lives within three miles—the highest percentage in any state. New Jersey has 113 Superfund sites on the National Priority List—more than any other state. These sites are the most heavily contaminated properties in the country, and are the areas that pose the greatest potential risk to public health and the environment. What is your plan to strengthen the EPA's superfund program?

AMERICAN OVERSIGHT

If confirmed, I would expect to prioritize the cleanup of contaminated land. I would also expect to be briefed by staff and to receive the views of relevant stakeholders on ways to improve the operation of the Superfund program, if confirmed. I also understand the Government Accountability Office and the EPA Inspector General regularly review the operation and activities of the Superfund program and, if confirmed, I would expect to look to their recommendations for additional areas for improvement, if confirmed.

20. If confirmed do you commit to working to include substantial funding for Superfund cleanups in the new administration's request for a large national infrastructure package?

If confirmed, I expect to make cleanup of contaminated sites one of my priorities.

21. In 2003, Arkansas and Oklahoma signed an agreement, the Statement on Joint Principles to take several measures to reduce phosphorus pollution in the Illinois River Watershed. One requirement was for Oklahoma to revise its 0.037 mg/L phosphorus criterion by 2012, which it did. Why, instead of supporting the conclusion of your own state Water Resources Board, did you delay implementation an additional three years by negotiating another agreement to conduct yet another study?

The "Statement of Joint Principles and Actions" did not require Oklahoma to "revise" its criterion, but rather stated that "Oklahoma will reevaluate Oklahoma's .037 mg/l criterion for total phosphorus in Oklahoma's Scenic Rivers by 2012, based on the best scientific information available at that time, and with the full, timely inclusion of officials from the State of Arkansas representing both point and non point source dischargers." As of 2012, which was the final date for the reevaluation to occur, Arkansas maintained its objection that Oklahoma's .037 mg/l criterion was inappropriate, and not based on the best scientific information available at that time. Rather than protract a now decades long dispute that appeared to again be headed towards litigation once again, I instead negotiated an agreement whereby Arkansas agreed to be finally bound to the results of a new study that would use the best scientific information available at the time to determine the appropriate criterion. This agreement avoided the prospect of more litigation, and ultimately resolved the dispute (with Oklahoma getting the stringent standard that it wanted).

22. In your testimony before the Senate Environment and Public Works Committee, you said that the 2003 agreement expired during your term? Where exactly in the agreement do you see any expiration to the agreement?

AMERICAN OVERSIGHT

The "Statement of Joint Principles and Actions" stated that "Oklahoma will reevaluate Oklahoma's .037 mg/l criterion for total phosphorus in Oklahoma's Scenic Rivers by 2012, based on the best scientific information available at that time, and with the full, timely inclusion of officials from the State of Arkansas representing both point and non point source dischargers." As of 2012, which was the final date for the reevaluation to occur, Arkansas maintained its objection that the .037 mg/l criterion was inappropriate, and not based on the best scientific information available at that time. Therefore, the 2013 Agreement was reached with Arkansas whereby it agreed to be bound by the results of a new study that would use the best scientific information available at the time to determine the appropriate criterion.

23. The 2003 agreement says that, "The state of AR and OK, acting through their environmental agencies, will reissue the above-specified cities' NPDES permits on a normal five (5) year resistance cycle, with the understanding that NPDES permits for these point source dischargers to the shared Oklahoma Scenic Rivers Watershed issued in the year 2012 or beyond must include phosphorus limits stringent enough to meet applicable water quality standards."
a. Do you agree that the 2003 agreement places obligations on NPDES permitted facilities in Arkansas beyond 2012?
b. Because Oklahoma reevaluated its criterion in 2012, does this section require that NPDES permits issued in Arkansas have to be stringent enough to meet Oklahoma's .037 mg/L phosphorus water quality standard by 2012 and then beyond 2012?
c. In your testimony before the Environment and Public Works committee, you testified that the agreement was "historic" and OK's phosphorus limit would be implemented for the first time in history on both sides of the river. Do you agree that the .037 mg/L phosphorus criterion was enforceable on both sides of the border under the terms of the 2003 agreement?

Yes. No. No.

24. In the 2013 agreement between Arkansas and Oklahoma, you agreed "not to institute or maintain administrative enforcement actions, judicial proceedings or take regulatory actions contrary to this second statement."
a. Why did you agree to suspend your enforcement authority?
b. How many enforcement actions did you suspend?
c. Do you interpret "judicial proceedings" to include any judgment in the pending case your predecessor brought against 14 poultry polluters? Was this agreement intended to suspend enforcement of any judicial resolution of that case?

I did not agree to suspend enforcement authority. The Agreement simply acknowledged that neither state would take actions that would violate the terms of the agreement. I do not know if any enforcement proceedings were suspended, as my office is not the entity that would be involved in such

AMERICAN OVERSIGHT

actions. I do not interpret "judicial proceedings" in that manner, and the agreement was not so intended.

25. In 2013, you negotiated an agreement with Arkansas that allowed those municipal dischargers to continue discharging at 1 mg/l phosphorus, agreed to remove the 2012 deadline for complying with Oklahoma's phosphorus standard, and agreed to reopen Oklahoma's phosphorus water quality standard. Since Arkansas had already agreed, in 2003, to ensure that its large municipal dischargers would fully comply with Oklahoma's phosphorus standard starting in 2012, why did you let them out of that agreement in 2013? Please identify any provision of your 2013 agreement that requires these dischargers to meet Oklahoma's phosphorus standards after February 20, 2016.
a. Since the U.S. EPA approved Oklahoma's Phosphorus Standard in 2003, what legal basis do you think Arkansas had to file a lawsuit challenging since the time for filing a legal challenge had expired? If you do not believe the time for filing a legal challenge had expired, please explain the basis for your belief.
b. Do you agree that Arkansas is required to ensure that its point source discharge permits comply with all Oklahoma water quality standards that have been approved by the U.S. EPA under the case of Arkansas v. Oklahoma, including the phosphorus standard approved in 2003? Please state the basis for your belief.
c. The Joint Study Committee authorized by your 2013 agreement recommended a standard different from Oklahoma's existing phosphorus water quality standard. Please explain whether this recommended standard will supplant Oklahoma's current water quality standard, and why you have state that the study confirmed Oklahoma's existing 30-day geometric mean 0.037 mg/l phosphorus standard. What is your understanding of the impact of excluding samples taken during conditions where surface runoff is the dominant influence of total flow and stream ecosystem processes?

The 2013 Agreement did not "let anyone out" of the 2003 Agreement. Arkansas believed that it had legal recourse to resist a criterion to which it objected. Without that additional context as to the claims to which you refer, I am unable to answer your question relating to time bar of Arkansas' hypothetical claims. With regard to Arkansas's obligations, pursuant to the 2013 Agreement, Arkansas is now obligated to adopt and implement a stringent phosphorus standard. The study "used a weight of evidence approach to recommend a six-month average total phosphorus level of not to exceed 0.035 milligrams per liter based on water samples collected during critical conditions was necessary[.]" As I've stated, this confirmed that Oklahoma's 0.037mg/l standard was--despite Arkansas's arguments that it was unnecessarily stringent--necessary to protect the watershed. I am not familiar with the "the impact of excluding samples taken during conditions where surface runoff is the dominant influence of total flow and stream ecosystem processes," to which you refer, and thus cannot offer an opinion on that statement.

AMERICAN OVERSIGHT

26. You stated in your EPW Questionnaire that you negotiated an agreement with Arkansas to reduce phosphorus pollution in the Illinois River watershed that was occurring as a result of poultry growers. Please explain how the agreement reduces pollution from poultry growers.

Runoff from poultry farms contribute to increased phosphorous levels in the Illinois River. The agreement imposed on Arkansas the requirement that it adopt a stringent phosphorous standard, which will necessarily require Arkansas to stringently regulate sources of phosphorous, such as poultry farms, in order to meet that standard.

27. You stated that Oklahoma's phosphorus standard was not being enforced on the Arkansas side of the border prior to your 2013 Agreement. Are you aware that, in April of 2009, the EPA required the Arkansas Department of Environmental Quality to ensure that the discharge permit for the Northwest Arkansas Conservation Authority include an enforceable final effluent limitation for phosphorus stringent enough to meet Oklahoma's phosphorus water standard by June 30, 2012, and that the final NPDES permit for Northwest Arkansas Conservation Authority issued by Arkansas included that requirement? Given the fact that Oklahoma's phosphorus standard was being enforced in Arkansas prior to your 2013 agreement, please explain the benefit to Oklahoma from entering into the agreement.

However, upon reviewing it, I note that Arkansas reserved the right to revise the 0.1 mg/l phosphorus permit limit ("The Department reserves the right to revise the permit limit of 0.1 mg/l for Total Phosphorus upon submission of data which indicates that a Total Phosphorus limit other than 0.1 mg/l is appropriate"). Further, I am aware that Arkansas continued to dispute the validity of Oklahoma's t0.037 mg/ limit, a dispute that is now resolved with Arkansas agreeing that 0.037 mg/l phosphorus standard is appropriate. That agreement greatly benefits Oklahoma.

28. It appears that the last call or meeting that EPA has on the long delayed TMDL for the Illinois River and Lake Tenkiller watersheds occurred on November 14, 2013. Please explain how your 2013 Agreement is related to the TMDL or cleanup of Lake Tenkiller. What steps have you taken with the U.S. EPA to encourage completion of the Illinois River and Lake Tenkiller TMDLs and oppose further delay?

I would certainly encourage the EPA to fulfill any obligations it might have to complete those TMDLs, but I have not taken any legal actions to force the EPA to do so.

AMERICAN OVERSIGHT

29. What steps have you taken to implement and enforce the 0.037 mg/L criterion for phosphorus pollution just approved by the Scenic Rivers Joint Commission in Oklahoma? What measures has Arkansas agreed to in light of the study results?

I have not personally taken any steps to implement or enforce that water quality standard, because the authority to do so is vested in Oklahoma's environmental regulators, such as the Oklahoma Department of Environmental Quality, and Oklahoma Water Resources Board.

30. In 1992 the US Supreme Court in Arkansas v Oklahoma, 503 U.S. 91 (1992), resolved a lawsuit between Oklahoma and Arkansas related to water pollution in the Illinois River and held that upriver states must comply with water quality standards that are adopted by downriver states and approved by EPA. After that Supreme Court decision, effective July 1, 2002, Oklahoma adopted a nutrient criterion for total phosphorous of .037 mg/l for all Oklahoma water bodies designated as Scenic Rivers, codified at Oklahoma Administrative Code 785:45-5-19(c)(2). This new water quality standard had a ten year phase in period before full compliance was required on June 30, 2012. EPA approved Oklahoma's .037 mg/l phosphorous standard, as codified at Oklahoma Administrative Code 785:45-5-19(c)(2), on December 29, 2003.

a. Given this history, do you agree that as of July 1, 2012 Oklahoma's .037 mg/l phosphorous standard was in effect and was binding on upriver states such as Arkansas?

b. More specifically, do you agree that as of July 1, 2012 compliance with Oklahoma's .037 mg/l phosphorous standard was required for the portion of the Illinois River in Arkansas?

c. If you do not agree that as of July 1, 2012 compliance with Oklahoma's .037 mg/l phosphorous standard was required for the portion of the Illinois River in Arkansas, please explain the legal basis for your disagreement.

Oklahoma water quality standards do not automatically apply to upstream dischargers in other states. In 1992, in Arkansas v. Oklahoma, a case that pre-dated Arkansas' authorization to carry out its own Clean Water Act permitting program, the Supreme Court held that it was in EPA's discretion to issue a permit for a publicly owned treatment plant in Fayetteville, Arkansas that required compliance with downstream (Oklahoma) water quality standards. The Court took no position regarding when the Clean Water Act compelled such compliance, only that it was reasonable for EPA to assume that a section 401 water quality certification applied to federally issued NPDES permits. Please note that section 401 applies only to federal permits and as such would not apply to an Arkansas permit now that Arkansas is an authorized state. Under 40 CFR 131.10 state water quality standards are supposed to ensure "attainment and maintenance" of standards applicable to downstream states, but EPA is the arbiter of that when it approves state standards. Under section 402(b) of the Clean Water Act a state that is downstream of an authorized state gets notice of permits

AMERICAN OVERSIGHT

and the opportunity to file recommendations, but has no veto authority. Under section 402(d) of the CWA, EPA has the authority to review state issued permits and impose additional conditions. Interpreting this section, in International Paper Co. v. Ouellette, 479 U.S. 481, 493, 490-91 (1987) , the Supreme Court found that the only law applicable to a point source in an authorized state is the law of the source state. A downstream state is subordinate to a source state and its only recourse it to ask EPA to veto or condition a permit.

31. Please identify any investigations and/or lawsuits the Office of Attorney General initiated after January 17, 2011 to address groundwater contamination associated with swine animal feeding operations and any publicly available data in your possession regarding levels of groundwater contamination at any swine animal feeding operations, as well as any communications that the Office of Attorney General has had with the owners or operators of swine animal feeding operations after January 17, 2011.

The Oklahoma Department of Agriculture regulates Concentrated Animal Feeding Operations (CAFOs) and swine operations generally under the Oklahoma Agriculture and Environmental codes. The Oklahoma Department of Agriculture and the Oklahoma Office of the Attorney General already had several large swine feeding operations under Consent Decree or Settlement Agreement by the time I took office in 2011. (Hanor Roberts & Seaboard Foods, for example) The terms of those Consent Decrees and Settlement Agreements required the swine operations to make regular reports to the Department of Agriculture and the Office of the Attorney General. These reports included monitoring well data, lagoon data and other terms to be carried out by the operators pursuant to the agreements. My office has continued to monitor these operations to confirm compliance with the Consent Decree and Settlement Agreements.

AMERICAN OVERSIGHT

Senator Cardin:

1. Please provide your definition of EPA's "activist agenda" as stated on your professional biography on the State of Oklahoma's official website. Please provide a list of all environmental laws and regulations that you consider to comprise the federal agency's "activist agenda" and how each environmental law or regulation listed in response to this question meets this definition.

I firmly believe that the EPA has a vital role, but it must do so within the bounds of its legal authority. The actions undertaken by the Office of Attorney General have been out of concern that EPA had exceeded its legal authority in those specific actions, not out of animosity toward the mission of the Agency or any specific regulation or statute. Regulations that are not on solid legal foundation and that cannot survive judicial review will not result in environmental protections.

2. For what purpose other than to handle the State of Oklahoma's legal challenges against the EPA did you create the Federalism Unit and defund the Environmental Protection Unit?

The Federalism Unit within the Attorney General's Office serves to protect the State of Oklahoma's sovereign interests in our republican form of government, with a particular focus on issues related to the vertical and horizontal separation of powers demanded by our Constitution. It is headed by the Solicitor General. With regard to the environmental protection unit, it is misleading to say that it was "defunded." Consistent with the practice of every Attorney General save one, I determined that a standalone unit was operationally inefficient. I opted to combine the Environmental Protection Unit and the Consumer Protection Unit into a single unit called the "Public Protection Unit." The Public Protection Unit continued the work of the Environmental Protection Unit, and that work continues to this day, headed by the very same attorney who worked in the Environmental Protection Unit under the prior Attorney General.

3. Do you intend to create a Federalism Unit within the EPA similar to Oklahoma's? Explain why or why not.

My understanding is that the Department of Justice, working in coordination with the EPA Office of General Counsel, represents EPA in litigation, and would thus serve to protect such federalism related interests.

AMERICAN OVERSIGHT

4.Would you support budget cuts to the EPA in similar scope (10% or higher) to those made to Oklahoma Department of Environmental Quality appropriations since FY2009[1]?

I am not familiar with Oklahoma Department of Environmental Quality's budget. I have no first-hand knowledge of EPA's development of its FY 2018 budget request. If confirmed, I look forward to working with EPA's budget staff and program offices and officials with the Office of Management and Budget on EPA's request. I will work to ensure that the limited resources appropriated to EPA by Congress are managed wisely in pursuit of that important mission and in accordance with all applicable legal authorities.

5.Of the lawsuits filed against the EPA in which you participated personally and substantially as Attorney General for Oklahoma, do you intend to recuse yourself from decision making regarding litigation in which you represented the State of Oklahoma as an adversarial party? Do you intend to recuse yourself for the entirety of each case?

As a lawyer, I am bound by the rules of professional conduct not to "switch sides" in any litigation in which I represented the State of Oklahoma, unless my former client gives its informed consent.

6.Do you believe the State of Oklahoma and the EPA should be regarded as the same or different "clients" for conflicts of interest purposes? Explain why or why not.

The State of Oklahoma and the federal government are separate sovereign authorities; representing one does not entail representing the other. In addition, while the State of Oklahoma has been my client as a lawyer during my service as Attorney General, if confirmed as EPA Administrator I will not be acting as a lawyer with clients.

7.The American Bar Association (ABA) Model Rules of Professional Conduct, Rule 1.1, Special Conflicts Of Interest for Former and Current Government Officers and Employees, Comment 5 discusses the balancing of interests. On the one hand, where the successive clients are a government agency and another client, public or private, the risk exists that power or discretion vested in that agency might be used for the special benefit of the other client. A lawyer should not be in a position where benefit to the other client might affect performance of the lawyer's professional functions on behalf of the government. Also, unfair advantage could accrue to the other client by reason of access to confidential government information about the client's adversary obtainable only through the lawyer's government service. In the spirit of Rule 1.11, what previous lawsuits

[1] http://okpolicy.org/wp-content/uploads/2016_Budget_Highlights.pdf?997616#page=7&x42044

AMERICAN OVERSIGHT

might affect your performance of the Administrator's professional functions on behalf of the EPA?

Because I will follow the guidance of ethics officials and my own professional responsibilities in determining whether and how to participate in a particular matter, I do not expect any previous lawsuits to adversely affect my performance as EPA Administrator if confirmed.

8. On the other hand, the rules governing lawyers presently or formerly employed by a government agency should not be so restrictive as to inhibit transfer of employment to and from the government. The government has a legitimate need to attract qualified lawyers as well as to maintain high ethical standards. Thus a former government lawyer is disqualified only from particular matters in which the lawyer participated personally and substantially. The provisions for screening and waiver in paragraph (b) are necessary to prevent the disqualification rule from imposing too severe a deterrent against entering public service. The limitation of disqualification in paragraphs (a)(2) and (d)(2) to matters involving a specific party or parties, rather than extending disqualification to all substantive issues on which the lawyer worked, serves a similar function. Please provide a list of federal lawsuits filed against the EPA in which you participated personally and substantially as Attorney General for Oklahoma.

As Attorney General of Oklahoma, I have participated personally and substantially in the following suits against the EPA:

- **EME Homer City Generation v. EPA, No. 12-1182 (U.S.S.C.)**
- **Michigan v. EPA, No. 14-46 (U.S.S.C.)**
- **Murray Energy Corp. v. EPA, Nos. 14-1112, 14-1151 (D.C. Cir.)**
- **Murray Energy Corp. v. EPA, Nos. 15-1385, 15-1392, 15-1490, 15-1491 & 15-1494 (D.C. Cir.)**
- **Oklahoma v. EPA, Nos.12–9526, 12–9527 (10th Cir.)**
- **Oklahoma ex rel. Pruitt v. EPA, No. 16-5038 (10th Cir.).**
- **Oklahoma ex rel. Pruitt v. McCarthy, No. 15-cv-369 (N.D. Okla.).**
- **Oklahoma v EPA, No, 13-cv-00726 (W.D. Okla.)**
- **West Virginia v. EPA, No. 14-1146 (D.C. Cir.)**
- **West Virginia v. EPA, No. 16-1264 (D.C. Cir.)**

9. Do you accept a screen is appropriate for EPA strategic decisions specific to those lawsuits in which you represented an adversarial party? Explain why or why not.

I will consult with relevant ethics officials and review relevant rules of professional conduct to determine whether a screen is appropriate in a particular matter.

10. Comment 5 discusses a lawyer who moves between different government entities. When a lawyer has been employed by one government agency and then

AMERICAN OVERSIGHT

moves to a second government agency, it may be appropriate to treat that second agency as another client for purposes of this Rule, as when a lawyer is employed by a city and subsequently is employed by a federal agency. However, because the conflict of interest is governed by paragraph (d), the latter agency is not required to screen the lawyer as paragraph (b) requires a law firm to do. The question of whether two government agencies should be regarded as the same or different clients for conflict of interest purposes is beyond the scope of these Rules. Do you believe two government agencies—the State of Oklahoma and the EPA—should be regarded as the same or different "clients" for conflicts of interest purposes? Explain why or why not.

As explained above, the State of Oklahoma and the federal government are separate sovereign authorities. While the State of Oklahoma was my client as a lawyer, if confirmed as EPA Administrator I will not be acting as a lawyer with clients.

11.How might the spirit of Rule 1.11's conflicts of interest provisions apply if those government entities were adversarial parties to a lawsuit?

If two government entities are adversarial parties to a lawsuit, then under ABA Model Rule 1.11 a lawyer's previous representation of one entity in the litigation will preclude his later representation of the other entity in the same litigation, unless the former client gives its informed consent. As explained above, if confirmed as EPA Administrator I will not be acting as a lawyer with clients.

12.ABA Rule 1.7 Conflict Of Interest: Current Clients provides that a "lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if the representation of one client will be directly adverse to another client; or there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer." In the spirit of Rule 1.7, do you reasonably believe that you will be able to provide competent and diligent leadership to the EPA, an agency you "don't like" and have sued several times? Explain why or why not.

I will provide diligent and competent leadership to the EPA if confirmed as Administrator. As I explained in my testimony to the Committee, I am a firm believer in the EPA's mission to protect the environment and look forward to the opportunity to lead the agency to help provide our future generations with a better and healthier environment.

13.Please explain how your litigation position in each case is or is not at odds with the mission of the EPA, to protect human health protect human health and the environment—air, water, and land.

AMERICAN OVERSIGHT

The EPA's mission is defined by the laws passed by Congress granting it the authority to act. Any action by the EPA that exceeds the authority granted to it by Congress, by definition, cannot be consistent with the Agency's mission. In each case filed against the EPA, in the view of the State of Oklahoma, the EPA had acted in excess of the authority granted to it by Congress.

14.Do you accept that EPA, state, local and tribal agencies work together to ensure compliance with environmental laws passed by Congress, state legislatures and tribal governments?

I agree it is essential for the federal government, state governments, and tribal governments to work together to provide the environmental protection that our laws demand and that the American people deserve. As I explained in my testimony to the Committee, I strongly support cooperative federalism. If confirmed, I will make every effort to partner with the EPA's counterparts in state, local, and tribal governments to further these goals.

15.In 2005, former Attorney General Drew Edmondson filed a federal lawsuit in 2005 seeking to prohibit the spreading of chicken waste over land in the Illinois River Basin in northeastern Oklahoma. Companies named in *State of Oklahoma v. Tyson Foods Inc.* (No. 4:05-cv-00329) include Tyson Foods Inc., Tyson Poultry Inc., Tyson Chicken Inc., Cobb-Vantress Inc., Cal-Maine Foods Inc., Cargill Inc., Cargill Turkey Production L.L.C., George's Inc., George's Farms Inc., Peterson Farms Inc., Simmons Foods Inc., Cal-Maine Farms Inc. and Willow Brook Foods Inc. On December 9, 2015, the State of Oklahoma filed brief amici curiae along with 21 other states in support of the petitioners in *American Farm Bureau Federation v. EPA* (No. 15-599). The *Tyson Foods* defendants did not participate in the Bay TMDL lawsuit, and the American Farm Bureau was not a party to the Oklahoma suit. However, Tyson Foods Inc., headquartered in Springdale, Arkansas—the largest poultry producing company in the world—is a member of the Arkansas Farm Bureau. Do you accept that the American Farm Bureau, a national organization, represents the interests of the Arkansas Farm Bureau and its members, including Tyson Foods? Explain why or why not.

It is my understanding that the American Farm Bureau Federation is a distinct corporate entity from the Arkansas Farm Bureau, which is a distinct corporate entity from Tyson Foods. Accordingly, I do not believe one can ignore corporate form and conflate the American Farm Bureau Federation with either the Arkansas Farm Bureau or Tyson Foods. I observe that the Pennsylvania Farm Bureau filed suit against EPA in the challenge to the Chesapeake Bay TMDL on its own behalf, notwithstanding the fact that American Farm Bureau Federation also was a plaintiff.

16.In 2013, despite the lack of a verdict in the *Tyson Foods* case, you added the State of Oklahoma to the American Farm Bureau/poultry industry backed lawsuit

AMERICAN OVERSIGHT

against the EPA's efforts to enforce a TMDL to restore water quality in the Chesapeake Bay. You sided with the American Farm Bureau, the Fertilizer Institute, the National Chicken Council, the National Pork Producers Council and other farming interests. The lawsuit claimed EPA was exceeding its authority in enforcing "total maximum daily load," or TMDL, standards in Chesapeake Bay, limitations on nitrogen, phosphorus and sediments. In what ways did you balance the interests of your client, the State of Oklahoma, as Counsel for Amicus Curiae in *American Farm Bureau* while *Tyson Foods*, in which you represented the State of Oklahoma as Plaintiff, was ongoing?

These are two different lawsuits regarding different parties and different matters. There also is no issue conflict because the issues raised in the two lawsuits also are distinct.

17.In 2016, more than six years after arguments concluded in *Tyson Foods*, there has been no final ruling from U.S. District Court Judge Gregory K. Frizzell. Do you find the six-year delay in *Tyson Foods* to be acceptable or reasonable, and if so, why?

It would not be appropriate for me as an attorney to comment on the acceptableness or reasonableness of the actions of a judge before whom the Office of the Attorney General has a pending case.

18.Please provide a list of all confidential government documents related to the Chesapeake Bay TMDL to which you would not have access but for your status as counsel to the State of Oklahoma as amicus curiae in *American Farm Bureau*.

I am not aware of any such documents. A request for such documents can be made to the Office of the Attorney General pursuant to the Oklahoma Open Records Act.

19.If the Supreme Court were to grant certiorari in *American Farm Bureau*, or a case like it challenging the Chesapeake Bay TMDL, how would you direct the EPA as Administrator to rigorously defend its own rule?

Any TMDL should be a cooperative effort. If confirmed as EPA Administrator and if the litigation challenging the Chesapeake Bay TMDL reached the Supreme Court during my time in office, I would expect to consult with the States and other interested stakeholders about the issues raised in such litigation.

20.In what ways did you balance the interests of your client, the State of Oklahoma, as Amicus Curiae in *American Farm Bureau* and as Plaintiff in *Tyson Foods*?

AMERICAN OVERSIGHT

These are two different lawsuits regarding different parties and different matters. As Attorney General of Oklahoma, I represent the interests of the State of Oklahoma when I seek to ensure that federal law is followed such that Oklahoma retains its sovereign authority to regulate where federal law allows such state regulation..

21.Do you accept that the Chesapeake Bay TMDL could still fail to significantly reduce pollution flowing to the Chesapeake Bay if the EPA steps back from its role in holding states accountable for their cleanup commitments? Explain why or why not.

It is my understanding that recent quality data shows that the water quality of the Chesapeake Bay is improving. Further, it is my understanding that the United States Geological Survey and other researchers have found that the time lag between measures taken on the ground and water quality response can be years, decades or even longer. Accordingly, today's improvements in water quality are likely the result of measures taken before the effective date of the Bay TMDL. These measures, as well as state plans to require treatment plants upgrades that also pre-date the effective date of the Bay TMDL, will continue to improve water quality. That said, the Bay TMDL represents a cooperative effort of all states in the watershed and EPA has a role in overseeing its implementation.

22.The TMDL approach hinges on numeric water quality standards that set a qualitative number for pollution limits, rather than a qualitative description of how healthy waters should be. As Administrator, how would you promote effective numeric standards?

I agree with the Mach 2011 nutrient framework issued by the Assistant Administrator for the Office of Water entitled "Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions," which prioritizes state action to encourage on the ground activities over establishment of numeric nutrient limits. According to the State of Florida, based on their experience with the imposition of federal numeric nutrient limits, controversy over the validity of a number can actually delay pollutant reduction activities, delaying water quality improvements.

23.In the Mississippi River watershed, the Obama Administration defended a lawsuit against the EPA from environmentalists seeking numeric nutrient criteria. The United States District Court for the Eastern District of Louisiana ruled in favor of the EPA, finding “Presumably, there is a point in time at which the agency will have abused its great discretion by refusing to concede that the current approach […] is simply not going to work.” But for now, “EPA is entitled to judgment as a

AMERICAN OVERSIGHT

matter of law in its favor." As Administrator, would you continue to waste resources on a qualitative, voluntary approach?

I was not involved in the litigation your reference, and am not familiar with the details of the case.

24.As Administrator, do you intend to make enforcement of the Chesapeake Bay cleanup plan a priority? How? Do you acknowledge that it will be even more difficult to make progress without EPA?

The Chesapeake Bay TMDL has been upheld by the Third Circuit Court of Appeals. If confirmed, I will continue to enforce the law and will continue EPA's leadership role as a member of the Chesapeake Bay Executive Council. I agree that progress would be difficult without a collaborative process.

25.Would you deny the political will in the states of the Chesapeake Bay watershed to protect the Bay?

I would listen to the views of all interested stakeholders including the States.

26.In a 2013 speech, you said "There are issues with respect to clean water and air that cross state lines. There is a role, and I think it's important for conservatives, for us to recognize, that though I don't like the EPA […] I think it's not good for us to say that the EPA doesn't have any role." How would you characterize the EPA's role in mediating cross-state air and water pollution disputes?

I certainly agree that EPA plays a leadership role in mediating cross-state air and water pollution disputes.

27.In 1992, the Supreme Court held in *Arkansas v. Oklahoma* (No. 90-1262), a case challenging the EPA's issuance of a National Pollution Discharge Elimination System (NPDES) permit to a publicly owned treatment plant in Fayetteville, Arkansas for a discharge into a river flowing into Oklahoma, that the Clean Water Act authorizes the EPA to require that point sources in upstream states not violate water quality standards in downstream states.[2] Is the EPA interpreting this Supreme Court precedent correctly? If not, how would you change its interpretation through NPDES?

[2] https://www.epa.gov/sites/production/files/2015-01/documents/waterpollution-ludwiszewski-memo.pdf

AMERICAN OVERSIGHT

Arkansas v. Oklahoma involved an EPA-issued permit because at the time of the litigation the Fayetteville wastewater treatment plant began operation Arkansas did not have an approved state permitting program. Oklahoma is authorized to implement its own NPDES permitting program, in lieu of the federal program. As such, I am not familiar with how EPA is applying Arkansas v. Oklahoma when it issues permits in the handful of states without such approved permitting programs.

28.After the *Arkansas* decision, you agreed to a three-year delay in 2012 to allow for an independent study of the science behind the standard. What specific factors motivated your decision to delay enforcement of Oklahoma's standard?

The "Second Statement of Joint Principles and Actions" that Oklahoma entered into with Arkansas in 2012 actually required that "[t]he States, through the appropriate Parties, will continue to require existing point source dischargers to the Illinois River Watershed with a design capacity of greater than 1 MGD to operate under existing National Pollutant Discharge Elimination System ("NPDES") permits reflecting an effluent limit for total phosphorus of not more than I mg/L based upon a 30 day average, assuming the U.S. Environmental Protection Agency does not object" and likewise required that "Parties for both States will continue cooperative efforts to improve and protect water quality in the Scenic Rivers."

29.Please provide all communications you had had with representatives of agricultural and other companies regarding water quality litigation between Arkansas and Oklahoma.

Such communications can be requested from the Oklahoma Office of the Attorney General through a request made to that office pursuant to the Oklahoma Open Records Act.

30.Do you commit to fully apply and enforce the Good Neighbor provision if confirmed as EPA Administrator?

Yes. If I am confirmed as Administrator, I will exercise my authority in this area consistent with Congress's intent in enacting the Act. Specifically with respect to Section 110(a)(2)(D) and the "good neighbor" obligations of Section 110, I intend to engage in a transparent process that will allow states to have a meaningful opportunity to understand their obligations with regard to reducing emissions that cause or contribute to nonattainment or interference with maintenance in other states through the SIP process and to act consistent with my authority under Section 110(c) if states fail to do so.

31.What is your understanding of the role of climate change in algal blooms?

AMERICAN OVERSIGHT

EPA identifies the following as causes of harmful algal blooms: sunlight, slow-moving water, and excess nutrients. For climate change to have a role, it would first have to have an impact on one of these three causes.

32.Please provide a list of water treatment plants under consent order from the Oklahoma Department of Environmental Quality during your tenure as Attorney General. Please identity funding sources other than federal funding that are available to bring these treatment plants into compliance with the Clean Water Act.

This question should be directed to the Oklahoma Department of Environmental Quality, as I have no personal knowledge of such matters.

33.Of the 1,677 public water supplies under the purview of the Oklahoma Department of Environmental Quality, 19 had recent elevated detections of lead in March, 2016. Please describe any action you took to address lead contamination as Attorney General.

As the question indicates, the Oklahoma Department of Environmental Quality as opposed to the Office of Attorney General has primary responsibility for implementing and enforcing environmental laws in Oklahoma.

34.When more than 10 percent of tap water samples in a local system contain lead levels of at least 15 parts per billion, the state steps in to review the water system's treatment for corrosive properties and update the sampling schedule as necessary. How have budget cuts to the Oklahoma Department of Environmental Quality impacted sampling?

I have no personal knowledge of the Oklahoma Department of Environmental Quality's budget, or how any budget cuts may have impacted that office.

35.EPA and the Centers for Disease Control and Prevention (CDC) agree that there is no known safe level of lead in a child's blood. Lead is harmful to health, especially for children. Do you accept that there is no safe level of lead in a child's blood?

I am concerned about the health of children. I have not myself reviewed the scientific studies correlating blood lead levels to impacts in children. However, it is my understanding that neither EPA nor CDC have identified a "safe" level of exposure, but instead have adopted levels appropriate for action under their specific statutory authorities.

AMERICAN OVERSIGHT

36.Please provide any information relating to enforcement actions for Lead and Copper Rule violations undertaken during your tenure as Attorney General for Oklahoma.

Such enforcement actions would have been undertaken by Oklahoma's environmental and water regulators, at agencies like the Oklahoma Department of Environmental Quality or the Oklahoma Water Resources Board. This question should be directed to those agencies so that can describe to you the relevant actions taken by the State of Oklahoma.

37.The Safe Drinking Water Act (SDWA) requires EPA to establish and enforce standards that public drinking water systems must follow. EPA delegates primary enforcement responsibility (also called primacy) for public water systems to states and tribes if they meet certain requirements. In a letter to Oklahoma Secretary of the Environment Gary Sherrer, EPA Regional Administer Ron Curry said the State had until June 1, 2013 to fully implement the Stage 1 and Stage 2 Disinfectants and Disinfection Byproducts Rules. Please provide all information related to Oklahoma's primacy under the Public Water System Supervision Program during your tenure as Attorney General.

As your question indicates, such matters would be within the purview of Oklahoma's environmental regulators, not the Office of Attorney of General.

38.Do you concur that persistent drinking water safety problems indicate the need to strengthen, not weaken, the federal law designed to ensure the safety of Americans' drinking water? Explain why or why not.

I believe that persistent drinking water problems largely stem from a failure to comply with current laws and regulations. If confirmed, I will work to increase compliance with the law, which will require effective enforcement and oversight, technical assistance, and infrastructure improvements. It also may require changes to existing regulations to improve oversight tools and eliminate ambiguities that lead to compliance issues.

39.At the same time, deteriorated lead paint and elevated levels of lead-contaminated house dust are present in an estimated 24 million U.S. houses, according the Centers for Disease Control and Prevention. The long-term effects that lead poisoning can cause include learning disabilities, hyperactivity, impaired hearing and brain damage. Infants and young children are most susceptible to lead poisoning. EPA's Lead Renovation, Repair and Painting Rule (RRP Rule) requires that firms performing renovation, repair, and painting projects that disturb lead-based paint in homes, child care facilities and pre-schools built before 1978 have their firm certified by EPA (or an EPA authorized State), use certified renovators who are trained by EPA-approved training providers and follow lead-safe work practices. Do you believe the RRP Rule should be a voluntary standard? Explain why or why not.

AMERICAN OVERSIGHT

No. Oklahoma is an authorized state. The Oklahoma Lead-Based Paint Management Act designates the Department of Environmental Quality as the official agency for implementing the Lead-Based Paint Management Program.

40.EPA is addressing lead contamination and resulting hazards under these laws in many ways, including by issuing and enforcing regulations. Do you find this regulatory authority appropriate for EPA, and not the States? Why or why not.

It is appropriate for EPA to faithfully enforce federal law. With respect to the RRP rule, it is my understanding that there have been issues with EPA implementation of the RRP rule in states that are not authorized due to a delays in certifying firms.

41.Title IV of the Toxic Substances Control Act (TSCA), as well as other authorities in the Residential Lead-Based Paint Hazard Reduction Act of 1992, directs EPA to regulate lead-based paint hazards. As Administrator, how would you implement Title IV of TSCA?

Congress enacted both TSCA Title IV to create a national program to achieve the national goal of eliminating lead-based paint hazards from housing as expeditiously as possible and TSCA Title V to authorize the establishment of a state grant program to provide technical assistance on EPA environmental programs for schools and to implement school environmental health programs. If confirmed, I will faithfully discharge my responsibility to protect human health and the environment for all Americans with the highest possible dedication and commitment in accordance with the legal authorities established by Congress.

42.The CWA prohibits anyone from discharging pollutants, including lead, through a point source into a water of the United States unless they have a National Pollutant Discharge Elimination System (NPDES) permit. As part of their water quality standards regulations, states and authorized tribes adopt ambient water quality criteria with sufficient coverage of parameters, such as lead, and of adequate stringency to protect the designated uses of their surface waters. What changes, if any, would you make to the NPDES permit?

I have not contemplated any changes to the NPDES permit program, if confirmed.

43.Please provide all confidential government information regarding the 2010 consent order with the Making Money Having Fun (MMHF, LLC), a coal combustion waste mine fill operator in Bokoshe, Oklahoma, that you obtained as Attorney General.

AMERICAN OVERSIGHT

I did not become Attorney General until January 2011. The Oklahoma Department of Environmental Quality has responsibility for administering and enforcing environmental laws in Oklahoma, along with other agencies like the Water Resources Board and the Corporation Commission. Those agencies may be able to provide you information about the 2010 consent order your reference.

44.The EPA finalized the first federal coal ash disposal rules in 2015, but the rules did not include any direct mechanism to implement or enforce the rules. Now, Congress has provided the mechanism in S. 612-114th, the WINN Act, which was passed with bipartisan support. Senate Majority Leader Mitch McConnell also issued a press release stating his approval of several of the bill's provisions, including the coal ash language. As you may know, if states create a coal ash permitting program, or amend their current programs to incorporate federal standards and get EPA approval, they will be able to implement the rules themselves. If they do not, the EPA is directed either put into place a federal permitting system, or have the authority to directly enforce the requirement. Do you intend to enforce the coal ash language in S. 612-114th, the WINN Act, that received bipartisan report?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress, including the WIIN Act provisions regarding coal ash.

45.Please provide an explanation of any modification you would make to the coal ash provision in S. 612-114th, the WINN Act.

I have not had occasion to review in depth this new statutory. Congress, not the Administrator of EPA, has authority to modify statutory language such as the coal ash provision in the WIIN Act. I do not at this time have any opinion whether Congress should modify the statute in question.

46.Kentucky is already in the process of working on regulations governing coal ash disposal. The state's proposal would modify the concept of "permit-by-rule," and allow utilities to build their own coal ash landfills or ponds without prior permitting or review by regulators. The utilities could be fined by regulators or sued by individuals for violations. Energy and Environment Cabinet spokesman John Mura has said the Cabinet believes this would qualify as a "permitting program" as required by the WINN Act. As Administrator, would you allow the Kentucky Energy and Environment Cabinet's "permit by rule" program to qualify as a permitting program under the bipartisan WIIN Act? Why or why not?

I am not familiar with how Kentucky regulates coal ash disposal. It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is fully and fairly considered with input from staff and in accordance with applicable legal requirements.

AMERICAN OVERSIGHT

47.What is the goal of your lawsuit asking to strike down EPA's "Waters of the United States" rule under the CWA? What will the states be empowered to do that they can't do with the rule in place? (be specific)

The goal of the lawsuit I brought to advance the State of Oklahoma's interest in protecting its regulatory authority is to have the courts vacate the WOTUS rule. If the WOTUS rule is vacated, we will return the status quo, and the State of Oklahoma's sovereign authority to regulate waters within its border will not be diminished.

48.The brief filed on behalf of states argues that states need to "protect" waters. Are you aware of the legal concept under the Clean Water Act that provides for states to be more protective than the Clean Water Act, not less—that the Act sets a minimum standard of protection and cleanliness?

The state brief filed in the WOTUS case argues that the WOTUS rule fails to recognize the limits on federal authority that Congress adopted when it enacted the CWA over forty years ago. Under the Act, Congress "chose to 'recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources.'" Solid Waste Agency of N. Cook Cnty. v. U.S. Army Corps of Eng'rs, 531 U.S. 159, 174 (2001) ("SWANCC") (quoting 33 U.S.C. § 1251(b)). As noted in the state brief: "The Rule likewise reaches and even exceeds the outer bounds of Congress's constitutional authority. The Rule's expansion of federal authority over intrastate waters will "impinge[] o[n] the States' traditional and primary power over land and water use," and "readjust the federal-state balance." SWANCC, 531 U.S. at 174.The Rule's coverage of intermittent waters, ephemeral waters, and isolated sometimes-wet lands "presses the envelope of constitutional validity," Rapanos, 547 U.S. at 738 (Scalia, J., plurality) (citation omitted), far more than the challenged agency actions in Rapanos and SWANCC. That is, states have exclusive, not additional, authority over all land and non-navigable, wholly intrastate waters.

49.Do you believe that states should be free to allow more pollution or fewer waters to be protected from pollution and development than described in the Waters of the United States Rule?

The litigation brought by the states was premised on a concern that EPA had exceeded its statutory authority as established by Congress. Additionally, the WOTUS rule is a jurisdictional rule, not a substantive rule as your question suggests.

AMERICAN OVERSIGHT

50.Are there waters that you believe should not be protected under the Clean Water Act? What specifically are they? Why do you think that the rule covers those waters now? Why do you think they should not be protected?

As I stated in my testimony before the Committee, I believe that the Clean Water Act regulates more than navigable waters. But, it does not regulate all waters. How much more would best be answered by Congress. Absent Congressional action, it is the role of EPA to seek to provide clarity on the scope of federal jurisdiction. What that is has to be determined and assessed through notice and comment rulemaking. The WOTUS rule exceeded the authority granted by Congress by allowing federal regulation of land if rainwater collects on the surface and seeps into the ground or if rainwater runs over the land as ephemeral flows. It also exceeded CWA authority by regulating isolated ponds and wetlands. Such non-navigable, wholly intrastate water should be protected, as appropriate, under state, not federal, law. For example, isolated bodies of water have not been subject to federal regulation since the 2001 Supreme Court decision in SWANCC struck down earlier agency attempts to expand federal jurisdiction beyond the limits of the Act. The WOTUS rule would reverse that decision and regulate the same waters that the Supreme Court has already said are subject to exclusive state regulation.

51.In your lawsuit against the Clean Water Rule you argue against what you perceive as an undue federal intrusion on local control of decisions about water quality. You have also argued that cities in towns in Oklahoma should not be able to control their water quality by issuing local regulations for the activities of oil and gas companies. How is your stance in favor of local control under the Clean Water Act consistent with your position against local control when it comes to the water polluting activities of oil and gas companies? What legal underpinning is there for that difference?

State concerns regarding the WOTUS rule are based on the limitations on federal authority under the Clean Water Act. Oklahoma concerns over the regulation of commercial activities including oil and gas company operations by local governments are based on the limitations of local authority under state law and federal law. Respect for the rule of law underpins both concerns, and both seek to ensure that laws enacted by the relevant legislatures—Congress on one hand, the Oklahoma Legislature on the other—are followed.

52.Wetland ecosystems provide significant environmental and economic benefits to American citizens including water purification, flood and erosion control, and

AMERICAN OVERSIGHT

habitat for wildlife and commercial fish species. In fact, over fifty percent of commercial fish and shellfish stocks in the Southeastern United States rely on coastal wetlands. Section 404 of the Clean Water Act protects wetland ecosystems by regulating the discharge of dredging and fill material. If confirmed, what is your plan to improve the biological condition of wetlands?

If confirmed, I will take care to faithfully execute all environmental laws enacted by Congress, including Section 404 of the Clean Water Act.

53.As of 2014 Oklahoma had nearly 14,000 miles of rivers and nearly 1,000 square miles of lakes that are so polluted they don't meet the state's water quality standards. That's approximately 42% of all the delineated stream miles in Oklahoma, and almost 1,600 of those were added during your time as Attorney General. Only 107 miles of rivers in Oklahoma – about a third of one percent – were classified as meeting Oklahoma's water quality standards. The other 58% are classified as having insufficient data to enable the state to say they're meeting state standards. As Oklahoma's Attorney General, what did your office do to ensure that the companies were complying with the state's clean water laws?

The Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board have primary responsibility for implementing and enforcing environmental laws in Oklahoma. Such questions should be directed to those environmental regulators.

54.How many water pollution enforcement actions did your office file, and how many of those resulted in orders to halt or reduce pollution discharges? Please provide a comprehensive list.

The Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board have primary responsibility for implementing and enforcing environmental laws in Oklahoma. Those agencies are thus best situated to provide a comprehensive list of enforcement actions take by the State of Oklahoma. The Office of Attorney General has on occasion assisted those environmental regulators by providing legal representation in cases under the CWA for pollution to groundwater, streams and other waterways. Other cases included pollution that caused fish kills and CERCLA Superfund sites that damaged Oklahoma groundwater and or streams. Those cases are EPA, States of Oklahoma & Texas v Mahard Egg Farm; EPA, State of Oklahoma v. Doe Run Mining et al.; ODWC v. Kent Feeds; ODWC v. Southern Towing; State Of Oklahoma, ODWC v Kelco Manufacturing; and State of Oklahoma & Cherokee Nation v. Sequoyah Fuels Corp.

55.President Reagan's EPA adopted the "Stream Buffer Zone" rule to protect streams, and the Obama administration has replaced that rule with the "Stream Protection Rule." Do you think Reagan's rule was a more straightforward way to

AMERICAN OVERSIGHT

protect streams? Why or why not? What specifically about it was more "straightforward?"

The stream buffer zone rule and stream protection rule are not EPA rules. They were issued by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior.

56.The American Society of Civil Engineers states that decrepit, decades-old municipal wastewater systems are at fault for the discharge of 900 billion gallons of untreated sewage and wastewater into U.S. waterways each year, enough to cover New York City under a layer 127 feet deep. According to a New York Times report, municipal sewer systems are the nation's biggest violators of the U.S. Clean Water Act, and more than one-third of them have violated pollution laws at least once since 2006. This worn-out, faulty infrastructure requires new investments in order to protect public health and the environment. As the leader of the Agency in charge of protecting human health and US waterways, how will you help states and municipalities modernize their wastewater infrastructure?

If confirmed, I will continue support for the Clean Water State Revolving Loan Funds and the new Water Infrastructure Financing Innovation Act loan program. In addition, I would continue to implement EPA's Integrated Planning Framework to provide municipalities with flexibility to prioritize actions they take to come into compliance.

57.The American Society of Civil Engineers states that decrepit, decades-old municipal wastewater systems are at fault for the discharge of 900 billion gallons of untreated sewage and wastewater into U.S. waterways each year, enough to cover New York City under a layer 127 feet deep. According to a New York Times report, municipal sewer systems are the nation's biggest violators of the U.S. Clean Water Act, and more than one-third of them have violated pollution laws at least once since 2006. This worn-out, faulty infrastructure requires new investments in order to protect public health and the environment. As the leader of the Agency in charge of protecting human health and US waterways, how will you help states and municipalities modernize their wastewater infrastructure?

If confirmed, I will continue support for the Clean Water State Revolving Loan Funds and the new Water Infrastructure Financing Innovation Act loan program. In addition, I would continue to implement EPA's Integrated Planning Framework to provide municipalities with flexibility to prioritize actions they take to come into compliance.

58.Given the President-elect's concerns about EPA's slow and inadequate response to lead in drinking water problems and the lack of adequate testing, what specifically would you do to prevent a Flint-like disaster from happening elsewhere?

AMERICAN OVERSIGHT

If confirmed, I will focus EPA's resources and attention on its core missions, including ensuring safe drinking water.

59.Would you commit to undertaking stronger EPA oversight and enforcement of drinking water rules, such as stronger enforcement of the lead and copper rule that wasn't enforced in Flint, MI?

Yes.

60.What specific lessons did you draw from the Flint, MI tragedy, regarding EPA's proper role in overseeing the States' administration of delegated federal programs?

I believe that EPA staff should be encouraged to notify their managers when they identify issues and managers must take those issues seriously when brought to their attention. I agree with the assessments of others that the Flint tragedy was a failure at every level of government, but I am particularly disturbed that EPA did not take action until long after they became aware of the elevated lead levels in Flint drinking water.

61.What are your views on when EPA should step in to take enforcement or emergency action where a state is authorized to administer a program under one of the federal environmental laws but is failing its duty to protect the public?

If confirmed, I will follow the process outlined in section 1414 of the Safe Drinking Water Act, as recently amended in section 2106 of the WIIN Act, to notify persons of elevated lead levels in their drinking water and will carry out the recommendations of the EPA Inspector General in his October 2016 Management Alert to update the guidance on Safe Drinking Water Act emergency authority and require training on the use of that authority.

62.Did EPA do an adequate job in the instance of the lead crisis in Flint, MI? If not, what specifically would you do differently?

No. If confirmed and faced with a similar situation, I would inform the state that EPA will take action if they fail to do so, and use EPA's emergency authority if the state fails to act.

63.How specifically would you strengthen EPA's lead and copper rule for drinking water to ensure, as Mr. Trump suggested, that water is adequately tested and treated before children are exposed to lead?

It would be inappropriate for me to prejudge the outcome of a matter that may come before me if confirmed as Administrator. If confirmed I would request a full briefing by EPA staff on potential revisions consistent with EPA legal authorities.

AMERICAN OVERSIGHT

64.House Republican leadership said in 2016 that EPA should get new lead-in-water rules proposed as soon as possible, and criticized the agency for being too slow when it promised to get them out by 2017. By what date would you commit to get a new rule issued? How would you ensure that final improvements to this rule are issued and implemented quickly?

If confirmed, I will make issuing revisions to the Safe Drinking Water Act Lead and Copper Rule a priority. As I am not at the Agency, I do not know what is the soonest feasible date.

65.An independent advisory group of experts including state regulators and water industry representatives recommended to EPA that all old lead service lines that pump water into homes from water mains should be replaced. The water utility trade associations support this. Do you support that recommendation? In your view, what would be the best way to pay for these replacements—Congressional Appropriations, issuance of debt by cities and states, a combination, or other? Please explain.

It is my understanding that, if properly implemented, corrosion control treatment of water protects public health from exposure to lead from lead service lines. EPA's highest priority should be to ensure that this treatment is being properly employed. Replacement of lead service lines is a long term goal that municipalities should incorporate into their capital improvement plans, which are generally implemented through state and local funds. Federal assistance through the Drinking Water State Revolving Funds and the new WIFIA program can provide additional assistance.

66.Do you agree that removing lead from gasoline was an important and successful EPA rulemaking? Why or why not?

I have not evaluated this issue.

67.Lead has no safe level of human exposure, particularly for children. What actions will you take to require lead to be removed from children's environment to reduce their exposure to lead in air, water, soil, and paint?

If confirmed, I will faithfully carry out the authorities granted to EPA by Congress to reduce exposure to lead.

68.In March 2016 it was reported that 19 drinking water systems in Oklahoma had elevated lead levels. Of the 100 water systems with the highest self-reported lead levels between 2013 and 2015, seven are located in Oklahoma. One exceeded the federal action level by 1,175 parts per billion - many times greater than the amount of lead needed to cause the death of a fetus or spontaneous abortion, or

AMERICAN OVERSIGHT

permanent severe developmental problems. As Oklahoma A.G., what specific actions did your office take to protect children against lead poisoning?

The Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board have primary responsibility for implementing and enforcing environmental laws in Oklahoma. Questions relating to actions taken by the State of Oklahoma with regard to lead in water systems should thus be directed to those environmental regulators.

69.How will you ensure that required evaluation of state drinking water primacy programs is conducted and how will you use EPA authority and resources to help states carry out their Safe Drinking Water Act primacy responsibilities?

If confirmed, I will focus on EPA's core missions, including oversight of state implementation of the Safe Drinking Water Act.

70.Will you direct EPA to continue and follow up on findings from 2016 increased oversight of state implementation of the Safe Drinking Water Act Lead and Copper Rule?

Yes.

71.What are your expectations for the 2017 Proposed Revisions to the Safe Drinking Water Act Lead and Copper Rule?

It is my understanding that EPA expects to issue that proposed rule in 2017.

72.In our conversation in my office, I asked for your thoughts on the Paris Agreement and the US commitment to the Paris Agreement. You pointed out that the Paris Agreement commitments are non-binding and when I asked you whether you thought the US should stay in the Paris Agreement you did not want to comment because you felt that the Paris Agreement is a matter handled in full by the State Department. Is that a fair characterization of your comments to me?

I believe I stated that a decision as to whether the U.S. stayed in the Paris Agreement would be a decision for the State Department.

73.Does that mean that you would advise the EPA to refrain from engaging with the State Department on US engagements with the UNFCCC and the execution process around the Paris Agreement?

Interagency cooperation is very important. Should the Administration decide to continue to participate in the Paris Agreement, and if I am confirmed as Administrator, I will collaborate with all involved agencies to ensure that commitments made on behalf of the United States are

AMERICAN OVERSIGHT

achievable and consistent with requisite legal authorities delegated by Congress.

74.How does your position that EPA should ostensibly recuse itself from State Department responsibilities and engagements on the Paris Agreement comport with any plans that you, as the next EPA administrator, may execute to rescind or alter domestic policies that affect the US National Determined Contribution (NDC) to the Paris Agreement?

As I stated in a previous answer, should the State Department decide to continue to participate in the Paris Agreement and if I am confirmed as Administrator, I will work with all involved agencies to ensure that commitments made on behalf of the United States are achievable and consistent with requisite legal authorities delegated by Congress.

75.Recently at the World Economic Forum in Davos, Switzerland, Chinese President Xi Jinping expressed China's great interest in being the world's leader on a number of issues including action to address climate change. Do you believe it is the U.S.'s national interest to cede leadership to the Chinese on global action to address climate change?

It is the mission of the State Department to advance our national interests within the realm of foreign policy. If confirmed, I will work to advance the mission of the EPA, which is to protect human health and the environment, consistent with the State Department's strategy for international engagement on climate change.

76.Do you believe climate change is a real and serious threat to the planet?

The climate is changing and human activity impacts our changing climate in some manner. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue.

77.Do you accept the scientific consensus that should average global temperatures reach or exceed +2 degrees Celsius that many regions of the world will very likely experience catastrophic changes in the environment that may very likely impact the safety and prosperity of many people?

• Do you believe that uncertainty in climate science warrants greater study before the U.S. takes significant action to reduce greenhouse gas pollution?
• If so, are you aware that the portion of the scientific community that claims there is uncertainty in the science is limited to limited to about 5% of climate science communities?
• If you believe that the very small portion of the world's climate science community who hold outlier opinions on the severity of climate change justifies inaction, why wouldn't you give similar credence to other outlying opinions in the

AMERICAN OVERSIGHT

climate science community that hold that global average temperatures may exceed 10 degrees Celsius and that catastrophic events may occur as soon as five or ten years?

The climate is changing and human activity impacts our changing climate in some manner. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue. If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data.

78.Our ability to predict the weather has improved dramatically over the last 20 years with the advent of supercomputers, new satellite monitoring options, and vastly superior atmospheric models. But still floods, droughts, hurricanes and similar phenomena occur and cause damage with sometimes only limited warning. What precision of prediction do you require before you are willing to accept the scientific community's overwhelming consensus that unchecked increases in greenhouse gas emissions will very likely have catastrophic effects, many of which the National Climate Assessment has described in detail every 4 years since 1990?

The ability to measure with precision the degree and extent of human activity on our changing climate, and what to do about it, are subject to continuing debate and dialogue. If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data.

79.Do you believe that science should guide our nation's environmental policy?

Congress has made it very clear in the Clean Air Act, the Clean Water Act and other major environmental laws that the regulatory actions of the EPA should be based on the most up to date and objective scientific data. If confirmed, I will follow the directives of Congress to set science-based standards to protect the environment and human health.

80.What would have to change about our ability to predict the effect of increasing greenhouse gas emissions in Earth's atmosphere for you to consider it adequate?

If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving understanding of the impact increasing greenhouse gases have on our changing climate.

81.Would you support making those changes in sufficient time to ward off any negative effects of increasing those emissions?

AMERICAN OVERSIGHT

The ability to measure with precision the degree and extent of human activity on our changing climate, and what to do about it, are subject to continuing debate and dialogue. If confirmed, I will make sure the agency's regulatory actions are based on the most up to date and objective scientific data.

82.What is your scientific background and what expertise do you have in environmental science?

My degrees are in communications, political science, and law. As with prior EPA Administrators who held bachelor of arts degrees, I completed science courses as a prerequisite to requiring my degree. Also, I understand that six of the 12 people who have been confirmed as EPA Administrator (including the first four individuals) had law degrees.

83.How do you square your opinion that air regulation is a matter for the states and that EPA has limited authority to mandate regulation of air pollution, with the court's overwhelming opinions that EPA has exclusive authority to regulate air pollution including greenhouse gases?

The concept of cooperative federalism is a bedrock principle of the Clean Air Act, the Clean Water Act and other EPA-administered laws. Whether working to improve air quality, water quality or other important environmental objectives, Congress made achieving these a shared responsibility between the EPA and the states. If confirmed, I will respect the intention of Congress and relative statutory framework.

84.Given that you are one of the lead attorneys challenging the clean power plan, a regulation promulgated by EPA in part due to the court's decision in landmark cases that determining EPA authority and responsibility to regulate greenhouse gases for domestic sources, in you rescind the Clean Power Plan:

It is unclear what question is being asked.

85.What policies would you promulgate to replace the Clean Power Plan, which you would have to do to ensure the EPA is in compliance with the court orders to regulate greenhouse gases?

It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is fully and fairly considered with input from staff, as part of a transparent process that seeks input from stakeholders, and that is consistent with EPA's statutory authorities.

86.What assurances will you give the public that your proposed replacement rules will withstand the tests established in the case law determining EPA's endangerment finding is adequate and legal and sufficiently regulates carbon pollution to protect public health and safety?

AMERICAN OVERSIGHT

It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is fully and fairly considered with input from staff, as part of a transparent process that seeks input from stakeholders, and that is consistent with EPA's statutory authorities.

87.Do you trust the analysis, concerns and recommendations of security experts at the State Department, Department of Defense, Central Intelligence Agency, The Navy War College, UN Security Council, and the World Bank, who have expressed growing concerns over the threat climate change poses to national and global security?

I have no reason to disagree with the statements from the listed security experts, although I have not made any attempt to independently verify their accuracy.

88.U.S, national security experts that are working to incorporate climate modeling and climate change assessments into our national security planning apparatus rely on sound scientific analysis, modeling data, and technical assistance from the EPA in interpreting the data. Will commit to continuing EPA's engagements with the agencies and departments responsible protecting our national security and advancing our understanding and preparedness for the security risks climate change poses to the United States?

Interagency cooperation is very important. If I am confirmed as Administrator, I will collaborate with any agency or department that may require the EPA's technical expertise to strengthen their own administrative actions.

89.What assurances can you provide the public, particularly vulnerable communities at greatest risk from pollution, that you will represent their interests fairly as administrator when your personal political campaigns, as well as organizations that you have held leadership positions within - like the Republican Attorneys General Association, has received hundreds of thousands of dollars in contributions from the fossil fuel industry because of your working championing their interests by challenging laws regulating these industries?

As I explained in my testimony to the Committee, I am a firm believer in the EPA's mission to protect the environment and look forward to the opportunity lead the agency to help provide our future generations with a better and healthier environment for all Americans.

90.You have lost many of the lawsuits challenging EPA's authorities, including the Chesapeake Bay TMDL and the lawsuit challenging the endangerment finding on greenhouse gases. Given the difficulty you've had winning cases, what

AMERICAN OVERSIGHT

assurances can you provide the committee of your sound judgment when it comes to understanding our nation's environmental statutes?

As Attorney General of Oklahoma, my focus has been on examining federal environmental statutes and relevant case law to evaluate the legality of the EPA's actions and the impact of those actions on Oklahoma. Oklahoma filed a friend of the court brief with the U.S. Court of Appeals for the Third Circuit in part to inform the court how EPA's interpretation of TMDL and other matters involved in the challenge would impact other states, including Oklahoma. If I am confirmed, I will apply those lessons which I have developed in the performance of my duties as Attorney General and would continue to do so if confirmed as Administrator.

91.Will you work with all stakeholders and the State Department on execution of the Kigali Amendment to the Montreal Protocol to phasedown hydrofluorocarbons (HFCs) and will you commit to ensuring that any actions EPA may take to modify or rescind the Safe New Alternatives Program (SNAP) rules on HFCs coincide with the U.S.'s acceptance or ratification of the Kigali Amendment?

Should the State Department decide to advance the Kigali Amendment to the Montreal Protocol and if I am confirmed as Administrator, I will work with all involved agencies and impacted stakeholders to ensure that EPA's actions related to hydrofluorocarbons (HFCs) are coordinated accordingly.

AMERICAN OVERSIGHT

Ranking Member Carper:

1.Please list all public speeches or presentations you have made that included references to any issue related to energy or the environment since 1998, and please provide copies (written, audio, or video) of any such speeches or presentations. Please also indicate whether you received compensation for any such speech or presentation (whether stipend, travel, lodging expenses, or other form of remuneration) along with the name of the entity that provided such compensation and the amount thereof.

Please see attached list of speeches and enclosed copies of speeches in response to this request.

2. Please provide a list of the skills and experiences you bring to the EPA Administrator position and why you believe that you would be a good fit for the position.

I am a licensed attorney with significant experience in constitutional law, the Administrative Procedure Act, and Environmental Protection Agency administered statutes. This body has recognized my expertise in EPA related matters on several occasions, inviting me to testify before this and other committees on matters relating to the EPA. My legal education and profession has trained me to ask probing questions and think critically regardless of the subject.

3. Please define the Environmental Protection Agency (EPA)'s mission and the role you believe that sound science plays in fulfilling that mission.

The mission of EPA is to protect human health and the environment. Where Congress directs the EPA to act based upon scientific findings, the EPA should rely on well-reasoned, and sound, scientific findings.

4. In a 2006 article in The Oklahoman, you were described as someone that "believes in negotiating, but not compromising." Do you feel this continues to be an accurate description of you? If so, why? Do you agree with President Nixon's articulation of the principal roles and functions of the EPA? If you do not agree, please explain the aspects with which you disagree and why.

Based on the limited information provided in the question, I am uncertain about the article to which the question refers. The content and context of

AMERICAN OVERSIGHT

the article and quote are not readily apparent. However, if confirmed as Administrator, I will take my responsibility to protect human health and the environment for all Americans with the highest possible dedication and commitment in accordance with the legal authorities established by Congress. I have a record of working on a bipartisan basis.

5. Do you think it is constitutional for Congress to direct EPA to set national standards that protect public health? Is it constitutional for Congress to do that even if the pollution only harms citizens of a single state?

The constitutionality of laws enacted by Congress depends on the particulars of the particular law, and will typically be decided by a court. Courts have generally recognized that Congress has the authority to create the EPA and vest certain powers in it.

6. Mr. Pruitt, your official biography on the website of the Oklahoma Attorney General's office says that you are "...a leading advocate against the EPA's activist agenda." The EPA, the agency you have been nominated to lead, has the critical mission "to protect human health and the environment" for all Americans. When you sued the EPA over the Good Neighbor Rule (Cross-state Rule), how did that protect human health and the environment for downwind states?

I firmly believe that the EPA plays an important role in addressing interstate water and air quality issues, but it must do so within the bounds of its legal authority. The actions undertaken by the Office of Attorney General challenging the Cross State Air Pollution Rule related to whether EPA had properly accounted for and allocated pollution from upwind states, as mandated by Congress. Regulations that are not on solid legal foundation and that cannot survive judicial review will not result in environmental protections.

7. You've been part of numerous lawsuits against the EPA – against clean air, clean water and climate regulations. However, you also have stated you are for clean air and clean water. Can you name one Clean Air Act regulation – not a voluntary or grant program – that is on the books today that you do support?

I firmly believe that the EPA plays an important role, especially as it relates to cross-state air and water pollution, but EPA must do so within the bounds of its legal authority as provided by Congress. Regulations that are not on solid legal foundation and that cannot survive judicial review will not result in environmental protections.

AMERICAN OVERSIGHT

8. Are there any other EPA regulations that are on the books today that you do support?

I have not conducted a comprehensive review of existing EPA regulations. As Attorney General, I have brought legal challenges involving EPA regulations out of concern that EPA has exceeded its statutory authority based on the record and law in that matter.

9. President-elect Donald Trump has said repeatedly—at least half a dozen times—on the campaign trail that he would starve the EPA of funding or completely eliminate the agency. In March last year, the President-elect stated in reference to the EPA:

"We are going to get rid of it in almost every form. We're going to have little tidbits left but we're going to take a tremendous amount out,"

After the election, the President-elect didn't seem to change his tune. President-elect Trump stated two days after the election again in reference to the EPA:

"Environmental protection, what they do is a disgrace; every week they come out with new regulations,"

You also have a history attacking the agency. Please tell us why we should disregard the President-elect's statement on the EPA, disregard your actions and only believe your words that you will support clean air and clean water laws?

As I testified, I support the EPA's mission to protect human health and the environment. If confirmed, I will faithfully execute the environmental laws enacted by Congress.

10. As Administrator, will you take into account the true costs of air pollution including the adverse health and environmental impacts on states that are adversely affected by upwind pollution sources?

As I stated at the hearing, costs are important in the rulemaking process and the Courts have recognized that important factor. The Clean Air Act prescribes when costs should be considered and to what extent in a

AMERICAN OVERSIGHT

rulemaking. If confirmed, I commit to faithfully executing the law as enacted by Congress.

11. As Administrator, will you take into account the full economic and job benefits that result from clean air protections such as the economic benefits to communities from clean air and American leading businesses that manufacture advanced technologies?

As I stated at the hearing, the EPA should consider the benefits of cleaner air for the public. The Clean Air Act prescribes certain instances where the EPA is obligated to conduct a cost-benefit analysis as part of the rulemaking process. If confirmed, I commit to faithfully execute the law as enacted by Congress.

12. If it is technologically and economically feasible to eliminate the release of a particular pollutant, do you agree that we should do so?

Environmental statutes prescribe certain instances where technological or economic feasibility is a relevant factor to consider in a rulemaking. If confirmed, I commit to faithfully execute the law as enacted by Congress.

13. I have often found that environmental regulations can and often drive innovation. We have seen that with the Acid Rain Program, CAFÉ, Clean Diesel standards, RFS and most recently with the mercury standards. Do you agree environmental regulations often drive innovation? If so, why? If not, why not?

The factors that lead to technological innovation can be complex and varied, and legal requirements may be one such factor.

14. Who serves or has served as your scientific advisor for climate change related issues during your time as attorney general? Please provide their names, their titles, and when they served as your science advisors.

The Office of Attorney General does not have a science advisor to advise on climate change related issues.

15. Mr. Pruitt, my State of Delaware is already seeing the adverse effects of climate change with sea level rise, ocean acidification, and stronger storms. While all states will be harmed by climate change, the adverse effects will vary by

AMERICAN OVERSIGHT

state and region. Can you comment on why it is imperative that we have national standards for the reduction in carbon pollution?

If confirmed, I will fulfill the duties of the Administrator consistent with Massachusetts v. EPA and the agency's Endangerment Finding on Greenhouse Gases respective of the relative statutory framework established by Congress.

16. Pruitt, will you agree that there will be no retaliation against EPA employees who work on climate change issues?

If confirmed, yes.

17. Clean car standards save consumers money at the pump and help reduce oil imports. Automakers are complying with vehicle standards ahead of schedule. As Administrator, will you commit to support, defend and enforce EPA's current programs to address emissions from vehicles?

Congress has enacted numerous statutes directly or indirectly affecting transportation fuels, transportation fuel infrastructure, and the vehicles that consume those fuels. Congress committed many of those statutes to the EPA Administrator's responsibility. If confirmed as Administrator, I would administer each of those statutes in accordance with Congress's statutory objectives, and in light of the administrative record in each given proceeding. And I would work with Congress to ensure that its statutes continue to provide the best possible legal framework for governing American fuels, fuel infrastructure, and vehicles, and for promoting American energy independence, energy security, and environmental protection.

18. What is your definition of sound science?

Sound science is that which complies with applicable laws and federal guidance regarding scientific integrity, peer review, information quality, and transparency.

19. Prior to your nomination, how have you acquired scientific information relevant to the missions of the EPA? And since your nomination?

AMERICAN OVERSIGHT

As Attorney General of Oklahoma, my focus has been on examining federal environmental statutes and relevant case law to evaluate the legality of the EPA's actions. Legal education is rooted in the Socratic method, which trains law students through probing questions and critical thinking and I apply those lessons and skills in the performance of my duties as Attorney General and would continue to do so if confirmed as Administrator.

20. Please list all undergraduate and postgraduate science courses that you have taken. Please describe any other science education that you have completed over the years beyond high school.

My degrees are in communications, political science, and law. As with prior EPA Administrators who held bachelor of arts degrees, I completed science courses as a prerequisite to requiring my degree.

21. President Nixon articulated that an important role for EPA is "The conduct of research on the adverse effects of pollution . . . the gathering of information on pollution, and the use of this information in strengthening environmental protection programs and recommending policy changes." Do you agree with President Nixon that EPA has an important role to play in researching any emerging risks from pollution as well as strengthening protections and recommending policy changes based on the science?

Yes.

22. Do you think the U.S. National Academy of Sciences is a reliable authority on scientific matters?

I have no reason to think otherwise, but I have not had occasion as Attorney General to consider this issue.

23. What degree of scientific certainty should the EPA have about a potential health or environmental threat before acting to protect people from that threat?

EPA actions are governed by statutes such as the Clean Air Act and other legal authorities and relevant case law, which establish applicable legal and scientific standards for the Administrator to act. If confirmed, I will adhere to these authorities to fulfill EPA's mission to protect human health and the environment for all Americans.

AMERICAN OVERSIGHT

24. Do you support legislative efforts to change the independent nature of the EPA' s Science Advisory Board? If so, please explain why.

I am unfamiliar with the legislative efforts being referred to in this question. If confirmed, I expect to be briefed by EPA staff before taking any position on such matters.

25. If confirmed, do you plan to propose or advocate for budget cuts to the EPA's FY 2018 budget? If so, for which programs would you reduce funding? Would you target the EPA's research programs? Are there areas of agency action where you believe additional financial resources are needed?

I have no first-hand knowledge of EPA's development of its FY 2018 budget request. If confirmed, I look forward to working with EPA's budget staff and program offices to develop a budget and will work to ensure that the resources appropriated to EPA by Congress are managed wisely in pursuit of the Agency's important mission and in accordance with all applicable legal authorities.

26. For the most part, patients and their families only participate in scientific trials and studies once they know their privacy - and any resulting health-related information - will remain confidential and secure. If confirmed, do you commit to respecting confidentiality agreements that exist between researchers and their subjects? Will you protect the health information of the thousands of people that have participated in health studies in the past?

If confirmed, it will be my privilege to work with EPA scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to improving public health and our environment. I have no first-hand knowledge of EPA's policies or practice concerning the confidentiality of health information. If confirmed, I would expect to learn more about the existing practice and I commit to follow applicable legal authorities regarding the confidentiality of health information.

27. If confirmed, how will you ensure that EPA maintains independent science, transparent decision-making, and scientific free speech?

If confirmed, it will be my privilege to work with EPA scientists and the thousands of other dedicated public servants at EPA who have chosen to

AMERICAN OVERSIGHT

devote their careers to improving public health and our environment. I also commit, if confirmed, to follow applicable laws and federal guidance on scientific integrity, information quality, and transparency.

28. Mr. Pruitt, when Congress passed our bedrock environmental laws, we directed EPA to periodically review and update the federal minimum health protection standards based on the best available scientific evidence. Do you agree that these federal minimum standards must be based on the best available science?

I agree that EPA regulatory actions must be based on the best available science in accordance with the law. If confirmed, I commit to faithfully execute the law as enacted by Congress.

29. Mr. Pruitt, conflicts of interest threaten the integrity of science and public trust in the agency's scientific determinations. Scientists are not immune from having their work and conclusions influenced by their financial interests. Allowing scientists with conflicts of interest to serve as peer reviewers is contrary to widely accepted scientific integrity practices, including those of the National Academies of Sciences, the National Institutes of Health, and other scientific bodies. Industry funded scientists who may have unique expertise can be invited to present information to peer reviewers or an advisory committee, but should not actually serve as a reviewer or member of the committee. Can you explain what steps you would take as Administrator to ensure that scientists with financial conflicts of interest do not threaten the independent peer review process at EPA?

Independent peer review is critical to ensuring the scientific integrity of EPA actions. If confirmed, it will be my privilege to work with EPA's scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to making a healthier and cleaner environment. I commit, if confirmed, to follow applicable legal authorities regarding conflicts of interests in the scientific peer review process.

30. Mr. Pruitt, do you agree that for scientific research to be credible, it must be subject to objective, independent peer review before it is published and remain subject to scrutiny after it is published?

Independent peer review is critical to ensuring the integrity of scientific research. If confirmed, it will be my privilege to work with EPA's scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to making a healthier and cleaner

AMERICAN OVERSIGHT

environment. I commit, if confirmed, to follow applicable legal authorities regarding the peer review process for scientific research.

31. Mr. Pruitt, do you agree that for scientific research to be credible, scientists must disclose all sources of funding for their research?

Credible scientific research is critical to the EPA's mission and, if confirmed, I commit to follow applicable legal authorities regarding scientific research.

32. In the 1970 and 1990 Clean Air Act Amendments, Congress delayed older coal power plants air control requirements because Congress thought that most of the old plants would be shuttered in the decade after the legislation passed. Congress thought there was no need to invest in new technologies at these old, dying plants. Did many of these coal plants actually retire? Do you know the average age of our coal fleet?

I understand that the U.S. Energy Information Administration's Electric Power Annual 2015 report released in November 2016 indicated that between 2005 and 2015 more than one-third of U.S. coal-fired power plants retired and the remaining fleet has an average age of 38 years.

33. Do you know what the role the price of natural gas plays in industry decisions to retire coal plants and fuel switch to natural gas?

I am aware that market conditions, such as the reduced price of natural gas, and costly environmental regulations have been causing coal-fired power plants to prematurely shut-down or convert to natural gas.

34. In your cases against the EPA's Mercury and Air Toxics Rule, who served as your scientific advisor for the case?

Oklahoma's petition to review the Mercury and Air Toxics Rule was a legal challenge brought on the administrative record and argued that EPA acted contrary to law and arbitrarily and capriciously by not considering the costs of regulation in determining whether it was necessary and appropriate to regulate mercury from fossil fuel power plants within the meaning of Section 112(n). The Supreme Court ultimately agreed with Oklahoma's argument that EPA failed to act in accordance with the rule of law when it ignored costs in its determination and remanded the matter to the D.C. Circuit.

AMERICAN OVERSIGHT

35. Mr. Pruitt, ten percent of American women have dangerous levels of mercury in their bodies. But recent data shows that since the United States started cleaning up emissions from coal power plants, not only has mercury pollution in the North Atlantic fallen dramatically, so has the concentration of mercury in Atlantic fisheries. Mercury in Atlantic bluefin tuna is down 19% in only eight years. Given this resounding confirmation that regulation works, how firmly can you assure us that if you are confirmed, EPA's recent successful crackdown on all sources of mercury emissions, including coal power plants will accelerate, rather than pulling back?

As I stated in my testimony, mercury is listed as a hazardous air pollutant under section 112 of the Clean Air Act and is subject to regulation from listed source categories of hazardous air pollutants. If I am confirmed as Administrator, I will regulate under Section 112 in a manner that is consistent with Congress's intent in enacting that provision. I will also faithfully administer other federal statutes that regulate mercury to the extent that they are under my jurisdiction, including the Mercury Export Ban Act of 2008, the Mercury-Containing and Rechargeable Battery Management Act of 1996, the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act.

36. As you may remember, we had three exchanges over the issue of whether EPA should regulate toxic air emissions, including mercury, from power plants, specifically through the provisions authorized under Section 112 of the Clean Act. We also discussed your lawsuits, one pending, against the recent EPA rule that again addresses regulation of power plant mercury and other toxic air emissions under Section 112. Below is a direct quote from our second exchange, when I asked you directly about regulating power plant toxic air emissions:

"Senator, I actually have not stated that I believe the EPA should not move forward on regulating mercury or adopting rulemaking in that regard. Our challenge was with regard to the process that was used in that case and how it was not complicit with statutes as defined by congress. So there is not a statement or belief that I have that mercury is something that shouldn't be regulated under section 112 as a hazardous air pollution. A HAP."

These statements conflict directly with the language in the brief that you filed on June 2012 in White Stallion Energy, et al. V EPA: which says: "Finally, the record does not support EPA's findings that mercury, non-mercury HAP metals, and acid gas haps pose public health hazards."

AMERICAN OVERSIGHT

These statements also conflict directly with language in the brief in the pending case that you filed April 25, 2016 with Murray Energy Corporation, et al v EPA: "EPA cannot properly conclude that it is "appropriate and necessary to regulate HAPs under Section 112."

These written statements quite clearly directly contradict your statements before our committee. Which statement is false, the verbal before our committee or the legal documents you filed pending in court? If confirmed, will you recuse yourself from any involvement in questions or cases related to regulating air toxic emission from power plants under Section 112(d) of the Clean Air Act?

As I stated in my testimony, mercury is listed as a hazardous air pollutant under Section 112 of the Clean Air Act and is subject to regulation from listed source categories of hazardous air pollutants. Electric utility steam generating units are subject to regulation under Section 112 only upon a lawful showing that their regulation is appropriate and necessary. In Michigan v. EPA, the Supreme Court agreed with Oklahoma's legal position when it concluded that EPA interpreted Section 112(n) unreasonably by failing to consider costs in its appropriate and necessary determination. That challenge was made by Oklahoma on the specific administrative record before the court in that matter and all statements regarding the sufficiency of regulation in that case relate only to the material in the record before the Agency. If I am confirmed as Administrator, I will apply the Clean Air Act faithfully in all matters before me and will follow the advice of the EPA Ethics Counsel in determining any recusals.

37. As you may remember, we had three exchanges over the issue of whether EPA should regulate mercury (and other air toxic) emissions from power plants, specifically through the provisions authorized under Section 112 of the Clean Act. We also discussed your lawsuits, one pending, against the recent EPA rule that implement regulations to regulate power plant mercury emissions under Section 112. As you may remember, I specifically asked you at the end of the hearing:

"Based on your earlier statements, that if confirmed we can have your assurances that the EPA will continue to regulate mercury emissions from power plants under Section 112 of the Clean Air Act and you will not defer to the states."

You answered:

AMERICAN OVERSIGHT

"Mercury under Section 112 is something that EPA should deal with and regulate."

You stated this many times. I was very clear in my questioning that I was asking about mercury emissions and of course, the many other air toxic emissions, which the courts have said must be regulated under Section 112(d) from power plants. However, in this answer, you only mentioned mercury and not power plant mercury emissions, and you completely disregarded the other air toxics that are emitted by power plants, which include acid gases and carcinogenic metals like arsenic, nickel and cadmium. So please clarify, if confirmed, can we have your assurance that the EPA will continue to regulate power plants using the technology based standards required by Section 112(d) of the Clean Air Act and you will not defer to the states. Please answer in regards to all power plant air toxic emissions, not just on the question of mercury itself, and not just with respect to whether mercury should be regulated, but as to whether power plant mercury and other air toxics must be regulated.

As I stated in my testimony, mercury is listed as a hazardous air pollutant under Section 112 of the Clean Air Act and is subject to regulation from listed source categories of hazardous air pollutants. Electric utility steam generating units are subject to regulation under Section 112 only upon a lawful showing that their regulation is appropriate and necessary. In Michigan v. EPA, the Supreme Court agreed with Oklahoma's legal position when it concluded that EPA interpreted Section 112(n) unreasonably by failing to consider costs in its appropriate and necessary determination. The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. As Administrator, I will enforce the Mercury Air Toxics Rule so long as that Rule remains in force.

38. As you may remember, we had three exchanges over the issue of whether EPA should regulate mercury (and other air toxic) emissions from power plants, specifically through the provisions authorized under Section 112 of the Clean Act. We also discussed your lawsuits, one pending, against the recent EPA rule that implement regulations to regulate power plant mercury emissions under Section 112. After our first exchange, you stated:

"There was no argument that we made from a state perspective that mercury is not a hazardous air pollutant under Section 112. Our argument focused upon the cost-benefit analysis that the EPA failed to do and the Michigan v EPA case the Supreme Court actually agreed. It was more about the process again that the EPA was supposed to go through in regulating mercury to provide certainty to

AMERICAN OVERSIGHT

those in the workplace, not a statement in respect whether mercury should be regulated or not under section 112."

Mr. Pruitt, in this exchange, did you mean to avoid the question whether power plant mercury and other HAPs must be regulated under the technology based requirements of maximum achievable control, under Section 112(d)? Or do you agree the Supreme Court, which expressly declined to consider this question, leaving the MATs Rules Section 112(d) regulations in place? Please fully explain your previous statements.

Neither statement is false. As I stated in my testimony, mercury is listed as a hazardous air pollutant under Section 112 of the Clean Air Act and is subject to regulation from listed source categories of hazardous air pollutants, and Oklahoma was not challenging mercury's status as a HAP in the case you reference. Electric utility steam generating units are subject to regulation under Section 112 only upon a lawful showing that their regulation is appropriate and necessary. In Michigan v. EPA, the Supreme Court agreed with Oklahoma's legal position when it concluded that EPA interpreted Section 112(n) unreasonably by failing to consider costs in its appropriate and necessary determination. The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. As Administrator, I will enforce the Mercury Air Toxics Rule so long as that Rule remains in force.

39. As you may remember, we had three exchanges over the issue of whether EPA should regulate mercury (and other air toxic) emissions from power plants, specifically through the provisions authorized under Section 112 of the Clean Act. We also discussed your lawsuits, one pending, against the recent EPA rule that implement regulations to regulate power plant mercury emissions under Section 112. As you may remember, I specifically asked you at the end of the hearing:

"Based on your earlier statements, that if confirmed we can have your assurances that the EPA will continue to regulate mercury emissions from power plants under Section 112 of the Clean Air Act and you will not defer to the states."

You answered:

"Mercury under Section 112 is something that EPA should deal with and regulate."

AMERICAN OVERSIGHT

You stated this many times during our exchanges. I was very clear in my questioning that I was asking about mercury emissions from power plants. And of course as well the many other air toxics emitted by this industry and listed by congress for regulation. However, in this answer, you only mentioned mercury and not power plant mercury emissions, or other air toxics at all. So please clarify,

- Do you agree that the EPA's recent consideration of the costs of the Mercury and Air Toxics Rule that shows that the agency has met the "necessary and appropriate" criteria Congress provided under 112(n) to direct the EPA to regulate power plant mercury (and other air toxic) emissions under Section 112, and more specifically under Section 112(d)? If not, why not?
- If you do not agree that EPA has met the "necessary and appropriate" criteria found in Section 112(n), what is your understanding of what that would mean for the Mercury and Air Toxics Rule?
- If the pending case you brought before the DC Circuit challenging EPA's cost analysis (Murray Energy Corporation, et al v EPA), is successful what is your view of what EPA would have to do to regulate mercury and other hazardous air pollutant power plant emissions under Section 112?

As I stated in my testimony, mercury is listed as a hazardous air pollutant under Section 112 of the Clean Air Act and is subject to regulation from listed source categories of hazardous air pollutants. Electric utility steam generating units are subject to regulation under Section 112 only upon a lawful showing that their regulation is appropriate and necessary. In Michigan v. EPA, the Supreme Court agreed with Oklahoma's legal position when it concluded that EPA interpreted Section 112(n) unreasonably by failing to consider costs in its appropriate and necessary determination. In my capacity as Attorney General of the State of Oklahoma, on remand the petitioner group has argued that EPA's supplemental finding regarding costs is contrary to law and arbitrary and capricious for the reasons stated in that brief. If the D.C. Circuit finds against EPA, I am confirmed as Administrator and the matter comes before me at that time, I will seek and follow the advice of EPA Ethics Counsel in determining whether I may participate in that matter. If I do participate in that matter, I will apply the Clean Air Act faithfully and use my best efforts to take appropriate action in light of the administrative record before the Agency at that time.

40. In the pending case you brought before the DC Circuit challenging EPA's cost analysis (Murray Energy Corporation, et al v EPA), the following statement is included in your brief:

"EPA also claims that, even though it was able to quantify highly uncertain IAQ benefits purportedly resulting from mercury emissions, other health and

AMERICAN OVERSIGHT

environmental benefits of reducing EGU mercury, acid gas, and non-mercury metals emissions simply could not be quantified. But these purported benefits are to speculative to support "appropriate and necessary" finding for the same reasons the Agency cannot quantify them: they are not supported by the scientific literature."

As you probably know, the health benefits of cleaning up hazardous air pollutants are many, although many are difficult to quantify and certainly difficult or impossible to monetize. There are, however, several studies on how to quantify loss of IQ from mercury exposure and some early studies on how to quantify long-term effects of exposure. If confirmed, how do you recommend the EPA calculate the health risks to the unborn that may be exposed to mercury-laden fish because of power plant mercury emissions? How would you quantify the health risks of the Oklahomans living near the forty lakes that have mercury fish consumption advisories? There are also emerging studies quantifying the health impacts of the toxic metals and acid gases emitted by power plants, although monetizing the precise health costs of each pollutant are not possible as they are emitted in the toxic soup. How would you justify not protecting people living near these emissions if it were not possible to precisely quantify the health risks of exposure to power plant emissions of hydrochloric acid, hydrofluoric acid, nickel, arsenic, chromium and other heavy metals?

If I am confirmed as Administrator, I look forward to working with EPA staff to arrive at a transparent and scientifically sound process for determining the health risks associated with any activity that is properly before me at the Agency, including those related to mercury exposure, and regulating those activities as appropriate consistent with Congress's intent in enacting the Clean Air Act.

41. What industry is the largest emitter of mercury air emissions in this country? The second? The third? Please provide peer-reviewed data and sources for this answer.

EPA's technical support document (v2) for the 2011 National Emissions Inventory indicates that the industries that are the three largest point source emitters of mercury in the U.S. are (1) utility coal boilers, (2) electric arc furnaces, and (3) industrial, commercial institutional boilers and process heaters.

42. What impacts do mercury power plant air emissions have on unborn children? Can you explain how power plant mercury emissions settle in water bodies and eventually can impact the unborn?

AMERICAN OVERSIGHT

Some portion of mercury emitted into the air by power plants is deposited directly or indirectly into a watershed. Once present in the watershed, it can be naturally converted into methylmercury, which can then can be absorbed by aquatic organisms, such as fish, and consumed by humans. The unborn children of pregnant women can be exposed to methylmercury if their mothers consume those fish.

43. How much of our nation's mercury air emissions come from the natural environment, vs manmade emissions? Please provide peer-reviewed data and sources for this answer.

J.M.Pacynaetal.:Current and future levels of mercury atmospheric pollution on a global scale, Atmos. Chem. Phys., 16, 12495–12511, 2016, indicates that approximately 30% of worldwide mercury emissions are manmade and 70% come from primary natural mercury emissions and re-emissions.

44. Mr. Pruitt, do you understand that EPA's data show that power plants emit not only 50 percent of all US emissions of mercury, but that they also emit 82% of hydrochloric acid gas, 62% of hydrofluoric acid gas as well as many listed heavy metals, which are emitted as particulate matter, including Selenium (83% of domestic emissions), Nickel (28% of domestic emissions), Arsenic (62% of domestic emissions), Chromium (22% of domestic emissions), and others? The cite for those statistics is found in EPA's record at 76 Fed. Reg. Page 25006 Table 5. Given that Section 112(d) as interpreted by the US Courts for many years requires the regulation of all listed hazardous air pollutants from listed industries, would you not agree that power plant hazardous air pollutants must all be regulated under the technology based requirements of section 112(d)?

The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. If confirmed, I will enforce the Mercury Air Toxics Rule so long as that Rule remains in force.

45. Given that the statute requires a showing that not one power plant emits hazardous air pollutants in amounts greater than required to cause a lifetime risk of cancer greater than one in a million to the most exposed persons, and for non-carcinogenic air toxics, to exceed a level which is adequate to protect public health with an ample margin of safety and no adverse environmental effects, and given that EPA's long standing record shows that the coal- and oil-fired power industry cannot make either of those showings what other regulatory mechanism do you believe is available "under section 112"?

AMERICAN OVERSIGHT

The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. If confirmed, I will enforce Mercury Air Toxics Rule so long as that Rule remains in force. If I am confirmed as Administrator and am presented with information showing that EPA has discretion to regulate power plants in a manner that is consistent with the Clean Air Act but that differs from the Mercury and Air Toxics Standard, or that power plants meet the standard for de-listing under Section 1129c)(9), I would consider that matter in due course as I would consider any other matter under my jurisdiction in due course.

46. The joint brief filed by your state and the regulated industry in the most recent round of appeals of EPA's decision making on power plant air toxics suggests that you are not aware of recent court precedent upholding EPA's evaluation of all the benefits, including so-called 'co-benefits' of EPA's rulemaking on particulate matter reductions that would be the direct result of the rule. What is your position on the importance of judicial precedent in governing the Agency's actions under the same statutes as have been previously interpreted by the courts?

If confirmed, I would faithfully comply the Clean Air Act in accordance with congressional intent. Judicial precedent is undoubtedly an important guide to congressional intent but Congress has also delegated interpretive authority to the Administrator of the Clean Air Act, consistent with judicial review. If I am confirmed as Administrator and form the judgment that a judicial decision is incorrect, I would consider seeking an appeal or petition for certiorari to the Supreme Court seeking reversal of that decision. Likewise, EPA recently promulgated regional consistency regulations that address the implication of adverse federal court decisions that result from challenges to locally or regionally applicable actions and I would exercise my discretion under those regional consistency regulations unless and until they are changed.

47. As I am sure you are aware, the US Supreme Court has expressly declined to consider whether EPA should have chosen some other mechanism "under section 112" in regulating power plant mercury and all the other HAPs emitted by the industry. What is your position on that precedent?

In the White Stallion decision, the D.C. Circuit held that EPA's interpretation of Section 112(n) that Sections 112(c) and -(d) provided the appropriate mechanism for regulating power plants under Section 112 after the appropriate and necessary determination was made was entitled to deference. As your question indicates, the Supreme Court did not grant

AMERICAN OVERSIGHT

discretionary review of that question. So long as the White Stallion decision is not reversed by the D.C. Circuit and the underlying agency action is not vacated, it remains a valid judicial precedent on this point.

48. Given that you have been actively suing the EPA over the Mercury and Air Toxics Rule and have one pending lawsuit, will you recuse yourself from participating in any decision making that may reopen the EPA's decision regarding the fact that it is "necessary and appropriate" to regulate power plants under Section 112 of the Clean Air Act?

As I stated in my testimony to the Committee, I will follow the advice of EPA Ethics Counsel in all recusal matters.

49. If confirmed, will you continue with EPA's assertion that it is "necessary and appropriate" to regulate mercury and other hazardous air pollutants from power plants under Section 112 – specifically under the technology based maximum achievable control requirements of Section 112(d)?

The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. As Administrator, I will enforce all aspects of the Mercury Air Toxics Rule so long as that Rule remains in force.

50. Do you agree with the Whitman v. American Trucking Associations, Inc., 531 U.S. 457 (2001) decision written by Justice Antonin Scalia that states that the EPA cannot consider implementation costs when setting primary and secondary National Ambient Air Quality Standards? If you do not agree, please explain.

As I stated in my testimony to Congress, there are instances where consideration of costs is not a factor. Setting the NAAQS for criteria pollutants is one such instance.

51. In 2015, you stated that in implementing the tighter ozone NAAQS, the EPA "failed to achieve the goals to protect air quality; the agency did not "articulate how the rule would further protect public health"; and was another "attempt by the administration to use executive agencies like the EPA to bypass Congress." Can you please explain what you meant by these statements?

Based on the limited information in the question, the source or context of the quote to which the questions refers is not readily apparent. Oklahoma

AMERICAN OVERSIGHT

joined four other states in a petition for review of EPA's 2015 decision to lower the National Ambient Air Quality Standard for ozone from 75 ppb to 70 ppb. The legal question raised by the state petitioners in the case is whether EPA set the standard at a level than can be achieved by states given the background concentrations and uncontrollable sources of ozone in many parts of the country. The briefs filed by the many State petitioners to that rule fully explain the States' position and speak for themselves. The case remains pending before the U.S. Court of Appeals for the District of Columbia Circuit.

52. As many of my colleagues know, I am an avid runner. I especially love to run with my 22-year son, who is a triathlete. In Delaware during the summer, we often have code orange days warning about the high levels of ozone for that day. Can you take a minute or two to describe how high levels of ozone could damage my lungs if I were to take a long run during a code orange day? Does ozone pollution cross state boundaries? If confirmed, how would you direct states to work together to reduce ozone pollution?

As I indicated at my nomination hearing, the Cross-State Air Pollution Rule is important, as pollution does cross state boundaries. An upwind state that contributes to a downwind state's inability to meet air quality standards should take responsibility.

53. In 2013, you argued that the EPA's decision to impose a Federal Implementation Plan on Oklahoma to address Regional Haze would cost more than $1 billion over five years. It is three years later. Do you still agree with this cost assessment? If not, why not?

The cost estimates referenced in this question were developed in connection with the Oklahoma State Implementation Plan that EPA rejected and EPA's subsequent decision to implement a Federal Implementation Plan. Oklahoma and a state utility filed legal challenges against the Federal Implementation Plan decision. The 10th Circuit initially stayed the rule pending judicial review. A split panel of the 10th Circuit upheld the Federal Implementation Plan in 2013. As Attorney General, I have not had reason to revisit the specific cost estimate at issue in this case.

If I am confirmed as Administrator, I will use my best efforts to hold to the five-year NAAQS review period prescribed by the Clean Air Act.

AMERICAN OVERSIGHT

54.If confirmed, will you continue to hold to the five-year National Ambient Air Quality Standards review time period that the Clean Air Act requires of the EPA?

If I am confirmed as Administrator, I will use my best efforts to hold to the five-year NAAQS review period prescribed by the Clean Air Act.

55. In previous hearings in this committee, we have had a few economists testify questioning EPA's science linking small particle pollution to negative health impacts. Can you just take a moment and talk about what you know about small particles and how they impact our lungs? Is the science robust in this area?

The science linking adverse health impacts and fine particulate matter pollution is well established. Accordingly, EPA has promulgated a National Ambient Air Quality Standard for particulate matter pollution that limits the concentration of small particulates, including those smaller than 2.5 microns, in the ambient air that at the level that the agency has determined is requisite to protect public health and welfare from adverse effects, while allowing an adequate margin of safety.

56. Mr. Pruitt, Section 109 of the Clean Air Act is very clear. It requires EPA to review the NAAQS for six common air pollutants including ground-level ozone, particulate matter, sulfur dioxide, nitrogen dioxide every 5 years. The Clean Air Act requires EPA to set these standards that "are requisite to protect the public health," with "an adequate margin of safety," and secondary standard necessary to protect public welfare. The science was clear that the 2008 ozone standard was not protecting public health, so EPA was required to Act. Is that not your understanding of the Clean Air Act?

Section 109 of the Clean Air Act requires EPA to set NAAQS at the level that is requisite to protect against adverse health and welfare effects, while allowing an adequate margin of safety. The Act includes a regular review cycle for criteria pollutants.

57. The EPA updated the Cross-State Air Pollution Rule in September 2016, which is within the time period for the rule to be subject to the Congressional Review Act (CRA). As Administrator, would you support the President signing a CRA resolution of disapproval that would reject these new standards?

Although I am familiar with the update to the Cross-State Air Pollution Rule and generally familiar with the Congressional Review Act, I have not

AMERICAN OVERSIGHT

reviewed any potential legislation which may reject these new standards. If I am confirmed, I will thoroughly review any resolution of disapproval which may be filed pursuant to the Congressional Review Act on this issue.

58. Mr. Pruitt, the Clean Air Act recognizes that air pollution does not respect state boundaries and directs EPA to set minimum national standards to protect the health of the nation, including protecting downwind states.

•Do you agree that EPA should set minimum national standards?

•Do you agree that EPA must protect downwind states?

As I indicated during my nomination hearing, I believe the Cross State Air Pollution Rule is important and should be enforced by the EPA. An upwind state that contributes to a downwind state's nonattainment should take responsibility for that contribution.

59. Mr. Pruitt, my State of Delaware is a downwind state, and most of the air pollution in my state is coming from upwind states.

•Do you agree that it is EPA's role to ensure equity between where air pollution is produced and where it is received?

•Do you agree that to remedy this unfairness, the upwind states must do more to control their emissions to avoid exporting the pollution (and the costs to the health and welfare) to the downwind states?

As I indicated during my nomination hearing, I believe the Cross State Air Pollution Rule is important and should be enforced by the EPA. An upwind state that contributes to a downwind state's nonattainment should take responsibility for that contribution.

60. As you are well aware, on April 2, 2007, in Massachusetts v. EPA, 549 U.S. 497 (2007), the Supreme Court determined that sufficient information existed then for EPA to make an endangerment finding with respect to the combined emissions of six greenhouse gases from new motor vehicles and new motor vehicle engines under CAA section 202(a). On December 7, 2009, the Administrator determined that those gases/sources contribute to greenhouse gas pollution that endangers public health and welfare. How do you plan to execute your legal authority to protect the public health and welfare from greenhouse gas pollution?

The Supreme Court held that GHGs are an air pollutant under the Clean Air Act. It did not address the question of whether regulation of GHGs under the Clean Air Act is warranted. In the subsequent UARG decision, the

AMERICAN OVERSIGHT

Supreme Court cautioned EPA that there are significant limits on EPA's authority to regulate GHGs under the Clean Air Act. The unprecedented Supreme Court stay of EPA's so-called "Clean Power Plan" was predicated upon a finding that the plaintiffs in the case were likely to prevail on the merits. In light of these holdings, I will hew closely to the text and intent of the Clean Air Act when considering further regulation of GHGs under that law if confirmed as Administrator.

61. Building off Congress's work on CAFE, the Obama Administration has updated emission standards for light and heavy-duty vehicles. These rules have had very little effect on the purchase price of new vehicles, but have saved consumers millions of dollars in fuel costs, vastly improved our energy security by slowing petroleum use and reduced a lot of pollution. If confirmed, do you support further strengthening vehicle emission standards? And with your federalism view, how do states address carbon pollution from vehicles themselves?

In making each of its decisions regarding light- and heavy-duty vehicle emission standards, the EPA has made decisions based on the administrative record at hand and Congress's statutory objectives. If confirmed, I would take care to make such decisions regarding vehicle emissions standards in furtherance of Congress's statutory objectives, based on the evidence in the administrative record. With respect to federalism, the Supreme Court stressed in Massachusetts v. EPA that States play a crucially important role in promulgating vehicle emission standards under the Clean Air Act: each "State has an interest independent of and behind the titles of its citizens, in all the earth and air within its domain." To that end, "Congress has ordered EPA to protect [the States and their people] by prescribing standards applicable to the 'emission of any air pollutant from any class or classes of new motor vehicle engines, which in [the Administrator's] judgment cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare.'" Furthermore, the Clean Air Act and other federal administrative laws give each affected State "a concomitant procedural right to challenge the rejection of its rulemaking petition as arbitrary and capricious," and the Supreme Court affords States "special solicitude" to challenge the resulting standards in court. If confirmed, I would take care to ensure that States continue to play a central role in the administrative process giving rise to the EPA's vehicle emissions standards.

62. The EPA promulgated phase two of the heavy-duty vehicles greenhouse gas emissions standards in August 2016, which is within the time period for the rule to be subject to the Congressional Review Act (CRA). As Administrator, would you support the President signing into law a CRA resolution of disapproval that would

AMERICAN OVERSIGHT

reject these new standards? What is your view of whether the EPA would be able to re-issue any heavy-duty vehicle greenhouse gas emission standards given the CRA's language that would prohibit the agency from issuing regulations that are "substantially similar?"

Although I am familiar with the regulations on heavy vehicle greenhouse gas emissions standards which were published in August 2016, I have not reviewed any potential legislation which may reject these standards. If I am confirmed, I will thoroughly review any resolution of disapproval which may be filed pursuant to the Congressional Review Act on this issue. In terms of re-issuing other heavyduty vehicle greenhouse gas emission standards, I would have to be briefed in detail on the regulations which have been published, and the provisions of the Congressional Review Act which prohibit the Agency from issuing any regulations which are substantially similar to the initial rules in order to determine what options the Agency may have in terms of proposing and finalizing additional regulations in this space.

63. As you know, the Renewable Fuels Standard, as amended by Congress in 2007, requires the blending of 36 billion gallons of renewable fuel into conventional gasoline and diesel by 2022. In order to add that many renewable fuel gallons to our fuel supply, do you agree that EPA must approve the sale of fuels blended with greater than 10-percent renewable content?

While Congress included "applicable volume" levels in the RFS statute, Congress also took care to expressly authorize the EPA Administrator to reduce volumetric requirements below the statute's default levels in light of real-world conditions from year to year. Specifically, the Administrator may waive the statute's volume requirements if he determines "that implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States, or "that there is an inadequate domestic supply." The EPA already has granted such waivers based on real-world conditions in recent years and, if confirmed, I would take care to administer the statute in accordance with the statutory objectives. While no statute mandates the sale of fuels blended with greater than 10 percent renewable content, statutes do vest the Administrator with discretion to authorize a variety of fuel blends.

64. In October 2010, EPA approved the use of a 15-percent renewable fuel blend for cars built in 2007 or later. In the following January, EPA extended the use of that blend to model years 2001 to 2006. Do you support the decision by the EPA to allow 15-percent renewable fuel blends? If confirmed, would you commit to

AMERICAN OVERSIGHT

using the discretion give to you by the Clean Air Act to evaluate even higher blends?

The EPA's 2010 and 2011 decisions to grant "partial waivers" for the use of E15 fuel for some vehicles were premised upon the EPA's conclusions (based on the administrative record) regarding E15's potential impacts on exhaust emissions (both immediate and long-term), evaporative emissions, "materials compatibility," and "drivability and operability." If confirmed, I would take care to administer the law in accordance with Congress's statutory objectives and the administrative record.

65. The Renewable Fuels Standard was designed to reduce dependence on foreign oil at a time that the U.S. was importing well more than half of its demand and concerns about energy and national security were paramount. It also was designed to reduce greenhouse gas emissions from the transportation sector.

Now that the United States supplies 76 percent of its oil domestically, do you believe the program continues to have an important role in enhancing the energy and environmental security of our country?

As Congress indicated in the Energy Independence and Security Act of 2007, domestic production of renewable fuel contributes to our nation's "greater energy independence and security."

67. As you heard in my opening statement, the EPA's record demonstrates that strong environmental policies create economic opportunities. An undeniable example of this is the impact of the Renewable Fuels Standard in rural America. According to the Renewable Fuels Association, in 2015, 14.8 billion gallons of ethanol was produced, supporting 85,967 direct jobs, while net petroleum import dependence fell to just 24 percent, and would have been 32 percent without the addition of domestically produced ethanol. In addition, the Association says the use of ethanol in gasoline in 2015 reduced greenhouse gas emissions from transportation by 41.2 million metric tons — equivalent to removing 8.7 million cars from the road for an entire year. Do you agree that the Renewable Fuels Standard has supported rural economies in America while allowing for the production of cleaner transportation fuels?

I agree that the RFS's promotion of renewable fuels contributes to economic growth in agricultural communities, and promotes the production and consumption of transportation fuels providing many environmental benefits.

AMERICAN OVERSIGHT

68. Some of my colleagues believe removing the corn ethanol mandate, but keeping the advanced biofuel mandate in the RFS is the best way forward. Do you have concerns with this approach?

The RFS statute neither expressly mandates the blending of corn ethanol nor prohibits its blending. In enacting the RFS statute, Congress took care to expressly authorize the EPA Administrator to reduce the volumetric requirements below the statute's default levels, in light of real-world conditions. Specifically, Congress authorized the Administrator to waive the volume requirements if he or she determines "that implementation of the requirement would severely harm the economy or environment of a State, a region, or the United States, or "that there is an inadequate domestic supply." The EPA already has granted such waivers based on real-world conditions in recent years and, if I am confirmed, I would take care to administer the statute in accordance with the statutory objectives.

69. As you may know, in recent years we have seen significant swings in Renewable Identification Number (RINs) prices. RINs are used by the EPA to track and ensure refineries are in compliance with the Renewable Fuel Standard. Many small and mid-range refineries are having difficulties with the price spikes of the RIN prices because many are buying some, if not all, their RINs off the market. As a result, high and volatile RIN prices have had a financial impact on these refineries. As the RFS continues to be implemented, what do you believe the agency should do – if anything - to assist with RIN prices?

As I indicated in my testimony, the EPA's RIN framework is currently the subject of a pending comment period. If confirmed as Administrator, I would take care to administer the RFS program, including the RIN framework, in accordance with Congress's statutory objectives, and based on the evidence in the EPA's administrative record, as well as the expertise of EPA staff and the expertise of other federal agencies relevant to the RIN framework and affected markets. The EPA already has entered into a "memorandum of understanding" with the CFTC, "on the sharing of information available to EPA related to the functioning of renewable fuel and related markets."

70. Mr. Pruitt, do you agree that the burden should be on a chemical facility operator to show that the design and operation of the facility is as safe as possible to protect workers and the public from explosions, fires, and other releases of toxic chemicals?

AMERICAN OVERSIGHT

I believe that every American should be provided safe home and work environments and people who live or work in and around chemical facilities are no exception to that.

71. Mr. Pruitt, when there are feasible measures that chemical companies can take to prevent explosions and fires that release toxic chemicals into surrounding communities that can kill people, do you agree that the companies should take such measures?

I believe that chemical companies should take actions to prevent explosions and fires as well as other safety incidents.

72. Do you support the "not net loss of wetlands" policy? George H.W. Bush initiated this critical policy in 1988 to protect our remaining wetlands habitat and all of the critical ecological and economic functions it supports. It has been U.S. Government policy ever since.

Yes.

73. A GAO report published on December 5, 2013 found that "more than 40 years after Congress passed the Clean Water Act […] EPA reported that many of the nation's waters are still impaired, and the goals of the act are not being met. Without changes to the act's approach to nonpoint source pollution, the act's goals are likely to remain unfulfilled." If confirmed, how will you work to address surface water quality impairments, including from non-point source pollutants?

Congress did not grant EPA authority to regulate non-point sources because regulation of non-point sources is the regulation of land, a traditional state authority. Instead, Congress created a planning process under section 208 of the Clean Water Act and authorized funding for state non-point source management plans under section 319. If confirmed, I will implement the authorities granted to EPA by Congress.

74. You have attacked the Obama Administration's "Waters of the United States" regulation, objecting to "the significant negative impact such a rule would inflict on states and the landowners within their borders." Oklahoma's major streams and rivers lie within two river basins, the Red and the Arkansas, both of which flow into other states. And Oklahoma receives most of its waters from upstream neighbors, particularly Texas. Without national regulation, how would you suggest that that Oklahoma's downstream neighbors - Arkansas and Louisiana -

AMERICAN OVERSIGHT

guarantee the quality of the water that flows across their boundaries? And how would you suggest that Oklahoma protects the quality of the water that it receives from upstream neighbors like Texas? You appear to believe that the only parties with an interest in water are those within a state, not downstream neighbors. Why?

Federal jurisdiction exists over navigable water, interstate water, and tributaries that can transport pollutants to navigable waters, and jurisdiction over the interstate rivers that are the subject of your question is not in dispute.

75. Communities across the country are facing the economic and health consequences of contaminated ground water, which impacts water systems and private well owners. How will you work to ensure communities are protected from drinking contaminated ground water? How will you address and strengthen the EPA's response to groundwater contamination and ensure homeowners and water systems are taking the steps to diagnose, treat, and remediate their groundwater resources?

For drinking water wells that are public water systems, the requirements of the Safe Drinking Water Act apply and EPA has authorities to provide small systems with technical assistance through circuit rider programs. For private well owners, the WIIN Act provided authority for EPA to support a drinking water technology clearinghouse for well owners. If confirmed, I will use the authorities and resources granted by Congress to help both public water systems and well owners.

76. This question is of interest to Senator Manchin and me: We must do everything we can to ensure that every American has access to safe and clean water. West Virginia has had issues with chemicals like PFOA in our drinking water as recently as last year. In fact, the State had to ship in alternative water supplies to the city of Vienna. Martinsburg and Parkersburg also had serious challenges. And, in 2014, the Elk River Chemical Spill left 300,000 West Virginians without access to potable water, so I know Senator Manchin looks forward to working with you to promote federal clean water initiatives. He also appreciates your commitment in your meeting together to working to address these challenges. Please outline how you intend to expand efforts to promote safe drinking water and support the modernization of our nation's water infrastructure.

If confirmed, I will focus on EPA's core missions, including, as appropriate, use of EPA's emergency order authority under the Safe Drinking Water Act.

AMERICAN OVERSIGHT

I also will implement the newly revised TSCA statute to address chemicals and will continue implementation of monitoring, review, and regulation of contaminants under the SDWA if confirmed.

77. One of the tools within the Clean Water Act that communities can use to restore the quality of polluted waters is through the development and implementation of a Total Maximum Daily Load (TMDL) plan. The GAO also found that funding for TMDLs has been insufficient in meeting national needs, with more than 50% of the nation's waters being identified as impaired. Will you advocate for funding to match the needs for the TMDL program? How do you plan to support and strengthen the Total Maximum Daily Load (TMDL) regulatory framework?

If confirmed, I will support continued funding of State programs authorized under section 106 of the Clean Water Act, which states use in part for TMDL development. I also will support flexibility for state use of 106 funds to allow states to focus on priorities such as impaired waters requiring TMDLs. If confirmed, I also will support the continued development of tools to help states develop TMDLs. Finally, I would note that neither GAO nor EPA has said that 50% of the nation's waters are identified as impaired. For example, states have assessed about 32% of rivers and streams. Of those assessed waters, states have identified about 54% as impaired. That means states have data showing that 17% of rivers and streams are impaired. You cannot extrapolate the data from assessed waters to all waters because most states target their monitoring to focus on waters they have reason to believe are impaired, so they can target their resources where they are needed the most.

78. You expressed great pride in your role in resolving the Mahard Egg Farm enforcement, indicating that it demonstrates your commitment to enforce environmental law. When was the complaint in the litigation filed, and how did that date correspond to the date of the proposed consent decree? Based on your responses to these questions, how well investigated and developed was this case when you took office? Can you explain your personal involvement in either the complaint or the consent decree?

The complaint was filed on May 23, 2011. The consent decree was entered into on August 10, 2011. There was no filed case when I took office, but the matter had been investigated by the Office of Attorney General, the Oklahoma Department of Agriculture, the EPA, and the State of Texas. I authorized the filing of the case once in office. The complaint and consent decree were handled by the attorneys in the Office of Attorney General responsible for environmental matters.

AMERICAN OVERSIGHT

79. Mr. Pruitt, the Clean Water Act requires EPA to review and revise its national water quality standards for pollutants based on the best available science. EPA has proposed or finalized more stringent standards for ammonia, nutrients, selenium, and dental offices. Do you agree that these standards must be based on the best available science?

Under section 303(c)(1) of the Clean Water Act, states are required to, every three years "hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards." Proposed changes to state water quality standards are submitted to EPA. Under 303(c)(3), EPA is to approve the state standards if they meet the requirements of the Clean Water Act. Under section 304, EPA establishes water quality criteria that provide guidance for state water quality standards. The Clean Water Act directs EPA to review these criteria documents "from time to time" except for criteria to protect public health from pathogens in recreational coastal waters, which must be reviewed every 5 years. Unlike the Safe Drinking Water Act, the Clean Water Act does not require the use of best available science. That said, I believe it is always important to use best available science, particularly for science documents like water quality criteria documents.

80. Last Congress, our committee worked together to pass the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a bill overhauling the toothless Toxic Substances Control Act, that was signed into law earlier this year. EPA is now responsible for implementing the law, which will require a significant amount of resources. If confirmed, do you commit to ensuring EPA will prioritize implementation and has sufficient resources to comply with the requirements and timelines established by Congress?

As you are likely aware, I wrote this body a letter urging passage of the Lautenberg Chemical Safety Act. If confirmed as EPA Administrator, I will take care that the Act is faithfully executed. A copy of that letter is attached.

81. Last year, the Toxic Substances Control Act was signed into law. There was little doubt that this bipartisan legislation was overdue and very necessary to protect our constituents. EPA has already announced they are fast-tracking five chemicals under the authority of the new TSCA regime. You mentioned during our meeting earlier this month that you were concerned with some of the more aggressive timelines included in this legislation. Please elaborate. Please also outline how you intend to support the Agency in ensuring they have the resources to comprehensively implement this landmark legislation.

AMERICAN OVERSIGHT

The Lautenberg Act has a number of statutory deadlines that must be met by the Agency when carrying out the law. If confirmed I fully intend to pick up the process where the previous administration left off with completing the required rulemakings and initial chemical reviews as well as subsequent prioritizations. The updated law also allowed for updating the industry user fees used to fund the program, a process started by the previous administration, and one which I intend to quickly evaluate.

82. You have publicly supported the recent updates to the TSCA law. Since this legislation pre-empts state actions, how does that align with your views on states rights and federalism? Do you agree that federal environmental laws – such as the Mercury and Air Toxics Rule, TSCA and Clean Power Plan – also provide certainty to businesses that have to do business across the country?

Article 1, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power "to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." Unlike the Clean Water and Clean Air Acts which regulate pollutants TSCA regulates chemical substances manufactured for commerce in not only all 50 states but often globally. Federal preemption of states is appropriate when dealing with interstate commerce issues and the Lautenberg Act's preemption provisions comport to my views on states' rights and federalism for those reasons.

83. Do you think that companies that work in the U.S. and around the world should be able to hide chemical information here that they have given to governmental regulators elsewhere?

The Lautenberg Act amended Section 14 of TSCA to delineate a process by which to protect, review, and possibly make public chemical information. If confirmed I intend to implement the law as passed by Congress.

84. In a 2005 U.S. Senate Committee on Homeland Security and Governmental Affairs hearing, President-elect Trump publicly praised asbestos, calling it "the greatest fireproofing material ever made." Every major independent scientific organization, including the World Health Organization, the International Agency on Research for Cancer (IARC), and others, acknowledges asbestos as a known human carcinogen with no safe level of exposure. The US EPA spent years studying the dangers of asbestos, and ultimately attempted to ban most uses. Just last month, the EPA redoubled its stance on the dangerous nature of asbestos by designating it as a top-ten high-risk chemical for priority TSCA action. If confirmed, will you heed the decades of conclusive science about asbestos or

AMERICAN OVERSIGHT

will you allow the President-elect's personal opinion skew the EPA's actions on asbestos?

The Lautenberg Act has extensive requirements for risk evaluations and the use of sound science in decisions throughout the chemical review and potential regulatory process. If confirmed I will implement the law following those statutory requirements.

85. You may be aware that asbestos use has drastically declined among industries that once used it heavily, including the construction and automotive sectors, as those industries began switching to safer substitutes. As a result, one industry now accounts for 90% of all asbestos consumed in the U.S. — the chlor-alkali industry, which uses asbestos diaphragms in its chlorine manufacturing process. The chlor-alkali industry has been the only point of public pushback against an asbestos ban under TSCA, and they have asked the EPA to exempt the chlor-alkali industry's use from any regulation on asbestos. Exempting the primary user from a restriction or ban, of course, would result in negligible impact. Will you commit to ensuring that any regulation or restriction on asbestos does not allow for any exemptions for the chlor-alkali industry or any other industry?

Asbestos has been identified by the EPA as a high-priority chemical that requires a risk evaluation following the process established by the Lautenberg Act to determine whether conditions of use of the chemical substance pose an unreasonable risk. Prejudging the outcome of that risk evaluation process would not be appropriate.

86. The EPA promulgated a ban on asbestos in 1989, after a decade of research, risk evaluation, and rulemaking. In 1991, the asbestos ban was overturned by the 5th Circuit Court of Appeals on the grounds that the ban fell short of EPA's requirement to impose regulations that are "least burdensome" to industry. Under the Lautenberg Act reforms to TSCA, the EPA is now empowered to ban and regulate chemicals that are "toxic, persistent, and bioaccumulative," like asbestos, without concern for industry cost or any other non-risk factor. Will you commit to ensuring that industry concerns are not considered during the risk evaluation and rule making processes regarding asbestos?

The Lautenberg Act requires notice and comment be provided at multiple stages of the chemical review process including prior to publishing a final risk evaluation and through any potential subsequent regulatory rulemaking. This notice and comment is designed to get the input of a wide range of stakeholders to ensure sound and inclusive rulemakings and not to produce or dismiss comments from one particular entity or interest.

AMERICAN OVERSIGHT

87. On April 9, 2015, you wrote a letter in support of the Lautenberg Act reforms to TSCA. In this letter, you expressed your support for the EPA: "I believe the agency, within the boundaries of its authorities as provided by Congress, serves a valuable mission to protect human health and preserve the environment." During the writing, negotiations, and passage of the Lautenberg Act, Congress — and the sitting President — made explicitly clear their intentions that the newly empowered EPA should swiftly ban asbestos and other deadly toxins. How will you ensure the EPA is able to meet statutory TSCA deadlines set forth by Congress?

I am committed to implementing the Lautenberg Act as required by law including meeting the statutory deadlines enumerated in the law including the required rulemakings, risk evaluations, and future chemical prioritizations.

88. In your April 9, 2015 letter in support of the Lautenberg Act reforms, you specifically praised the bill's explicit protection of vulnerable populations, including workers. Asbestos is one of the leading workplace carcinogens, responsible for approximately half of all occupational cancer deaths, according to the World Health Organization (WHO). During 1999 - 2014, the CDC NIOSH National Occupational Respiratory Mortality System (NORMS) database, there were 62,956 Americans who died from mesothelioma and asbestosis. These are just two of many deadly asbestos-related diseases. Given this data and your self-expressed concern for protecting workers, will you commit now to ensuring the EPA bans the import and use of asbestos under TSCA should you be confirmed?

Asbestos has been identified by the EPA as a high-priority chemical that requires a risk evaluation following the process established by the Lautenberg Act to determine whether conditions of use of the chemical substance pose an unreasonable risk. Prejudging the outcome of that risk evaluation process would not be appropriate.

89. Your home state of Oklahoma leads the nation in pesticide-related illnesses and deaths. At a time when pesticide/herbicide usage is on the rise across the country, how would you protect American workers, consumers, and landscapes from the toxic effects of agricultural chemicals?

If confirmed as Administrator, I would faithfully execute the laws administered by EPA. I would expect to be briefed by staff before taking any action on this issue.

AMERICAN OVERSIGHT

90. What will you do to ensure EPA is conducting a transparent process regarding pesticide regulation? Please specify how you will approach notifying the public regarding pesticides in terms of notice of actions, publication of information (including studies and data) in the dockets, or timely responses to requests under the Freedom of Information Act. If you do not believe in a transparent process, why not?

If confirmed, transparency and openness will be priorities, and I will work to ensure that the pesticide registration process complies with all public notice and transparency requirements under the law.

91. In June 2016 the White House Pollinator Health Task Force, which was co-chaired by the EPA, released the Pollinator Partnership Action Plan. Do you support this plan and EPA's role in it? If not, why not? Mr. Pruitt, do you agree that vulnerable populations, like pregnant women, infants, and children, must be specifically considered in the study of the impacts of toxic chemicals on human health? Why is this important?

I am not personally familiar with the report referenced in this question. In considering the health effects of chemicals, if confirmed as Administrator, I would expect to be briefed by EPA staff before taking action and would work to ensure EPA followed all applicable legal requirements and made its decisions based on sound science. If confirmed, I would also follow legal requirements regarding the use of science and consideration of health impacts on specific subpopulations.

92. For nearly a decade, a state-permitted coal ash disposal pit in Bokoshe, OK, operated by a company named "Making Money Having Fun," has caused severe air pollution through releases of fugitive dust, which have harmed residents of the town of Bokoshe. Encompassing 458 acres, the Making Money Having Fun pit covers 259 acres of a former coal mine with enough coal ash to fill the 70-foot-deep pit and create a miniature mountain stacked 50 feet high. The site is permitted to rise another 550 feet over the next 20 years. By 2036, the coal ash pit could hold 9.2 million tons of toxic waste. Since 1998, residents have complained about the toxic dust to state regulators. Residents of Bokoshe, particularly children, have experienced extremely high rates of asthma that are linked to high levels of fugitive dust. In addition, residents experience elevated cancer rates that may be linked to the dump site. In 2011, the CBS Nightly News covered the exposure of the community to toxic dust. See http://abcnews.go.com/US/oklahoma-town-fears-cancer-asthma-linked-dump-site/story?id=13303440. In 2014, the U.S. Environmental Protection Agency acknowledged that there was a problem with fugitive dust at the site. Ash samples

AMERICAN OVERSIGHT

collected in Bokoshe contained elevated levels of the carcinogens hexavalent chromium and arsenic, among other toxic metals. The Making Money Having Fun pit is not the only unlined coal ash dump in a former mine in Oklahoma. Seven miles west of Bokoshe, in McCurtain, OK, coal ash protrudes like an iceberg from a water-soaked pit. McCurtain residents have complained about dust clouds, spurring two state notices alleging violations — one in 2011 and another in 2015. State records show seven similar coal ash dump sites permitted in the county where Bokoshe is located.

•Did the Oklahoma AG Office ever investigate the Making Money Having Fun pit for environmental violations?

•Did your office take any actions to require Making Money Having Fun to control fugitive emissions at the site?

•As Oklahoma AG, what did your office do to investigate coal ash dumps in Oklahoma for violation of environmental or health standards?

The matter you reference was handled by Oklahoma's environmental regulators at the Department of Environmental Quality.

93. Mr. Pruitt, do you believe that all citizens in the U.S. should be equally protected from the threats posed by the dumping of coal ash? Currently, communities near municipal solid waste landfills and abandoned mines where millions of tons of toxic coal ash are disposed are not protected by the new federal coal ash rule. Do you think these communities deserve equal protection from pollution of their air, water and communities from coal ash?

I do not question the importance of clean air, land, and water, and I believe all Americans should be treated equally under the law.

94. Mr. Pruitt, do you think it is important for communities to know what hazardous substances are stored and disposed in their neighborhoods? Do you think it is important for citizens to know what hazardous substances are in their drinking water? If so, as head of EPA, will you guarantee that all coal ash permit programs approved by EPA will be as protective as the federal coal ash rule, including requiring communities be kept informed regarding the condition of toxic dumpsites near their homes and the safety of their drinking water?

As discussed in my testimony, public participation and transparency will be among my priorities if confirmed as Administrator. I do not question the importance of clean drinking water. It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is

AMERICAN OVERSIGHT

fully and fairly considered with input from staff, as part of a transparent process that seeks input from stakeholders, and that is consistent with EPA's statutory authorities, including the coal ash provision in the WIIN Act.

95. Mr. Pruitt, environmental justice organizations have noted that 70 percent of coal ash dumps are located in low-income, disadvantaged communities. Do you agree that these communities deserve to know if coal ash ponds are leaking toxic substances into their drinking water supplies? Do you agree that these citizens have a right to expect that their drinking water be free of pollution from coal ash impoundments?

I am not familiar with the reports referenced in the question. As my testimony indicates, if confirmed as Administrator, I will prioritize public participation and transparency. I believe all Americans should be treated equally under the law.

96. In recent years, spills, leaks and collapses of coal ash impoundments have become a greater and greater hazard to clean water. In fact, more than half of the total toxic water pollution found in America's rivers, lakes and streams comes from such impoundments. Do you believe that coal ash from power plants and other coal-burning facilities should be regulated as a hazardous pollutant, given that its chemical composition includes lead, mercury, cadmium and arsenic? What would you do as Administrator to ensure that the kinds of ash spills recently devastating Kingston, Tennessee and Dan River, North Carolina, never again occur, anywhere?

I am generally aware that EPA has recently determined that coal ash from power plants should be regulated as a non-hazardous waste under Subtitle D of the Resource Conservation and Recovery Act and supports that decision. I understand provisions of the WIIN Act recently passed by Congress and signed into law provides EPA and states additional authority concerning the regulation of coal ash through permit programs. If confirmed, I will work to ensure this new authority is implemented.

97. Mr. Pruitt, a growing body of scientific evidence has shown that people living near mountaintop removal coal mines face a number of increased health risks, including greater risk of cancer, birth defects, and premature death. If you are confirmed as EPA Administrator, how would your agency consider these health concerns?

AMERICAN OVERSIGHT

If confirmed, I would consider human health in accordance with EPA's legal authorities.

98. Mr. Pruitt, do you believe that the people who live downstream from surface coal mining operations deserve to have their sources of drinking protected from contamination from toxic chemicals such as arsenic, selenium and lead?

I strongly believe in the importance of safe drinking water, and if confirmed as Administrator, will work to implement EPA's statutory authorities in this regard.

99. Mr. Pruitt, the Manhattan Project and the Cold War triggered a boom in uranium mining in the United States. Uranium mining was carried out under the 1872 Mining Law, which did not require mining companies to clean up the mines. Abandoned uranium and other hardrock mines litter the West. These abandoned mines leach toxic chemicals, including uranium, radium, radon, and arsenic into surface and ground waters that are sources of drinking water.

•Do you agree that there is insufficient funding to address the huge problem of abandoned uranium and other hardrock mines?

•Do you agree that the 1872 Mining Law must be reformed to provide funding for the cleanup of abandoned mines?

I have not studied the issue of whether the 1872 Mining Law should be reformed or whether there is sufficient funding to address the cleanup of abandoned mines. I am generally aware of questions about whether current environmental laws inhibit the cleanup of abandoned mines by Good Samaritans, but I would expect to be briefed by staff before considering any actions on this topic.

100. The EPA is responsible for overseeing the cleanup of some of our nation's most contaminated lands. One such site is the West Lake Landfill, a Superfund site located in Bridgeton, Missouri. This site has been contaminated since 1973 when soils were mixed with residues from the Manhattan Project and used as daily cover in the landfilling operation. Local residents are rightfully concerned and frustrated by delays at the EPA in determining a proper course of action for handling this radioactive waste. In the 114th Congress the Senate unanimously passed legislation that would transfer the remediation authority for West Lake to the Army Corps of Engineers' Formerly Utilized Sites Remedial Action Program (FUSRAP). FUSRAP is already successfully overseeing the cleanup of nuclear contamination at other sites in the St. Louis area. However, as of this moment, the authority over the West Lake site remains with the EPA. Please explain your

AMERICAN OVERSIGHT

views on the EPA's authority and responsibility with regard to the cleanup of Superfund sites.

•If you are confirmed as the next EPA Administrator, would you support transferring the cleanup of sites like the West Lake Landfill to FUSRAP? Why or why not?

•If you support cleanup authority remaining with the EPA, what concrete steps would you pursue as Administrator to ensure that the agency is progressing toward a real solution at the site that protects both the environment and the health of area residents?

I am not familiar with this particular issue or the legislation that is referenced in the question, but I appreciate the interests that residents have in the efficient operation of the Superfund program and the clean up of contaminated sites in their community. It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is fully and fairly considered, as part of a transparent process that seeks input from all stakeholders.

101. Do you believe that if safer technologies or chemicals are available for a facility to use, that could prevent a serious chemical disaster, that the facility should be required to implement them to save lives, prevent injuries of workers, first-responders, and community members, and prevent serious economic damages from a disaster?

I believe workplace safety is very important and any potential regulatory decisions should be carefully examined through a open and transparent process to ensure facilities are not shifting to new chemicals or technologies that improve safety in one area but shift risks to create new and potentially more serious concerns.

102. Do you believe that federal agencies like the EPA have an obligation to consult Native American tribes when actions by the agencies could impact tribal sovereignty or the tribal trust relationship?

Yes, I believe that consultation is a sound practice that should occur whenever possible.

AMERICAN OVERSIGHT

103. Indigenous communities are consistently targeted for energy extraction, nuclear waste, uranium mining and/or oil and natural gas pipelines. How will you address this moving forward?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress imposing obligations on me in this regard. Whenever possible, I will consult with Indian Tribes prior to taking actions that may affect their sovereign interests.

104. As Administrator, what steps will you take to ensure that EPA and other federal agencies are complying with Executive Order 12989 on Environmental Justice?

I am not familiar with what steps EPA has or has not taken undertaken to implement this Executive Order. If confirmed, I will work to ensure that EPA complies with all applicable Executive Orders.

105. In January 2015, EPA issued its final rule under the Resource Conservation and Recovery Act defining what is a solid waste for purposes of ensuring that the recycling of hazardous materials does not increase the risk of harm to people or the environment, known as the "Definition of Solid Waste" or "DSW" rule. As an integral part of the rulemaking on the DSW rule, EPA conducted an environmental justice analysis of the rule's protectiveness for minority and low-income populations. EPA published its detailed environmental justice analysis report on the DSW Rule with the final rule. Will you ensure that EPA conduct detailed environmental justice analysis on all significant rules that may have adverse impacts on minority and low-income populations and publish such reports along with the final rules?

I am not familiar with the environmental justice analysis referenced in this question. If confirmed, I will work to ensure EPA conducts the required analysis to support its regulatory actions in accordance with applicable statutory requirements and Executive Orders.

106. There are currently some forty pending civil enforcement actions in which EPA is discussing possible settlement terms or pursuit of litigation. In the past during a transition in power such pending actions have proceeded unimpeded. Will you follow this precedent and let them progress at their own pace or will you intervene? And, if you do opt to intervene on a case-by-case basis, what criteria will you use to determine which enforcement cases go forward and which do not?

AMERICAN OVERSIGHT

I am unfamiliar with the specific details of the actions referenced in the question. I would expect to be briefed by staff, in consultation with the Department of Justice as appropriate, before taking any action.

107. Please provide a list of all financial contributors to your attorney general and state senate campaigns, including their total donations and affiliations.

A full list of contributors to my campaigns for the state senate and attorney general may be found at the Oklahoma Ethics Commission's websites. For state campaign committees from 2002-2014, please use this site: https://www.ok.gov/ethics/public/candidate.php. For 2015 to the present, the Commission uses this site: http://guardian.ok.gov/PublicSite/SearchPages/Search.aspx?SearchTypeCodeHook=1F26BA5E-71EA-48E4-8D50-C1013E9FE0A7. Attached is a letter from the Oklahoma Ethics Commission regarding materials prior to 2002.

108. Why did you initially refuse a formal, independent audit of your office's finances from the Oklahoma State Auditor and Inspector as mandated by Oklahoma law? Please provide a copy of the findings of the 2016 audit.

I did not refuse an audit. I requested that an independent auditor conduct the audit, rather than the State Auditor. The State Auditor ultimately agreed to not participate in the audit, and the audit was completed. The results are publicly available.

109. Do you know Mr. Fount Holland of A.H. Strategies? If so, what is your relationship?

I am familiar with Mr. Holland. I have no relationship with him.

110. Do you know Continental Resources CEO Harold Hamm and if so, what is your relationship with him?

Yes. Harold Hamm is a friend.

111. You were a board member of the Rule of Law Defense Fund from November 2015 to November 2016. As a nonprofit, that organization doesn't have to disclose its donors. But the tax filings of the Koch brothers' Freedom Partners Foundation show that it contributed $175,000 of the group's $885,000 in 2014, nearly 20

AMERICAN OVERSIGHT

percentage the total. Was the Koch brothers' Freedom Partner's Foundation the largest contributor to the Rule of Law Defense Fund? Did that Foundation have any say with respect to the Fund's activities?

I have no knowledge of whether the Freedom Partners' donation was the largest contributor to Rule of Law Defense Fund. I have resigned as Chairman and as a board member, and those records are kept by the staff of Rule of Law Defense Fund. RLDF's policies at the time I was a board member were that donors did not have any say with respect to the fund's activities.

112. The Rule of Law Defense Fund is an affiliate of the Republican Attorneys General Association, which has received more than $2.25 million in funding from fossil fuel interests since 2015—money that goes primarily to help elect GOP attorneys general, according to an analysis of its activities by the Center for Media and Democracy. What are the fossil fuel-related activities of the Fund? Has the Fund supported or undertaken any public interest or environmental protection activities?

To my knowledge, RLDF has facilitated policy discussion on a wide range of issues, including many public interest and environmental protection issues, some of which may have some nexus to matters involving fossil fuels.

113. The Huffington Post reported this week that two election fundraising groups, Oklahoma Strong and Liberty 2.0, both linked to you spent at least $637,034 since the start of 2015, even though you couldn't run for re-election as Oklahoma attorney general. These groups disbursed an average of roughly $26,543 per month, both of which announced plans last week to shut down. Would you describe for the Committee where these funds went? Is the Huffington Post's characterization that these funds money went to consultants and travel correct? And what were the specific activities conducted with these funds?

I do not have any knowledge of where remaining funds from Oklahoma Strong PAC or Liberty 2.0 went after the entities closed. Both entities are managed by a staff and decisions are made independently of me.

114. Has Oklahoma Strong or Liberty 2.0 taken money from the fossil fuel industry?

This question would have to be directed to those that operate those entities.

AMERICAN OVERSIGHT

115. Has any of the special interest money gone to other Attorneys General that may or may not sue the EPA if you are confirmed?

Without additional context to help me understand your question, I cannot answer it.

116. Has any of this special interest money gone to any member of the EPW Committee that will vote on your confirmation and serve as your oversight committee in the Senate if you are confirmed?

Without additional context to help me understand your question, I cannot answer it. In any event, I have no knowledge of the fundraising activities of the members of this committee.

117. Before being confirmed, will you disclose who has contributed to the Oklahoma Strong PAC and Liberty 2.0 Super PAC?

I do not personally have records of who has contributed to Oklahoma Strong PAC or Liberty 2.0 Super PAC. That information is publicly available on campaign finance reports, and in the possession of the staff of those entities.

118. Please provide the dates and the name of every event you attended as attorney general that was hosted by energy companies, energy representatives, energy lobbyists, or political action committees (PACs) that have energy donors.

Please see attached list.

119. For each listed matter in which the State of Oklahoma has been a litigant or petitioner against the EPA, please provide any and all documents (including any and all written or electronic correspondence, audiotapes, electronic records, videotapes, photographs, telephone messages, voice mail messages, e-mails, facsimiles, daily agendas and calendars, information about meetings and/or discussions, whether in-person or over the telephone, agendas, minutes and a list of participants for those meetings and/or discussions, and transcripts and notes of any such meetings and/or discussions) from the date on which your office first began to prepare the litigation at hand, to the date of this letter, between you (or other employees of your office) and each representative of each non-

AMERICAN OVERSIGHT

governmental entity with whom you (or your office) communicated about the litigation.

In order for you to receive a comprehensive response to a voluminous request of that nature, I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act.

120. Of the total outlays from the Attorney General's office during your tenure, what percentage of your office's expenditures in Oklahoma went toward suing the federal government or challenging federal regulations?

My understanding is that less than one percent of the Office of the Attorney General's budget has been for litigation involving legal challenges to federal actions.

121. How many legal cases did your predecessor bring against industry in Oklahoma or other states for violating federal or state environmental protections? How many similar cases have you brought during your tenure? Please identify each such case brought under your tenure, the nature of the violation alleged, and the result achieved, including any penalties assessed and collected.

I do not know how many cases were brought by my predecessor. The Department of Environmental Quality is primarily responsible for implementing and enforcing environmental laws in Oklahoma. The Office of Attorney General has historically had a limited role, compared to the Department of Environmental Quality, in litigating environmental enforcement cases. Information about environmental cases attorneys in my office have litigated during my tenure is included in this response.

122. Do the Oklahoma Strong PAC and Liberty 2.0 Super PAC continue to operate from your state campaign headquarters in Tulsa? What is your connection to either of these political action committees? Do any of your former campaign employees work for either of these political action committees, if so, who and for what period of time?

It is my understanding that both entities have been wound down. I previously served as Honorary Chairman of Oklahoma Strong PAC, I have not served in any similar role with Liberty 2.0. My understanding is that there have been common vendors between Oklahoma Strong PAC and my previous campaigns, but I am not personally aware of any contracts those

AMERICAN OVERSIGHT

vendors might have with the PACs, so your question regarding the details of any such relationships would need to be directed to the PACs or the vendors.

123. How much money have fossil fuel interests given to the Republican Attorneys Generals Association during the duration of your service in the leadership of that organization?

Other issues

Records of fundraising for that organization are kept with the staff of the Republican Attorneys General Association, and are also disclosed on campaign finance reports filed by that entity. I am not aware how much money has been donated to RAGA or from whom.

124. At a time of state budget cuts in Oklahoma, why did the attorney general's office expenditures increase from $28 million to $37.5 million under your leadership?

The budget cuts you refer to relate to reductions in the appropriations that each agency receives from the Legislature. I believe the Office of Attorney General has seen its appropriation from the Legislature cut every year since 2014, culminating in an appropriation of $0 this last fiscal year. What can lead to confusion is the fact that the appropriation from the Legislature makes up only a portion of the Office of Attorney General's budget, and the Office's budget and expenditures can fluctuate greatly year over year depending on the timing of case settlements and related distributions. For example in fiscal year 2014, the Attorney General's Office distributed higher than normal case settlement funds that inflated the budget over typical levels. Conversely, that total came down in fiscal years 2015 and 2016. Thus, fluctuations such as the one assumed by your question do not accurately reflect the size of the Office's budget. In my tenure as Attorney General, the Oklahoma Office of the Attorney General streamlined legal services for dozens of agencies, returned $29 million to the General Revenue Fund, distributed mortgage settlement restitution funds to impacted citizens, strengthened tobacco enforcement, and led the Office in such a fiscally responsible manner that the Office was able to forego all $6.4 million in state-appropriated operating funds for fiscal year 2017--that in addition to the Office having its annual appropriation cut in every prior year. The Office of Attorney General was the only state agency to voluntarily do this. During my tenure, the Office assumed the statutory duties of the Human Rights Commission through our Office of Civil Rights Enforcement, strengthened tobacco settlement enforcement efforts, and launched the Solicitor General's Unit. The Office also increased by one third the number

AMERICAN OVERSIGHT

of agencies, commissions, or boards which it represents. This has led to a precipitous decline in state agency usage of costly private counsel. It is these and other efforts that have permitted the Office to contribute approximately $29 million to the General Revenue Fund over the last six years.

125. Do you think the upwind or upstream states of Oklahoma would be willing to impose more stringent environmental protections because of the adverse impacts certain activities in their state might have on Oklahomans? Have they ever done so on their own?

The Department of Environmental Quality has primary responsibility for implementing and enforcing environmental laws in Oklahoma. As Attorney General, I do not have responsibility or authority for setting environmental policy for the State and do not have the specific information at issue in this question.

126. Do your views on federalism expand beyond the EPA? For example, were you against the recently passed legislation that pre-empted states from labeling GMO foods? If not, why not?

I did not have an opinion on the GMO labeling legislation, however, I view that it is a similar matter to the Lautenberg Act reforms to TSCA which we supported despite its pre-empting state regulation, because it provides certainty nation-wide to regulations and often a consensus federal standard.

127. You campaigned in 2010 against a "one-size-fits-all strategy" towards environmental protection. That phrase is sometimes used to imply that whether American children should be adequately - or inadequately - protected against poisonous air, water and food should be based on the political jurisdiction in which they happen to live. Is that what you meant - that air and water health standards should vary from state to state? Do children's hearts or senior's lungs vary in their vulnerability to pollution between Oklahomans and Californians? Do you accept the premise at the heart of the Clean Air and Clean Water Acts that every American, wherever they live, should have a science based, legally guaranteed right to clean air, pure water and healthy food? Or do you think these decisions should be made by local politicians based on interest group lobbying?

I strongly believe in the importance of clean air, water, and land. Many of the environmental laws passed by Congress, including the Clean Air Act, are based on a framework of cooperative federalism by which states

AMERICAN OVERSIGHT

administer programs authorized or delegated by EPA in order to implement these authorities. If confirmed, I will support open and transparent regulatory processes and base decisions on sound science in accordance with EPA's legal authorities.

128. How do you plan to consider costs in reviewing national ambient air quality standards? Do you agree with Justice Scalia's opinion in Whitman v. American Trucking Associations that it is "fairly clear that [the Clean Air Act] does not permit the EPA to consider costs in setting the standards."

I agree that the Supreme Court's decision in Whitman v. American Trucking Associations confirms that the Clean Air Act does not allow the Administrator to consider costs in setting the NAAQS.

129. Do you believe that economic or cost-benefit analysis should ever be used to decide how much toxic pollution children should breathe or drink; many lives EPA should save; how many children should get cancer or asthma just because they live near a polluting factory?

As I stated in my testimony, I fundamentally believe in EPA's core mission of protecting the American people. Environmental statutes, such as the Clean Air Act and the Clean Water Act, prescribe certain instances where a cost-benefit analysis may be considered in a rulemaking. If confirmed, I commit to fully carry out EPA's core mission and follow the law as provided by Congress.

130. Every year during your tenure as Oklahoma Attorney General, the American Lung Association gave Oklahoma counties a failing grade for not meeting ozone air pollution health standards. In fact, your home town of Tulsa is ranked 18th out of 228 metropolitan areas for high alert ozone days. Are you concerned about the impacts of soot and smog pollution on Oklahoma citizens? What efforts have you undertaken as Oklahoma Attorney General to protect Oklahomans from soot and smog pollution?

While I am concerned about children's health, matters of the sort you reference would be handled by Oklahoma's environmental regulators at the Department of Environmental Quality and the Oklahoma Water Resources Board.

AMERICAN OVERSIGHT

131. If confirmed, do you commit to protecting scientific research conducted and funded by the EPA? Will you continue EPA's long-standing practice of protecting the confidentiality of health records of individual patients that participate in scientific studies?

If confirmed, it will look forward to working with EPA's scientists and the thousands of other public servants at EPA. If confirmed, I would expect to learn more about the existing practice and relevant legal authorities concerning the confidentiality of scientific data before taking action.

132. Do you agree with this statement from NASA: "97 percent or more of actively publishing climate scientists agree: Climate-warming trends over the past century are extremely likely due to human activities." If not, please explain why you do not agree.

I have no reason to disagree with NASA's statement, although I have not made any attempt to independently verify its accuracy.

133. Please provide a list of all the cases, briefs and other legal actions that your office has filed while you have served as attorney general.

Please see attached list.

134. How many legal cases have you filed, or joined others in filing, against the EPA? Please provide a full list with the outcome of each case, including those cases in which the court disagreed with your argument, agreed with your argument, and those in which the court refused to hear the matter.

Enclosed is a list of the relevant cases. The relevant court opinions, judgments, or orders are the best source of information about how these cases were disposed.

135. It is my understanding that you currently have nine cases pending against the EPA on behalf of the State of Oklahoma. Is this correct? Will you recuse yourself from participation in these cases if you are confirmed? If not, why not? Will you recuse yourself from settlement discussions? If not, why not? Will you recuse yourself from decision making on altering or revising the regulations that are impacted by these pending cases? If not, why not? What are the recusal requirements of the Oklahoma Bar Association governing similar situations?

AMERICAN OVERSIGHT

Please see attached list of cases. Immediately upon my nomination, I was walled off from all involvement in any litigation or other matters the State of Oklahoma is pursuing involving the EPA. I have disclosed relevant matters to the Office of Government Ethics and EPA ethics officials. As EPA Administrator I will recuse from participation in litigation in matters in which I represented the State of Oklahoma, unless I receive informed consent from the State of Oklahoma and the permission of relevant federal ethics officials. It is my understanding that recusal obligations do not extend to regulatory rulemaking of general applicability, which does not create a conflict under applicable rules.

136. If confirmed, do you plan on proposing or advocating for budget cuts to the EPA's FY 2018 budget? If so, in which programs would you reduce funding? Would you target the EPA's research programs? Are there areas of agency action where you believe additional financial resources are needed?

I have no first-hand knowledge of EPA's development of its FY 2018 budget request. If confirmed, I will work to ensure that the limited resources appropriated to EPA by Congress are managed wisely in pursuit of that important mission and in accordance with all applicable legal authorities.

137. It is my understanding that prior to you taking office, there was an Environmental Protection Unit within the Oklahoma Attorney General's office. Is that correct?

The Oklahoma Department of Environmental Quality is the State agency responsible for implementing and enforcing environmental laws in Oklahoma.

138. It is my understanding that after you took office, the Environmental Protection Unit within the Oklahoma Attorney General's office was eliminated. Is that correct? Can you explain why the work of this unit was discontinued? Did the work continue in another section of your office? If so, who continued to do that work and for what period of time?

My office continues to employ attorneys vested with responsibilities related to environmental protection, including the attorney who served as the lead attorney on the previous attorney general's "environmental protection unit." That attorney's responsibilities remain unchanged (he has been promoted, in fact), and he pursues exactly the kind of cases that he pursued under the previous attorney general. The only thing that changed was the internal

AMERICAN OVERSIGHT

organization of the attorneys vested with those responsibilities, because I concluded (consistent with the practices of every attorney general in the State's history but for my immediate predecessor) that it was not operationally efficient to have a separate unit for such work. Thus, I chose to house that work in the Office's Public Protection Unit and then later in the Solicitor General's Unit. As I explained in my testimony to the committee, my office continues to pursue environmental cases. I do not possess lists of cases pursued my predecessor so I cannot provide the comparative that you request. I am aware that many environmental cases take many, many years to litigate to completion, so some of the actions that my Office continues to pursue were initiated prior to my taking office. Please see attached list of cases.

139. In your cases against the EPA's Mercury and Air Toxics Rule, who served as your scientific advisor for the case?

The Office of Attorney General does not have a science advisor.

140. Please provide your definition of cooperative federalism.

Cooperative federalism occurs when the federal government works cooperatively with state and local governments to address issues of national concern. Federalism is not cooperative when the federal government mandates or coerces state and local governments into effectuating federal policies.

141. Provide examples of times the EPA has intervened and required a state to do more than the state intended and you supported the EPA's actions.

The water quality crisis in Flint is one where EPA should have acted faster in accordance with its legal authorities in consultation with the State.

142. You are quoted in an interview this past November saying "we hope there is going to be regulatory rollback...Well when you look at the EPA, and the role it's played over the last several years, there's going to be substantial change in that agency." Which EPA regulations do you believe should be rolled back? What changes do you believe should occur in the EPA? Which EPA regulations should be maintained?

Based on the limited information provided in the question, I am uncertain what interview it is referring to. However, if confirmed as Administrator, I

AMERICAN OVERSIGHT

will take my responsibility to protect human health and the environment for all Americans with the highest possible dedication and commitment. The actions undertaken by the Office of Attorney General challenging certain EPA regulations have been because EPA exceeded it legal authorities as established by Congress and interpreted by the courts. Regulations that are not on solid legal foundation and that cannot survive judicial review will not result in environmental protections.

143. In your testimony before the Senate Environment and Public Works Committee in May 2015, you stated that the EPA "has played an important role in addressing water and air quality issues that transverse state lines." Since you became attorney general, hasn't your state sued against EPA regulations that address cross-state air and water pollution? What are the most significant sources of interstate pollution and what are the most important actions the EPA can take to address them?

As my testimony indicates, I firmly believe that the EPA plays an important role in addressing interstate water and air quality issues, but it must do so within the bounds of its legal authority. The actions undertaken by the Office of Attorney General challenging certain EPA regulations have been because EPA exceeded it legal authorities as established by Congress and interpreted by the courts.

144. Do you believe the EPA has, in your words "exceeded the constraints placed upon the agency by Congress" by issuing the Mercury and Air Toxics Rule? If so, please explain.

Based on the limited information in the question, the source or context of the quote to which the question refers is not readily apparent. Twenty one states filed a petition with the Supreme Court to review EPA's Mercury Air Toxics Standards. The Supreme Court held that the EPA was required to consider costs as part of its decision whether to regulate power plants under section 112. I agree with the Supreme Court's conclusion.

145. Do you support states taking further public health protective actions beyond those required by EPA regulations?

Yes—if authorized under the law and not preempted or displaced by federal law.

AMERICAN OVERSIGHT

146. Do you agree with the EPA's legal interpretation of the Clean Water Act and share the view the agency has federal jurisdiction over wetlands and streams that impact the health of downstream navigable waters? If you do not agree, please explain.

The EPA takes a broader view of its jurisdiction under the Clean Water Act than the question suggests. A federal court appeals has held that the EPA's interpretation of its jurisdiction under the Clean Water Act is likely unlawful. I agree with that court's conclusion.

147. Would you explain the basis for your recent challenges to EPA's finding that it is appropriate and necessary to regulate the emissions of carbon dioxide and hazardous air pollutants from power plants?

The particular matters being asked about are unclear from the limited information in the question. As discussed in response to Questions 27 and 35, the state of Oklahoma, along with many other states, filed petitions for review challenging EPA regulations in matters where EPA has exceeded its statutory authority as established by Congress and interpreted by the courts. The standard for regulating under section 111 of the Clean Air Act is whether in the Administrator's judgment a category of sources "causes, or contributes significantly, to air pollution which may reasonably be anticipated to endanger public health or welfare." The standard for regulating under section 112(n) of the Clean Air Act is if "the Administrator finds such regulation is appropriate and necessary after considering the results of the study required by this subparagraph." The briefs filed by the state petitioners are the best statements of the legal arguments being made and speak for themselves.

148. As attorney general, what types of environmental justice cases have you pursued? Please provide a list of cases and outcomes. What is your view of EPA's mission in regard to environmental justice?

As discussed elsewhere in these responses, the Oklahoma Department of Environmental Quality is the state agency with primary responsibility for implementing and enforcing environmental laws in Oklahoma. As I testified, I believe the Administrator plays an important role regarding environmental justice. Attached is a list of environmental cases brought under my tenure.

AMERICAN OVERSIGHT

149. In a 2013 press statement, you stated "the evidence is clear that the current ethanol fuel mandate is unworkable." Would you explain what you meant at this time?

Based on the limited information in the question, the context of the quote referenced in the question is not readily apparent. If confirmed, my duty as EPA Administrator would be to enforce the laws passed by this body.

150. In your joint brief against the Mercury and Air Toxics Standards, it stated "human exposure to methylmercury resulting from coal fired EGUs (Electric Generating Units) is exceedingly small." What is the scientific basis for this statement? Do you continue to agree with this assessment?

Based on the limited information in the question, the source or context of the quote to which the question refers is not readily apparent. Twenty one states filed a petition with the Supreme Court to review EPA's Mercury Air Toxics Standards. The legal question in that case was a narrow one focused on whether EPA was required to consider costs before it imposed regulations on power plants under section 112 of the Clean Air Act.

151. The EPA is responsible for administering two of the nation's most important infrastructure investment programs- the Clean Water and Safe Drinking Water State Revolving Loan Funds (SRFs). Unfortunately, water and sewer infrastructure in this country continues to deteriorate and investment is sorely needed. The American Society of Civil Engineers rates our wastewater and drinking water infrastructure a "D." If confirmed, what will you do to ensure that the federal government is adequately investing in our nation's wastewater and drinking water infrastructure?

If confirmed, I will continue support for the Clean Water State Revolving Loan Funds and the new Water Infrastructure Financing Innovation Act loan program. In addition, I would continue to implement EPA's Integrated Planning Framework to provide municipalities with flexibility to prioritize actions they take to come into compliance.

AMERICAN OVERSIGHT

Senator Duckworth:

1. During your confirmation hearing, we discussed the ongoing petitions requesting EPA initiate a rulemaking to reconsider or change the regulations identifying refiners and importers of gasolines and diesel fuel as the entities responsible for complying with the annual percentage standards adopted under the Renewable Fuel Standard (RFS) program. I am specifically concerned with harmful proposals to move the point of obligation from refiners and importers to entities that blend renewable fuel into transportation fuel. Moving the point of obligation from refiners to blenders would disrupt a component of the RFS program that has worked well for the past 10 years. This harmful proposal is opposed by a broad range of stakeholders, including organizations that represent blenders, and it would undermine Congress' goal in creating the RFS program by likely decreasing the production, distribution and use of renewable fuels in the United States.

• If confirmed as EPA Administrator, will you commit to denying any petition requesting EPA change the RFS point of obligation, including requests to move the point of obligation from refiners to blenders?
• Please provide all statements you have made, whether in writing or verbally, expressing your view on the RFS point of obligation.

As I indicated in my testimony, the EPA's RIN framework is currently the subject of a pending notice-and-comment rulemaking. If confirmed as Administrator, I would take care to administer the RFS program, including the RIN framework, in accordance with Congress's statutory objectives, and based on the evidence in the EPA's administrative record, as well as the expertise of EPA staff and the expertise of other federal agencies relevant to the RIN framework and affected markets. The EPA already has entered into a "memorandum of understanding" with the CFTC, "on the sharing of information available to EPA related to the functioning of renewable fuel and related markets."

AMERICAN OVERSIGHT

Senator Gillibrand:

1.Assuming that costs should be considered in rulemakings, do you believe that externality costs – for example costs to society from impacts of a pollutant -- should be considered in addition to the financial costs of compliance?

As I stated at the hearing, costs are important in the rulemaking process and the Courts have recognized that important factor. Environmental statutes, such as the Clean Air Act, prescribe when costs should be considered in a rulemaking. If confirmed, I commit to fully follow the law as provided by Congress.

2.New York has the toughest acid rain regulations for power plants in the nation, but the acid rain that has affected the Adirondacks is predominately caused by emissions from Midwestern coal-fired power plants. The scientific data collected as part of a long-term and robust acid rain monitoring program of Adirondack lakes and streams provides the evidence that the sulfur dioxide trading program under the Clean Air Act has been a cost effective method to reduce sulfur dioxide from the atmosphere. This regulatory strategy was implemented without a detrimental economic effect. Is the regulatory strategy outlined above: strong federal standards coupled with even stronger state standards an example of the "meaningful role" you envision for EPA and the "useful role of the states?"

As I stated at the hearing, costs are very important in the rulemaking process and the Courts have recognized that important factor. Environmental statutes, such as the Clean Air Act, prescribe when costs should be considered in a rulemaking. If confirmed, I commit to fully follow the law as provided by Congress.

3.EPA promulgated the Cross State Air Pollution Rule (CSAPR) in 2011 and an update to the rule in September 2016. How will you implement CSAPR and the update rules?

The Cross-State Air Pollution Rule is a regulation that is currently in effect and, as such, constitutes a binding regulation. So long as that rule remains in force, I will faithfully execute the law and enforce obligations under it.

AMERICAN OVERSIGHT

4.What strategy will you pursue to ensure upwind emissions do not affect the ability of downwind states to meet air quality standards, per Section 110(a)(2)(D) of the Clean Air Act?

As I stated in my testimony before the Committee, I agree that the Clean Air Act gives EPA an important role in addressing interstate pollution issues, among many other things. If I am confirmed as Administrator, I will exercise my authority in this area consistent with Congress's intent in enacting the Act. Specifically with respect to Section 110(a)(2)(D) and the "good neighbor" obligations of Section 110, I intend to engage in a transparent process that will allow states to have a meaningful opportunity to understand their obligations with regard to reducing emissions that cause or contribute to nonattainment or interference with maintenance in other states through the SIP process and to act consistent with my authority under Section 110(c) if states fail to do so.

5.What is EPA's role in resolving disputes regarding the transport of pollutants between states?

As I stated in my testimony before the Committee, I agree that the Clean Air Act gives EPA an important role in addressing interstate pollution issues, among many other things. I strongly believe in states working collaboratively to address crossborder environmental challenges and did so when I was the Attorney General of Oklahoma, including negotiating a historic agreement with my Democratic counterpart in the State of Arkansas to reduce pollutants into the scenic Illinois River. As Administrator, I intend to provide assistance to states as they work collaboratively in these issues. Where the Act contemplates a more direct role for EPA, such as with respect to Section 110(a)(2)(D) and the "good neighbor" obligations of Section 110, I intend to engage in a transparent process that will allow states to have a meaningful opportunity to understand their obligations with regard to reducing emissions that cause or contribute to nonattainment or interference with maintenance in other states through the SIP process

6.What specific actions have you taken as Oklahoma Attorney General to protect Oklahoma's children from exposure to air pollution?

While I am also concerned about children's health, environmental regulation in Oklahoma is the responsibility of Oklahoma's environmental regulators at agencies like the Oklahoma Department of Environmental Quality. That agency would likely be better situated to answer your question by actions taken by the State with regard to air pollution.

AMERICAN OVERSIGHT

7. Does state sovereignty includes a state's authority to combat impacts to air and water from pollution generated in other states?

Yes.

8. The EPA Clean Air Science Advisory Committee currently fills a role that The Clean Air Act requires; this role is that of an independent scientific committee to advise the Administrator regarding any possible revisions to the national standards (NAAQS). That advisory committee has stated on record that the ozone NAAQS should be more protective than the current standards. Will you follow the advice of the advisory committee as Administrator?

I agree that the Clean Air Act assigns the advisory committee a role in advising the Administrator regarding the promulgation and revision of NAAQS. If confirmed as Administrator, I will follow a transparent process that is legally and scientifically sound in all NAAQS decisions, including consideration of the views of the advisory committee.

9. What role will the opinions of that advisory committee play in any decision-making you might have to do regarding review of and revisions to the NAAQS?

I agree that the Clean Air Act assigns the advisory committee a role in advising the Administrator regarding the promulgation and revision of NAAQS. If confirmed as Administrator, I will follow a transparent process that is legally and scientifically sound in all NAAQS decisions, including consideration of the views of the advisory committee.

10. In the April 22, 2016 State Petitioners' Opening Brief that you signed seeking to vacate EPA's primary NAAQS of 70 ppm, you wrote that "that EPA must consider the burden of a NAAQS." What did you mean by the burden of a NAAQS?

The Clean Air Act requires the Administrator to establish NAAQS that protect public health and welfare from adverse effects, allowing an adequate margin of safety, and to revise those standards as appropriate. This includes establishing NAAQS at a level that is "requisite," which the Supreme Court has interpreted as being neither more nor less stringent than necessary to protect public health. The State Petitioners' Opening Brief, particularly in Section II of the Argument portion, the part of the brief to which the quotation in your question is relevant, argues that the ozone NAAQS is arbitrary and capricious because it fails to interpret the Act in a manner that ensures the standard is "requisite." As I have explained elsewhere in my testimony to the Committee and in response to the Committee's written questions, all legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in an advocacy

AMERICAN OVERSIGHT

capacity. If confirmed as Administrator, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

11.What is the burden on individuals who are exposed to, and suffer health effects from, air pollution if NAAQS are not strong enough to protect public health?

The Clean Air Act requires the Administrator to establish NAAQS that protect public health and welfare from adverse effects, allowing an adequate margin of safety, and to revise those standards as appropriate. Individuals exposed to pollutant concentrations that are above the NAAQS may suffer adverse health effects, the specifics of which vary depending on the pollutant at issue.

12.How will you take into consideration the cost of pollution on human health when taking regulatory action?

As I stated in my testimony, if confirmed, my primary goal would be to protect the American people through lawful regulations. I also indicated at the hearing that costs are very important in the rulemaking process and the Courts have recognized that important factor. I understand environmental statutes, such as the Clean Air Act and Clean Water Act, prescribe when costs should be considered in the rulemaking process. If confirmed, I commit to fully follow the law as provided by Congress.

13.New York is very concerned with the interstate transport of ozone and particulate matter, which cause death and illness in our state and damages our natural resources, but also interferes with New York's ability to meet its legal obligation to attain the national standards set by EPA. Can ground-level ozone or its precursor, nitrogen oxides, can be generated in one state and reduce air quality in another state?

Yes.

14.Can fine particulate matter or its precursors, nitrogen oxides and sulfur dioxide, be generated in one state and reduce air quality in another state?

Yes.

15.EPA's regulatory impact analysis enumerated numerous important categories of mercury benefits that the agency found couldn't be monetized, such as the impacts of mercury on non-IQ neurological impacts (including developmental

AMERICAN OVERSIGHT

delays, effects on attention/behavior, effects on motor skills, effects on memory); cardiovascular impacts; genotoxic, immunologic, and other toxic effects.

•Do you agree that mercury has these impacts?

•Do you agree that the benefits of reducing these impacts are valuable?

•Do you think that avoided harms, like reducing childhood development delays, need to be monetized to count as part of a cost-benefit analysis?

•Do you agree that consideration of a monetized cost-benefit analysis that does not include these benefits because they cannot be monetized is an incomplete picture of the costs and benefits of reducing mercury emissions?

I agree that as Administrator, it is appropriate to consider both the monetized benefits of regulation and benefits that cannot be monetized. Likewise, where appropriate in light of Congress's intent in enacting each Clean Air Act provision, I agree that it is appropriate to consider both the monetized costs of regulation and any other negative impacts, regardless of whether those can be monetized. If I am confirmed as Administrator, I will exercise my authority consistent with Congress's intent in enacting the Act.

16.In your comments at the EPW nomination hearing, you claimed that your challenges to the mercury standards were entirely procedural in nature.

•In your brief challenging the original mercury standard, you asserted that "the record does not support EPA's findings that mercury, non-mercury HAP metals, and acid gas HAPs pose public health hazards." Explain how this is a procedural claim.

•In your brief challenging the original mercury standard, you asserted that "EPA's EGU MACT standards are unlawful under §112(n)(1)(A)." Explain how this is a procedural claim.

•In signing the original petitioners' brief, were you just advocating for a client? Or do you continue to believe all the positions argued in the original petitioners' brief are correct?

•In your brief challenging EPA's supplemental finding, you asserted that "EPA must consider costs in relation to benefits to justify its 'appropriate and necessary' determination." Explain how this is a procedural claim.

•In your brief challenging EPA's supplemental finding, you asserted that EPA's "'alternative' benefit-cost approach is also invalid because it is based on the 'Co-Benefits' of reducing pollutants other than HAPs." Explain how this is a procedural claim.

•In your brief challenging EPA's supplemental finding, you asserted that "EPA's refusal to consider alternative control strategies and all relevant costs, is contrary

AMERICAN OVERSIGHT

to the statute and the Supreme Court's direction." Explain how this is a procedural claim.

In my testimony, when I stated that Oklahoma's challenges were procedural in nature, I was referring to whether EPA acted consistent with law and the record in following the procedure set forth for regulating electric utility steam generating units under Section 112(n) of the Act. That procedure required EPA, taking into account certain information, to determine whether regulating the sources under Section 112 is appropriate and necessary.

17.When filing briefs for Oklahoma in the Mercury and Air Toxics Standard litigation, Clean Power Plan litigation, and other litigation against EPA that you joined as Attorney General, were you just advocating for a client? Or do you continue to believe all the positions argued in your briefs are correct?

As I stated in my testimony to the committee, all legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in an advocacy capacity. If confirmed as Administrator, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

18.The Great Lakes Restoration Initiative (GLRI) was launched in 2010 to accelerate efforts to protect and restore the largest system of fresh surface water in the world — the Great Lakes. EPA is a critical member and lead of the GLRI Task Force and Regional Working Group. This coordination in partnership with the states has produced unprecedented results, with GRLI resources funding over 2,000 projects to improve water quality, protecting and restoring native habitat and species, preventing and controlling invasive species, and addressing other Great Lakes environmental problems. Under your leadership, will the GLRI continue to be a top priority?

If confirmed, I will continue EPA's support for the Great Lakes Restoration Initiative, which was formally authorized by Congress in December 2016.

19.Will you support an annual appropriation of at least $300 million for the Great Lakes Restoration Initiative?

I note that $300 million has been the annual appropriation for the Great Lakes Restoration Initiative for the past several years, even though the prior Administration proposed to cut that funding to $250 million. Three hundred

AMERICAN OVERSIGHT

million also is the Congressional authorized level of funding. If confirmed, I will take into account that funding history and Congressional authorization when making recommendations to the Office of Management and Budget regarding EPA's appropriations.

20.New York is suffering from infestations of invasive species such as the emerald ash borer and zebra mussel, which have large impacts in the state. EPA has been an important ally in our efforts, and has a number of programs that fight invasive species. What is your view on EPA's role in fighting invasive species, and do you believe EPA should commit more resources, fewer resources, or about the same amount of resources to this issue?

I am not aware of the state of invasive species in New York. If confirmed, I would expect to be briefed by staff on this issue before taking any action consistent with EPA's legal authorities.

21. Does climate change have an impact on the spread of invasive species, such as the emerald ash borer, in New York State?

I am not familiar with the state of invasive species in New York.

22.Should states continue to have the sovereign authority to set their own ballast water discharge standards to protect the environment from the spread of invasive species?

The issue of federal preemption of state ballast water discharge regulations is a question for Congress, not the Administrator of the EPA. If confirmed, I will carry out the authorities granted to EPA by Congress.

23.Approximately 200 miles of the Hudson River are classified by the EPA as one of the largest Superfund sites in the country when 1.3 million pounds of PCBs were discharged by two General Electric plants into the Hudson River over a 30-year period. The EPA has required targeted dredging between 2009 and 2015. Last year, the Commissioner of the New York State Department of Environmental Conservation repeatedly advised the EPA of the State's concerns that EPA's remedy for the Hudson River left in place substantial levels of PCB contamination. The EPA is slated to release its five-year review of the project this spring. Independent and objective quantitative analyses are essential in order to determine whether the remedy is protective of human health and the environment. Will you agree to work with New York State to evaluate the sufficiency of the remedy selected in the EPA's Record of Decision?

AMERICAN OVERSIGHT

I appreciated hearing about this Superfund site in our meeting and your staff followed up with us concerning the consent decree in this situation. If confirmed, I intend for EPA to work collaboratively with New York State to assess the sufficiency of the remedy. I understand that EPA intends to provide data and analysis related to a review of the remedy to the site related to all stakeholders, including New York, federal partners, and the environmental community. I also understand the State and other stakeholders will have the opportunity to present information to EPA through that process. I confirmed, I would work to ensure that EPA's decision will be informed by such information provided through such process.

24.With regard to the Hudson River, will you thoroughly quantify the trends based on all available fish, water, and sediment data and make reasonable and conservative assumptions regarding future trends?

I believe EPA actions should be based on sound science and taken in accordance with applicable statutory requirements, including consideration such as those you identify.

25.As of 2014, New York had the third largest number of Superfund sites among all states, with 87 sites. One in four Americans lives within three miles of a contaminated disposal site that poses serious risks to human health and the environment. In recent years, EPA has allocated approximately $250 million per year for Superfund cleanup. The agency estimates that much greater amounts – from $355 million to over $600 million per year – will be needed in the future. What changes should be made to the Superfund statute to help facilitate these important clean-up projects?

If confirmed, I would expect to prioritize the cleanup of contaminated land. Prior to suggesting any legislative proposals, I would expect to be briefed by staff and to receive the views of relevant stakeholders on ways to improve the operation of the Superfund program, including any changes to its statutory authority, if confirmed.

26.Do you support restoring the tax on petroleum products that funded the Superfund trust fund, but was discontinued in 1995?

This is a matter for Congress to decide.

27.What would you do, if confirmed, to facilitate and improve Superfund clean-ups in the absence of new legislation?

If confirmed, I would expect to prioritize the cleanup of contaminated land. I would also expect to be briefed by staff and to receive the views of relevant

AMERICAN OVERSIGHT

stakeholders on ways to improve the operation of the Superfund program, absent new statutory authority, if confirmed. I also understand the Government Accountability Office and the EPA Inspector General also regularly review the operation and activities of the Superfund program, and I would expect to look to their recommendations for additional areas for improvement, if confirmed.

28.The EPA's Brownfields Program provides grants and technical assistance to assess, clean up, and reuse contaminated properties. Cleaning up and reinvesting in brownfields protects human health and the environment, reduces blight, and takes development pressures off agricultural and other working lands. Through fiscal year 2013, on average, $17.79 was leveraged for each EPA Brownfields dollar and 7.3 jobs leveraged per $100,000 of EPA brownfields funds expended on assessment, cleanup, and revolving loan fund cooperative agreements. Unfortunately, only about 1/3 of all applicants to the program are successful. Do you support expanding the resources for the Brownfields Program to adequately support these communities in need?

I am aware EPA's Brownfields program has enjoyed bipartisan support in Congress. If confirmed as Administrator, I expect cleanup of contaminated land to be among my priorities and to be briefed by staff about the Brownfields programs activities and resources before taking any action.

29.In 2005, New York State, Connecticut, and the EPA and Army Corps reached an agreement to eliminate or reduce the amount of dredged sediment dumped in the open waters of Long Island Sound. The New York State Department of Environmental Conservation and Department of State have repeatedly urged the EPA and Army Corps not to move forward with the permanent designation of an open water dumping site in Eastern Long Island Sound, raising concerns that the sediment has not been properly tested and could negatively impact the economic and environmental state of Long Island Sound, which was designated in 1987 by Congress as an Estuary Of National Significance. Will you work to enforce NYS's right to protect Long Island Sound from additional open water dumping of dredged material?

The designation by EPA of an area as a site for dredged material disposal must follow the rigorous process set forth in the Marine Protection, Research, and Sanctuaries Act to ensure protection of the environment. As I stated in my testimony before the Committee, I support following the administrative processes set forth in law, including the National Environmental Policy Act, to ensure that EPA's statutory responsibilities are fully carried out.

AMERICAN OVERSIGHT

30.Will you commit to assisting the states with determining upland alternatives to the open water disposal of dredged material?

Disposal of dredged material is not an EPA mission or responsibility. That lies with the Corps of Engineers.

31.Will you continue the Long Island Sound Study office and ensure it receives the necessary resources from EPA?

As I noted in my testimony before the Committee, I support collaborative efforts to achieve environmental protection. The Long Island Sound Study is a collaborative effort among EPA, New York, and Connecticut.
EPA's Long Island Sound Study office was authorized by Congress in 1990 under section 119 of the Clean Water Act. If confirmed, I will carry out all responsibilities given to EPA by Congress.

32.Will you support annual appropriations of at least $10 million for the EPA's Long Island Sound geographic program?

If confirmed, I will seek budgetary resources to carry out all responsibilities given to EPA by Congress. I note that the most recent appropriation for the Long Island Sound program was about $3.9 million and the most recent budget request was about $2.9 million.

33.How do you intend to handle existing EPA enforcement actions initiated prior to January 20, 2017?

I am unfamiliar with the specific details of the actions referenced in the question. I would expect to be briefed by staff, in consultation with the Department of Justice as appropriate, before taking any action.

34.Municipal landfills that are non-compliant with the Resource Conservation and Recovery Act (RCRA) have created public health and environmental problems on the island of Puerto Rico, contributing to water, ground and air contamination. How will you address non-compliant landfills in Puerto Rico?

I am not familiar with the details of this specific issues but, if confirmed as Administrator, I would expect to be briefed by staff about EPA's ongoing involvement and role at these sites. If confirmed, I expect to make cleanup of contaminated land one of my priorities. I also believe in the importance of hearing the views of all stakeholders and would welcome the opportunity to discuss this further.

AMERICAN OVERSIGHT

35.I have been working with EPA Region 2 to address the significant environment and public health crisis in the Caño Martin Peña in San Juan, Puerto Rico. As we discussed during our meeting in my office, EPA must take aggressive action to work with the Army Corps of Engineers to clean up hazardous waste, which is threatening the lives of children and families, who do not have full representation in the Congress. Will you continue EPA's aggressive push to clean up the Caño?

As discussed, I am not familiar with the details of this specific matter but, if confirmed as Administrator, I would expect to be briefed by staff about EPA's ongoing involvement and role at this site. If confirmed, I expect to make cleanup of contaminated land one of my priorities.

36.If confirmed, will you visit San Juan and tour Caño Martin Peña during your first year as Administrator?

As we discussed in your office, I would be pleased to accompany you on this trip at a mutually convenient time if I am confirmed as Administrator.

37.What is the scientific basis for sea level rise, which we have experienced along the coast of New York State?

If confirmed as Administrator, I will work to ensure EPA regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving understanding of the changes in our climate and sea level rise.

38.Do you agree with the National Climate Assessment that human-induced climate change has already increased the number and strength of extreme weather events?

I am aware of the broad range of views within the scientific community regarding the relationship between human activity on changes in the climate and any resulting impact on extreme weather events. If confirmed as Administrator, I will work to ensure EPA regulatory actions are based on the most up to date and objective scientific data.

39.Why did you eliminate the environmental protection unit of the Oklahoma Attorney General's office?

My office continues to employ attorneys vested with responsibilities related to environmental protection, including the attorney who served as the lead attorney on the previous attorney general's "environmental protection unit." That attorney's responsibilities remain unchanged (he has been promoted, in fact), and he pursues exactly the kind of cases that he pursued under the

AMERICAN OVERSIGHT

previous attorney general. The only thing that changed was the internal organization of those vested with those responsibilities, because I concluded (consistent with the practices of every attorney general in the State's history but for my immediate predecessor) that it was not operationally efficient to have a separate unit for such work. Thus, I chose to house that work in the Office's Public Protection Unit and then later in the Solicitor General's Unit.

40.How may staff does the Oklahoma Attorney General's office have dedicated, full time, to enforcing federal environmental laws in Oklahoma? Do not include in that number staff working on lawsuits against the EPA.

The Office of the Attorney General's employs seven attorneys who responsibilities include environmental-related matters, with a primary focus on enforcing Oklahoma law, rather than the federal law that your question presumes. These duties substantially include representing the environmental agencies of the State of Oklahoma or providing counsel to those environmental agencies in actions they determine to pursue.

41.Perfluorooctanoic acid (PFOA) is listed as an unregulated contaminant under the Safe Drinking Water Act. PFOA was discovered in the municipal water supply and private wells in the Village of Hoosick Falls and Towns of Hoosick and Petersburgh, NY and in North Bennington, Pownal, Vermont. Perfluorooctane sulfonate (PFOS) was found in Newburgh New York.

In 2014, PFOA and PFOS were found in public drinking water wells in Horsham, Warminster, and Warrington, Pennsylvania. They were found by the federal Environmental Protection Agency, as part of the Unregulated Contaminant Monitoring Rule. The amounts of PFOA and PFOS found in the public wells in the area were among the 10 highest samples anywhere in the country based on the provisional health advisory level set by EPA in 2009.

In 2009, EPA set a provisional health advisory level of .4 parts per billion. In May, 2016, EPA set a Lifetime Health Advisory level for PFOA at 70 parts per trillion. How will you work to ensure that drinking water sources are monitored for PFOA and PFOS, particularly in small communities under 10,000 people?

If confirmed, I will carry out the authorities and responsibilities given to EPA by Congress. Congress did not make monitoring eligible for Safe Drinking Water Act State Revolving Loan Fund assistance because it is considered operation and maintenance that is local responsibility. However, Congress recently authorized a grant program to assist small and disadvantaged communities provide safe drinking water. Testing of unregulated

AMERICAN OVERSIGHT

contaminants is eligible for assistance under this authority. If funding is provided by Congress, I will carry out that program.

42.How will EPA continue to evaluate the health effects of PFOA on all communities that were exposed, in particular vulnerable populations including infants and fetuses during pregnancy?

As I stated at my confirmation hearing, PFOA is a chemical substance that the Agency should address quickly and I will look to continue evaluating the health effects of PFOA through TSCA and the Safe Drinking Water Act.

43.Will you work collaboratively with other agencies, including the Centers for Disease Control and Prevention, the National Institutes of Health, and the Department of Defense, to ensure that the public is informed about the health effects of contamination?

As I stated at my confirmation hearing I believe collaboration between federal agencies to protect and better inform the public.

44.Will you work collaboratively with states and local governments to ensure that information on PFOA and PFOS are communicated in a transparent and timely manner to the public?

Cooperative federalism and collaboration between EPA and officials at the state and local level is something I feel very strongly about and if I am confirmed I will work collaboratively with state and local governments.

45.In the absence of federal drinking water standards, what role should EPA play in assisting communities whose drinking water supplies have become contaminated by PFCs or other emerging contaminants?

Congress recently authorized a grant program to assist small and disadvantaged communities provide safe drinking water. Testing of unregulated contaminants is eligible for assistance under this authority. If confirmed and if funding is provided by Congress, I will carry out that program.

46.The latest EPA survey of capital improvement needs indicates that public water systems need to invest $384.2 billion on infrastructure improvements over 20 years to ensure the provision of safe tap water. The needs estimate generally excludes costs associated with addressing unregulated contaminants or the costs of replacing lead service lines. What funding level do you view as effective for the

AMERICAN OVERSIGHT

EPA Drinking Water State Revolving Fund (DWSRF) capitalization grant program?

The federal government offers some financial assistance but the vast majority of the Investments in public water systems will be made by the public and private entities that own and operate those systems. The Safe Drinking Water Act State Revolving Loan Funds leverage federal investment at about 1.76 to 1. That is, a federal dollar leverages about 1.76 dollars in loan assistance. The new WIFIA program can leverage federal investment at a level of up to 60 to 1. I fully support the Drinking Water SRF and would not support any cuts to that program. However, if Congress provides additional funds I am excited by the opportunities the new WIFIA program presents.

47. How would you use the "precautionary principle" to bring to bear cutting edge science on emerging contaminants to ensure decisions are technically valid, while also not delaying regulatory decisions to wait for every potential detail to be addressed when health impacts may be occurring during the delay?

If confirmed agency decisions will be based on sound science and I will work to protect health and the environment as expeditiously as possible.

48.What is your view on EPA's role in overseeing response actions undertaken by DOD at U.S. military facilities, including where PFOA, PFOS, or other PFCs may have been released?

EPA's role is governed by the statutory and regulatory authorities, including section 120 of the Comprehensive Environmental Response, Compensation and Liability Act and the National Contingency Plan.

49. As you know, Congress passed a provision in law that exempts hydraulic fracturing from the Safe Drinking Water Act. Do you think that hydraulic fracturing chemicals should be exempt or do you believe that this law has merit?

Article 1 Section 8 of the Constitution vests in Congress the authority to make our nation's laws and, if confirmed, as a member of the Executive Branch I will faithfully execute my duty to implement and enforce the laws written by Congress.

50.How will you address the disproportionate effect of environmental contamination on low-income communities of color?

AMERICAN OVERSIGHT

If confirmed, I will expect to be briefed by staff about EPA's programs and statutory authorities in this area.

AMERICAN OVERSIGHT

Senator Markey:

1. There is tremendous diversity across states in this country, and occasionally states have differences of opinion on how to approach a problem. One of the roles of the federal government is to be an arbiter among states.
• What is your philosophy on how interstate pollution conflicts should be handled?
• Should a state be able to pollute a river for which another state relies on for drinking water?
• What is the EPA's role in resolving interstate pollution conflicts?
• How would you determine when EPA should be involved in interstate pollution disputes?

As I testified in the hearing, I have pursued opportunities to address interstate environmental quality matters. One of the examples I have highlighted is the work that Arkansas Attorney General Dustin McDaniel and I took to address an enforceable water quality standard between Arkansas and Oklahoma. I have also discussed how Texas should be responsible when air quality issues affect Oklahoma and my experience with that. When negotiations among and between states breakdown EPA has a role to set environmental standards. However, that is should be a last course of action instead of the first. I believe environmental statutes are designed with states as a primary implementer. Environmental statutes envision that states have the delegated enforcement and primacy to implement and enforce environmental statutes. Only when that is not happening or when negotiations between and among states breakdown should EPA determine a dispute and only after attempting to assist states negotiate a local solution. I am fond of saying that we need national standards and neighborhood solutions. I think that should shape the work of the EPA.

2. During the hearing, you repeatedly underscored the need to make regulation "regular" for regulated entities.
• How do you reconcile that goal with the mission of EPA, which is "to protect human health and the environment"?
• If confirmed as EPA Administrator will your highest priorities be to protect human health and the environment?

As I testified, I believe in the rule of law and that process matters. I do not view these as being contrary to EPA's mission to protect human health and the environment.

AMERICAN OVERSIGHT

3. Please list any deductible or nondeductible charitable donations you made in the last three years, including, for each contribution, the name of the recipient and the amount.

I have complied with the reporting obligations from the Office of Government Ethics and the EPW Committee.

4. As attorney general, you made Freedom of Information Act (FOIA) requests, and expected a fast response. Do you commit to respond to FOIAs as quickly as possible, if you are confirmed?

If confirmed, I will commit to tasking my staff with responding to FOIA requests in a timely manner.

5. During Mr. Trump's campaign, there were reports that even volunteers were required to sign non-disclosure agreements. After his election, President-elect Trump's team demanded lists of career officials who worked on climate science issues at the Energy Department and women's and gender issues at the State Department. It is against the law to retaliate against career officials for following lawful policy directives. It is also against the law to interfere with career employees communicating with Congress. I have included a summary of these laws below.

Any suggestion that the incoming administration is targeting career officials for retaliation simply because they worked on policies that the new President disagrees with threatens to create a chilling effect on employees who are simply trying to do their jobs.

5 U.S.C. § 7211, provides that: The right of employees, individually or collectively, to petition Congress or a Member of Congress. or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied. Pursuant to 5 U.S.C. § 2302(b)(8), it is a violation of federal law to retaliate against whistleblowers. That law states: Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority ... take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of. ... (A) any disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences- (i) a violation of any law, rule, or regulation, or (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences a violation of any law, rule, or regulation... " In addition, pursuant to 18 U.S.C. § 1505, it is against federal law to interfere with a

AMERICAN OVERSIGHT

Congressional inquiry: Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress.

• If you are confirmed, will you commit to protect the rights of all career employees of the EPA, including their right to speak with Congress?

• Will you commit to communicate employees' whistleblower rights via email to all EPA employees within a week of being sworn in?

If confirmed, I commit to protecting the rights of all EPA employees and will follow the law.

6. The President-elect appears to be planning to ignore the advice he was given by bipartisan ethics experts to divest himself from his business interests. In the United States, he has hundreds of business interests, which include everything from vineyards, golf courses, hotels and casinos. Some of these interests could be impacted by EPA regulations or enforcement actions – for example, Donald Trump's New Jersey casino flunked air pollution tests, his hotel in Chicago has had a Clean Water Act violation and his New Jersey Golf Club violated the Safe Drinking Water Act.

• Do you commit to ensure that no employee of the EPA is pressured to take - or not take - any regulatory or enforcement action or decision because that action or decision would adversely affect business interests associated with the president-elect or his family?

• Considering that the president-elect has stated he will not release his tax returns anytime soon, how will you know exactly what all of the Trump family interests are without his tax returns?

If confirmed as Administrator, I will take care that all environmental laws enacted by Congress are faithfully executed without regard to identity of the owners of any regulated business that might be affected by such execution of the laws.

7. The following series of questions relate to Title 74 Section 20i of the Oklahoma Statutes. As Attorney General of Oklahoma, you were responsible for complying with this law. For your ease of reference, Section 20i is provided below:

74 Okl. St. § 20i (2016)
§ 20i. Legal Representation of Agency or Official of Executive Branch--Contracts

AMERICAN OVERSIGHT

A. An agency or official of the executive branch may obtain legal representation by one or more attorneys by means of one of the following:

1. Employing an attorney as such if otherwise authorized by law;

2. Contracting with the Office of the Attorney General; or

3. If the Attorney General is unable to represent the agency, or official due to a conflict of interest, or the Office of the Attorney General is unable or lacks the personnel or expertise to provide the specific representation required by such agency or official, contracting with a private attorney or attorneys pursuant to this section.

B. When entering into a contract for legal representation by one or more private attorneys, an agency or official of the executive branch shall select an attorney or attorneys from a list of attorneys maintained by the Attorney General. An agency may contract for legal representation with one or more attorneys who are not on the list only when there is no attorney on the list capable of providing the specific representation and only with the approval of the Attorney General. The list shall include any attorney who desires to furnish services to an agency or official of the executive branch and who has filed a schedule of fees for services with and on a form approved by the Attorney General. An agency or official may agree to deviate from the schedule of fees only with the approval of the Attorney General.

C. Before entering into a contract for legal representation by one or more private attorneys, an agency or official of the executive branch shall furnish a copy of the proposed contract to the Attorney General and, if not fully described in the contract, notify the Attorney General of the following:

1. The nature and scope of the representation including, but not limited to, a description of any pending or anticipated litigation or of the transaction requiring representation;

2. The reason or reasons for not obtaining the representation from an attorney employed by the agency or official, if an attorney is employed by the agency or official;

3. The reason or reasons for not obtaining the representation from the Attorney General by contract;

4. The anticipated cost of the representation including the following:

a. the basis for or method of calculation of the fee including, when applicable, the hourly rate for each attorney, paralegal, legal assistant, or other person who will perform services under the contract, and

b. the basis for and method of calculation of any expenses which will be reimbursed by the agency or official under the contract; and

5. An estimate of the anticipated duration of the contract.

AMERICAN OVERSIGHT

D. Before entering into a contract for legal representation by one or more private attorneys where the agency has reason to believe that the case, transaction or matter will equal or exceed Twenty Thousand Dollars ($ 20,000.00) or after employment when it becomes apparent that the case, transaction or matter will equal or exceeds Twenty Thousand Dollars ($ 20,000.00), an agency or official of the executive branch shall obtain the approval of the Attorney General when the total cost, including fees and expenses, of all contracts relating to the same case, transaction, or matter will equal or exceed Twenty Thousand Dollars ($ 20,000.00). Any amendment, modification, or extension of a contract which, had it been a part of the original contract would have required approval by the Attorney General, shall also require approval by the Attorney General.

E. When an agency or official of the executive branch enters into a contract for professional legal services pursuant to this section, the agency shall also comply with the applicable provisions of *Section 85.41 of Title 74 of the Oklahoma Statutes.*

F. The provisions of this section shall not apply to the Oklahoma Indigent Defense System created pursuant to *Section 1355 et seq. of Title 22 of the Oklahoma Statutes.*

G. The Attorney General shall, on or before February 1 of each year, make a written report on legal representation obtained pursuant to paragraphs 2 and 3 of subsection A of this section. The report shall include a brief description of each contract, the circumstances necessitating each contract, and the amount paid or to be paid under each contract. The report shall be filed with the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chair of the Appropriations and Budget Committee of the House of Representatives, and the Chair of the Appropriations Committee of the Senate.

•The Oklahoma Governor considers the Office of Attorney General a state agency, and includes the Attorney General on a comprehensive list of Oklahoma state agencies available at https://www.ok.gov/portal/agency.php. Do you agree that the Office of Attorney General is an agency under Oklahoma state law? If not, please explain.

Generally speaking, the Office of Attorney General is a state agency. Whether it is an "agency" for purposes of any particular statute requires an analysis of that statute.

•Subsection G of Title 74 Section 20i of the Oklahoma Statutes requires the Attorney General to report annually on any contracts for legal representation that state agencies have entered into with private attorneys over the course of the prior year. For the avoidance of doubt, no exception is provided under Section 20i for contracts for legal representation entered into by the Attorney General with private attorneys. Do you agree that Subsection G of Title 74 Section 20i required

AMERICAN OVERSIGHT

you, as Attorney General, to report contracts for legal representation that you entered into with private attorneys over the course of the prior year? If not, please explain.

No. The purpose of Section 20i, as demonstrated by its text, is to place the Office of Attorney General in the role of approving contracts for outside counsel that other agencies wish to enter into rather than utilizing the services of the Office of Attorney General. Subsection G requires a report be made of contracts entered into "pursuant to this section," as Subsection A(3) makes clear. Because the Office of Attorney General is not required to seek permission from itself "pursuant to" that section of law, it has no applicable contracts to report pursuant to Subsection G. The Office of Attorney General has, however, routinely disclosed contracts it has entered into with outside counsel, when requests for such contracts are made.

•The last fiscal year in which payments from the Office of Attorney General to private attorneys were recorded in the report submitted pursuant to Subsection G of Title 74 Section 20i of the Oklahoma Statutes was FY 2011. No payments from the Office of Attorney General to private attorneys were recorded in the reports you filed for FY 2012, FY 2013, FY 2014, or FY 2015. As Oklahoma Attorney General, did you enter into any verbal or written contracts with private attorneys for legal representation (whether or not such contracts provided compensation to private attorneys) other than those listed in the reports you submitted for fiscal years 2011 through 2015? Please provide a brief description of each such contract you entered into, the date you entered into the contract, the circumstances necessitating the contract, and the amount—if any—paid under the contract (including details of any non-monetary benefits that you may have obtained, offered, been offered, or delivered in connection with the contract).

Yes. Such information can be requested from the Office of Attorney General through a request made pursuant to Oklahoma's Open Records Act.

•Subsection B of Title 74 Section 20i of the Oklahoma Statutes requires that—when entering into a contract for legal representation by one or more private attorneys—an agency or official of the executive branch must select an attorney or attorneys from a list maintained by the Attorney General. If there are no listed attorneys capable of providing the specific representation, then the agency must obtain the approval of the Attorney General in order to enter into the contract.

○Please describe your process, as Attorney General, for evaluating a request submitted by a state agency to enter into a contract for legal representation by a private attorney not on the approved list. Please provide any documents detailing this process (which you or your staff relied on in making such evaluations) or indicate if this process was undocumented.

AMERICAN OVERSIGHT

- Please provide any documents submitted to you by state agencies requesting approval to enter into a contract for legal representation by a private attorney not on the approved list, as well as your written responses to such requests.
- Please provide any papers documenting decisions made by you or the Office of Attorney General to enter into contracts for legal representation by private attorneys that did not originate with requests submitted to you by state agencies.
- Do you agree that Subsection B of Title 74 Section 20i required you, as Attorney General, to enter into contracts for legal representation only with private attorneys included on the list referred to in that subsection unless there were no listed attorneys capable of providing the specific representation? If not, please explain.

Such information can be requested from the Office of Attorney General through a request made pursuant to Oklahoma's Open Records Act. With regard to your question, because the Office of Attorney General maintains the referenced list, and is authorized to allow representation from attorneys not on the list, the Office of Attorney General plainly has the discretion to allow representation from attorneys not on the list.

Did you—at any time during your term as Attorney General—enter into a written or verbal contract for legal representation (whether compensated or pro bono) by one or more private attorneys not included on the list referenced in Subsection B of Title 74 Section 20i of the Oklahoma Statutes? If so, for each such contract:

- Please provide a brief description of the contract, the circumstances necessitating the contract, and the amount—if any—paid under the contract (including details on any non-monetary benefits that you may have obtained, offered, been offered, or delivered in connection with the contract).
- Please indicate if you entered into the contract with a private attorney not on the approved list because there were no attorneys on the approved list capable of providing the specific representation or for another reason. Please describe the process you followed in reaching a decision to enter into a contract with a private attorney not on the approved list. Please list the attorneys on the approved list that you considered hiring (and deemed incapable of providing the specific representation) before deciding to enter into a contract with a private attorney not on the approved list. For each attorney on the approved list that you considered and rejected, please describe the deficiencies in their capabilities that led you to reject them in favor of a private attorney not on the approved list.

Such information can be requested from the Office of Attorney General through a request made pursuant to Oklahoma's Open Records Act.

AMERICAN OVERSIGHT

•As of January 18, 2017, neither David Rivkin, Jr. (nor any other attorney employed by Baker Hostetler) appeared on the "Approved Attorney List | 20i" accessible on your website at https://www.oag.ok.gov/litigation/1917atty.nsf/wfindatty.html?OpenView.

oDid David Rivkin Jr. represent the State of Oklahoma in its Clean Power Plan case against EPA?

oTo the best of your knowledge, did David Rivkin Jr. or Baker Hostetler receive any compensation or funds from any third party in conjunction with this or any other litigation in which it represented the State of Oklahoma on your behalf? If so, please provide the names of any such third parties.

oDid you enter into a written or verbal contract for legal representation (whether compensated or pro bono) with David Rivkin, Jr. of the Washington, D.C.-based law firm Baker Hostetler? If so, please provide:
□a brief description of the contract;
□the date you entered into the contract;
□the circumstances necessitating the contract;
□the deficiencies in the capabilities of attorneys on your approved list that led you to reject them in favor of David Rivkin Jr.—an attorney not on your approved list; and
□the amount—if any—paid under the contract (including details on any non-monetary benefits that you may have obtained, offered, been offered, or delivered in connection with the contract).
oPlease list any contributions made by David Rivkin Jr. or any employee of Baker Hostetler to you, your campaign, or any organizations or entities for which you engaged in fundraising, along with the dates of such contributions.

Yes. No. Yes. Information relating to the contract can be requested from the Office of Attorney General through a request made pursuant to Oklahoma's Open Records Act. A full list of contributors to my campaigns for the state senate and attorney general may be found at the Oklahoma Ethics Commission's websites. For state campaign committees from 2002-2014, please use this site: https://www.ok.gov/ethics/public/candidate.php. For 2015 to the present, the Commission uses this site: http://guardian.ok.gov/PublicSite/SearchPages/Search.aspx?SearchTypeCodeHook=1F26BA5E-71EA-48E4-8D50-C1013E9FE0A7. Attached is a letter from the Oklahoma Ethics Commission regarding materials prior to 2002.

•During your term as Attorney General, did you ever enter into an arrangement whereby a private attorney or attorneys represented the State of Oklahoma on your behalf on a pro bono basis while being compensated by a third party? If so, please list the legal matters in which you entered into such arrangements, and, for each matter, the third party or parties that compensated the private attorneys, the amounts paid, and any monetary or non-monetary benefits that you may have

AMERICAN OVERSIGHT

obtained in connection with the arrangement. During your term as Attorney General, did you have a process in place for ensuring that any private attorneys that represented the State of Oklahoma on a pro bono basis did not receive compensation from a third party for the legal services they provided to the state? If so, please describe this process.

No. Our Office would not enter into any such agreement for representation if it believed that the attorney was not truly working pro bono, and the Office would seek assurances from the attorney that they were.

8. The Online Lenders Alliance is "a trade group for online payday and short-term lenders and the companies that steer customers to them," according to a recent Los Angeles Times article describing actions by the Consumer Financial Protection Bureau to protect consumers from misleading advertising claims made by certain members of the payday lending industry.
•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from the Online Lenders Alliance or any other trade, industry, advocacy, or other group representing companies making payday, title, installment, or short-term loans to consumers? If so, please list the amounts and dates of such donations or solicitations.

I am not aware of any such solicitations or donations.

•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from any company making payday, title, installment, or short-term loans to consumers? If so, please list the amounts and dates of such donations or solicitations.

I am not aware of any such solicitations or donations.

•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from any principal, senior executive, officer, or director of a company making payday, title, installment, or short-term loans? If so, please list the amounts and dates of such donations or solicitations.

I am not aware of any such solicitations or donations.

•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from any member of the Board of Directors of the Online Lenders Alliance? For your convenience, the members

AMERICAN OVERSIGHT

of the Board of Directors of the Online Lenders Alliance, along with their business affiliations, are listed below. For each of these individuals, please provide the amounts and dates of their donations, or, if you unsuccessfully solicited donations from them, the dates of such solicitations.

- Kim Anderson, Strategic Link Consulting
- Samantha Bentson, Cashland Online
- Kirk Chartier, Enova Financial
- Doug Clark, Axcess Financial
- Mark Curry, MacFarlane Group
- John Dalton, LeadFlash
- Steve Hotz, The Lead Group
- Clive Kinross, MoneyKey
- Glenn McKay, Selling Source, LLC.
- Bart Miller, Centrinex
- Greg Rable, FactorTrust, INC.
- Ken Rees, Elevate
- Walt Wojciechowski, MicroBilt

I am not aware of any such solicitations or donations.

•On June 16, 2015, you, as Attorney General, sent a letter to Richard Cordray, Director of the Consumer Financial Protection Bureau (hereinafter, "CFPB"), expressing concerns about certain rules the CFPB proposed to regulate payday, vehicle title, and installment lending.

- Was the text of this letter partially or substantially drafted by the Online Lenders Alliance or any other trade, industry, advocacy, or other group representing companies making payday, title, installment, or short-term loans to consumers?
- Did the Online Lenders Alliance or any other trade, industry, advocacy, or other group representing companies making payday, title, installment, or short-term loans to consumers participate in the drafting of this letter in any other way? If so, please explain.
- Did you ask the Online Lenders Alliance or any other trade, industry, advocacy, or other group representing companies making payday, title, installment, or short-term loans to consumers review or provide comments on a draft of this letter before it was sent? If so, please provide any records related to your outreach.
- Did the Online Lenders Alliance or any other trade, industry, advocacy, or other group representing companies making payday, title, installment, or short-term

AMERICAN OVERSIGHT

loans to consumers review or provide comments on a draft of this letter before it was sent? If so, please provide any communications between you or your office and any such group regarding this letter.

As far as I am aware, no as to all.

9. The Consumer Federation of America is an association of non-profit consumer organizations devoted to advancing the consumer interest through research, advocacy, and education.

•Did you ask the Consumer Federation of America or any other interest or advocacy group representing Oklahoma's consumers review or provide comments on a draft of this letter before it was sent? If so, please provide any records related to your outreach.

•Did the Consumer Federation of America or any other interest or advocacy group representing Oklahoma's consumers review or provide comments on a draft of this letter before it was sent? If so, please provide any communications between you or your office and any such group regarding this letter.

As far as I am aware, no as to all.

10. As you may know, Oklahoma has one of the highest usage rates for payday loans in the country and allows payday lenders to charge consumers interest rates of up to 390 percent on annual basis for a 14-day term loan. In November 2016, the CFPB reported that consumers in Oklahoma submitted debt collection complaints at a rate of 36 percent (higher than the 27 percent national average). In addition, the CFPB found that average monthly complaints from Oklahomans increased 17 percent from August through October 2015 (higher than the national rate of 13 percent).

•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from the Consumer Federation of America or any other interest or advocacy group representing Oklahoma's consumers? If so, please list the amounts and dates of such donations or solicitations.

•Have you, your campaign, or any organizations or entities for which you engaged in fundraising ever received or solicited donations from any member of the Board of Directors of the Consumer Federation of America? If so, please provide the amounts and dates of their donations, or, if you unsuccessfully solicited donations from them, the dates of such solicitations.

I am not aware of any such solicitations or donations.

AMERICAN OVERSIGHT

11. You have pursued at least twenty legal actions against the EPA on clean water, clean air and climate change related regulations, including multiple lawsuits that are ongoing. You have additionally criticized the EPA and its scientists on a range of scientific facts and regulations that aim to protect public health.
• Please identify EPA regulations or standards that you do support in their current form.
• In many of your legal actions and activities as Oklahoma AG, you have endorsed positions or signed letters that were drafted by oil and gas industry paid lobbyists. Please identify areas in which your views differ significantly from those of the oil and gas industry?

When negotiations among and between states breakdown EPA has a role to set environmental standards. However, that should be a last course of action instead of the first. I believe environmental statutes are designed with states as a primary implementer. Environmental statutes envision that states have the delegated enforcement and primacy to implement and enforce environmental statutes. Only when that is not happening or when negotiations between and among states breakdown should EPA determine a dispute and only after attempting to assist states negotiate a local solution. I am fond of saying that we need national standards and neighborhood solutions. I think that should shape the work of the EPA. As I also testified at the hearing, when it was appropriate to pursue legal actions or settlement negotiations specifically with the oil and natural gas industry I have done so. When considering new regulations on oil and natural gas production and practices, I have joined other co-regulators in Oklahoma advocating those changes.

12.Your Ethics Agreement states that for a one-year period, you "***will*** seek authorization to participate personally and substantially in particular matters involving specific parties in which I know the State of Oklahoma is a party or represents a party."

•Why does this language assume that you "will" seek authorizations for all such instances?

•Why is your recusal limited to a one-year period, when in some cases the "particular matters" will not be resolved within that timeframe?

•Will you commit to recusing yourself from participating in all such particular matters, without requesting or receiving a waiver, until the matter is fully resolved? If not, why not?

•These 'particular matters' are all litigation in which your Ethics Agreement contemplates you switching from plaintiff in your capacity as Attorney General of Oklahoma (in which you were a principal decision-maker on the part of those litigating against EPA), to defendant as EPA Administrator (in which you would be the principal decision-maker on the response to the lawsuit you filed). Why do

AMERICAN OVERSIGHT

you not believe this creates an unresolvable conflict of interests that makes it impossible for you to properly, lawfully and ethically represent the interests of the EPA, while simultaneously upholding your professional duty to your former client, the State of Oklahoma?

My Ethics Agreement was drafted in close consultation with ethics experts at the Office of Government Ethics and EPA ethics officials, and reflects a diligent effort to ensure that I seek authorization before participating in any matter involving specific parties in which I know the State of Oklahoma is a party or represents a party for one year after my resignation as Oklahoma Attorney General. I believe you may be misreading the language in my Ethics Agreement regarding prior authorization. If, during the relevant time period, I would like to consider participating in a particular matter involving specific parties in which I know the State of Oklahoma is a party or represents a party, I will seek advance authorization to do so. With respect to my professional obligations as a member of the bar, I am not permitted to "switch sides" as counsel in any matter in which I participated as a lawyer. The standards that would apply to me as EPA Administrator are different, however, as I will not be representing the EPA as a lawyer if I am confirmed.

13. During the hearing, you refused to unequivocally recuse yourself from litigation that you brought against the EPA, repeatedly stating that you would follow the direction of agency ethics officials' guidance in this area on a case-by-case basis. Isn't it true that if you are confirmed, the agency ethics officials that you are referring to will report to you, and this reporting relationship could be perceived to have the potential to influence the guidance they provide you with? In light of this, will you commit to the modification of your Ethics Agreement, using your own discretion and authority to do so and prior to any vote on your confirmation, in order to provide more clarity about your intentions for recusal related to each matter involving specific parties in which the State of Oklahoma is a party? If not, why not?

My Ethics Agreement was drafted in close consultation with ethics experts at the Office of Government Ethics and EPA ethics officials, and reflects a diligent effort to ensure I comply with all applicable federal ethics rules. I will abide by the commitment I made in that letter. I am confident in the former staff of the EPA and have no reason to believe they will give me anything other than their best advice on ethics matters. Moreover, not all officials who may consider a request for authorization to participate in a matter will necessarily report to me. Before participating in matters involving specific parties in which I am concerned where there may be a question regarding my impartiality, I would expect, where they deem it appropriate, that EPA ethics officials may consult with ethics experts at OGE before making a recommendation.

AMERICAN OVERSIGHT

14.I am attaching a January 17, 2017 letter from Citizens for Responsibility and Ethics in Washington (CREW) and a January 18, 2017 letter from The Campaign Legal Center (CLC), both sent to the EPA Designated Agency Ethics Official, for the record and for your review. The CREW letter references several factors related to your refusal to unequivocally recuse yourself from participating in any of these matters as EPA Administrator that would cause a reasonable person with knowledge of the relevant facts "to question his [your] impartiality in these matters" and "to question the integrity of the agency's programs and operations." The CLC letter states that "the plan described in his [your] ethics agreement is insufficient to avoid actual or apparent conflicts of interest, and would cause members of the public to question his impartiality in the conduct of his [your] duties, contrary to his [your] obligation to "ensure that every citizen can have complete confidence in the integrity of the Federal Government.""

•The CREW letter states that ethics regulations demand your recusal from participating personally and substantially as Administrator in particular matters involving specific parties in which the State of Oklahoma is a party, even if the State of Oklahoma withdraws from the matter. Do you agree to make such a recusal for each such matter, even if the State of Oklahoma withdraws from the matter? If not, why not?

•The CREW letter states that "there would be serious and apparent conflicts leading to reasonable doubts about Mr. Pruitt's impartiality if he were to participate in these lawsuits as EPA Administrator *at any point* in their lifetime. It is therefore essential that Mr. Pruitt's recusals last through the full course of each matter." Do you agree to recuse yourself for the full course of each matter involving specific parties in which the State of Oklahoma is a party? If not, why not?

•The CREW letter states that any waiver request you might make from recusal from any of these matters "should be denied based on consideration of the relevant factors listed under" 5 C.F.R. 2635.502(d). Do you agree not to request a waiver from recusal from any such matter? If not, why don't you agree with the analysis of the factors listed in the regulations as they apply to your past litigation history against the Agency that CREW described in the letter should result in a denial of the waiver request?

As discussed above, my Ethics Agreement was drafted in close consultation with ethics experts at the Office of Government Ethics and EPA ethics officials, and reflects a diligent effort to ensure I comply with all applicable federal ethics rules. If confirmed, I will ask relevant federal ethics officials to fully review the issues raised in the CREW letter and, if appropriate, take them into account in determining the proper legal course of action in particular instances.

AMERICAN OVERSIGHT

15.Some of the legal cases that you brought against the agency remain open, and there may be legal decisions that require EPA regulatory action as they are resolved; for example, a court could uphold the EPA regulation and require it to be enforced, or a court could direct such a regulation's revision. Since such regulatory actions would be a direct consequence of the litigation, any conflict of interests associated with your participating in the legal matter should extend to any EPA regulatory or enforcement action taken as a result of court action on the litigation. Do you agree to recuse yourself without waiver and for the entirety of your tenure at the EPA from all such regulatory or enforcement actions that are taken as a result of court action on a specific legal matter from which you were recused? If not, why not?

As EPA Administrator I will recuse from participation in litigation in matters in which I represented the State of Oklahoma, unless I receive informed consent from the State of Oklahoma and the permission of relevant federal ethics officials. It is my understanding that recusal obligations do not extend to regulatory rulemaking of general applicability, which does not create a conflict under applicable rules.

16.If you are confirmed, you will also have the ability to accomplish through *regulation* as EPA Administrator what you have been seeking to accomplish through *litigation* as Attorney General. For example, instead of waiting for a court to decide whether to grant your lawsuit's request to overturn EPA's smog standard, you could start to write a regulation to do just that on your very first day on the job. Will you commit to recuse yourself from working on the revision or elimination of any *regulation* regarding issues on which you have sued the EPA? If not, why not?

It is my understanding under federal ethics rules that regulatory rulemaking of general applicability does not create a conflict.

17. I am also attaching, for the record and for your review, the Ethics Agreement signed by Carol Browner, former EPA Administrator during the Clinton Administration. In her Ethics Agreement, she agreed to recuse herself from participating "personally and substantially in any EPA matter which involves the State of Florida as a specific party and in which I was personally and substantially involved as Secretary, Department of Environmental Regulations, State of Florida". I note that this agreement was not limited to one year in duration and not subject to waivers. I am also attaching, for the record and for your review, the Obama Administration Ethics Pledge that each nominee agreed to uphold, which states, in part, "I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts." If the response to any part of questions 2, 3 or 4 is no, please

AMERICAN OVERSIGHT

also explain why in light of the stronger Ethics Agreements and pledges made by past EPA Administrators?

I am not familiar with the facts and circumstances surrounding Ms. Browner's Ethics Agreement. In my Ethics Agreement, which was drafted in close consultation with ethics experts at the Office of Government Ethics and EPA ethics officials, I agreed to abide by federal regulations that require my recusal from particular matters involving specific parties in which the State of Oklahoma is a party for a period of one year after my resignation as Attorney General, unless I receive a waiver. I will abide by the commitment in that letter, in addition to any other obligations imposed by the Trump Administration as well as my obligations as a member of the bar.

18. In addition to your participation in specific litigation and regulatory matters that raise conflicts of interests, there may be pending enforcement matters at EPA in which donors to you or your political action committees are the subjects. For example, records indicate that Tyson Foods has been the subject of an EPA Clean Air Act enforcement action[3] and reportedly "faces an ongoing criminal investigation by the EPA for its release of toxic pollutants into waterways".[4] Do you commit to recusing yourself from participation in any enforcement matter in which the subject is an entity that has previously made a donation to you or any of your political action committees? If not, why not?

I will consult with relevant federal ethics officials to determine whether to participate in a particular matter.

19. *Miss. Comm'n on Envtl. Quality v. EPA*, 790 F.3d 138 (D.C. Cir. 2015) stated that "Decisionmakers violate the Due Process Clause and must be disqualified . . . when they act with an 'unalterably closed mind.'" One of your filings stated that the agency's record "does not support EPA's findings that mercury, non-mercury HAP metals, and acid gas HAPs pose public health hazards." Do you have an "unalterably closed mind" on the question of whether mercury and acid gas HAPs pose public health hazards? If not, please explain your current view on this question.

As I stated in my testimony to the committee, all legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in my capacity as an advocate. If confirmed as Administrator, I will consider all

---

[3] https://www.epa.gov/enforcement/tyson-foods-inc

[4] http://www.meatpoultry.com/articles/news_home/Business/2016/08/Tyson_investors_call_for_envir.aspx?ID=%7B4E28BCD7-045D-489C-8A41-48A6DDDBE99F%7D&cck=1

AMERICAN OVERSIGHT

matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

20. Section 301(a) of the Clean Air Act prohibits the Administrator from delegating authority over many regulatory proceedings. To the extent that you are recused from participating in such decisions, who could lawfully make them?

If I am recused from participating in a matter, the Federal Vacancies Reform Act and other federal law provide a mechanism for another EPA official to perform such functions in an acting capacity. Under current policy, the EPA Deputy Administrator would typically serve this function.

21.Each case in which you litigated on behalf of your former client requested that the court compel EPA to take a specific action; for example, one pending suit asks a court to compel EPA to maintain the ozone standard at 75 ppb instead of lowering it to 70 ppb. A court may direct EPA to take specific actions as these cases are resolved, which will require changes to EPA regulations. Moreover, as EPA Administrator, you could simply direct the Agency to amend its regulations to do the very thing your lawsuit asked a court to do in the first place. This also creates an unresolvable conflict of interests.
• Will you recuse yourself, without waiver and for the entirety of your tenure as EPA Administrator, from any agency proceedings that a) directly result from the resolution of or b) are related to the "particular matters" that your Ethics Agreement agrees you should be recused from? If not, why not, and why do you not believe that such agency proceedings would be covered by your recusal under the applicable Standards of Ethical Conduct for Employees of the Executive Branch?

As EPA Administrator I will recuse from participation in litigation in matters in which I represented the State of Oklahoma, unless I receive informed consent from the State of Oklahoma and the permission of relevant federal ethics officials. I understand that this does not extend to regulatory rulemaking of general applicability, which would not create a conflict under applicable rules.

22. Our oceans are essential for life, and much of what happens on land ultimately ends up in our oceans. There are many ways in which our actions on land can both positively and negatively affect marine life and the marine environment. Under the Marine Protection, Research and Sanctuaries Act (MPRSA), the EPA ensures that harmful substances are not dumped into the

AMERICAN OVERSIGHT

marine environment. Additionally, reducing ocean pollution is a global goal in which the U.S. is an active participant.
• In your opinion, what role does the EPA have in protecting our oceans and the marine life within?
• How specifically will the EPA, under your administration, ensure that harmful manmade substances do not end up in our oceans?
• How will the EPA continue to ensure the U.S. is a leader in reducing ocean pollution, and assisting other countries in reducing pollution that makes it into our oceans?

If confirmed, I will carry out the authorities and responsibilities given to EPA by Congress. These include responsibilities under the Marine Protection, Research and Sanctuaries Act.

23.The greenhouse gas effect traps outgoing longwave radiation causing a radiative imbalance of Earth, ultimately leading to the warming of the globe. The fundamental physics of climate change are well settled.
•Are you aware of the theory of radiative balance of the Earth? Can you briefly describe it?
•Do you understand Planck's law and the difference between shortwave vs. longwave radiation, and how that relates to Earth's energy balance?
•Do you agree that disturbances to this equilibrium can warm or cool the Earth?
•Are you aware of the atmospheric circulation and oceanic currents that transport heat from the Equator to the poles?
•Due to the complexity of the climate system, there are lag times between changes in certain conditions, such as the amount of carbon dioxide in the atmosphere, and other observable changes, such as the temperature of the deep ocean. If an action by the United States or world today, could positively or negative benefit the future, say 50 to 100 years down the road, is that an important consideration?
•Are you aware that there is less ice on land in such places as Antarctica and Greenland than in previous years since the Industrial Revolution? What do you believe is causing this decrease in mass of ice on land?
•To where do you believe the water from ice melt on land goes, and do you believe that could cause global sea levels to rise?
•Do you disagree that additional greenhouse gases in Earth's atmosphere, such as carbon dioxide, will cause a smaller magnitude outgoing longwave radiation to escape to space? Please explain.
•Do you disagree that the burning of fossil fuels, such as oil or natural gas, cause carbon dioxide to be released into the atmosphere? Please explain.
•Do you disagree that if fossil fuels were not extracted and burned, less carbon dioxide would be released into the atmosphere? Please explain.
•Therefore, is it possible, if not probable, that humans releasing greenhouse gases into the atmosphere could cause more heat to be trapped by the atmosphere? Please explain.

AMERICAN OVERSIGHT

•Do you understand that the concept address is the previous question is the basis of human-caused climate change? Please explain.
•If not human burning of fossil fuels, how do you explain the observed increase in carbon dioxide in atmosphere?
•What is a safe level of carbon dioxide in the atmosphere? Please provide this number in parts per million. Please explain.
•If states want to individually take measures to curb greenhouse gas emissions will you allow them to do so? If yes, how will you support them? If not, why does the EPA have the authority to stop a state from implementing measures to curb greenhouse gases?

If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving understanding of the impact increasing greenhouse gases have on our changing climate. I will also adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment consistent with the process and rule of law established by congress. I also believe the Administrator has an important role when it comes to the regulation of carbon dioxide, which I will fulfill consistent with *Massachusetts v. EPA* and the agency's Endangerment Finding on Greenhouse Gases respective of the applicable statutory framework established by Congress. I believe the most effective path towards achieving these objectives is through close partnership with the states granting them regulatory leeway as ascribed by the rule of law.

24. If states want to individually take measures to curb greenhouse gas emissions will you allow them to do so? If yes, how will you support them? If not, why does the EPA have the authority to stop a state from implementing measures to curb greenhouse gases?

Yes, states are free to pursue regulatory measures to address greenhouse gas emissions under state legal authority.

25.A recently released report by *Solar Power Rocks* gave Oklahoma a grade of "F" and found that the "solar industry has been stymied at every turn."
•The length of return for a 5-kilowatt solar array installation is 16 years in Oklahoma, compared to the just 4 years in Massachusetts. Why do you believe that is the case?
•In 2014, the Oklahoma legislature passed legislation putting a surcharge on rooftop solar. Do you support this? Why or why not?

I am not familiar with "lengths of return" or the potential differences in such lengths of return between states, and thus have no opinion as to the cause

AMERICAN OVERSIGHT

of any such differences. I am not familiar with the legislation you reference, and have formulated no opinion with regard to the wisdom of it as a matter of Oklahoma policy.

26. Last week, in his nomination hearing, Rex Tillerson dismissed the importance of America being energy independent. If you are confirmed as EPA Administrator, you will oversee tailpipe standards for cars and SUVs and the renewable fuel standard, two important polices that support energy independence by reducing oil consumption in America. In your view, should achieving energy independence be a priority for America?

As Congress indicated in the Energy Independence and Security Act of 2007, domestic production of renewable fuel contributes to our nation's "greater energy independence and security." Our energy independence will best be achieved by an "all-of-the-above" strategy without the government picking winners and losers. Setting motor vehicle emissions standards is a complex task that requires careful balancing of several competing factors. Setting such standards also requires coordination with NHTSA, which continues to administer the CAFE program. I will consider the relevant factors carefully and will coordinate closely with NHTSA on any motor vehicle emissions standards that will be addressed during my tenure if I am confirmed as Administrator.

27.A cornerstone of science is impartiality and following the facts. This is what has allowed the United States to be a world leader in science.

•Do you commit to allowing EPA scientists to do their jobs and not interfere with their science?
•How will you ensure that scientists, such as those employed by EPA, are allowed to continue their work unimpeded by potential challenges due to their topic of research?
•Do you agree that only scientists and technical experts, not impeded by political influence, should edit scientific work? If not, why?
•In your opinion, what is the role that a public affairs office has in editing any potential publically available statement or information?
•Do you pledge that your all of your work as EPA Administrator will be guided by the best available science?
•Do you commit to maintaining EPA's Scientific Integrity Policy regardless of research area?

If confirmed, it will be a privilege to work with EPA scientists and the thousands of other public servants at EPA. I have no first-hand knowledge of the role of the public affairs office as referenced in the question and, if confirmed, I expect to learn more about the office. Indeed, I fully believe, as former EPA administrators have stated, that sound, objective science must

AMERICAN OVERSIGHT

serve as "the backbone" of EPA actions. I have no first-hand knowledge of the specific scientific integrity policy referenced in the question and, if confirmed, I commit to thoroughly reviewing the policy and to follow applicable laws and federal guidance regarding scientific integrity, information quality, and transparency.

28.It has been reported by *Wired* that President-elect Trump plans to undo President Obama's June 2013 Climate Action Plan, and remove materials from EPA websites. While we understand revising policies from administration to administration, the reports of removing environmental data from EPA websites is troubling. Will you commit to keeping environmental records, data, and records provided as part of previous rulemakings publically available on the EPA's website?
•Will you commit to ensuring that any current publically available dataset remains available and easy to access? If not, please explain.
•Will you ensure that all data interpretation tools available on the EPA website remain publically available and easy to access? If not, please explain.

I have not been briefed on any changes to the EPA website following the transfer of power from the Obama Administration to the Trump Administration. That being said, I commit to reviewing the materials that are included on the EPA site if I am confirmed.

*29.*I have heard that EPA's Fiscal Year 2018 budget request may include a 17% budget cut. . I am troubled by this reported planned cut to EPA budget and urge you to reconsider this drastic move. Will you maintain robust funding for scientific research at EPA, and to ensure that environmental data continues to be collected?

I have no first-hand knowledge of EPA's development of its FY 2018 budget request. If confirmed, I will work to ensure that the limited resources appropriated to EPA by Congress are managed wisely in pursuit of that important mission and in accordance with all applicable legal authorities.

30.Hydraulic fracturing (fracking) now provides more than half of the United States oil output. In 2000, fracking provided less than 2% of America oil. This has dramatically changed the energy landscape of the United States.
•Do you believe that hydraulic fracturing (or fracking) is the cause of the increased frequency and strength of earthquakes in Oklahoma? Please explain.
•As Attorney General have you taken any actions related to earthquakes caused by fracking?
•In May 2016, you testified that the decline in the coal industry was due to the price drop of natural gas and not EPA regulation. Do you stand by this statement? If not, why have your views changed?

AMERICAN OVERSIGHT

•Do you believe that fracking can contaminate drinking water supplies? Please explain.

Scientists from the state level up to the National Research Council have found that the act of hydraulic fracturing itself poses very little risk of creating seismic events. Seismicity concerns related to the oil and natural gas industries are more commonly tied to the underground injection of wastewater which is regulated by the Safe Drinking Water Act. As I stated in my testimony, in Oklahoma the Corporation Commission has jurisdiction over this matter and I have been in contact with that agency that has taken very meaningful steps to address seismic concerns. I believe that there is not one single factor that has precipitated the decline in the coal industry alone. Finally, I agree with EPA's Dr. Thomas Burke who, following the release of EPA's final hydraulic fracturing water study, reiterated that the Agency only found a small number of confirmed cases of contamination. With well over one million wells that have been hydraulically fractured in the United States the evidence found by EPA suggests a very low likelihood of drinking water contamination from hydraulic fracturing or its associated activates.

31.This past December, the EPA released a report entitled, "Hydraulic Fracturing for Oil and Gas: Impacts from the Hydraulic Fracturing Water Cycle on Drinking Water Resources in the United States." The EPA found scientific evidence that fracking activities can affect drinking water supplies.
•Have you read this report?
•What steps will you take as Administrator to reduce the possibility of drinking water contamination due to hydraulic fracturing activities?
•Of those chemicals used in hydraulic fracturing activities, the EPA found that nearly 200 might pose a public health risk. Will you commit to continuing to study these identified chemicals and the potential health risks, as well as identify other potential harmful chemicals used in hydraulic fracturing activities?

I am familiar with the report and if confirmed as EPA Administrator I will faithfully execute my legal duties to administer laws as authorized by Congress including the Safe Drinking Water Act. Understanding and studying risks to local communities is something central to the role as Administrator and I will continue to study potential risk using the Agencies many tools.

32.Do you agree the Clean Air Act health benefits significantly outweigh costs? For example, a peer-reviewed study found that in 2010 alone the Clean Air Act Amendments of 1990, which reduced fine particulate pollution and ozone, avoided more than 160,000 premature deaths, 130,000 heart attacks, prevented 13 million missed workdays, and avoided 3.2 million missed school days by children.

AMERICAN OVERSIGHT

Based on the limited information provided, it is unclear as to the specific study referenced. However, as I indicated in my testimony, I am incredibly proud of the progress the U.S. has made to provide public health protections and improve our environmental stewardship while also growing our economy. If confirmed, I commit to continue this progress and protect the American people through commonsense and lawful regulations.

33.According to the Consumer Reports National Research Center survey completed in June 2016, 84 percent of Americans feel that automakers should continue to improve fuel economy for all vehicle types. About three-quarters of survey respondents specifically indicated that the U.S. government should require vehicle manufacturers to improve the fuel economy of their vehicles over time. As you may know, when the government stopped increasing fuel economy standards for two decades in the mid-1980s, vehicle fuel economy stopped improving. Now that we are once again making progress, what will you do to make sure that vehicle fuel economy continues to improve as Americans expect?

While the EPA regulates emissions under the Clean Air Act, it is true that Congress vested authority to regulate fuel economy through the Corporate Average Fuel Economy (CAFE) standards" framework set forth originally in the Energy Policy and Conservation Act. Congress vested responsibility for the CAFE program in the Department of Transportation, not the EPA; accordingly, I take no position on Congress's policy decision on this subject, or on the Department of Transportation's administration of the CAFE program. If confirmed as EPA Administration, I would administer the Clean Air Act in accordance with the terms of the Act, including Congress's statutory policy objectives, and would do so on the basis of the factual record in any given proceeding.

34.After conducting its Midterm Evaluation of fuel economy standards for model years 2022 through 2025, the EPA determined that automakers were well-positioned to meet the standards at lower costs than previously estimated. In fact, the EPA chose to retain the current standards to provide regulatory certainty for the auto industry despite a technical record suggesting that standards could be made more stringent.

Among the technologies that the EPA considered in reaching its determination that fuel economy standards could be readily achieved were so-called “off-cycle technologies.” Off-cycle technologies are innovations such as more efficient air conditioning through enhanced window glass that reduces solar load, stop-start systems, solar panels, active aerodynamics, and adaptive cruise control. By reducing the energy demands placed on the engine, these technologies serve to improve fuel economy and reduce tailpipe emissions of carbon pollution. Vehicle manufacturers may claim “off-cycle credits” for these carbon pollution-reducing technologies which may have benefits not adequately captured as part the

AMERICAN OVERSIGHT

standard fuel economy testing procedures.

Americans in Massachusetts, Ohio, Tennessee, North Carolina, Michigan, Indiana and across the country have good-paying jobs that depend on vehicle manufacturers continuing to demand these innovative technologies.

In your hearing, you explained how important it is for the EPA to consider jobs and economic impacts as part of its analysis and decision-making. If confirmed, would you support the "off-cycle credit" mechanism included that the EPA included in its fuel economy standards—a mechanism that drives American innovation and job growth? If not, please explain your position.

If confirmed, my job as Administrator would be to administer the statutes that Congress has enacted, including the statutory objectives that Congress incorporates into those statutes. If Congress chooses to enact legislation to promote certain technologies, such as "off-cycle" vehicle technologies, then those statutory priorities would fall within the EPA Administrator's responsibility. If confirmed, I would look forward to working with Congress on any such statutory proposals that it legislates.

35.Is the carbon dioxide that comes out of car tailpipes physically or chemically different from the carbon dioxide that comes out of power plant smokestacks? If so, how?

As a matter of law, Congress elected to enact different statutory frameworks for regulating emissions from stationary sources and mobile sources: Title I of the Clean Air Act for the former, Title II for the latter. As the Supreme Court recognized in Utility Air Regulatory Group v. EPA (2013), these two frameworks have significant differences.

36.Would the impact on the climate system of carbon dioxide from power plants be any different from that of carbon dioxide from tailpipe emissions? If so, in what way?

As noted above, Congress elected to enact different statutory frameworks for regulating emissions from stationary sources and mobile sources: Title I of the Clean Air Act for the former, Title II for the latter. As the Supreme Court recognized in Utility Air Regulatory Group v. EPA (2013), these two frameworks have significant differences.

37.Do you agree that the power sector and the transportation sectors each contribute at least a quarter of U.S. carbon dioxide emissions?

AMERICAN OVERSIGHT

According to the EPA (https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions), in 2014 electricity generation accounted for 30% of total greenhouse gas emissions (quantified in terms of metric tons of CO2 equivalent), and transportation accounted for 26%.

38.Congress established protections for the air in national parks and wilderness areas in the Clean Air Act amendments of 1977. The quality of the air in New England parks like Cape Cod national seashore and Acadia national park suffers from pollution blown in from elsewhere. Last summer you joined other Attorneys General in comments objecting to the EPA's amendments to the Regional Haze Rule. Given your previous objection, if confirmed as EPA administrator, what will you do to fulfill the 40-year directive from Congress to protect and restore the air quality of national parks like Cape Cod and Acadia even if it requires states from outside the region to reduce their air pollution?

As I stated in my testimony before the Committee, I agree that the Clean Air Act gives EPA an important role in addressing interstate pollution issues, among many other things. All legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in my capacity as an advocate. If confirmed, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

39.The 1977 Clean Air Act amendments also provide a role for federal land managers in protecting the air quality of national parks and wilderness areas. If confirmed as EPA Administrator, how will you make sure that EPA honors the obligations federal land managers have under the Clean Air Act and that their expertise is incorporated into the policies necessary to achieve the goal of natural air quality?

I am confirmed, I will exercise my authority consistent with Congress's intent in enacting the Act. This includes acting transparently in a manner that takes into account the views of the federal land managers where the Act calls for their views, such as in assessing visibility impacts from new major sources in the preconstruction permitting process.

40.When Congress passed the original Renewable Fuels Standard (RFS) in 2005, "inadequate domestic supply" and "severe harm" to the economy were the only conditions under which the general waiver authority allowing the EPA to waive the RFS could be invoked. Despite this clear direction from Congress, in its 2014-2015-2016 final Renewable Volume Obligation (RVO), EPA used "available refueling infrastructure" as a condition to waive the standard even though Congress expressly rejected it. Do you believe that EPA's use of this reason for

AMERICAN OVERSIGHT

granting a waiver in the 2014-2015-2016 RVO is consistent with Congressional intent and the law?

As I stated at my hearing, I believe the EPA Administrator should use its waiver authority judiciously and not to undermine or question the commitments made by Congress when enacting the RFS.

41.The Renewable Fuels Standard (RFS) is one of our country's most important tools to reduce carbon pollution from the transportation sector. The 2007 amendments to the RFS included increasing volumes of cellulosic and advanced biofuels. If confirmed, will you increase the blending targets for cellulosic and advanced biofuels, including biodiesel, given Congressional intent? What role can EPA play to facilitate the expansion of cellulosic and advanced biofuels, including biodiesel?

Section 211(0) of the Clean Air Act contains enumerated tables of applicable target volumes of renewable fuel, specifically cellulosic and advanced, for calendar years 2006 through 2022. As I indicated in my nomination hearing, it is not the job of the Administrator of the EPA to do anything other than administer the program according to the intent of Congress. If confirmed, I will work to administer this program in accordance with statute and Congressional intent.

42.In response to an Inspector General report, the EPA announced in August that it would update the estimates of carbon pollution reduction from renewable fuels. If confirmed as Administrator, will you commit to completing this update and using the best available commercial and scientific information, including a recent USDA report on the emissions profile of renewable fuels?

I have not had an opportunity to review the referenced report, but, if confirmed, I will review it.

43.In a response to a Renewable Fuels Standard question, you stated during the hearing that "we have less consumption today." Please provide the annual U.S. consumption of gasoline since 2005 as well as forecasts for 2017 and 2018. Is U.S. consumption of gasoline declining or increasing?

In the course of my nomination hearing, I referenced market conditions that have changed since 2005, when the initial RFS program was enacted. When the program was updated in 2007, Congress could not predict how the

AMERICAN OVERSIGHT

market conditions would further change, from decreased consumption to more fuel-efficient vehicles, and therefore provided the Administrator with the ability to waive certain provisions contained in the Act. As I stated at my hearing, I do not believe the EPA Administrator should use this waiver authority to undermine the commitments made by Congress when enacting the RFS.

44.EPA set out to reduce mercury, arsenic, and other toxic chemicals from coal and oil-fired power plans through a rule that you sued to block. Power plants account for half of the mercury emissions in the United States and EPA's Mercury and Air Toxins Standards rule could save up to 11,000 lives and save $90 billion on health costs each and every year across the United States.

•The World Health Organization states that mercury has a toxic effect on humans, and in particular poses a significant threat to child development. Do you agree that mercury is a toxic substance and exposure to it should be limited? Please explain.

•Most people are exposed to mercury from eating fish and shellfish. Do you agree that we should take appropriate steps that reduce the amount of mercury in fish and shellfish? Please explain.

As I stated in my testimony before the Committee, mercury is appropriately regulated as a hazardous air pollutant under Section 112 of the Clean Air Act. If I am confirmed as Administrator, I will regulate under Section 112 in a manner that is consistent with Congress's intent in enacting that provision. I will also faithfully administer other federal statutes that regulate mercury to the extent that they are under my jurisdiction, including the Mercury Export Ban Act of 2008, the Mercury-Containing and Rechargeable Battery Management Act of 1996, the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act.

45.Donald Trump recently bemoaned "you're not allowed to use hair spray anymore because it affects the ozone." Hairspray is still available for sale, just without the chemical responsible for the ozone hole.

The ozone hole was first discovered in the mid-1980s. The world quickly came together to address the ozone hole through the Montreal Protocol. Actions were taken prior to confirmation of the hypothesis that chlorofluorocarbons (CFCs) due to human emissions, that chemical Donald Trump alluded to in his statement, to address the ozone hole. The treaties to address the ozone hole were the first universally ratified treaties in the history of the United Nations.
•Do you agree with the overwhelming scientific evidence that CFCs are the cause of the historic depletion of the ozone layer? If not, why not?

AMERICAN OVERSIGHT

•Do you consider the "Montreal Protocol on Substances that Deplete the Ozone Layer" to be a success? If not, why not?
•Considering the success of the world coming together to solve an environmental problem in that instance, do you believe that such a framework could be used as an example to solve other global environmental problems? If not, why not?

I consider the Montreal Protocol to be a successful example of the world coming together to solve an important environmental problem and that the Montreal Protocol could serve as an example to the President as he exercises his foreign affairs powers and to the Senate as it considers ratification of any treaty that may come before it.

46.Mr. Pruitt, you have repeatedly sued EPA to overturn regulations that seek to protect Americans from the effects of soot, ozone, greenhouse gases, mercury, arsenic and other air pollutants. These toxic air pollutants are often blown east from large industrial and energy sources in the Midwest, particularly impacting air quality and public health from Maine and Massachusetts to the Smoky Mountains.

•EPA's Clean Air Scientific Advisory Committee, which provides independent scientific advice to EPA on its air pollution standards, said that ozone causes a "decrease in lung function, increase in respiratory symptoms, and increase in airway inflammation." Do you agree with this scientific conclusion? Please explain.

•EPA projected that its final Cross State Air Pollution Rule would avoid up to 34,000 premature deaths, 15,000 non-fatal heart attacks and 400,000 asthma attacks – every year. Do you agree with this conclusion? Please explain.

•The EPA concluded that the health effects associated with fine soot particles include premature death, more ER visits and increased frequency of chronic respiratory disease. Do you agree with this conclusion? Please explain.

As I stated in my testimony to the committee, all legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in my capacity as an advocate. If confirmed as Administrator, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

47.Lead is not just a problem in Flint, Michigan, but all over the United States including Oklahoma. In your capacity as Attorney General of Oklahoma, what did you and your office do to prevent childhood lead exposure?

While I am concerned about children's health, matters of the sort you reference would be handled by Oklahoma's environmental regulators at the

AMERICAN OVERSIGHT

Department of Environmental Quality and the Oklahoma Water Resources Board.

48.During your confirmation hearing before the Environment and Public Works Committee, in response to a question, you indicated that you did not know if there is a safe level of lead. Scientific experts at the Centers for Disease Control and Prevention (CDC) and the World Health Organization, among other leading scientific bodies have repeatedly warned of the dangers of lead, specifically to children, concluding that there is no level of lead exposure that is safe.

•Do you agree that exposure to lead is dangerous and that no level of exposure should be considered safe?

•If confirmed, will you commit to making reducing childhood lead exposure a priority?
•What specific strategies will you implement to reduce lead exposure?
•Will you advocate for more funding for the programs that reduce lead exposure risk, especially in children?

I have not myself reviewed the scientific studies correlating blood lead levels to impacts in children. However, it is my understanding that neither EPA nor CDC have identified a "safe" level of exposure, but instead have adopted levels appropriate for action under their specific statutory authorities. If confirmed I will carry out EPA's authorities to reduce exposure to lead, including exposures by children.

49.The EPA is tasked with implemented the Safe Drinking Water Act (SDWA), and ensuring that the drinking water supply for many Americans is safe. Given the Flint, Michigan drinking water crisis, many Americans that took clean water for granted are now being faced with questions about a basic necessity.
•The Water Infrastructure Improvement for the Nation (WIIN) Act of 2016, or WIIN Act, passed Congress was signed by the President, and became public law on December 12, 2016. Will you commit to, as expedient as practicable, implementing the changes to the Safe Drinking Water Act?
•The human-caused drinking water crisis in Flint, Michigan has highlighted the widespread concern of lead in drinking water pipes across the nation. Additionally, nearly 4 million Americans may be unknowingly drinking unsafe water. Are you aware of how many public water systems in the United States have issues with lead in drinking water above safe levels?
•If a public official knowingly exposes their community to dangerous levels of contaminants, such as lead, should that official be held accountable for such actions? What do you think are acceptable punishments for such an action?
•If confirmed as EPA Administrator, what will you do to ensure that communicates across America have safe drinking water that is not contaminated with lead?

AMERICAN OVERSIGHT

If confirmed I will fully implement the changes to the Safe Drinking Water regulatory requirements made by the WIIN Act, including the changes to the notification requirements relating to lead levels in drinking water. If funding is provided, I will also implement the assistance programs authorized in that Act. I also will fully implement the existing authorities under the SDWA, including, as appropriate, EPA's authority to take emergency action. If confirmed I will seek a briefing from EPA staff on the number of public water systems that are not in compliance with the SDWA Lead and Copper Rule. I am unaware of EPA authorities to punish individuals other than to seek the resignation of responsible EPA officials, such as the resignation of the former Regional Administrator of EPA Region 5 who resigned after her failure to act upon information regarding the lead levels in the Flint water system became public.

50.The updated Toxic Substances Control Act (TSCA) requires that EPA evaluate the risks to "potentially exposed or susceptible subpopulations" and take action to protect these subpopulations from all identified risks. Do you commit to follow this statutory requirement?

Yes.

51.As Oklahoma Attorney General, you have consistently advocated for the rights of states in the area of environmental protections. Will you apply the preemption provisions in TSCA in a manner that is consistent with the statute and your pre-stated philosophy when it comes to state leadership on environmental protection matters?

As I stated in my letter to Senators Inhofe and Boxer from April 9, 2016, I believe the Lautenberg Act ensures states have an important voice at the table and I will apply the law as enacted by Congress.

52.The new law greatly increases transparency and provides EPA with an obligation to protect against unjustified claims of confidentiality by industry. Do you commit to uphold the bill's statutory requirements in this area?

As I stated in my letter to Senators Inhofe and Boxer from April 9, 2016, I believe public dissemination of information about chemicals is critical to ensure public health and safety is upheld. In my view the Lautenberg Act struck a common sense balance between protecting confidential business information and informing the public and I intend to apply the law as enacted by Congress.

AMERICAN OVERSIGHT

53.Do you agree that transparency is important to meaningful public participation in EPA's work on chemicals under TSCA? Do you commit to increasing transparency by fully implementing the provisions in the new law to prevent unjustified claims of confidentiality by industry?

As I have previously stated I believe the Lautenberg Act struck an appropriate balance between protecting confidential business information and informing the public and I intend to apply the law as enacted by Congress.

54.One of the reasons Congress was able to agree on a major re-write of TSCA was because of the fundamental agreement we made to clarify the law to ensure that costs could not be considered when EPA decided whether a chemical was safe or what level of a chemical was safe. Costs could only be a factor when deciding what type of regulation to require to meet that safe standard. Do you continue to support this approach? Would you oppose any effort to change this reformed approach to regulation?

If confirmed I intend to faithfully execute all provisions of the Lautenberg Act as enacted by Congress.

55.Nearly three decades ago, President George H. W. Bush attempted unsuccessfully to ban asbestos. Asbestos is banned in 55 countries across the globe and the World Health Organization says, quote, "all forms of asbestos are carcinogenic to humans". More than 30 Americans die each day from diseases like asbestosis and cancer caused by asbestos. Yet, in his 1997 book, *The Art of the Comeback*, President-elect Trump stated, that asbestos is, quote, "100 percent safe, once applied" and that he, quote, "believe[s] that the movement against asbestos was led by the mob." Do you agree with Mr. Trump that asbestos is 100 percent safe once applied or that the movement against asbestos was led by the mob?

Asbestos has been identified by the EPA as a high-priority chemical that requires a risk evaluation following the process established by the Lautenberg Act to determine whether conditions of use of the chemical substance pose an unreasonable risk. Prejudging the outcome of that risk evaluation process would not be appropriate.

AMERICAN OVERSIGHT

56.In 2015, I released a reported entitled, "Failing the Grade: Asbestos in America's Schools."[5] Asbestos is still found in schools across America, and the true scope of the problem is still hard to ascertain. More than 53 million American children and six million American adults spend large portions of their days in school buildings that may contain dangerous environmental hazards. My report laid out recommendations on how to address the findings of the report.

•Millions of students attend schools that may have asbestos and this is clearly a widespread problem. How would the EPA under your direction, if confirmed, begin to assess the true scope of the problem?

•Will you commit to raising awareness among students, parents, teachers, and other employees about persistent asbestos hazards in school buildings? If not, why not?

•Do you support periodic reporting requirements for schools to report their progress related to the management and abatement of asbestos? If not, why not?

•Do you support additional funding for enforcement actions for schools that do not follow the law and may be exposing children to asbestos? If not, why not?

•Do you support public access to information about where asbestos can be found in products, school buildings, and elsewhere to empower the public to avoid preventable asbestos exposures? If not, why not?

•Do you support providing consumers with access to current information about asbestos-containing products? If not, why not?

•Do you support schools that are known to have asbestos updating their reports of where asbestos is located within a school? If not, why not?

•Do you support states communicating information to the EPA on their progress with implementation of asbestos response plans? If not, why not?

•Do you support continued research and outreach to improve public awareness of the danger of asbestos exposure? If not, why not?

If confirmed I will take the responsibility of protecting human health and the environment very seriously and in accordance with the legal authorities established by Congress. EPA has identified asbestos as a high-priority chemical and is now required to set the scope of review as well as conduct a risk evaluation of the conditions of use of the substance. Without prejudging that review process any conditions of use of asbestos or any other chemical substance that pose an unreasonable risk are required to be addressed under the law and appropriate communication of chemical reviews as well as transparency in the process is an important aspect of the law as passed by Congress. In addition to the Lautenberg Act, in 1986, Congress enacted the Asbestos Hazard Emergency Response Act (AHERA) and then later amended the act in 1990 to modify EPA's school asbestos remediation program. While I have not assessed the appropriateness of periodic reporting requirements, if confirmed I intend to use the authorities granted to the Agency by Congress under TSCA and other statutes to

[5] http://www.markey.senate.gov/imo/media/doc/2015-12-Markey-Asbestos-Report-Final.pdf

AMERICAN OVERSIGHT

assess potential dangers as well as inform and protect the public as appropriate.

57.Last year entitled, "The ABCs of PCBs: A Toxic Threat to America's Schools."[6] Although Congress and the EPA banned the production and most uses of PCBs in 1979, the toxic chemical is still found in many schools across this country. In addition, my report laid out six recommendations.

•Since up 30% of students may be exposed to PCBs, this is a widespread problem. How would the EPA under your direction, if confirmed, begin to assess the true scope of the problem?

•PCBs are found within caulk and fluorescent light ballast in American schools. How would you encourage the removal of PCB-containing materials? Since these ballast are nearing the end of their useful life, EPA has said that it "recommends all PCB-containing FLBs be removed from lighting fixtures". Would you support the promulgation of a regulation under section 6(e) of TSCA that updates EPA's current regulations for PCBs and includes a requirement that all PCB-containing ballast be removed from schools and daycare facilities? If not, why not?

•There are multiple local education agencies and schools that have been seeking the advice and assistance of the EPA in dealing with PCB issues. Will you commit to assisting these agencies and schools and ensuring that the guidance EPA provides across all Regions of EPA is consistently and proactively provided? If not, why not?

•Do you support a requirement that each each school that was built or retrofitted between 1950 and 1979 (and therefor may contain PCBs) undergo a survey (to be administered by the local educational agency) in order to determine whether and where PCBs may be located within a school? If not, why not?

•Do you support a requirement for recordkeeping by state and local educational agencies of testing for, response to, and remediation of PCB hazards in schools? If not, why not?

•Do you support the EPA updating its testing guidance to encourage inspections of all schools built or retrofitted between 1950 and 1979, and improve its efforts to proactively and consistently communicate testing guidance to states, local education agencies, and schools with potential PCB hazards? If not, why not?

•Do you support the EPA developing guidance regarding the means by which parents, teachers, and employees should be notified of potential PCB hazards by schools and daycare facilities, including the manner in which such hazards should be described? If not, why not?

•Do you support the development and provision of updated guidance on the proper remediation of PCBs by EPA for schools, daycare facilities and other entities to use? If not, why not?

•Do you support the EPA proactively and regularly sharing best practices and other information outreach to states and school districts, and enforcement

[6] https://www.markey.senate.gov/imo/media/doc/2016-10-05-Markey-PCB-Report-ABCsofPCBs.pdf

AMERICAN OVERSIGHT

activities, related to PCB hazards in schools and daycare facilities across all EPA regions? If not, why not?
•Do you support EPA regional offices increasing their outreach to states and local education agencies to make them aware of available EPA's PCB regulations, guidance and resources? If not, why not?
•Do you support the EPA updating its current guidance on PCB hazards in schools to incorporate lessons learned from previous remediation projects and best available science? If not, why not?
•Do you support schools having detailed plans on how a school specifically plans to ensure the proper removal of PCBs before starting a PCB remediation project? Please explain.
•Do you support the authorization and appropriations of money for the testing for, response to, and remediation of PCB hazards and other environment hazards in schools? Please explain.

Addressing the issues of possible harmful exposures to chemicals in schools is an issue I would take very seriously if confirmed as EPA Administrator. While protecting children from exposure to chemical substances of concern it is important to have all the facts and ensure that an action does not create unintended consequences or put children at potentially greater peril via risk shifting or the possibility of remedial actions resulting in greater exposure to a substance. While I would not prejudge a regulatory outcome under the TSCA or any other law, I will work collaboratively with state and local governments and citizens to address issues and ensuring EPA regions are consistent and performing their legally required duties will be a priority if confirmed.

58.The Environmental Working Group reported that Oklahoma led the nation in pesticide-related illness and deaths between 2000 and 2010 based on data from the Center for Disease Control and Prevention.[7]
•Are you aware that your state, Oklahoma, leads the United States in pesticide-related illness and deaths? Why do you think this is the case?
•Recent reports have suggested that the increased use of pesticides is linked to the rapid decline in the bee population. What is your understanding of the science explaining the cause of the decline in bees in the United States?

I am not personally familiar with the report referenced in this question or generally the rate of pesticide usage in Oklahoma. I am generally aware of the important role bees play as pollinators, but it is unclear from the information provided in the question what specific reports are being discussed. If confirmed as Administrator, I would expect to be briefed by EPA staff before taking action on this issue and would work to ensure EPA

[7] http://www.ewg.org/agmag/2016/12/pruitt-s-home-state-leads-nation-pesticide-illnesses-and-deaths

AMERICAN OVERSIGHT
EXT-18-783-F-002083
ED_001863D_00006897-00137

followed all applicable legal requirements and made its decisions based on sound science.

59.Racial minorities and low-income communities are disproportionately affected by environmental pollution, siting of waste disposal facilities, and other industrial pollution causing activities. In many instances, the combination of poverty and race as well as lax enforcement and oversight of industrial activities results in worsened health outcomes by these communities.
•How will you address environmental justice and equity for minority and poor communities through EPA programs?
•What will you do to improve health equity as administrator of the EPA?
•What are your plans on reducing toxic pollution and disproportional burden of pollutants in communities of color?
•What will you do to increase enforcement and oversight in communities that are bearing the burden of environmental hazards?

•In your confirmation hearing, you committed to making environmental justice a top priority. If confirmed, will you commit to dedicating funding to assist minority and poor communities with resources and technical assistance to better engage with the EPA and industry about pollution activities and concerns occurring in their communities?

•What will you do to improve the EPA's office of Civil Rights to ensure that the EPA is in compliance with the Civil Rights Act of 1964?
•Will you uphold and make a top priority throughout the agency's work, Executive order 12898, which requires federal agencies to make "achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."
•Do you vow to ensure that environmental justice activities throughout the agency remains focused on poor and minority communities?
•EPA recently developed the agency's EJ2020 action Agenda to better deliver on its historical promises of reducing disparities in environmental protection. Will you utilize and uphold this guidance and procedures outlined in this document throughout the work of the agency? Please explain.

As I testified, the Administrator plays an important role regarding environmental justice. If confirmed, I would work to faithfully execute the laws EPA is responsible for administering, in order to protect human health and the environment for all Americans. If confirmed, I would expect EPA to operate in an open and transparent manner, consider the views of stakeholders as appropriate, act based on sound science, and follow the laws as established by Congress, including the Civil Rights Act. I am personally unfamiliar with the operations of EPA's Office of Civil Rights and details of current indicatives regarding environmental justice referenced in the question, but I would expect, if confirmed, I would be briefed by staff about ongoing programs and activities before taking any action.

AMERICAN OVERSIGHT

60.If you are confirmed, do you commit not to direct the cessation of or otherwise impede the investigations or actions of the EPA Office of Enforcement and Compliance Assurance? If not, why not?

I am unfamiliar with the specific details of the actions referenced in the question. I would expect to be briefed by staff, in consultation with the Department of Justice as appropriate, before taking any action.

61.For each year since 1995, please provide information regarding the State of Oklahoma's environmental enforcement efforts. Specifically, for each year, please provide a list that includes:

•A brief description of each environmental enforcement action (including investigations and enforcement proceedings) initiated by the AG's office, including the date the action was initiated, the name of the subject of the action, and the nature of the action and environmental violation that led thereto.

•The annual budget of the Office of Environmental Enforcement, both in dollar terms and as a percentage of the AG's annual budget.

•The number of employees in the Office of Environmental Enforcement and in the AG's office writ large.

•A description of each environment enforcement action (including investigations and enforcement proceedings) that was closed, including a description of the resolution of the matter, whether a fine or penalty was levied (and if so the amount of such fine or penalty), whether non-monetary remedies were required (and if so, what), and whether a criminal prosecution was initiated in the matter (and if so what the resolution of the prosecution was).

In order for you to receive a comprehensive response to a voluminous request of that nature, I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act.

AMERICAN OVERSIGHT

Senator Merkley:

1. In an interview with The Oklahoman in 2015, you were talking about Oklahoma's environmental lawsuit against poultry producers who were polluting the Illinois River basin, and you said that in your view, regulation through litigation is the wrong approach. However, you have been highly active in bringing lawsuits against the EPA, whose regulations typically incorporate information gathered as a result of the kind of extensive stakeholder outreach that you seem to value. What have your experiences in suing the EPA taught you about how to lead the agency?

My experiences suing the EPA have taught me the value of ensuring that the EPA acts lawfully so that the regulations it promulgates are actually put to work protecting the environment, rather than being invalidated by courts.

2. The legal actions that you have brought against the EPA suggest that you feel the agency does not have the expertise or skill to make adequate assessments about how to maintain environmental standards. How do you propose to improve the EPA's capabilities so that the agency can achieve its goals in the proper manner?

The legal challenges I have brought have been to protect the interests of Oklahoma. If confirmed, I expect to learn more about EPA's workforce needs and ensure that the Agency is working towards achieving its goals in a proper manner.

3. You have said that the "American people are tired of seeing billions of dollars drained from our economy due to unnecessary EPA regulations". In a poll taken in December 2016 of 2,000 supporters of President-elect Trump, 64% of Trump voters support maintaining or increasing the federal budget for environmental protection and conservation. 78% of the Trump voters said they supported air pollution regulations generally, and 61% said companies should be required to reduce their carbon emissions. These are the people who supported Donald Trump, the man who nominated you for this position. Do you share the view of the majority of Trump voters and support maintaining or increasing the federal budget for environmental protection and conservation? Do you share the view of the majority of the President-elect's supporters that companies should be required to reduce their carbon emissions?

AMERICAN OVERSIGHT

EXT-18-783-F-002086

ED_001863D_00006897-00140

If confirmed as Administrator, I look forward to working with President Trump to achieve his environmental priorities using the tools authorized by Congress and respectful of the rule of law.

4. Several states, including Oregon, Washington, and California, have taken steps to regulate and reduce greenhouse gas emissions. Would you, as the leader of the EPA, attempt to undermine state-led attempts to combat climate change?

I respect and believe the states have a very important role in setting and implementing environmental standards that reflect the needs, challenges and expectations of their local communities. Congress established a clear process by which states may set more stringent standards subject to the approval of the Administrator and based on the specific request made and the corresponding record submitted. If confirmed and if I receive any such requests, I will consider them consistent with applicable statutory framework established by Congress.

5. The EPA produces a wide range of scientific documents. Are you committed to allowing EPA scientists the right of last review of all reports, executive summaries, press releases and websites related to purely science-based documents?

If confirmed, it will be my privilege to work with EPA scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to improving public health and our environment. Scientific documents are critical to EPA's decision-making and I commit, if confirmed, to ensure EPA scientific documents follow applicable laws and federal guidance on scientific integrity, information quality, and transparency.

6. Are you committed to transparency at EPA? If so, will you commit to making sure that EPA data is proactive made available to the public, consistent with privacy and confidential business information laws? Will you ensure that all data and data interpretation tools that are currently on EPA websites continue to be publicly available, and, if they become out of date, are archived in an accessible manner?

Yes, I am committed to transparency at EPA. I commit to making sure that EPA data is made available to the public consistent with privacy and confidentiality laws, and I will ensure that all EPA tools currently available to the public will remain accessible to the public and will be archived appropriately.

AMERICAN OVERSIGHT

7. How would you incorporate independent science in your decision making?

If confirmed, it will be my privilege to work with EPA scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to improving public health and our environment. I believe EPA decision-making should be based on sound, independent science, and if confirmed, my decision-making will follow applicable laws and federal guidance on scientific integrity, information quality, and transparency.

8. Are you familiar with the scientific integrity policies of the EPA? Can you commit to adhering to EPA's scientific integrity policies?

If confirmed, I expect to learn more about EPA's scientific integrity policies and I commit to follow applicable laws regarding scientific integrity.

9. How will you work with the White House Office of Science and Technology Policy to ensure that the work of scientists at the EPA, and scientists that provide input to the EPA, is free from political and financial influence?

If confirmed, it will be my privilege to work with EPA scientists and the thousands of other dedicated public servants at EPA who have chosen to devote their careers to improving public health and our environment. I have no first-hand knowledge of the EPA's consultation with the White House Office of Science and Technology Policy and, if confirmed, I would expect to learn more about EPA's work with the office. Indeed, EPA actions must be based on sound, objective science. I commit, if confirmed, to follow applicable laws and federal guidance on scientific integrity, information quality, and transparency.

10. Pacific coast shellfish aquaculture is estimated to be a $278 million industry, but over the last decade, oyster growers have struggled to maintain yields because the water in the hatcheries is becoming too acidic for oysters to survive. The oceans are becoming more acidic because they are absorbing more and more CO2 from the atmosphere. The impact of this acidification on oyster farming has been documented in the scientific literature. On numerous occasions, you've expressed skepticism about climate change, but there is no doubt in the minds of these shellfish growers about the reality that increased CO2 levels are threatening their livelihoods. As EPA Administrator, how would you address this issue?

AMERICAN OVERSIGHT

EXT-18-783-F-002088

ED_001863D_00006897-00142

If confirmed, I will implement the laws that EPA is charged to administer. Under section 304 of the CWA EPA establishes water quality criteria to protect aquatic life, including shellfish. Certain EPA programs also include authorities that can support projects that may benefit the shellfish industry, including the National Estuary Program under section 320 of the CWA, the Long Island Sound programs under section 119 of the CWA, and the Chesapeake Bay program under section 117 of the CWA. Finally, section 319 of the CWA can support programs and projects to reduce runoff that may impact oyster beds..

11. There are many groups within the Christian community -- and groups from other faiths -- in the United States who agree with the overwhelming scientific consensus that climate change is a danger to our country, and who strongly support taking action to mitigate the causes and impacts of climate change. For example, the Southern Baptist Convention made a statement in 2007 saying that Christians are responsible for caring for creation, and emphasized the importance of acting to prevent climate change. The President of the Southern Baptist Theological Seminary, has also issued a statement echoing these views. As EPA Administrator, would you share the view that, in the interest of caring for creation, that action should be taken to prevent climate change?

I believe we can grow our economy, harvest the resources God has blessed us with, while also being good stewards of the air, land, and water by which we have been favored. If confirmed, I will work to advance the mission of EPA to protect human health and the environment within the framework established by Congress.

12. The EPA is required to follow the best available science in its rule-making process. Given that every major scientific institution in the United States agrees with the position that the warming trend over the past century is due to human activity, do you have any reason to disagree with the position of every major scientific institution in the United States? Please explain.

I agree EPA's rulemaking process must be based on the best available science. However, I have no first-hand knowledge of the specific institutions or findings referenced in the question. If confirmed, I commit EPA's rulemaking process will be based on the best available science and will follow applicable laws and federal guidance on scientific integrity, information, and transparency.

AMERICAN OVERSIGHT

13. 97% of publishing climate scientists support the idea the climate change is real and man-made. You are an attorney, but have questioned the reality of climate change. Do you currently agree that climate change is real and man-made? If not do you believe the 97% of climate scientists that do hold that view are wrong, or lying?

The ability to measure with precision the degree and extent of human activity on our changing climate, and what to do about it, are subject to continuing debate and dialogue. If confirmed, I will make sure the agency's regulatory actions are based on the most up to date and objective scientific data.

14. What scientific organizations do you personally trust when it comes to the science of climate change? Please explain why you trust any organization(s) you list.

If confirmed as EPA Administrator, I will adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment and will base my decisions on sound science, including advice provided by agency experts and advisory personnel.

15. Below is a list of statements from the Intergovernmental Panel on Climate Change's Fifth Assessment Report. For each statement, please indicate your agreement or disagreement and explain your reasoning: • "Warming of the climate system is unequivocal."
• "The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, sea level has risen, and the concentrations of greenhouse gases have increased."
• "The atmospheric concentrations of carbon dioxide, methane, and nitrous oxide have increased to levels unprecedented in at least the last 800,000 years."
• "Carbon dioxide concentrations have increased by 40% since pre-industrial times, primarily from fossil fuel emissions and secondarily from net land use change emissions."
• "The ocean has absorbed about 30% of the emitted anthropogenic carbon dioxide, causing ocean acidification."
• "The largest contribution to total radiative forcing is caused by the increase in the atmospheric concentration of CO2 since 1750."
• "It is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century."
• "Continued emissions of greenhouse gases will cause further warming and changes in all components of the climate system."
• "It is very likely that the Arctic sea ice cover will continue to shrink and thin and that Northern Hemisphere spring snow cover will decrease during the 21st century

AMERICAN OVERSIGHT

as global mean surface temperature rises. Global glacier volume will further decrease."
• "Global mean sea level will continue to rise during the 21st century.... [T]he rate of sea level rise will very likely exceed that observed during 1971 to 2010 due to increased ocean warming and increased loss of mass from glaciers and ice sheets."
• "Limiting climate change will require substantial and sustained reductions of greenhouse gas emissions."

There is a diverse range of views regarding the key drivers of our changing climate among scientists. I believe that these differences should be the subject of robust and open debate free from intimidation. If confirmed, I will continue to encourage an honest debate on our changing climate, the role of human activity, our ability to measure the degree and extent of human activity, and what to do about it. If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data. I will also adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment consistent with the process and rule of law established by congress.

16. Are you aware that each of the past three decades has been warmer than the one before, and warmer than all the previous decades since record keeping began in the 1880s? This trend is based on actual temperature measurements. Do you believe that there is uncertainty in this warming trend that has been directly measured? If so, please explain.

I am aware of a diverse range of conclusions regarding global temperatures, including that over the past two decades satellite data indicates there has been a leveling off of warming, which some scientists refer to as the "hiatus." I am also aware that the discrepancy between land-based temperature stations and satellite temperature stations can be attributed to expansive urbanization within in our country where artificial substances such as asphalt can interfere with the accuracy of land-based temperature stations and that the agencies charged with keeping the data do not accurately account for this type of interference. I am also aware that 'warmest year ever' claims from NASA and NOAA are based on minimal temperature differences that fall within the margin of error. Finally, I am aware that temperatures have been changing for millions of years that predate the relatively short modern record keeping efforts that began in 1880.

AMERICAN OVERSIGHT

17. Is there a scientific basis, based on the best available science and the weight of scientific evidence, for revoking or revising the finding that greenhouse gases endanger public health and welfare?

To my knowledge, there is nothing currently pending before the EPA that would require I take any additional actions on the Endangerment Finding on Greenhouse Gases and if there were, it would not be wise to prejudge the outcome.

18. Last year, Oklahoma's Department of Environmental Quality added eight lakes to what is now a list of 40 lakes where people should limit their fish consumption due to the dangerous levels of mercury. Do you believe that coal fired power plants contributed to the mercury contamination in those 8 lakes? Do you believe coal fired power plants contribute to mercury contamination in the environment?

I agree with the Oklahoma Department of Environmental Quality's determinations regarding fish advisories. As discussed elsewhere in my written responses to the Committee, coal fired power plants are the largest point source emitters of mercury into the air in the United States. I do not have direct knowledge of whether these fish advisories were caused by coal fired power plants or other sources, and if so whether those sources are located in the United States or elsewhere.

19. Do you agree that fish consumption is a leading source of mercury exposure and that the source of mercury in fish comes largely from the burning of fossil fuels? If you disagree, please explain why, including citations of the authoritative bodies that support your position.

I agree that fish consumption is a leading source of mercury exposure, particularly in certain subpopulations, such as unborn children.

20. Do you agree with the American Academy of Pediatrics' finding on the importance of minimizing mercury exposures for child health? If you disagree, please explain why, including citations of the authoritative bodies that support your position.

I agree with the American Academy of Pediatrics' finding. As I stated in my testimony before the Committee, mercury is appropriately regulated as a hazardous air pollutant under Section 112 of the Clean Air Act. If I am

AMERICAN OVERSIGHT

confirmed as Administrator, I will regulate under Section 112 in a manner that is consistent with Congress's intent in enacting that provision. I will also faithfully administer other federal statutes that regulate mercury to the extent that they are under my jurisdiction, including the Mercury Export Ban Act of 2008, the Mercury-Containing and Rechargeable Battery Management Act of 1996, the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act

21. You are currently representing Oklahoma in challenging the EPA's supplemental finding that it is necessary and appropriate to regulate emissions of mercury and other hazardous air pollutants from power plants. Do you agree that nearly all covered facilities are already in compliance with EPA's Mercury and Air Toxics Standard? If not, explain why not.

The Mercury and Air Toxics Standard has not been vacated by the Supreme Court or the D.C. Circuit and currently regulates both mercury and other air toxics. I do not have personal knowledge of whether any facilities are out of compliance with the Mercury and Air Toxics Standard. If I am confirmed as Administrator, I will exercise my authorities as Administrator to enforce all laws administered and regulations promulgated by the Administrator, including the Mercury and Air Toxics Standard, against sources that are out of compliance.

22. Do you agree that ground-level ozone is a dangerous pollutant that causes respiratory and cardiovascular harm? If no, on what basis do you disagree? If you disagree, please explain why, including citations of the authoritative bodies that support your position.

I agree that ground-level ozone is a dangerous pollutant that can cause respiratory and cardiovascular harm,

23. You are currently pursuing a lawsuit against the EPA over the agency's new ozone limits, which the EPA is required to review at least every five years. The new limit is 70 parts per billion; the previous limit, set in 2008, was 75 parts per billion. Prior to the announcement of the new limit, officials at the Oklahoma Department of Environmental Quality said that the state would be able to meet the 70 ppb level, however you have taken the position that EPA's standard is unachievable, and you have criticized the agency's data collection and its scientific processes. Could you please describe why you feel the EPA is unqualified to assess the safety and necessity of the new ozone levels? Could

AMERICAN OVERSIGHT

you please also describe why your state's Department of Environmental Quality was wrong to say that they could meet the new ozone safety levels?

Oklahoma joined four other states in a petition for review of EPA's 2015 decision to lower the National Ambient Air Quality Standard for ozone from 75 ppb to 70 ppb. The legal question raised by the state petitioners in the case is whether EPA set the standard at a level than can be achieved by states given the background concentrations and uncontrollable sources of ozone in many parts of the country. The briefs filed by the many State petitioners to that rule fully explain the States' position and speak for themselves. The case remains pending before the U.S. Court of Appeals for the District of Columbia Circuit.

24. In a 2013 interview, you said: "The evidence is clear that the current ethanol fuel mandate is unworkable. The decision by the EPA to lower that standard is good news for Oklahoma consumers. It's good the Administration finally recognized the concerns of consumers and a variety of industries and took steps to correct this flawed program." Please explain what you meant by "unworkable" and "flawed program". Do you still hold this view? If not, what caused you to change your view?

As I indicated during my nomination hearing, the Administrator and the EPA routinely missed the statutory targets in publishing the Renewable Volume Obligations each year, creating great uncertainty in the marketplace. In fact, in some years they missed the timeline, as far as submitting those targets, by over a year; in some cases over two years. The EPA failed to adhere to statutory requirements, resulting in a flawed and unworkable program.

25. In December 2015, the President-elect said of Senator Ted Cruz' opposition to the RFS, "…oil pays him a lot of money, he's got to be for oil, right? The oil companies give him a lot of money. So, but I'm with you. I'm with everybody. I'm with everybody. Look, I'm self-funding. I have no oil company. I have no special interest." In contrast, you have received over $300,000 from the fossil fuel industry, and have sent at least one letter to EPA on your own letter head that was drafted by the oil industry. If you are confirmed as EPA Administrator, will you commit to ensuring that your previous donors will not exert undue influence over the regulatory process and your decision-making at EPA with regard to the Renewable Fuels Standard?

If confirmed, I will work to administer the RFS in accordance with statute and Congressional intent.

AMERICAN OVERSIGHT

26. If the Sixth Circuit and the Supreme Court approve EPA's "Waters of the United States" rule defining the jurisdictional extent of the Clean Water Act, would you direct the EPA to amend that rule? If so, how? If the courts invalidate EPA's "Waters of the United States" rule, how would you direct the EPA to define which waterways and wetlands are protected by the Clean Water Act?

If I am confirmed, I will seek to make changes to the WOTUS rule following all appropriate administrative procedures, including the requirements of notice and comment under the Administrative Procedure Act.

27. In your opinion, under what circumstances should the Clean Water Act apply to pollution being discharged into groundwater? If the Ninth Circuit's forthcoming decision in Hawai'i Wildlife Fund v. County of Maui conflicts with your view, would you direct the EPA to write a new regulation overruling the 9th Circuit?

I believe that the Clean Water Act applies only to discharges to surface water, not groundwater. In contrast, the Safe Drinking Water Act requires permits for underground injection into certain aquifers. I cannot speculate on a judicial decision that has not been issued.

28. You've taken money from Monsanto, one the world's largest sellers of pesticides, in your previous electoral campaigns. How will you ensure that the safety of pesticides is vetted and regulated by the EPA according to the best science on risk and potential harm, rather than the profit-making interests of your campaign financiers? In your role as EPA administrator, how will ensure the agency is not unduly influenced by the political power of these large corporations?

If confirmed as Administrator, I would expect EPA's regulatory process relating to pesticides to be open and transparent and based on sound science in accordance with EPA's legal authorities.

29. What will you do to ensure EPA is conducting a transparent process regarding pesticide regulation? Please specify how you will approach notifying the public regarding pesticides in terms of notice of actions, publication of information (including studies and data) in the dockets, or timely responses to requests under the Freedom of Information Act. If you do not believe in a transparent process, why not?

I am committed to transparency at EPA. I commit to making sure that EPA data is made available to the public consistent with applicable privacy and

AMERICAN OVERSIGHT

confidentiality laws, and I will work to ensure that EPA uses a variety of tools and methods to keep the public informed about EPA activities as they relate to pesticide regulation if I am confirmed.

30. What will you do to work with pesticide manufacturers, distributors, conservation organizations, farmers, and beekeepers to ensure pesticide labels are clear and enforceable? Will you commit to enforcing these labels? If you will not work on this issue, why not?

If confirmed as Administrator, I would expect EPA's regulatory process relating to pesticides to be open and transparent and based on sound science in accordance with EPA's legal authorities.

31. EPA defines environmental justice as "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies." Would you as EPA administrator advance the goal of environmental justice and if so, how?

If confirmed, I would work to faithfully execute the laws EPA is responsible for administering in order to protect human health and the environment for all Americans. As I testified, the Administrator plays an important role in regarding environmental justice.

32. Exposure to air toxicity, water pollution, lead, and hazardous waste sites results in disproportionate levels of disease, disability, and mortality amongst communities of color. As Administrator, what will you do to protect America's most vulnerable and underrepresented communities from environmental hazards and reduce the burden of toxicity shouldered by these communities?

As I testified, the Administrator plays an important role in regarding environmental justice. If confirmed, I would work to faithfully execute the laws EPA is responsible for administering in order to protect human health and the environment for all Americans. If confirmed, I would expect EPA to operate in an open and transparent manner, consider the views of stakeholders as appropriate, act based on sound science, and follow the laws as established by Congress

33. President-Elect Trump has stated that the drinking water crisis in Flint, Michigan, would never have happened if he was president. If appointed, what

AMERICAN OVERSIGHT

measures do you plan to take to protect drinking water across the country and particularly for the most vulnerable populations?

If confirmed, I will return EPA's focus to carrying out its core missions, including, as appropriate, use of EPA's emergency order authority under the Safe Drinking Water Act.

34. Oklahoma has seen a massive increase in earthquakes recently (907 (>magnitude 3.0) in 2016 and 585 in 2015 - which is more than the previous 35 years combined). The Oklahoma Geological Survey released a report in 2015 linking the disposal of fracking wastewater with earthquakes in Oklahoma. As recently as November 2016, a 5.0 magnitude earthquake struck Cushing, Oklahoma. Forty to fifty buildings were reported to have been damaged; Governor Mary Fallin felt the damage was substantial enough to declare a state of emergency for Payne County, where Cushing is located (a first step towards being granted federal aid). • What was the incidence of earthquakes in Oklahoma prior to widespread use of hydraulic fracturing in the past decade?
• What has been the incidence of earthquakes in Oklahoma in the past 10 years, since widespread use of hydraulic fracturing?
• What have been the economic and health impacts of earthquakes in Oklahoma in the past 10 years?
• What was your rationale for not using the office of the Attorney General to change the disposal practices of wastewater from hydraulic fracturing to protect the citizens of Oklahoma?

As I discussed at my confirmation hearing, the State of Oklahoma has taken seismicity issues very seriously and has taken proactive and aggressive actions. Oklahoma, as have other states, been successfully regulating hydraulic fracturing since the 40's and 50's. State and federal geologists have largely confirmed that the while the act of hydraulic fracturing itself poses little seismicity risk, the underground injection of wastewater at certain pressures and volumes can result in some seismic activity. While earthquakes have increased in frequency in recent years, the State has taken aggressive actions and reports have indicated the rate of seismic events has recently declined. Seismic activity can of course have significant impacts on communities and the activities linked to seismicity concerns in Oklahoma are regulated under state law by other agencies that my office works with as appropriate under Oklahoma law.

35. The EPA is the front line agency serving or assisting Indian Country with environmental protection and recognition of treaty rights. As EPA Administrator, would the you commit to the protection of tribal treaty rights in agency decision making processes in situations where rights may be affected by EPA actions

AMERICAN OVERSIGHT

including federal approval of: • state water quality standards (CWA)
• state 401 water quality certifications
• state distribution and use of pesticides (FIFRA)
• oil spill program countermeasures (SPCC)?

If confirmed, I will commit to ensuring that the United States meets all treaty obligations that it has pursuant to treaties with Indian Tribes.

36. Will you support current efforts to establish federal baseline water quality standards for Indian Reservations that do not currently have Clean Water Act standards in place? Please explain why or why not. An advanced notice of proposed rulemaking on this initiative was published in the Federal Register on September 29, 2016.

Because an advance notice of proposed rulemaking has been published, this matter will come before me for decision if I am confirmed as Administrator. Thus, I will not prejudge the outcome, but rather will commit to fairly evaluating the matter and reaching a sound decision.

37. The 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act (TSCA) requires the EPA Administrator to identify "potentially exposed or susceptible subpopulations" in chemical assessments to ensure their protection. Tribal and local populations in the Pacific Northwest consume high quantities of fish that can result in greater exposure to chemical contaminants. How will the new Administration implement TSCA reform to ensure that tribes and vulnerable populations unique to individual states are protected by federal rules on toxic substances?

The Lautenberg Act defined the term "potentially exposed or susceptible subpopulations" as "a group of individuals within the general population identified by the Administrator who, due to either greater susceptibility or greater exposure, may be at greater risk than the general population of adverse health effects from exposure to a chemical substance or mixture, such as infants, children, pregnant women, workers, or the elderly." Protecting citizens that are either more susceptible or who have greater exposure to a substance is an important aspect of the law and I will take great care to ensure the Act is faithfully executed if I am confirmed.

38. Will you commit to continue EPA's Treaty Rights Guidance and that initiative's implementation? Will you commit to continue EPA's Policy on Consultation and Coordination with Tribes?

AMERICAN OVERSIGHT

If confirmed as Administrator, I will evaluate all guidance documents and policies to ensure that they represent faithful execution of the duties imposed on me, and powers granted to me, by Congress. If the guidance and policy you referenced, I will keep them in place.

39. The 2014 U.S. National Climate Assessment concludes that climate change will impact every community in the United States, and that low-income communities and communities of color will be the hardest hit. These vulnerable communities will feel the impacts of climate change more severely due to lower quality housing, which is often less equipped to safely weather severe storms, severe heat, and freezing temperatures. How will you work to reduce climate change risks in low-income communities and communities of color?

I believe environmental justice for low-income and minority communities is an important role of the EPA Administrator. If confirmed, I will adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment for all of our nation's citizens.

40. I understand that there are two political action committees affiliated with you. A spokesperson has made the statement that both PACs will be closed by the end of the month. Can you confirm that that both PACs will be closed by then?

I do not control either of the political action committees to which you refer, and thus cannot confirm their intentions. As you have heard, however, I have also heard that both entities have announced that they will wind down their activities.

41. It has also been reported that a 501(c)(4) organization called Protecting America Now has been created to raise funds to support your confirmation. If you are confirmed, will you make sure that Protecting American Now is disbanded? Please provide a list of Protecting America Now's donors.

I am not affiliated in any way with "Protecting America Now," and thus have no ability to disband the organization. For the same reason, I have no knowledge of the group's donors.

42. When is it appropriate for the Federal government to regulate pollution rather than states?

AMERICAN OVERSIGHT

Many federal environmental statutes were designed with the idea that the states would be the principal implementer. I believe it is essential to begin with that model. There are instances where the federal government approves or disapproves state programs or issues implementation plans in lieu of the state involved. However, this should be the vast exception to the rule. Some environmental statutes like CERCLA place the principal responsibility with the federal government for the important remediation activities under that statute. However, even with statutes like CERCLA, EPA still have an obligation with work with states and localities in designating sites which need remediation and most importantly in developing remediation plans.

43. Do you personally disagree with any existing Federal environmental law, or any provisions of any existing Federal environmental laws? If so, please explain which and why.

If confirmed, I will faithfully execute the laws as enacted by Congress.

44. Which EPA regulations do you believe should instead be left to states to implement, and why?

I believe federal environmental statutes are designed with states as a primary implementer. Environmental statutes envision that states have the delegated enforcement and primacy to implement and enforce environmental statutes. Only when that is not happening or when negotiations between and among states breakdown should EPA determine a dispute and only after attempting to assist states negotiate a local solution. I am fond of saying that we need national standards and neighborhood solutions. I think that should shape the work of the EPA.

45. When states or local governments regulate pollution with different sets of standards, various industry groups have raised the concern that it creates a patchwork of regulatory policies that make compliance difficult. Do you share this concern, and why?

As I testified in the hearing, I have pursued opportunities to address interstate environmental quality matters. One of the examples I have highlighted is the work that Arkansas Attorney General Dustin McDaniel and I took to address an enforceable water quality standard between Arkansas and Oklahoma. I have also discussed how Texas should be responsible when air quality issues affect Oklahoma and my experience with that. When

AMERICAN OVERSIGHT

negotiations among and between states breakdown EPA has a role to set environmental standards. However, that is should be a last course of action instead of the first. I believe environmental statutes are designed with states as a primary implementer. Environmental statutes envision that states have the delegated enforcement and primacy to implement and enforce environmental statutes. Only when that is not happening or when negotiations between and among states breakdown should EPA determine a dispute and only after attempting to assist states negotiate a local solution. I am fond of saying that we need national standards and neighborhood solutions. I think that should shape the work of the EPA.

46. Do you believe that the Renewable Fuel Standard is an appropriate regulatory role for the EPA versus states?

Section 211(o) of the Clean Air Act provides the Administrator of the EPA with the authority and responsibility to administer the RFS program. If confirmed, I will work to administer the RFS in accordance with statute and Congressional intent.

47. Do you agree that there should be national fuel economy standards to reduce tailpipe pollution from cars and make vehicles more fuel efficient? Please explain.

While the EPA regulates emissions under the Clean Air Act, it is true that Congress vested authority to regulate fuel economy through the Corporate Average Fuel Economy (CAFE) standards" framework set forth originally in the Energy Policy and Conservation Act. Congress vested responsibility for the CAFE program in the Department of Transportation, not the EPA; accordingly, I take no position on Congress's policy decision on this subject.

48. Do you support California's authority under the Clean Air Act to receive a waiver from the EPA to set emissions standards for vehicles that are stronger than EPA standards?

In the Clean Air Act, Congress provided that the EPA Administrator may waive the Clean Air Act's preemptive effect over some of California's state air quality standards for mobile sources, when certain specific statutory criteria are met. If confirmed as EPA Administrator, I will administer this program in accordance with Congress's objectives, on a case-by-case basis in accordance with the law and with the administrative record in any given case, upon proper petition by California.

AMERICAN OVERSIGHT

49. You are currently representing Oklahoma as one of 13 petitioners challenging EPA's standards limiting conventional, toxic, and greenhouse gas pollutants from new oil and gas facilities. Please describe how Oklahoma would prefer to handle these pollutants in the absence of EPA regulation. If your proposed pollution standards are more lax than the EPA's standards, please provide information supporting the why your standards are preferable from a public health standpoint.

As Attorney General, I sought to ensure that the Oklahoma Legislature retained its power to make policy for Oklahoma. Policymaking is the province of the legislature. Thus, I have no opinion with regard to what environmental policy might be appropriate.

50. Please also describe, and provide the same information, for what Oklahoma's policies would be should Oklahoma and its fellow petitioners be successful in challenging the EPA's implementation of the Cross-State Air Pollution Rule.

As my testimony indicates, I firmly believe that the EPA plays an important role in addressing interstate air quality issues, but it must do so within the bounds of its legal authority and justified by a record of support. The actions undertaken by the Office of Attorney General challenging certain EPA regulations have been because EPA exceeded it legal authorities as established by Congress and interpreted by the courts. The Department of Environmental Quality is responsible for implementing and enforcing environmental laws in Oklahoma.

51. You also represent Oklahoma as a petitioner in ongoing litigation against the EPA's 111(b) standards for CO2 emissions for new, modified, and reconstructed power plants. Should you win your suit, will Oklahoma take any steps to regulate power plant CO2 emissions, or does the state plan to continue not regulating CO2 emissions?

I will not prejudge the outcome of any rule that is the subject of ongoing litigation if I am confirmed.

52. As Attorney General, your role was also to prosecute environmental cases within Oklahoma. Please list all environmental cases you have originated as Oklahoma's Attorney General, and provide all documents related to those cases and a summary of the outcomes of those cases.

AMERICAN OVERSIGHT

Please see the list of cases attached to this response.

53. The Environmental Protection Unit was eliminated as a group within the Attorney General's office once you became Attorney General. This appears to indicate a decrease in support, or at least priority, for pursuing environmental cases within your office compared to your predecessor. To clarify if you have continued to pursue environmental cases as Oklahoma Attorney General, please provide description and documentation of all the environmental cases that were handled by your office versus the AG's office during Drew Edmondson's tenure. Please also describe the work your office did on any environmental cases that were begun during your predecessor's tenure but were continued or completed by your office.

My office continues to employ attorneys vested with responsibilities related to environmental protection, including the attorney who served as the lead attorney on the previous attorney general's "environmental protection unit." That attorney's responsibilities remain unchanged (he has been promoted, in fact), and he pursues exactly the kind of cases that he pursued under the previous attorney general. The only thing that changed was the internal organization of the attorneys vested with those responsibilities, because I concluded (consistent with the practices of every attorney general in the State's history but for my immediate predecessor) that it was not operationally efficient to have a separate unit for such work. Thus, I chose to house that work in the Office's Public Protection Unit and then later in the Solicitor General's Unit. As I explained in my testimony to the committee, my office continues to pursue environmental cases. I do not possess lists of cases pursued my predecessor so I cannot provide the comparative that you request. I am aware that many environmental cases take many, many years to litigate to completion, so some of the actions that my Office continues to pursue were initiated prior to my taking office. Please see attached list of cases.

54. As part of the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016, Congress passed the Columbia River Restoration Act, a program which gives the EPA authority to create a competitive grant program to address environmental cleanup and restoration in the Columbia River Basin. This program empowers states and local communities to better coordinate and implement local cleanup and restoration efforts. Will you, as EPA administrator, work to advance and implement this bipartisan effort to empower local entities and states?

While I am not familiar with the Columbia River Basin restoration program, I support collaborative efforts and neighborhood solutions. I also respect

AMERICAN OVERSIGHT

Congressional authorizations. If confirmed, I will ask the EPA staff to brief me on this program and the new authority granted by Congress.

55. In January, 2017, the EPA announced $17 million in credit assistance for the Water Infrastructure Finance and Innovation Act (WIFIA). This program, initially passed into law as part of the 2014 WRDA bill, now has the funding needed to allow EPA to make approximately $1 billion in loans and leverage a total $2 billion in total water-infrastructure investment. As you mentioned in your hearing, water infrastructure is critically needed, but often overlooked. Will you, as EPA administrator, work to ensure adequate resources to implement the WIFIA loan program, and seek further funding and assistance for other water infrastructure programs and initiatives, such as the Drinking Water State Revolving Fund?

Yes, if confirmed.

56. The Federal Government has a long history of activities within Portland Harbor, which in 2000 was designated a Superfund site and is now one of the largest and most complex Superfund sites in the country. The history of Federal activities within the Superfund site includes ship building, repairing, and dismantling, as well as a variety other activities that likely led to some amount of contamination of the river. Today, the Willamette river sediment within the Portland Harbor Superfund site is contaminated with compounds associated with the activities carried out by the Federal government over the course of many decades. Now that the Environmental Protection Agency has issued its final Record of Decision for this Superfund site, there will be a process to divide up cleanup responsibilities among parties responsible for the contamination. Can you commit to work with the appropriate Federal agencies, such as the Department of Defense and Department of Justice, to ensure that the Federal government engages proactively with relevant stakeholders during the allocation process, takes ownership for its share of the contamination, and pays its fair share of the cleanup?

I am not familiar with the details of the remedy that has been selected for the Portland Harbor Superfund site. If confirmed, I expect to make clean up of contaminated sites one of my priorities and would be interested in hearing the views of the Congressional Delegation and other stakeholders on the issues raised by this cleanup plan.

Senator Sanders:

AMERICAN OVERSIGHT

The Environmental Protection Agency (EPA) has approximately 15,000 employees. The following questions ask how you, as Administrator, would treat civil servants and make human resource decisions.

1. Do you support--and promise to uphold--the merit system principles set forth in Chapter 23 Title 5 U.S. Code, which prohibit factors other than merit from consideration in civil service employment decisions?

If confirmed, I commit to implementing the law as enacted by Congress.

2. As Administrator, do you support use of the Holman Rule, which allows any member of Congress to propose amending an appropriations bill to single out a government employee or cut a specific program? Will you support Congress in passing an amendment under the Holman Rule?

If confirmed as Administrator, I would implement the law and work with the Agency in accordance with the laws passed by Congress.

3. Is retention and recruitment of a high quality scientific workforce at EPA a priority for you?

Yes.

4. As Administrator, do you believe that you will be better able to recruit and retain top talent at the EPA under conditions where Congress is able to individually target employees based on political considerations?

If confirmed as Administrator, I would implement the law and work with the Agency in accordance with the laws passed by Congress.

5. As Administrator, do you support Congress targeting and altering the salaries of individuals within the EPA?

If confirmed as Administrator, I would implement the law and work with the Agency in accordance with the laws passed by Congress.

AMERICAN OVERSIGHT

6.As Administrator, how will you generally view the division of responsibility and authority between Congress and your Department on personnel issues?

In my view, Congress passes the laws governing executive branch personnel.

On June 14 2016, EPA Administrator Gina McCarthy signed an order on "Transgender and Gender Non-Conforming Employees" (http://src.bna.com/f0T) and said at the time that it "reinforces that discrimination of any kind in the EPA workplace is unacceptable, including discrimination on the basis of gender identity, expression or perceived non-conformity." Among other things, the order states that an "employee should be permitted to use the [sanitary and related] facilities that correspond with their gender identity." This is in stark contrast to the suit you filed with 10 other attorneys general challenging the guidance issued under President Obama on accommodating transgender students in public schools.

7. Will you as EPA Administrator ensure that Administrator McCarthy's order is vigorously implemented, and continue to ensure that transgender and gender non-conforming employees are not discriminated against on the basis of their gender-identities?

If confirmed, I commit to protecting the rights of all EPA employees and will follow the law.

As Attorney General, you disbanded your office's Environmental Protection Unit and reduced your office's funding for environmental law to zero.

8. In your personal opinion, what are the most pressing air and water quality challenges that deserve the attention of the EPA? What would you do at the EPA to better address these challenges, if anything?

As discussed, the Oklahoma Department of Environmental Quality -- not the Office of Attorney General -- has primary responsibility for implementing and enforcing environmental laws in Oklahoma. Consistent with the practice of every Attorney General save one, I determined that a standalone unit was operationally inefficient. I opted to combine the Environmental Protection Unit and the Consumer Protection Unit into a single unit called the "Public Protection Unit." The Public Protection Unit continued the work of the Environmental Protection Unit, and that work continues to this day, headed by the very same attorney who worked in the Environmental Protection Unit under the prior Attorney General. As discussed, I believe EPA plays an

AMERICAN OVERSIGHT

important role in addressing cross-state pollution, and if confirmed, I would expect to work cooperatively with states to address the problems of environmental pollution.

The Keystone Sanitary Landfill (KSL) is an existing 714-acre landfill located in the boroughs of Dunmore and Throop, Pennsylvania. KSL has submitted an application to the Pennsylvania Department of Environmental Protection (DEP) for a permit modification to expand the facility's disposal capacity by approximately 145 million cubic yards. The permitting and approval of this process is strictly under the jurisdiction of the Pennsylvania DEP.

Under Subtitle D of the Resource Conservation and Recovery Act of 1976, states play a lead role in ensuring the federal criteria for operating municipal solid waste and industrial waste landfills regulations are met, and they may set more stringent requirements. Under the Hazardous and Solid Waste Amendments of 1984, EPA was authorized to determine the adequacy of the state permit programs. In the absence of an approved state program, the federal requirements must be met by waste facilities.

9.Are you committed to maintaining the process to determine the adequacy of a state's municipal solid waste management plan as required under the Hazardous and Solid Waste Amendments of 1984?

If confirmed, I commit to faithfully executing the laws I would be responsible for administering as EPA Administrator.

10.Further, if a state does not have an approved state program, are you committed to inspecting and enforcing federal requirements including the prohibition on open dumping?

If confirmed, I commit to faithfully executing the laws I would be responsible for administering as EPA Administrator.

11.Constituents have expressed concerns regarding the potential impact on the environment, quality of life, health and traffic congestion as a result of the Keystone Sanitary Landfill. How do you intend to work collaboratively with states in the event that a state violates the federal Clean Water Act or the Safe Drinking Water Act or a state requests assistance from EPA?

AMERICAN OVERSIGHT

I believe states play an important role in administering environmental laws such as the Clean Water Act, and if confirmed, I would expect to work cooperatively with states toward our shared goal of protecting human health and the environment consistent with EPA's legal authorities.

During your hearing, you stated that climate change was not a hoax, but you also were reluctant to discuss your views on the causes of climate change. You stated that your personal views were not relevant. However, as Attorney General, you challenged EPA's 2009 finding that greenhouse gases, including those from fossil fuels, endanger public health and welfare, due to anthropogenic climate change. The EPA went through an exhaustive scientific review and public comment process prior to issuing the Endangerment Finding, but in the lawsuit you labeled it "arbitrary and capricious." The Endangerment Finding references more than 100 published scientific studies and reports by the U.S. Climate Change Science Program/U.S. Global Change Research Program, the Intergovernmental Panel on Climate Change (IPCC), and the National Research Council of the U.S. National Academy of Sciences.

12.As Administrator, will you recognize the findings of the U.S. Climate Change Science Program/U.S. Global Change Research Program and the National Research Council of the U.S. National Academy of Sciences on the science of climate change, including its anthropogenic causes?

If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving understanding of the impact increasing greenhouse gases have on our changing climate.

In 2014, the Gund Institute for Ecological Economics and the University of Vermont released the Vermont Climate Assessment report. The report found that many of our state's communities have already been highly impacted by climatic changes and are engaged in processes to respond to these transitions. Some populations and regions of the state are particularly vulnerable, including rural areas and those increasingly exposed to extreme weather events. Flooding, such as experienced under Tropical Storm Irene, has been devastating to some of our state's communities. EPA partnered with Vermont in incorporating smart growth policies to increase flood resilience after the tropical storm. Under direction from Executive Order 13653, Preparing the United States for the Impacts of Climate Change, EPA and New England's EPA Region 1 both have developed climate adaptation plans that assist our region in preparing for these changes.

AMERICAN OVERSIGHT

13.Will you support EPA's continued climate adaptation planning and implementation in accordance with Executive Order 13653?

If confirmed, I will work to ensure the agency complies with and operates according to all applicable Executive Orders.

14.Do you support the Paris Climate Agreement?

The role of the United States in the Paris Agreement is a State Department matter. If confirmed, I will work to advance the mission of the EPA, which is to protect human health and the environment, consistent with the State Department's strategy for international engagement on climate change.

15.What are your plans for implementing the Paris Climate Agreement?

Should the government decide to continue to participate in the Paris Agreement and if I am confirmed as Administrator, I will collaborate with all involved agencies to ensure that commitments made on behalf of the United States are achievable and consistent with requisite legal authorities delegated by Congress.

You have written that the climate change "... debate is far from settled. Scientists continue to disagree about the degree and extent of global warming and its connection to the actions of mankind."

16.What would it take for you to admit that all three of these allegations are incorrect?

If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving understanding of the impact increasing greenhouse gases have on our changing climate.

17.Which scientists, saying what, would change your mind?

If confirmed, I will work to ensure that any regulatory actions are based on the most up to date and objective scientific data, including the ever-evolving

AMERICAN OVERSIGHT

understanding of the impact increasing greenhouse gases have on our changing climate.

18.If Harold Hamm told you he was no longer a climate change denier, would you believe him?

I do not believe he is a climate change "denier."

19.President Elect Trump's Secretary of State nominee, Rex Tillerson, is no longer a climate change denier. Why do you disagree with Tillerson?

There is a diverse range of views regarding the key drivers of our changing climate among scientists, policy-makers and President Trump's nominees. I believe that these differences should be the subject of robust and open debate free from intimidation. If confirmed, I will continue to encourage an honest debate on our changing climate, the role of human activity, our ability to measure the degree and extent of human activity, and what to do about it.

The Clean Air Act, and its amendments, sets limits on harmful pollutants like mercury and sulfur dioxide. As Oklahoma's Attorney General, you have repeatedly brought lawsuits against the EPA for their enforcement of the Clean Air Act, stating that the federal government has overstepped its authority to regulate and that these decisions are best left to the states. Pollution, like mercury and sulfur dioxide, from Midwest coal-fired power plants is blown right into New England. Mercury is a potent neurotoxin that bio-accumulates in the fish in our streams and lakes, and places our pregnant women and young children at particular health risk. Sulfur dioxide contributes to acid rain that that harms the forests and waters of New England.

20.If you do not believe that the EPA should have the regulatory authority that would protect states such as Vermont from interstate pollution, that leaves these science and public health decisions to the courts. Can you explain why federal courts should be in the position of determining safe levels of pollution to protect the health and welfare of Vermonters, as opposed to the federal agency who mission it is to protect human health and the environment -- air, water, and land?

As I stated in my testimony before the Committee, I agree that the Clean Air Act gives EPA an important role in addressing interstate pollution issues, among many other things. If I am confirmed as Administrator, I will exercise

AMERICAN OVERSIGHT

my authority in this area consistent with Congress's intent in enacting the Act.

Data shows that mercury pollution in the North Atlantic and mercury concentrations in our fisheries have fallen dramatically since the United States started requiring stronger emission controls from coal power plants.

21.Given this scientific confirmation of these regulations working how can you assure us that if you are confirmed to lead the EPA you will continue to accelerate the clean-up of all sources of mercury emissions, including coal power plants?

I agree that there has been a consistent downward trend in mercury concentrations, but note that this trend began well before EPA promulgated the Mercury and Air Toxics Standards. As I stated in my testimony before the Committee, mercury is appropriately regulated as a hazardous air pollutant under Section 112 of the Clean Air Act. If I am confirmed as Administrator, I will regulate under Section 112 in a manner that is consistent with Congress's intent in enacting that provision. I will also faithfully administer other federal statutes that regulate mercury to the extent that they are under my jurisdiction, including the Mercury Export Ban Act of 2008, the Mercury-Containing and Rechargeable Battery Management Act of 1996, the Clean Water Act, the Emergency Planning and Community Right-to-Know Act, the Resource Conservation and Recovery Act, and the Safe Drinking Water Act.

It is widely reported that EPA's Clean Power Plan (CPP) will be one of the first policies to be dropped under the new administration.

22.Do you envision that you will seek to replace the CPP with some other program that also would promote the reduction of greenhouse gas emissions nationally?

While I will not prejudge the outcome of any Rule that is the subject of ongoing litigation, if confirmed, I will work to achieve the objectives of EPA-administered laws consistent with the process and rule of law set out by Congress.

23.According to the EPA, "The Clean Power Plan will lead to climate and health benefits worth an estimated $55 billion to $93 billion in 2030, including avoiding 2,700 to 6,600 premature deaths and 140,000 to 150,000 asthma attacks in

AMERICAN OVERSIGHT

children." What do you say to parents who have children with asthma who are worried that the dismantling of the CPP?

If confirmed, I will administer environmental laws that protect human health and the environment within the framework established by Congress. I will follow explicit cost-benefit obligations to ensure the benefits are associated with the pollutant being regulated and the costs are reflective of market realities.

President-elect Trump has stated that the water poisoning that happened in Flint Michigan "would never have happened if I were president." More than 1,000 communities have lead poisoning levels higher than those found in Flint Michigan.

24.If you were head of EPA what actions would you take to ensure that every community has clean water to drink?

If confirmed, I will focus on EPA's core missions, including, as appropriate, use of EPA's emergency order authority under the Safe Drinking Water Act. I also will implement the newly revised TSCA statute to address chemicals and will continue implementation of monitoring, review, and regulation of contaminants under the SDWA.

25. What federal financial commitments would you need and what changes in environmental laws, policies and regulations would you need to ensure that a Flint-like situation never happens again?

It is my understanding that some requirements in the Safe Drinking Water Act Lead and Copper Rule relating to monitoring and when corrosion control treatment is mandated are ambiguous and need to be clarified to make both compliance and enforcement easier and prevent a Flint-like situation from happening again. If confirmed, I will ensure that the revisions to that rule proceed expeditiously. As to resources, I will return EPA's focus, including resources, to carrying out its core missions. In addition, I believe that the new WIFIA program offers significant opportunities to leverage additional infrastructure investments.

Lake Champlain is one of Vermont's most treasured environmental features. Tourism and property values are tied to the health of the lake—keeping its waters swimmable, fishable and drinkable. Run-off—including from lawns, paved roads and parking lots, and farmlands—contributes to high levels of phosphorus that spur algae growth. The algae turns the lake green and can be toxic. In 2016, EPA released new phosphorus limits for the lake by establishing a TMDL (Total

AMERICAN OVERSIGHT

Maximum Daily Load). We are concerned that you, as Attorney General, have opposed other clean-ups similar to that of Lake Champlain. You signed an amicus brief opposing EPA's clean-up of the Chesapeake Bay under the Clean Water Act.

26.As Administrator, will you continue the agency's support for the clean-up of Lake Champlain through these new TMDLs?

A TMDL under section 303(d) of the Clean Water Act does not establish a water quality standard. It is a tool for achieving a water quality standard by determining how much of a particular pollutant, like phosphorus, that a body of water can assimilate and achieve the water quality standard. EPA recently issued new phosphorus TMDLs for Lake Champlain to implement Vermont's water quality standards. These replace a prior TMDL that EPA had approved in 2002 and then disapproved 9 years later after being sued by the Conservation Law Foundation. I am not familiar with the details of either the original Vermont TMDL that EPA approved or the new TMDLs that EPA developed after being sued. I believe TMDLs can only be successful if developed in a collaborative fashion. It is my hope that the new Lake Champlain TMDLs were developed in such a fashion and in accordance with the law. If so, I am not aware of any reason that I would not support their implementation, if confirmed as EPA's administrator.

27.Specifically, should Vermont fail to make satisfactory progress toward meeting the TMDL, would you support EPA's prior pledge to ramp up federal oversight of Vermont programs and crack down on pollution from wastewater treatment facilities? If not, how will you ensure Clean Water Act obligations are satisfied?

Under Clean Water Act regulations (40 CFR 122.44), limits in a NPDES permit for a point source must be consistent with any waste load allocation for the discharge set forth in a TMDL and once these limits are part of a permit, they are federally enforceable. Vermont is authorized to carry out its own permitting program in lieu of the federal permitting program. If confirmed, I will work with the State of Vermont to see that the requirements of the Clean Water Act are met.

The EPA works with other state and federal agencies in developing contingency plans in the event of an oil spill. These plans identify and coordinate the activities of the different government agencies and private organizations involved in the response. Vermonters are concerned about the potential for oil spills, particularly from rail accidents, that might adversely affect the state's waters. We view the EPA as a critical partner in developing plans for, and responding to, the case of an oil spill with potential impacts to a water body or other area subject to the

AMERICAN OVERSIGHT

jurisdiction of the Environmental Protection Agency under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

28.Do you as Administrator commit to the EPA's partnership with the states in developing plans for, and responding to, the case of an oil spill that affects waters under its jurisdiction, such as Lake Champlain?

EPA, in partnership with other federal agencies on the National Response Team, has a significant role in carrying out the National Oil and Hazardous Substances Pollution Contingency Plan. EPA is the lead agency for responses under the Oil Pollution Act to spills into inland waters (other than the Great Lakes) and the Coast Guard is the lead agency for coastal waters and the Great Lakes). If confirmed, I will support EPA's continued implementation of the oil spill response authorities given to it by Congress.

At EPA, science provides the foundation for Agency policies, actions, and decisions made on behalf of the American people.

29.What should be the role of science in the development of EPA policies, rules, and regulations?

I fully believe, as former EPA administrators have stated, that science must serve as "the backbone" of EPA actions.

U.S. Secretary of the Interior Sally Jewell has observed that "consumer spending for outdoor recreation is greater than household utilities and pharmaceuticals combined — and yet the federal government has never fully recognized or quantified these benefits." Outdoor recreation is not just an issue of concern to the Department of the Interior, it depends on clean air and water, which are under the purview of the EPA. The health and welfare of Americans is dependent on their ability to be actively engaged outdoors, breathing clean air and drinking clean water.

30.If under your watch, the EPA seeks to reduce regulations, will you take into account the economic losses from recreation to places like Vermont before doing so?

As I indicated in my testimony, if confirmed, my primary goal would be to protect the American people through lawful regulations. I understand environmental statutes, such as the Clean Air Act and the Clean Water Act,

AMERICAN OVERSIGHT

prescribe in certain instances that the EPA consider economic impacts in the rulemaking process. If confirmed, I commit to fully follow the law as provided by Congress.

Much of the nation's and the world's attention has been focused in recent months on the Dakota Access Pipeline, the construction of which crosses multiple states. Many pipelines on Indian lands are located entirely within a single state, however. Here EPA is not always the primary regulator, and state laws do not always apply. The health and environmental consequences of pipeline failures, however, can be enormous.

31.Will you commit to work with this Committee and other agencies to address the environmental and public health and safety issues associated with the operation of pipelines on Indian lands, including purely intrastate pipeline facilities?

If confirmed, I will faithfully execute all applicable laws as Administrator. As was discussed at my confirmation hearing I have worked successfully with Oklahoma Tribes and I would use my role to address environmental and public health and safety issues on state, federal, and tribal lands.

Yesterday, the Obama Administration took the final step in laying out a process for the next administration to provide a full environmental review for the Dakota Access pipeline.

32.Will you commit to fully supporting the Army Corps of Engineers as it conducts reviews of alternative routes and to meaningful consultation with Native American tribes when a project could affect their tribal treaty rights?

I cannot speak to the actions of the Army Corps of Engineers but if confirmed I will carry out any legal duties required by the Administrator of the EPA.

Oil and natural gas extraction by way of hydraulic fracturing, or "fracking," has expanded rapidly in the United States, including in your state of Oklahoma. As you know, there are increasing concerns about water and air contamination, including the seismic activity associated with wastewater disposal. EPA conducted a study of hydraulic fracturing's drinking water impacts and released a final report in December 2016. The agency found "hydraulic fracturing activities can impact drinking water resources under some circumstances." The report identifies certain conditions under which impacts from hydraulic fracturing activities can be more frequent or severe. Both Vermont and New York have

AMERICAN OVERSIGHT

banned hydraulic fracturing out of concerns for its public health and environmental effects.

33.Do you concur with the conclusions of the EPA's final report on hydraulic fracturing and drinking water?

As I discussed at my confirmation hearing, states like my home state of Oklahoma have been successfully regulating hydraulic fracturing for decades. As EPA officials have indicated the number of identified cases of drinking water contamination related to hydraulic fracturing activities is small particularly compared to the large number of hydraulically fractured wells and I agree with that assessment.

34.Are there gaps in available data that make it difficult for the EPA to fully assess hydraulic fracturing effects on drinking water as well as air quality?

Hydraulic fracturing has been extensively studied by state, federal, and non-governmental bodies.

35.What further studies—if any—do you believe would be appropriate for EPA to conduct on the effects of hydraulic fracturing on air and water quality?

I am not aware of any urgent need for new studies of hydraulic fracturing but if confirmed I commit to review any new information on the subject.

36.Do you agree, as EPA scientists found, that of the 1,606 chemicals injected for hydraulic fracturing, 173 chemicals are a proven risk to public health?

Risk encompasses both hazard as well as a likelihood of exposure. EPA found that 173 of the chemicals listed can be hazardous but did not speak to their risk likely because of their very low probability of exposure.

To date communities have been absorbing the costs of damage from oil and gas operations, whether that is in terms of health impacts, contaminated soils and water, which depress property values and destroy businesses, residential neighborhoods turned into industrial zones, earthquakes caused by injection wells (which are increasingly being excluded from homeowner insurance policies) and more.

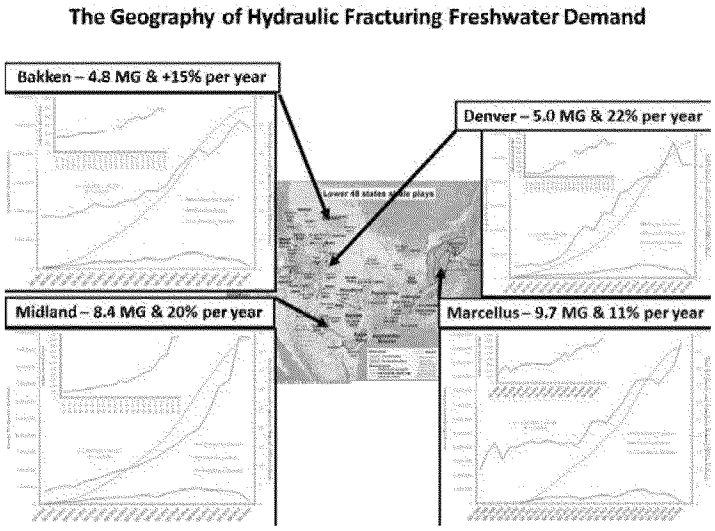
AMERICAN OVERSIGHT

37.What would be your approach as Attorney General to ensuring that communities do not to absorb these costs, and operators become responsible for the full costs of their operations, including damages?

As discussed at my confirmation hearing as Attorney General I have taken on oil and natural gas companies who violated Oklahoma laws and regulations. If confirmed, I will uphold and execute the laws as established by Congress.

38.Given that High Volume Hydraulic Fracturing (HVHF), or fracking gas wells, currently require an average of 4.8-9.7 million gallons of fresh water to fracture a single well (Note: This demand is growing by 11-20% per year), and only 4.5-7.5% of this water is being recycled, would you consider modern-day oil and gas drilling to be a long-term, sustainable solution to our country's energy needs?"

EPA's final report on hydraulic fracturing and drinking water found that in most cases hydraulic fracturing constituted "generally less than 1% of total water use" in counties and stated that their findings suggested "that hydraulic fracturing operations represented a relatively small user of water in most counties." I agree with these specific EPA conclusions.



39.When did you first find out that fracking could cause earthquakes in Oklahoma under certain geological conditions? Did you publicly call on industry to alter their practices?

AMERICAN OVERSIGHT

As I stated at my confirmation hearing the Oklahoma Corporation Commission is vested with the jurisdiction of regulating oil and gas activities, they have acted to address seismicity concerns in the state and I have worked with and supported the Commission and other state agencies as required by state law.

40.What percentage of injection wells in Oklahoma is monitored for pollution (in groundwater, deep and shallow)? In those that were monitored, what was the concentration of pollutants?

Wastewater disposal through underground injection is regulated by the State of Oklahoma through delegated powers from the EPA pursuant to the Safe Drinking Water Act and to the best of my knowledge the State appropriately follows all requirements under the law.

The “Hockey Stick Moment” is when a variable of interest hits an exponential point in its growth with respect to time. The most notable “Hockey Stick Moment” is the rising levels of atmospheric CO2, N2O, and CH4 resulting from anthropogenic forces. However, a moment closer to Oklahoma is the exponential increase in earthquake activity even the USGS has shown is a function of the disposal of nearly 20% of US fracking waste into Oklahoma and Kansas' Class II Injection wells.

41.Do you agree that this growth in quake activity is a function of excessive and irresponsible oil and gas waste generation and disposal and is worthy of more research and monitoring by the EPA?

As previously mentioned, wastewater disposal through underground injection is regulated by the State of Oklahoma under delegated powers from EPA pursuant to the Safe Drinking Water Act. Underground injection is not unique to the oil and natural gas industries as EPA has regulations on six different classes of underground injections. Underground injection of wastewater from oil and natural gas activities has been conducted safely in a number of states for decades, and, in a previous EPW hearing, Senator Cardin complimented "the actions taken" in Oklahoma with regard to oil and gas wastewater disposal. He went so far as to say the State "provided a good model that should be used in other States," lauding Oklahoma's actions as an example of "the Federal Government working with the State to develop the right framework for dealing with natural gas extraction." The State of Oklahoma has acted on local seismicity concerns and, to the best of my knowledge, follows all applicable SDWA requirements in regulating class 2 injection wells within the state.

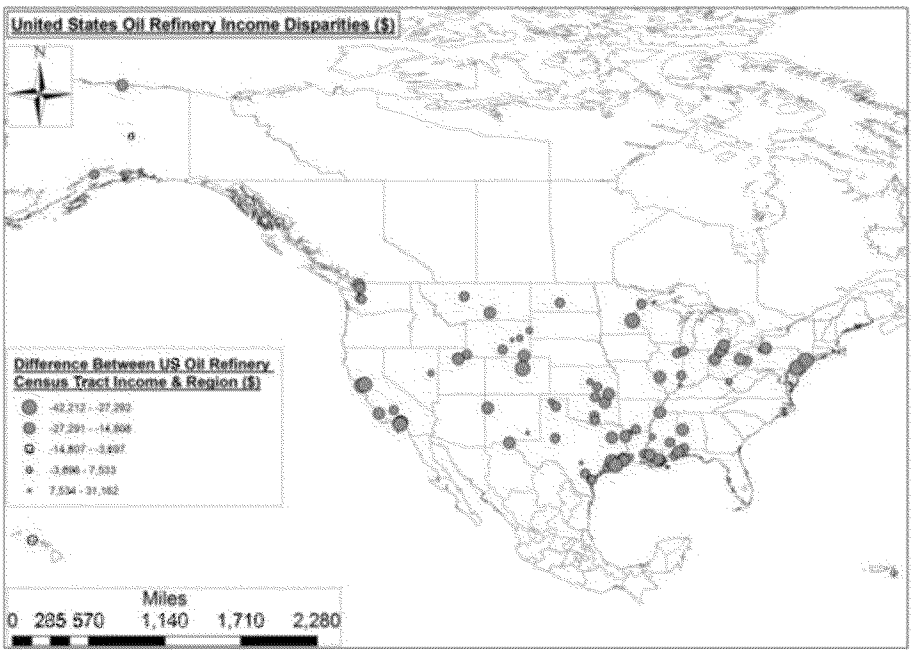
AMERICAN OVERSIGHT

42.You at first belittled the idea that oil and gas operations could cause human induced seismicity in Oklahoma, so did Harold Hamm. Do you now believe that you were both wrong?

As new information becomes available on a number of issues it should always be evaluated and taken into consideration. The State of Oklahoma has taken actions to address seismicity concerns related to the oil and natural gas industry and I support the state taking action.

43. How would a Trump/Pruitt EPA address growing environmental and economic justice issues associated with existing oil refineries and associated unconventional oil and gas infrastructure proposals?

As I stated at my confirmation hearing I believe addressing environmental justice in poor and minority communities is an important role of the EPA Administrator. If confirmed I intend to enforce laws under EPA jurisdiction with uniformity regardless of which industry a potential violation of law comes from.



44.Would you support implementing a requirement to provide full, well specific, public disclosure of all information related to oil and gas development involving

AMERICAN OVERSIGHT

hydraulic fracturing that informs understanding groundwater, surface water, public health and safety, and habitat potential impacts?

If confirmed I would review both EPA's legal authorities as well as the potential need for new requirements and regulations.

With regards to decommissioning a former nuclear power plant, a fair amount of confusion appears to exist in regulating non-radiological hazardous materials during active plant demolition. Most agencies, including the EPA, will defer to the Nuclear Regulatory Commission (NRC) for anything at a nuclear power plant site. However, the NRC does not regulate the non-radiological aspects of nuclear power plant operation--e.g., the NRC does not regulate chemical or oil spills that occur at a nuclear power plant site.

45.How active of a role should the EPA play during the hazardous material survey and active demolition phases of power plant decommissioning to assure that public health and the environment are not impacted by a site's prior use as a nuclear power plant?

In 2002, the EPA and the NRC signed a Memorandum of Understanding entitled "Consultation and Finality on Decommissioning and Decontamination of Contaminated Sites." The EPA's responsibilities with regard to the regulation of non-radiological hazardous materials are address in sections V.C.3, V.D.4, and VI. If confirmed, I will carry out EPA's responsibilities under the law.

The National Environmental Policy Act (NEPA) requires all federal agencies to consider the potential environmental impact of any industrial project while the agencies assess their regulatory authority specific projects. While the Nuclear Regulatory Commission (NRC) does conduct Environmental Assessments for nuclear power plant construction, operations, modifications and decommissioning activities, these assessments are frequently conducted after all other technical assessments for a nuclear power plant project have been evaluated; meaning that they are not an integral part of the NRC's regulatory decision-making process.

46.As Administrator, how will you encourage or require the NRC to more rigorously include NEPA requirements in its "technical" regulatory evaluations?

I am not familiar with how the Nuclear Regulatory Commission conducts its analyses under the National Environmental Policy Act. Under section 309 of

AMERICAN OVERSIGHT

the Clean Air Act, EPA reviews and comments on the NEPA analyses of other agencies. If confirmed, I will ensure that EPA continues to carry out this statutory responsibility.

Changes in weather patterns, such as heavier precipitation events that increase run-off and flooding, are affecting lakes, rivers, and reservoirs nationwide. Water quality, quantity, and the integrity of our water infrastructure are at risk. Recent studies in the Northeast have found that degraded water quality on lakes can cost lakeside communities millions of dollars in losses from both tourism and taxable income due to reduced property values.

47.How will the EPA support water resource management programs to address these issues?

If confirmed, I will continue to implement the water quality protection authorities granted to EPA by Congress. These include regulatory and financial and technical assistance programs. The Clean Water Act expressly leaves the allocation of water quantity to states. I further note that Congress has not given EPA water resources management authorities. Instead, such programs are carried out by the Corps of Engineers and, in the 17 Western states, the Bureau of Reclamation.

48.How would you address EPA's permitting backlog, e.g. the National Pollutant Discharge Elimination System (point source water dischargers) program?

Making sure permits are current is one of core functions under the statutory responsibilities given to EPA and in turn carried out by authorized states. However, in recent years states have been asked to shift their focus and resources to other activities. If confirmed, I would focus on ensuring EPA is able to carry out its core functions under our environmental.

Federal regulations such as the Clean Water Act and the Clean Air Act set national standards to protect our natural resources and safeguard public health. In 2010 you campaigned against a "one-size-fits-all strategy" towards environmental protection.

49.What did you mean by that and how would you, as EPA Administrator, ensure that all Americans are adequately protected against poisonous water and air regardless of where they happen to live?

AMERICAN OVERSIGHT

As I said in my testimony before the committee, I support national standards and neighborhood solutions. That means there may be one standard that applies nationally, but not only one way to achieve that standard. If confirmed, I will bring this philosophy to my role as EPA Administrator.

50.Do you support and stand behind the premise of the Clean Water and Clean Air Acts that every American has the right to clean water and air?

I fully support the Clean Water Act and the Clean Air Act.

In a court filing opposing the Waters of the United States you wrote "This regulation usurps the state's authority over its land and water use, and triggers numerous and costly obligations under the [Clean Water] Act for the state and its citizens."

51.Without national regulations how would you guarantee the quality of water that flows across state boundaries?

Regulation of rivers and streams that form the boundaries of states or flows from one state to another is not an issue raised by states in the WOTUS litigation.

52.Do you believe that the only people with an interest in water are those within a state and not downstream neighbors?

No.

53.Every national science organization, not to mention the Pentagon, lists climate change as a critical threat to our planet, our economy, and our national health. The Pentagon considers Climate Change a "Threat Multiplier" and a "Growing Security Threat." Do you agree with the Pentagon and our National Security advisors regarding the severity of this crisis?

I have no reason to disagree with the statements from the listed security experts, although I have not made any attempt to independently verify their accuracy.

AMERICAN OVERSIGHT

54.Please describe your plan, process, or other information that the EPA may be able to provide to the Pentagon to mitigate or mollify the threats our military describes.

Interagency cooperation is very important. I believe the development of military readiness and response plans are best left to our military and national security experts. If confirmed, I will provide technical expertise to other agencies as appropriate.

55.Will you be promoting greater use of carbon-based fossil fuels?

I do not believe it is the mission of the EPA to promote one type of energy source over another. If confirmed as Administrator, I will fairly and equitably enforce the laws within the framework established by Congress and not pick winners and losers.

56.Do you think the EPA has any role in helping our nation decrease or end the consumption of carbon fuels?

The mission of EPA is to set standards that protect the environment and the health and welfare of our citizens. While setting national energy policies are not within the statutorily ascribed purview of the agency, EPA regulatory actions often impact the ability of those charged with generating our nation's energy to do their job. If confirmed, I will listen to all impacted stakeholders when developing EPA actions. I will also coordinate with impacted agencies, such as the Federal Energy Regulatory Commission, to ensure EPA's actions do not undermine their equally important missions and statutory objectives.

57.Do you see any reason for reducing carbon emissions that come from using fossil fuels like oil, coal, and natural gas?

I believe the Administrator has an important role when it comes to the regulation of carbon dioxide. If confirmed, I will fulfill the duties of the Administrator consistent with Massachusetts v. EPA and the agency's Endangerment Finding on Greenhouse Gases respective of the relative statutory framework established by Congress.

58.What do you think are the most reliable sources for scientific news and information?

AMERICAN OVERSIGHT

If confirmed as EPA Administrator, I will adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment and will base my decisions on sound science, including advice provided by agency experts and advisory personnel.

59.Do you plan to request regular briefings from government science and/or intelligence sources? If so, how often? If not, why?

If confirmed, I will make decisions based on sound science reflective of diverse, objective and unbiased views conducted in a transparent manner reliant on public engagement and consistent with the framework established by Congress.

60.Do you intend to have meetings with or receive regular briefings from private industrial sources? If so, how often? If not, why?

If confirmed, I intend to operate the agency consistent with the statutory framework established by Congress and follow associated processes, which require extensive outreach with the public and regulated community.

The President-Elect has positioned himself as a champion of coal miners. You may be aware of the crisis facing the nation's largest multi-employer health and pension plans serving coal miner retirees, administered by the UMWA. The pension plan is facing insolvency within 10 years and, more immediately, over 20,000 retired coal miners and their dependents are facing an imminent loss of health care coverage. Senator Manchin e developed a bi-partisan legislative response to this crisis called the Miners Protection Act that I co-sponsored. It was marked up and passed by the Senate Finance Committee last September on an 18-8 vote. We were expecting the Senate and House Republican leadership to work with us to include the MPA in the Continuing Resolution package that we deliberated on during the lame duck session. We also asked the President-Elect to express his support for this legislation given his abundant pro-coal miner rhetoric during the Presidential campaign. Senate Democrats sent him a letter imploring him to publicly express his support. We got no response. The outcome was a Continuing Resolution that included nothing more than a 4 month extension of health benefits for the retirees who now face a termination of benefits in April instead of this month.

AMERICAN OVERSIGHT

61.How will you work with the President-elect and the rest of his cabinet to work with Congress to pass the MPA and fulfill the nation's commitment to the coal miners whose work powered this country for generations?

I am not familiar with the proposed legislation referenced in the question or EPA's authorities and responsibilities for pension and health care plans for miners.

As you may know, each federal agency, including EPA, has an important role in enforcing Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color and national origin by recipients of federal funds. This is an accountability law — before the law was passed, federal funds were subsidizing agencies and organizations, from schools to hospitals to other agencies of government that discriminated. The case that led to the passage of Title VI was *Simkins v. Moses Cone Memorial Hospital,* a 1963 case in which a circuit court finally, 9 years after *Brown v. Board,* struck down a provision of federal law that allowed federally subsidized hospitals to have separate wings for "whites" and "colored" people under a "separate but equal" provision of a federal law called the Hill Burton Act.

62.Are you familiar with Title VI?

Yes.

63.Are you familiar with the Moses Cone Memorial Hospital case?

Yes.

64. If confirmed, wiill you commit to enforcing Title VI and the regulations promulgated by EPA to enforce Title VI?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress that impose duties or grant authority to me as Administrator, including the Civil Rights Act.

Title VI (at 42 USC 2000d-1) specifically empowers "each federal department and agency" that distributes federal funds to effectuate Title VI and then authorizes each agency to issue rules, regulations and orders to implement the law. Thus, the authority and responsibility to enforce Title VI and to ensure that recipients of

AMERICAN OVERSIGHT

federal funds are not discriminating rests with each federal agency, including EPA. As you may know, federal enforcement is all the more important because affected communities can't go to court to enforce claims unless they can prove intentional discrimination under a case that arose out of Alabama — *Alexander v. Sandoval*, 532 U.S. 275 (2001).

65.Are you familiar with the text of Title VI, 42 USC 2000d, which prohibits discrimination on the basis of race, color or national origin?

Yes.

66.What is your vision for Title VI enforcement at EPA? What reforms need to be made? What concrete steps do you envision to strengthen civil rights enforcement at EPA?

If confirmed as Administrator, I will faithfully execute Title VI. I will expect my staff to evaluate any areas that might need reform, and I will take appropriate actions based on the recommendations made to me.

67.Are you familiar with the Supreme Court decision in *Alexander v. Sandoval* (2001)?

Yes.

68.To your knowledge, does the text of the law define or limit the meaning of "discrimination"?

I cannot answer this question without additional context as to what text of what law you refer to.

69.Are you familiar with regulations promulgated by EPA to implement this language, found at 40 CFR Part 7?

I cannot answer this question without additional context as to what you are referring to when you say "this language."

70.In your opinion, does this language further define what is meant by "discrimination"?

AMERICAN OVERSIGHT

I cannot answer this question without additional context as to what you are referring to when you say "this language."

71.In fact, the regulations prohibit actions with an unjustified disparate impact. Do you agree?

The regulations speak for themselves.

72.Are you aware of criticism that EPA has historically done a “poor” job of enforcing Title VI and its regulations?

I am not.

73.If so, do you agree or disagree with criticisms that EPA has historically done a “poor” job of enforcing Title VI and its regulations?

Because I have not heard those criticisms, I cannot say whether I disagree or not.

74.Are you familiar with the Deloitte Report (2011), see https://assets.documentcloud.org/documents/723416/epa-ocr-audit.pdf, which documented problems with EPA’s enforcement of Title VI? If so, what is your past experience with the Deloitte Report?

I am not familiar with the report you reference.

75.Were you aware that the Deloitte Report made the following findings:

•The Office has not adequately adjudicated Title VI complaints – those addressing allegations of discrimination against communities of citizens affected to environmental rules promulgated by the EPA.

•OCR has not completed compliance checks of EPA grantees, in a timely or effective manner, to ensure that grantees are not engaging in discrimination in their work.

I am not familiar with the report you reference.

76.If so, what is your past experience with the findings?

AMERICAN OVERSIGHT

I am not familiar with the findings.

77.In your opinion, what has the EPA already done to address these issues?

I do not know what EPA has or has not done to address any such issues.

78.Do you know whether these steps have been effective?

Because I am not aware of the steps taken--if any--I cannot judge their effectiveness.

79.In your opinion, what more could the EPA do to address these issues?

It would be inappropriate for me to prejudge an issue that may come before me for decision if I am confirmed as Administrator. If the issue comes before me, I will ensure that the issue is fully and fairly considered, as part of a transparent process that seeks input from all stakeholders.

80.If confirmed, will you commit to taking action to address these issues?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress and imposing upon EPA duties or powers.

81.Do you believe that recipients of federal funds — across this whole country — are making any decisions that are discriminatory?

I do not doubt that some recipients of federal funding engage in behaviors that violate federal anti-discrimination laws.

82.Under Title VI and its regulations, should recipients of federal funds review whether a decision has a disproportionate adverse impact to ensure that it is in compliance with civil rights law?

Recipients of federal funds should take all actions required by law to ensure that they are in compliance with federal civil rights laws.

83.Do you have plans for pre-award compliance reviews? When would any such plans go into effect? And post-award compliance reviews? What would such reviews involve?

AMERICAN OVERSIGHT

If confirmed as Administrator, I will ensure that federal funds are awarded in compliance with federal law.

84. What is your understanding of the obligations of recipients under Title VI and EPA implementing regulations? Do you think those obligations are sufficient?

The obligations of recipients of federal funds are defined by the statutes and regulations to which you refer. Those statutes and regulations speak for themselves.

Energy burdens above six percent of a household's income are typically considered unaffordable, but low income households spend an average of 15 to 20 percent of their income on energy bills. Low income families are also more likely to live in older, inefficient housing. The Clean Power Plan provides incentives to states to invest in energy efficiency improvements in low income communities.

85.Are you concerned about the lack of access to energy efficient, affordable housing for low income families?

I am unfamiliar with EPA's role and statutory authorities as they relate to affordable housing. I am concerned about the impact regulations can have on the cost of energy for consumers.

86.As EPA Administrator, how would you help low income working families reduce their energy burdens and access energy-efficient affordable housing?

I am unfamiliar with EPA's role and statutory authorities as they relate to affordable housing.

Low-income rural and urban communities and people of color are disproportionately live near, are exposed to, and die from environmental risks/hazards. As of February 27, 2014, there were 1322 Superfund sites on the National Priorities List in the United States. Fifty-three additional sites have been proposed for entry on the list. Communities of color breathe in nearly 40 percent more polluted air than whites. Sixty-eight percent of African-Americans live within thirty miles of a coal-fired power plant, the zone of maximum exposure to pollutants that cause an array of ailments, from heart disease to birth defects. Half of all U.S. Latinos live in the country's most polluted cities. Hispanic children are twice as likely as non-Hispanic white children to die from asthma while, from 2012-2014, African American children had a death rate ten times that of non-Hispanic white children. African-American children are three times as likely to suffer an asthma attack.

AMERICAN OVERSIGHT

87.As EPA Administrator, how would you ensure that vulnerable low-income communities and communities of color are not overburdened by the harmful impacts of pollution?

If confirmed, I expect to make the cleanup of contaminated land one of my priorities. I believe the nation's environmental laws apply to all Americans.

88.Would you say there is anything you will do, if confirmed, to help these Americans? Will you push to reduce smog and particulate matter that causes more asthma attacks and other lung problems? Or is that a matter for the states and not the EPA?

If confirmed, I will work to ensure human health is protected by implementing Clean Air Act provisions, such as the National Ambient Air Quality Standards for criteria pollutants, including for ground-level ozone and particulate matter, which prioritize protection of human health and welfare. I will also work to ensure all Americans are treated equally under the law in furtherance of EPA's mission to protect human health and the environment.

EPA has adopted many cost-effective safeguards in the past eight years that would significantly reduce the pollution that contributes to asthma attacks in children -- many of which you challenged as Attorney General of Oklahoma.

89.Can you explain how you will protect the interests of these and other children that suffer from asthma?

As I stated in my testimony to the committee, all legal positions that I took in my capacity as Attorney General for the State of Oklahoma were in an the capacity of an advocate. If confirmed as Administrator, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act.

90.Will you commit to working to further reduce pollution, including pollution that disproportionately burdens Hispanic and Environmental Justice communities?

If confirmed, I will work to ensure all Americans are treated equally under the law in furtherance of EPA's mission to protect human health and the environment.

91.Do you think the EPA has done enough to ensure that low-income communities near brownfields receive the same amount of attention as high-

AMERICAN OVERSIGHT

income communities? Will you give priority to the safety and health of our children and future generations over short-term current economic gains of few?

I do not know what EPA has or has not done on this issue. If confirmed as Administrator, I will work to ensure the brownfields program is operated in accordance with applicable legal requirements.

92.Municipal electric utilities depend on the municipal bond tax-exempt status. For Vermont Municipal electric utilities, this is particularly true with regard to utility investments. Do you support tax-exempt bonding as one important tools to improve utility infrastructure (electric, water, wastewater, etc)?

As Attorney General for Oklahoma, I have not studied the issues related to tax-exempt bonds for utility infrastructure. I am not familiar with EPA's role and legal authorities as they relate to municipal tax-exempt bonds.

Your state of Texas is part of a market (ERCOT) that is not Federal Energy Regulatory Commission jurisdictional. This means that Texas does not comply with the same requirements as electric utilities in Vermont and other ISO regions face. ERCOT seems to have embraced wind and other renewable sources.

93.What are the strengths of the ERCOT approach?

I am Attorney General for Oklahoma, not Texas, and do not have an opinion on the Texas electric grid.

94.How would you contrast those with the strengths and weaknesses of the New England ISO?

I am not familiar with the electric grid in New England.

“Green infrastructure” (forests, wetlands, natural floodplains, etc.) can play a critical role in reducing impacts of flooding from extreme weather events like Tropical Storm Irene, and in helping to meet essential water quality requirements/improvements such as the EPA-approved Lake Champlain Total Maximum Daily Load (TMDL) plan. Also, green infrastructure is often much more cost effective than updating or investing in new traditional “gray infrastructure.” EPA has played an important role in providing training, technical and financial assistance related to capitalizing green infrastructure.

AMERICAN OVERSIGHT

95.What do you see as EPA's role going forward related to green infrastructure?

Green infrastructure is a good example of a neighborhood solution that can achieve compliance with national standards. I believe EPA should be supportive of such efforts. If confirmed, I will work to break down barriers within EPA to the use of green infrastructure.

In your own state of Oklahoma, wastewater disposal from fracking and drilling has induced thousands of earthquakes, threatening lives and destroying property. Joe and Mary Reneau suffered through a 5.7 magnitude quake (Nov. 6, 2011) near Prague, Oklahoma – their chimney fell into the living room, right on top of a favorite spot of Mary's to sit. Luckily for them, Mary wasn't sitting there at the time, they had earthquake insurance, and they had $200,000 of repairs done on their house. Joe jokes that he won the earthquake lottery. Jerry and John Loveland weren't so lucky, they had $50,000 worth of damage done on their house, no insurance, and no way to pay for the damage. Oklahoma is an oil and gas state. Joe Reneau said he wouldn't bring any claims against the oil company, because if he did, he would be "run out of town." Oklahoma regulators have done next to nothing to help those harmed by oil industry induced quakes or prevent more destruction.

96.As EPA administrator, what will you do to help the Amos family, John and Catherine Fenton, or all those in Oklahoma threatened by oil industry induced earthquakes?

As I have previously stated, underground injection is regulated by the State of Oklahoma under delegated authority from EPA under the Safe Drinking Water Act. The State has taken action to address seismicity concerns and, if I am confirmed, I will continue working with States and within EPA's legal authorities to address public health and environmental concerns.

In September 2016, the EPA recommended a moratorium on the underground injection of fracking wastewater in certain earthquake-prone parts of Oklahoma because regulations had not successfully addressed the problem.

97.Will you uphold the EPA's recommendation—yes or no?

The State of Oklahoma has worked collaboratively with the EPA to address seismicity concerns and state regulators have shut down dozens of

AMERICAN OVERSIGHT

underground injection wells and, if confirmed, I will continue this cooperative approach to addressing such future issues as they might arise.

98. Specifically, EPA's recommendation arose out of the agency learning that the Oklahoma Corporation Commission, the body overseeing the underground injection control program in a primacy agreement with the EPA, has illegally permitted restricted wells to return to normal operations. While EPA cannot order Oklahoma to impose a moratorium, it can revoke the state's authority and take over regulation of the wells itself. As EPA Administrator, will you regulate these wells in compliance with the Safe Drinking Water Act and in addressing the seismic catastrophe occurring in your state—yes or no?

If confirmed as EPA Administrator I will review relevant information, including EPA's legal authorities, to ensure drinking water protections in Oklahoma and across the nation.

99.Do you think local communities have the right to protect themselves from pollution and other threats to public health?

Yes, if authorized under the law and not preempted or displaced by state or federal law.

100.Will you, as EPA Administrator, support these state and local regulations by not intervening or challenging them—yes or no?

I believe in cooperative federalism and I will work with States and local communities to protect citizens consistent with our nations laws.

101. How do you reconcile challenging these rules with your view of respecting and giving deference to state and local environmental regulation?

It is not clear to me what rules are being referred to in this question, however, I believe that environmental and public health protections are the strongest when there is collaboration across all levels of government consistent with applicable laws.

The FracTracker Alliance has shown that 11% of organic farms are within 1/2 mile of oil and gas development, and 100% of farms within the San Joaquin Valley and Southern California are within 8 miles of oil and gas operations (59,840 wells),

AMERICAN OVERSIGHT

and that produced water is being used to irrigate crops (and also organic crops). California feeds 50% of the country.

102. What is your response to the US maintaining food independence and food safety when the majority of its food sheds are threatened by oil and gas contamination?

I have seen no evidence or information that proximity to oil and natural gas development has contaminated or threatened to contaminate our nation's food safety. The State of California would be better able to address their laws and regulations with regards to the location of oil and gas development in their State as well as their irrigation policies.

103. Why is energy independence more important than food independence?

I have not made any statements ranking the importance of these two issues critical to our nation's health and welfare.

104. We have the opportunity to be both energy independent and food independent without poisoning people and the planet. Why should the US be dependent on other countries to supply its food, but not be dependent on other countries to supply its energy?

I support both the goals of domestic energy independence as well as protecting our domestic food supply and working collaboratively with our nation's farmers and ranchers.

105. From your Great Plains perspective how do you feel the advent of High Volume Hydraulic Fracturing (HVHF) will affect the growing concerns about food security/safety relative to energy infrastructure?

Oklahoma, as a rural state, has long successfully balanced safe energy production as well as farming and ranching.

106. How can the public trust the oil and gas industry when it is exempt from so many environmental regulations?

Any statutory exemptions come from Congress and if confirmed I will uphold the laws as directed by the Constitution.

AMERICAN OVERSIGHT

107. How can rural communities trust oil and gas operators when rural gas gathering lines are exempt from federal pipeline safety regulations (because of the exemption, states also cannot regulate rural gas gathering lines, and therefore because they are not regulated the operators do not have an obligation to report on incremental failures along the pipelines, they are only required to report if there is a need for an evacuation).

The State of Oklahoma has worked well with both rural communities and the domestic energy industry (including alternative energy producers as well as conventional) and, if confirmed, I will continue working to foster safe domestic energy development and maintain trust with our nation's communities both rural and urban.

The conventional food supply is sufficiently burdened by a toxic load from pesticides, herbicides, fertilizers, and genetic modification. It doesn't need yet another toxic burden.

108. How can consumers trust the food in restaurants and grocery stores when it may be grown near oil and gas operations?

If confirmed, I would expect to be briefed by staff to before taking action and would work to ensure EPA followed all applicable legal requirements and made decisions based on sound science.

109. How can parents trust the food that is being served to their kids in school cafeterias?

If confirmed, I would expect to be briefed by staff to assess what role, if any, EPA plays concerning the safety of food served in school cafeterias.

Many of our environmental laws were designed to permit regulation and enforcement by the states so long as state programs meet minimum federal standards established by EPA. Since state laws, however, do not always have general effect or application on Indian lands, Congress has amended several of our environmental statutes to permit tribes themselves to assume primacy of enforcement.

110. Do you intend to encourage tribes to develop their own enforcement regimes under approved programs, much as the states do? Or do you expect EPA itself to

AMERICAN OVERSIGHT

provide direct regulation and enforcement of federal environmental laws on Indian lands throughout the country?

If confirmed as Administrator, I would ensure that Indian lands were subject to adequate environmental regulation, whether that be through tribes utilizing regulatory powers as contemplated by Congress, or through direct regulation by the EPA.

Much of the nation's and the world's attention has been focused in recent months on the Dakota Access Pipeline, the construction of which crosses multiple states. Many pipelines on Indian lands are located entirely within a single state, however. Here EPA is not always the primary regulator, and state laws do not always apply. The health and environmental consequences of pipeline failures, however, can be enormous.

111. Will you commit to work with this Committee and other agencies to address the environmental and public health and safety issues associated with the operation of pipelines on Indian lands, including purely intrastate pipeline facilities?

If confirmed as Administrator, I would faithfully execute any obligations imposed on EPA by Congress to ensure the environmental soundness of pipelines on Indian lands.

Many of the nation's Superfund sites are on Indian lands. We are still dealing with clean-up issues from our uranium industry's legacy from the 1940s and 1950s. The nation's largest open pit uranium mine--Jackpile Mine on Laguna--was only recently added to the Superfund list. The largest Superfund site in the country in your own state is largely on Indian lands: Tar Creek on Quapaw. We have not fully addressed abandoned uranium mill tailings piles and the failure of the Church Rock Dam that dumped irradiated mill tailings into Navajo lands and waters. More recently the failure of the dam below the Gold King Mine in Colorado turned the San Juan River on the Navajo Reservation red all the way to Utah. Today, and nearly every day, fugitive coal dust emissions from trains silt over spawning grounds of treaty-protected fisheries. Oceangoing dumping threatens subsistence lifeways throughout Alaska and the Pacific Northwest. Newer and more virulent strains of black lung disease are overwhelming public health facilities in mining communities. These are just a few examples of major environmental issues that impact disproportionately the poor and the underrepresented elements of our society, including Indian communities and tribal lands.

AMERICAN OVERSIGHT

112. Can you assure us that under your leadership the EPA will address issues of environmental justice in Native American communities and offer a voice to those most affected by the environmental consequences of industrialization?

If confirmed as Administrator, I will faithfully execute all environmental laws enacted by Congress, and will do so in all communities, including Native American communities.

These questions extend to resources protected by treaties such as water rights and compacts, forestry, hunting and trapping, fishing, etc. Some treaties have language that doesn't apply any longer and needs to be updated. Other language needs updating to reflect cultural realities. For example, “hunting” rights do not include “trapping rights” in the letter of the treaty unless trapping is explicitly mentioned, even though the tribes did not differentiate between both.

113. Please describe the relationship between the federal government and American Indian Tribes as it relates to sovereignty the trust responsibility.

Pursuant to federal law, the federal government has a trust responsibility to American Indian Tribes.

114. What obligations do federal agencies have to formally consult with American Indian tribes? What about independent federal agencies?

The obligations of federal agencies--independent or otherwise--to formally consult with American Indian tribes are defined by federal law. If confirmed as Administrator, I will faithfully execute all laws enacted by Congress requiring or authorizing formal consultation with American Indian tribes.

115. What procedures should the EPA follow regarding permitting of infrastructure projects that could potentially impact American Indian tribes and their citizens?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress requiring that procedures be followed with regard to infrastructure projects that could potentially impact American Indian tribes and their citizens

116. How do you interpret the United Nations Declaration on the Rights of Indigenous Peoples, especially as it relates to obligations of the federal government?

AMERICAN OVERSIGHT

The federal government's obligations with respect to Indian tribes is defined by federal law.

117. Do you believe federal funding should be block granted to states to then disburse to tribes? Alternatively, should tribes receive their full and fair allocation of federal funding without being beholden to cumbersome state bureaucracy?

Federal funding should be disbursed to States and tribes in the manner directed by Congress.

118. What is the federal government's role in permitting extraction of mineral resources on federal Indian lands?

As trustee of federal Indian lands, the federal government's role is to act in the best interest of the tribes with regard to permitting extracting of mineral resources on those lands.

119. How will you promote economic development within Indian country?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress directing or authorizing me to promote economic development within Indian country.

120. How will you ensure the Bureau of Indian Education provides quality education to American Indian students?

The Bureau of Indian Education is overseen by the Department of the Interior, not EPA.

121. What is the role of the federal government to promote renewable energy development on American Indian lands?

The federal government's role in promoting renewable energy development on American Indian lands is determined by Congress. If confirmed as Administrator, I will faithfully execute all laws enacted by Congress imposing upon EPA duties relating to promoting renewable energy development on American Indian lands.

AMERICAN OVERSIGHT

122. What is the role of inter-agency cooperation to work across agencies on American Indian issues?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress imposing upon EPA duties relating to American Indian issues, and if faithful execution of those laws requires cooperation with other federal agencies, I will ensure that such cooperation occurs.

123. Will you work with the White House Inter-Agency Working Group on American Indian issues?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress requiring or authorizing me to work with the White House Inter-Agency Working Group on American Indian issues.

Federal Indian law has long recognized that tribes maintain authority over Indian country to the exclusion of states. Oklahoma has 38 federally recognized Indian tribes and those tribes exert jurisdiction over their lands throughout the state. But as Oklahoma Attorney General, your office has never filed a brief in support of tribal jurisdiction. Instead, your office filed briefs in ODEQ v. EPA, the Dollar General case, and several other cases OPPOSING tribal jurisdiction.

124. How can you hope to serve as a protector of tribal lands when you have, over and over again, advocated to deny tribal governments the right to regulate and protect their OWN resources?

As Oklahoma Attorney General, my duty was to ensure that the State of Oklahoma's jurisdiction was fully realized, and sometimes took legal actions in pursuit of that duty. If confirmed as Administrator, I will faithfully execute all laws enacted by Congress directing or authorizing me serve as a protector of tribal lands.

Indian lands outside reservation boundaries. The EPA has, since at least 1984, recognized the federal government's trust responsibility, which is built upon the longstanding historical and legal relationship between the federal government and Indian tribes. The EPA has also acknowledged that treaties, as part of the supreme law of the land, have the same legal force as federal statutes and must be considered when making agency decisions.

AMERICAN OVERSIGHT

125. How will you work to protect tribal treaty lands and resources that lie outside of reservation boundaries, and how will you help expand tribal authority over those lands and resources?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress directing or authorizing me to regulate tribal treaty lands and resources and directing or authorizing me to seek to expand tribal authority over those lands and resources.

Tribal communities, especially those in Alaska, have borne the brunt of the impacts of climate change. Several Native Alaskan villages have seen their entire way of life vanish as their homes have begun to erode away beneath their feet due to rising sea levels. Others have seen vital food supplies contaminated and sacred species of fish devastated by climate change.

126. How do you plan to protect native peoples from the effects of climate change?

If confirmed as EPA Administrator, I will adhere to the applicable statutory authorities to fulfill EPA's mission to protect human health and the environment for all of our nation's citizens.

127.There are established consultation processes set up for Indian Nations. Will you have "meaningful" talks with them? Will your Agency be transparent in all dealings with Tribal Nations? Will you be honest and fair?

If confirmed as Administrator, I will faithfully execute all laws enacted by Congress requiring consultation processes for Indian tribes. I will engage all who have business before the EPA--including Indian tribes--in meaningful, transparent, honest, and fair processes.

AMERICAN OVERSIGHT

Senator Sullivan:

1. Alaska's seafood industry is the nation's largest and is one of major employer's in the Alaska economy. In fact, over 60 percent of the nation's commercially harvested fishery resources are caught and processed in Alaska. Alaska's waters remain some of the cleanest and most pristine in the nation. Most of the seafood processors who process these great resources are located in remote areas of Alaska. Each of those processors hold Clean Water Act discharge permits for the small amounts of seafood waste produced during procession operations.

EPA has delegated the management of those discharge permits to the State of Alaska Department of Environmental Conservation as directed by the CWA. In spite of that delegation, EPA remains actively involved in deciding issues that impact the ability of the state agency to accomplish its mission. For example, the EPA is currently considering a rule change that would dramatically impact the operation of seafood processing plants in those remote areas. That change could result in some of those operations having to cease processing because they cannot comply with this rule change. The current rule has been in place for almost 35 years and there is no water quality problem in the locations to justify such a rule change.

Will you commit to reviewing this proposal and confer with the Alaska Congressional Delegation prior to making any change to the current status?

If confirmed, I will review this proposal and confer with the Alaska Congressional Delegation prior to changing the Clean Water Act regulations currently applicable to seafood processors.

The Alaska Department of Environmental Conservation has recently issued a draft Clean Water Act APDES permit to allow seafood processors to continue discharging small amounts of waste pursuant to the Clean Water Act. Unfortunately, EPA is objecting to some of the permit conditions. Again, they are doing so with no known water quality issues or public concern about those conditions. Rather, it appears as though the EPA does not approve of the manner in which our state agency is pursuing its obligations. As a former State of Alaska Department of Natural Resources Commissioner, I have great faith in the ability of state employees to make solid permitting decisions that will protect the state's environment while allowing operations and employment to continue that are compliant with the Clean Water Act.

AMERICAN OVERSIGHT

2. Will you commit to reviewing these EPA actions and allow the state to issue its permit?

Yes, if confirmed, I will review EPA's actions as they relate to Alaska seafood processing permits. As I stated in my testimony, I support national standards and neighborhood solutions.

3. CERCLA Financial Assurance Requirements under Section 108(b):

On December 1, 2016 the Environmental Protection Agency issued a proposed rule under Section 108(b) of the Comprehensive Environmental Response, Compensation and Liability Act that would require hard rock mines to obtain additional and duplicate financial assurance requirements for copper, gold, iron, zinc and other hard rock mines. If this proposed rule is finalized, the financial assurance requirements would likely result in significant redundant costs for mining corporations. EPA has indicated that these regulations will expand to the oil and gas sector next. If confirmed would you work to ensure that any new rules or regulations are not duplicative of rules imposed by other federal agencies or states?

I am not familiar with the details of this rulemaking action and would not want to prejudge the issue prior to being confirmed as Administrator. However, if confirmed I will work to ensure EPA complies with all applicable legal requirements, including those related to analyzing impacts on small businesses, as part of this or any other rulemaking.

4. Section 404(c) of the Clean Water Act:

Do you believe that EPA's use of a preemptive veto of a project under section 404(c) of the Clean Water Act may create the opportunity for overreach by the agency and could undermine administrative process and the rule of law?

As I stated in my testimony, I believe that it is very important that federal agencies follow the appropriate legal process when taking any actions. Any preemptive action before the completion of a statutorily mandated process could undermine both the administrative process and the rule of law.

AMERICAN OVERSIGHT

Senator Whitehouse:

1.Estuaries are important coastal habitats the sustain unique wildlife and plant species, serve as a nurseries for commercially important fish, buffer coastal communities from coastal storms, and filter water as it flows into the ocean. The EPA manages a network of 28 estuaries of national significance around the country. Last Congress, the National Estuary Program (NEP) was reauthorized through 2021 (Public Law No.114-162) in a bipartisan effort and charged with providing grants to support projects that address a number of problems facing estuarine and coastal environments, including seagrass habitat loss, harmful algal blooms, invasive species, and sea level rise. Coming from a non-coastal state, please describe in detail how you will acquaint yourself with 1) the NEP, and 2) coastal issues the NEP helps address.

If confirmed, I would expect to be briefed by EPA staff on the relevant statutory authority and any EPA programs established pursuant to this authority.

2. Each NEP must institute a Comprehensive Conservation and Management Plan (CCMP) to guide management and conservation decisions at the NEP. The effects of climate change on estuaries (i.e., saltwater inundation, increased rainfall-driven runoff, warming waters) are included in these CCMPs. Would you direct the NEPs to disregard the consequences of climate change in the CCMPs and other decision-making reports and tools?

If confirmed, I would expect to be briefed by EPA staff on the relevant statutory authority and any EPA programs established pursuant to this authority. If confirmed, I will follow all as enacted by Congress.

3. The Climate Ready Estuaries program coordinates with the NEP to educate managers on how to assess the effects of climate change on U.S. estuaries. It also provides recommendations and toolkits to help design climate change adaptation and risk identification capabilities. Will you direct the Climate Ready Estuaries program to remove any materials, cancel any webinars or presentations, or stop its coordinated work on climate change with the NEPs?

I am not familiar with the details of the specific program referenced in your question. If confirmed, I would expect to be briefed by EPA staff on the relevant statutory authority and any EPA programs established pursuant to this authority.

4.Marine debris is a growing problem around the world, with plastic debris being the most troublesome component due to its pervasiveness and persistence in the marine environment. The EPA is currently a co-chair of the federal Interagency Marine Debris Coordinating Committee. Under your direction, will the EPA to maintain a leadership role on the committee? How will you continue EPA's

AMERICAN OVERSIGHT

coordinated work with NOAA and other agencies to prevent marine debris, conduct education outreach, and support research efforts?

I am not familiar with the details of the specific program referenced in your question. If confirmed, I would expect to be briefed by EPA staff on the relevant statutory authority to better understand EPA's role compared to those of other federal agencies on this issue.

5. EPA completed a State of the Science White Paper in December entitled "A Summary of Literature on the Chemical Toxicity of Plastics Pollution to Aquatic Life and Aquatic-Dependent Wildlife." The white paper identified four key areas where additional research is needed: 1) "the fate of chemicals both sorbed to and in plastics under differing environment conditions and within an organism after ingestion;" 2) "the relative role plastics play in chemical contaminant transfer to the tissues of organisms compared to other exposure pathways (aqueous dermal exposure and ingestion from natural prey);" 3) "the relative impacts of physical and chemical effects of ingested plastic particles on a wide range of organisms;" and 4) "whether the relatively high surface area of nanoplastics compared to microplastics and their potential to permeate membranes with increased retention time may increase their toxicological risk to organisms." What is EPA's role and responsibility in finding answers to these research questions?

I am not familiar with the report referenced in this question. If confirmed as Administrator, I would expect to be brief by staff to learn more about EPA's authorities and responsibilities before taking any actions referenced in the question.

6. Do you accept the science of ocean acidification that has directly connected the increase in human-caused carbon dioxide emissions with decreases in ocean pH?

First, I would note that the oceans are alkaline and are projected to remain so. Second, it is my understanding that the degree of alkalinity in the ocean is highly variable and therefore it is difficult to attribute that variability to any single cause.

7. Do you accept that the oceans are currently acidifying at a rate unprecedented in tens of millions of years?

First, I would note that the oceans are alkaline and are projected to remain so. Second, it is my understanding that the degree of alkalinity in the ocean is highly variable and therefore it is difficult to attribute that variability to any single cause. I am unaware of tens of millions of years of data on the pH of oceans.

AMERICAN OVERSIGHT

8.Do you accept ocean acidification's predicted toll on coral reefs worldwide, important habitats for recreation, tourism, and commercial fishing?

I am aware that there is a relationship between the alkalinity of water and the calcification process that grows shells and reefs and that a decrease in alkalinity can impair that process.

9.What is the EPA's role in helping states and coastal communities mitigate or adapt to the challenges projected for the shellfish industries or the thousands of individuals that make their living off of this billion-dollar resource?

If confirmed, I will implement the laws that EPA is charged to administer. Under section 304 of the CWA EPA establishes water quality criteria to protect aquatic life, including shellfish. Certain EPA programs also include authorities that can support projects that may benefit the shellfish industry, including the National Estuary Program under section 320 of the CWA, the Long Island Sound programs under section 119 of the CWA, and the Chesapeake Bay program under section 117 of the CWA. Finally, section 319 of the CWA can support programs and projects to reduce runoff that may impact oyster beds.

10.What do you understand to be the consequences of sea level rise, increased storm surge, and warming ocean waters on coastal communities and estuaries?

If confirmed, I would expect to be briefed by staff on the impact sea level rise, storm surge, and warming ocean waters on consequences on coastal communities and estuaries.

11.Both states and some Members of Congress have for years criticized EPA for "one-size-fits-all approaches" and failing to give adequate flexibility to states. Yet in challenging EPA's Clean Power Plan, you attacked EPA for just that – giving states and regions too much latitude in administering the Clean Air Act. Wouldn't that take the Agency in the wrong direction?

I, along with the Supreme Court, which issued a stay against the Clean Power Plan in February 2016, believe the EPA exceeded the bounds of authority established by Congress in the Clean Air Act. In particular, the Rule attempted to supplant decisions traditionally preserved for the states, including the establishment of intrastate energy policies, for agency mandated alternatives that would have increased the price of electricity for local citizens and reduced reliability. The notion of flexibility in the Clean Power Plan was conceptual at best. If confirmed, I will work to achieve the objectives of EPA-administered laws consistent with the process and framework established by Congress abiding by the bedrock principle of cooperative federalism, which relies on meaningful collaboration between the EPA and the states to achieve important environmental objectives.

AMERICAN OVERSIGHT

12.According to the EPA, it has been estimated that the Clean Air Act has a history of reducing air pollution, while creating jobs. Since 1970 aggregate emissions of common air pollutants dropped 72 percent, while the U.S. gross domestic product grew 219 percent. Total private sector jobs increased by 101 percent over the same period. In 2020, EPA estimates that the standards will create the equivalent of over 104,000 new jobs including 17,000 new jobs building renewable energy facilities and over 78,000 jobs in improving demand-side energy efficiency. Do you agree that regulations under the Clean Air Act since 1970 have grown the economy? If not, can you provide your analysis, materials used, and people you solicited to come to this conclusion?

The success of the Clean Air Act is a direct result of the important partnership between the EPA and the states in developing and implementing its key programs. State regulators best understand the needs and uniqueness of local environmental challenges while the EPA is well positioned to set and adjust environmental safeguards that continue to improve the nation's air, land and water and protect public welfare. If confirmed as Administrator, I will adhere to the clear directives and process set out by Congress so that the agency can once again focus on fulfilling its core mission.

13.In 2014, four Republican former EPA Administrators – Bill Reilly, Bill Ruckelshaus, Lee Thomas, Governor Christine Todd Whitman – testified before EPW that climate change is real, EPA regulations do not end up costing as much as industry initially estimates, and EPA has clear authority under the Clean Air Act to curb carbon pollution. In a 2015 interview with Climate Progress, Governor Whitman said: "The idea the EPA is a job killer is false" and with regard to the Clean Power Plan "what EPA did was to allow as much flexibility as frankly I've ever seen them be able to create in a regulation."
Do you think that the former Administrators are correct in their assessment that regulations do not cost as much as industry initially estimates? If not, can you explain why not?

I am not sure what specific regulations the former EPA Administrators were referring to and accordingly lack sufficient information to answer the specific question. Generally speaking, if confirmed, I will work to ensure that EPA regulatory actions accurately account for the costs and benefits across all impacted stakeholders.

14.Carbon Capture Utilization and Storage is a bipartisan policy area that I am working on with my Republican colleagues. Senator Graham and I visited the world's first Carbon Capture project in Canada that has been operational since 2014. In 2016, SaskPower successfully captured and injected 800,000 metric tons of carbon dioxide and the facility has operated nearly 85 percent of the time. Recently, Petra Nova in Texas became the first United States first post-

AMERICAN OVERSIGHT

combustion carbon capture project to begin operation. SaskPower and Petra Nova are listed in the Clean Power Plan as viable options for helping states reach their Clean Power Plan targets. Do you believe that CCUS is a viable technology for reducing emissions from power plants?

I believe CCUS technology can play an important role in the development of our future coal fleet, however it is not yet a viable option. Both the SaskPower and Petra Nova plants referenced in your question relied on significant support from their respective governments to become operational. Forcing private businesses to use unproven, expensive technology would be unfair, which is why Congress provided for protections against the EPA embracing such a practice in the Energy Policy Act of 2005.

15.In Rhode Island we have BioProcess H2O in Portsmouth and Agcore Technologies, LLC in Cranston that do carbon utilization—the conversion of carbon dioxide into useable products and fuels. These technologies not only capture carbon pollution, but can ease the demand of over-fishing by offering an alternative source of oils and protein. The carbon pollution from the algae production is creating and delivering algae-derived fish and animal feed. These utilization technologies are available now and are reducing carbon emissions. We also have retrofitted coal facilities using CCUS (SaskPower and Petra Nova). Do you believe that CCUS should be pursued as an emission reduction technology for the power sector and industrial sector?

Congress established clear directives the Administrator must consider when setting new source performance standards under the Clean Air Act. These directives are not technology specific, but instead require the Administrator set standards based on the best system of emission reduction that is technically feasible, achievable, adequately demonstrated and considerate of costs. If confirmed, I will follow the Clean Air Act process respective of the framework set by Congress.

16.According to the U.S. Energy Information Administration, in 2014, Oklahoma ranked fourth in the nation in net electricity generation from wind, which provided nearly 17% of the state's net generation. The American Wind Energy Association also estimates that wind power saved electricity customers in Oklahoma more than $1.2 billion in 2013 and a study from the Oklahoma State University found that wind companies have paid close to $134 million in property taxes to the state since 2004, producing revenues for the state. Do you agree that wind energy has saved Oklahomans money and brought revenues to the state? Do you agree that wind energy is an important part of our future clean energy economy?

As I discussed at my nomination hearing, 17 percent of Oklahoma's electricity is generated from wind, and as a state, we have a heavy emphasis

AMERICAN OVERSIGHT

on renewables in addition to oil and gas. Wind energy can be part of successful, diverse, energy portfolio.

17.AWEA also found that the wind farms provided an additional $2.8 billion in societal benefits each year to Southwest Power and that the wind power helped save 3 billion in gallons of water in Oklahoma in 2013. The Windfall Coalition, a group created by Continental Resources Inc. founder and CEO Harold Hamm is trying to get rid of the Oklahoma's incentives for wind energy, as they believe it is a mature technology and doesn't need incentives. Do you support the Coalition's efforts?

The decision on how to address state tax incentives for Oklahoma lies with the State Legislature and, ultimately, the Governor.

18.According to the Wind Energy Association and Solar Energy Industries Association, in 2016 the United States had 400,000 wind and solar jobs–310,000 solar, 88,000 wind. In contrast, according to 2016 DOE Energy Employment Report, employment in oil and gas extraction was 388,000 and 53,000 in coal mining. The Energy Information Administration (EIA) just found that coal production continued to decline in 2016 down nearly 17% from 2015 production. Its Annual Energy Outlook in 2017 reports that declining cost of natural gas is still encouraging utilities to shift away from coal over the long-term. The change is expected under our existing policies regardless of the Clean Power Plan. Do you believe that dismantling the Clean Power Plan and cutting back on environmental regulations will bring back the coal industry? Specifically, will it bring back coal jobs and make coal the dominate source of electricity in the U.S. again?

I am unable to say whether United States utilities and electric cooperatives would or would not return to coal as a predominant portion of their fuel mix if the Clean Power Plan were revoked or other regulations were cut back. The federal Energy Information Administration projects that coal will be an important part of the American fuel mix for the foreseeable future.

19.The Clean Air Act requires the EPA to consult with an independent scientific body, the Clean Air Scientific Advisory Committee, on air quality standards. Congress has also directed EPA to establish and seek advice from an independent Science Advisory Board. Do you intend to deviate from the current appointment process for this advisory committee? Will you disclose professional and political affiliations and political contributions of members that you appoint to the committee? Do agree to maintain the existing structure of this committee and current rules that are in place for the decision making of this committee?

I understand and appreciate the important role of EPA's independent scientific bodies. I have no first-hand knowledge of the existing processes or rules of the advisory committees referenced in the question and, if

AMERICAN OVERSIGHT

confirmed, I expect to learn more about these committees and commit to follow applicable legal authorities.

20.Improved environmental quality and economic growth aren't mutually exclusive. Since 2009, the states participating in the Regional Greenhouse Gas Initiative (RGGI) have seen carbon pollution fall by 18% while their economies grew by 9.2%. Emissions in the other 41 states fell by 4% while their economies grew by 8.8%. Do you agree that RGGI has developed a successful model for growing our states' economies and cutting carbon pollution at the same time? Will you commit to maintaining funding levels for EPA grant programs that fund state level initiatives to reduce their emissions?

While the agreement between the states participating in RGGI appears to be successful, what works for the Northeast may not achieve the same success in, for example, the Southwest. If confirmed, I look forward to working with EPA's budget staff and program offices to develop a budget focused on protecting human health and the environment for all populations. I will work to ensure that the limited resources appropriated to EPA by Congress are managed wisely in pursuit of that important mission and in accordance with all applicable legal authorities.

21.EPA operates multiple networks to monitor compliance with the Clean Air Act's National Ambient Air Quality Standards and to track hazardous air pollutants regulated under the act. These networks include, among others, the State and Local Air Quality Monitoring Network, the National Air Monitoring Network (which targets areas of high population density with a variety of air pollution sources), Special Purpose Monitoring Stations (used for short-term studies and other purposes), Photochemical Assessment Monitoring Stations (used to measure pollutants that contribute to ground-level ozone, a harmful air pollutant), and the National Air Toxics Trends Stations. During our meeting you mentioned a desire to increase resources for the Office of Research and Development, specifically mentioning monitoring equipment in non-attainment areas. What is your vision for monitoring? Do you plan to increase funding at EPA for these important monitoring networks?

I agree that monitoring compliance with the National Ambient Air Quality Standards is important to EPA's mission because it provides EPA with concrete and policy relevant data concerning the attainment status of communities throughout the country. If I am confirmed as Administrator, I expect to assess the Agency's resource usage and regulatory priorities and increased funding for air monitoring will be an area where I will consider deploying additional resources.

22.Section 105 grants provide significant funding to states for implementing the Clean Air Act requirements. Beginning in FY 2017, EPA is proposing a new formula for how the 105 grants are distributed to each of the regional offices (and subsequently to the states). Region 1, where Rhode Island receives its funding from, will receive a smaller percentage of the total 105 funds under this revised

AMERICAN OVERSIGHT

formula. EPA is proposing an implementation approach that would limit regional losses to no more than 2.5% from each region's prior year amount. Region 1 will lose 2.5% for, at least, each of the next five fiscal years and possibly ten years, under this proposed approach. Will you commit to not implementing the new formula until and unless there is sufficient overall funding such that no Region will see reduced funding from the prior year's amount?

If I am confirmed as Administrator, I will consider this and other resource allocation issues and will use my best efforts to ensure that regional funds are allocated equitably.

23.The National Environmental Policy Act has been a bedrock of our nation's environmental laws, ensuring that the environmental and community impacts of major federal actions are properly understood, that alternatives are appropriately considered, and that the public has the opportunity to actively participate in the environmental review process. What is your view of NEPA and its associated regulations, and will you commit to ensuring that the law, including the processes it establishes to ensure meaningful public participation and informed decision making, is in no way weakened?

I understand the National Environmental Policy Act established the White House Council on Environmental Quality and generally a process for considering the environmental impacts of federal actions. If confirmed, I will faithfully execute all applicable laws as Administrator.

24. The EPA's Office of Civil Rights has a long history of failing to comply with the Civil Rights Act of 1964. To date, the office has never found a violation of Title VI, which prohibits recipients of federal funding from acting in discriminatory ways. It has also allowed complaints to linger for years without a response. What will you do to ensure compliance by the EPA with the Civil Rights Act and to improve the track record of the Office of Civil Rights?

If confirmed as Administrator, I would expect to be briefed by staff and review any recommendations by the Office of Inspector General before taking action on this issue.

25. EPA and States are co-implementers of many of our federal environmental laws and programs. We believe that the tools used to implement these programs should be updated, particularly at the State level, to ensure effective implementation. Are there approaches, systems, or tools that you have considered to improve these programs and investments you would like to make in improvements that would benefit both federal and state environmental programs?

As I testified in the hearing, I have pursued opportunities to address interstate environmental quality matters. One of the examples I have highlighted is the work that Arkansas Attorney General Dustin McDaniel and

AMERICAN OVERSIGHT

I took to address an enforceable water quality standard between Arkansas and Oklahoma. I have also discussed how Texas should be responsible when air quality issues affect Oklahoma and my experience with that. When negotiations among and between states breakdown EPA has a role to set environmental standards. However, that is should be a last course of action instead of the first. I believe environmental statutes are designed with states as a primary implementer. Environmental statutes envision that states have the delegated enforcement and primacy to implement and enforce environmental statutes. Only when that is not happening or when negotiations between and among states breakdown should EPA determine a dispute and only after attempting to assist states negotiate a local solution. I am fond of saying that we need national standards and neighborhood solutions. I think that should shape the work of the EPA.

26. Under Section 111(b) of the Clean Air Act ("CAA"), in 2012, EPA issued New Source Performance Standards (NSPS) to limit emissions of VOCs from new, reconstructed, and modified sources in the oil and gas industry and finalized the rule in August of 2015. EPA developed a regulatory impact analysis of the regulation that estimated that the final standards for new and modified methane sources will yield benefits of $690 million in 2025, which will outweigh estimated costs of $530 million in 2025. Do you disagree with EPA's regulatory analysis? If you do, can you specify what information and analytics you use to justify your position?

I am familiar with the rule and understand that regulatory impact analyses play an important role in the EPA's rulemaking process. I also understand certain statutes, executive orders, and federal guidance documents inform the development of regulatory impact analyses. If confirmed, I commit to work with EPA staff to ensure regulatory impact analyses follow the relevant legal authorities.

27.In 2009, as mandated by the Supreme Court and backed by a robust scientific and technical review, the Environmental Protection Agency produced the Endangerment and Cause or Contribute Findings for Greenhouse Gases (GHGs) under Section 202(a) of the Clean Air Act. It found six greenhouse gases - carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride - "taken in combination endanger both the public health and the public welfare of current and future generations." You challenged the endangerment finding in court and lost. Do you agree with the EPA's finding? Do you commit to not take any steps as Administrator to narrow the scope or otherwise weaken this finding?

If confirmed, I will fulfill the duties of the Administrator consistent with Massachusetts v. EPA and the agency's Endangerment Finding on Greenhouse Gases respective of the relative statutory framework established by Congress. To my knowledge, there is nothing currently

AMERICAN OVERSIGHT

pending before the EPA that would require I take any additional actions on the Endangerment Finding and if there were, it would not be wise to prejudge the outcome.

28.There appears to be clear benefit from the regulation of methane emissions from the oil and gas sector. Can you discuss your views on the techniques used in the regulatory impact analysis for the NSPS for new oil and gas wells to quantify the cost and benefits of the regulation? Do you commit to maintaining the same metrics like emissions reductions, monetized climate benefits and health co-benefits, economic effects, employment benefits when designing new rulemakings?

I am familiar with the role and understand that regulatory impact analyses play an important role in the EPA's rulemaking process. I also understand certain statutes, executive orders, and federal guidance documents inform the development of regulatory impact analyses. If confirmed, I commit to work with EPA staff to ensure regulatory impact analyses follow relevant legal authorities.

29.The regulatory impact analysis for the methane emissions estimates that the rule could also reduce 210,000 short tons of ozone-forming VOCs in 2025, along with 3,900 tons of air toxics, such as benzene, toluene, ethylbenzene and xylene. Industry frequently talks about the costs to polluters of meeting public health standards while ignoring the costs to people harmed by the effects of pollution like the formation of ozone. Do you believe EPA should look at only the costs to the polluters when undertaking its regulatory impact analysis? Should the costs to families, such as children sent to emergency rooms due to asthma attacks triggered by smog, be included in the analysis? If so, should those costs be given a different weight than those claimed by industry?

I am familiar with the rule and understand that regulatory impact analyses play an important role in the EPA's rulemaking process. I also understand certain statutes, executive orders, and federal guidance documents inform the development of regulatory impact analyses. If confirmed, I commit to work with EPA staff to ensure regulatory impact analyses follow relevant legal authorities.

30.As you know, methane emissions from industry are as much as 90% higher than EPA had initially estimated, as has been demonstrated by academic peer-reviewed studies. New information is currently being sent to EPA, as part of the Information Collection Request (ICR), on methane emissions from existing sources. How do you plan to use the information collected? How do you plan to lead the agency in addressing this significant spike in known methane emissions?

Section 114 of the CAA provides the Administrator of the EPA to collect emissions data from existing sources. If confirmed, I will review the ICR

AMERICAN OVERSIGHT

currently underway regarding methane emissions and examine the submitted data to determine the appropriate next steps.

31.You have been quoted previously, "my concern is that EPA is employing its flawed methodology in order to rationalize new and unjustified federal regulations to solve a methane-emissions problem that simply does not exist." Science has shown us that methane's effect on climate change is up to 34 times greater than that of CO2 when averaged over a 100-year time period and even greater when considered over the first 20 years after it is emitted. Additionally, a recent Geophysical Research Letter article found that the U.S. could be responsible for the 30% to 60% increase in atmospheric methane emissions since 2002. Can you clarify what you mean that a methane-emissions problem does not exist? Do you refute the argument that human's development of oil and gas has led to more methane emissions? The U.S., Canada, and Mexico have all pledged to work together in reducing methane emissions from the oil and gas sector between 40% to 45% by 2025. If you are confirmed as Administrator, do you intend to work with the State Department to honor our international methane commitments?

It is my understanding that even EPA's revised methane data shows a decrease in methane emissions from oil and natural gas development since 2005, during a time period of a large increase in domestic energy development. EPA's data is based on a number of assumptions that, if confirmed, I will review carefully prior to making any prejudgments of future actions.

32.The State Department and others have assessed life-cycle emissions for various crude oils and found tar sands crude is one of the dirtiest crudes on the planet from a GHG perspective. Do you agree tar sands crude has significantly higher life-cycle emissions than Oklahoma Sweet and most other crude oils?

The lifetime emissions of any energy source should be considered in the context of necessary extraction techniques as well as transportation of the fuel, among other issues. For example, transporting crude via pipeline clearly creates fewer emissions than transporting it via other sources in terms of fossil fuel energy. Without knowing the specifics of all of these factors in a given instance, it is difficult to identify which sources may result in greater emissions.

33.The State Department conducted a comprehensive economic and environmental analysis of the project and determined that under the current market conditions and those projected for the next few years, Keystone XL is key to getting tar sands crude to market. The EPA agreed with this conclusion. Do you agree? If not, why?

AMERICAN OVERSIGHT

I am not familiar with the State Department study but with over 2.4 million miles of pipeline in the United States as well as other transportation methods for moving goods and energy resources it is my understanding that oil sands development has continued despite the lack of approval for the Keystone XL's cross-border permit.

34.Many of Keystone XL's proponents suggested that rejecting the project would simply divert more tar sands to rail to the Gulf Coast. Were you aware that according to the Energy Information Administration, shipments of Canadian crude by rail to the Gulf Coast have declined since Keystone XL was rejected, from 64,000 barrels per day in 2015 to 45,000 barrels per day in 2016?

I am not familiar with that particular EIA data.

35.The State Department found that the emissions associated with the production, refining and combustion of the tar sands in Keystone XL would result in 147 to 168 million metric tons (MMT) CO2e per year (equivalent to the emissions from as many as 35.5 million cars). The State Department also found that by displacing conventional crude with dirtier tar sands, the project would result in 1.3 - 27.4 MMT CO2e of additional emissions (equivalent to the emissions from as many as 5.7 million cars). Do you agree? If you disagree, please identify any research studies or experts you have consulted to form your opinion.

I am familiar with multiple State Department determinations that the Keystone XL pipeline would not significantly impact climate change.

36.In a recent study, the National Academy of Sciences (NAS) concluded that diluted bitumen—the type of crude that would be primarily transported by Keystone XL—has a series of properties that, taken together, make tar sands spills of greater concern for spill responders than spills of other, commonly transported crude oils. Both EPA and the Coast Guard advised the scientists on the NAS committee. Do you agree with their conclusion that tar sands spills pose greater risks and challenges for spill responders than other crude oil spills? If you disagree, please identify any research studies or experts you have consulted to form your opinion.

Diluted bitumen has been transported safely by pipeline in the United States for more than 40 years. It is my understanding that he NAS report did not infer that the Keystone XL pipeline posed significant concerns or that diluted bitumen could not be safely transported via pipelines or other forms of transportation.

37.The NAS committee also found that there are no known, effective strategies for recovering tar sands bitumen than has been spilled in a waterbody and sunk. Do

AMERICAN OVERSIGHT

you agree? If you disagree, please identify any research studies or experts you have consulted to form your opinion.

I have no information in supporting or challenging this assertion.

38. The NAS committee also found that regulations and agency practices do not take the unique properties of diluted bitumen tar sands into account, nor do they encourage effective planning for spills of diluted bitumen. Do you agree? If you disagree, please identify any research studies or experts you have consulted to form your opinion.

EPA is not the primary regulator of pipelines, this question would more appropriately be posed to the Pipeline and Hazardous Materials Safety Administration.

39.The State Department's EIS found that Keystone XL's leak detection system is unlikely to identify leaks smaller than half a million gallons a day. Given the increased risks of tar sands spills and Keystone XL's proposed route through the Ogallala aquifer, should the EPA play an active role in ensuring that the water our nation's ranchers and farmers rely on is protected?

EPA should play an active role in ensuring protection of our domestic water supply.

40.The Environmental Protection Agency (EPA) has raised concerns regarding the effect that Keystone XL and the tar sands it carries will have on the air quality of Gulf Coast refinery communities. Do you believe that the EPA should take a role to ensure that projects like Keystone XL do not put our communities at risk of asthma, cancer and other serious illnesses?

I am aware that EPA has a role in implementing the National Environmental Policy Act, and other statutory responsibilities as it relates to infrastructure projects like pipelines. If confirmed as Administrator, I will work to faithfully execute the laws EPA is responsible for administering in order to protect human health and the environment for all Americans.

41. Do you believe that Native Americans, landowners, farmers, ranchers and communities affected by projects like Keystone XL should have the opportunity to have their concerns considered and address as part of an environmental review process?

Yes.

AMERICAN OVERSIGHT

42.Based on the climate change implications, spill potential, and other factors, the Obama Administration determined Keystone XL isn't in our nation's best interest. Do you agree? If not, why?

While the Obama Administration failed to grant the cross-border permit required to complete the Keystone XL pipeline, much of the pipeline was built in accordance with applicable laws and permits both federal and state. A large portion of the Keystone XL pipeline safely operates through Oklahoma and I believe that safely and efficiently moving natural resources through the country is very important.

43.If confirmed, do you commit to ensuring EPA fully considers and articulates the environmental implications, based on the best-available science and in accordance with EPA's authority under the National Environmental Policy Act, when determining how to proceed on the Keystone XL Pipeline and any other projects?

If confirmed, I will faithfully execute all applicable laws as Administrator.

44.According to EPA 49% of coal units lack the most advanced NOx controls (Selective Catalytic Reduction systems or SCR). Several units that have SCR or other NOx emission control technology installed are not optimizing their use. For example, these six coal units have SCR installed but are not using it to optimize NOx reductions. In 2015, these facilities' NOx emissions were significantly higher than 2009 because they are not using the systems they have in place to reduce NOx. EPA estimates it costs facilities $500/ton NOx pollution to optimize the reduction of NOx from an SCR and $1300/ton to restart a SCR unit. Do you think these facilities should be regulated to keep on their NOx controls on?

If I am confirmed as Administrator, I will consider all matters presented to me with an open mind and will work to reach conclusions that are reflected in the administrative record of each matter and that comport with Congress's intent in enacting the Act. That includes evaluating your concerns regarding the use of post-combustion NOx controls if and when they are presented to me in a matter before the Agency.

45.Industry frequently talks about the costs to polluters of meeting public health standards while ignoring the costs to people harmed by the effects of pollution. In Rhode Island these effects cannot be ignored as we seen them through rising seas and bad air days for Rhode Islanders. Because Rhode Island ozone air quality issues are largely due to transported emissions from upwind states leading to ozone formation that pollutes the air and lungs of people in downwind states like mine. Over the past two years in Rhode Island, the 8-hour standard ozone standard exceeded 0.07 ppm 10 times in 2015 and 6 times in 2016. With respect

AMERICAN OVERSIGHT

to ozone, do you believe EPA should look at only the costs to the polluters when undertaking its regulatory impact analysis? Should the costs to families, such as children sent to emergency rooms due to asthma attacks triggered by smog, be included in the analysis? If so, should those costs be given a different weight than those claimed by industry?

Under the Clean Air Act, while setting NAAQS for criteria pollutants, cost cannot be considered. This is because human health is the primary focus of these standards. EPA's regulatory impact analyses have typically addressed what you describe as "costs to families" in the benefits portion of the analysis (i.e., the value of public health and environmental effects avoided).

46.EPA's independent science advisers, leading medical groups like the American Medical Association, American Academy of Pediatrics, American Thoracic Society, American Lung Association, American Heart Association, and leading public-interest groups such as the NAACP called for a 60 ppb standard instead of the 70 ppb standard EPA finalized last year. What was your scientific basis for concluding that the old standard, 75 ppb, was sufficient to protect public health? Can you explain what sources you consulted? What groups you discussed this with?

Due to a number of factors and steps taken by the previous Administration, implementation of the 2008 ozone NAAQS did not begin until years later. States had only recently begun to implement the 75ppb standard for ground-level ozone when EPA changed it; considering that approximately 40 percent of the country was in nonattainment for the 2008 standard, I believe EPA should focus on helping those areas meet that standard. Oklahoma's challenge to the most recent ozone NAAQS was based, in part, on concerns that EPA has not adequately assessed the available science. It is EPA's obligation to properly justify any change to an existing NAAQS.

47.Rhode Island ozone air quality issues are largely due to transported emissions from upwind states leading to ozone formation that pollutes the air and lungs of people in downwind states like mine. The Rhode Island Department of Environmental Management told me that there remain a number of power plants located in upwind states that have pollution control equipment installed to reduce nitrogen oxides emissions that either do not use that equipment during the ozone season or do not use it in a way that optimizes the reduction of nitrogen oxides emissions. Why would this be the case?

I am unfamiliar with the specifics as to why certain sources upwind of Rhode Island may not be using control devices in particular ways. CSAPR and related rules are designed to address emissions from upwind states

AMERICAN OVERSIGHT

that significantly contribute to nonattainment in downwind states. EPA presumably considered emissions from the upwind power plants referenced in your question in formulating the existing requirements.

48.Each year, RIDEM issues “ozone alerts” to warn vulnerable Rhode Islanders to stay indoors to protect their health on hot days when air quality is poor. This is a problem that cannot be solved in the state because masses of polluted air are coming from upwind. The health of Rhode Island citizens depends on a strong federal EPA program to impose pollution controls on NOx, particulates, and other mobile and stationary sources of pollution. What will you do to support the federal air quality programs? Will you commit to keep existing funding levels for the clean air programs that impose and regulate pollution controls and protect Rhode Islanders?

If confirmed, I will work to administer the statute and applicable federal programs in accordance with Congressional intent. I look forward to working with EPA's budget staff and program offices to develop a budget focused on fulfilling EPA's mission to protect human health and the environment for all populations. I will work to ensure that the resources appropriated to EPA by Congress are managed wisely in pursuit of the Agency's important mission and in accordance with all applicable legal authorities.

49.Ozone levels in RI are strongly affected by the transport of pollutants emitted in upwind states into RI. Although RI is currently designated as an unclassifiable/attainment area for the ozone NAAQS, monitored ozone levels in the State still exceed the standard on a number of days in the summer months. The Ozone Transport Region (OTR) states, including RI, have implemented a number of programs to reduce pollutant emissions from mobile and stationary sources in their states, as required by the Clean Air Act (CAA). RI and other OTR states were required by the CAA to implement emissions control programs not mandated in upwind states, resulting in increased energy costs and an inequitable economic burden to industry in the OTR states. Any additional emissions reduction programs that could be adopted in the OTR to further reduce ozone levels in the region would be less cost-effective than implementing OTR controls in upwind states and would further this inequity. What steps will you take to address the transport of pollutants emitted in upwind states that contribute to exceedances of the ozone standard in RI and other OTR states?

Interstate transport of pollutants is a concern. An upwind state that contributes to a downwind state's inability to meet air quality standards should take responsibility. It is EPA's responsibility to address such issues, and, if confirmed, I look forward to working on this issue.

AMERICAN OVERSIGHT

50.The intent of the establishment of the RFS in the Energy Policy Act was to enhance U.S. energy security by displacing some imported petroleum with domestically produced ethanol. In your estimation, has the RFS reduced imports of foreign oil?

As Congress indicated in the Energy Independence and Security Act of 2007, domestic production of renewable fuel contributes to our nation's "greater energy independence and security."

51.President-elect Trump has said, “The RFS, which is Renewable Fuel Standard, is an important tool in the mission to achieve energy independence for the United States. I will do all that is in my power as president to achieve that goal….Energy independence is a requirement of America’s to become great again. My theme is “Make America Great Again”; it’s an important part of it.” Do you hold the same beliefs as President-elect Trump about the RFS? If not, can you be specific where your views differ on this policy?

As Congress indicated in the Energy Independence and Security Act of 2007, domestic production of renewable fuel contributes to our nation's "greater energy independence and security." To that end, if confirmed, I will work to administer the RFS program in accordance with statute and Congressional intent.

52.Agriculture Secretary Tom Vilsack, who has been supportive of the RFS, made a statement in Bloomberg Markets, “There's going to be a lot of saber-rattling, but it supports too many jobs and too much rural infrastructure is set up for it. The Renewable Fuel Standard is solid.” Do you agree that the RFS has supported jobs . and helped develop our rural infrastructure?

Yes.

53.You have been quoted, “It should come as no surprise that I am working diligently with Oklahoma energy companies, the people of Oklahoma and the majority of attorneys general to fight the unlawful overreach of the EPA and other federal agencies.” Do you think that the renewable fuel standard is one of those unlawful overreach regulations from the EPA? Can you explain in more detail the type of overreach you are talking about when it comes to the EPA and other federal agencies?

The RFS was first enacted by Congress in 2005 and updated and expanded in 2007 to promote domestic production and achieve energy independence. Therefore, I do not consider it to be "one of those unlawful overreach regulations from the EPA." The EPA needs to better administer this program

AMERICAN OVERSIGHT

to provide involved entities with the certainty they need, and, if confirmed, i will administer the RFS in accordance with statute and Congressional intent.

54. You have been quoted in the press saying, "The American people are tired of seeing billions of dollars drained from our economy due to unnecessary EPA regulations, and I intend to run this agency in a way that fosters both responsible protection of the environment and freedom for American businesses." Do you see the RFS as one of those unnecessary EPA regulations that is draining money from our economy?

The RFS was first enacted by Congress in 2005 and updated and expanded in 2007 to promote domestic production and achieve energy independence. The EPA needs to better administer this program to provide involved entities with the certainty they need, and, if confirmed, I will administer the RFS in accordance with statute and Congressional intent.

55.The RFS has been a significant factor in growing the volumes of biodiesel and other advanced biofuels. In light of the uncertainty surrounding the Biodiesel Tax Credit and the increased volume of biodiesel imported from Argentina, do you intend to support the RFS and continue to increase the Renewable Volume Obligations (RVOs) that provide the long term market stability to support investment and increase the jobs available in a growing domestic industry? Do you commit to making all economic and pricing models used in developing the annual blending targets under the RFS available to the public? If you come across models that were used in the past that were left out of the public record, will you make those available? Do you intend to use EIA data in conjunction with your administration of the RFS? Are there other data sources that you intend to rely on?

If confirmed, I will administer the RFS in accordance with statute and Congressional intent. There has been significant investment that has gone into the infrastructure following the enactment of the RFS in 2005, and these individuals need certainty that the EPA has failed to provide in the past, from the trading program to monitoring the fraud in the system, to faith that the program will be enforced and administered as Congress intended. The Clean Air Act requires the Administrator of the EIA to submit annual projections of transportation fuel, biomass-based diesel, and cellulosic biofuel to be sold or introduced into commerce into the United States, and I will commit to continue relying on EIA data projections to set annual volume obligations.

56.It has been estimated that the RFS supports roughly 850,000 jobs across the country and many of those jobs rely on certainty from the EPA setting its volume

AMERICAN OVERSIGHT

requirements for the renewable fuels each year. If confirmed to serve as EPA Administrator, will you carry out the Energy Policy Act as passed in 2005 and updated in 2007, particularly adopting the statutory volume requirements for renewable fuels?

Section 211(0) of the Clean Air Act contains enumerated tables of applicable target volumes of renewable fuel for calendar years 2006 through 2022. If confirmed, I will work to administer the RFS program in accordance with statute and Congressional intent.

57.The RFS has driven investment in low carbon biofuels in our country. Are you committed to working to achieve the gains in advanced and cellulosic biofuels promised under the statue?

Section 211(0) of the Clean Air Act contains enumerated tables of applicable target volumes of renewable fuel, specifically cellulosic and advanced, for calendar years 2006 through 2022. If confirmed, I will work to administer this program in accordance with statute and Congressional intent.

58. Following the Sixth Circuit's stay of the Clean Water Rule in 2015 pending further court action, the EPA and Army Corps issued a joint memorandum that states the agencies 1) "look forward to vigorously defending the merits of the Clean Water Rule, which we continue to believe is fully consistent with the law and based on the best available peer-reviewed science," 2) "intend to move forward with measures to improve implementation of the national CWA section 404 program that were announced concurrent with the Rule," 3) will continue their commitment to improve transparency through making section 404 decisions public and making a number of other improvements to the section 404 permit program, 4) strengthen coordination between the agencies, and 5) "work closely with the Department of Justice to ensure [their] actions remain consistent with the stay." If confirmed as EPA Administrator, will you uphold the tenets of this memorandum? If not, what would you change in the EPA's pursuance of clean water and cooperative relationship with the Army Corps of Engineers? Will you commit to working collaboratively with the Army Corps under its corresponding section 404 and other Clean Water Act authorities to ensure clean water for all Americans? If confirmed as EPA Administrator, would you advise DOJ to stop defending the rule and instead ask the court to set aside the rule and send it back to the agencies for reconsideration? Do you disagree with the process the EPA used in developing the Clean Water Rule, which involved incorporating the best available science and feedback received through around 400 public meetings and over 1 million public comments?

If confirmed I will support efforts of the Corp to improve transparency through making section 404 decisions public and to strengthen

AMERICAN OVERSIGHT

coordination between the agencies. However, I do not support the WOTUS rule and do not believe that it is consistent with the Clean Water Act. Accordingly, if confirmed, I will take appropriate steps, in accordance with the Administrative Procedure Act, to withdraw the rule and replace it with a rule that is within the authority granted to EPA and the Corps under the Clean Water Act and is promulgated in compliance with the APA, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, the Unfunded Mandates Reform Act, Executive Order 13132 on Federalism, and Executive Order 12866 on regulatory planning and review, procedural requirements that I believe were not met in the promulgation of the WOTUS rule. If confirmed, I also would inform the appropriate courts of these actions.

59. In the wake of SWANCC, Rapanos, and other decisions, how would you shape regulations and internal EPA policy to provide more certainty for regulated parties on how the agency will make section 404 permitting decisions?

EPA does not make 404 permitting decisions. Section 404 of the Clean Water Act grants that authority to the Secretary of the Army, who carries it out acting through the Corps of Engineers. Under section 404(c) EPA has the authority to veto a Corps-issued permit if it EPA determines the discharge will have unacceptable adverse effects. If confirmed, I will seek to clarify when it is appropriate for EPA to use its 404 veto authority.

60.If you choose to pursue a renewed rulemaking to clarify "waters of the United States," will you follow the same procedure and commit to at least the same level of outreach the EPA undertook in developing the Clean Water Rule in developing a new rule?

If confirmed, I will ensure that the outreach performed by EPA is not only extensive, but meaningful.

61.Extreme weather events put water and wastewater infrastructure at risk. In Rhode Island, Super Storm Sandy almost caused Narragansett Bay to breach the water supply for the City of Newport. The March 2010, storms flooded the Pawtuxet River, overtopping the Warwick Wastewater Treatment facility and sending untreated wastewater into surrounding neighborhoods, the River and Narragansett Bay. What do you see as EPA's role in helping cities and towns respond to these increasingly frequent extreme weather events and ensure the safety of the nation's critical water and wastewater infrastructure?

AMERICAN OVERSIGHT

EPA provides water and wastewater infrastructure assistance through the Clean Water Act and Safe Drinking Water Act revolving loan funds and through the new WIFIA loan program.

62.What role can green infrastructure play in helping municipalities manage and prevent sewer overflows and other storm water and wastewater treatment concerns?

Green infrastructure is a neighborhood solution that can help meet national standards.

63.In making recommendations for revisions to state shares of Clean Water State Revolving Fund (CWSRF) money, do you support increasing allocations for states with the oldest infrastructure?

No. I am not aware of any analysis that suggests that age of infrastructure is an appropriate metric that predicts funding needs for wastewater infrastructure. It was not suggested in the May 2016 Report to Congress from EPA on its review of the CWSRF allotment formula, required by section 5005 of the Water Resources Reform and Development Act (WRRDA) of 2014. I also note that the formula is established by law and only Congress can change it.

64.Sea level in Newport, RI has risen over 10 inches since 1930, Rhode Island experiences significantly more rain and more intense storms than in past decades, and Superstorm Sandy and the Flood of 2010 destroyed roads and buildings. The RI Department of Environmental Management is finalizing an assessment of the vulnerability of each wastewater treatment facility in the state from damage due to flooding and storm surge. Will states have the ability to choose to use State Revolving Fund monies to finance resiliency projects under the next Administration? What restrictions, if any, would you foresee putting on the use of these funds for this purpose?

The eligibilities for the use of CWSRF funds are established in the Clean Water Act. If confirmed, I will manage that program as authorized by Congress.

65.States rely on EPA funding, technical assistance, and other resources to help keep the air, water, and soil clean, particularly through the State and Tribal Assistance Grants and Categorical Grants. State agencies like the RIDEM have delegated authority to carry out federal pollution control laws. Based on what you know about the EPA, do you believe states and tribes are getting enough money from the federal government to support clean air and clean water investments and

AMERICAN OVERSIGHT

enforcement? If confirmed, will you commit to ensuring states and tribes continue to receive at least the amounts of funding they do now? Are there programs that support states and tribes that you would consider cutting or increasing financial support for?

I support the federalism structure of our federal environmental laws, which includes state delegation or authorization of most programs, and EPA STAG grants to help states implement those programs. If confirmed, I will seek to reduce the workload on states by refraining from adding more and more requirements for them to implement and to instead allow them to focus on implementing core environmental programs relating to air, water, and waste. I am not familiar with the development of EPA's FY 2018 budget so I cannot comment on that proposal, but please be assured that I support funding for states.

66.A 2016 Associated Press study of EPA data identified Providence, RI as "one of the largest [drinking water systems] in the country to exceed a federal lead standard since 2013." Almost 20 percent of all retail customers' homes were found to be serviced by utility-owned lead lines. EPA's lead limit before corrective action is required is currently 15 parts per billion. The city's water supply was found to be over this limit six times since 2010. Providence's water hit 30 parts per billion in tests in 2009 and 2013. Providence has shown marked improvement since those peaks, but there is still millions of dollars of investment needed in the city's drinking water infrastructure to reduce the risk of lead. What role do you believe EPA should play supporting these investments?

I would urge the City to explore funding opportunities available from the new WIFIA loan program, which is implemented by EPA.

67.What have you done in your career to demonstrate lead contamination of drinking water will be a priority if you are confirmed as EPA Administrator? Please cite specific examples.

I am concerned about children's health, but the Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board have primary responsibility for implementing and enforcing environmental laws in Oklahoma, so issues relating to lead contamination of drinking water would fall within their responsibilities. If confirmed as Administrator, I will faithfully execute all environmental laws enacted by Congress, including the Safe Drinking Water Act.

68.In an interview with the Providence Journal last April, Rhode Island's chief of the Center for Drinking Water Quality at the RI Department of Health stated that "[i]n the last monitoring period, we had six small water systems exceed the lead action level. Five were school systems." These systems were brought back into

AMERICAN OVERSIGHT

compliance, but the concern remains. How will you prioritize lead abatement in schools and among the most vulnerable populations?

If confirmed, I will fully carry out EPA's authorities, including its authorities under the Safe Drinking Water Act. I note that in the WIIN Act, Congress amended the Safe Drinking Water Act to authorize funding for voluntary school lead testing. If confirmed and if funding is provided, I will carry out that program.

69.EPA's regulations on lead in drinking water, otherwise known as the Lead and Copper Rule, were last revised in 2007. In its October 2016 white paper on revising the rule, the EPA recognized "[t]here is a compelling need to modernize and strengthen implementation of the rule—to strengthen its public health protections and to clarify its implementation requirements to make it more effective and more readily enforceable." Do you agree the Rule is in need of updating to reflect the latest science?

Yes.

70.Do you believe all covered water systems should follow EPA's drinking water analytical methods when testing drinking water for contamination? If so, what efforts will you undertake to ensure all water systems are brought into compliance?

If confirmed, I will fully carry out EPA's authorities, including its authorities under the Safe Drinking Water Act. To achieve this, I will focus on EPA's core missions, such as provision of safe drinking water.

71.In a November 2016 interview with the New York Times, President-elect Trump specifically called out "crystal clear water" as a priority. Do you agree "crystal clear water" should be a priority of the EPA? If so, please list the specific steps you would take as Administrator to make the President-elect's vision a reality.

Yes, I agree that clean water is a priority of the EPA. If confirmed, I will ensure that EPA focuses on the core missions as directed under laws enacted by Congress, including clean water and safe drinking water.

72.Over 40,000 water bodies in the United States are considered "impaired" under Section 303(d) of the Clean Water Act, meaning they do not meet water quality and health standards. Six hundred and thirty-five of these are in Oklahoma. What specifics steps did you take as Attorney General and as a state legislator to improve the water quality in these impaired waters in Oklahoma?

AMERICAN OVERSIGHT

Regulation of water quality in Oklahoma is the responsibility of Oklahoma's environmental regulators at agencies like the Oklahoma Water Resources Board and Oklahoma Department of Environmental Quality. Those agencies would be best situated to describe the actions taken by Oklahoma to improve water quality in impaired waters.

73.What clean water initiatives undertaken by the EPA in the last five years do you support?

I support the Mach 2011 nutrient framework issued by the Assistant Administrator for the Office of Water entitled "Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions," which prioritizes state action to encourage on the ground activities over establishment of numeric nutrient limits. I support EPA's May 2012 Integrated Municipal Stormwater and Wastewater Planning Framework, which directs EPA enforcement and permitting officials to allow municipalities to integrate multiple CWA responsibilities in a single plan and prioritize the actions with the greatest health and environmental benefits, and to allow extended compliance schedules to carry out that prioritization. I support EPA's efforts to promote green infrastructure to meet Clean Water Act requirements. Green infrastructure can be a neighborhood solution to meet national standards. I support the new Water Infrastructure Finance and Innovation Act loan program authorized by Congress in 2014 that recently received its first appropriations. The WIFIA program creates tremendous opportunities to increase water and wastewater infrastructure investment because every federal dollar appropriated can leverage as much as $60 in infrastructure investments.

74.How will you address EPA's National Pollutant Discharge Elimination System permitting backlog without undermining any environmental protections or subverting the goals of the Clean Water Act?

First, I would note that at the end of FY 2016, 96.9 percent of Oklahoma's permits were current. Making sure permits are current is one of core functions under the statutory responsibilities given to EPA and in turn carried out by authorized states. However, in recent years states have been asked to shift their focus and resources to other activities. If confirmed, I would return EPA's focus to ensuring that core functions under our environmental laws are carried out.

75.Factory farming of animals is known to cause multiple forms of pollution, such as contaminating local groundwater with nitrates, contributing to hypoxia and "dead zones" in rivers and coastal waters, and releasing the potent greenhouse

AMERICAN OVERSIGHT

gas methane. Considering your close ties with the animal agriculture industry in Oklahoma, your previous history of unsuccessfully prosecuting lawsuits against states with animal welfare laws, your opposition of EPA's attempt to conduct a survey of CAFOs, and your pursuit of punitive yet failed investigations of nonprofit advocacy groups working for animal welfare, do you believe you should recuse yourself from any decisions related to enforcing the CWA and CAA to the fullest extent of the law against these facilities? If not, will you commit to disclosing to the EPW Committee any solicitations you have made to interested parties before you make any decisions related to this topic? If not, what assurances can you provide that you will be able to discharge your duties in this area impartially?

If confirmed, I will faithfully execute the Clean Water Act and Clean Air Act as enacted by Congress. My track record with regard to CAFOs, which includes suing a CAFO together with EPA and collecting what EPA at the time said was the largest civil penalty ever assessed against a CAFO for CWA violations, demonstrates that I can, and will, approach such issues with a fair and open mind.

76.Explain your reasons for opposing EPA's 2012 attempt to conduct a survey of CAFOs. Has your thinking changed since then? Please explain why or why not.

For the purpose of this response, I am assuming that you are referring to EPA's 2011 proposed animal feeding operation reporting rule, published at 76 Fed. Reg. 65431 (October 21, 2011), and the January 19, 2012 comments on that proposed rule filed by 12 state attorneys general, including myself. This proposed rule is an example of an attempt to impose new regulatory requirements without complying with either the law or proper administrative process. Under the Clean Water Act, only facilities that discharge pollutants can be regulated. Despite this limitation on EPA's authority, it had twice before attempted to regulate non-discharging facilities. In 2005, the Second Circuit vacated parts of EPA's 2003 CAFO rule that purported to require non-discharging CAFOs to apply for permits. Waterkeeper Alliance, Inc. v. United States Environmental Protection Agency, 399 F. 3d 486. In 2011, the Fifth Circuit vacated the part of EPA's 2008 CAFO rule that would have required all CAFOs "proposing to discharge" to apply for NPDES permits regardless of whether they had actual discharges. National Pork Producers Council v. United States Environmental Protection Agency, 635 F. 3d 738 (5th Cir. 2011). Further, EPA's authority to require reporting (section 308 of the CWA) applies only to point sources that discharge. That was made clear by the 8th Circuit in Service Oil, Inc. v. Environmental Protection Agency, 590 F. 3d 545 (8th Cir. 2009). Despite the clear limitations of the Clean Water Act, in the CAFO reporting rule EPA proposed to require facilities that are not subject to the Clean Water Act to submit reports to EPA. As such, that proposed rule exceeded EPA's authority.

AMERICAN OVERSIGHT

77.According to the CDC, in 2014 Oklahoma reported the second highest rate of exposure to pesticides in the nation. At a time when pesticide/herbicide usage is on the rise across the country, how would you protect American workers, consumers, and landscapes from the toxic effects of agricultural chemicals?

I am not personally familiar with the data referenced in this question or generally the rate of pesticide usage in Oklahoma. If confirmed as Administrator, I would expect to be briefed by EPA staff before taking action on this issue and would work to ensure EPA followed all applicable legal requirements and made its decisions based on sound science in an open and transparent process.

78.Your close ties to the fossil fuel industry have given a strong appearance of pay-to-play politics favorable to that industry. As you well know, the agrichemical and seed biotechnology industry has a similar history of major lobbying, campaign financing, and maintaining close relationships with lawmakers and agency administrators. Monsanto, the Oklahoma Farm Bureau, and other agricultural interests contributed more than $90,000 to your previous campaigns. Do you believe you should recuse yourself from any decisions related to this industry? If not, will you commit to disclosing to the EPW Committee any solicitations you have made to interested parties before you make any decisions related to this topic? If not, what assurances can you provide that you will be able to discharge your duties in this area impartially?

It is my understanding that recusal obligations do not extend to regulatory rulemaking of general applicability, which does not create a conflict under applicable rules. In any matters involving specific parties where I believe that my impartiality may be questioned, I will consult with relevant federal ethics officials to determine whether to participate in a particular matter, provide them with all relevant facts, and follow their guidance. Following these procedures, along with all the other commitments I have made to comply with applicable ethics rules, will ensure that I discharge my duties impartially.

79.How should the EPA consider the synergistic effects of chemicals when considering approval of these chemicals under FIFRA?

If confirmed, I would expect to be briefed by staff about EPA's relevant legal authorities concerning pesticide registration and current practices in this area before taking any action.

80.The Fish and Wildlife Service recently listed the rusty patched bumble bee as endangered, the first wild bee in the lower 48 states to receive this distinction. Pesticides were listed as part of the blame for the bee's current status. Other

AMERICAN OVERSIGHT

bumble bee species are also at risk due to increased pesticide use and other environmental challenges. How can the EPA assist in bettering the understanding of pesticides' role in declining bee and other pollinator species?

I am generally aware of the important role bees play as pollinators, but I am not personally familiar with the details of the Endangered Species Act listing decision referenced in the question. If confirmed as Administrator, I would expect EPA to be briefed on the matter concerning EPA's legal authorities and any ongoing activities in this area before taking action.

81.Under your leadership, what role will EPA play in the management and control of vector borne illnesses like Zika?

If confirmed, I would expect to be briefed by staff about EPA's relevant legal authorities and operations in this area before taking any action.

82.With respect to the Rule of Law Defense Fund, please provide the following: A written explanation of the role you or any person under your supervision has played in the establishment and operation of the Fund; a list of all donors who have contributed to the Fund since its inception, total donated, and their affiliations; a list of all requests you have made for funding and what was given and from whom in response; a list of all expenditures of over $1,000 made by the Fund since its inception; details of any Fund expenditures over $100 that have benefited you or any person under your supervision, including travel; all communications, including e-mails, between you and the Fund and between you and any individuals related to the establishment of the Fund or the conduct of the Fund's activities; a list of all meetings and fundraisers organized by or sponsored in whole or in part by the Fund that you or any person under your supervision attended, including the dates, locations, agendas and attendees; and a list of all federal and state legislation or regulations the Fund has taken a position on, Fund-organized legal briefs and letters to federal lawmakers, and all actions you have taken with respect to those matters.

I did not play a role in founding or forming the Rule of Law Defense Fund, and no one on my staff played such a role. My understanding from the time I was a member of that entity's board is that its staff operates the fund. A list of contributors to the Fund since its inception is in the custody of RLDF and I do not personally have records of or have knowledge of that information. Expenditures by the fund are in the custody of RLDF, and I do not personally have records of or have knowledge of that information. Any records relating to requests for funding to individuals or to corporate entities would be in the possession of RLDF. RLDF has paid for flights and accommodations when I attended RLDF events or panel discussions.

AMERICAN OVERSIGHT

Because those flights or accommodations were booked directly by RLDF staff, I am not in possession of any receipts for such flights or accommodations.

83.Please list all matters you or your office has had with the US EPA since you became Attorney General of Oklahoma. For the purposes of this and the following questions, “matters” refers to lawsuits (including lawsuits in which your office filed a “friend of the court” brief), enforcement actions, investigations, rulemakings, or any other matter which included an adjudication between parties.

In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act.

84.For each matter you identify in the previous question, please list the following: The names of the attorneys in your office who worked on the matter, and the names and affiliations of all attorneys with whom you or the attorneys in your office had communications about the matter. The names and affiliations of any person with whom you had communications about the matter, and the dates of the communications, and a summary of the substance of that communication. For any person listed the previous subpart, or corporation represented by that person, any contribution or payment made to Scott Pruitt for Attorney General, the Republican Attorney General Association, the Republican Attorney Generals Association, the Rule of Law Defense Fund, Liberty 2.0, Oklahoma Strong, or any other political action committee or 501(c)(4) organization with which you are or have been affiliated in any way.

In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct you to make a request of the Oklahoma Attorney General's Office and the Oklahoma Ethics Commission under the Oklahoma Open Records Act and the individual political organizations.

85.Please list all matters you or your office has had with the US Department of Interior since you became Attorney General of Oklahoma. For the purposes of this and the following questions, “matters” refers to lawsuits (including lawsuits in which your office filed a “friend of the court” brief), enforcement actions, investigations, rulemakings, or any other matter which included an adjudication between parties.

In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct

AMERICAN OVERSIGHT

you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act.

86.For each matter you identify in the previous question, please list the following: The names of the attorneys in your office who worked on the matter, and the names and affiliations of all attorneys with whom you or the attorneys in your office had communications about the matter. The names and affiliations of any person with whom you had communications about the matter, and the dates of the communications, and a summary of the substance of that communication. For any person listed the previous subpart, or corporation represented by that person, any contribution or payment made to Scott Pruitt for Attorney General, the Republican Attorney General Association, the Republican Attorney Generals Association, the Rule of Law Defense Fund, Liberty 2.0, Oklahoma Strong, or any other political action committee or 501(c)(4) organization with which you are or have been affiliated in any way.

In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct you to make a request of the Oklahoma Attorney General's Office and the Oklahoma Ethics Commission under the Oklahoma Open Records Act and the individual political organizations.

87.Please list all matters in which your office participated in any way challenging a law, rule, or regulation of a state other than Oklahoma. For each matter listed, please include the following: Your understanding of the effect of that law, rule, or regulation on the people of Oklahoma. The names of the attorneys in your office who worked on the matter, and the names and affiliations of all attorneys with whom you or the attorneys in your office had communications about the matter. The names and affiliations of any person with whom you had communications about the matter, and the dates of the communications, and a summary of the substance of that communication. For any person listed the previous subpart, or corporation represented by that person, any contribution or payment made to Scott Pruitt for Attorney General, the Republican Attorney General Association, the Republican Attorney Generals Association, the Rule of Law Defense Fund, Liberty 2.0, Oklahoma Strong, or any other political action committee or 501(c)(4) organization with which you are or have been affiliated in any way.

In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct you to make a request of the Oklahoma Attorney General's Office and the Oklahoma Ethics Commission under the Oklahoma Open Records Act and the individual political organizations.

AMERICAN OVERSIGHT

88. As Attorney General you have played a major rule challenging EPA's Clean Power Plan and seven other major rules protecting the public from air pollution, water pollution, and toxic threats. Professional ethics rules prohibit attorneys from changing sides, as you would be doing if confirmed. Federal ethical guidelines specifically require that a public official should not act on a matter if a reasonable person who knew the circumstances of the situation could legitimately question his or her fairness. Will you commit to recusing yourself from substantive matters that include EPA's climate rules, its mercury and air toxics rules, its most recent clean water rule, and others related to the eight pending cases you have against EPA as an Attorney General?

It is my understanding that recusal obligations do not extend to regulatory rulemaking of general applicability, which does not create a conflict under applicable rules. With respect to my professional obligations as a member of the bar, I am not permitted to "switch sides" as counsel in any matter in which I participated as a lawyer. The standards that would apply to me as EPA Administrator are different as I would not be representing the EPA as a lawyer. Nonetheless, in any matters involving specific parties where I believe that my impartiality may be questioned, I will consult with relevant federal ethics officials to determine whether to participate in a particular matter and provide them with all relevant facts.

89.You have taken credit for the lawsuit State of Oklahoma et al. v. Mahard Egg Farm. What was the date on which the complaint in that case was filed? What are the dates of the allegations in the case? Had any Oklahoma state agencies taken any steps to investigate that matter before you became Attorney General? If so, please specify the agencies, their roles investigating the case, and the dates on which they were taken. Did the Oklahoma Attorney General's office take any steps to investigate that matter before you became Attorney General? If so, please specify what was done and when. Please indicate the date on which the Attorney General's office first contacted defendant(s) in this matter.

As I have testified, it was a lawsuit that I initiated together with the State of Texas and the EPA. The complaint was filed on May 23, 2011. The consent decree was entered into on August 10, 2011. There was no case when I took office, but the matter had been investigated by the Office of Attorney General, the Oklahoma Department of Agriculture, the EPA, and the State of Texas. I do not know the first date that the Office of Attorney General first contacted the defendants in that matter.

90.Have you ever met or spoken with Richard "Rick" Berman, who has been affiliated with Center for Consumer Freedom? If so, please describe the substance and dates of your communications with him. Did you or the Attorney General's Office during your tenure ever receive communications of any sort from

AMERICAN OVERSIGHT

Mr. Berman or the Center for Consumer Freedom? If so, please specify the date and content of those communications.

I do not recall ever having met Mr. Berman. I am not aware of any communications with Mr. Berman, but a request for such information can be made to the Office of Attorney General pursuant to Oklahoma's Open Records Act.

91.Before March 12, 2014, had your office received any complaints about the Humane Society of the United States [HSUS] from a resident of the State of Oklahoma? If so, please identify the date of the complaint, the allegations in the complaint, and the city or town of residence of the complainant.

I believe that our office had received such a complaint, but I do not know the residency of any such complainant. A request for such information can be made to the Office of Attorney General pursuant to Oklahoma's Open Records Act.

92.In March 2014, your office issued a consumer warning about HSUS. Based on what evidence did you issue this warning? Did you or your office communicate to any person or entity outside the Attorney General's Office about the timing or substance of your consumer warning about HSUS before it was issued? If so, please state the names of those with whom you or your office communicated, the dates, and the substance of those communications.

The consumer warning was based on information suggesting that HSUS's solicitations for contributions might be misleading Oklahoma consumers. A request for communications can be made to the Office of Attorney General pursuant to Oklahoma's Open Records Act.

93.On July 1, 2014, your office issued a Civil Investigative Demand (CID) to HSUS. Based on what evidence did you issue that CID?

The purpose of a CID is to gather such evidence.

94.On or about July 21, 2014, after the New York Attorney General entered into a settlement with the direct mailing firm Quadriga Art, you were quoted as saying "We believe what happened in New York potentially has happened in Oklahoma." Based on what evidence did you make that statement? Did you issue a Civil Investigative Demand or subpoena to any organizations other than HSUS as a result in whole or in part because of the NYAG's Quadriga Act settlement? If so, please specify the names of the organizations, the dates of the CID, and the result of any investigation conducted pursuant thereto. If not, what evidence did you have that distinguished HSUS from any of the other clients of Quadriga Art?

AMERICAN OVERSIGHT

As I recall, the Office believed that Quadriga Art may have been the vendor for direct mailers used by HSUS in Oklahoma. I am not aware of any other CIDs issued as a result of the Quadriga Art settlement. I am not aware of the Office having received any complaints or having any open investigations relating to other Quadriga Art clients.

95.During the 2010 election cycle, did Devon Energy and Koch Industries max out to your campaign? During the 2014 election cycle, when you ran unopposed, did Devon, Koch Industries, and ExxonMobil max out to your campaign? How much total money has "Scott Pruitt for Attorney General" received from fossil fuel and agricultural interests? Please list your fossil fuel and agricultural donors, dates, and amounts.

A full list of contributors to my campaigns for the state senate and attorney general may be found at the Oklahoma Ethics Commission's websites. For state campaign committee from 2002-2014, please use this site: https://www.ok.gov/ethics/public/candidate.php. For 2015 to the present, the Commission uses this site: http://guardian.ok.gov/PublicSite/SearchPages/Search.aspx?SearchTypeCodeHook=1F26BA5E-71EA-48E4-8D50-C1013E9FE0A7. Attached is a letter from the Oklahoma Ethics Commission regarding materials prior to 2002.

96.How much total money did Oklahoma Strong, your leadership PAC, receive from fossil fuel and agricultural interests? Please list your fossil fuel and agricultural donors, dates, and amounts.

I do not manage or control Oklahoma Strong PAC. Questions relating to its donors would need to be directed to those who do.

97.How much total money did Liberty 2.0, the SuperPAC created to help get you elected, receive from fossil fuel and agricultural interests? Please list your fossil fuel and agricultural donors, dates, and amounts.

I do not manage or control Liberty 2.0. Questions relating to its donors would need to be directed to those who do.

98.Did you or anyone working for you or on your behalf ever solicit money for Oklahoma Strong or Liberty 2.0 from fossil fuel and agricultural interests? If so, when, from whom, and what was the result? Please note any solicitations that were made in which you mentioned work done in your official capacity as Attorney General of Oklahoma and what that work was.

I solicited funds for Oklahoma Strong PAC from a broad array of individuals and corporations representing many different industries. While I do not recall specific solicitations, given my state's deep ties to farming and oil and

AMERICAN OVERSIGHT

gas, I do not doubt that I at some point fundraised from individuals with some connection to those industries. Staff members of the Oklahoma Strong PAC may have records of such solicitations, so requests for details would have to be made to that entity. I have on occasion solicited funds for Liberty 2.0, and records of those solicitations may be maintained by the staff of that organization, so requests for details would have to be made to that entity. I do not recall the contents of any specific conversations that I may have had in this context.

99.During the hearing, I asked if you led the Rule of Law Defense Fund. In response, you stated you had "been an officer of the organization [Rule of Law Defense Fund] for 2016." Your EPW questionnaire states you were a board member or chairman at the Rule of Law Defense Fund between November 2013 and December 2016 while your OGE disclosure says you were a member of the board or Chair between April 2014 and December 2016. Please clarify when you were you a board member of the Rule of Law Defense and when were you the Chair.

I served on the Board of Directors of the Rule of Law Defense Fund from April 2014 until November 2016. I served as Chairman of the Board of Directors of the Rule of Law Defense Fund from November 2015 to November 2016.

100.During the hearing, I asked if you've ever solicited funds for RAGA and you stated you "did not serve in an officer capacity at that entity [RAGA]." On your EPW disclosure form you stated you were a member of the executive committee between November 2013 and November 2015. As discussed, OGE doesn't require you to disclose your relationship with RAGA or other 527 political organizations. Your LinkedIn and campaigns pages state you were chair of RAGA for two terms and RAGA's website indicates you were the RAGA chair in 2012 and 2013. Please clarify when you've been chair of RAGA and when you've been on RAGA's executive committee. Did you provide any information about your relationship with RAGA to OGE or EPA when they were reviewing your conflicts of interest?

I served as Chairman of the Republican Attorney Generals Association from November 2011 to November 2013. These dates represent "two terms" of serving as Chairman. Thereafter, I was a member of the Executive Committee from November 2013 to November 2015. I made all required disclosures to OGE and EPA ethics counsel, including disclosures about my relationship to RAGA.

101.RAGA has given other Republican attorneys general call sheets to solicit on its behalf. Have you or any person working on your behalf ever received call sheets from RAGA asking you to solicit money or event sponsorships? If so, when, for what purpose, who was on your list to contact, who if anyone did you or

AMERICAN OVERSIGHT

any member of your staff make contact any of the listed people/entities, and how much money and which sponsorships was given to RAGA as a result?

I did receive call sheets to solicit funds and/or event sponsorships for RAGA and I did make contact with the listed people/entities. The exact dates, the purpose, and who was called are records that are kept by RAGA, and those requests would need to be made to RAGA. Similarly, I do not have records of how much money or sponsorships were raised as a result - those records are kept by the Republican Attorneys General Association.

102.Besides call sheet efforts, did you or any person working on your behalf ever solicit money for RAGA? If so, when, from whom, for what purpose, and what was the result?

No one else working on my behalf has solicited funds for RAGA. In addition to call sheet efforts, I have asked for funds from individuals/entities in person for RAGA. Records of exact dates, names of individuals and entities and how much money was solicited are kept by the staff of RAGA.

103.In 2015, you were on the agenda to speak on a panel entitled, "The Dangerous Consequences of the Clean Power Plan and other EPA Rules" during RAGA's National Summer meeting that included several fundraisers. The agenda for that meeting included private meetings with attorneys general and Murray Energy, Southern Company, and American Fuel Petrochemical Manufacturers. According to RAGA's 2015 and 2016 member benefits descriptions, donors that contribute $50,000 or more have an "annual opportunity to lead private briefings with Republican attorneys general during RAGA events" and attend other private events, including private dinners and retreats, at which Republican attorneys general are present. Did you or any person working on your behalf attend any of the private meetings with Murray Energy, Southern Company, and/or the American Fuel Petrochemical Manufacturers during the 2015 Summer National RAGA meeting? If yes, please provide a list of meeting attendees, any minutes/notes taken, and describe any conversations about EPA matters.

I do not recall which meetings I attended at the event you reference.

104.During your time as a member of RAGA, have you or any person working on your behalf attended any private meetings or functions with co-plaintiffs or amici for any of the 14 cases you brought against EPA? If yes, please provide a description of the meeting, the date, a list of meeting/event attendees, any minutes/notes taken, and describe any conversations about EPA matters.

AMERICAN OVERSIGHT

I do not recall private meetings or functions with a co-plaintiff or amici while at a RAGA event, and do not know of any instance where a person working on my behalf attended such a meeting. In instances where a case is being litigated, counsel for each plaintiff or amici will routinely speak about matters related to the litigation, as court rules and other procedural matters often require such communications.

105.RAGA indicates that it raises and spends considerable amounts of money to support the election campaigns of Republican attorneys general. Please detail all expenditures from RAGA used to support your position in office, including but not limited to election campaign spending, contributions to other groups and PACs, and opposition research. Please detail any actions that you or your staff have taken to support the fundraising of RAGA for its campaign spending.

RAGA's Oklahoma PAC contributed $5,000 to Scott Pruitt for Attorney General in April, 2014. Inquiries about what other groups and third parties RAGA may have contributed to, or research they conducted would have to be directed to RAGA.

106.RAGA has indicated it has chartered flights for Republican attorneys general. Have you ever been a passenger on a RAGA-chartered flight? If so, when and where did you travel to and from? Did RAGA ever cover or reimburse you for transportation and accommodation? If so, please itemize when, for what, and the value.

Yes, I recall I was a passenger on a chartered flight to and from Las Vegas, Nevada in the fall timeframe of 2014. RAGA has covered the cost of flights and accommodations for me when I have attended RAGA meetings. I do not keep itemized records of these expenses, flights and accommodations are booked directly by RAGA staff.

107.While you were on the board of RLDF, did it cover any chartered flights on which you were a passenger or any of your transportation and accommodation costs? Please itemize any chartered or commercial flights, accommodations, and other travel-related expenses that exceed $100, and the value that RLDF covered.

As far as I am aware, RLDF has never covered the cost of chartered flights for me or my staff. RLDF has covered costs of transportation and accommodations when I traveled on behalf of RLDF for meetings, panels, and other policy-related events. The staff of RLDF booked travel and accommodations for me directly, and records of the costs and expenses are kept by Rule of Law Defense Fund staff and are not in my possession.

AMERICAN OVERSIGHT

108.In 2014 and 2015, while you were on the board or Chairman of RLDF, it contributed over half a million dollars to RAGA. Please list each transaction and the purpose of the transaction.

Records of transactions between those entities are held by Republican Attorneys General Association staff and Rule of Law Defense Fund staff and are not in my possession.

109.As Attorney General, you have jointly signed numerous letters with other Republican attorneys general, such as your letter of June 15 2016 outlining your opposition to state investigations of ExxonMobil. What role did the Rule of Law Defense Fund have in preparing and coordinating release of any letters signed by you as Attorney General? What role did the Republican Attorneys General Association have in preparing and coordinating release of any letters signed by you as Attorney General? What role did any corporate funder of Rule of Law Defense Fund or Republican Attorneys General Association have in preparing and coordinating release of any letters signed by you as Attorney General?

I am not aware of what steps may have been taken by the Rule of Law Defense Fund in preparing or coordinating letters. Day to day operations of the Rule of Law Defense Fund are delegated to staff of the organization. I am unaware of any role by RAGA in preparing or coordinating release of letters. My understanding is that such letters are typically released by the office who took the lead on preparing the letter. I am unaware of any corporate funder of either RAGA or RLDF having any role in preparing or coordinating the release of letters signed by my office.

110.During your time on the board or as Chairman of Rule of Law Defense Fund, did corporate donors to that organization participate in any meeting of the executive committee, including board meetings, phone calls or retreats, during which any EPA matters were discussed? If yes, which corporations participated, what was the nature of the event, and how did they participate (e.g., in person, by phone)?

During my time as Chairman of Rule of Law Defense Fund, I cannot ever recall a time when "corporate donors" participated in a meeting of the executive committee, including board meetings, phone calls or retreats during which EPA matters were discussed. However, members and funders of the Rule of Law Defense Fund were invited to attend large group panel discussions hosted by RLDF where several EPA matters were discussed. Any records of attendees at those meetings would be in the possession of the Rule of Law Defense Fund staff.

AMERICAN OVERSIGHT

111.During your time as attorney general, have you received gifts or in-kind donations that exceed $100 from any entities besides RAGA and RLDF? If so, please list when, from whom, and describe if it was related to a specific event or commitment.

I do not recall receiving gifts with a value of more than $100 from RAGA and/or RLDF. I have, as stated before, had travel and accommodations provided for me when I traveled to and from RAGA or RLDF meetings.

112.Will you commit to recusing yourself from matters before EPA involving any party from whom you have solicited funds during your time as Attorney General of Oklahoma?

Before participating in any matters involving specific parties where I believe that my impartiality may be questioned, I will consult with relevant federal ethics officials and provide them with all relevant facts.

113.Under your predecessors, senior EPA managers' schedules have been available to the public. If confirmed, do you agree to make senior managers' schedules available as well?

If confirmed, I will commit to following applicable laws concerning the public availability of schedules for senior managers.

114.How many email addresses have you used since becoming Attorney General of Oklahoma? How many do you still use? Please provide the domains of all email addresses you've used during your time as Attorney General of Oklahoma, along with the dates used, and note whether they were personal, professional, or both.

I have used two e-mail addresses since becoming Attorney General of Oklahoma. I use a personal e-mail address for personal e-mail, and an official e-mail address for official business. The domain of my personal e-mail address is me.com and the domain of my official e-mail address is oag.ok.gov.

115.Have you ever conducted business using your personal email accounts, non-official Oklahoma Attorney General email accounts, text messages, instant messenger, voicemails, or any other medium? If yes, please provide all business-related emails, texts, from those mediums and any others you've used to conduct official business.

I use only my official OAG email address and government issued phone to conduct official business.

AMERICAN OVERSIGHT

116.In a recent Oklahoma Strong fundraising email, you said:"...As Chairman of the Rule of Law Defense Fund, the policy arm for Republican Attorneys General, I asked my fellow AGs to sign onto a letter urging Senate Majority Leader McConnell and Judiciary Chairman Grassley to stand strong and continue to hold fast against this [Merrick Garland] nomination." What email address did you use to get the other attorneys general to sign onto this letter? What if any groups solicited signatures from other attorneys general? Did you ask Democrats to sign the letter or just Republicans?

I do not recall using any email address to solicit signatures. I have no knowledge of what other groups may have solicited signatures from attorneys general. I do not recall asking any Democrats to support the letter.

117.If confirmed, do you commit to notifying the Committee of all of the email addresses you plan to use upon confirmation and within seven days of using a new email address, including any aliases or pseudonyms? Do you commit do conducting all business using official email addresses and other means and to refrain from any mediums that are outside the Freedom of Information Act's reach?

If confirmed, I commit to notifying the Committee of the e-mail address I use for official business. I will use my official e-mail address for official EPA related business.

118.The office of the Oklahoma AG's budget and FTEs have grown significantly while you've been in office and you indicated you have seven FTEs, accounting for $679,000 in salaries, focused on "environmentally-related responsibilities." What is the breakdown of budget and FTEs dedicated to challenging EPA vs. criminal and civil environmental cases?

The Office's budget and expenditures can fluctuate greatly year over year depending on the timing of case settlements and related distributions. For example in fiscal year 2014, the Attorney General's Office distributed higher than normal case settlement funds that inflated the budget over typical levels. Conversely, that total came down in fiscal years 2015 and 2016. Thus, fluctuations such as the one assumed by your question do not accurately reflect the size of the Office's budget. In my tenure as Attorney General, the Oklahoma Office of the Attorney General streamlined legal services for dozens of agencies, returned $29 million to the General Revenue Fund, distributed mortgage settlement restitution funds to impacted citizens, strengthened tobacco enforcement, and led the Office in such a fiscally responsible manner that the Office was able to forego all $6.4

AMERICAN OVERSIGHT

million in state-appropriated operating funds for fiscal year 2017--that in addition to the Office having its annual appropriation cut in every prior year. The Office of Attorney General was the only state agency to voluntarily do this. During my tenure, the Office assumed the statutory duties of the Human Rights Commission through our Office of Civil Rights Enforcement, strengthened tobacco settlement enforcement efforts, and launched the Solicitor General's Unit. The Office also increased by one third the number of agencies, commissions, or boards which it represents. This has led to a precipitous decline in state agency usage of costly private counsel. It is these and other efforts that have permitted the Office to contribute approximately $29 million to the General Revenue Fund over the last six years. With regard to FTEs related "to challenging EPA vs. criminal and civil environmental cases," the Office currently has four FTEs whose responsibilities would include (among many other things) challenges to EPA rulemakings or other actions.

119.As submitted for the record, here are some statistics from Drew Edmonson's Environmental Unit (1997 to 2010): Criminal matters
142 criminal investigations; 56 federal or state prosecutions; 110 felony counts convictions of individuals; 21 misdemeanor count convictions of individuals; 10 felony counts convictions of corporations; 3 misdemeanor count convictions of corporations; 28 years of jail time; $8M in fines. Is it still your position that the Environmental Protection Unit was only handling one case when you took office?

I am not familiar with the cases being handled prior to my taking office. As I have stated, when I took Office, the primary focus of the "environmental protection unit" was a single lawsuit relating to poultry farms.

120.We reviewed the Oklahoma Attorney General's website between when you took office and the present and found no press releases on criminal or civil environmental enforcement matters. For this review, we did not include lawsuits by Oklahoma against EPA. Why were there no environmental enforcement matters listed on your website as of January 17, 2017?

I have not reviewed the website, so I am not familiar with what matters are or are not listed.

121.What specific reductions in air, water, or solid waste pollution have resulted from your environmental enforcement actions as Attorney General?

Environmental regulation in Oklahoma is the responsibility of Oklahoma's environmental regulators at agencies like the Oklahoma Department of Environmental Quality and the Oklahoma Water Resources Board. The

AMERICAN OVERSIGHT

Office of Attorney General sometimes provides legal services to those agencies with regard to environmental issues, and in that capacity the Office has, for example, negotiated a consent decree requiring a large concentrated animal feeding operation to clean up its operations to prevent water pollution, and negotiated an agreement whereby Arkansas agreed to a stringent phosphorous standard in the Illinois River.

122.How many criminal investigations, federal prosecutions, state prosecutions, felony count convictions of individuals, misdemeanor count convictions of individuals, felony count convictions of corporations, misdemeanor count convictions of corporations, years of jail time, and cumulative fines resulted from environmental cases you initiated? Please list and describe any civil suits and actions you initiated.

To list and describe every civil suit and action initiated by the Office of Attorney General would be all but impossible. Each attorney is responsible for maintaining their own case files, and the Office employs many attorneys across many different units who litigate civil matters of all kinds. In order for you to receive a comprehensive response to a voluminous request of that nature requesting information on all matters, I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act, and to the extent it is even possible to compile such a list, the Office would make efforts to do so.

123.The Center for Media and Democracy ORA request is dated on or about January 5, 2015. During the hearing, you said, "I actually have a general counsel and an administrator in my office that are dedicated to performing or providing responses to open records requests." In response to questions about the January 5, 2015 request, your general counsel apologized for the delayed response and explained she was busy with other duties. What percentage of time do each of the two staff you mentioned dedicate to responding to Open Records Act requests? Have you communicated with your office's general counsel or any other attorney handling ORA requests to discuss the timing of your office's response to any specific request? If so, please identify which requests you discussed, the dates of those discussions, and the substance of your discussions.

The Office of Attorney General employs a paralegal who intakes requests, opens files, and searches for documents responsive to each Open Records Act request. Once the search is complete, the office's general counsel must review each document to ensure it does not contain information required to be kept confidential under state and federal laws. Along with overseeing the Open Records Act process, the office's general counsel is responsible for overseeing many other programs and statutory duties with which the Office is tasked. I am unaware of what percentage of time is spent solely on Open Records Act requests. I do not recall any conversations with individuals in my office regarding the timing of Open Records Act responses.

AMERICAN OVERSIGHT

124. In a letter regarding this request, your general counsel stated your office processes "these requests in the order in which they are received." How long has that been the policy of your office? Have you fulfilled any ORA requests submitted since at least January 5, 2015?

To my knowledge, that is how the office has historically processed such requests. I am not aware of which requests submitted since January 5, 2015 have or have not been responded to.

125.According to a recent E&E article, your office has 52 outstanding open records requests. Please provide a list of all pending FOIA, Open Records Act or other similar information requests under Oklahoma state law, by whom, and when each was a filed.

I am not familiar with the pending requests. Such a requests should be directed to the Office of Attorney General's general counsel, who can provide such a list.

126.The public and this Committee, in fulfilling our constitutional advice and consent duties, have a right to see information pursuant to the Open Records Act. Please produce all of the following material that has been requested under the Open Records Act prior to November 8, 2016: related to RAGA, RLDF, Liberty 2.0, Oklahoma Strong, and any other 527s, 501(c)(3), and 501(c)(4)s, including the State Policy Network and ALEC; correspondence with the fossil fuel and agriculture industries and any other industries regulated by EPA; any other material related to energy, environment, agriculture, and EPA.

If Open Records Act requests for such information have been made, as your question suggests, those requests will be answered in the normal course.

127.Please provide a list of all Open Records Act requests your office has received during your tenure, from whom and when, the number of days it took to produce the requested documents or decline the request, the outcome of those requests including whether any decisions have been or currently are being challenged in court, and share the following material that has been disclosed as a result of those requests with the Committee: related to RAGA, RLDF, Liberty 2.0, Oklahoma Strong, and any other 527s, 501(c)(3), and 501(c)(4)s, including State Policy Network and ALEC; correspondence with the fossil fuel and agriculture industries and any other industries regulated by EPA; any other material related to energy, environment, agriculture, and EPA.

AMERICAN OVERSIGHT

In order for you to receive a comprehensive response to a voluminous request of that nature, I would direct you to make a request of the Oklahoma Attorney General's Office under the Oklahoma Open Records Act.

128.What was the average length of time it took your office to fulfill open record act requests to your office between January 2011 and December 6, 2014? What was the average length of time it took your office to fulfill open record act requests to your office from December 7, 2014 to the present? What, if any, steps has your office taken to improve the timeliness of your open records act responses?

I am not aware of what the average length of time my office took to fulfill open record act requests is. I have directed my staff to respond to all open records act requests in a timely and efficient manner.

129.Under what circumstances would it be appropriate for EPA to fail to respond to a FOIA request for 700 days?

I am not in a position to render an opinion a hypothetical given that different open record requests raise issues specific to the particular requests at issue. However, I appreciate the importance of openness and transparency, and if confirmed I will work to ensure EPA complies with all legal requirements concerning the implementation of the Freedom of Information Act and other statutes EPA is responsible for administering.

130.Why did you fail to disclose records on your office's expenditures on outside attorneys, as is required under Oklahoma state law, until contacted by a reporter? Why did you not hold your own office's spending practices to the same standard expected of other Oklahoma state offices?

The Office of Attorney General complies with its legal obligations relating to outside counsel, and discloses any outside counsel contracts when asked.

131.Is it correct that your office has spent over $1 million in outside lawyer expenses during your tenure? Please explain the unreported increase in expenses.

The bulk of the outside counsel expenses incurred by the Office during my tenure relate to a single dispute over water rights in southeastern Oklahoma. The Legislature specially appropriated funds to my office for the specific purpose of retaining outside counsel with expertise relevant to that tribal water law issue.

AMERICAN OVERSIGHT

132.Oklahoma state law requires that state agencies select attorneys from a pre-approved list. Several of the outside attorneys that your office has hired are not included on the list of approved attorneys. Why didn't you comply with this requirement?

Because the Office of Attorney General maintains the referenced list, and is authorized to allow representation from attorneys not on the list, the Office of Attorney General plainly has the discretion to allow representation from attorneys not on the list.

133.You have not released records on your contracts with outside attorneys, as required under Oklahoma state law. Please provide all contracts, including any related to pro-bono work. Have any private interests been funding outside attorneys representing your office in lawsuits against the federal government? If so, who, why, and in what amounts? For any pro-bono work, is that an in-kind donation that should be recorded and accounted for in your office's accounting? Has your office done so? Please provide a list of these in-kind donations, from whom, when the work was done, and the value.

A requests for such contracts can made to the Office of Attorney General pursuant to Oklahoma's Open Records Act. When my office retains outside counsel to assist on a matter, it either compensates those attorneys itself, or the outside counsel provides the services pro bono. I am not aware of any outside funding of pro bono counsel, and would not retain any pro bono counsel if they were being so funded. I am not aware of any requirement that pro bono legal services be considered an in kind donation to the Office of Attorney General.

134.You received campaign contributions from at least one of the attorneys that provided outside representation for Oklahoma—David Rivkin, of D.C. law firm BakerHostetler. Is there a prohibition on receiving campaign contributions from those in a contractual relationship with your office? Was your contribution from Mr. Rivkin in compliance with such requirements?

I am not aware of any such requirements. In any event, Mr. Rivkin received no compensation from the Office for the legal services he provided.

135.Are you aware of any payments made to Mr. Rivkin from other parties in return for his representation of your state?

I am unaware of any payments made to Mr. Rivkin from any other parties in return for his representation.

AMERICAN OVERSIGHT

136.Did you contact Mr. Rivkin about representing the State of Oklahoma, did he contact you, or did a third-party made the connection? Please explain.

I cannot recall the exact circumstances leading to Mr. Rivkin's representation, or who initiated the contact. Mr. Rivkin has represented over half of our Nation's states on various matters, and is a well-recognized expert on constitutional questions, particularly those relating to States and their federalism interests.

137.According to your questionnaire, you've given dozens of environment-related speeches in Oklahoma and around the country, many to industry groups. Have you ever given one to a public health group, environmental NGO, or scientific society? You've received various awards, several from industry groups. Have you ever received an award from a public health or environmental group for protecting public health? How about environmental quality? Have you ever received an award from a scientific society?

I have given dozens of speeches on a wide variety of topics to many different groups and industries. I do not recall a specific public health group, NGO or scientific society I have spoken to. I do not recall receiving awards from a public health or environmental group or a scientific society.

138.Please provide any correspondence or details about other communication between you or anyone working on your behalf concerning the establishment or activities of America Rising, America Rising Squared, and Protecting America Now, and any other organizations that are funding efforts to get you confirmed as EPA Administrator.

I am not aware of any such correspondence.

139.You wrote an op-ed attacking efforts to investigate whether Exxon deliberately misled investors and the public despite internal research confirming that climate change is real. Please describe any conversations you've had with political donors to you or your affiliated political action committees, RAGA, Rule of Law Defense Fund, or co-plaintiffs or amici in your cases against EPA about ExxonMobil's potential liability under federal or state law regarding climate change (e.g., federal RICO, New York state's Martin Act, etc.), including the date and substance of those conversations.

I do not recall any such conversations.

AMERICAN OVERSIGHT

140.During your time as the Attorney General of Oklahoma, have you or anyone in your immediate family owned any stocks of companies that were co-plaintiffs or amici in any of your 14 cases against the EPA, including ExxonMobil, Devon Energy, Murray Energy, Southern Company, and Continental Resources. If yes, please list the stock, dates held, and amount.

To my knowledge, no, and a list of my investments has been provided as part of my financial disclosures.

141.In implementing the Lautenberg Act, EPA, consistent with congressional intent, issued a notice making it clear that substantiation of all non-exempt confidential business information (CBI) claims is required upfront. Do you commit to ensuring the EPA follows and upholds that requirement?

As I have previously stated I believe the Lautenberg Act struck an appropriate balance between protecting confidential business information and informing the public and I intend to apply the law as drafted by congress.

142.In a speech at Hillsdale College on June 30, 2016, you referred to a three-hour private, basement meeting with Supreme Court Justices Scalia and Thomas, Leonard Leo of the Federalist Society, and other unidentified people. Referring to Justice Scalia, you said: Leonard [Leo] blessed me on a number of occasions to spend some quality time, personal time, with the previous justice. In fact, I remember one year about three years ago, I was here for a Federalist Society event, their annual meeting that occurs in November. Leonard said 'Scott, stay over, I'd like for you to go dinner on Friday night'… we went to a basement in Washington DC, there were about ten of us in attendance. Two of those folks in attendance were Justice Scalia and Justice Thomas. And we spent three hours talking about the constitution and things that were involved in as attorneys general. It was a fabulous time.

What was the date of this basement meeting? Please provide a complete list of the participants. Please list all cases pending before the Supreme Court at the time of this meeting in which the State of Oklahoma was a party and/or on which you or an attorney in your office was counsel of record. During the basement meeting, was there any discussion or mention of EPA, the environment, public health, environmental or public health regulations, environmental laws including but limited to the Clean Air Act, the Clean Water Act, NEPA, mercury, cross-state air pollution, Renewable Fuels Standards, ozone standards, endangerment from GHGs, regional haze, or climate change. If so, please identify the specific topics that were discussed or mentioned. Have you ever had any other private meetings with any other state or federal judges or justices while you had cases pending before their courts? Which cases? Please describe any such meeting, including the dates, locations, attendees, and topics discussed.

AMERICAN OVERSIGHT

I do not recall the date of the dinner to which you refer, but I believe it was in November 2013. It was a private dinner. I am not aware of any matters that my office had pending before the Supreme Court at the time. As far I recall, none of the topics you mentioned was discussed, nor was any specific matter of any sort discussed. I am not aware of any other meetings of the sort to which you refer. In my capacity as attorney general, I am often at events with judges or justices of various sorts, but no discussion of pending matters would ever occur in any social interactions we might have.

143.The lifetime emissions of any energy source should be considered in the context of necessary extraction techniques as well as transportation of the fuel, among other issues. For example, transporting crude via pipeline clearly creates fewer emissions than transporting it via other sources in terms of fossil fuel energy. Without knowing the specifics of all of these factors in a given instance, it is difficult to identify which sources may result in greater emissions.

The role of the United States in the Paris Agreement is a State Department matter. If confirmed, I will work to advance the mission of the EPA, which is to protect human health and the environment, consistent with the State Department's strategy for international engagement on climate change.

144. Do you support the amendment to the Montreal Protocol to phase down HFCs?

Should the State Department decide to advance the Kigali Amendment to the Montreal Protocol and if I am confirmed as Administrator, I will work with all involved agencies and impacted stakeholders to ensure that EPA's actions related to hydrofluorocarbons (HFCs) are coordinated accordingly.

AMERICAN OVERSIGHT

To: Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Woolford, James
Sent: Wed 12/20/2017 3:43:34 PM
Subject: Re: Google Alert - Superfund

Just tried. Listen to VM. After 1230/1245.

Sent from my iPhone, please excuse spelling errors.
Thanks, Jim.

On Dec 20, 2017, at 10:26 AM, Falvo, Nicholas <falvo.nicholas@epa.gov> wrote:

Give me a call.

(202) 564-5075

From: Woolford, James
Sent: Wednesday, December 20, 2017 10:26 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Fwd: Google Alert - Superfund

Are you familiar with the following articles on the TF? If someone said this... it's wrong.

Sent from my iPhone, please excuse spelling errors.

Thanks, Jim.

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: December 20, 2017 at 7:01:03 AM EST
To: woolford.james@epa.gov
Subject: Google Alert - Superfund

Superfund

Daily update □ December 20, 2017

NEWS

AMERICAN OVERSIGHT

EPA Says **Superfund** Task Force Left Behind Little Paper Trail

U.S. News & World Report

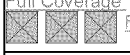
EPA Says **Superfund** Task Force Left Behind Little Paper Trail. EPA says an internal task ... EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said would reprioritize and streamline procedures for remediating more than 1,300 sites. In June, the group issued 42 ...

EPA says **Superfund** Task Force left behind little paper trail - Minneapolis Star Tribune

EPA says **Superfund** Task Force left behind little paper trail - Dayton Daily News

EPA puts 6 companies on the hook for East Chicago cleanup - E&E News

Full Coverage


Flag as irrelevant

Agreement Sets Pollution Testing Plan For Portland Harbor **Superfund** Site

OPB News

The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor **Superfund** site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the ...

Flag as irrelevant

Lincoln school on board for **Superfund** cleanup

LaSalle News Tribune

The La Salle Elementary School board on Tuesday approved allowing the U.S. Environmental Protection Agency to sample for and, if necessary, clean up contaminated soil on the Lincoln Junior High School grounds as part of the EPA's **Superfund** cleanup of the Matthiessen and Hegeler Zinc smelting ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

TRIBUNE FILE PHOTO: STEVE LAW - Travis Williams of Willamette Riverkeeper, in center, Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

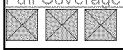
Pamplin Media Group

Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the companies to fund and oversee a round of environmental sampling to determine baseline ...

EPA, four companies reach key Portland Harbor **Superfund** cleanup deal - Portland Business Journal

AMERICAN OVERSIGHT

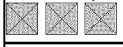
Full Coverage

 Flag as irrelevant

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

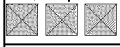
This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek **Superfund** site located on Quapaw land in Northeast Oklahoma. Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen.

 Flag as irrelevant

Industry **super fund** names new chair

Financial Standard

An industry **super fund** with more than $3.5 billion under management will see in the New Year with a new independent chair. Former general counsel of Australian Unity Kirsten Mander stepped up to the role on December 15, replacing David Miles retired after 12 years at the helm. Mander has accrued ...

 Flag as irrelevant

More tax on super, but savers are winners anyway

The Australian Financial Review

Mr Clare said the headline tax rate for **super fund** earnings was 15 per cent but when tax breaks were taken into account the average rate was only about 8 per cent. "The government takes 8 per cent of the higher-than-assumed investment returns and the fund members are actually taking 92 per cent, ...

Flag as irrelevant

Three Months After Harvey, Water Quality Questions Linger

Water Online (press release)

Even three months after Hurricane Harvey hit land and decimated areas of Texas, there are still questions about the water quality aftermath. In particular, as storm waters washed over so-called “**Superfund** sites,” federally-designated areas containing hazardous waste, they brought unknown levels of ...

Flag as irrelevant

This is how your investments are taxed

Yahoo7 News

Recent research shows that 36% of the adult Australian population own investments listed on the stock market. That's nearly 6.5 million investors, some investing as individuals and some investing through Self- Managed **Super Funds** (SMSFs). Millions more own shares in privately owned companies, ...

Flag as irrelevant

You have received this email because you have subscribed to **Google Alerts**.

Unsubscribe
Receive this alert as RSS feed
Send Feedback

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Woolford, James
Sent: Wed 12/20/2017 3:25:33 PM
Subject: Fwd: Google Alert - Superfund

Are you familiar with the following articles on the TF? If someone said this... it's wrong.

Sent from my iPhone, please excuse spelling errors.
Thanks, Jim.

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: December 20, 2017 at 7:01:03 AM EST
To: woolford.james@epa.gov
Subject: Google Alert - Superfund

Superfund

Daily update ▫ December 20, 2017

NEWS

EPA Says **Superfund** Task Force Left Behind Little Paper Trail

U.S. News & World Report
EPA Says **Superfund** Task Force Left Behind Little Paper Trail. EPA says an internal task ... EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said would reprioritize and streamline procedures for remediating more than 1,300 sites. In June, the group issued 42 ...
EPA says **Superfund** Task Force left behind little paper trail - Minneapolis Star Tribune
EPA says **Superfund** Task Force left behind little paper trail - Dayton Daily News
EPA puts 6 companies on the hook for East Chicago cleanup - E&E News
Full Coverage
Flag as irrelevant

Agreement Sets Pollution Testing Plan For Portland Harbor **Superfund** Site

OPB News
The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor **Superfund** site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the ...
Flag as irrelevant

Lincoln school on board for **Superfund** cleanup

LaSalle News Tribune
The La Salle Elementary School board on Tuesday approved allowing the U.S. Environmental Protection Agency to sample for and, if necessary, clean up contaminated soil on the Lincoln Junior High School grounds as part of the EPA's **Superfund** cleanup of the Matthiessen and Hegeler Zinc smelting ...
Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group
TRIBUNE FILE PHOTO: STEVE LAW - Travis Williams of Willamette Riverkeeper, in center, Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S.

AMERICAN OVERSIGHT

Environmental Protection Agency announced Tuesday that it signed a consent order with the ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the companies to fund and oversee a round of environmental sampling to determine baseline ...

EPA, four companies reach key Portland Harbor **Superfund** cleanup deal - Portland Business Journal

Full Coverage

Flag as irrelevant

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek **Superfund** site located on Quapaw land in Northeast Oklahoma. Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen.

Flag as irrelevant

Industry **super fund** names new chair

Financial Standard

An industry **super fund** with more than $3.5 billion under management will see in the New Year with a new independent chair. Former general counsel of Australian Unity Kirsten Mander stepped up to the role on December 15, replacing David Miles retired after 12 years at the helm. Mander has accrued ...

Flag as irrelevant

More tax on super, but savers are winners anyway

The Australian Financial Review

Mr Clare said the headline tax rate for **super fund** earnings was 15 per cent but when tax breaks were taken into account the average rate was only about 8 per cent. "The government takes 8 per cent of the higher-than-assumed investment returns and the fund members are actually taking 92 per cent, ...

Flag as irrelevant

Three Months After Harvey, Water Quality Questions Linger

Water Online (press release)

Even three months after Hurricane Harvey hit land and decimated areas of Texas, there are still questions about the water quality aftermath. In particular, as storm waters washed over so-called "**Superfund** sites," federally-designated areas containing hazardous waste, they brought unknown levels of ...

Flag as irrelevant

This is how your investments are taxed

Yahoo7 News

Recent research shows that 36% of the adult Australian population own investments listed on the stock market. That's nearly 6.5 million investors, some investing as individuals and some investing through Self- Managed **Super Funds** (SMSFs). Millions more own shares in privately owned companies, ...

Flag as irrelevant

You have received this email because you have subscribed to **Google Alerts**.
Unsubscribe

Receive this alert as RSS feed

Send Feedback

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Kelly, Albert[kelly.albert@epa.gov]; Wagner, Kenneth[wagner.kenneth@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Ferguson, Lincoln
Sent: Mon 4/16/2018 4:56:25 PM
Subject: Re: APPROVAL -- Lincoln

In the past when we've commented on this matter it has been from Ryan, I believe. I'd recommend it coming from Ryan or an EPA spokesman

Sent from my iPhone

On Apr 16, 2018, at 12:54 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Thanks everyone. Lincoln should these answers be from SP, you or someone else?
>
> **From:** Kelly, Albert
> **Sent:** Monday, April 16, 2018 11:11 AM
> **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>
> **Cc:** Wagner, Kenneth <wagner.kenneth@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
> **Subject:** Re: APPROVAL -- Lincoln
>
> As to question 3, it is entirely the decision of Attorney General Hunter
>
> Sent from my iPhone
>
> On Apr 16, 2018, at 10:01 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
>
>> SP wanted me to run these two answers by you. Can you look at them and get back to me by 12p.
>>
>> On Apr 13, 2018, at 5:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
>>
>>> Lincoln –
>>>
>>> I need SP to review and approve this on his plane ride. If it's easier I can print it off and drop it off at his apartment.
>>>
>>> 1) How does administrator Pruitt respond to the assertion of state auditors,

AMERICAN OVERSIGHT

writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

•□□□□□□□ **"Two years after then-Attorney General Pruitt requested the audit, the State Auditor returned his findings. The attorneys in the Attorney General's office who oversee the grand jury determined the audit did not present enough evidence to present the grand jury. After another full year of investigations, the audit at best offered by its own admission circumstantial evidence. If after three years of investigation the State Auditor still cannot produce enough evidence, moving forward was hardly the best use of state resources. During the same time the EPA Inspector General released an audit reviewing similar information finding 'this investigation revealed no evidence to support an allegation by the complaints.'"**

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

•□□□□□□□ **"It is entirely the decision of Attorney General Hunter."**

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

•□□□□□□□ **"No."**

From: Wilcox, Jahan
Sent: Thursday, April 12, 2018 6:02 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

AMERICAN OVERSIGHT

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Malcolm Burnley <Ex. 6 - Personal Privacy>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue

AMERICAN OVERSIGHT

prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

AMERICAN OVERSIGHT

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Kelly, Albert[kelly.albert@epa.gov]
Cc: Wagner, Kenneth[wagner.kenneth@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Wilcox, Jahan
Sent: Mon 4/16/2018 4:54:49 PM
Subject: RE: APPROVAL -- Lincoln

Thanks everyone. Lincoln should these answers be from SP, you or someone else?

From: Kelly, Albert
Sent: Monday, April 16, 2018 11:11 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Wagner, Kenneth <wagner.kenneth@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Re: APPROVAL -- Lincoln

As to question 3, it is entirely the decision of Attorney General Hunter

Sent from my iPhone

On Apr 16, 2018, at 10:01 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> SP wanted me to run these two answers by you. Can you look at them and get back to me by 12p.
>
> On Apr 13, 2018, at 5:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
>
> > Lincoln –
> >
> > I need SP to review and approve this on his plane ride. If it's easier I can print it off and drop it off at his apartment.
> >
> > 1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?
> >
> > 2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy

AMERICAN OVERSIGHT

worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

• **"Two years after then-Attorney General Pruitt requested the audit, the State Auditor returned his findings. The attorneys in the Attorney General's office who oversee the grand jury determined the audit did not present enough evidence to present the grand jury. After another full year of investigations, the audit at best offered by its own admission circumstantial evidence. If after three years of investigation the State Auditor still cannot produce enough evidence, moving forward was hardly the best use of state resources. During the same time the EPA Inspector General released an audit reviewing similar information finding 'this investigation revealed no evidence to support an allegation by the complaints.'"**

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

• **"It is entirely the decision of Attorney General Hunter."**

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

• **"No."**

From: Wilcox, Jahan
Sent: Thursday, April 12, 2018 6:02 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

AMERICAN OVERSIGHT

From: Malcolm Burnley <Ex. 6 - Personal Privacy>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

His exact response was "I know the decision I made at that time was

AMERICAN OVERSIGHT

based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

AMERICAN OVERSIGHT

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Wagner, Kenneth[wagner.kenneth@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Wilcox, Jahan
Sent: Mon 4/16/2018 3:26:55 PM
Subject: RE: APPROVAL -- Lincoln

Ex. 5 - Deliberative Process

From: Wagner, Kenneth
Sent: Monday, April 16, 2018 11:14 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: RE: APPROVAL -- Lincoln

On number 3, I might suggest:

Ex. 5 - Deliberative Process

From: Wilcox, Jahan
Sent: Monday, April 16, 2018 11:01 AM
To: Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: APPROVAL -- Lincoln

SP wanted me to run these two answers by you. Can you look at them and get back to me by 12p.

On Apr 13, 2018, at 5:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Lincoln –
>
> I need SP to review and approve this on his plane ride. If it's easier I can print it off and drop it off at his apartment.

AMERICAN OVERSIGHT

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

Ex. 5 - Deliberative Process

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Ex. 5 - Deliberative Process

From: Wilcox, Jahan
Sent: Thursday, April 12, 2018 6:02 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

AMERICAN OVERSIGHT

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Malcolm Burnley <Ex. 6 - Personal Privacy>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to

AMERICAN OVERSIGHT

protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

AMERICAN OVERSIGHT

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Wagner, Kenneth
Sent: Mon 4/16/2018 3:14:12 PM
Subject: RE: APPROVAL -- Lincoln

On number 3, I might suggest:

Ex. 5 - Deliberative Process

From: Wilcox, Jahan
Sent: Monday, April 16, 2018 11:01 AM
To: Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: APPROVAL -- Lincoln

SP wanted me to run these two answers by you. Can you look at them and get back to me by 12p.

On Apr 13, 2018, at 5:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Lincoln –
>
> I need SP to review and approve this on his plane ride. If it's easier I can print it off and drop it off at his apartment.
>
> 1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?
>
> 2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

AMERICAN OVERSIGHT

Ex. 5 - Deliberative Process

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Ex. 5 - Deliberative Process

From: Wilcox, Jahan
Sent: Thursday, April 12, 2018 6:02 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Malcolm Burnley <Ex. 6 - Personal Privacy>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>

AMERICAN OVERSIGHT

Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

AMERICAN OVERSIGHT

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Wagner, Kenneth[wagner.kenneth@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Kelly, Albert
Sent: Mon 4/16/2018 3:10:48 PM
Subject: Re: APPROVAL -- Lincoln

Ex. 5 - Deliberative Process

Sent from my iPhone

On Apr 16, 2018, at 10:01 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

SP wanted me to run these two answers by you. Can you look at them and get back to me by 12p.

On Apr 13, 2018, at 5:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Lincoln –

I need SP to review and approve this on his plane ride. If it's easier I can print it off and drop it off at his apartment.

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

Ex. 5 - Deliberative Process

AMERICAN OVERSIGHT

Ex. 5 - Deliberative Process

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Ex. 5 - Deliberative Process

From: Wilcox, Jahan
Sent: Thursday, April 12, 2018 6:02 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Malcolm Burnley <malcolm.burnley@gmail.com>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a

AMERICAN OVERSIGHT

news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for

AMERICAN OVERSIGHT

additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Woolford, James[Woolford.James@epa.gov]
From: Falvo, Nicholas
Sent: Wed 12/20/2017 3:50:23 PM
Subject: Re: Google Alert - Superfund

Try my cell.
Ex. 6 - Personal Privacy

Sent from my iPhone

On Dec 20, 2017, at 10:43 AM, Woolford, James <Woolford.James@epa.gov> wrote:

> Just tried. Listen to VM. After 1230/1245.
>
> Sent from my iPhone, please excuse spelling errors.
> Thanks, Jim.
>
> On Dec 20, 2017, at 10:26 AM, Falvo, Nicholas <falvo.nicholas@epa.gov> wrote:
>
> > Give me a call.
> >
> > Ex. 6 - Personal Privacy
> >
> > **From:** Woolford, James
> > **Sent:** Wednesday, December 20, 2017 10:26 AM
> > **To:** Falvo, Nicholas <falvo.nicholas@epa.gov>
> > **Subject:** Fwd: Google Alert - Superfund
> >
> > Are you familiar with the following articles on the TF? If someone said this... it's wrong.
> >
> > Sent from my iPhone, please excuse spelling errors.
> >
> > Thanks, Jim.
> >
> > Begin forwarded message:
> >
> > **From:** Google Alerts <googlealerts-noreply@google.com>
> > **Date:** December 20, 2017 at 7:01:03 AM EST

AMERICAN OVERSIGHT

To: woolford.james@epa.gov
Subject: Google Alert - Superfund

Superfund

Daily update □ December 20, 2017

NEWS

EPA Says **Superfund** Task Force Left Behind Little Paper Trail

U.S. News & World Report

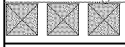
EPA Says **Superfund** Task Force Left Behind Little Paper Trail. EPA says an internal task ... EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said would reprioritize and streamline procedures for remediating more than 1,300 sites. In June, the group issued 42 ...

EPA says **Superfund** Task Force left behind little paper trail - Minneapolis Star Tribune

EPA says **Superfund** Task Force left behind little paper trail - Dayton Daily News

EPA puts 6 companies on the hook for East Chicago cleanup - E&E News

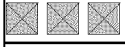
Full Coverage

 Flag as irrelevant

Agreement Sets Pollution Testing Plan For Portland Harbor **Superfund** Site

OPB News

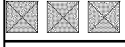
The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor **Superfund** site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the ...

 Flag as irrelevant

Lincoln school on board for **Superfund** cleanup

LaSalle News Tribune

The La Salle Elementary School board on Tuesday approved allowing the U.S. Environmental Protection Agency to sample for and, if necessary, clean up contaminated soil on the Lincoln Junior High School grounds as part of the EPA's **Superfund** cleanup of the Matthiessen and Hegeler Zinc smelting ...

 Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

TRIBUNE FILE PHOTO: STEVE LAW - Travis Williams of Willamette Riverkeeper, in center, Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund**

AMERICAN OVERSIGHT

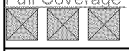
work

Pamplin Media Group

Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the companies to fund and oversee a round of environmental sampling to determine baseline ...

EPA, four companies reach key Portland Harbor **Superfund** cleanup deal - Portland Business Journal

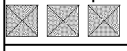
Full Coverage

 Flag as irrelevant

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek **Superfund** site located on Quapaw land in Northeast Oklahoma. Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen.

 Flag as irrelevant

Industry **super fund** names new chair

Financial Standard

An industry **super fund** with more than $3.5 billion under management will see in the New Year with a new independent chair. Former general counsel of Australian Unity Kirsten Mander stepped up to the role on December 15, replacing David Miles retired after 12 years at the helm. Mander has accrued ...

Flag as irrelevant

More tax on super, but savers are winners anyway

The Australian Financial Review

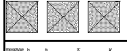
Mr Clare said the headline tax rate for **super fund** earnings was 15 per cent but when tax breaks were taken into account the average rate was only about 8 per cent. "The government takes 8 per cent of the higher-than-assumed investment returns and the fund members are actually taking 92 per cent, ...

Flag as irrelevant

Three Months After Harvey, Water Quality Questions Linger

Water Online (press release)

Even three months after Hurricane Harvey hit land and decimated areas of Texas, there are still questions about the water quality aftermath. In particular, as storm waters washed over so-called “**Superfund** sites,” federally-designated areas containing hazardous waste, they brought unknown levels of ...

 Flag as irrelevant

This is how your investments are taxed

Yahoo7 News

Recent research shows that 36% of the adult Australian population own investments listed on the stock market. That's nearly 6.5 million investors, some investing as individuals and some investing through Self- Managed **Super Funds** (SMSFs). Millions more own shares in privately owned companies, ...

AMERICAN OVERSIGHT

You have received this email because you have subscribed to **Google Alerts**.

Unsubscribe
Receive this alert as RSS feed
Send Feedback

AMERICAN OVERSIGHT

To: Woolford, James[Woolford.James@epa.gov]
From: Falvo, Nicholas
Sent: Wed 12/20/2017 3:26:13 PM
Subject: RE: Google Alert - Superfund

Give me a call.

Ex. 6 - Personal Privacy

From: Woolford, James
Sent: Wednesday, December 20, 2017 10:26 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: Fwd: Google Alert - Superfund

Are you familiar with the following articles on the TF? If someone said this... it's wrong.

Sent from my iPhone, please excuse spelling errors.

Thanks, Jim.

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: December 20, 2017 at 7:01:03 AM EST
To: woolford.james@epa.gov
Subject: Google Alert - Superfund

Superfund

Daily update □ December 20, 2017

NEWS

EPA Says **Superfund** Task Force Left Behind Little Paper Trail

U.S. News & World Report

EPA Says **Superfund** Task Force Left Behind Little Paper Trail. EPA says an internal task ... EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said would reprioritize and streamline procedures for remediating more than 1,300 sites. In June, the group issued 42 ...

EPA says **Superfund** Task Force left behind little paper trail - Minneapolis Star Tribune

AMERICAN OVERSIGHT

EPA says **Superfund** Task Force left behind little paper trail - Dayton Daily News

EPA puts 6 companies on the hook for East Chicago cleanup - E&E News

Full Coverage

Flag as irrelevant

Agreement Sets Pollution Testing Plan For Portland Harbor **Superfund** Site

OPB News

The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor **Superfund** site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the ...

Flag as irrelevant

Lincoln school on board for **Superfund** cleanup

LaSalle News Tribune

The La Salle Elementary School board on Tuesday approved allowing the U.S. Environmental Protection Agency to sample for and, if necessary, clean up contaminated soil on the Lincoln Junior High School grounds as part of the EPA's **Superfund** cleanup of the Matthiessen and Hegeler Zinc smelting ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

TRIBUNE FILE PHOTO: STEVE LAW - Travis Williams of Willamette Riverkeeper, in center, Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the companies to fund and oversee a round of environmental sampling to determine baseline ...

EPA, four companies reach key Portland Harbor **Superfund** cleanup deal - Portland Business Journal

Full Coverage

Flag as irrelevant

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek **Superfund** site located on Quapaw land in Northeast Oklahoma. Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen.

Flag as irrelevant

AMERICAN OVERSIGHT

Industry **super fund** names new chair

Financial Standard

An industry **super fund** with more than $3.5 billion under management will see in the New Year with a new independent chair. Former general counsel of Australian Unity Kirsten Mander stepped up to the role on December 15, replacing David Miles retired after 12 years at the helm. Mander has accrued ...

Flag as irrelevant

More tax on super, but savers are winners anyway

The Australian Financial Review

Mr Clare said the headline tax rate for **super fund** earnings was 15 per cent but when tax breaks were taken into account the average rate was only about 8 per cent. "The government takes 8 per cent of the higher-than-assumed investment returns and the fund members are actually taking 92 per cent, ...

Flag as irrelevant

Three Months After Harvey, Water Quality Questions Linger

Water Online (press release)

Even three months after Hurricane Harvey hit land and decimated areas of Texas, there are still questions about the water quality aftermath. In particular, as storm waters washed over so-called "**Superfund** sites," federally-designated areas containing hazardous waste, they brought unknown levels of ...

Flag as irrelevant

This is how your investments are taxed

Yahoo7 News

Recent research shows that 36% of the adult Australian population own investments listed on the stock market. That's nearly 6.5 million investors, some investing as individuals and some investing through Self- Managed **Super Funds** (SMSFs). Millions more own shares in privately owned companies, ...

Flag as irrelevant

You have received this email because you have subscribed to **Google Alerts**.

Unsubscribe
Receive this alert as RSS feed
Send Feedback

AMERICAN OVERSIGHT

To: Willis, Sharnett[Willis.Sharnett@epa.gov]; Dickerson, Aaron[dickerson.aaron@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Wed 11/8/2017 7:48:18 PM
Subject: Ryan Request ...

Does he have time to talk with a Politico reporter regard Tar Creek Superfund on Monday morning or early afternoon?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 - Personal Privacy
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Fri 4/13/2018 2:51:09 PM
Subject: FW: Politico Mag: New Questions on Tar Creek Audit

Do we want to add anything to this?

From: Malcolm Burnley [mailto:malcolm.burnley@gmail.com]
Sent: Thursday, April 12, 2018 5:37 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their

AMERICAN OVERSIGHT

names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

AMERICAN OVERSIGHT

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Fri 4/13/2018 3:20:51 AM
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

I can help you with this bottom feeding stuff.

Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6 - Personal Privacy

On Apr 12, 2018, at 6:02 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Something we need to address tomorrow.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> **From:** Malcolm Burnley <Ex. 6 - Personal Privacy
> **Date:** April 12, 2018 at 5:36:41 PM EDT
> **To:** "Wilcox, Jahan" <wilcox.jahan@epa.gov>
> **Cc:** Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
> **Subject: Politico Mag: New Questions on Tar Creek Audit**
>
> Hi Jahan,
>
> I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.
>
> We want to publish this Monday, if not before.

AMERICAN OVERSIGHT

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

AMERICAN OVERSIGHT

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Daniell, Kelsi
Sent: Thur 4/12/2018 10:22:00 PM
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Malcolm Burnley <malcolm.burnley@gmail.com>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their

AMERICAN OVERSIGHT

names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Thur 4/12/2018 10:02:07 PM
Subject: Fwd: Politico Mag: New Questions on Tar Creek Audit

Something we need to address tomorrow.

Sent from my iPhone

Begin forwarded message:

From: Malcolm Burnley <malcolm.burnley@gmail.com>
Date: April 12, 2018 at 5:36:41 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press@epa.gov, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their

AMERICAN OVERSIGHT

names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--
- - - - -
Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bowman, Liz
Sent: Thur 8/10/2017 2:55:29 PM
Subject: FW: Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head, 8/10/17

FYI

Tulsa World

http://www.tulsaworld.com/homepagelatest/randy-krehbiel-some-believe-scott-pruitt-is-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By: Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases. "Everything he says is calculated toward securing the Republican nomination in Oklahoma and

AMERICAN OVERSIGHT

then winning the general election there."

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

—

Jessica Sparacino

AMERICAN OVERSIGHT

US Environmental Protection Agency

Office of Public Affairs Intern

(202) 564-5327

WJCN 2502J

AMERICAN OVERSIGHT

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Block, Molly[block.molly@epa.gov]
From: Bowman, Liz
Sent: Wed 12/6/2017 11:58:15 PM
Subject: Politico Tar Creek

Did you all have a response on the Tar Creek site that you sent to a reporter?
https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Mon 11/6/2017 9:55:13 PM
Subject: RE:

Will take you up on that. Let me follow-up again with the reporter, it's for Politico Magazine.

-----Original Message-----
From: Jackson, Ryan
Sent: Monday, November 6, 2017 3:33 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject:

If you need help with the tar creek stuff let me know.

_____

Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

To: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Daniell, Kelsi
Sent: Tue 12/19/2017 3:19:39 PM
Subject: Tar Creek editorial in Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

Kelsi Daniell

Press Secretary

Administrator Scott Pruitt

202-564-2413

daniell.kelsi@epa.gov

AMERICAN OVERSIGHT

To: Press[Press@epa.gov]
From: Sorokin, Nicholas
Sent: Thur 9/7/2017 6:41:29 PM
Subject: White House Report: Daily Wrap and Top Stories, 9/7/17

Daily Wrap

Hurricane Harvey

Argus Media (Chris Knight) - Seeking clarification regarding emergency fuel waivers.

Associated Press (Matthew Brown) - Water sampling and public health risks.

Associated Press (Adam Causey) - Seeking clarification regarding Houston Magellan facility fuel spill.

BNA (Adam Allington) - Inquiry regarding retail facility cleanup and RCRA guidelines.

New York Times (Sheila Kaplan) - Houston sampling results and update on San Jacinto waste pits.

Reuters (Richard J. Valdmanis) - Chemical and petroleum industrial facility spills.

Hurricane Irma

Associated Press (Angeliki Kastanis) - Inquiry regarding superfund site map data.

Associated Press (Michael Biesecker) - Inquiry regarding EPA Superfund preparations in Florida.

BNA (Abby Smith) - Inquiry regarding EPA preparations for Hurricane Irma.

AMERICAN OVERSIGHT

E&E News (Niina Heikkinen) - Inquiry regarding emergency response, Administrator Pruitt, and funding.

Non-Hurricane Related

Air Conditioning, Heating & Refrigeration News (Ron Rajecki) - Seeking confirmation regarding HFC stakeholder meeting on 9/8.

Agri-Pulse (Eric Englert) - Questions regarding Illinois nutrient loss and the Gulf Hypoxia task force.

AP (Dan Elliott) - Requesting interview with someone representing Air Now regarding Western wildfires.

Argus (Elliott Blackburn) - RIN trading and proposed RVO for 2018.

Argus (Laura Mojonnier) - Sen. Carper letter to Administrator Pruitt re Clean Water Rule.

CNN (Neha Shastry) - Inquiry regarding EPA testing of battery life and range for EV vehicles.

Connecticut Health Investigative Team (Gary Stoller) - Inquiry regarding chlorpyrifos.

Consumer Reports (Kimberly Janeway) - Sent reviewed responses on DIY water kits.

CQ Roll Call (Jackie Toth) - Inquiry regarding EPA workforce reduction.

National Onsite Wastewater Recycling Association (NOWRA) Magazine (Stephen Bernhut) - Census question reinstatement.

AMERICAN OVERSIGHT

Newark Star-Ledger (Dave D'Alessandro) - Response to Frontier/EARPC report on impact of budget cuts to Deleware River Basin.

Politico (Anthony Adragna) - Seeking comment on region 10 grant freezes.

St. Louis Post-Dispatch (Bryce Gray) - Follow-up questions regarding VERA/VSIP.

StateImpact Oklahoma (Joe Wertz) - Interview request regarding Superfund program with particular focus on Tar Creek.

The Hill (Tim Cama) - Sent reviewed response on red/blue team.

Waste Dive (Cole Rosengren) - Sent reviewed responses on NHSM regulations.

WBEZ (Chicago NPR affiliate; Kijin Higashibaba); E&E News (Corbin Hiar) - Sent reviewed statement Re: EWG report on 1,4-dioxane.

Regional Wraps

Region 2

Bergen Record (Kelly Nicholaides) – A Wallington council member alerted me that a subcontractor Nocar for PSEG was doing work on old gas lines at the superfund site and had left construction debris and disturbed soil. I'm told that EPA was there investigating last week. Can you confirm? Do you have any documentation? Please provide. What is new with this site? Is remediation complete? If not, what's next, as far as EPA is concerned?

Buffalo News (TJ Pignataro) - We're looking to check the veracity of this report (http://www.investigativepost.org/2017/08/23/feds-pull-plug-on-radioactive-remediation/) and also find out if (and what) other programs are not funded in Niagara, Erie, Chautauqua, Cattaraugus, Allegany,

AMERICAN OVERSIGHT

Orleans, Genesee or Wyoming counties if that is the case.

NY-1 News TV (Franchesca Feliz) - Reporter was curious to know if our organization is doing any preparations/outreach for Hurricane Irma that's going to hit Puerto Rico and the Caribbean? DDL: 9-07-17

The New York Times (Andy Newman) - In your email below, you mentioned the full scale cleanup for the Gowanus Canal. When is that expected to begin, approximately, and what's the latest on how long it's expected to take?

Region 3

WVTR-TV Richmond (Melissa Hipolit) – Questions regarding H@H Burn Pit Superfund Site in Hanover County, Va

Bloomsburg Press-Enterprise (Mike Lester) Questions regarding Safety Light Superfund site near Bloomsburg.

Washington Post (Debbie Truong) - Follow-up questions to EPA press announcement of PEYA Winner in Falls Church, Va.

Philadelphia Inquirer (Kathy Boccella) Follow-up to EPA press announcement of Presidential recognition of environmental educator Joe Bentz, Philadelphia School District.

Top Stories

Hurricane Harvey

https://www.bloomberg.com/news/articles/2017-09-07/receding-floodwaters-expose-long-term-health-risks-after-harvey

AMERICAN OVERSIGHT

Receding Floodwaters Expose Long-Term Health Risks After Harvey

https://www.bloomberg.com/news/articles/2017-09-06/trump-s-sluggish-pace-of-staffing-may-slow-hurricane-response

Vacant Government Posts Hamper Harvey Aid as Irma Set to Strike

https://www.politicopro.com/energy/story/2017/09/watchdogs-unfulfilled-recommendations-may-have-affected-epa-hurricane-response-161535

Watchdogs: Unfulfilled recommendations may have affected EPA hurricane response

Hurricane Irma

http://www.washingtonexaminer.com/epa-warns-hurricane-irma-could-bust-drinking-and-wastewater-systems/article/2633518

EPA warns Hurricane Irma could bust drinking and wastewater systems

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=120141081&vname=dennotallissues&fn=1201

Puerto Rico Braces for Environmental Problems After Irma

http://www.miaminewtimes.com/news/epa-cuts-could-be-disastrous-for-florida-after-hurricane-irma-9651444

EPA Cuts Could Be Disastrous for Florida Hurricane Recovery, Experts Say

https://www.bloomberg.com/news/articles/2017-09-06/urgent-powerful-hurricane-irma-hits-first-caribbean-islands

Hurricane Irma Slams Into Caribbean Islands

AMERICAN OVERSIGHT

Non-Hurricane Related

http://dailycaller.com/2017/09/06/nearly-50-percent-of-the-epas-entire-workforce-are-eligible-to-retire-within-next-five-years/

Nearly 50 Percent Of The EPA's Entire Workforce Are Eligible To Retire Within Next Five Years

http://dailycaller.com/2017/09/06/sierra-club-warns-trumps-epa-could-call-the-police-on-reporters/

Sierra Club Warns Trump's EPA Could Call The Police On Reporters

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=120141077&vname=dennotallissues&fn=1201

Automakers, Parts Suppliers at Odds Over EPA Emissions Standards

https://www.eenews.net/climatewire/2017/09/07/stories/1060059949

Public asks agency to keep pollution rules for cars

https://www.politicopro.com/tipsheets/morning-agriculture/2017/09/house-debates-ag-spending-bill-as-fiscal-fights-loom-024484

House debates ag spending bill as fiscal fights loom

https://www.eenews.net/climatewire/2017/09/07/stories/1060059901

Meet 2 Republicans fighting against climate funding

http://hosted.ap.org/dynamic/stories/U/US_WESTERN_WILDFIRES?SITE=AP&SECTION=HOME&TEMPL

2017 WILDFIRE SEASON IN US WEST FAR WORSE THAN EXPECTED

AMERICAN OVERSIGHT

https://www.washingtonpost.com/blogs/erik-wemple/wp/2017/09/07/what-prompted-the-epa-to-attack-an-ap-reporter-over-his-accurate-harvey-reporting/?utm_term=.acc4a03902a9

What prompted the EPA to attack an AP reporter over an accurate Harvey story?

https://www.eenews.net/climatewire/2017/09/07/stories/1060059885

Conservative nonprofits paved way for Trump's Paris exit

http://dailycaller.com/2017/09/06/dem-megadonor-compares-trumps-epa-to-stalin/

Dem Megadonor Compares Trump's EPA To Stalin

AMERICAN OVERSIGHT

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Ferguson, Lincoln
Sent: Fri 4/13/2018 3:37:06 PM
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Yes. Should coordinate with Ryan on this

Sent from my iPhone

On Apr 13, 2018, at 10:51 AM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Do we want to add anything to this?

From: Malcolm Burnley [mailto:malcolm.burnley@gmail.com]
Sent: Thursday, April 12, 2018 5:37 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan,

I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

AMERICAN OVERSIGHT

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

AMERICAN OVERSIGHT

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

AMERICAN OVERSIGHT

To: lincolnferguson23@gmail.com[lincolnferguson23@gmail.com]
From: Ferguson, Lincoln
Sent: Thur 8/10/2017 11:50:26 AM
Subject: Fwd: FOR APPROVAL//EPA Evening News Highlights 8.9.17
EPA Evening News Highlights 8.9.17.docx
ATT00001.htm

PRINT

Sent from my iPhone

Begin forwarded message:

From: "Hewitt, James" <hewitt.james@epa.gov>
Date: August 9, 2017 at 3:13:24 PM CDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: FOR APPROVAL//EPA Evening News Highlights 8.9.17

EPA Evening News Highlights 8.9.17

Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate. Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86. Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

E&E News: Despite rumors, Chicago office isn't closing soon

U.S. EPA is looking for ways to reduce its physical footprint, but that doesn't include plans to shut down the agency's regional office in Chicago. For months, rumors have circulated around Washington that the Trump administration would shutter EPA's Region 5 office, located within the Ralph Metcalfe Federal Building. Senate Democrats have warned EPA

AMERICAN OVERSIGHT

against attempting the move, and Sen. Tammy Duckworth (D-Ill.) even introduced legislation to prevent the closure of any of the agency's regional offices. But the General Services Administration — which leases buildings for EPA office space and would have to execute any physical moves to a new building — told E&E News that no such plan is currently in the works.

The Washington Examiner: Federal court strikes down EPA rule key to Obama's climate agenda

A federal court struck down a key piece of the Obama administration's climate agenda on Tuesday by saying the Environmental Protection Agency does not have the authority to ban the use of certain chemicals used in air conditioners blamed for exacerbating global warming. The EPA enacted the rule in question in 2015, responding to research showing hydroflourocarbons, or HFCs, contribute to climate change. The D.C. Circuit Court of Appeals' 2-1 decision said EPA does not have the authority to enact a 2015 rule-making ending the use of hydrofluorocarbons commonly found in spray cans, automobile air conditioners and refrigerators. The three-judge panel said that because HFCs are not ozone-depleting substances, the EPA could not use a section of the Clean Air Act targeting those chemicals to ban HFCs.

The Daily Caller: Scientists Say There's 'No Indication' Trump Tried To Suppress Climate Change Report

There's been no indication the Trump administration has tried to suppress or alter any of the findings of a soon-to-released climate change report, according to scientists working on the assessment. "It was under the radar and we were fine about that," one scientists involved in the report told The Associated Press in an article published Tuesday morning. Three other report co-authors "have not heard of or witnessed any attempt by the White House to suppress or censor the scientific document," reported the AP.

Hollywood Reporter: Breitbart Attacks New York Times, Reveals Potential Leakers at EPA

The website published an email from a reporter that was forwarded to agency employees by a union leader. In what the right-leaning website called evidence that "the Deep State teams with Fake News," Breitbart News reported Tuesday that a New York Times reporter sought to get insider accounts of enhanced secrecy at the EPA. Matthew Boyle, Breibart's Washington political editor, obtained a copy of an email sent by a union leader. The email, which included the text of what the Times reporter had sent the union boss, was distributed to a group of EPA employees who were told that the Times reporter "needs our assistance in

AMERICAN OVERSIGHT

verifying some information she has heard."

Agricluture.com: EPA asks if it should lower Biodiesel Mandate

The volume of imported biodiesel fuel, surging to 731 million gallons last year and continuing this year, is causing the EPA to think twice about where to set the Renewable Fuels Standard, created to move the U.S. toward energy security. Imports "may not have the same impact on energy independence" as domestic production, says the agency. Aided by public comment, it will consider whether to lower the target for biodiesel consumption. The biodiesel mandate is 2 billion gallons this year and 2.1 billion gallons in 2018. For 2019, EPA proposed a 2.1 billion-gallon mandate.

National Evening News 8/9/17

-

The Washington Post: FBI conducted predawn raid of former Trump campaign chairman Manafort's home

FBI agents raided the Alexandria home of President Trump's former campaign chairman late last month, using a search warrant to seize documents and other materials, according to people familiar with the special counsel investigation into Russian meddling in the 2016 election. Federal agents appeared at Paul Manafort's home without advance warning in the predawn hours of July 26, the day after he met voluntarily with the staff for the Senate Intelligence Committee.

The Hill: Mattis warns North Korea of 'destruction of its people'

Defense Secretary James Mattis warned North Korea in stark terms on Wednesday that it faces devastation if it does not end its pursuit of nuclear weapons. "The DPRK must choose to stop isolating itself and stand down its pursuit of nuclear weapons," Mattis said in a statement, referring to North Korea. "The DPRK should cease any consideration of actions that would lead to the end of its regime and the destruction of its people."

Tulsa World

http://www.tulsaworld.com/homepagelatest/randy-krehbiel-scott-pruitt-believed-to-be-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

AMERICAN OVERSIGHT

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases. "Everything he says is calculated toward securing the Republican nomination in Oklahoma and then winning the general election there."

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he

AMERICAN OVERSIGHT

believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

E&E News

https://www.eenews.net/climatewire/stories/1060058555

Despite rumors, Chicago office isn't closing soon

By Niina Heikkinen, 8/9/17

U.S. EPA is looking for ways to reduce its physical footprint, but that doesn't include plans to shut down the agency's regional office in Chicago.

AMERICAN OVERSIGHT

For months, rumors have circulated around Washington that the Trump administration would shutter EPA's Region 5 office, located within the Ralph Metcalfe Federal Building. Senate Democrats have warned EPA against attempting the move, and Sen. Tammy Duckworth (D-Ill.) even introduced legislation to prevent the closure of any of the agency's regional offices.

But the General Services Administration — which leases buildings for EPA office space and would have to execute any physical moves to a new building — told E&E News that no such plan is currently in the works.

"EPA has not asked GSA to move their Region 5 office from the federal building nor have they requested to consolidate the office," Nick Smith, a public affairs official at GSA, said in an email.

Other changes to the agency's office space are happening at EPA, though most of them began under the Obama administration.

For example, EPA's regional headquarters in Dallas is planning a move to the city's Renaissance Tower at the beginning of 2019.

In 2016, EPA began looking for new office space in Philadelphia for employees at its Region 3 office. Its current lease expires in May 2018.

The agency is also looking at ways to reduce how much square footage EPA uses within existing office space, known as "densifying."

This can be achieved by analyzing how the offices are organized, said Marcy Owens Test, senior vice president of CBRE Group Inc. and a member of the Federal Lessor Advisory Group. FLAG provides brokerage and lease consulting for the federal government. Test also formerly worked as a contracting officer for GSA.

AMERICAN OVERSIGHT

Test noted that EPA's regional offices tend to occupy multiple floors in large buildings. Reorganizing offices could potentially mean that EPA gives up a floor or two of space that GSA could then potentially "backfill" with other tenants.

"That's a matter of shrinking your cube sizes and workplace sizes and reconfiguring the space, and you never laid off a person. It may be how you are utilizing the space and how the space is best utilized for the mission," Test said in an interview earlier this year.

If EPA reduces its footprint within existing office space, or relocates entirely, that would require a negotiation between EPA and GSA "because the lease or the federal building are in play and they are occupying that space," Test said.

In EPA's appropriations justification for fiscal 2018, the agency cites an ambitious plan for shedding 336,000 square feet of office space.

"The EPA will continue to invest to reconfigure the EPA's workspaces enabling the agency to release office space and reduce long-term rent costs," the document states.

According to EPA, since fiscal 2012, the agency has released more than 517,000 square feet of office space across the country, leading to $20 million in avoided rent costs. The rent savings from releasing more property back to GSA would help to offset rising rent and security costs at the agency.

The moves are part of an ongoing effort in recent years across the federal government to find more efficient ways to use office space and save money.

In 2010, President Obama issued a presidential memorandum, "Disposing of Unneeded Federal Real Estate," which required federal agencies to pick up the pace of getting rid of "excess properties."

AMERICAN OVERSIGHT

The memo called for "increasing occupancy rates in current facilities through innovative approaches to space management and alternative workplace arrangements, such as telework; and identifying offsetting reductions in inventory when new space is acquired."

Questions about the regional office closure in Chicago first sprang up after a Chicago Sun-Times article cited an anonymous source close to the federal government who claimed that Trump planned to eliminate the Great Lakes region office and might combine it with the EPA regional office in Kansas.

EPA Administrator Scott Pruitt has repeatedly denied suggestions that such a plan existed, calling the idea "pure legend" during a congressional budget hearing in June.

"There is no consideration presently with respect to any regional offices about moving them to one location or another. I'm not sure where that came from," Pruitt told the House Interior, Environment and Related Agencies Appropriations Subcommittee (E&E News PM, June 15).

The Washington Examiner

http://www.washingtonexaminer.com/federal-court-strikes-down-epa-rule-key-to-obamas-climate-agenda/article/2630923

Federal court strikes down EPA rule key to Obama's climate agenda

By John Siciliano, 8/8/17

A federal court struck down a key piece of the Obama administration's climate agenda on Tuesday by saying the Environmental Protection Agency does not have the authority to ban the use of certain chemicals used in air conditioners blamed for exacerbating global warming.

The EPA enacted the rule in question in 2015, responding to research showing hydroflourocarbons, or HFCs, contribute to climate change.

AMERICAN OVERSIGHT

The D.C. Circuit Court of Appeals' 2-1 decision said EPA does not have the authority to enact a 2015 rule-making ending the use of hydrofluorocarbons commonly found in spray cans, automobile air conditioners and refrigerators. The three-judge panel said that because HFCs are not ozone-depleting substances, the EPA could not use a section of the Clean Air Act targeting those chemicals to ban HFCs.

"Indeed, before 2015, EPA itself maintained that Section 612 did not grant authority to require replacement of nonozone-depleting substances such as HFCs," the court wrote.

"EPA's novel reading of Section 612 is inconsistent with the statute as written. Section 612 does not require (or give EPA authority to require) manufacturers to replace non-ozonedepleting substances such as HFCs," said the opinion, written by Judge Brett Kavanaugh.

The Obama administration issued the regulatory changes to correspond with the 1987 Montreal Protocol that sought to stop the depletion of the ozone layer by phasing out another chemical found in aerosols. The 2015 update was part of former President Barack Obama's climate change agenda due to the impact of HFCs on the climate.

"This ruling has significant implications for our industry and we will be monitoring the EPA's response closely," said Stephen Yurek, president and CEO of the Air-Conditioning, Heating, and Refrigeration Institute, whose industry is directly affected by the regulations. "Despite the court's decision, our industry remains committed to ratification and implementation of the Kigali Amendment to globally phase down the use of HFC refrigerants."

Under the Kigali agreement, the U.S. and other countries agreed to phase out HFCs and use alternative chemicals over a number of years. The agreement was seen as an adjunct to the Paris climate change agreement.

The Trump EPA will have to decide whether it will appeal the court's Tuesday ruling,

AMERICAN OVERSIGHT

which was brought by HFC manufacturers Chemours Co. and Honeywell International. "We are reviewing the decision," said an EPA representative.

The Kigali Agreement and the HFC rule have not been a specific target of the Trump administration, and given that many appliance manufacturers support the regulations, President Trump may find little in the way of problems with the regulations.

But critics of the Kigali agreement are out there, and they undoubtedly will be pushing for Pruitt to allow the court decision to stick. Myron Ebell with the free-market Competitive Enterprise Institute is one of those voices. He was Trump's EPA transition chief who helped ramp up the agency.

"CEI opposes the Kigali amendment because the purpose of the Montreal Protocol to the Vienna treaty is to protect the ozone layer," Ebell said in May. And the "Kigali amendment hijacks the Montreal Protocol and turns it into a global warming treaty."

The Daily Caller

http://dailycaller.com/2017/08/09/scientists-say-theres-no-indication-trump-tried-to-suppress-climate-change-report/

Scientists Say There's 'No Indication' Trump Tried To Suppress Climate Change Report

By Michael Bastasch, 8/9/17

There's been no indication the Trump administration has tried to suppress or alter any of the findings of a soon-to-released climate change report, according to scientists working on the assessment.

"It was under the radar and we were fine about that," one scientists involved in the report told The Associated Press in an article published Tuesday morning.

AMERICAN OVERSIGHT

Three other report co-authors "have not heard of or witnessed any attempt by the White House to suppress or censor the scientific document," reported the AP.

Sources involved in the report, which is part of the National Climate Assessment, "have seen no indication that the White House might suppress the scientific research," reported Politico.

The New York Times ran a front page article on Tuesday claiming to have "obtained" a draft climate report some scientists feared the Trump administration would suppress. The report, which is part of the National Climate Assessment, found "[e]vidence for a changing climate abounds, from the top of the atmosphere to the depths of the oceans.

It turned out the draft report was actually available online, undercutting the narrative it could be censored by Trump officials. But even before then, climate scientists who worked on the report saw no evidence of interference by administration officials.

Nature reported about a week before TheNYT that "[a]lthough there have not yet been any signs of trouble, researchers are keeping a close eye on how the White House and federal agencies handle the science report."

After TheNYT published its article, report authors were quick to point out the report hadn't been delayed. The Trump administration had until August 18 to approve the report for public release.

The Trump administration plans on approving the climate report by the deadline and releasing it in the fall.

The Hollywood Reporter

http://www.hollywoodreporter.com/news/breitbart-attacks-new-york-times-reveals-potential-leakers-at-epa-1027957

AMERICAN OVERSIGHT

Breitbart Attacks New York Times, Reveals Potential Leakers at EPA

By Jeremy Barr, 8/9/17

The website published an email from a reporter that was forwarded to agency employees by a union leader.

In what the right-leaning website called evidence that "the Deep State teams with Fake News," Breitbart News reported Tuesday that a New York Times reporter sought to get insider accounts of enhanced secrecy at the EPA.

Matthew Boyle, Breibart's Washington political editor, obtained a copy of an email sent by a union leader. The email, which included the text of what the Times reporter had sent the union boss, was distributed to a group of EPA employees who were told that the Times reporter "needs our assistance in verifying some information she has heard."

Much of the media industry snarked Breitbart's story by suggesting that the Times was caught red-handed trying to do actual reporting. But, more ominous and troubling — particularly for the Times — was Breitbart's decision to make visible the names of the EPA employees who received the forwarded email from the union leader (though their email addresses were redacted).

These employees may now face consequences for being seen as potential leakers. And, by outing these government employees, the Breitbart story could serve to chill other would-be leakers at other government agencies.

"Stories like this can have a chilling effect on precisely the type of investigative journalism that holds government power to account," Times spokeswoman Danielle Rhoades Ha told The Hollywood Reporter when asked about the impact of the piece.

Breitbart, and Boyle particular, are seen as being supportive of the administration, which much of right-leaning media feels is unfairly under attack by the mainstream media. In this particular case, the story published Tuesday could serve to tamp down potential leaks that

AMERICAN OVERSIGHT

could end up in the Times and be injurious to the president.

Kurt Bardella, who used to work as Breibart's spokesperson, said the story — particularly the decision to disclose the names of would-be EPA sources — is in line with the site's role as something of an attack dog for the administration.

"There is no question that Boyle & Breitbart published the story with the intent of attracting as much scrutiny as possible on these EPA staffers," Bardella told THR. "It's essentially a road map for the leak investigators inside the Trump administration to follow directly to these staffers. As is standard operating procedure, Breitbart is doing the White House's dirty work, showcasing once again that there is zero line of separation between Breitbart and the Trump White House."

Agriculture.com

http://www.agriculture.com/news/business/epa-asks-if-it-should-lower-the-biodiesel-mandate

EPA asks if it should lower Biodiesel Mandate

By Chuck Abbott, 8/9/17

The volume of imported biodiesel fuel, surging to 731 million gallons last year and continuing this year, is causing the EPA to think twice about where to set the Renewable Fuels Standard, created to move the U.S. toward energy security. □

Imports “may not have the same impact on energy independence” as domestic production, says the agency. Aided by public comment, it will consider whether to lower the target for biodiesel consumption.

The biodiesel mandate is 2 billion gallons this year and 2.1 billion gallons in 2018. For 2019, EPA proposed a 2.1 billion-gallon mandate. It intends to finalize the RFS in November. (The biodiesel mandate is set more than a year in advance, while ethanol is announced just before the start of the calendar year.)

AMERICAN OVERSIGHT

In March, the biodiesel industry filed a trade complaint alleging that Indonesia and Argentina unfairly subsidized biodiesel producers and dumped the fuel in the U.S.

The Commerce Department is expected to make a preliminary determination later this month of estimated subsidy rates and to announce in late October its findings on dumping.

"The NBB Fair Trade Coalition will use every legal tool available to address these unfairly traded imports," says Anne Steckel of the trade group National Biodiesel Board (NBB).

Biodiesel was the first advanced biofuel, a category that includes cellulosic ethanol, to achieve commercial-size production, so the NBB is concerned by EPA's proposal to hold steady on the biodiesel and advanced biofuel mandates.

"This is only a proposal, and in the past, EPA's final numbers have been higher," says Steckel.

About 28% of U.S. soy oil is used in biodiesel. EPA says 4% of every gallon of diesel fuel comes from renewable sources.

The Washington Post

https://www.washingtonpost.com/politics/fbi-conducted-predawn-raid-of-former-trump-campaign-chairman-manaforts-home/2017/08/09/5879fa9c-7c45-11e7-9d08-b79f191668ed_story.html?utm_term=.30ca2144f588

FBI conducted predawn raid of former Trump campaign chairman Manafort's home

By Carol Leonnig, Tom Hamburger, and Rosalind Helderman

FBI agents raided the Alexandria home of President Trump's former campaign chairman late last month, using a search warrant to seize documents and other materials, according to

AMERICAN OVERSIGHT

people familiar with the special counsel investigation into Russian meddling in the 2016 election.

Federal agents appeared at Paul Manafort's home without advance warning in the predawn hours of July 26, the day after he met voluntarily with the staff for the Senate Intelligence Committee.

The search warrant was wide-ranging and FBI agents working with special counsel Robert S. Mueller III departed the home with various records. Jason Maloni, a spokesman for Manafort, confirmed that agents executed a warrant at one of the political consultant's homes and that Manafort cooperated with the search.

Manafort has been voluntarily producing documents to congressional committees investigating Russia's interference in the 2016 presidential election. The search warrant indicates investigators may have argued to a federal judge they had reason to believe Manafort could not be trusted to turn over all records in response to a grand jury subpoena.

It could also have been intended to send a message to President Trump's former campaign chairman that he should not expect gentle treatment or legal courtesies from Mueller's team.

The documents included materials Manafort had already provided to Congress, said people familiar with the search.

"If the FBI wanted the documents, they could just ask [Manafort] and he would have turned them over," said one adviser close to the White House.

Josh Stueve, spokesman for Mueller, declined to comment, as did Reginald Brown, an attorney for Manafort.

AMERICAN OVERSIGHT

"Mr. Manafort has consistently cooperated with law enforcement and other serious inquiries and did so on this occasion as well," said Maloni, the spokesman for Manafort.

Mueller has increased legal pressure on Manafort, consolidating under his authority a series of unrelated investigations into various aspects of Manafort's professional and personal life.

Manafort's allies fear that Mueller hopes to build a case against Manafort unrelated to the 2016 campaign, in hopes that the former campaign operative would provide information against others in Trump's inner circle in exchange for lessening his own legal exposure.

The significance of the records seized from Manafort's apartment is unclear.

Manafort has provided documents to both the Senate Judiciary Committee and the Senate and House intelligence committees. The documents are said to include notes Manafort took while attending a meeting with Donald Trump Jr. and a Russian lawyer at Trump Tower in June 2016.

Emails show Trump Jr. took the meeting and invited Manafort after he was promised the lawyer would deliver damaging information about Hillary Clinton as part of a Russian government effort to assist his father's campaign.

The Hill

http://thehill.com/policy/defense/345908-mattis-warns-north-korea-of-destruction-of-its-people

Mattis warns North Korea of 'destruction of its people'

By Ellen Mitchell, 8/9/17

Defense Secretary James Mattis warned North Korea in stark terms on Wednesday that it faces devastation if it does not end its pursuit of nuclear weapons.

AMERICAN OVERSIGHT

"The DPRK must choose to stop isolating itself and stand down its pursuit of nuclear weapons," Mattis said in a statement, referring to North Korea.

"The DPRK should cease any consideration of actions that would lead to the end of its regime and the destruction of its people."

Mattis's remarks follow bellicose comments from President Trump warning North Korea of "fire and fury" if it takes aggressive steps toward the United States.

The Washington Post reported on Tuesday that North Korea had obtained the capability of creating a nuclear warhead small enough to place on a missile.

Mattis's remarks could be part of a coordinated effort with the White House to send a tough signal to both North Korea and China, the reclusive country's main ally.

North Korea has responded to Trump's comments with its own tough rhetoric. On Tuesday, it suggested it could launch an attack on Guam.

Mattis makes note of Trump's involvement in the tense situation and writes that the president "was informed of the growing threat last December and on taking office his first orders to me emphasized the readiness of our ballistic missile defense and nuclear deterrent forces."

Secretary of State Rex Tillerson told reporters on Wednesday that Trump was seeking to send a "strong message" to North Korea that the United States was prepared to defend itself and its allies.

But Mattis made the point in much more direct language on Wednesday.

AMERICAN OVERSIGHT

"The United States and our allies have the demonstrated capabilities and unquestionable commitment to defend ourselves from an attack," he wrote.

"While our State Department is making every effort to resolve this global threat through diplomatic means, it must be noted that the combined allied militaries now possess the most precise, rehearsed and robust defensive and offensive capabilities on Earth," he said in the statement. "The DPRK regime's actions will continue to be grossly overmatched by ours and would lose any arms race or conflict it initiates."

North Korea would have the capability to devastate much of South Korea in any military exchange with the United States. This knowledge has been a deterrent on any use of force against Pyongyang.

Mattis's full statement:

"The United States and our allies have the demonstrated capabilities and unquestionable commitment to defend ourselves from an attack. Kim Jong Un should take heed of the United Nations Security Council's unified voice, and statements from governments the world over, who agree the DPRK poses a threat to global security and stability. The DPRK must choose to stop isolating itself and stand down its pursuit of nuclear weapons. The DPRK should cease any consideration of actions that would lead to the end of its regime and the destruction of its people.

"President Trump was informed of the growing threat last December and on taking office his first orders to me emphasized the readiness of our ballistic missile defense and nuclear deterrent forces. While our State Department is making every effort to resolve this global threat through diplomatic means, it must be noted that the combined allied militaries now possess the most precise, rehearsed and robust defensive and offensive capabilities on Earth. The DPRK regime's actions will continue to be grossly overmatched by ours and would lose any arms race or conflict

AMERICAN OVERSIGHT

James Hewitt

Environmental Protection Agency

Special Advisor for Public Affairs

(202) 578-6141

AMERICAN OVERSIGHT

To: Schwab, Justin[Schwab.Justin@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]
From: Fotouhi, David
Sent: Wed 12/6/2017 11:07:07 PM

FYI https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854

David Fotouhi

Deputy General Counsel

Office of General Counsel

U.S. Environmental Protection Agency

Tel: +1 202.564.1976

fotouhi.david@epa.gov

AMERICAN OVERSIGHT

To: Kelly, Albert[kelly.albert@epa.gov]
From: Epp, Timothy
Sent: Fri 3/23/2018 5:30:52 PM
Subject: NY action delayed

Kell,

Ex. 5 - Deliberative Process

Tim

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency
Tel. 202-564-2830

From: Epp, Timothy
Sent: Thursday, March 22, 2018 9:41 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency
Tel. 202-564-2830

From: Kelly, Albert

AMERICAN OVERSIGHT

Sent: Thursday, March 22, 2018 9:38 AM
To: Epp, Timothy <Epp.Timothy@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Epp, Timothy
Sent: Thursday, March 22, 2018 9:35 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

I am talking with the Region 2 POC at 10 and this is on my topic list.

Ex. 5 - Deliberative Process

Tim

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency
Tel. 202-564-2830

From: Kelly, Albert
Sent: Thursday, March 22, 2018 9:21 AM
To: Epp, Timothy <Epp.Timothy@epa.gov>
Subject: FW: EPA Morning News Highlights 03.21.18

Do we have any involvement in the NYC issue listed below?

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Hewitt, James
Sent: Wednesday, March 21, 2018 9:07 AM
To: Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: EPA Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

AMERICAN OVERSIGHT

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

AMERICAN OVERSIGHT

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

AMERICAN OVERSIGHT

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

AMERICAN OVERSIGHT

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

AMERICAN OVERSIGHT

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we

AMERICAN OVERSIGHT

ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

AMERICAN OVERSIGHT

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

AMERICAN OVERSIGHT

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with

AMERICAN OVERSIGHT

the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased

AMERICAN OVERSIGHT

regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

AMERICAN OVERSIGHT

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: “I’m not real confident at this point.”

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

AMERICAN OVERSIGHT

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

AMERICAN OVERSIGHT

“Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

AMERICAN OVERSIGHT

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called "grain glitch," it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

"We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI's background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there's [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

AMERICAN OVERSIGHT

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its

AMERICAN OVERSIGHT

market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by

AMERICAN OVERSIGHT

blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

AMERICAN OVERSIGHT

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

AMERICAN OVERSIGHT

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

To: Epp, Timothy[Epp.Timothy@epa.gov]
From: Kelly, Albert
Sent: Thur 3/22/2018 1:41:23 PM
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Epp, Timothy
Sent: Thursday, March 22, 2018 9:41 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency
Tel. 202-564-2830

From: Kelly, Albert
Sent: Thursday, March 22, 2018 9:38 AM
To: Epp, Timothy <Epp.Timothy@epa.gov>

AMERICAN OVERSIGHT

Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Epp, Timothy
Sent: Thursday, March 22, 2018 9:35 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

I am talking with the Region 2 POC at 10 and this is on my topic list.

Ex. 5 - Deliberative Process

Tim

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency
Tel. 202-564-2830

AMERICAN OVERSIGHT

From: Kelly, Albert
Sent: Thursday, March 22, 2018 9:21 AM
To: Epp, Timothy <Epp.Timothy@epa.gov>
Subject: FW: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Hewitt, James
Sent: Wednesday, March 21, 2018 9:07 AM
To: Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: EPA Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

AMERICAN OVERSIGHT

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

AMERICAN OVERSIGHT

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

AMERICAN OVERSIGHT

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

AMERICAN OVERSIGHT

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

AMERICAN OVERSIGHT

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

AMERICAN OVERSIGHT

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

AMERICAN OVERSIGHT

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

AMERICAN OVERSIGHT

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

AMERICAN OVERSIGHT

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

AMERICAN OVERSIGHT

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

AMERICAN OVERSIGHT

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: “I’m not real confident at this point.”

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

AMERICAN OVERSIGHT

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

AMERICAN OVERSIGHT

“Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and

AMERICAN OVERSIGHT

some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there‘s [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

AMERICAN OVERSIGHT

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

AMERICAN OVERSIGHT

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is

AMERICAN OVERSIGHT

looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

AMERICAN OVERSIGHT

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and

AMERICAN OVERSIGHT

aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

To: Grantham, Nancy[Grantham.Nancy@epa.gov]
From: Kelly, Albert
Sent: Wed 12/20/2017 1:25:25 PM
Subject: FW: Google Alert - Superfund

So what is with this little paper trail stuff? No one has talked to me. They can look through my junky file anytime

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Google Alerts [mailto:googlealerts-noreply@google.com]
Sent: Wednesday, December 20, 2017 8:06 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: Google Alert - Superfund

Superfund

Daily update □ December 20, 2017

NEWS

EPA Says **Superfund** Task Force Left Behind Little Paper Trail

U.S. News & World Report

EPA Says **Superfund** Task Force Left Behind Little Paper Trail. EPA says an internal task ... EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said would reprioritize and streamline procedures for remediating more than 1,300 sites. In June, the group issued 42 ...

EPA says **Superfund** Task Force left behind little paper trail - Minneapolis Star Tribune

EPA says **Superfund** Task Force left behind little paper trail - Dayton Daily News

EPA puts 6 companies on the hook for East Chicago cleanup - E&E News

Full Coverage

AMERICAN OVERSIGHT

Agreement Sets Pollution Testing Plan For Portland Harbor **Superfund** Site

OPB News

The U.S. Environmental Protection Agency has finalized the next big step in cleaning up the Portland Harbor **Superfund** site: inking an agreement for how pollution levels will be tested. The Oregon Department of Environmental Quality, which raised concerns about the agreement in October, says the ...

Flag as irrelevant

Lincoln school on board for **Superfund** cleanup

LaSalle News Tribune

The La Salle Elementary School board on Tuesday approved allowing the U.S. Environmental Protection Agency to sample for and, if necessary, clean up contaminated soil on the Lincoln Junior High School grounds as part of the EPA's **Superfund** cleanup of the Matthiessen and Hegeler Zinc smelting ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

TRIBUNE FILE PHOTO: STEVE LAW - Travis Williams of Willamette Riverkeeper, in center, Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the ...

Flag as irrelevant

EPA inks deal with industrial polluters to lead next phase of Portland Harbor **Superfund** work

Pamplin Media Group

Four industrial companies will take the lead on the next phase of the Portland Harbor **Superfund** cleanup. The U.S. Environmental Protection Agency announced Tuesday that it signed a consent order with the companies to fund and oversee a round of environmental sampling to determine baseline ...

EPA, four companies reach key Portland Harbor **Superfund** cleanup deal - Portland Business Journal

Full Coverage

Flag as irrelevant

John Berrey: Politico got it wrong on Tar Creek

Joplin Globe

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek **Superfund** site located on Quapaw land in Northeast Oklahoma. Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen.

Flag as irrelevant

Industry **super fund** names new chair

Financial Standard

An industry **super fund** with more than $3.5 billion under management will see in the New Year with a new

AMERICAN OVERSIGHT

independent chair. Former general counsel of Australian Unity Kirsten Mander stepped up to the role on December 15, replacing David Miles retired after 12 years at the helm. Mander has accrued ...

Flag as irrelevant

More tax on super, but savers are winners anyway

The Australian Financial Review

Mr Clare said the headline tax rate for **super fund** earnings was 15 per cent but when tax breaks were taken into account the average rate was only about 8 per cent. "The government takes 8 per cent of the higher-than-assumed investment returns and the fund members are actually taking 92 per cent, ...

Flag as irrelevant

Three Months After Harvey, Water Quality Questions Linger

Water Online (press release)

Even three months after Hurricane Harvey hit land and decimated areas of Texas, there are still questions about the water quality aftermath. In particular, as storm waters washed over so-called "**Superfund** sites," federally-designated areas containing hazardous waste, they brought unknown levels of ...

Flag as irrelevant

This is how your investments are taxed

Yahoo7 News

Recent research shows that 36% of the adult Australian population own investments listed on the stock market. That's nearly 6.5 million investors, some investing as individuals and some investing through Self- Managed **Super Funds** (SMSFs). Millions more own shares in privately owned companies, ...

Flag as irrelevant

WEB

Ho! Ho! Ho! for industry **super fund** members, cries Santa

AAP Medianet's

MEDIA RELEASE. 20 December 2017. Ho! Ho! Ho! for industry **super fund** members, cries Santa. Santa has made an early delivery to millions of industry **super fund** members with new independent figures showing continued strong returns. According to the latest SuperRatings numbers, industry super ...

Flag as irrelevant

PFAS Health Study Required By Congress May Lift Threat Of **Superfund** Suit

Inside EPA

Defense legislation signed into law by President Donald Trump Dec. 12 will authorize at least $7 million for a federal study on the human health impacts stemming from perfluorinated chemicals in drinking water near military facilities, potentially lifting the threat of a **Superfund** suit to force a study and ...

Flag as irrelevant

EPA says **Superfund** Task Force left behind little paper trail

New Country 923

WASHINGTON (AP) — The Environmental Protection Agency says an internal task force appointed to revamp how the nation's most polluted sites are cleaned up generated no record of its deliberations. EPA Administrator Scott Pruitt in May announced the creation of a **Superfund** Task Force he said ...

Flag as irrelevant

AMERICAN OVERSIGHT

See more results | Edit this alert

You have received this email because you have subscribed to **Google Alerts**.

Unsubscribe | View all your alerts
Receive this alert as RSS feed
Send Feedback

AMERICAN OVERSIGHT

To: Epp, Timothy[Epp.Timothy@epa.gov]
From: Kelly, Albert
Sent: Thur 3/22/2018 1:38:24 PM
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Epp, Timothy
Sent: Thursday, March 22, 2018 9:35 AM
To: Kelly, Albert <kelly.albert@epa.gov>
Subject: RE: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Tim

Timothy R. Epp

Assistant General Counsel
International Environmental Law
Office of General Counsel
U.S. Environmental Protection Agency

AMERICAN OVERSIGHT

Tel. 202-564-2830

From: Kelly, Albert
Sent: Thursday, March 22, 2018 9:21 AM
To: Epp, Timothy <Epp.Timothy@epa.gov>
Subject: FW: EPA Morning News Highlights 03.21.18

Ex. 5 - Deliberative Process

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Hewitt, James
Sent: Wednesday, March 21, 2018 9:07 AM
To: Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: EPA Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

AMERICAN OVERSIGHT

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken

AMERICAN OVERSIGHT

historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

AMERICAN OVERSIGHT

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

AMERICAN OVERSIGHT

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

AMERICAN OVERSIGHT

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking

AMERICAN OVERSIGHT

water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

AMERICAN OVERSIGHT

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and

AMERICAN OVERSIGHT

City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

AMERICAN OVERSIGHT

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

AMERICAN OVERSIGHT

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

AMERICAN OVERSIGHT

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

AMERICAN OVERSIGHT

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: “I’m not real confident at this point.”

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

AMERICAN OVERSIGHT

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

AMERICAN OVERSIGHT

“Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that

AMERICAN OVERSIGHT

sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there‘s [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

AMERICAN OVERSIGHT

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its

AMERICAN OVERSIGHT

market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by

AMERICAN OVERSIGHT

blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

AMERICAN OVERSIGHT

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

AMERICAN OVERSIGHT

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

To: Epp, Timothy[Epp.Timothy@epa.gov]
From: Kelly, Albert
Sent: Thur 3/22/2018 1:20:36 PM
Subject: FW: EPA Morning News Highlights 03.21.18
EPA Morning News Highlights 03.21.18 docx.docx

Do we have any involvement in the NYC issue listed below?

Albert Kelly

Senior Advisor to the Administrator

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Ex. 6 - Personal Privacy

From: Hewitt, James
Sent: Wednesday, March 21, 2018 9:07 AM
To: Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: EPA Morning News Highlights 03.21.18

EPA Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to

AMERICAN OVERSIGHT

protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S.

AMERICAN OVERSIGHT

technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed

AMERICAN OVERSIGHT

mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created

AMERICAN OVERSIGHT

in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

AMERICAN OVERSIGHT

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of

AMERICAN OVERSIGHT

the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted

AMERICAN OVERSIGHT

adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

AMERICAN OVERSIGHT

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from

AMERICAN OVERSIGHT

lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking

AMERICAN OVERSIGHT

water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by

AMERICAN OVERSIGHT

missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

AMERICAN OVERSIGHT

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

AMERICAN OVERSIGHT

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

“Everything that remains is going to be pulling teeth to resolve,” said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

AMERICAN OVERSIGHT

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

"Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

AMERICAN OVERSIGHT

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

AMERICAN OVERSIGHT

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there‘s [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

AMERICAN OVERSIGHT

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It

AMERICAN OVERSIGHT

plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

AMERICAN OVERSIGHT

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow

AMERICAN OVERSIGHT

Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp¸ Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

AMERICAN OVERSIGHT

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

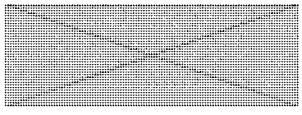
AMERICAN OVERSIGHT

To: STEPHANIE OKEEFE[Ex. 6 - Personal Privacy]
From: Kelly, Albert
Sent: Fri 12/8/2017 10:10:47 PM
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

8 your time

Sent from my iPad

On Dec 8, 2017, at 2:10 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> UGH – at least you can catch up on em. When do you break for the evening?
>
> Stephanie Mathews O'Keefe
> Chief Executive Officer
> International Women's Forum and Leadership Foundation
> T: Ex. 6 - Personal Privacy
> E: Ex. 6 - Personal Privacy
> www.iwforum.org
>
> 
>
> Facebook | Twitter | Instagram | LinkedIn
>
> **From:** Kelly, Albert [mailto:kelly.albert@epa.gov]
> **Sent:** Friday, December 8, 2017 5:08 PM
> **To:** Stephanie O'Keefe <Ex. 6 - Personal Privacy>
> **Subject:** Re: The Environmental Scandal in Scott Pruitt's Backyard
>
> Not on time. Loosely organized. Hard to get sense of purpose
>
> Sent from my iPad
>
> On Dec 8, 2017, at 2:04 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:
>
> > Given what you told me about the internal issues around new initiatives and rolling them out, that was probably a good way to go – soft launch.

AMERICAN OVERSIGHT

How are things there?

Stephanie Mathews O'Keefe
Chief Executive Officer
International Women's Forum and Leadership Foundation
T: Ex. 6 - Personal Privacy
E: Ex. 6 - Personal Privacy
www.iwforum.org

Facebook | Twitter | Instagram | LinkedIn

From: Kelly, Albert [mailto:kelly.albert@epa.gov]
Sent: Friday, December 8, 2017 5:02 PM
To: Stephanie O'Keefe <Ex. 6 - Personal Privacy>
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

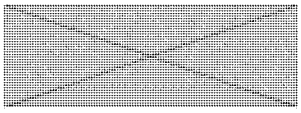
Yes. Scott quasi-announced this in his testimony yesterday

Sent from my iPad

On Dec 8, 2017, at 1:59 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> Good to hear. I think your work on the lead stuff will also be very important around this kind of thing going forward.

Stephanie Mathews O'Keefe
Chief Executive Officer
International Women's Forum and Leadership Foundation
T: Ex. 6 - Personal Privacy
E: Ex. 6 - Personal Privacy
www.iwforum.org



Facebook | Twitter | Instagram | LinkedIn

AMERICAN OVERSIGHT

From: Kelly, Albert [mailto:kelly.albert@epa.gov]
Sent: Friday, December 8, 2017 4:55 PM
To: Stephanie O'Keefe <Ex. 6 - Personal Privacy>
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

Yes I read it. Tar Creek is on the list so buckle your chin strap because we will really be on this. Can't speak to or do anything about past investigations.

Sent from my iPad

On Dec 8, 2017, at 1:44 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854
>
> Looking for coverage of the release today, and ran across this – have you seen it?

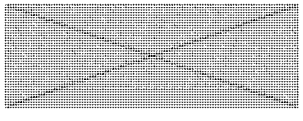
AMERICAN OVERSIGHT

To: STEPHANIE OKEEFE[Ex. 6 - Personal Privacy
From: Kelly, Albert
Sent: Fri 12/8/2017 10:07:56 PM
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

Not on time. Loosely organized. Hard to get sense of purpose

Sent from my iPad

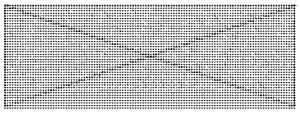
On Dec 8, 2017, at 2:04 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> Given what you told me about the internal issues around new initiatives and rolling them out, that was probably a good way to go – soft launch.
>
> How are things there?
>
> Stephanie Mathews O'Keefe
> Chief Executive Officer
> International Women's Forum and Leadership Foundation
> T: Ex. 6 - Personal Privacy
> E: Ex. 6 - Personal Privacy
> www.iwforum.org
>
> 
>
> Facebook | Twitter | Instagram | LinkedIn
>
> **From:** Kelly, Albert [mailto:kelly.albert@epa.gov]
> **Sent:** Friday, December 8, 2017 5:02 PM
> **To:** Stephanie O'Keefe <Ex. 6 - Personal Privacy>
> **Subject:** Re: The Environmental Scandal in Scott Pruitt's Backyard
>
> Yes. Scott quasi-announced this in his testimony yesterday
>
> Sent from my iPad
>
> On Dec 8, 2017, at 1:59 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

AMERICAN OVERSIGHT

Good to hear. I think your work on the lead stuff will also be very important around this kind of thing going forward.

Stephanie Mathews O'Keefe
Chief Executive Officer
International Women's Forum and Leadership Foundation
T: Ex. 6 - Personal Privacy
E: Ex. 6 - Personal Privacy
www.iwforum.org



Facebook | Twitter | Instagram | LinkedIn

From: Kelly, Albert [mailto:kelly.albert@epa.gov]
Sent: Friday, December 8, 2017 4:55 PM
To: Stephanie O'Keefe <Ex. 6 - Personal Privacy>
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

Yes I read it. Tar Creek is on the list so buckle your chin strap because we will really be on this. Can't speak to or do anything about past investigations.

Sent from my iPad

On Dec 8, 2017, at 1:44 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854
>
> Looking for coverage of the release today, and ran across this – have you seen it?

AMERICAN OVERSIGHT

To: STEPHANIE OKEEFE[Ex. 6 - Personal Privacy]
From: Kelly, Albert
Sent: Fri 12/8/2017 10:02:02 PM
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

Yes. Scott quasi-announced this in his testimony yesterday

Sent from my iPad

On Dec 8, 2017, at 1:59 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:

> Good to hear. I think your work on the lead stuff will also be very important around this kind of thing going forward.
>
> Stephanie Mathews O'Keefe
> Chief Executive Officer
> International Women's Forum and Leadership Foundation
> T: Ex. 6 - Personal Privacy
> E: Ex. 6 - Personal Privacy
> www.iwforum.org
>
>
>
> Facebook | Twitter | Instagram | LinkedIn
>
> **From:** Kelly, Albert [mailto:kelly.albert@epa.gov]
> **Sent:** Friday, December 8, 2017 4:55 PM
> **To:** Stephanie O'Keefe <Ex. 6 - Personal Privacy>
> **Subject:** Re: The Environmental Scandal in Scott Pruitt's Backyard
>
> Yes I read it. Tar Creek is on the list so buckle your chin strap because we will really be on this. Can't speak to or do anything about past investigations.
>
> Sent from my iPad
>
> On Dec 8, 2017, at 1:44 PM, Stephanie O'Keefe <Ex. 6 - Personal Privacy> wrote:
>
> > https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854

AMERICAN OVERSIGHT

Looking for coverage of the release today, and ran across this – have you seen it?

AMERICAN OVERSIGHT

To: STEPHANIE OKEEFE[Ex. 6 - Personal Privacy]
From: Kelly, Albert
Sent: Fri 12/8/2017 9:54:45 PM
Subject: Re: The Environmental Scandal in Scott Pruitt's Backyard

Yes I read it. Tar Creek is on the list so buckle your chin strap because we will really be on this. Can't speak to or do anything about past investigations.

Sent from my iPad

On Dec 8, 2017, at 1:44 PM, Stephanie O'Keefe <[Ex. 6 - Personal Privacy]> wrote:

> https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854
>
> Looking for coverage of the release today, and ran across this – have you seen it?

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Hopke, Jonathan
Sent: Fri 12/8/2017 6:22:39 PM
Subject: NPHS Hopes You Are Well

Jahan!
I'm sorry I missed your visit. I was having knee surgery that day, but I would have loved to talk with you. I hope you're well and enjoying Washington politics. It's always great to hear how former students, now adults (gosh, I'm old), are doing.

I must admit, I haven't taken a lot of time to look into what the EPA has been doing this past year. Prior to sending this email I found an article on politico that has your boss's name in the headline and looked interesting, so I quickly read it. It doesn't seem to put a very gracious light on him or the people he works with. What's your opinion on how the Tar Creek situation was handled? If you don't want to reply, I understand. No problem. I just read the article today and thought it might be interesting to ask you about it.

https://www.politico.com/magazine/story/2017/12/06/scott-pruitt-tar-creek-oklahoma-investigation-215854

Anyway, thanks for stopping by and I wish you the best of luck.

Jonathan Hopke

Jonathan Hopke | Social Studies Teacher
New Prague High School | 221 12 Street NE | New Prague, MN 56071
phone: Ex. 6 - Personal Privacy | fax: Ex. 6 - Personal Privacy
www.npaschools.org | facebook | twitter
New Prague Area Schools: Proud Tradition, Promising Future

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Block, Molly
Sent: Mon 2/12/2018 7:36:41 PM
Subject: FW: statement/press release

FYI

From: Block, Molly
Sent: Monday, February 12, 2018 2:30 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>; Jahan wilcox (jahan@epa.gov) <jahan@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Subject: RE: statement/press release

Thanks Tricia!

From: Lynn, Tricia
Sent: Monday, February 12, 2018 2:29 PM
To: Jahan wilcox (jahan@epa.gov) <jahan@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Subject: RE: statement/press release

I'm assuming this is for the 3rd floor, but please let me know if you need anything from me/Superfund.

From: Mike Soraghan [Ex. 6 - Personal Privacy]
Sent: Monday, February 12, 2018 2:11 PM
To: Jahan wilcox (jahan@epa.gov) <jahan@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Subject: FW: statement/press release

So. In this news release from the office of the Oklahoma State Auditor and Inspector, the elected auditor is making an accusation that the current EPA Administrator and former Oklahoma Attorney General "acted improperly" in a Superfund inquiry. Does Mr. Pruitt have a response? I'm writing this for our PM edition. If a response comes in later we'll do a separate, follow-up

AMERICAN OVERSIGHT

story.

"former attorney general acted improperly when he shared the contents"

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Trey Davis [mailto:tdavis@sai.ok.gov]
Sent: Monday, February 12, 2018 11:58 AM
To: Mike Soraghan <msoraghan@eenews.net>
Subject: RE: statement/press release

AUDITOR: Let the Audit Speak for Itself

AMERICAN OVERSIGHT

At the State Auditor's Office, we focus on two primary matters – accountability and transparency. To achieve these two objectives, our work must be beyond reproach and the entanglement of politics.

Ours is a constitutionally-created, independent office with the principal purpose to examine and inspect whether public officials properly expended public funds.

The constitution names the State Auditor before the Attorney General. We are not agents of the Attorney General and we do not work for the Attorney General.

Our audits examine public records. We look at how public funds are spent. A finding of probable fraud, waste, or abuse is only stated when fully supported by financial records and other evidence.

The Special Investigative Audit of the Lead Impacted Communities Relocation Assistance Trust (LICRAT) was a review of public documents to determine if the LICRAT Board complied with state law in the expenditure of public funds. Special Audits differ from other types of audits because we are not required to conduct these audits in accordance with government auditing standards.

A Special Audit must be requested and conducted when financial mismanagement is believed to have occurred. The LICRAT Special Audit was initially sought by for U.S. Senator Tom Coburn. The only reason to involve the AG was because his office is one of five statutorily permitted ways to request a Special Audit. The audit was conducted on behalf of Oklahoma taxpayers.

The former attorney general acted improperly when he shared the contents of the audit report with the subject of the audit. The impropriety was further compounded when he refused to share the audit with the people who paid for it – the taxpayers of Oklahoma.

The LICRAT audit wasn't about Scott Pruitt, left-wing environmentalists, Andy Lester, or politics. As the State Auditor, I have taken the position that the people of our state

AMERICAN OVERSIGHT

deserve to know why the LICRAT Board spent over $3.6 million on a project when the cost could have been less than $600,000.

If, as Mr. Pruitt's spokesman stated, the audit was "shoddy," then release it so the public can make that determination. If, as Mr. Lester stated, the audit report determined "no direct evidence of a conspiracy against the state," then release the audit so the public can make that determination.

The State Auditor is the fact finder, not the prosecutor. The sole discretion to prosecute is always retained by the prosecutor.

The only issue here is when the prosecutor determines not to proceed – don't cover up the issue by withholding a public document, paid for with public funds, and conducted on behalf of the public.

Audits are complicated. Many times, fraud and embezzlement are complicated. Often audits are confusing to prosecutors who aren't confident they can sufficiently explain it to a jury in order to obtain a guilty verdict. As such, much white-collar crime goes unprosecuted.

I have confidence in the work product of our office, its people, and their professionalism. We stand by the courage of our convictions while others cast aspersions on the reputation and integrity of those who favor accountability and transparency.

Let the Audit Speak for itself.

NOTE: Oklahoma State Auditor Gary Jones doesn't issue many news releases. As auditor, he has consistently taken the position that an audit should speak for itself. Since taking office in 2011, Gary has issued 15 news releases, of which, four were about a specific audit.

From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, February 12, 2018 10:25 AM

AMERICAN OVERSIGHT

To: Trey Davis <tdavis@sai.ok.gov>
Subject: statement/press release

Trey,

I'm reading that the Auditor has issued a statement or press release. Could I get a copy?

Thanks,

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

AMERICAN OVERSIGHT

To: Mike Soraghan[msoraghan@eenews.net]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Mon 2/12/2018 10:10:48 PM
Subject: RE: statement/press release

Want to flag this story from the Tulsa World for you.

2013 EPA investigation found no wrong-doing by Tar Creek trust
The Tulsa World
February 12, 2018

http://www.tulsaworld.com/homepagelatest/epa-investigation-found-no-wrong-doing-by-tar-creek-trust/article_ae02def8-ffc0-558e-9d93-c427d2fc0c31.html

A federal investigator found no irregularities or law violations related to the handling of a contract to dismantle and remove buildings in the Tar Creek Superfund site in far northeastern Oklahoma, according to a little-seen 2013 report by the Environmental Protection Agency's Office of Inspector General.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report, which has not been generally available to the public, although a redacted copy was obtained by a trust member in 2014 through a Freedom of Information Act request.

Separately, the Tulsa World obtained a copy through a third party. OIC officials confirmed its authenticity.

Chandler's conclusions were at odds with those apparently reached by the state auditor and inspector's office, which conducted an investigative audit of the Lead-Impacted Communities Relocation Assistance Trust, or LICRAT, over several years beginning in 2011.

The A&I audit has never been released, but public and private statements of those familiar with the document indicate it suggests mismanagement and possible criminal conduct related to the Tar Creek contract.

AMERICAN OVERSIGHT

Scott Pruitt, then Oklahoma's attorney general, ordered the audit sealed in 2015 after giving a portion of it to LICRAT's attorney, Andy Lester.

At the time, Pruitt said the audit unfairly made "unsubstantiated criminal allegations against private citizens."

This deepened a feud between Pruitt and Auditor and Inspector Gary Jones, who still insists the audit should be released to the public, and bristles at the suggestion it may have been poorly done.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones said last week.

The audit and the Tar Creek project again became an issue last year when Pruitt, a sworn enemy of the EPA and ally of some of the nation's largest polluters during his years as Oklahoma's attorney general, was nominated to and subsequently became EPA administrator.

He is also a protege of, and possible successor to, U.S. Sen. Jim Inhofe, who was instrumental in setting up LICRAT and a foe of environmentalists.

Pruitt has thus become the subject of numerous investigations by journalists and environmental groups, with the emotionally charged and politically fraught Tar Creek saga a particularly appealing rock to look under. In November, Washington-based Campaign for Accountability sued to force the state audit's release.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. Most deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a $3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

AMERICAN OVERSIGHT

Contacted Friday, Dalrymple said he, too, wants the A&I report released.

"I'm not afraid of that being released because the trust was just hard-working people who did the right thing," he said. "I can tell you every single person on that trust was honest and true."

The allegations, made in a 2012 qui tam lawsuit by Billy Freeman Jr. and Joe Crawford of Ottawa County, also included claims that the work was not done properly.

Chandler, in her report, found each claim without merit. She says the work was done satisfactorily, and notes the contract was for a lump sum, which made questions about how components of the contract were carried out irrelevant.

The suit was dismissed in October 2013, in large part on the basis of the OIG investigation.

Chandler's report, which is marked "restricted" and "for official use only," was apparently intended for internal use only. Its primary purpose was to determine whether the federal government should join in the qui tam lawsuit.

A qui tam suit is one brought by private citizens alleging fraud against the federal government under the False Claims Act. This particular suit was one of several actions taken by area residents upset with the handling of the Tar Creek operation.

Most complaints dealt with the buyout — offers too high or too low — but the state and federal investigations in question dealt solely with the removal and rehabilitation contract.

The OIG report says LICRAT made several missteps early in the process, and eventually turned the bidding over to what was then the state's Office of Central Services.

The portion of the A&I audit given Lester dealt with that stage of the investigation, but people familiar with the entire document, who agreed to speak only on background, say it outlines

AMERICAN OVERSIGHT

irregularities before and after Central Services took over.

Lester says those allegations are baseless.

The politics of the Tar Creek cleanup have always been complex. Besides the Pruitt angle, they involve the rivalry between Inhofe and his former colleague, Tom Coburn, whose staff indirectly initiated the state audit by bringing documents to Jones' office in 2011.

Jones sent the material to Pruitt, who returned it with a letter ordering an investigation.

"This is all because of politics," said Dalrymple, who for decades has been embroiled in lawsuits against the state and federal government over flooding in Ottawa County. "Nobody really cares about our little area. ... I guarantee you (the state is) not trying to protect me."

From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, February 12, 2018 2:11 PM
To: Jahan wilcox (jahan@epa.gov) <jahan@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Subject: FW: statement/press release

So. In this news release from the office of the Oklahoma State Auditor and Inspector, the elected auditor is making an accusation that the current EPA Administrator and former Oklahoma Attorney General "acted improperly" in a Superfund inquiry. Does Mr. Pruitt have a response? I'm writing this for our PM edition. If a response comes in later we'll do a separate, follow-up story.

"former attorney general acted improperly when he shared the contents"

AMERICAN OVERSIGHT

Mike Soraghan

E&E News reporter

msoraghan@eenews.net

202-709-3699 (office and mobile)

@MikeSoraghan

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Trey Davis [mailto:tdavis@sai.ok.gov]
Sent: Monday, February 12, 2018 11:58 AM
To: Mike Soraghan <msoraghan@eenews.net>
Subject: RE: statement/press release

AUDITOR: Let the Audit Speak for Itself

At the State Auditor's Office, we focus on two primary matters – accountability and transparency. To achieve these two objectives, our work must be beyond reproach and the entanglement of politics.

Ours is a constitutionally-created, independent office with the principal purpose to examine and inspect whether public officials properly expended public funds.

AMERICAN OVERSIGHT

The constitution names the State Auditor before the Attorney General. We are not agents of the Attorney General and we do not work for the Attorney General.

Our audits examine public records. We look at how public funds are spent. A finding of probable fraud, waste, or abuse is only stated when fully supported by financial records and other evidence.

The Special Investigative Audit of the Lead Impacted Communities Relocation Assistance Trust (LICRAT) was a review of public documents to determine if the LICRAT Board complied with state law in the expenditure of public funds. Special Audits differ from other types of audits because we are not required to conduct these audits in accordance with government auditing standards.

A Special Audit must be requested and conducted when financial mismanagement is believed to have occurred. The LICRAT Special Audit was initially sought by for U.S. Senator Tom Coburn. The only reason to involve the AG was because his office is one of five statutorily permitted ways to request a Special Audit. The audit was conducted on behalf of Oklahoma taxpayers.

The former attorney general acted improperly when he shared the contents of the audit report with the subject of the audit. The impropriety was further compounded when he refused to share the audit with the people who paid for it – the taxpayers of Oklahoma.

The LICRAT audit wasn't about Scott Pruitt, left-wing environmentalists, Andy Lester, or politics. As the State Auditor, I have taken the position that the people of our state deserve to know why the LICRAT Board spent over $3.6 million on a project when the cost could have been less than $600,000.

If, as Mr. Pruitt's spokesman stated, the audit was "shoddy," then release it so the public can make that determination. If, as Mr. Lester stated, the audit report determined "no direct evidence of a conspiracy against the state," then release the audit so the public can make that determination.

AMERICAN OVERSIGHT

The State Auditor is the fact finder, not the prosecutor. The sole discretion to prosecute is always retained by the prosecutor.

The only issue here is when the prosecutor determines not to proceed – don't cover up the issue by withholding a public document, paid for with public funds, and conducted on behalf of the public.

Audits are complicated. Many times, fraud and embezzlement are complicated. Often audits are confusing to prosecutors who aren't confident they can sufficiently explain it to a jury in order to obtain a guilty verdict. As such, much white-collar crime goes unprosecuted.

I have confidence in the work product of our office, its people, and their professionalism. We stand by the courage of our convictions while others cast aspersions on the reputation and integrity of those who favor accountability and transparency.

Let the Audit Speak for itself.

NOTE: Oklahoma State Auditor Gary Jones doesn't issue many news releases. As auditor, he has consistently taken the position that an audit should speak for itself. Since taking office in 2011, Gary has issued 15 news releases, of which, four were about a specific audit.

From: Mike Soraghan [mailto:msoraghan@eenews.net]
Sent: Monday, February 12, 2018 10:25 AM
To: Trey Davis <tdavis@sai.ok.gov>
Subject: statement/press release

Trey,

AMERICAN OVERSIGHT

I'm reading that the Auditor has issued a statement or press release. Could I get a copy?

Thanks,

Mike Soraghan

E&E News reporter

msoraghan@eenews.net

202-709-3699 (office and mobile)

@MikeSoraghan

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Mon 2/12/2018 7:52:24 PM
Subject: Fwd: statement/press release

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Mike Soraghan <msoraghan@eenews.net>
Date: February 12, 2018 at 2:10:48 PM EST
To: "Jahan wilcox (jahan@epa.gov)" <jahan@epa.gov>
Cc: "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>, Press <Press@epa.gov>
Subject: FW: statement/press release

So. In this news release from the office of the Oklahoma State Auditor and Inspector, the elected auditor is making an accusation that the current EPA Administrator and former Oklahoma Attorney General "acted improperly" in a Superfund inquiry. Does Mr. Pruitt have a response? I'm writing this for our PM edition. If a response comes in later we'll do a separate, follow-up story.

"former attorney general acted improperly when he shared the contents"

Mike Soraghan

E&E News reporter

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

From: Trey Davis [mailto:tdavis@sai.ok.gov]
Sent: Monday, February 12, 2018 11:58 AM
To: Mike Soraghan <Ex. 6 - Personal Privacy>
Subject: RE: statement/press release

AUDITOR: Let the Audit Speak for Itself

At the State Auditor's Office, we focus on two primary matters – accountability and transparency. To achieve these two objectives, our work must be beyond reproach and the entanglement of politics.

Ours is a constitutionally-created, independent office with the principal purpose to examine and inspect whether public officials properly expended public funds.

The constitution names the State Auditor before the Attorney General. We are not agents of the Attorney General and we do not work for the Attorney General.

Our audits examine public records. We look at how public funds are spent. A finding of probable fraud, waste, or abuse is only stated when fully supported by financial records and other evidence.

The Special Investigative Audit of the Lead Impacted Communities Relocation

AMERICAN OVERSIGHT

Assistance Trust (LICRAT) was a review of public documents to determine if the LICRAT Board complied with state law in the expenditure of public funds. Special Audits differ from other types of audits because we are not required to conduct these audits in accordance with government auditing standards.

A Special Audit must be requested and conducted when financial mismanagement is believed to have occurred. The LICRAT Special Audit was initially sought by for U.S. Senator Tom Coburn. The only reason to involve the AG was because his office is one of five statutorily permitted ways to request a Special Audit. The audit was conducted on behalf of Oklahoma taxpayers.

The former attorney general acted improperly when he shared the contents of the audit report with the subject of the audit. The impropriety was further compounded when he refused to share the audit with the people who paid for it – the taxpayers of Oklahoma.

The LICRAT audit wasn't about Scott Pruitt, left-wing environmentalists, Andy Lester, or politics. As the State Auditor, I have taken the position that the people of our state deserve to know why the LICRAT Board spent over $3.6 million on a project when the cost could have been less than $600,000.

If, as Mr. Pruitt's spokesman stated, the audit was "shoddy," then release it so the public can make that determination. If, as Mr. Lester stated, the audit report determined "no direct evidence of a conspiracy against the state," then release the audit so the public can make that determination.

The State Auditor is the fact finder, not the prosecutor. The sole discretion to prosecute is always retained by the prosecutor.

The only issue here is when the prosecutor determines not to proceed – don't cover up the issue by withholding a public document, paid for with public funds, and conducted on behalf of the public.

AMERICAN OVERSIGHT

Audits are complicated. Many times, fraud and embezzlement are complicated. Often audits are confusing to prosecutors who aren't confident they can sufficiently explain it to a jury in order to obtain a guilty verdict. As such, much white-collar crime goes unprosecuted.

I have confidence in the work product of our office, its people, and their professionalism. We stand by the courage of our convictions while others cast aspersions on the reputation and integrity of those who favor accountability and transparency.

Let the Audit Speak for itself.

NOTE: Oklahoma State Auditor Gary Jones doesn't issue many news releases. As auditor, he has consistently taken the position that an audit should speak for itself. Since taking office in 2011, Gary has issued 15 news releases, of which, four were about a specific audit.

From: Mike Soraghan [mailto:[Ex. 6 - Personal Privacy]]
Sent: Monday, February 12, 2018 10:25 AM
To: Trey Davis <tdavis@sai.ok.gov>
Subject: statement/press release

Trey,

I'm reading that the Auditor has issued a statement or press release. Could I get a copy?

Thanks,

Mike Soraghan

E&E News reporter

AMERICAN OVERSIGHT

Ex. 6 - Personal Privacy

Ex. 6 - Personal Privacy (office and mobile)

Ex. 6 - Personal Privacy

E&E NEWS

122 C Street NW 7th Floor Washington, DC 20001

www.eenews.net | @EENewsUpdates

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

AMERICAN OVERSIGHT

To: Malcolm Burnley[Ex. 6 - Personal Privacy]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Wed 10/4/2017 6:44:10 PM
Subject: RE: POLITICO Magazine: Tar Creek, Oklahoma

Hey Malcolm this is my email address, and Jahan is cc'd above. Let us know when you get more guidance from your editors and we can move forward from there. Great talking to you!

From: Malcolm Burnley [mailto:Ex. 6 - Personal Privacy]
Sent: Wednesday, October 4, 2017 12:30 PM
To: Press <Press@epa.gov>
Subject: POLITICO Magazine: Tar Creek, Oklahoma

Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.

The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.

Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

AMERICAN OVERSIGHT

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Mon 11/6/2017 9:55:12 PM
Subject: RE:

Will take you up on that. Let me follow-up again with the reporter, it's for Politico Magazine.

-----Original Message-----
From: Jackson, Ryan
Sent: Monday, November 6, 2017 3:33 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject:

If you need help with the tar creek stuff let me know.

_____

Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

To: Willis, Sharnett[Willis.Sharnett@epa.gov]; Dickerson, Aaron[dickerson.aaron@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Wilcox, Jahan
Sent: Wed 11/8/2017 7:48:16 PM
Subject: Ryan Request ...

Does he have time to talk with a Politico reporter regard Tar Creek Superfund on Monday morning or early afternoon?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 - Personal Privacy
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Dickerson, Aaron[dickerson.aaron@epa.gov]
From: Wilcox, Jahan
Sent: Mon 11/13/2017 4:24:42 PM
Subject: Re: Ryan Request ...

They did not but he said he talked to Inhofe's so we should be fine

Sent from my iPhone

On Nov 13, 2017, at 9:08 AM, Dickerson, Aaron <dickerson.aaron@epa.gov> wrote:

Hi Jahan

Did Sharnett get back to you regarding this request?

From: Wilcox, Jahan
Sent: Wednesday, November 8, 2017 2:48 PM
To: Willis, Sharnett <Willis.Sharnett@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Ryan Request ...

Does he have time to talk with a Politico reporter regard Tar Creek Superfund on Monday morning or early afternoon?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 - Personal Privacy
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Dickerson, Aaron
Sent: Mon 11/13/2017 4:08:47 PM
Subject: RE: Ryan Request ...

Hi Jahan

Did Sharnett get back to you regarding this request?

From: Wilcox, Jahan
Sent: Wednesday, November 8, 2017 2:48 PM
To: Willis, Sharnett <Willis.Sharnett@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Ryan Request ...

Does he have time to talk with a Politico reporter regard Tar Creek Superfund on Monday morning or early afternoon?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 - Personal Privacy
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Dickerson, Aaron
Sent: Mon 11/13/2017 4:31:33 PM
Subject: RE: Ryan Request ...

Ok, thank you.

From: Wilcox, Jahan
Sent: Monday, November 13, 2017 11:25 AM
To: Dickerson, Aaron <dickerson.aaron@epa.gov>
Subject: Re: Ryan Request ...

They did not but he said he talked to Inhofe's so we should be fine

Sent from my iPhone

On Nov 13, 2017, at 9:08 AM, Dickerson, Aaron <dickerson.aaron@epa.gov> wrote:

> Hi Jahan
>
> Did Sharnett get back to you regarding this request?
>
> **From:** Wilcox, Jahan
> **Sent:** Wednesday, November 8, 2017 2:48 PM
> **To:** Willis, Sharnett <Willis.Sharnett@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>
> **Cc:** Ferguson, Lincoln <ferguson.lincoln@epa.gov>
> **Subject:** Ryan Request ...
>
> Does he have time to talk with a Politico reporter regard Tar Creek Superfund on Monday morning or early afternoon?

AMERICAN OVERSIGHT

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 - Personal Privacy
Work Email: wilcox.jahan@epa.gov

AMERICAN OVERSIGHT

To: Malcolm Burnley[Ex. 6 - Personal Privacy ; Abboud, Michael[abboud.michael@epa.gov]
From: Wilcox, Jahan
Sent: Wed 10/4/2017 7:00:44 PM
Subject: RE: POLITICO Magazine: Tar Creek, Oklahoma

Thank you.

From: Malcolm Burnley [Ex. 6 - Personal Privacy
Sent: Wednesday, October 4, 2017 2:49 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: POLITICO Magazine: Tar Creek, Oklahoma

Hi Mike and Jahan,

Thanks for the conversation earlier. I'll be in touch in the next day or so.

Best,

Malcolm

On Wed, Oct 4, 2017 at 2:44 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Hey Malcolm this is my email address, and Jahan is cc'd above. Let us know when you get more guidance from your editors and we can move forward from there. Great talking to you!
>
> **From:** Malcolm Burnley [mailto: Ex. 6 - Personal Privacy
> **Sent:** Wednesday, October 4, 2017 12:30 PM
> **To:** Press <Press@epa.gov>
> **Subject:** POLITICO Magazine: Tar Creek, Oklahoma
>
> Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with

AMERICAN OVERSIGHT

EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.

The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.

Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

AMERICAN OVERSIGHT

Philadelphia

AMERICAN OVERSIGHT

To: Malcolm Burnley[Ex. 6 - Personal Privacy]
Cc: Press[Press@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Pruitt, Scott[pruitt.scott@epa.gov]
From: Wilcox, Jahan
Sent: Fri 4/13/2018 6:26:12 PM
Subject: RE: Politico Mag: New Questions on Tar Creek Audit

Yes. I will get our CoS on the phone with you.

From: Malcolm Burnley [mailto:Ex. 6 - Personal Privacy]
Sent: Friday, April 13, 2018 2:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Pruitt, Scott <Pruitt.Scott@epa.gov>
Subject: Re: Politico Mag: New Questions on Tar Creek Audit

Hi Jahan and co.,

I'm just checking in to see if you received my request and if I can expect any comments for the story I'm working on? I hope to publish on Monday. I left messages on your cell, and the press/media relations office for the administrator.

Thanks,

Malcolm

On Thu, Apr 12, 2018 at 5:36 PM, Malcolm Burnley <Ex. 6 - Personal Privacy> wrote:

> Hi Jahan,
>
> I'm writing a story for POLITICO magazine that's following up on my feature from last December on Tar Creek. It'll be shorter, something of a news piece related to the news Monday that Oklahoma AG Mike Hunter released the audit report from the Tar Creek investigation that EPA Administrator Pruitt ordered years ago when he was AG.

AMERICAN OVERSIGHT

We want to publish this Monday, if not before.

I'm hoping to get answers to **four questions listed below**, circling back to my conversation with EPA Administrator Pruitt last November. Give me a call if you'd like to discuss — on or off record — on my cell: Ex. 6 - Personal Privacy anytime.

If I don't hear back from you by early tomorrow, I'll follow up with a call early tomorrow.

Refresher: In November, Administrator Pruitt explained his decision to not release the Tar Creek audit (back in 2015, during the time he was Oklahoma AG) to the public because

A) the audit didn't turn up sufficient evidence to pursue prosecution

B) As a result, he didn't want innocent people to be besmirched, to protect their names and reputations.

> His exact response was "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and as such, it was important to protect the individuals' reputation that were in that investigation."

Therefore, my questions:

1) How does administrator Pruitt respond to the assertion of state auditors, writing in the Tar Creek audit that was released on Monday, that the audit yielded "sufficient circumstantial evidence for additional investigation into a potential conspiracy against the state"?

2) If EPA Administrator Pruitt disagreed/disagrees with the supporting

AMERICAN OVERSIGHT

circumstantial evidence of a conspiracy that Jones enclosed, related to the assertion above, why did he? Was it the 2013 EPA OIG report that made him decide against Jones's findings that there was indeed evidence of conspiracy worthy of further investigation? And/or was it the arguments of attorney Andy Lester?

3) Does administrator Pruitt support AG Mike Hunter's decision to disclose the audit now after all these years?

4) Prior to Monday, did AG Mike Hunter notify administrator Pruitt that his office was going to the release the audit? If so, when?

Thanks,

Malcolm

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

Philadelphia

--

- - - - -

Malcolm Burnley

Freelance writing / researcher

AMERICAN OVERSIGHT

Philadelphia

AMERICAN OVERSIGHT

To: Abboud, Michael[abboud.michael@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Malcolm Burnley
Sent: Wed 10/4/2017 6:49:17 PM
Subject: Re: POLITICO Magazine: Tar Creek, Oklahoma

Hi Mike and Jahan,
Thanks for the conversation earlier. I'll be in touch in the next day or so.

Best,
Malcolm

On Wed, Oct 4, 2017 at 2:44 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Hey Malcolm this is my email address, and Jahan is cc'd above. Let us know when you get more guidance from your editors and we can move forward from there. Great talking to you!
>
> **From:** Malcolm Burnley [mailto: **Ex. 6 - Personal Privacy**
> **Sent:** Wednesday, October 4, 2017 12:30 PM
> **To:** Press <Press@epa.gov>
> **Subject:** POLITICO Magazine: Tar Creek, Oklahoma
>
> Hi, I'm a contributing writer with POLITICO magazine. I'm requesting an interview with EPA administrator Scott Pruitt for an upcoming story. **My deadline is Tuesday, October 10**.
>
> The story will be focusing on the EPA Superfund site at Tar Creek, Oklahoma, and the narrative would greatly benefit from Mr. Pruitt's input. There have been many suggestions coming from within the EPA and the White House that Tar Creek has been identified as an example of how Mr. Pruitt will approach Superfund sites across the country. In a January 2017 story for *Bloomberg BNA*, a few days before Mr. Pruitt was confirmed, a White House spokesperson cited a buyout program that took place at Tar Creek as an example of Pruitt's guiding philosophy: "national standards; neighborhood solutions." In August, senior advisor Kel Kelly was touring the site.
>
> Given the prominence that Tar Creek — an EPA Superfund site since the 1980s — has recently taken on, I'd like to discuss Mr. Pruitt's views on the buyout program and overall job the EPA has done there.

AMERICAN OVERSIGHT

Please let me know who I can reach out to directly within the Administrator's office regarding my request.

Thank you,

Malcolm Burnley

Ex. 6 - Personal Privacy

Philadelphia

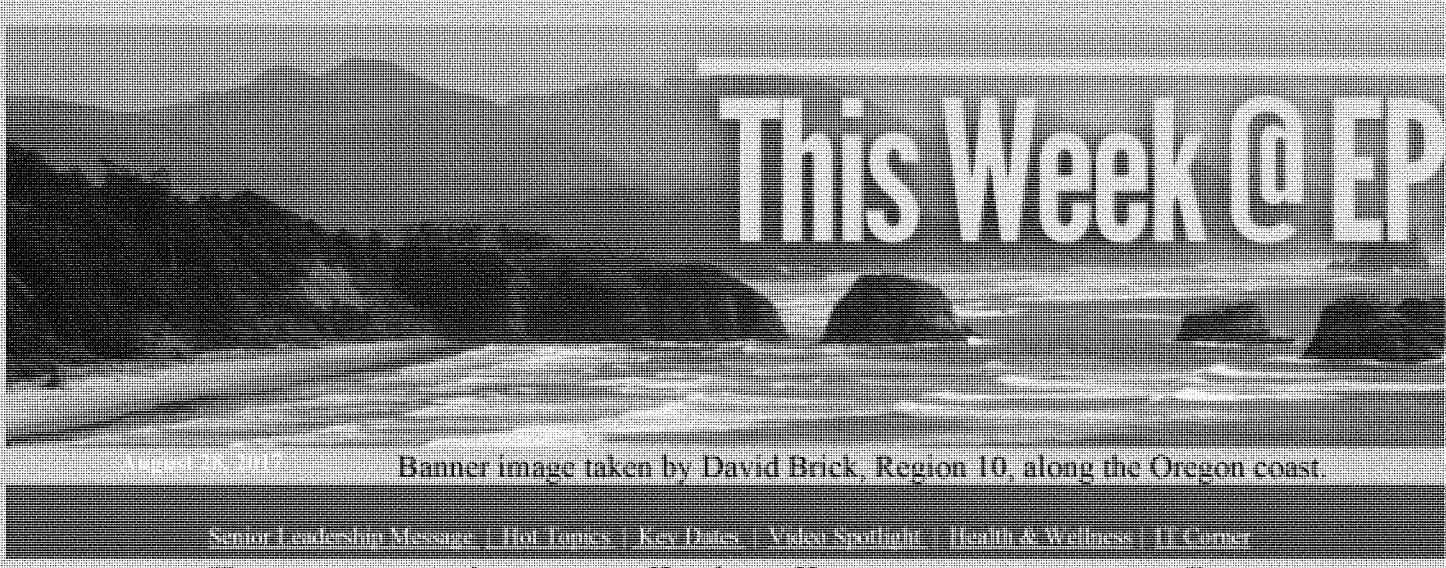
--

- - - - -

Malcolm Burnley
Freelance writing / researcher
Philadelphia

AMERICAN OVERSIGHT

To: This Week @ EPA[epanews@epa.gov]
From: This Week @ EPA
Sent: Mon 8/28/2017 5:34:34 PM
Subject: This Week @ EPA – August 28, 2017



*The agency is actively supporting **Hurricane Harvey** emergency response efforts.*

Be on the lookout for an update from Administrator Pruitt.

Senior Leader Message

Dear Colleagues,

As we approach the final month of Fiscal Year 2017, I want to spur your collective support to help the agency achieve its small business contracting goals. You may be aware that the U.S. Small Business Administration establishes small business goals with each federal agency in accordance with the Small Business Act. These goals recognize the critical role of small businesses in creating jobs, driving innovation, maintaining strong industrial assets, and growing the nation's economy.

AMERICAN OVERSIGHT

I am very proud of EPA's long and distinguished record of supporting small businesses. Your efforts to maximize small business contracting opportunities are the reason why this year's goals are within our reach. With just one month left in FY 2017, it's time to step-up those efforts even more.

The EPA's new Pilot Small Business Contracting Dashboard, which was recently launched to help offices track goal achievements, shows that the agency as a whole is currently achieving three out of the five established small business goals. Region 4 stands alone in the coveted position of achieving all five goals to date. Only the Office of Research and Development and Region 6 have met four of the five goals. Let's work together to follow the outstanding example of these offices and regions.

The Office of Small and Disadvantaged Business Utilization (OSDBU) provides small business expertise and can help you enhance your goal achievements. For assistance, call OSDBU's main line at 202-566-2075, or reach out to one of their Procurement Leads.

I am counting on your support for a strong FY 2017 finish. Boosting your efforts will help the agency achieve its goals, support our nation's small businesses, and strengthen the national economy.

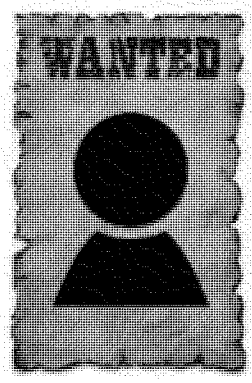
Ryan Jackson

Chief of Staff

Hot Topics

EPA's fugitives list grows

AMERICAN OVERSIGHT



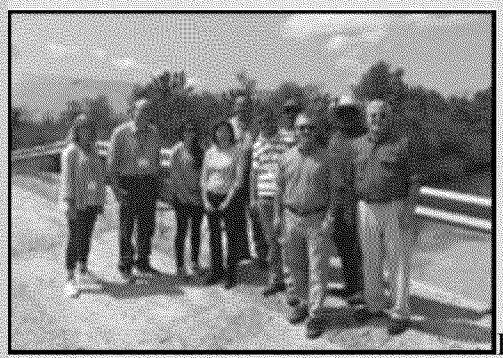
Did you know that EPA has a fugitives list? The list identifies defendants charged with environmental crimes or violations of federal environmental laws who have fled the court's jurisdiction or the United States rather than face prosecution or serve a sentence.

The latest addition to the EPA fugitives list is James Kenneth Ward, who is wanted on federal fraud charges connected with illegal disposal of radioactive waste in several North Dakota locations. He was indicted April 5, 2017, in federal district court in Montana and escaped custody of local officials during a prison transport in Wyoming in March 2013.

•□□□□□□□ For more information about Ward, read the press release.

•□□□□□□□ To learn more about other fugitives, visit the EPA Fugitives site.

Tribal Lands and Environment Forum training



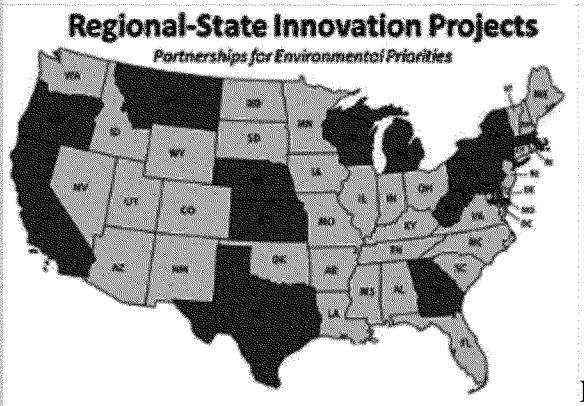
EPA co-sponsored the seventh annual Tribal Lands and Environment Forum (TLEF) training event in Tulsa, Oklahoma, on Aug. 14-17. The TLEF stems from a cooperative agreement between the Institute for Tribal Environmental Professionals (ITEP) located at Northern Arizona University (Exit) and EPA's Office of Land and Emergency Management and Office of Water.

AMERICAN OVERSIGHT

Approximately 450 tribal environmental professionals attended and participated in many of the 15 environmental training sessions. The event also included various breakout sessions, networking opportunities, and field trips. One of the field trip was a tour of the Quapaw Tribe's Tar Creek Superfund site.

EPA's TLEF participants included Ken Wagner (AO), Kell Kelly (AO), Jane Nishida (OITA), Sarah Grennwalt (AO), and Sam Coleman (R6).

Innovative research addresses environmental issues across country



EPA recently announced its selection of research projects addressing priority environmental and human health problems in 14 states across all 10 regions through partnerships between EPA's Office of Research and Development, regional offices, and states.

The research seeks to address pressing environmental issues facing the states. EPA is uniquely equipped to provide scientific expertise to help tackle these problems. The selected projects focus on a wide variety of issues from non-point source nitrogen pollution, volatile organic compound emission detection, harmful algal blooms, roadway air pollution near schools, and other environmental and human health issues across the country.

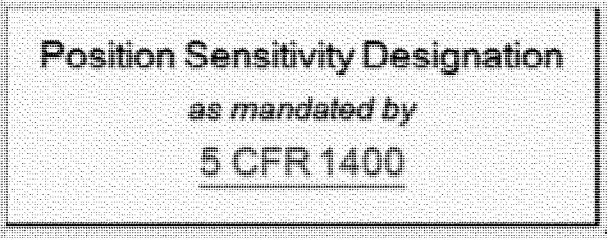
The projects will employ innovative approaches including citizen science, crowdsourcing, a challenge competition, and advanced monitoring technologies.

•□□□□□□□ Check out the list of selected projects.

•□□□□□□□ View the project map and details via the 2017 Regional/State Innovation Projects site.

AMERICAN OVERSIGHT

Position sensitivity designation

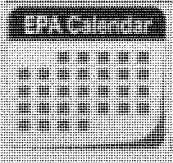


A government-wide security requirement (5 CFR 1400) mandates that agencies evaluate every employee's position to determine its sensitivity in relationship to the potential impact it could have on national security. Some positions may now be considered "National Security Sensitive" where they previously were not because "the occupant could bring about, by virtue of the nature and duties and responsibilities of the position, a material adverse effect on national security."

Supervisors will be responsible for determining the sensitivity levels for each of their direct reports using OPM's Position Risk Designation Tool.

Visit the 5 CFR 1400 Guides intranet site for more details.

Key Dates



Click on each event below to get more details.

Click on the "Add to Calendar" button to add an event to your Outlook calendar.

If you see a log-in screen, please click on your EPA email, or if prompted, enter your email and network password.

Video Spotlight

Corbin, Kentucky farmers market spurs downtown redevelopment

As with many small Appalachian communities, Corbin's downtown struggled for many years. Community members recently participated in the federal Local Foods, Local Places program pilot, which helps people create walkable, healthy, economically vibrant neighborhoods through the development of local food

AMERICAN OVERSIGHT

Happening This Week:

Aug. 28: PeoplePlus early closeout: Corrected timecards due (employees)

Aug. 29: PeoplePlus early closeout: Corrected timecard approvals (supervisors)

Aug. 30: Introduction to Accessible PowerPoint webinar

Aug. 30: PeoplePlus early entry: Timecard entries due (employees)

Aug. 31: PeoplePlus early entry: Timecard approvals due (supervisors)

Coming Soon:

Sept. 7: Lean Overview webinar

systems. Corbin opened a new farmers market downtown, and it attracted people and new businesses. According to Corbin's main street manager, the market helped drive the vacancy rate from over 40 percent down to less than 5 percent.

(Video length: 4:07)

Health & Wellness

Choose healthy recipes!

As part of EPA's Health and Wellness program, there is an intranet site dedicated to healthy recipes! The site provides an

IT Corner

New intranet site aims to enhance 'customer experience'

EPA introduces a new intranet website this week called Customer Experience (CX). The new website is an important milestone of the Office of Environmental Information (OEI) CX Program – a program that aims to enhance and improve customers' overall, ongoing interactions with OEI.

AMERICAN OVERSIGHT

overview of why it is import to choose healthy recipes as well as healthy recipes for breakfast, lunch, dinner, and snacks. In addition, the site has information on three online cookbooks that offer additional recipes.

The CX Program and intranet site are a collaborative effort of OEI, the Office of Administration and Resources Management, and the Office of the Chief Financial Officer. OEI, in partnership with these offices, is conducting town halls to better understand the specific needs and frustrations of customers so it can take action to improve the overall customer experience.

If you have a healthy recipe that you would like to contribute to EPA's healthy recipe site, please email it to Josh McDonald.

The website will keep employees informed of the most recent CX updates and activities; so all employees, as OEI customers, should frequent the site and learn about the CX Program, tools, and team.

Note: If you've tried one of these healthy recipes, please send us a picture and/or a note and let us know what you thought!

The CX Team welcomes your comments and suggestions. Feel free to send any feedback or questions you may have to the new CX mailbox at customer.experience@epa.gov.

AMERICAN OVERSIGHT

EXT-18-783-F-002427

ED_001863D_00000007-00007

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Sparacino, Jessica
Sent: Thur 8/10/2017 2:48:30 PM
Subject: Tulsa World: Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head, 8/10/17

Tulsa World

http://www.tulsaworld.com/homepagelatest/randy-krehbiel-some-believe-scott-pruitt-is-eyeing-u-s/article_8df80b4a-fde8-59d5-b67b-153214782f0f.html

Some believe Scott Pruitt is eyeing U.S. Senate campaign from his seat as EPA head

By: Randy Krehbiel, 8/9/17

Former Oklahoma Attorney General Scott Pruitt's foray into the federal bureaucracy as Environmental Protection Agency administrator doesn't seem to have diminished speculation that his ultimate goal is the U.S. Senate.

Although he remains mum about his long-range plans, Pruitt has long been seen as a potential successor to U.S. Sen. Jim Inhofe, who would be up for re-election in 2020, when he turns 86.

Inhofe has not said whether he'll seek another term, but he has always been very complementary of Pruitt and, publicly at least, seems to regard Pruitt as a worthy protege.

In a piece published Wednesday morning, Politico suggests some of Pruitt's EPA initiatives are regarded as political theater. His proposed televised debates on climate change are viewed with particular skepticism, according to the piece.

"The man's running for Senate (in 2020)," says David Bookbinder of the Niskanen Center, a libertarian-leaning policy institute that favors federal regulation of greenhouse gases. "Everything he says is calculated toward securing the Republican nomination in Oklahoma and then winning the general election there."

AMERICAN OVERSIGHT

Pruitt has been and continues to be the subject of intense scrutiny in Washington. Most recently, reporters have been reexamining Pruitt's handling five years ago of a state auditor and inspector's report on a trust created to administer relocation of residents in the area of Tar Creek in Ottawa County.

Pruitt, who was attorney general at the time, took the report to the state's multi-county grand jury, but no action was taken. Pruitt subsequently refused to release the report, saying he believed it might cast private citizens in an unfavorable light.

At the time, Auditor and Inspector Gary Jones, now a candidate for governor, disagreed with Pruitt.

More recently, as a result of Open Records Act requests for the audit, Jones' office asked current Attorney General Mike Hunter for guidance on the matter.

In a letter dated Aug. 3, Senior Deputy Attorney General Tom Gruber told Jones' office "this audit shall remain a confidential criminal investigatory file in the Office of the Attorney General and will not be released."

A long record in public office can be fertile ground for political foes. The Politico piece says that while Pruitt's energy allies want a more favorable regulatory environment, they don't necessarily want a showdown on environmental science, because that's a fight they could lose.

And if they lose, so does Scott Pruitt.

___

Jessica Sparacino

US Environmental Protection Agency

Office of Public Affairs Intern

AMERICAN OVERSIGHT

(202) 564-5327

WJCN 2502J

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Sorokin, Nicholas
Sent: Fri 7/14/2017 4:12:12 PM
Subject: Inside EPA: Communities Ready Task Force To Resist Pruitt Superfund Reform Effort, 7/14/17

Inside EPA

https://insideepa.com/daily-news/communities-ready-task-force-resist-pruitt-superfund-reform-effort

Communities Ready Task Force To Resist Pruitt Superfund Reform Effort

By Suzanne Yohannan, 7/13/17

Grassroots community groups are forming a task force to help them push back against EPA Administrator Scott Pruitt's efforts to reform the Superfund program, arguing that his endeavor raises significant concerns about curtailing cleanup oversight and planning to come up with alternative approaches to offer the administrator.

Pruitt's May 22 memo creating an internal agency task force to reexamine Superfund and recommend revisions "raises major concerns about decreasing cleanup oversight, privileging corporate interests over public health, and a lack of community involvement," says a July 12 email to community groups from Lois Gibbs, the long-time Superfund activist and founder of The Center for Health, Environment & Justice (CHEJ), the group leading the effort.

"The focus of Superfund cleanup must place public health as a priority, when weighed against private interests and money," the nascent task force says in a draft memorandum, signaling the task force plans to push for stricter cleanup requirements, limited flexibility for responsible parties and greater consultation with affected communities.

For example it is seeking to limit EPA's ability to avoid listing contaminated sites on the National Priorities List (NPL), limit the use of containment remedies, ensure public health remains a higher priority goal for cleanups than economic development, strengthen health studies at contaminated sites, and reinstate the expired Superfund taxes, among other measures.

AMERICAN OVERSIGHT

While details of Pruitt's plans are not available, many of the groups' calls are at odds with approaches that Pruitt is expected to adopt.

In the email, Gibbs says that the Trump administration and Pruitt "claim to desire to return Superfund cleanups 'to their rightful place at the center of the EPA's core mission,' however their actions speak differently: their proposed budget includes a 30% cut in funding to the Superfund."

"We aren't going to let him get away with this," she writes in the email.

She says organizers from communities around Superfund sites have coalesced to create the People's Task Force "to advocate our recommendations on the future of Superfund, based on our years of on-the-ground experience."

The People's Task Force recommendations include 20 initial signatory groups, including Center for Public Environmental Oversight, Edison Wetlands Association, Maryland Environmental Health Network, Tri-Valley Cares and others.

Several of the groups are located adjacent to Superfund sites, including LEAD Agency, Inc., which seeks to address the Tar Creek Superfund Site in Picher, OK; Citizens Against Toxic Exposure, which advocates on the Escambia Treating Company site in Pensacola, FL; Food & Water Watch, which works on the Gowanus Canal Superfund Site in Brooklyn, NY; and many others.

CHEJ is seeking additional signatures from environmental and political groups and local Superfund advocacy groups, the email says. The sign-on web page indicates CHEJ plans a media release soon, alluding to a possible news release on July 25.

CHEJ could not be reached at press time to respond to questions about the effort.

AMERICAN OVERSIGHT

Pruitt's Reforms

The new task force is seeking to influence Pruitt as he works to overhaul aspects of the Superfund program.

In his May 22 memo, Pruitt notes complaints of Superfund cleanups taking too long to commence and complete, and assigned an internal task force, led by banker Albert Kelly, to produce recommendations within 30 days on streamlining the Superfund program.

The memo called on the internal task force to make recommendations on "how the agency can restructure the cleanup process, realign incentives of all involved parties to promote expeditious remediation, reduce the burden on cooperating parties, incentivize parties to remediate sites, encourage private investment in cleanups and sites and promote the revitalization of properties across the country."

The EPA task force completed its work and Pruitt was expected to be briefed in late June **on the recommendations**, an informed source says.

Details have not emerged of those recommendations, but an EPA spokeswoman said July 13 that the agency “will have more information to share on the Superfund task force’s report soon.”

While details of EPA's plans are not available, Sen. Steve Daines (R-MT), who faces home state concerns over slow cleanups due to planned budget cuts, recently released an outline of recommendations for improving the program's implementation, including limiting the use of the NPL, prioritizing the program for funding and revising metrics for determining cleanup success, that could be viewed as a model for how EPA will proceed.

But the People’s Task Force's recommendations criticize aspects of Pruitt's May 22 memo and recent industry calls for certain Superfund changes.

AMERICAN OVERSIGHT

For example, they take issue with the memo's proposal to lower administrative and overhead costs, with the groups noting that such spending mainly funds enforcement and community involvement. "We strongly caution that these are not corners to be cut -- without proper oversight and public accountability, the Superfund would lose much of its remaining efficacy," the groups say.

In their recommendations, the groups that comprise the People's Task Force also express concern over industry proponents' calls for developing "exit strategies," which usually include removing sites from the NPL. They say proponents of that approach concurrently push for containment-type cleanup strategies rather than full removal or complete remediation required by law.

With such "Band-Aid" methods, "exit strategies will not be possible, as the sites require continual maintenance and monitoring," the groups say.

Therefore, these two industry goals are not compatible, they say. "If Responsible Parties want their sites to be delisted from the NPL, they must either pursue complete cleanup or accept the necessary continual oversight to ensure that toxic hazards are under control," they say.

They also question any potential expansion of the Superfund Alternative Approach (SAA) -- the approach advocated by Daines that entails the same cleanup process and standards but avoids an NPL listing.

PRP Benefits

But the community groups say while the SAA offers benefits to potentially responsible parties (PRPs), it impedes citizen participation that the Superfund program ordinarily provides.

For instance, under the alternative approach, PRPs, rather than EPA -- a neutral party -- award technical assistance grants, when provided, to communities. The approach allows PRPs to avoid the stigma of NPL listings as well as declaring a Superfund liability on financial documents -- which the groups say can have a significant impact particularly if a company is sold. The alternative approach also raises concerns over decreased community input and EPA oversight,

AMERICAN OVERSIGHT

they say.

The groups also question the memo's failure to list communities among the stakeholders with which EPA wants to improve interactions. "These communities have the right to information and input on these decisions upon which their health and welfare hinges," the groups say. "Economic development, while important to community revitalization, can never supersede public health."

They also call for reinstating the "polluters pay" tax under Superfund -- a long-time issue that has failed to gain any traction in Congress in recent years -- if the agency, as Pruitt says, is committed to restoring Superfund cleanups "to their rightful place at the center of the agency's core mission."

Further, they take aim at Pruitt's advocacy for using private investment and "alternative funding mechanisms" for the program. These "can't come close to compensating for the Superfund budget cuts and the high volume of abandoned sites," the groups say.

The groups also argue EPA transparency is key to improving relations between EPA and stakeholders. "Cleanup goals must be set in an explicit and interactive manner, beginning with the disclosure of all site information as soon as it is available," the recommendations say.

In her email on the task force, Gibbs notes that EPA under Pruitt "has been markedly secretive." She alleges, "unlike previous administrators, he has never made his schedule publicly available, ignores Freedom of Information Act requests, and has imposed silence upon the Administrative Office's phone line." He has also not disclosed details about the Superfund task force, such as who staffed it and its recommendations.

Nicholas Sorokin

Office of Media Relations Intern

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency

Telephone: (202) 564-5334

sorokin.nicholas@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Mon 2/26/2018 3:06:48 PM
Subject: POLITICO's Morning Energy, presented by Chevron: In Pruitt era, if FOIAs fail, sue — What's next for carbon capture? — Trump to consider Pruitt, Perdue RFS proposal

By Kelsey Tamborrino | 02/26/2018 10:00 AM EDT

With help from Eric Wolff, Alex Guillén and Darius Dixon

IF ALL ELSE FAILS, SUE: EPA has experienced a surge in open records lawsuits following the inauguration of Donald Trump, a POLITICO review found. The lawsuits show a heightened sense of secrecy in the agency tasked with protecting the environment, as outside groups question the administrator's travels, meetings and policy decisions. Critics of the agency say the suits demonstrate just how far EPA is willing to go to flout FOIA under Scott Pruitt's tenure.

By the numbers: The lawsuits have come from a range of open government groups, environmentalists and even conservative organizations, Emily Holden reports, after they hit a wall trying to pry information out of Pruitt's agency. All told, plaintiffs have filed 55 public records lawsuits against EPA since Trump's inauguration, according to a review of a database of cases compiled by The FOIA Project, an initiative run by the Transactional Records Access Clearinghouse at Syracuse University. Forty-six of those lawsuits came in 2017 - making it the busiest calendar year by far, according to data stretching back to 1992. The second-busiest year was 2015, when plaintiffs filed 22 such suits against the agency, Emily reports. George W. Bush's EPA faced only 57 FOIA lawsuits during his entire presidency, according to the database's list of cases.

According to a separate data analysis that the Project on Government Oversight conducted for POLITICO, EPA has been especially slow to resolve information requests directed specifically at Pruitt's office. The data show that EPA has not started evaluating the vast majority of requests for information on Pruitt and has closed less than one-fifth of the requests directed at the administrator's office. From Jan. 20, 2017, to the end of last year, EPA received 11,431 FOIA requests, up about 17 percent compared with an equivalent period during Obama's last year in office, according to the analysis by POGO.

EPA spokeswoman Liz Bowman tells Emily the agency is focused on clearing a backlog of requests left over from previous administrations, while responding to "the large volume of incoming requests." EPA had more than 650 requests open from previous years as of early October and has since closed 60 percent of them, Bowman said. Read the full story here.

WELCOME TO MONDAY! I'm your host Kelsey Tamborrino, and Andeavor's Stephen Brown was first to identify Frances Perkins as the first woman appointed to a Cabinet position, which was Labor secretary. For today: What was the name of the first female House page? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

WHAT NOW? The surprise inclusion of a carbon capture and sequestration tax credit in the

AMERICAN OVERSIGHT

recent budget package has spurred optimism among its supporters, who ask how they can make a technological leap in the fight against climate change. But optimism aside, Pro's Anthony Adragna reports getting major new projects off the ground will likely remain a tough sell.

Sen. Heidi Heitkamp, who spearheaded the measure, is aiming to bring down the project costs of CCS technology, by allowing a broader group of facilities like factories and ethanol plants to claim the tax credit. Oil producers who use captured carbon for enhanced oil recovery will be eligible for a $35-per-ton tax credit, and anyone who permanently stores carbon underground can claim a $50 per ton. "Trust me, people are going to take advantage of this credit and, as a result, technology for carbon capture and sequestration and utilization is going to accelerate," she said. Heitkamp tapped a diverse array of allies ranging from climate hawks like Sheldon Whitehouse to pro-coal Republicans like John Barrasso and outside pro-business groups to overcome resistance from House Speaker Paul Ryan and House Ways and Means Chairman Kevin Brady.

Some critics see the credit as an unnecessary reward for fossil fuel companies whose climate benefits are counteracted by spurring additional oil production. The Natural Resources Defense Council, for example, has pulled out of the newly rebranded Carbon Capture Coalition, saying it does not support "subsidies for enhanced oil recovery." But Whitehouse said it was worth it to get Congress on the record about what a ton of carbon should cost. "Unfortunately, we had to build it into the tax code as a benefit rather than putting it in as a fee, which would be a much more economy-wide way to go, but I'll take that opening because now we're in the conversation about paying for carbon-free power," Whitehouse said. Read more.

TRUMP TO CONSIDER PRUITT, PERDUE RFS PROPOSAL: Pruitt and Agriculture Secretary Sonny Perdue will meet with Trump today to present a package of changes to the Renewable Fuel Standard to end tensions over the program between corn farmers and refiners. The two men will propose capping the price of biofuel credits (called Renewable Identification Numbers), a year-round waiver for the sale of 15 percent ethanol gasoline, the creation of credits for exported ethanol, and a transparency measure intended to cut Wall Street investors out of trading in the program. All of the proposals would be executed administratively, rather than legislatively. The pitch to Trump precedes a Tuesday meeting between the president and Sen. Chuck Grassley, Joni Ernst, Ted Cruz and Pat Toomey.

Basically the Cruz proposal: Cruz has been proposing the waiver-for-RIN-cap package for months now and getting nowhere with corn-staters. The addition of allowing credits for exports, which Pruitt floated and abandoned last year after an uproar from Gang Grain, seems unlikely to add to its appeal, though ethanol producers have expressed openness to the transparency measure. A refining source says the legal authority for some of these measures is "highly doubtful, but by the time the rule is final and then litigated, authors will be long gone from the scene. Think at least 2-2.5 years. God only knows what gyrations the market will endure in the interim."

Independent refiners are in: Another source says the proposals "would result in more predictability in the RINs market and in expanded biofuels sales and higher blends. That's the sort of win-win Cruz and Toomey seem to have been referring to. And this process seems not to

AMERICAN OVERSIGHT

require legislative action, therefore ensuring faster results."

Catching the president's eye: Ahead of the Tuesday meeting, Fuels America will launch a TV ad on "Fox & Friends" in the D.C. market starting today through Tuesday. The ad thanks Trump for his commitment to the RFS. Watch it here.

POWER TO THE STATES : Democratic governors across the U.S. are merging to fight back against administration policies they find hard to swallow, POLITICO's Edward-Isaac Dovere and Gabriel Debenedetti report. The 16 governors are looking to return power to the state-level on issues including climate and infrastructure, and they used this weekend's National Governors Association conference to boast of "pushback to damaging Trump policies." "We have a national administration that is not keeping with where the American people are, and when it becomes as evident as it is, then it's incumbent on people with half a brain to figure out a way around that," said Connecticut Gov. Dannel Malloy, a member of the Climate Alliance formed in the wake of Trump's pullout from the Paris climate agreement. Read more.

MEN AT WORK: House Natural Resources Chairman Rob Bishop took a bipartisan congressional delegation to Australia and New Zealand for energy and defense-related activities, a committee aide told Anthony on Friday. The lawmakers were there to look at energy activities in Australia and examine New Zealand's deregulation of its energy sector and learn about "the strategic importance of the two nations as a counterbalance to less-friendly powers in the Pacific," the aide said.

MURRAY-OLIVER CASE DISMISSED: A West Virginia judge dismissed the defamation lawsuit brought by coal magnate Bob Murray against HBO comedian John Oliver, following a June segment on Murray and his coal companies, where Oliver said Murray looked like a "geriatric Dr. Evil." The court said Murray's company failed to state a claim, according to a two-page ruling posted by The Hollywood Reporter. Murray's company told the Hill it plans to appeal the decision to West Virginia's Supreme Court "immediately."

SPEAKING OF COAL: Interior Secretary Ryan Zinke headed to Pennsylvania coal country this weekend to announce $300 million in grants to states and tribes to reclaim and repurpose abandoned mine lands. Picture here.

- Zinke also announced a $60 million cooperative agreement with the Recreational Boating and Fishing Foundation on Friday to retain and recruit recreational anglers and boaters of all ages. Zinke made the announcement prior to attending a "Saluting the Nation's Governors as Champions of the Great Outdoors" event, hosted by The Outdoor Recreation Roundtable and The Great Outdoors Month Council, according to Interior.

PRUITT PLAYS THE HITS AT CONSERVATIVE CONFAB: Pruitt largely stuck to his stump speech during a 20-minute Friday night headlining appearance at CPAC's Ronald Reagan dinner. He said the Obama administration "weaponized against certain sectors of our economy," especially coal; touted his deregulatory efforts; said America is "blessed" with natural resources to use; dinged the Obama administration for environmental disasters on its watch, like Gold King and Flint; blamed Obama for growing the Superfund list; and said Trump has "courage" and is

AMERICAN OVERSIGHT

about "getting results."

On WOTUS: Pruitt noted Trump assigned him to pull back on federal water jurisdiction, and alleged WOTUS was solely a power grab by the Obama administration unrelated to protecting water quality. He added: "Make no mistake about it. It's not about water quality, it's not about that. It truly is about power and jurisdiction and oversight that was being stretched so far." Pruitt got applause from the crowd when he mentioned the new version of WOTUS will be based on Justice Antonin Scalia's part of the Rapanos ruling.

He'll always have the Paris pullout: Asked what he was proudest of, Pruitt immediately mentioned getting the president to announce he will withdraw from the Paris climate accord. Trump "knocked it out of the park," Pruitt said.

Following the appearance at CPAC, Pruitt appeared on Fox News for a one-on-one interview with Jeanine Pirro discussing EPA's sue-and-settle policy, the end of the "war on coal" and the move to de-regulation. Watch here.

** **A message from Chevron:** When an endangered butterfly was found near a Chevron refinery, we protected the habitat and still plant the only thing they eat-buckwheat. Watch the video: http://politi.co/2sNtZTu **

ZINKE 'OVER HIS SKIS': The White House was not pleased with a July 2017 GQ profile of Zinke, according to FOIA documents tweeted out by Huffington Post's Chris D'Angelo. According to an email from Andrew Hemming to a number of White House staffers - with the subject line, "Flagging - Zinke a bit out over his skis in a GQ interview" - the Cabinet communications staffer was concerned with a few "eyebrow-raising" answers given by Zinke. Among those were his statements that his Trump Tower meeting with the president-elect lasted "100 seconds" - and when Trump suggested he might tap him to head Veterans Affairs, Zinke quipped "I don't think you hate me that much." The White House contacted Interior about the interview, to which Interior drafted a statement that said the reporter of the profile had "selectively used quotes out of context to write a story that fit her pre-conceived narrative." See the thread here.

FERC ANOTHER DAY: The nation's electricity regulators were slated to appear in front of a House Energy and Commerce subcommittee this Thursday but the hearing was canceled late last week. The hearing was announced several weeks ago but was postponed due to "a change in the House schedule," a spokesman said. A new hearing date hasn't been setup yet. The House has canceled votes for Wednesday and Thursday when the late Rev. Billy Graham will lie in honor in the Capitol.

SPOTTED: Former Energy Secretary Ernest Moniz on a flight Sunday night from Boston to DCA.

ENERGY PAC ENDORSES 2 MORE: The ClearPath Action Fund announced today that it's endorsing Florida Rep. Carlos Curbelo and Nevada Sen. Dean Heller, Pro's Elena Schneider reports. "Rep. Curbelo and Sen. Heller have really put their shoulders to the wheel for clean

AMERICAN OVERSIGHT

energy, for the good of their constituents and for the country," said Jay Faison, the founder of the super PAC. Curbelo is co-founder and co-chair of the Climate Solutions Caucus.

PREPA LOANED MILLIONS FOR POWER: The Puerto Rico Power Authority accepted an emergency loan of $300 million from the island's treasury on Friday, allowing the utility to avert any power cuts to customers. "The $300 million loan and cost-savings from PREPA's Strategic Emergency Operations Plan will give PREPA needed liquidity to mid-April," said Ernesto Sgroi, president of the PREPA governing board.

MOVER, SHAKER: The National Wildlife Federation announced today Sarah Laskin will join the organization as vice president of its national advocacy center in D.C. Laskin previously worked at the National Geographic Society as senior vice president and COO for science and exploration programs.

- **Today is Robbie Myers first day** as digital director for the Energy Department. He previously was digital director at the Senate Republican Conference.

MAIL CALL! Sens. Michael Bennet and Tim Scott sent a letter last week to the president, urging him to lift his planned 30 percent tariff on imported solar panels and solar cells. Read the letter here.

QUICK HITS

- Left to Louisiana's tides, a village fights for time, The New York Times.

- Zinke held onto undisclosed shares in gun company, the Huffington Post.

- U.S. lands agency makeover would diminish Washington's power, Associated Press.

- The Energy Department took down anti-leaking posters after an investigation, BuzzFeed.

- PJM prepares response to FERC in grid resilience proceeding, S&P Global.

- Oklahoma judge says suit over Tar Creek audit can proceed, Associated Press.

THAT'S ALL FOR ME!

** **A message from Chevron:** This is a story about DOERS, butterflies, and buckwheat. In '75, the endangered El Segundo Blue butterfly was found near a Chevron refinery. We protected the habitat and planted the only thing they eat-buckwheat. Watch the video: http://politi.co/2Fkoq1m **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/02/26/in-pruitt-era-if-foias-fail-sue-114961

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Mon 2/26/2018 12:23:27 PM
Subject: February 26 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Mon., February 26, 2018

READ FULL EDITION

1.NATURAL DISASTERS:

How shortages are worsening Puerto Rico's blackout

When Puerto Rico's moment of need arrived, critical supplies had already been grabbed by utilities recovering from their own disasters.

TOP STORIES

2.LAW:

In rare move, court halts ETP oil pipeline

3.TECHNOLOGY:

Midwest EV market gets utility jump-start

OIL AND GAS

4.CLIMATE:

Southeast pipeline's fate still up in the air

5.HURRICANE HARVEY:

Houston looks to adapt by elevating new buildings but faces resistance

6.EPA:

Judge sees little reason to suppress Tar Creek audit

7.PIPELINES:

W.Va. water waiver triggers federal permit snafu, enviros say

8.NEWSMAKER:

Give women a shot to advance, says Occidental CEO

ELECTRICITY

9.UTILITIES:

Renewable interest percolates at 'gas-heavy' Entergy

10.ELECTRICITY:

Retirements looming, New England still resists new sources

11.RENEWABLES:

First Solar sees lift this year from Trump tariffs

12.CLIMATE:

As wildfires hit balance sheets, Calif. utilities point to warming

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

AMERICAN OVERSIGHT

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

Office of Attorney General
State of West Virginia

Patrick Morrisey
Attorney General

Office of Attorney General
State of Wisconsin

Brad D. Schimel
Attorney General

June 19, 2017

The Honorable E. Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Submitted via electronic mail

Re: Comments of the States of West Virginia, Wisconsin, Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Louisiana, Michigan, Missouri, Nevada, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, and Utah, and the Commonwealth of Kentucky on the U.S. Environmental Protection Agency's request for comment on the definition of "waters of the United States."

Dear Administrator Pruitt:

As representatives of our States, we urge the Environmental Protection Agency ("EPA") to adopt a definition of "waters of the United States" under the Clean Water Act of 1972 ("CWA") that preserves the important role of the States in protecting the nation's water resources.

In 2015, the EPA and the U.S. Army Corps of Engineers (the "Corps") (collectively the "Agencies") adopted the WOTUS Rule, *see* "Clean Water Rule: Definition of 'Waters of the United States,'" 80 Fed. Reg. 37,054 (June 29, 2015), which came under immediate challenge. Thirty States, including the signatories of this letter, and other parties sought judicial review, resulting in orders from two federal courts staying implementation of the WOTUS Rule. The WOTUS Rule is unlawful because it conflicts with both the CWA's text and the U.S. Supreme Court precedent concerning the CWA and because it significantly impinges upon the States' traditional role as the primary regulators of land and water resources within their borders.

AMERICAN OVERSIGHT

EXT-18-783-F-002446

ED_001863D_00000120-00001

Now the Agencies have an opportunity to pursue a lawful rule that adheres to the text of the CWA and U.S. Supreme Court precedent. We are encouraged by EPA's outreach to state and local governments at this early stage in the process of replacing the Rule, and we urge EPA to continue to engage with States throughout the rulemaking process. We write to suggest how the Agencies can write a rule that respects Congress's instruction in the CWA to "recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b). In particular, we urge EPA and the Corps to adopt an approach consistent with Justice Scalia's plurality opinion in *Rapanos v. United States*, 547 U.S. 715 (2006), as urged by the President's recent executive order. Indeed, many of the undersigned States believe that Justice Scalia's plurality opinion identifies the outermost bound of permissible federal jurisdiction authorized by the statute, and many of the undersigned States would consider bringing another legal challenge against any regulatory definition of "waters of the United States" that exceeds the scope defined by Justice Scalia's plurality opinion. In the alternative, if EPA and the Corps wish to adopt an approach tailored to Justice Kennedy's *Rapanos* concurrence—which the States do not believe is necessary, and many States believe would be unlawful and plainly in excess of EPA's statutory jurisdiction—the States urge that any such approach should be carefully tailored to addressing the concerns that Justice Kennedy raised regarding federalism and the traditional authority of the States as principal regulators of waters within their borders.

I. Background

A. The Clean Water Act

The CWA provides that the Agencies have regulatory authority over "navigable waters," defined as "waters of the United States," 33 U.S.C. §§ 1344, 1362(7), which triggers numerous regulatory requirements. Any person who causes pollutant discharges into "waters of the United States" must obtain a permit under the section 402 National Pollutant Discharge Elimination System ("NPDES") program, *id.* § 1342, or under section 404 of the CWA for dredged or fill material, *id.* § 1344, subject to certain exclusions. "'The discharge of a pollutant' is defined broadly to include 'any addition of any pollutant to navigable waters from any point source,' and 'pollutant" is defined broadly to include not only traditional contaminants but also solids such as "dredged spoil, . . . rock, sand, [and] cellar dirt.'" *Rapanos v. United States*, 547 U.S. 715, 723 (2006) (plurality opinion) (citing 33 U.S.C. §§ 1362(12), 1362(6)). Obtaining a permit is an expensive process that can take years and cost tens of thousands of dollars. *See* 33 U.S.C. §§ 1342, 1344. Discharging into "waters of the United States" without a permit can subject a farmer or private homeowner to criminal and civil penalties, including fines of up to $51,570 per violation, per day. 33 U.S.C. §§ 1311, 1319, 1365; 74 Fed. Reg. 626, 627 (2009).

Federal jurisdiction under the CWA also imposes costs specially on the States. Some of those costs relate to permitting under the CWA. In forty-six States, it is the States and not the federal government that have primary NPDES permitting responsibilities under 33 U.S.C. § 1342(b). NPDES Program Authorizations, https://www.epa.gov/npdes/npdes-program-authorizations (last visited May 24, 2017). In addition, all States must create water quality

AMERICAN OVERSIGHT

standards for those "waters of the [United] Sta te[s]" within their borders, 33 U.S.C. § 1313, and States must issue water quality certifications for every federal permit that is issued by EPA or the Corps within their borders. *Id.* § 1341. Every two years, States also must report to EPA on the condition of those waters, *id.* § 1315, and if waters do not meet their designated standards, the States must develop detailed pollution diets for those waters and submit those diets to EPA for approval, *id.* § 1313(d).

Importantly, the States have robust programs to protect their own waters, regardless of whether those wa ters are regulated under the CWA. *See, e.g.*, N.D. Cent. Code §§ 61 -28-01 *et seq.*; Mont. Code Ann. §§ 75-5-101 *et seq.*; N.M. Stat. Ann. §§ 74-6-4 *et seq.*; Mo. Rev. Stat. §§ 644.006 *et seq.*; Ark. Code Ann. §§ 8-4-101 *et seq.*; Tex. Water Code §§ 26.001 *et seq.*; Ky. Rev. Stat. §§ 224.70-100 *et seq.*

B. Supreme Court Decisions Rejecting The Agencies' Overbroad Interpretations Of "Waters Of The United States"

Twice in the last sixteen years, the Supreme Court has rejected attempts by EPA and the Corps to extend their jurisdiction beyond the CWA. In *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) ("*SWANCC*"), the Supreme Court rejected the Corps' asser tion of jurisdiction over waters "[w]hich are or would be used as habitat" by migratory birds. *Id.* at 164. The Court concluded that the CWA does not reach "nonnavigable, isolated, intrastate waters," such as seasonal ponds. *Id.* at 171. The Court explained that "federal jurisdiction over ponds and mudflats falling within the 'Migratory Bird Rule' would result in a significant impingement of the States' traditional and primary power over land and water use," *id.* at 174, and it required "a clear indication tha t Congress intended that result," *id.* at 172. But the Court found no clear statement authorizing the Corps' expansive view; to the contrary, "Congress chose to 'recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b).

Next, in *Rapanos*, the Supreme Court rejected the Corps' assertion of authority over intrastate wetlands that are not significantly connected to navigable -in-fact waters. The Court's majority consisted of a four -Justice plurality opinion written by Justice Scalia and Justice Kennedy's opinion concurring in the judgment.

Pointing to several sources for statutory construction, the plurality concluded that, "on its only plausible interpretation," CWA jurisdiction extends "only [to] those relatively permanent, standing or continuously flowing bodies of water 'forming geographic features' that are described in ordinary parlance as 'streams[,] . . . oceans, rivers, [and] l akes,'" *Rapanos*, 547 U.S. at 739 (Scalia, J., plurality) (quoting *Webster's New International Dictionary* 2882 (2d ed. 1954)), and "wetlands with a continuous surface connection to" those waters, *id.* at 742. Specifically, the plurality based this conclusion on "[t]he only natural definition of the term 'waters,' [the Court's] prior and subsequent judicial constructions of it, clear evidence from other provisions of the statute, and th[e] Court's canons of construction." *Id.* at 731.

AMERICAN OVERSIGHT

In his separate opinion, Justice Kennedy also rejected the Corps' broad assertion of authority but on a different ground, stating that the Agencies only have authority over waters that are navigable-in-fact and waters with a "significant nexus" to such navigable waters. 547 U.S. at 779 (Kennedy, J., concurring in the judgment) (citing *United States v. Appalachian Power Co.*, 311 U.S. 377, 407–08 (1940)). On Justice Kennedy's analysis, a water has a "significant nexus" if it "significantly affect[s] the chemical, physical, and biological integrity of" a navigable water. *Id.* at 779–80. Accordingly, Justice Kennedy rejected jurisdiction over all "wetlands (however remote)" or all "continuously flowing stream[s] (however small)." *Id.* at 776; *see also id.* at 769 ("merest trickle, [even] if continuous" is insufficient." *Id.* at 780. Justice Kennedy explained that the Corps' approach "would permit federal regulation whenever wetlands lie alongside a ditch or drain, however remote and insubstantial, that eventually may flow into traditional navigable waters." *Id.* at 778.

In the years since *Rapanos*, the courts of appeals have disagreed over the controlling effect of the two opinions composing the majority. Under *Marks v. United States*, 430 U.S. 188 (1977), "[w]hen a fragmented Court decides a case[,] . . . the holding of the Court may be viewed as that position taken by those Members who concurred in the judgment on the narrowest grounds." *Id.* at 193 (citation omitted). In conducting the *Marks* analysis of *Rapanos*, the courts of appeals have reached different results. *Compare United States v. Donovan*, 661 F.3d 174, 176 (3d Cir. 2011) (holding the Agencies may assert jurisdiction over waters that satisfy either test), *United States v. Bailey*, 571 F.3d 791, 799 (8th Cir. 2009) (same), and *United States v. Johnson*, 467 F.3d 56, 66 (1st Cir. 2006) (same), *with United States v. Robison*, 505 F.3d 1208, 1221 (11th Cir. 2007) (holding Justice Kennedy's test governs), *N. Cal. River Watch v. City of Healdsburg*, 496 F.3d 993, 999–1000 (9th Cir. 2007) (same), and *United States v. Gerke Excavating, Inc.*, 464 F.3d 723, 724 (7th Cir. 2006) (same).

C. Two Federal Courts Block The WOTUS Rule As Unlawful And Harmful To The States

In June 2015, EPA and the U.S. Army Corps of Engineers ("Corps") (collectively "the Agencies") issued the final Clean Water Rule: Definition of "Waters of the United States" ("WOTUS Rule"), 80 Fed. Reg. 37,053 (June 29, 2015). The WOTUS Rule asserted sweeping jurisdiction over usually dry channels occasionally carrying "[t]he merest trickle[s]" into navigable waters. *Rapanos*, 547 U.S. at 769 (Kennedy, J., concurring in the judgment). The WOTUS Rule also covered waters merely because they are somewhat near such a dry channel and land features that connect to navigable waters only, if ever, after a once-in-a-century rainstorm.

Our States, among others, filed suit in various federal courts because the WOTUS Rule violates the CWA, the Administrative Procedure Act, and the U.S. Constitution. [1] The WOTUS

[1] *See Murray Energy Corp. v. EPA*, No. 15-3887 (and consolidated cases) (6th Cir.); *North Dakota v. EPA*, No. 3:15-cv-59 (D. N.D. filed June 29, 2015); *Ohio v. U.S. Army Corps of*

AMERICAN OVERSIGHT

Rule violates the CWA under either the *Rapanos* plurality or Justice Kennedy's concurrence. And even if the WOTUS Rule were not prohibited by the Supreme Court's clear directives, it is unlawful because it is not clearly permitted by the language of the CWA. As the Supreme Court held in *SWANCC*, federal regulation of vast numbers of local land and water features within the core state function requires a clear statement from Congress. Moreover, the Agencies adopted the WOTUS Rule in violation of the Administrative Procedure Act by adopting five distance-based components and one unduly narrow exclusion never even arguably presented in the Agencies' proposed rule and lacking record support. Finally, the WOTUS Rule violates the Constitution by intruding on the States' reserved authority under the Tenth Amendment and exceeding Congress's authority under the Commerce Clause.

Reflecting the strength of these challenges, the WOTUS Rule has been stayed by two federal courts. The day before the WOTUS Rule's effective date, the U.S. District Court for the District of North Dakota stayed implementation of the Rule in thirteen plaintiff-States pending judicial review of the Rule. *North Dakota v. U.S. EPA*, 127 F. Supp. 3d 1047 (D. N. D. 2015). Then on October 9, 2015, the U.S. Court of Appeals for the Sixth Circuit stayed implementation of the WOTUS Rule nationwide, finding that the Rule was likely unlawful. *In re EPA*, 803 F.3d 804 (6th Cir. 2015).[2]

D. The Executive Order Instructing the Agencies to Rescind or Revise the Rule and EPA's Plan to Implement the Executive Order.

In February 2017, the President issued an Executive Order instructing EPA and the Corps to review the WOTUS Rule and issue for notice and comment a proposed rule revising or rescinding the rule as appropriate. Exec. Order No. 13778, 82 Fed. Reg. 12,497 (Mar. 3, 2017). The Order further instructs the Agencies to consider interpreting the term "navigable waters" as defined in 33 U.S.C. § 1362(7) in the Clean Water Act consistent with the plurality opinion of Justice Antonin Scalia in *Rapanos v. United States*, 547 U.S. 715 (2006).

The Agencies have adopted a two-step approach for implementing the Executive Order. First, the Agencies intend to propose withdrawing the WOTUS Rule and re-promulgating the 1986 rule. Second, the Agencies will propose a new definition of "waters of the United States"

Eng'rs, No. 2:15-cv-2467 (S.D. Ohio filed June 29, 2015); *Texas v. EPA*, No. 3:15-cv-162 (S.D. Tex. filed June 29, 2015); *Georgia v. McCarthy*, No. 2:15-cv-79 (S.D. Ga. filed June 30, 2015); *Oklahoma v. EPA*, No. 4:15-cv-381 (N.D. Okla. filed July 8, 2015).

[2] The Sixth Circuit also decided that it had jurisdiction to consider challenges to the WOTUS Rule in the first instance under 33 U.S.C. § 1369(b)(1). *In re U.S. Dep't of Defense, U.S. E.P.A. Final Rule: Clean Water Rule: Definition of Waters of the U.S.*, 817 F.3d 261 (6th Cir. 2016). In September, 2016 the National Association of Manufacturers filed a petition for a writ of certiorari with the United States Supreme Court appealing that decision. The U.S. Supreme Court granted the petition. *Nat'l Ass'n of Mfrs. v. Dep't of Defense*, 137 S. Ct. 811 (Jan. 13, 2017). The case has not yet been scheduled for oral argument.

AMERICAN OVERSIGHT

consistent with Justice Scalia's *Rapanos* opinion. EPA has sought comment from state and local government on the federalism aspects of a new definition.

II. Discussion

As officials from States, we write to explain how the Agencies should define "waters of the United States" consistent with the role that States currently play in the management of land and water use.

As a threshold matter, we think there are good arguments that federal jurisdiction under the CWA extends only to navigable waters. The text of the CWA defines "navigable waters" as "waters of the United States." 33 U.S.C. § 1362(7). And "[f]or a century prior to the CWA, [the Supreme Court] had interpreted the phrase 'navigable waters of the United States' in the Act's predecessor statutes to refer to interstate waters that are 'navigable in fact' or readily susceptible of being rendered so." *Rapanos*, 547 U.S. at 723 (plurality opinion) (quoting *The Daniel Ball*, 10 Wall. 557, 563 (1871)). That reading also links federal jurisdiction under the CWA with Congress's constitutional authority to regulate commerce "among the several States," U.S. Const. art. I, § 8, cl. 3, which is conducted through navigable waterways.

However, in light of the Supreme Court's decision in *Rapanos*, it may be appropriate for the Agencies to look to the views of the Justices who made up the controlling majority in that case. As between the views expressed by those Justices, we urge the Agencies to adopt a rule defining "waters of the United States" in the manner identified in Justice Scalia's plurality opinion because that approach is more consistent with the text and purpose of the CWA. Indeed, as noted above, many of the undersigned States believe that the Agencies' jurisdiction to regulate "waters" extends no farther than Justice Scalia's plurality opinion in *Rapanos*, and those States likely would challenge any regulatory definition drawn from Justice Kennedy's concurrence in *Rapanos*. Alternatively, should the Agencies decide to take the approach of Justice Kennedy's concurrence, over the undersigned States' objections, we respectfully urge the Agencies to take into account the extent to which the States already protect land and water resources within their borders.

A. The Agencies Should Adopt the Scalia Plurality Test as Their Approach to CWA Jurisdiction.

The Agencies should base their approach on the *Rapanos* plurality because it better comports with the text of the CWA. Such a rule would provide for federal jurisdiction over "only those relatively permanent, standing, or continuously flowing bodies of water 'forming geographic features' that are described in ordinary parlance as 'streams[,] . . . oceans, rivers, [and] lakes,'" *Rapanos*, 547 U.S. at 739 (Scalia, J., plurality) and "wetlands with a continuous surface connection to" those waters, *id.* at 742 (Scalia, J., plurality). As the plurality explained, this conclusion follows from several sources of statutory construction.

AMERICAN OVERSIGHT

For example, the plurality focused on Congress's use of the term "the waters" —in particular, "[t]he use of the definite article ('the') and the plural number ('waters')." *Id.* at 732. This term refers "plainly" not to "water in general" but "more narrowly to water '[a]s found in streams and bodies forming geographical features such as oceans, rivers, [and] lakes." *Id.* at 732 (quoting Webster's New International Dictionary 2882 (2d ed. 1954)). The se are all "continuously present, fixed bodies of water ," and not "ordinarily dry channels through wh ich water occasionally or intermittently flows," such as "transitory puddles or ephemeral flows of water." *Id.* at 733.

In addition, the plurality determined that the CWA's use of the term "navigable waters" further confirmed that jurisdiction is limited t o "relatively *permanent* bodies of water." *Id.* at 734 (emphasis in original). That is because the CWA "adopted that traditional term from its predecessor statutes," and the "traditional understanding" of the term "navigable waters" included only "discrete *bodies* of water." *Id.*

The plurality also found "[m]ost significant of all" that the CWA itself categorizes channels that carry intermittent flows of water, such as pipes, ditches, channels, tunnels, conduits, and wells, as "point sources" and not "navigab le waters" *Id.* at 735. The plurality highlighted the CWA's definition of "discharge of a pollutant," which uses the terms "point sources and "navigable waters" as distinct categories. Under the statute, a "discharge of a pollutant" consists of "any additio n of any pollutant *to* navigable waters *from* any point source." As the plurality explained, this definition "would make little sense if the two categories" —point source and navigable waters—"were significantly overlapping." *Id.*

Finally, the plurality explained that even if there were ambiguity as to the meaning of "waters of the United States," the *SWANCC* clear statement rule would prohibit the Corps' interpretation. *Id.* at 737 –38. The extensive federal jurisdiction would allow t he federal government to exercise the "quintessential state and local power" of regulating "immense stretches of intrastate land." *See id.* at 738. The plurality explained that as in *SWANCC*, it would expect a clear statement from Congress authorizing such a n "intrusion into traditional state authority." *Id.*

The test that Justice Scalia 's plurality opinion proposed also forwards the CWA's purpose of "recogniz[ing], preserv[ing], and protect[ing] the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33 U.S.C. § 1251(b). This approach would preserve the role of the States as the primary regulators of land and water resources by allowing for federal jurisdiction over only relatively per manent bodies of water. The definition leaves within state control local non -navigable intrastate topographical features that most benefit from the "local policies 'more sensitive to the diverse needs of a heterogeneous society,'" *Bond v. United States* , 131 S. Ct. 2355, 2364 (2011) . Those features vary greatly across the country from dry arroyos in New Mexico to ephemeral drainages in Wyoming to swales in Ohio farmland to prairie potholes in North Dakota to thousands of square miles of Alaskan land that is frozen most of the year. The States take very seriously the task of

AMERICAN OVERSIGHT

preserving the land and water resources within their borders consistent with local needs and act accordingly to protect those resources.

B. If the Agencies Reach Waters Beyond the Plurality Test, They Should Carefully Consider the Extent to Which the States Already Protect Those Waters.

Though we believe the Agencies should adopt the plurality approach, we recognize that the Agencies may conclude that they want to rely upon Justice Kenn edy's concurrence. To be clear, we do not believe that the Agencies should do so , and many of the undersigned States likely would challenge such approach in Court . But should the Agencies nevertheless decide to follow such an approach, over the objections of the undersigned States, we urge them to carefully consider, at the very least, the extent to which States already fully protect these waters under state law and to build any approach around that understanding.

In particular, to the extent the Agencies extend jurisdiction under Justice Kennedy's approach, in order to remain true to that approach, they should do so only where the Agencies have determined that the State's permitting program has failed with respect to a particular body of water, such that *the water* would—unless subject to federal regulation —have a significant, detrimental effect on the "chemical, physic al, and biological integrity" of navigable waters. *Rapanos*, 547 U.S. at 780 (Kennedy, J., concurring). The reason for this approach is that regulation of non-navigable waters is *only* justified under Justice Kennedy's approach in order to *protect* navigable waters that are the subject of interest under the CWA. *Id.* If a state is *already* adequately protecting those non-navigable waters, such that there is no significant impact on the "chemical, physic al, and biological integrity" of navigable waters, no possible rationale for imposing federal regulatory control over that water exists.

In order to implement Justice Kennedy's approach rigorously and consist ent with the CWA's respect for s tate primacy over local water and land use planning, a three -step inquiry would be required to remain true to Justice Kennedy's appro ach. *First*, the Agencies should be required to make an initial determination that the State's permitting program has failed to regulate a water to such a degree that it would, unless subject to regulation under the CWA, "significantly affect the chemical, physical, and biological integrity of" navigable waters. That finding would consist of defining a water that the State has failed to protect. Then the Agencies would need to show that the State's failure to regulate that water significantly would affect the chemical, physical, and biological integrity of navigable waters, unless that water were made subject to CWA oversight. *Second*, the Agencies should be required to provide the State with the opportunity to challenge the determination through an administra tive process. Specifically, the State should have the right to file an administrative appeal and participate in a hearing on the matter. *Third*, the State should have the opportunity to file and complete an appeal of the decision by the Agency to a federal court before the designation would take effect.

Such an approach would at least begin to recognize important federalism principles. Again, the CWA was designed to "recognize, preserve, and protect the primary responsibilities and rights of States . . . to plan the development and use . . . of land and water resources . . . ." 33

AMERICAN OVERSIGHT

U.S.C. § 1251(b). Thi s approach would allow the States some flexibility to design state law in order to protect the water resources within their borders. It also would provide any State for which EPA attempts to designate certain waters an opportunity to explain to EPA why its regulatory program is sufficient to protect those waters and conte st EPA's determination that those waters significantly affect navigable waters. And it would allow the State to challenge such a determination in a federal court before the Agencies assert jurisdiction based on the determination. These important safeguards would go some way to protecting state interests against broad assertions of federal autho rity, such as those claimed in the WOTUS rule, that violate the CWA and impinge on the States' traditional aut hority over land and water use. Again, however, we believe that the plurality opinion in *Rapanos* establishes the outermost bound of permissible federal jurisdiction under the law.

* * *

We appreciate this opportunity to provide our views on this important matter to the Agencies. We encourage the Agencies to continue to engage with States and state agencies throughout the rulemaking process. We l ook forward to working with the Agencies in the future on these important issues for the citizens of our States.

Sincerely,

Patrick Morrisey
West Virginia Attorney General

Jahna Lindemuth
Alaska Attorney General

Brad D. Schimel
Wisconsin Attorney General

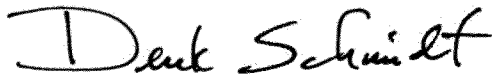
Leslie Rutledge
Arkansas Attorney General

Steve Marshall
Alabama Attorney General

Christopher M. Carr
Georgia Attorney General

AMERICAN OVERSIGHT

Curtis T. Hill, Jr.
Indiana Attorney General

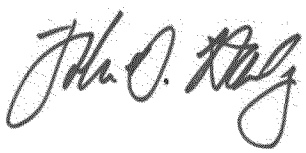


Derek Schmidt
Kansas Attorney General

Andy Beshear
Kentucky Attorney General

Jeff Landry
Louisiana Attorney General

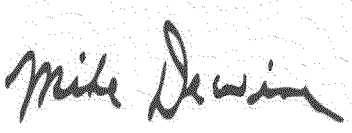
Bill Schuette
Michigan Attorney General



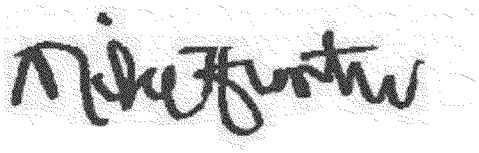
Joshua D. Hawley
Missouri Attorney General

Adam Paul Laxalt
Nevada Attorney General

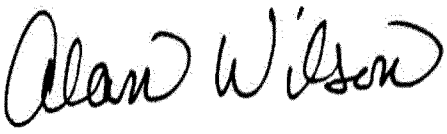
Wayne Stenehjem
North Dakota Attorney General



Mike DeWine
Ohio Attorney General



Mike Hunter
Oklahoma Attorney General



Alan Wilson
South Carolina Attorney General

Marty Jackley
South Dakota Attorney General

AMERICAN OVERSIGHT

Ken Paxton
Texas Attorney General

Sean D. Reyes
Utah Attorney General

AMERICAN OVERSIGHT

WOTUS Commenters as of July 11, 2017

At a glance: **19 Governors (16 individual, 4 co-signatories for WGA and NGA, Mead signing twice)**
2 Lieutenant Governors
20 Attorneys General (all signed one letter)
18 Intergovernmental Associations
61 cabinet-level state agencies

ALABAMA

Attorney General Steve Marshall
Alabama Department of Agriculture

ALASKA

Governor Bill Walker
Attorney General Jahna Lindemuth

ARIZONA

Governor Doug Ducey
Apache County, District 3
Eastern Arizona Counties Organization
Gila County Board of Supervisors (Cline)
Gila County Board of Supervisors (Humphrey)
Gila County Board of Supervisors (Martin)
**Gila County Board of Supervisors letter with 3 signatures
Graham County Board of Supervisors
Greenlee County Board of Supervisors
Navajo County Board of Supervisors (Thompson
Navajo County Board of Supervisors (Whiting)
Pima County

ARKANSAS

Governor Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Department of Agriculture
Benton County (judge)
Boone County (judge)
Carroll County (judge)

AMERICAN OVERSIGHT

Craighead County (judge)
Faulkner County (justice of the peace)
Greene County (judge)
Hot Spring County (Dist 10 justice)
Logan County, (Dist 2 & 3 justice)
Logan County (Dist 5 justice)
Marion County (judge)
Mississippi County (judge)
Newton County (judge)
Poinsett County (judge)
Polk County (judge)
Pope County (Dist 6 & 9 justice)
Pope County (judge)
Pulaski County (justice)
Saline County (judge)
Searcy County (clerk)
Sebastian County (judge)
Sebastian County (Dist 10 justice)
Stone County (Clerk)

CALIFORNIA

Association of California Water Agencies
California Association of Sanitation Agencies
California Department of Transportation
California Storm Water Quality Association
City of Azusa (city mgr)
City of Corona (city mgr)
City of Lake Forest (env. mgr)
City of Manteca (mayor)
City of San Juan Capistrano (city mgr)
City of Santa Ana (engineer)
Del Norte County Board of Supervisors
Elsinore Valley Municipal Water District
La Mesa (Helix) Water District
Los Angeles County Department of Public Works
Orange County Public Works
Riverside County Flood Control District
Rural County Representatives of California
San Diego County Water Authority
San Diego County Planning and Development Services
San Gabriel Valley Council of Governments
Sanitation Districts of Los Angeles County
Santa Fe Irrigation District
Santa Margarita Water District
Tuolumne County Board of Supervisors
Western Municipal Water District

AMERICAN OVERSIGHT

COLORADO

**Joint letter: Colorado Department of Agriculture
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
City of Aurora Water Administration
Huerfano County Water Conservation District
Northwest Colorado Council of Governments
Pitkin County (attorney)

CONNECTICUT

Connecticut Department of Energy and Environmental Protection

FLORIDA

Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection
Charlotte County Board of Commissioners

GEORGIA

Attorney General Christopher Carr
Georgia Department of Natural Resources

HAWAII

Governor David Ige

IDAHO

Governor Butch Otter **joint letter with
Idaho Department of Agriculture
Idaho Department of Environmental Quality
Idaho Department of Water Resources
Idaho Association of Counties

ILLINOIS
Illinois Environmental Protection Agency

AMERICAN OVERSIGHT

INDIANA

Attorney General Curtis Hill, Jr.
Indiana Department of Environmental Management
Association of Indiana Counties
County Supervisors Association of Indiana
Blackford County Surveyors
Hamilton County Surveyors
Hancock County Surveyors

IOWA

Governor Kim Reynolds **joint letter with Lt. Governor Adam Gregg

Buchanan County

KANSAS

Governor Sam Brownback
Attorney General Derek Schmidt

KENTUCKY

Attorney General Andy Beshear
Energy and Environment Cabinet (Secretary)

LOUISIANA

Attorney General Jeff Landry
Louisiana Department of Environmental Quality (Secretary)
Jefferson Parish Department of Environmental Affairs

MAINE

Governor Paul LePage

MASSACHUSETTS

Massachusetts Department of Environmental Protection

AMERICAN OVERSIGHT

MICHIGAN

Attorney General Bill Schuette
**Joint letter: Michigan Department of Agriculture and Rural Development and
Michigan Department of Environmental Quality

MINNESOTA

**Joint letter: Minnesota Department of Natural Resources
Minnesota Pollution Control Agency

MISSISSIPPI

Governor Phil Bryant
Forrest County (supervisor)

MISSOURI

Governor Eric Greitens **joint letter with
Missouri Department of Natural Resources
Attorney General Josh Hawley

MONTANA

Montana Department of Environmental Quality, Department of Natural Resources and Conservation

NEBRASKA

Governor Pete Ricketts **joint letter with
Nebraska Department of Agriculture
Nebraska Department of Environmental Quality
Nebraska Department of Natural Resources

NEVADA

Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Nevada Division of Environmental Protection

AMERICAN OVERSIGHT

Nevada Association of Counties
Clark County Regional Flood Control District
Humboldt River Basin Authority

NEW HAMPSHIRE

Governor Chris Sununu

NEW MEXICO

New Mexico Department of Agriculture

NEW YORK

New York State Department of Environmental Conservation

NORTH CAROLINA

Lieutenant Governor Dan Forest
North Carolina Department of Environmental Quality (Secretary)

NORTH DAKOTA

Governor Doug Burgum
Attorney General Wayne Stenehjem

OHIO

Attorney General Mike DeWine
Ohio Environmental Protection Agency
Ohio Department of Transportation
Ohio Department of Agriculture
Ohio Department of Natural Resources, Division of Mineral Resources
Ohio Department of Natural Resources, Division of Oil and Gas Resources Management

OKLAHOMA

Attorney General Mike Hunter
**Joint letter: Commissioner of Agriculture
Secretary of Energy and Environment
Secretary of Transportation

AMERICAN OVERSIGHT

OREGON

**Joint letter Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Forestry
Oregon Department of State Lands
Jackson County Road Department
Yamhill County Commission

PENNSYLVANIA

**Joint letter: Pennsylvania Department of Agriculture
Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Department of Environmental Protection
Pennsylvania Fish and Boat Commission
Pennsylvania Department of Transportation (nat res. staff)

SOUTH CAROLINA

Governor Henry McMaster
Attorney General Alan Wilson
Dorchester County Administrator

SOUTH DAKOTA

Attorney General Marty Jackley
South Dakota Department of Environment and Natural Resources
Pennington County Board of Commissioners

TENNESSEE

**Joint letter: Tennessee Department of Agriculture and
Tennessee Department of Environment and Conservation

TEXAS

Attorney General Ken Paxton
Railroad Commission of Texas (All three commissioners)
Texas Commission on Environmental Quality
Texas Department of Agriculture
Texas Department of Transportation

AMERICAN OVERSIGHT

Texas General Land Office

UTAH

Attorney General Sean Reyes
Public Lands Policy Coordination Office (director)
Duchesne County Commission

VIRGINIA

Commonwealth of Virginia Department of Agriculture and Consumer Services
Spotsylvania County (engineer)

WASHINGTON

Washington Department of Ecology

WEST VIRGINIA

Attorney General Patrick Morrisey
West Virginia Department of Environmental Protection

WISCONSIN

Attorney General Brad Schimel
Wisconsin Department of Natural Resources

WYOMING

Governor Matt Mead **Signed own letter for WY and co-signed NGA leadership letter with Brown (CA)
Wyoming Association of Conservation Districts
Wyoming County Commissioners Association
Wyoming Department of Environmental Quality
Wyoming Coalition of Local Governments

INTERGOVERNMENTAL ASSOCIATIONS

****Joint Letter from the National Association of Counties, National League of Cities, U.S. Conference of Mayors**

AMERICAN OVERSIGHT

Association of Clean Water Administrators
Association of State Floodplain Managers
Association of State Wetland Managers
Environmental Council of the States
National Association of Conservation Districts
National Association of Clean Water Agencies
National Association of State Departments of Agriculture
National Association of Flood and Stormwater Management Agencies
National Conference of State Legislatures
National Governors' Association – Gov. Edmund Brown (CA) and Gov. Matt Mead (WY)
National Municipal Storm Water Alliance
National Water Resources Association
New England Interstate Water Pollution Control Commission
Western Governors' Association – Gov. Steve Bullock (MT) and Gov. Dennis Daugaard (SD)
Western States Water Council

**Joint Letter signed by Attorneys General from 20 states

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Nolan, Rich
Sent: Thur 12/7/2017 1:11:41 PM
Subject: Re: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

Sending 5

On Dec 7, 2017, at 7:43 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Usual suspects

On Dec 7, 2017, at 7:40 AM, Nolan, Rich <RNolan@nma.org> wrote:

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a

AMERICAN OVERSIGHT

rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would

AMERICAN OVERSIGHT

be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

AMERICAN OVERSIGHT

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former

AMERICAN OVERSIGHT

business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

AMERICAN OVERSIGHT

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

AMERICAN OVERSIGHT

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included

AMERICAN OVERSIGHT

everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and

AMERICAN OVERSIGHT

ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per

AMERICAN OVERSIGHT

acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate
Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor

AMERICAN OVERSIGHT

separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

AMERICAN OVERSIGHT

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

AMERICAN OVERSIGHT

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up,

AMERICAN OVERSIGHT

saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

AMERICAN OVERSIGHT

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

AMERICAN OVERSIGHT

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and

AMERICAN OVERSIGHT

curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

AMERICAN OVERSIGHT

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

AMERICAN OVERSIGHT

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

AMERICAN OVERSIGHT

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court

AMERICAN OVERSIGHT

system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a

AMERICAN OVERSIGHT

flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

AMERICAN OVERSIGHT

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

AMERICAN OVERSIGHT

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment.

AMERICAN OVERSIGHT

"We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest

AMERICAN OVERSIGHT

otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now

AMERICAN OVERSIGHT

nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

AMERICAN OVERSIGHT

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

AMERICAN OVERSIGHT

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

AMERICAN OVERSIGHT

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card,

AMERICAN OVERSIGHT

vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

AMERICAN OVERSIGHT

This email was sent to rnolan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 7/6/2018 9:44:32 AM
Subject: Morning Energy: Pruitt finally strikes out — EPA blocks formaldehyde warnings, sources say — Pruitt probe continues on

By Kelsey Tamborrino | 07/06/2018 05:42 AM EDT

With help from Emily Holden and Anthony Adragna

PRUITT FINALLY STRIKES OUT: Today marks Scott Pruitt's last day as EPA administrator after his resignation Thursday afternoon. Though he was only head of the EPA for 500 days, his tenure was marred by a seemingly endless stream of scandals into his ethics, finances and management. Pruitt's many issues have generated headlines for the past several months, and it was those "unrelenting attacks" on him and his family that he blamed in his resignation letter.

President Donald Trump announced Pruitt's exit in a tweet in which he commended the EPA chief for doing an "outstanding job" at EPA. Trump announced that Pruitt's deputy, Andrew Wheeler, will become acting administrator of the EPA until a permanent replacement can be found.

SO, WHAT HAPPENED? For weeks the White House has maintained it was concerned with the numerous allegations of wrongdoing by Pruitt, all the while affirming Trump still had faith in the administrator, particularly for his deregulatory zeal. But one Republican close to the White House said Thursday that Trump's support for Pruitt finally dropped when he realized Wheeler could easily carry out the same regulatory rollback — sans the scandals.

For Trump's part, he told reporters aboard Air Force One there was "no final straw," but said the decision had been in the works for "a couple of days." POLITICO's Anthony Adragna, Alex Guillén and Emily Holden report that among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of the few hold-outs left defending Pruitt.

The Washington Post reports Pruitt was also drawing scrutiny from the Office of Management and Budget. Officials told the Post OMB had determined that a $43,000 soundproof phone booth installed for Pruitt was a violation of federal law, though the report has not yet been published.

But the news still dismayed prominent GOP donor Doug Deason, who told POLITICO late Thursday that he was "so disappointed in the President's failure to support Scott against the angry attacks from the loony left." Deason added: "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

Inside the EPA, the general mood Thursday was one of joy, according to both career staffers and political appointees. "A lot of people are relieved it's going to stop," one EPA employee said. There were "a lot of jokes about, 'Like, what do we do with the tactical pants now?' A lot of sharing funny tweets we've seen out there. There was one that was like, 'For sale: Barely used secure phone booth. Very motivated seller.'"

AMERICAN OVERSIGHT

WHAT'S IT MEAN? The change-up at the EPA won't mark a large difference in the Trump administration's approach to environmental policy, and many of the investigations into Pruitt will continue on. But Wheeler, a longtime Washington lobbyist and former Hill staffer, is expected to steer the ship more smoothly. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment," said GOP Sen. Jim Inhofe , for whom Wheeler formerly worked. "What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source told Pro's Eric Wolff over email.

In contrast to Pruitt, Eric and Alex write: "Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued."

Career EPA staffers were enthused but wary of Wheeler, who is known around the agency as friendly and competent, a skilled lawyer who knows how to bulletproof regulatory rollbacks, while avoiding the kind of controversy that has propelled Pruitt into the limelight. Wheeler is also expected to engage more with career staffers, rather than relying solely on a tight circle of political appointees, as Pruitt did. "Will this be a turn for the better or more of the same? ... I'd say we're not optimistic for much better," one person said. "You can't fix stupid by replacing Pruitt."

"[T]he proverbial fox hasn't left the henhouse," said Denise M. Morrison, acting head of AFGE Council 238, which represents about 9,000 EPA workers across the country. "Pruitt's blatant disregard for regulations mustn't be the standard for his former coal lobbyist successor at EPA, Deputy Administrator Andrew Wheeler."

The president said Wheeler was "very much an early Trump supporter," although some were quick to point out that Wheeler called Trump a "bully" in a Facebook post during the presidential primaries. In a statement to ME, Wheeler said he made those comments during his time on the Marco Rubio campaign. But Wheeler said that when he attended a Trump speech in June 2016, Trump gave "the most comprehensive energy speech by a presidential candidate" he'd ever heard. "I then joined the Trump campaign and worked on environmental policy for him," Wheeler added.

WHAT COMES NEXT? If Trump were to soon nominate a permanent replacement for Pruitt, the nominee will certainly face an uphill battle in the Senate, where a contentious agenda is already heating up in the lead-up until midterm elections. Senators on both sides of the aisle have condemned Pruitt's actions, and issues like the Renewable Fuel Standard would be front-and-center in any eventual hearing.

And, even with Pruitt gone, EPA will continue to be forced to release public records detailing how he has managed his agency. One longtime EPA employee said Pruitt's resignation was overdue and hoped that a criminal investigation would take place — and that he would be indicted. "Congress has seriously abdicated any pretense of oversight," the source said. "How many Benghazi hearings?"

AMERICAN OVERSIGHT

Read up! POLITICO's profile on Wheeler here | The complete guide to Pruitt's scandals here | Pruitt's full resignation letter here | How Pruitt blew it here | Pruitt's EPA tenure, in photos | Wheeler's email to staff here

For fun: The Bird, a restaurant in Shaw, has been offering up drink specials whenever a member of the Trump administration is fired. So it should come as no surprise, the restaurant offered $4 happy hour drinks last night, including its "Pruitt Blew It" cocktail special, which features herbs and blueberries. See it here.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. Andeavor's Stephen Brown was first to correctly name the Marion Star, the newspaper for which Warren G. Harding was publisher before he was elected president. For today: Name the first sitting House speaker to lose reelection to his House seat. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.
Join POLITICO at 8:15 a.m. on July 11 at Washington Court Hotel for a dynamic conversation on the role of government and its implications for AI growth in national public safety, privacy and civil rights. RSVP here.

MORE FROM THE SUPPRESSED STUDY BEAT: A draft health assessment of one of the most commonly used chemicals in the country is being suppressed by the Trump administration's EPA, current and former agency officials told POLITICO. The assessment details that most Americans inhale enough formaldehyde vapor in the course of their daily lives to put them at risk of developing leukemia and other ailments, Pro's Annie Snider reports. EPA scientists completed the formaldehyde assessment just before Trump took office, the officials tell Annie, arguing that top Pruitt advisers are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals. "They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System.

Pruitt told a Senate hearing earlier this year that he believed the draft assessment was complete — but five months later, it has yet to see the light of day. Meanwhile, internal documents show , a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings. "As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, a representative of the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. Pruitt appointed White to EPA's influential Science Advisory Board last fall.

AMERICAN OVERSIGHT

And while Pruitt may be gone from the agency, his replacement also has a history with the chemical, Annie notes. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, Inhofe, sought to delay an earlier iteration of the formaldehyde assessment. Read the story here.

IN THE MEANTIME: Aides on the House Oversight Committee say they'll continue their investigation into Pruitt, despite his exit, with Committee Democrats releasing new transcripts from interviews with some of Pruitt's aides on Thursday. Three aides acknowledged removing many meetings from Pruitt's calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after his arrest on alleged sexual abuse charges. "I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," chief of staff Ryan Jackson told committee staff.

TRUMP HITS TESTER IN MONTANA: At a Montana rally for GOP Senate candidate Matt Rosendale, Trump took aim at Democratic Sen. Jon Tester, up for reelection in November in a state with particular interest in public lands and conservation policy. "It's time to retire liberal Democrat Jon Tester," Trump declared to the crowd. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters." POLITICO's Matt Nussbaum points out, however, Trump's attacks don't seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — an attempt to show the state's Trump-friendly voters that the senator can work with the president. Read more.

BUNDLED UP: It worked so well with the first so-called minibus, House Republicans are expected to bring another spending bundle to the floor this month, according to a notice posted Thursday by the Rules Committee. This time around the 2019 funding package will combine the Interior-Environment H.R. 6147 (115) and Financial Services H.R. 6258 (115) spending bills. Both bills "are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels," Pro Budget and Appropriations' Sarah Ferris reports. The package is slated for floor action the week of July 16.

STUDY LOOKS AT TRUMP COAL PLAN CONSEQUENCES: The Trump administration's plan to prop up economically struggling coal and nuclear power plants would result in 353 to 815 premature deaths in 2019-20 due to the additional emissions of sulfur dioxide and nitrogen oxides, according to a new study from Resources for the Future, an independent, nonprofit research institution in Washington. The paper also calculated that each year the policy is in effect would cause 1 death for the 2 to 4.5 coal-mine jobs that it supports. The administration's plan, which it says is being pursued in the interest of national security and is detailed in a draft DOE paper, would delay the retirement of plants that have announced they will close by the end of 2020. Such a policy would support 790 coal-mine jobs, the study found, "though it would be likely to reduce economy-wide employment." Read the report here.

EERE GETS ACTING ASSISTANT SECRETARY: While the president's permanent pick for DOE's energy efficiency and renewable energy office awaits confirmation, Pro's Darius Dixon

AMERICAN OVERSIGHT

reports Cathy Tripodi will take on the role of acting assistant secretary for EERE. Dan Simmons was nominated for the permanent role last month by the White House. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an adviser to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email.

Tripodi joined DOE in January 2017 and has been the director of the department's Lab Operations Board, which coordinates research and mission objectives between the agency headquarters and its far-flung national laboratories.

EU EXTENDS RUSSIA SANCTIONS: The EU extended sanctions against Russia for another six months on Thursday over Moscow's actions in Ukraine, POLITICO Europe's Magdaline Duncan reports. The sanctions target, in part, Russia's energy sector by limiting access to EU markets for three energy companies. EU leaders have said that the sanctions will be lifted once all sides in Ukraine commit to the cease-fire agreed in the Minsk accords.

PUERTO RICO GOVERNOR TAKES IT TO COURT: Puerto Rico Gov. Ricardo Rosselló announced Thursday his government would go to court to challenge the authority of the island territory's federal oversight board to impose policies on the commonwealth, Pro Financial Services' Colin Wilhelm reports. The oversight board in question was established by Congress to address Puerto Rico's debt and has mandated cuts to pensions and government spending in its most recent recovery plan.

— **Separately, the Puerto Rico Electric Power Authority said** this week that 99.9 percent of power has been restored in the aftermath of Hurricane Maria — 10 months after the hurricane destroyed Puerto Rico's grid.

QUICK HITS

— "Americans already living EPA rollbacks under Pruitt," The Associated Press.

— "Doubts grow Aramco IPO will ever happen," The Wall Street Journal.

— "PHMSA agrees to provide public notice of hearings," E&E News.

— "Iran to Trump: Oil will cost $100 per barrel, and it is your fault," Reuters.

HAPPENING TODAY

crickets

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/07/pruitt-finally-strikes-out-272028

AMERICAN OVERSIGHT

Stories from POLITICO Pro

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former

AMERICAN OVERSIGHT

treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his

AMERICAN OVERSIGHT

political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

AMERICAN OVERSIGHT

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic

AMERICAN OVERSIGHT

of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a

AMERICAN OVERSIGHT

dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

AMERICAN OVERSIGHT

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

AMERICAN OVERSIGHT

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican

AMERICAN OVERSIGHT

administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

AMERICAN OVERSIGHT

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Trump: Pruitt didn't want to be a 'distraction' Back

By Stephanie Murray | 07/05/2018 06:27 PM EDT

Environmental Protection Agency head Scott Pruitt abruptly left his Cabinet-level position in the administration because he didn't want to be a "distraction," President Donald Trump told reporters on Thursday afternoon.

"He'll go on to great things and he's going to have a wonderful life, I hope," Trump said on Air Force One, according to a pool report. "But he felt that he did not want to be a distraction for an administration that he has a lot of faith in."

Pruitt is the latest high-ranking official to exit the Trump administration. The former EPA chief had been embroiled in a laundry list of ethics scandals during his tenure. Among them: Pruitt allegedly asked staffers to carry out errands and find his wife a job, and he installed a $43,000 soundproof booth in his office and made other unusual security demands.

In his resignation letter, Pruitt praised the president and said "unrelenting attacks" have taken a toll on him and his family. Most recently, a woman confronted Pruitt in a restaurant and urged him to resign. The confrontation was caught on video and spread widely on the Internet.

AMERICAN OVERSIGHT

There was no final straw that triggered Pruitt's resignation, and the choice was "very much up to him," Trump said during the gaggle on Air Force One. According to the president, the resignation had been in the works for a couple of days.

"Scott Pruitt did an outstanding job inside of the EPA. We've gotten rid of record-breaking regulations, and it's been really good," Trump said. "His deputy has been with me actually a long time. He was very much an early Trump supporter. He was with us on the campaign. He is a very environmental person. He's a big believer, and he's going to do a fantastic job."

Pruitt initially supported former Florida Gov. Jeb Bush, a rival of Trump's during the 2016 campaign for the GOP presidential nomination. New acting EPA chief Andrew Wheeler, who has been serving as Pruitt's deputy and was previously a coal lobbyist, initially served as a volunteer consultant on the campaign of another rival, Sen. Marco Rubio (R-Fla.).

To view online click here.

Back

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such

AMERICAN OVERSIGHT

great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

AMERICAN OVERSIGHT

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that

AMERICAN OVERSIGHT

Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The

AMERICAN OVERSIGHT

National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

Ethanol producers hoping for better treatment from new EPA chief Back

By Eric Wolff | 07/05/2018 05:31 PM EDT

Ethanol producers hope Andrew Wheeler, who will be taking the reigns at EPA as of Friday night, will be more corn-friendly in his management of the the Renewable Fuel Standard than soon-to-depart Administrator Scott Pruitt.

"President Trump made the right decision," said Iowa Sen. Chuck Grassley, who had been

AMERICAN OVERSIGHT

infuriated by Pruitt's actions on the RFS, in a statement on Pruitt's resignation. "Fewer things are more important for government officials than maintaining public trust. Administrator Pruitt, through his own actions, lost that trust. I hope Acting Administrator Wheeler views this as an opportunity to restore this Administration's standing with farmers and the biofuels industry."

Pruitt antagonized ethanol producers and Midwestern farmers with repeated efforts to ease RFS requirements on refiners at what corn farmers perceived as their expense. Before joining EPA, Wheeler was a lobbyist whose clients included ethanol producer trade association Growth Energy.

"That sound you hear is a collective sigh of relief coming from the Midwest," said Bob Dinneen, CEO of the Renewable Fuels Association. "We look forward to working with Acting Administrator Andy Wheeler, whose long career focusing on policies that recognize economic growth and environmental protection are not mutually exclusive is not undermined by an unmistakable anti-ethanol, anti-farmer bias."

Wheeler has a reputation in D.C. as a smooth operator with deep relationships on the Hill.

"What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source said over email. "With Andy I think there will be less free-lancing and more a focus on working with career folks at EPA.... Quite frankly, less free lancing will serve the interests of all stakeholders."

To view online click here.

Back

Pruitt's replacement 'should scare anyone who breathes' Back

By Eric Wolff and Alex Guillén | 05/04/2018 05:49 PM EDT

The man taking the reins at the Environmental Protection Agency following the resignation of Scott Pruitt is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation. He is set to take the job Monday.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details

AMERICAN OVERSIGHT

and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued.

"I have no doubt that Andy will continue on with our great and lasting EPA agenda," Trump tweeted in announcing Pruitt's resignation. "We have made tremendous progress and the future of the EPA is very bright!"

Wheeler, who shares many of Pruitt's anti-regulatory views, is expected to "stay the course" with many of Pruitt's policies, according to one EPA source.

Republicans and other allies quickly praised Wheeler as a steady hand for an agency in turmoil.

Wheeler is the "perfect choice" for acting administrator, said Inhofe.

"Andrew worked for me for 14 years, has an impeccable reputation and has the experience to be a strong leader at the EPA," Inhofe added. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment."

"I have confidence that Andrew Wheeler will be a good partner at #EPA, and I look forward to working with him on the" Renewable Fuel Standard, tweeted Sen. Joni Ernst (R-Iowa), who in recent months had expressed public anger over moves by Pruitt that upset the ethanol industry.

"Wheeler knows how to make the trains run on time at the agency and will be more inclined to work with career folks," said one refining industry source. "Andy also has strong relationships on the Hill from his work there, and that will work to the agency's benefit as well."

Environmentalists were glad to see Pruitt go, but many quickly acknowledged that Wheeler will be a formidable adversary to their agenda.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," Jeremy Symons, vice president for political affairs at the Environmental Defense Fund, said in May before Pruitt's resignation. "That should scare anyone who breathes."

"Andrew Wheeler is equally unqualified to serve as the nation's chief environmental steward," said Ana Unruh Cohen of the Natural Resources Defense Council. "Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's."

It is not clear how long Wheeler may be left leading EPA on an acting basis, as Senate Republicans have questioned whether any nominee could win confirmation this year amid the upcoming midterm elections and the GOP's razor-thin majority in the chamber.

AMERICAN OVERSIGHT

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, has been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

Wheeler, in contrast, came to the agency steeped in its work.

He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and former liberal Democrat Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's efforts to make changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt in May of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter

AMERICAN OVERSIGHT

adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's s agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA.

Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden, Anthony Adragna and Ben Lefebvre contributed to this report.

To view online click here.

Back

Environmentalists: Pruitt's replacement 'should scare anyone who breathes' Back

AMERICAN OVERSIGHT

By Eric Wolff | 05/05/2018 06:43 AM EDT

The man taking the reins at the Environmental Protection Agency after Scott Pruitt's downfall is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump are pursuing.

That presents a paradox for environmental groups, who would welcome Pruitt's departure but fear his replacement would be a much more formidable opponent.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," said Jeremy Symons, vice president for political affairs at the Environmental Defense Fund. "That should scare anyone who breathes."

Symons noted that many of Pruitt's aggressive deregulatory efforts have run into trouble in federal courts.

"The problem with the Pruitt approach is it's like a sugar high," said Jeff Navin, a Democratic lobbyist and former Energy Department staffer who has shared lobbying clients with Wheeler. "It feels really, really good for a moment, but if you're not following rules and procedure, not laying down substance for the decision you're making, you're not going to last very long."

Another person who has worked with Wheeler said: "He's like Mike Pence is to Trump. ... He's behind the scenes. He'll get a lot done and doesn't need to be in the news."

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, have been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

AMERICAN OVERSIGHT

Wheeler, in contrast, came to the agency steeped in its work. He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and liberal former Democratic Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's work on making changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt this week of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get

AMERICAN OVERSIGHT

involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

That's the worry of environmental groups, which note the years Wheeler spent working with Inhofe, who calls human-caused global warming a "hoax," and Murray, a fierce opponent of EPA's climate regulations.

Wheeler's "entire professional career, most of it has been devoted to resisting attempts to improve the quality of our air and our water and the safety of our communities," said Sierra Club Executive Director Michael Brune. "He fought against safeguards to limit mercury poisoning. He fought against protections to limit the amount of ozone in our skies. He fought against air pollution from neighboring states. He's a climate denier. So, sadly, he fits in well with EPA leadership."

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA. Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden and Anthony Adragna contributed to this report.

To view online click here.

Back

Full text: Pruitt's resignation letter Back

AMERICAN OVERSIGHT

07/05/2018 04:17 PM EDT

The full text of Scott Pruitt's resignation letter:

Mr. President, it has been an honor to serve you in the Cabinet as Administrator of the EPA. Truly, your confidence in me has blessed me personally and enabled me to advance your agenda beyond what anyone anticipated at the beginning of your Administration. Your courage, steadfastness and resolute commitment to get results for the American people, both with regard to improved environmental outcomes as well as historical regulatory reform, is in fact occurring at an unprecedented pace and I thank you for the opportunity to serve you and the American people in helping achieve those ends.

That is why is hard for me to advise you I am stepping down as Administrator of the EPA effective as of July 6. It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring. However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us.

My desire in service to you has always been to bless you as you make important decisions for the American people. I believe you are serving as President today because of God's providence. I believe that same providence brought me into your service. I pray as I have served you that I have blessed you and enabled you to effectively lead the American people. Thank you again Mr. President for the honor of serving you and I wish you Godspeed in all that you put your hand to.

Your Faithful Friend,
Scott Pruitt

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

AMERICAN OVERSIGHT

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

AMERICAN OVERSIGHT

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

AMERICAN OVERSIGHT

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto

AMERICAN OVERSIGHT

emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

AMERICAN OVERSIGHT

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Sources: EPA blocks warnings on cancer-causing chemical Back

By Annie Snider | 07/06/2018 05:02 AM EDT

The Trump administration is suppressing an EPA report that warns that most Americans inhale enough formaldehyde vapor in the course of daily life to put them at risk of developing leukemia and other ailments, a current and a former agency official told POLITICO.

AMERICAN OVERSIGHT

The warnings are contained in a draft health assessment EPA scientists completed just before Donald Trump became president, according to the officials. They said top advisers to departing Administrator Scott Pruitt are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals.

Andrew Wheeler, the No. 2 official at EPA who takes over for Pruitt on Monday, also has a history with the chemical. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, then-Chairman Jim Inhofe (R-Okla.), sought to delay an earlier iteration of the formaldehyde assessment.

Formaldehyde is one of the most commonly used chemicals in the country. Americans are exposed to it through wood composites in cabinets and furniture, as well as air pollution from major refineries. The new assessment would give greater weight to warnings about the chemical's risks and could lead to stricter regulations from EPA or class-action lawsuits targeting its manufacturers, as frequently occurs after these types of studies are released.

"They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System. Industry has long faulted the IRIS program, the agency's only independent scientific division evaluating the health risks of toxic chemicals, whose assessments often form the basis for federal and state regulations.

The current official and former official requested anonymity out of fear for their jobs and the impact that speaking out could have on the IRIS program.

Interfering with the formaldehyde study is one of several steps Trump's EPA has taken to side with the businesses the agency is supposed to regulate and undermine the agency's approach to science, critics say. Public health advocates also expressed alarm after Pruitt replaced academic scientists with industry advocates on the agency's influential science advisory boards and sought to limit the types of human health research EPA can rely on in rulemakings.

The officials said Trump appointees have required that career officials receive their permission before beginning the required internal review of the formaldehyde study and have canceled key briefings that would have advanced it. That interference came after EPA career scientists revised the study once already last year to insulate it from political controversy, they said.

In a statement, EPA denied that the assessment was being held back.

"EPA continues to discuss this assessment with our Agency program partners and have no further updates to provide at this time," EPA spokeswoman Kelsi Daniell said. "Assessments of this type are often the result of needs for particular rulemakings and undergo an extensive intra-agency and interagency process."

But as far back as January, Pruitt told a Senate panel that he believed the draft assessment was complete.

AMERICAN OVERSIGHT

Five months later, it has yet to see the light of day. Meanwhile, internal documents show, a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings.

"As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, who leads the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. The panel represents companies including Exxon Mobil and Koch Industries subsidiary Georgia-Pacific Chemicals LLC that could face higher costs from stricter regulations or lawsuits.

Nearly a million jobs "depend on the use of formaldehyde," White's letter argued.

The holdup is attracting attention on Capitol Hill, where Democrats have already expressed alarm, arguing that the Trump administration has allowed politics to interfere in EPA's scientific assessments of threats such as toxic pollution and climate change.

The agency must "move past politics and focus on its job of protecting human health" by releasing the formaldehyde study, Sen. Ed Markey (D-Mass.) said in a statement to POLITICO.

"Because formaldehyde can be found in everything from wood products to women's hair straighteners, the public health risks are substantial," Markey said. "Delaying the EPA's latest assessment of the health risks of formaldehyde only further endangers the health of Americans."

Public health advocates have similarly expressed fears that the Trump administration has allowed EPA to be captured by the industries it regulates. The revelations about the formaldehyde study come after Pruitt removed academic scientists from the agency's influential science advisory boards and in many cases replaced them with industry advocates, and after he proposed a policy to limit the agency's use of human health data while offering a carve-out for confidential industry studies.

"At every corner, you see the agency trying to either minimize the role of science or manipulate the role of science or just ignore the work of scientists in doing the critical work to ensure that human health and the environment is protected," said Jennifer McPartland, a senior scientist with the Environmental Defense Fund's health program.

POLITICO also reported in May that Trump administration officials, including EPA chief of staff Ryan Jackson, sought to delay an HHS study finding that nonstick chemicals pose health dangers at a lower level than EPA has said is safe.

Insiders anticipate few major policy changes under Wheeler, who is widely expected to continue Pruitt's deregulatory agenda and is well-versed in chemicals issues. He began his career in EPA's chemical safety office, and after leaving Inhofe's staff lobbied for a refrigerants manufacturer that was recently acquired by one of the country's major chemical manufacturers, Chemours Co.,

AMERICAN OVERSIGHT

a DuPont spin-off.

Decades' worth of research has linked formaldehyde to nose and throat cancer and respiratory problems, and newer research has suggested the connection to leukemia — controversial conclusions that would gain significant credence if EPA formally adopts them. The new assessment affirms those links to leukemia, nose and throat cancer and other ailments, according to the current and former officials familiar with its findings.

The new assessment could lead EPA to impose stricter regulations of chemicals refineries or wood products and could spur class-action lawsuits from cancer patients attempting to hold companies responsible for their illnesses.

The agency officials said the political aides blocking the assessment include Jackson and Richard Yamada, a former staffer for House Science Chairman Lamar Smith (R-Texas) who is now a top official in EPA's Office of Research and Development. And they said Nancy Beck, who criticized the IRIS program in her previous job as a top chemical industry expert, is now helping to stymie the program's assessments in her new post as head of EPA's chemical safety office. Jackson, Yamada and Beck did not respond to requests for comment.

The EPA spokeswoman disputed the accusations and said Yamada and Jackson have in fact requested briefings on the assessment.

The current EPA official told POLITICO that political appointees have managed to avoid creating written evidence of their interference with the formaldehyde assessment by refusing to send emails or create other records that could eventually become public, instead using what the official described as "a children's game of telephone."

By blocking the report at the first step of the IRIS review process, political appointees are keeping it from being reviewed by the National Academies of Sciences, an independent panel of the country's top scientists that must weigh in on all such risk assessments. EPA has already paid the academies $500,000 for that review, the highest level of scrutiny a scientific study can receive, but the work cannot start until Pruitt's aides send the study.

"If the administration was really keen on protecting public health, why wouldn't they send this to the National Academy and give it a really good review?" the former EPA official asked. "If it survives that review, then there's a public health problem that needs to be dealt with, and if it doesn't survive the review, then they can point the finger at IRIS and say, 'You're dead.'"

The former official said there would be only one reason not to ask the country's top experts whether they agree with the analysis: "You don't want the answer."

Public health advocates say the administration's attacks on science have had especially significant implications for the IRIS program. The small office of about 35 experts pores through the huge body of existing research on chemicals, including industry-backed studies aimed at proving the substances safe, to independently assess their risks. While purely scientific, the program's reviews are looked to by regulators not just at EPA, but also in the states and around

AMERICAN OVERSIGHT

the world, often paving the way for new or more stringent regulations.

But industry has long targeted the program, arguing it uses an opaque process to decide which studies to rely on and which research to give credence to when findings conflict.

The American Chemistry Council, Beck's former employer, spent more than $7 million last year lobbying EPA and Congress on issues including IRIS, formaldehyde and the policy to limit EPA's use of human health research. Chemicals manufacturers, including Hexion Inc., one of the country's largest manufacturers of formaldehyde, have also spent tens of thousands of dollars on lobbying related to the program this year.

A National Academies panel agreed with some of industry's criticisms of the IRIS program in a blistering review of an earlier iteration of the formaldehyde assessment that recommended major changes to how IRIS decides how much weight to give conflicting studies, although it did not attack the substance of its findings about the health effects of formaldehyde. Critics of the IRIS program have pointed to that review frequently as they have sought to kill it, including in an appropriations battle this spring. The EPA spokeswoman also pointed to that assessment in her statement. "The National Academy of Science and Congress in legislative reports have for years been highly critical of EPA's previous assessments involving formaldehyde," she said.

But EPA has overhauled the program since then, hiring a new director for IRIS and a new head of the National Center for Environmental Assessment, in which it is housed. The changes have received high marks from the National Academies in two more recent reviews, one in 2014 and one this past April. The latest formaldehyde assessment is expected to demonstrate further progress implementing the academies' recommendations, potentially undermining industry critiques of the overall IRIS program if it were to be released.

Although efforts to kill EPA's independent scientific arbiter have so far failed, EPA officials and public health advocates say the program has been significantly hobbled under an administration with close ties to the chemicals industry.

White, the top staffer for the American Chemistry Council's Formaldehyde Panel, wrote EPA three times between September 2017 and January 2018, urging the agency to incorporate industry-funded research that found no link between formaldehyde and leukemia, and arguing that the studies shifted the scientific consensus away from the conclusion that it does. In November, Pruitt appointed her to the agency's influential Science Advisory Board.

Less than a week after the council's Jan. 24 meeting with EPA, Pruitt himself confirmed that the report had been complete for months. During a Senate hearing at the end of January, Markey asked Pruitt for an update on the formaldehyde assessment, saying it was his understanding "that the EPA has finalized its conclusion that formaldehyde causes leukemia and other cancers and that [the] completed new assessment is ready to be released for public review, but is being held up."

"You know, my understanding is similar to yours," Pruitt replied, promising to follow up.

AMERICAN OVERSIGHT

Markey reminded Pruitt of the exchange in a May 17 letter. In a response Thursday, the agency's principal deputy assistant administrator for science, Jennifer Orme-Zavaleta, said EPA "continues to discuss the formaldehyde assessment internally and has no further updates to provide at this time."

To view online click here.

Back

Trump unleashes in Montana Back

By Matthew Nussbaum | 07/05/2018 07:53 PM EDT

President Donald Trump went on offense on Thursday at a campaign-style rally in Montana, deriding the state's Democratic senator but also launching attacks against the Justice Department, the media, Hillary Clinton, Sen. Elizabeth Warren, the "Me Too" movement and more.

He previewed themes he will highlight as he works to unseat Democratic senators in the midterm elections, while returning to many of his favorite 2016 attacks.

"It's time to retire liberal Democrat Jon Tester," Trump declared to a raucous crowd during the hourlong address in Great Falls, Montana. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters."

Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions.

"You wouldn't think he'd play very well out here. How did he get elected?" Trump wondered aloud. "You can right your wrong in November."

He also returned to scathing attacks on the news media just one week after a gunman killed five journalists at a Maryland newspaper.

He derided the press as "fake news," "bad people" and "so damn dishonest."

"They're fake," he said, pointing at the press area in the arena. "These are really bad people."

In a winding speech, Trump also accused the Justice Department of corruption, bragged about his 2016 election win, spoke about his upcoming meeting with Russian President Vladimir Putin and declared that Rep. Maxine Waters, a frequent Trump critic, has an IQ in the "60s."

He repeated, falsely, that he was the first Republican candidate to win Wisconsin since 1952 and repeated his unfounded conspiracy theory that there was extensive voter fraud during the 2016 election. He also mocked Warren at length, deriding Massachusetts Democratic senator as "Pocahontas" and saying he would get her to take a DNA test if she runs against him in 2020 —

AMERICAN OVERSIGHT

though he added derisively he would do it carefully because of the "Me Too era."

Warren hit back in a tweet, saying the Trump administration is "conducting DNA tests" on children separated from their families at the border.

The nearly hourlong address was the type of unscripted speech in which Trump delights, riling his base beneath banners reading "Promises Made, Promises Kept."

Trump carried the state by 20 points in 2016, but Republicans face a tough fight to unseat Tester in the state in 2018. Tester is facing off against Republican nominee Matt Rosendale, the state auditor and a former member of the Montana Legislature.

Tester, the top Democrat on the Senate Veterans Affairs Committee, has been on the receiving end of personal barbs from Trump after he played a crucial role in sinking Trump's nominee for Veterans Affairs secretary, White House physician Ronny Jackson.

Trump spoke at length about the Jackson debacle, accusing Tester of "shameful, dishonest attacks on a great man."

The attacks were similar to those Trump made against Tester in the midst of the controversy.

"Allegations made by Senator Jon Tester against Admiral/Doctor Ron Jackson are proving false," Trump tweeted in April as damaging reports about Jackson were emerging. "The Secret Service is unable to confirm (in fact they deny) any of the phony Democrat charges which have absolutely devastated the wonderful Jackson family. Tester should resign."

"Tester should lose race in Montana. Very dishonest and sick!" Trump added on Twitter.

The invective does not seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read: "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — a clear attempt to show the state's Trump-friendly voters that the senator can work with the president.

Trump is scheduled to travel to his golf club in Bedminster, New Jersey, after the rally. He told reporters he will meet over the weekend with Vice President Mike Pence and staff ahead of Monday's planned announcement of his Supreme Court nominee to fill the seat vacated by Justice Anthony Kennedy.

To view online click here.

Back

House readies Financial Services, Interior-Environment spending bills for floor Back

By Sarah Ferris | 07/05/2018 02:41 PM EDT

AMERICAN OVERSIGHT

House GOP leaders are planning to bring another spending bundle to the floor this month, according to a notice posted today by the Rules Committee.

The House's next funding package will wrap together its fiscal 2019 Interior-Environment, H.R. 6147 (115), and Financial Services, H.R. 6258 (115), spending bills. It is slated for floor action the week of July 16, one week after Congress returns from its July Fourth recess.

It would be the House's second so-called minibus of the fiscal year, after approving a three-bill bundle, H.R. 5895 (115), last month, which included Energy-Water, Military Construction-VA and Legislative Branch. The House also passed a bipartisan Defense spending bill (H.R. 6157 (115)) just before leaving for recess.

Both the Interior-Environment and Financial Services bills are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels. The Environmental Protection Agency, for instance, would be cut by $100 million, while the Internal Revenue Service would see an increase of $186 million.

Unlike the Senate's version of those two bills, the House bills include partisan riders, such as a full repeal of the Obama-era Waters of the United States rule.

If the second minibus succeeds, the House will have passed six out of 12 spending bills. The end of the fiscal year is Sept. 30.

To view online click here.

Back

Perry's 'national security' push for grid draws skepticism on the Hill Back

By Darius Dixon | 06/19/2018 04:21 PM EDT

The Trump administration is having a hard time winning over skeptics to its claim that the retirement of coal-fired and nuclear power plants poses a national security threat.

For more than a year, Energy Secretary Rick Perry has argued that letting those struggling generators shut down would threaten the power grid's ability to bounce back from an attack or severe storm. Although he's failed to persuade federal power regulators to prop up the plants, Perry is pushing that argument with the National Security Council in an effort to head off new closures.

Some congressional Republicans said though they are sensitive to the national security concerns and woes of the coal industry, they doubted the grid faces the dire situation that Perry has predicted, and they are wary of intervening in the energy markets.

AMERICAN OVERSIGHT

"I'm a Navy guy. I want our country secure," said Rep. Pete Olson (R-Texas). "But their arguments haven't been about security. It's been about propping up coal and nuclear power."

Olson authored the legislative language that was added to the 2015 FAST Act and expanded Perry's ability to intervene in grid operations during an emergency. But he said the Energy Department's arguments, contained in paper that leaked earlier this month, failed to convince him that shutting down money-losing plants presented a threat to national security.

"A crisis to me means the power is going out. But to support some jobs in some parts of the country, eh, that's not what the bill is designed to do," he said. "Our bill was just to deal with crisis, not to deal with this."

His comments echoed the sentiments of Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), who told the committee last week she had "concerns" about DOE interfering in the power markets.

Coal-fired power plant closures slowed in 2017, but they are expected to accelerate next year with 12.5 gigawatts of capacity expected to shut down, according to Bloomberg New Energy Finance. That figure is near the record retirements of 15 GW set in 2015. Energy experts and even a Perry-directed DOE analysis last year put blame for the plants' demise on stagnant power demand and the rise of natural gas and renewables.

But the draft DOE paper that recently leaked showed that the agency has considered using its authority under the Federal Power Act's 202(c) provision to "temporarily delay retirement of fuel-secure electric generation resources" while threats to natural gas and electric infrastructure are assessed. And it also considered using the Defense Production Act to require power purchases from endangered plants in an effort to put off shutdowns for two years.

President Donald Trump has repeatedly told Perry to step in to help the plants, including earlier this month when he directed Perry to take "immediate steps" to staunch coal and nuclear plant retirements. He called on the former Texas governor to hold a news conference to announce a plan.

It's not the only issue where the Trump administration has invoked "national security" to defend a controversial action. Trump has threatened to use a trade law that leverages national security to impose tariffs on imported vehicles, the same law the administration used to to put tariffs on steel and aluminum.

"Let's face it, there's an awful lot of stuff being lumped into national security," former Obama Energy Secretary Ernest Moniz told POLITICO. "How this works out, I don't know. But I do know we need to ... do appropriate analyses when called for that do not have national security being used willy-nilly to accomplish all kinds of goals that are not necessarily the right ones."

Moniz acknowledged Perry had wide latitude under the law to declare a grid emergency, but he said that didn't absolve the administration from needing to prove there's a real crisis on the power grid.

AMERICAN OVERSIGHT

"Reliability and resilience are public goods. We just haven't seen any analysis that suggests that this is a pathway that's needed to address that," he said.

Jason Bordoff, who served as Obama's senior National Security Council aide for energy and climate, said he fears the current fight could drag the real threat of cybersecurity into the political fray.

"The bigger risk would be a very legitimate issue of the cyber vulnerability of the grid becomes politicized because it gets wrapped up in this policy objective to save the coal industry as well as nuclear," said Bordoff, who is now director for the Center on Global Energy Policy at Columbia University.

Even Rep. Joe Barton, a longtime stalwart Perry ally, said he was skeptical of DOE's insistence that the grid was facing a national security threat from the plant closures.

"They're scrounging around for a way to keep some of these nuclear plants and coal plants viable and they're using that particular argument," the Texas Republican said. "To me, it's not persuasive, but I understand what they're trying to do."

There are real national security threats against the electric grid from electromagnetic pulses, physical attacks and cyber intrusions, Barton said, adding that "in most cases, it's a mistake to use a national security argument to keep a plant in operation that normal market forces would probably close."

Other Perry allies weren't sure how effective the Trump administration's strategy would be. GOP lobbyist Mike McKenna, who helped run Trump's DOE transition team, said the agency laid out the "single best set of arguments for preserving coal and nuclear generation." Still, he said, the options laid out in the DOE document probably would not achieve the protection that coal and nuclear advocates are seeking. And the national security arguments didn't seem to be gaining much traction.

"The national security angle has its advantages and its limits — not the least of those is that not too many people can and do make the argument that national security is really impaired by the closure of coal power plants," he said in an email. "It would probably be better if advocates focused on the potential over-reliance on one source (natural gas) in both electricity generation, and, if utilities get their way, in transportation fuels."

FERC shot down a regulation from Perry aimed at protecting the coal and nuclear generators earlier this year, and FERC commissioners told a Senate hearing last week that the grid faced no imminent threat, drawing praise from industry groups.

Deputy Energy Secretary Dan Brouillette argued that national security has always been DOE's focus, and he said that the agency's critics aren't seeing the whole picture from their industry's silos. "That's what they get paid to do. But that's not what the secretary gets paid to do and we're going to approach this with a broader view," he told POLITICO.

AMERICAN OVERSIGHT

And he shrugged off comments from FERC commissioners that the electricity markets they oversee were operating efficiently and offered the best way to address security concerns.

"Is the market a factor here at the end of the day? Yes, it is. But we're not in this to have an economics classroom debate about theories of markets," he said. "The markets, in some respects, are not designed to produce a national security outcome."

Brouillette also said the White House had not given it a deadline, and there was no decision yet on whether to invoke any authorities.

"There has been no decision and we're [not] just working backwards," he said. "If we get to the point where there's a proposal or a proposed solution to a problem that we find, then perhaps Congress has a role. But at this point, we're nowhere near that stage."

For FERC and its supporters, countering the DOE claim that national security is at stake may take more than technical arguments. Sarah Ladislaw, who directs the Center for Strategic and International Studies' energy and national security program, said many of the rebuttals from FERC commissioners so far were akin to "bringing a spoon to a knife fight."

"The idea that market efficiency is supposed to trump national security is exactly the reason why national security provisions exist. They're there to protect things that may not make economic sense. ... I think it's an entirely different game from a legal perspective," Ladislaw said. "It's really hard to prove that a national security measure is bogus."

Oregon Sen. Ron Wyden said he would stick to the economic arguments and pointed out the high potential cost of DOE's proposal, even as the administration sought to change the conversation.

"Around here, if you can trod out national security for just about anything ... the leverage goes to you," he said. But, he added, "I'm pounding the ratepayer issue [because] that's the one issue that I think puts a stake right in the guts of their argument."

And other Democrats are fuming that the agency is even considering the use of its rarely tapped emergency authorities.

"It's about abuse of power. You can't just start claiming a national security justification that clearly has nothing to do with national security, and that's a very dangerous road to go down," said Sen. Martin Heinrich (D-N.M.).

To view online click here.

Back

DOE names Tripodi as acting EERE chief Back

AMERICAN OVERSIGHT

By Darius Dixon | 07/05/2018 03:24 PM EDT

Cathy Tripodi has been named the Energy Department's acting assistant secretary for energy efficiency and renewable energy while the Trump administration's permanent pick awaits confirmation, according to an email obtained by POLITICO.

Dan Simmons, who had been EERE's top political appointee for more than a year, was nominated last month by the White House to officially fill the job. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an advisor to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email to EERE staff today.

Tripodi joined DOE in January 2017 and has been the director of DOE's Lab Operations Board, which aims to coordinate research and mission objectives between the agency headquarters and its far-flung national laboratories. She has been named as principal deputy assistant secretary in EERE and will serve in the job temporarily, while also retaining her position as Lab Operations Board director.

After working as a policy adviser to then-FERC Chairman Pat Wood in the mid-2000s, she held a number of positions in state government, including business affairs director for North Carolina and energy director in Indiana.

Greenwire reported Tripodi's appointment earlier today.

WHAT'S NEXT: Simmons had a nomination hearing late last month before the Senate Energy and Natural Resources Committee, but no confirmation vote has been scheduled.

To view online click here.

Back

Puerto Rico governor to challenge federal board in court Back

By Colin Wilhelm | 07/05/2018 10:48 AM EDT

Puerto Rico Gov. Ricardo Rosselló said today his government will go to court to challenge the authority of the U.S. territory's federal oversight board to impose policies on the commonwealth.

The board, established by Congress to address Puerto Rico's debt, mandated cuts to pensions and government spending in its most recent recovery plan. Proposed changes to labor laws, in part to make it easier to hire and fire employees, have also become a hotly contested issue.

Rosselló said in a release that he would challenge the board's ability to do anything more than make recommendations.

AMERICAN OVERSIGHT

In a statement issued this morning, the board said it would "vigorously defend" its authority.

The lawsuit runs contrary to statements by the author of the debt-relief law that created the board. In an amicus brief submitted last Friday in a separate case, Rep. Rob Bishop (R-Utah) said Puerto Rico must comply with the plan laid out by the federal board.

In his release today, Rosselló said lawyers for his government would request an injunction to halt the board's actions, which he characterized as usurping the power of local elected officials, while the case plays out in court.

The governor has intermittently worked alongside and clashed with the board since he took office at the beginning of last year. His stance today is similar to one he took with the board in court over similar battle lines last year, only for the fight to be put on hold as hurricanes devastated the island.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Thur 1/18/2018 12:23:26 PM
Subject: January 18 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Thu., January 18, 2018

READ FULL EDITION

1.INTERIOR:

States call for the Fla. treatment in their case against drilling

The Interior Department's map of its five-year offshore drilling plan for the Lower 48 could soon look dramatically different.

TOP STORIES

2.PUBLIC LANDS:

Trump team pushes to keep methane regs on ice

ELECTRICITY

3.HURRICANE MARIA:

DOE looks to microgrid to jump-start a future for Puerto Rico's grid

4.SECURITY:

Cyber rules needed at grid's edge — report

5.SECURITY:

Grid cyber solutions earn financing windfall

6.COAL:

Appalachia banks on tourism, creative sector jobs

OIL AND GAS

7.SUPERFUND:

State auditor wants to release investigation Pruitt kept secret

8.OIL:

Texas researchers dig into quake data

9.PIPELINES:

New projects? Supersize instead, energy groups say

10.PIPELINES:

Adelphia files construction plans with FERC

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001

AMERICAN OVERSIGHT

Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Tue 4/10/2018 9:48:35 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Parsing Pruitt's 'war on lead' — Jackson takes responsibility on raises — Mission impossible? Replacing Pruitt

By Kelsey Tamborrino | 04/10/2018 05:45 AM EDT

With help from Eric Wolff, Annie Snider, Alex Guillén, Anthony Adragna and Ben Lefebvre

PARSING PRUITT'S 'WAR ON LEAD': Amid the wave of recent scandals, EPA Administrator Scott Pruitt and his supporters have touted regulatory rollbacks and a focus on drinking water policy as big victories for the Trump administration. "Record clean Air & Water while saving USA Billions of Dollars," President Donald Trump tweeted over the weekend, in support of the embattled administrator. But details on Pruitt's water plans remain sparse, Pro's Annie Snider reports, leaving critics to wonder how much he can achieve while also seeking to shrink the agency.

It is unclear exactly what air and water "record" Trump was referring to in his tweet, but it is likely too early to make such definitive claims, Annie reports. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. But before Pruitt was engulfed by negative headlines, the EPA chief touted his ambitious goals to update aging infrastructure and eradicate dangerous chemicals from drinking water. He's since leaned into such plans in interviews with conservative media outlets when defending himself against accusations of ethical missteps.

Pruitt brought together high-level officials from across the government earlier this year to launch his "war on lead," and in May is set to convene a nationwide summit of drinking water officials to address chemical contamination. Local drinking water agencies are glad to see Pruitt pay attention, Annie reports, but many still wonder how much he'll be able to get done, with a White House that has indicated Pruitt should be able to accomplish his goals without any new money. Read more.

IT'S TUESDAY! I'm your host Kelsey Tamborrino. QEP Resources' Shane Schulz was first to identify Gilbert Stuart's portrait of George Washington as the one saved by former first lady Dolley Madison during the War of 1812. For today: What are the five countries in Europe that don't have an airport? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

CAUGHT BETWEEN AN EMAIL AND AN INTERVIEW: EPA chief of staff Ryan Jackson says he takes responsibility for the controversial raises given to two of Pruitt's top aides, Pro's Emily Holden reports. The Atlantic reported Monday on the existence of an internal EPA email between Sarah Greenwalt, senior counsel to the administrator who previously worked with Pruitt in Oklahoma, and EPA HR. The email confirms Pruitt knew of and approved Greenwalt's raise, which the Atlantic reports is roiling agency staff and contradicts Pruitt's comment to a Fox News interviewer when he said "I didn't know they got the pay raises until yesterday."

AMERICAN OVERSIGHT

In a response to the report, Jackson distanced Pruitt from the salary decision. "Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday. Read more.

EPA ETHICS OFFICIAL REFERS TO IG: Kevin Minoli, EPA's top ethics official, has sent ethics concerns regarding Pruitt to the Office of Inspector General for further investigation, according to a letter sent Monday and obtained by Buzzfeed. Minoli, a longtime EPA attorney, was responding to the Office of Government Affairs' acting director, David Apol, who on Friday urged him to further review issues like Pruitt's housing, spending and the raises granted to aides. In his response, Minoli writes that he lacks independent investigative authority. "Consequently, in an instance in which the EPA ethics office lacks sufficient evidence to assess fully an ethics matter, we have a long-standing practice of referring it to the" IG, he wrote.

SWAMP THINGS: Senate Minority Leader Chuck Schumer joined his House counterpart Nancy Pelosi in calling for Pruitt's exit on Monday. "President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt." The Environmental Working Group calculated there are now 91 bipartisan members of Congress calling for Pruitt's removal. More here from your ME host.

LUKEWARMLY STAND BY YOUR MAN: A bunch of GOP senators told ME Monday that legitimate questions had been raised about Pruitt's conduct, but none of them would go so far as to call for his resignation. "I know there a lot of questions that are being asked that sound like they need to be responded to," Senate Energy Chairman Lisa Murkowski told ME. "The questions that have come up are legitimate questions to have, so we'll have to wait and see what his answers are to those," Sen. John Boozman said.

But members of Senate leadership largely dodged. Sen. John Cornyn, the chamber's Majority Whip, wouldn't directly weigh in on the scandals: "It's the president's decision not ours." And Sen. John Barrasso, chairman of the EPW Committee, said Pruitt would probably come before his panel again this year, but declined anything more specific. Others defended the embattled EPA chief completely, with Sen. Roger Wicker arguing Pruitt's "vilified because he's doing his job and the left is doing everything they can to make him not succeed."

Sen. Joe Manchin, one of the few Senate Democrats who backed Pruitt's confirmation, said he didn't regret his vote, but added that the administrator should answer questions about his conduct. "He has to be held accountable," Manchin told reporters. Asked if he was surprised Pruitt still had a job, Sen. Brian Schatz told ME: "I'll just say that other secretaries in the same administration have left for less."

MISSION IMPOSSIBLE: With a shrunken Republican majority in the Senate, lawmakers would struggle to confirm any new EPA administrator, POLITICO's Burgess Everett and Anthony Adragna report — let alone someone as aggressive about undoing former President Barack Obama's environmental rules and regulations. "Anything is going to be hard right now at

AMERICAN OVERSIGHT

50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader. Read the full story here.

MORE SUPPORT FOR WHEELER: Republican Sen. Susan Collins, who opposed Pruitt's selection to run EPA, said she intends to back his selection for deputy administrator, Andrew Wheeler. "Unless there is some new adverse information, based on my review of his record I do intend to support him," she told ME. That further clears the path for Wheeler, who has secured the support of at least two moderate Democrats as well.

MOST ENDANGERED: Rivers threatened by oil, gas, agriculture and mining development dominate this year's list of Most Endangered Rivers, the annual rundown by green group American Rivers. Mississippi's Big Sunflower River list is ranked in the top slot, thanks of efforts by the state's congressional delegation to revive a vetoed Army Corps of Engineers flood control project that would have drained tens of thousands of acres of wetlands in the watershed. A rider supporting the project failed to make it into the fiscal 2018 spending bill last month — the last one managed by Mississippi Sen. Thad Cochran before he retired. Read the report here.

** **A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

THE RFS MEETING THAT DIDN'T ROAR: The participants at a White House meeting Monday on the Renewable Fuel Standard know what happened, but hardly anyone else does. One ethanol source told ME that Trump had punted the issue to Congress, but a Growth Energy spokeswoman said, "Our understanding is that they will continue to explore options." Reuters Jarrett Renshaw tweeted that Trump had decided to allow another three months for discussions. Growth, an ethanol trade association, put out a statement saying, "We are encouraged that the White House continues to rebuff Senator [Ted] Cruz's efforts to place a cap on RINs, which would destabilize the RFS and devastate struggling farm communities."

So what now? If Trump has indeed decided not to decide — at least for a while — then all eyes turn to Sen. John Cornyn and Rep. John Shimkus who have been working on a draft legislation that would overhaul the RFS. The Senate has a world of work to do, from approving nominees to run the State Department and the CIA to funding the government in September, so it's not clear how anything could get to the floor before — at the earliest — a lame-duck session after the November election.

CONFIRMED: James Edward Campos was confirmed by voice vote Monday to be director of the Office of Minority Economic Impact at the Energy Department. The Senate also confirmed Theodore Garrish Monday by voice vote to be assistant secretary of Energy for international affairs, and James Reilly to be director of the United States Geological Survey. Read more.

TWEET FOR TAT: Interior press shop's relationship with New Mexico conservationists seems to be ... not great. Nonprofit Trust For Public Land took to the social platform Monday afternoon

AMERICAN OVERSIGHT

to thank BLM and New Mexico lawmakers — Rep. Ben Ray Luján and Sens. Tom Udall and Martin Heinrich — for helping to add 600 acres to the Rio Grande del Norte National Monument. DOI followed up hours later: "Too bad they pulled their quote from a joint press release at the last minute. Guess they aren't all that interested in collaborative conservation. SAD," the official DOI press secretary Twitter account posted. "We're extremely proud of our collaboration with both Democrats and Republicans to ensure everyone has access to public lands," TFPL spokesman Keith Maley said, declining to comment further "on a press release we didn't issue."

A GREENER APPLE: Apple Inc. on Monday said all of its global facilities, which include data centers, Apple stores, and offices, are running on 100 percent renewable electricity. "We're going to keep pushing the boundaries of what is possible with the materials in our products, the way we recycle them, our facilities and our work with suppliers to establish new creative and forward looking sources of renewable energy because we know the future depends on it," CEO Tim Cook said in a statement.

ICYMI: **'CALL YOUR SENATORS':** An ME reader flagged a 30-second ad touting Interior Secretary Ryan Zinke that aired in D.C. last month. The ad prompts viewers to "call your senator" to demand they back Zinke and funding to repair national park infrastructure. But ME is a little skeptical that the TV spot is really about a specific policy, given that a) sources told us the ad only aired in D.C., which doesn't have any local senators to call, b) the footage reserves its longest shot for a smiling Zinke, and c) it aired around the same time a polling firm recently asked people in Iowa what they thought about the former Montana congressman and Navy SEAL. ME's source said American Economic Freedom Alliance paid for the spot. Little is known about the group, but it may have relationships with Vice President Mike Pence, according to the Indianapolis Star.

GREENS NOT FANS OF SCOTT'S SENATE RUN: Florida Gov. Rick Scott announced Monday he's running for Sen. Bill Nelson 's seat — drawing the immediate condemnation of environmentalists who say the two-term governor has refused to acknowledge climate change, among other issues, Pro Florida's Bruce Ritchie reports. They instead accused Scott of "greenwashing" his record in the state. "I think he will try to put everything he can out there to say he is an environmental champion," Frank Jackalone, the Sierra Club's Florida chapter director, told Bruce. "But we look at the bigger record and he is not [an environmental champion]." Read the story.

GREENS: **REJECT POMPEO:** More than 200 environmental groups called on senators today to reject Mike Pompeo's nomination for secretary of State. The letter, organized by the Food & Water Watch, cites Pompeo's history of statements doubting the science behind climate change. Read the letter here.

HARD BLOCK CAFE: Democratic Sens. Jeff Merkley, Ed Markey, Ben Cardin and Michael Bennet will hold a press conference today alongside clean air advocates to discuss EPA's recent announcement that it intends to rollback Obama-era fuel economy standards. Janet McCabe, former acting assistant administrator of EPA's Office of Air and Radiation, will also join the event.

AMERICAN OVERSIGHT

TRUE CRIME: The Atlantic Council's Global Energy Center released a new report today on illicit maritime activity related to the use of hydrocarbons. The report focuses on crimes including the small-scale smuggling of subsidized fuel and the hijacking of oil tankers. Read it here.

QUICK HITS

— The SEC is blunting investor activism over climate, K-Cups and gay rights, The Washington Post.

— State attorney general releases Tar Creek audits, Tulsa World.

— "Kinder Morgan blinked": Cross-Canada pipeline on hold because of opposition, The Seattle Times.

— Biggest U.S. electric grid has plan to keep power plants afloat, Bloomberg.

— Ohio power company has few allies in bailout bid, The Wall Street Journal.

HAPPENING TODAY

8:30 a.m. — The Farm Foundation and the Agriculture Department's Economic Research Service workshop on "The Economic Returns to Rural Infrastructure Investment," 529 14th St. NW

9:00 a.m. — The Atlantic Council forum on "Oil on the Water: Illicit Hydrocarbons Activity in the Maritime Domain," 1030 15th St. NW

9:30 a.m. — The Woodrow Wilson Center discussion on "Sustainable Water, Resilient Communities: Solutions for Dirty Water," 1300 Pennsylvania Avenue NW

10:00 a.m. — Securing America's Future Energy forum on fuel economy review, autonomy and energy security, 1401 Pennsylvania Ave NW

10:00 a.m. — Murkowski speaks at the National Rural Electric Cooperative Association's legislative conference, 400 New Jersey Avenue NW

10:00 a.m. — Senate Environment and Public Works Committee hearing on "Cooperative Federalism Under the Clean Air Act: State Perspectives," 406 Dirksen

12:00 p.m. — The Sultan Qaboos Cultural Center discussion on "Shrinking Snow Caps and Rising Tides: Implications for Oman's Coastal Resources," 1100 16th Street NW

12:30 p.m. — eurelectric press briefing on the European power sector, 2800 Pennsylvania Ave NW

AMERICAN OVERSIGHT

12:30 p.m. — The Georgetown University energy and climate policy research seminar on "Measuring Resilience to Natural Disasters," 3600 N St. NW

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/parsing-pruitts-war-on-lead-163864

Stories from POLITICO Pro

Pruitt gets Trump's tweet of approval: 'Scott is doing a great job!' Back

By Brent D. Griffiths | 04/07/2018 08:37 PM EDT

President Donald Trump defended embattled Environmental Protection Agency Administrator Scott Pruitt on Saturday evening, tweeting that his Cabinet official is doing a "great job."

"While Security spending was somewhat more than his predecessor, Scott Pruitt has received death threats because of his bold actions at EPA," the president wrote on Twitter. "Record clean Air & Water while saving USA Billions of Dollars. Rent was about market rate, travel expenses OK. Scott is doing a great job!"

For months, Pruitt has been the subject of unflattering headlines about his lavish spending on travel and security, and in recent days, it was revealed that the EPA head was renting a condo from a lobbyist couple. He is facing multiple EPA inspector general investigations.

POLITICO reported Friday that morale at the agency has suffered as the various scandals and the leaks that feed them echo around the building.

Trump's tweet underlines the defense many of Pruitt's allies have made in recent days, which is that the former Oklahoma attorney general is making progress in implementing the president's agenda at the agency through proposed rollbacks of Obama-era rules and the exit from the Paris

AMERICAN OVERSIGHT

climate accord.

To view online click here.

Back

Amid turmoil, Pruitt takes aim at drinking water problems Back

By Annie Snider | 04/10/2018 05:01 AM EDT

As EPA Administrator Scott Pruitt has fought to keep his job amid a mounting ethics scandal, he has pointed not just to his regulatory rollbacks as proof of his success, but also to his focus on drinking water safety.

Details are sparse, and critics wonder how much Pruitt can achieve in light of his parallel goal of shrinking the agency. But well before he was engulfed by negative headlines last week, Pruitt had outlined ambitious goals to update aging infrastructure and get dangerous chemicals out of drinking water — the kinds of things he says received too little attention from the Obama administration.

Pruitt leaned heavily on those plans in interviews with conservative media outlets in the past few days, as he defended himself from accusations that he had misused taxpayer dollars on first class travel and pricey office decor, and got a cut-rate deal on an apartment from a lobbyist friend.

"Lead in our drinking water: It's a concern, a tremendous concern on the health risk to our children, the mental acuity levels of our children," he said in an interview with the Washington Times last week. "You would think that would be a major priority, right? It hasn't been."

Pruitt brought together high-level officials from across the government last month to launch his "war on lead," and in May he will convene a nationwide summit of drinking water officials to address growing concern over contamination by chemicals used in Teflon and flame retardants.

Local drinking water agencies say they are glad to see Pruitt paying attention to some of their biggest challenges, but critics wonder how much he will actually get done, especially as the White House tries to slash his agency's budget.

"I'm cautiously optimistic at this point," said Alan Roberson, executive director of the Association of State Drinking Water Administrators. "Two of our big issues have been targeted by the administrator as being important issues. What the outcome is and what the actions are is still to be determined."

So far, the White House has indicated that Pruitt should be able to accomplish his goals without any new money. In fact, EPA's 2019 budget proposal would eliminate funding for its lead risk reduction program and grants to the states for dealing with the neurotoxin, while slashing research on water safety by more than a third. While Congress has shown little interest in

AMERICAN OVERSIGHT

following through with such deep spending cuts, critics say the administration's budget requests undermine Pruitt's pitch.

"Although publicly there's a lot of talk about moving forward with improvements, basically the foundation upon which you would build stronger protections for drinking water — which are the research that's needed and the program staff that are needed — they're really being undermined," said Erik Olson, director of the Natural Resources Defense Council's health program.

President Donald Trump is standing by Pruitt, indicating that his future in the administration is likely safe for now. "Record clean Air & Water while saving USA Billions of Dollars.... Scott is doing a great job!" Trump wrote in a tweet over the weekend.

It is unclear exactly what air and water "record" Trump was referring to, but it is likely too early to make such definitive claims. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. The White House did not respond to a request for comment Monday.

While Pruitt might find positive headlines in summits to discuss drinking water problems, the steps that could actually solve them offer few political wins.

Pruitt's most ambitious effort to date will come when he brings together officials from 56 states and territories for a summit to address growing drinking water contamination around the country by toxic chemicals known as Per- and Polyfluoroalkyl Substances, or PFAS. In a statement on the summit, Pruitt said EPA would provide "critical national leadership, while ensuring that our state, tribal, and local partners have the opportunity to help shape our path forward." But EPA has provided few additional details about the event, scheduled for late May.

Local outcries over PFAS began five years ago in hotspots like Hoosick Falls, N.Y., whose water was contaminated by the plastics industry, and are now spreading as the scope of the contamination has come to light.

The two most well-known substances, PFOA and PFOS, were used for years in Teflon, Gore-Tex, flame retardants and other water resistant products. They are linked with cancer, liver problems and low birth weight. Scientists say virtually everyone has at least trace amounts of the chemicals in their blood, and monitoring results show they are in the drinking water supplies of at least 15 million Americans, but many drinking water managers say they feel ill prepared to explain the risks to residents or offer solutions.

EPA in 2016 issued voluntary drinking water health advisories that drastically lowered the level at which it said the chemicals could pose a threat, but the agency has not issued any mandatory limits on their presence in drinking water. In fact, EPA has not regulated any new drinking water contaminant in more than 20 years, a testament to how difficult it is to impose costly new requirements on drinking water utilities.

In the absence of federal action, a number of states are moving ahead with their own drinking water limits for PFOA and PFOS, although public health advocates say that is no substitution for

AMERICAN OVERSIGHT

EPA regulation. They argue the whole point of the Safe Drinking Water Act was to prevent a patchwork of regulations.

Moreover, some states are powerless to do anything unless EPA does, said Sambhav Sankar, executive director of the Environmental Council of States.

"In those states, where state legislatures have done things like say you can't pass any regulations tighter than EPA's, those states are kind of hamstrung until EPA does something," he said.

ECOS and the Association of State Drinking Water Administrators have both asked EPA for help with PFAS, although they haven't decided whether they want the agency to write regulations, or just offer more research and guidance. But the National Rural Water Association is decidedly opposed to a mandatory limit, arguing that utilities are already committed to doing their best to eliminate the contaminant and shouldn't face potential penalties if they fall short.

PFOA and PFOS are no longer manufactured in the U.S., but the chemical industry has resisted calls to regulate other PFAS that have been used to replace them, which are also cropping up in drinking water supplies and health experts warn might not be any safer. For instance, in North Carolina the DuPont spinoff Chemours Company dumped the PFAS GenX in the Cape Fear River near Fayetteville for years and has pushed back against efforts to curtail its disposal into the community's primary drinking water source.

The FluoroCouncil, which is composed of companies making PFAS, including Chemours, said in a statement that it is "fully supportive of EPA's efforts to evaluate these chemicals," but cautioned that "these newer chemistries have been thoroughly reviewed by regulators who have relied on a robust body of scientific data showing these chemistries can be used safely."

Pruitt has close ties to the chemicals industry, particularly the American Chemistry Council, which runs the FluoroCouncil. The acting head of Pruitt's chemical safety office, Nancy Beck, was previously a top scientist for ACC. President Donald Trump's nominee to head EPA's chemical safety office, Michael Dourson, a former chemical industry consultant, withdrew from consideration last year after North Carolina's two Republican senators refused their support, pointing to drinking water contamination in their state.

With his "war on lead," Pruitt is taking on an even higher profile crisis, after criticizing the Obama administration's response to the contamination of drinking water in Flint, Mich., in 2015 and 2016, when nearly 100,000 residents were exposed to dangerously high levels of lead.

Pruitt last month invited more than a dozen Cabinet secretaries and top-level officials to a meeting at EPA headquarters to develop a federal plan to reduce children's exposure to lead. Attendees included HUD Secretary Ben Carson, Labor Secretary Alexander Acosta and representatives from several other agencies.

Pruitt has said he wants to "eradicate" lead — which can inhibit children's brain development at any level of exposure — but there are no easy options available to him.

AMERICAN OVERSIGHT

EPA has left open the option of requiring all lead piping to be removed as part of its plan to update the Lead and Copper Rule. But work on that update has been underway for more than a decade already, and the schedule to complete the work keeps slipping. A new rule is not expected until at least 2020, and regulators will have to sort through a host of additional issues by then on top of the question of whether to replace lead pipes.

The American Water Works Association estimates it would cost $30 billion to remove and replace all lead piping across the country. That's on top of the roughly $1 trillion needed more broadly to replace aging and failing water infrastructure.

Not only is the federal government unlikely to come up with that kind of cash anytime soon — the Trump administration's infrastructure proposal looked to private and local financing, not federal grants for improving drinking water infrastructure — but even if it did, it could probably only fund replacement of the public pipes, not the lead service lines and plumbing that are owned by homeowners. Furthermore, this type of partial replacement can actually make lead contamination worse in the near term, public health experts say, since the act of replacing water mains can shake up the remaining lead pipes, depositing the contaminant in drinking water.

Michael Keegan of the National Rural Water Association, which has pushed back on a mandate for full replacement, said that lead isn't a widespread danger since most utilities are using corrosion control, and that scarce dollars for upgrades could be better invested in other projects.

"The reason not to mandate full lead pipe service line removal is because people don't want it," he said. "If there's not a problem with lead in their water and they don't feel that the expense of removing the lead service lines is going to have a commensurate public health improvement, they should be allowed to decide that."

Critics are skeptical that Pruitt will take on the thorny issues involved in persistent drinking water problems and argue that Pruitt's much-touted meetings are more about headlines than about action. They say that the chemicals industry has a long history of running out the clock on drinking water regulation.

"Communities across the country are suffering now because of drinking water contamination," New Jersey Rep. Frank Pallone, the top Democrat on the House Energy and Commerce Committee and a congressional leader on drinking water issues, said in a statement. If Pruitt is serious about protecting drinking water, Pallone said, he should update the Lead and Copper Rule and move forward with regulations for PFAS and other emerging contaminants.

"Instead of taking meaningful steps to address drinking water contamination all we have seen from him are delays and distractions," Pallone said.

To view online click here.

Back

AMERICAN OVERSIGHT

EPA chief of staff takes responsibility for controversial raises given to Pruitt aides Back

By Emily Holden | 04/09/2018 06:22 PM EDT

EPA chief of staff Ryan Jackson is taking responsibility for controversial raises given to two of Administrator Scott Pruitt's top aides.

Pruitt has been under fire over a report in The Atlantic last week that he used special hiring authority to give hefty pay increases to two political appointees who joined EPA after working for him in Oklahoma. On Monday, the Atlantic cited two administration officials who said one of the employees had sent an email indicating that Pruitt had signed off on her new salary level.

In a response to the latest report, Jackson distanced Pruitt from the salary decision.

"Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday.

He said the staffers were to be paid "similar to their peers given their responsibilities over the past year," and that their original salaries started lower than their colleagues' because they had moved to Washington, D.C., from Oklahoma, where salaries are lower.

He added that the raises had been reversed, as Pruitt instructed, and any future changes would go through the White House for evaluation.

Democratic senators are asking an internal watchdog to investigate. The Atlantic reported that Pruitt himself went around the White House to ask for pay increases for two staffers who followed him from his attorney general post in Oklahoma — senior counsel Sarah Greenwalt and scheduling director Millan Hupp. The raises, of $56,765 and $28,130, respectively, were made with authority allowed under the Safe Drinking Water Act, which lets the administrator appoint up to 30 staffers without White House approval.

In an interview with Fox News last week, Pruitt claimed he had no knowledge of the raises and "the officials that were involved in that process should not have done what they did."

The Atlantic also reported that one EPA official heard top political appointees — including Jackson, Greenwalt and Hupp — joking Friday that Pruitt was "bulletproof" and, like Trump, "could stand in the middle of Fifth Avenue and shoot someone" and "get away with it."

Jackson said he didn't recall speaking with those staffers on Friday and said he wouldn't stand by in a conversation where people made that kind of joke.

"It's just flat-out false," he said.

Alex Guillén contributed to this report.

AMERICAN OVERSIGHT

To view online click here.

Back

Federal ethics officer presses EPA on 'extremely concerning' allegations against Pruitt Back

By Alex Guillén | 04/09/2018 11:46 AM EDT

The federal Office of Government Ethics on Friday urged EPA's top ethics official to carefully scrutinize the actions of Administrator Scott Pruitt in the face of reports about retaliation against staff members and other ethics questions.

"The success of our Government depends on maintaining the trust of the people we serve," wrote David Apol, the acting head of OGE, in a letter to Kevin Minoli, a career attorney and EPA's top ethics official. OGE released the letter Monday.

Apol specifically flagged Pruitt's $50-a-night rental agreement, travel and security expenses, raises for close aides and the alleged use of an employee's time to look for housing. Apol also noted "extremely concerning reports" in the New York Times that Pruitt demoted staff who questioned him. "If true, it is hard to imagine any action that could more effectively undermine an agency's integrity than punishing or marginalizing employees who strive to ensure compliance with the laws and regulations that safeguard that integrity," Apol wrote.

Minoli last week said he did not have all facts when he initially reviewed Pruitt's rental agreement of ethics violations. In a follow-up memo, Minoli said he had not reviewed Pruitt's actual use of the space, or whether that use raised any ethics questions.

Emily Holden contributed to this report.

To view online click here.

Back

Pelosi calls on Pruitt to resign Back

By POLITICO Staff | 04/06/2018 01:20 PM EDT

House Minority Leader Nancy Pelosi today called on EPA chief Scott Pruitt to resign, saying he has "displayed a staggering ethical blindness."

"EPA Administrator Scott Pruitt's tenure has been a part of the Trump Administration's culture of corruption, cronyism and incompetence. Pruitt must resign," Pelosi said in a statement. "Pruitt has displayed a staggering ethical blindness, and his abuses of office are representative of an

AMERICAN OVERSIGHT

Administration that uses their powerful positions to enrich themselves and their friends."

Pruitt has been the subject of a series of damaging articles in recent days alleging that he rented a $50-a-night condo room from a pair of lobbyists, that he reportedly sidelined aides who questioned his expensive travel and security costs, and that he allegedly asked for sirens and lights to speed up his trips around Washington, including to a trendy French restaurant.

He is also being investigated by the EPA's inspector general for other purported ethical lapses involving his travel and security expenses.

Even though White House officials have been irritated by the scandals, President Donald Trump has continued to publicly voice support for the EPA chief.

To view online click here.

Back

Schumer calls on Trump to fire Pruitt Back

By Kelsey Tamborrino | 04/09/2018 04:15 PM EDT

Senate Minority Leader Chuck Schumer called on President Donald Trump today to fire EPA Administrator Scott Pruitt, citing the recent ethical inquiries and questions about the administrator's spending habits.

"President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt."

Pruitt has been the subject of a series of scandals surrounding his use of a $50-a-night lobbyist-connected condo, as well as his expensive travel and security costs.

Trump has stood by Pruitt "despite obvious abuses of taxpayer's money and trust," Schumer said. "Why? Well, he likes what he is doing to unwind critical environmental protections on behalf of powerful industries."

In his support of Pruitt, Schumer said Trump is "lowering the bar" on government ethics and accountability.

"What abuse of the American people's trust will President Trump not tolerate if Administrator Pruitt is allowed to continue in his position despite flagrant graft?" Schumer said.

Schumer was discussing the nomination of Andrew Wheeler to be deputy administrator at EPA, which he said he would oppose.

AMERICAN OVERSIGHT

WHAT'S NEXT: Wheeler is expected to get a cloture vote this week.

To view online click here.

Back

Mission impossible: Replacing Scott Pruitt Back

By Burgess Everett and Anthony Adragna | 04/09/2018 07:05 PM EDT

There's one big reason Senate Republicans are standing staunchly with Scott Pruitt: Confirming a replacement might be impossible.

Even as the embattled EPA administrator faced another day of difficult headlines on Monday, there is no push from the Senate GOP to shove Pruitt out. Instead, Republicans are gently rapping him for his ethical transgressions and praising his deregulatory regime.

There's no question that GOP senators are growing tired of defending Pruitt. But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations.

"I don't think that would be easy, let me put it that way," said Sen. Orrin Hatch (R-Utah).

"I assume it'd be very difficult," said Sen. Jerry Moran (R-Kan.).

Pruitt barely got through the confirmation process last time — opposed by Sen. Susan Collins (R-Maine) but lifted to a majority through the support of a pair of red state Democrats. Since then, Republicans have lost a Senate seat in Alabama and Sen. John McCain (R-Ariz.) is recovering from cancer treatment, giving the GOP effectively a 50-49 majority that makes any controversial confirmation a risky bet.

"Anything is going to be hard right now at 50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader.

And now the midterms are in sight. Republicans are particularly eager to avoid putting the vulnerable Sen. Dean Heller (R-Nev.) in the position of being the deciding vote on a new EPA chief in the mold of Pruitt. Heller has faced a backlash in increasingly-blue Nevada for confirming some of President Donald Trump's nominees, and a vote on a conservative EPA administrator would offer Democrats another opportunity for outrage.

Apart from the political concerns, there are also practical ones. Senate Republicans are already facing an unwelcome trio of Cabinet confirmations that are all dicey on their own: Mike Pompeo to be secretary of state, Gina Haspel to lead the CIA and Ronny Jackson to helm the Veterans Affairs department.

AMERICAN OVERSIGHT

There are also dozens of lower-level nominees that Senate Majority Leader Mitch McConnell (R-Ky.) is hoping to confirm over the course of the year. Adding a fourth Cabinet confirmation would sap time from the Senate calendar and Republicans of their political capital in a tough election year.

"Our most precious quantity is time. We're pretty well booked. We don't need any extra confirmations," said Sen. Roger Wicker (R-Miss.), a McConnell ally.

Trump has mounted a strong defense of Pruitt, saying over the weekend he's doing a "great job." The president's allies in Congress said that they believe Pruitt is safe, for now.

"There's no vacancy yet," said Senate Majority Whip John Cornyn (R-Texas). "The president has gone out of the way to say he has confidence in him. So I just have to assume he's sticking around."

Of course, ousted Cabinet secretaries from Tom Price to David Shulkin to Rex Tillerson know that the president's support can turn on a dime. And Pruitt's big problem is that the bad headlines keep coming. On Monday, the Atlantic reported on emails that showed Pruitt personally ordered a raise for an aide over the White House's objections.

Moreover, he's faced ethical and management criticisms from the early days of his tenure. Pruitt's been hit for his frequent first-class flights, use of an unprecedented 24/7 security detail, spending $43,000 on a private phone booth and a $50-per-night lease on a Washington condo owned by a lobbyist couple, among other issues.

Those events prompted a federal ethics watchdog Monday to demand the agency's top ethics official closely examine Pruitt's behavior — and a mild rebuke from some Republicans.

"I don't appreciate the way he seems to have abused taxpayer dollars," said Sen. Joni Ernst (R-Iowa).

But supporters say Pruitt had made honest mistakes and deserves a second chance.

"He's had a few troubles. It's hard for anybody who's a mover and shaker not to have some troubles," Hatch said.

Pruitt has used his time atop EPA to launch a sweeping deregulatory push, beginning the process of wiping away Obama-era regulations on everything from power plant emissions to fuel efficiency standards to chemical safety rules for industrial facilities. He's pushed to trim his agency's budget by a third and overseen the reduction in staff to Reagan-era levels.

And he's questioned the scientific consensus that human activity drives climate change, urging a scientific debate on the work underpinning that conclusion.

"I feel that my reservations about Scott Pruitt have proven to be validated over and over. And the

AMERICAN OVERSIGHT

policies that he has pursued are antithetical to the agency," said Collins, the lone GOP senator to oppose Pruitt. Still, she would not say he should go: "It's really up to the president."

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he would refrain from judging Pruitt until the White House completes its probe into his activities.

"In terms of what he's been doing, in terms of rolling back regulations and doing the key administration issues, I'm supportive of his activities," Barrasso said. "We have a lot of other people that need to be confirmed. This is not the time to add another opening on top of that."

To view online click here.

Back

Senate confirms USGS chief, two DOE nominations Back

By Anthony Adragna | 04/09/2018 07:39 PM EDT

The Senate today confirmed a new director of the United States Geological Survey and two Energy Department nominees by voice vote.

That means James Reilly, a former astronaut, will become the next director of USGS.

The chamber also confirmed Theodore Garrish to be an assistant Energy secretary for international affairs and James Edward Campos to be director of the Office of Minority Economic Impact.

To view online click here.

Back

'He has unlimited money': Scott upends battle for the Senate Back

By Kevin Robillard, Marc Caputo and Burgess Everett | 04/09/2018 05:56 PM EDT

Florida Gov. Rick Scott's long-awaited clash with Democratic Sen. Bill Nelson has the makings of the most expensive Senate race ever — and that spells trouble for Democrats everywhere else.

Strategists in both parties think this race could cost up to $200 million, dwarfing the record $180 million they spent fighting over Pennsylvania in 2016, according to the Center for Responsive Politics. Scott, a multimillionaire, hasn't ruled out spending tens of millions of his own money as he has in the past.

Not only does Nelson lack that luxury, but Democrats are defending nine other incumbents in

AMERICAN OVERSIGHT

states President Donald Trump carried as they challenge for control of the Senate, where Republicans hold a 51-49 edge. And a free-spending Scott campaign in the nation's largest swing state could strain Democratic resources across the red-tinted Senate map.

"He has unlimited money, we know that he'll spend it, and as the campaign progresses you'll see how much his personal wealth has increased while he's been governor," Nelson told POLITICO after meeting privately with Facebook CEO Mark Zuckerberg on Capitol Hill.

Nelson suggested that Scott could single-handedly spend upward of $100 million on the race — an unlikely prospect for a governor who reported a personal net worth of $149 million last year, but a possibility because the governor's wife has millions more socked away. And Democrats acknowledge that the threat of Scott's finances alone will force them to shovel more of their own money into Florida.

"Now there's national money that has to get diverted to Florida. So if you're in another marginal or competitive state — a state like a Tennessee or an Arizona, which are eminently winnable for Democrats — there's just fewer dollars available for you to tap into nationwide," said Mo Elleithee, a former Democratic National Committee spokesman and current executive director of Georgetown University's Institute of Politics and Public Service.

"It's impossible, impossible, for a Florida race to be inexpensive," said Elleithee, who was Janet Reno's campaign manager in her 2002 race for Florida governor against Jeb Bush. "It's not that it's a zero-sum game. But for Democrats it would have been nice to have one less expensive state to have to dump money into so that money could go into other states."

That pull on resources from Senate Majority PAC and the Democratic Senatorial Campaign Committee could allow Republicans to get a monetary edge in cheaper states on the map like North Dakota, West Virginia and Indiana, though Democrats insist their candidates have enough of a cash advantage to stave off the GOP and its big-money backers. It also would make the few states where Democrats are on offense like Nevada and Arizona that much more challenging.

"Florida is a game-changing state," said Josh Holmes, a former chief of staff to Senate Majority Leader Mitch McConnell, predicting the Sunshine State would be "prohibitively expensive to protect" for Democrats.

"It could well make the difference in the majority," said Senate Majority Whip John Cornyn, a two-time National Republican Senatorial Committee chairman.

The problem isn't without precedent: Last cycle's clash between Florida GOP Sen. Marco Rubio and his Democratic challenger, then-Rep. Patrick Murphy, saw a whopping $89 million in spending despite Democratic groups largely abandoning Murphy down the stretch. Democrats slowly pulled their spending from the state, believing it made more sense to fund challengers in North Carolina, Missouri and Indiana than to bet their entire fortunes on Florida.

"It's a definite advantage for Republicans in other states even if Scott doesn't beat Nelson," said Terry Sullivan, a partner at Firehouse Strategies who was the general manager of Rubio's 2016

AMERICAN OVERSIGHT

presidential campaign. "It's a victory for Republicans outside of Florida as much as it a victory for Republicans in Florida."

But Democrats have something that money can't buy: the unpopularity of Trump, who has been a factor in bellwether state and federal races recently lost by Republicans from Florida to Alabama to Pennsylvania. Voters traditionally punish the party of the White House occupant, which was a factor in Scott's narrow wins in 2010 and 2014. In contrast to those races, when Scott frequently mentioned President Barack Obama, he said nothing about Trump in his Monday campaign launch. And Florida has seen an influx of thousands of Puerto Ricans after last year's hurricane and the Trump administration's bungled response could sway those voters who could tip the balance of the state away from Republicans.

Senators in Nelson's position have a good historical record running in midterms after a president from the other party carried their state. "Since '94, incumbents in this position are 21-3 — and the only losses came when the president's approval was significantly higher than Trump's is now," MSNBC correspondent Steve Kornacki tweeted.

Yet Nelson's fellow Democratic senators spent Monday riding to the rescue, even as his party insists he remains a favorite thanks to a strong name-brand in Florida.

Some of the party's most potent small-dollar online fundraisers — including Sens. Kamala Harris of California, Chris Murphy of Connecticut and Tim Kaine of Virginia — sent fundraising emails on Nelson's behalf Monday.

"If Senator Nelson loses, which is a real possibility, a powerful voice on the issues we all care about would be gone; replaced with somebody who will essentially rubber-stamp the Trump agenda," Harris wrote in her missive, which went out under the subject line "Trump begged him to run for U.S. Senate." "Furthermore, there is absolutely no chance Democrats can take the U.S. Senate back without winning this race."

The DSCC, Senate Majority PAC and American Bridge have all been focused on the contest, with the party unleashing a barrage of digital ads aimed at Scott as he entered the race. The Senate Majority PAC ad, backed by a six-figure buy, attacks Scott for refusing to expand Medicaid while giving tax cuts to the rich and says the governor "won't look out for you."

In most states across the Senate map, Democratic candidates have outperformed Republican opponents. Texas Rep. Beto O'Rourke raised an eye-popping $6.7 million for his race against Sen. Ted Cruz in the first quarter of 2018 — the biggest haul so far of any candidate running in the midterm elections. Missouri Sen. Claire McCaskill raised more than $3.9 million in the first three months of the year, while two other challengers, Reps. Jacky Rosen in Nevada and Kyrsten Sinema in Arizona, brought in over $2 million for their bids.

That "hard money" advantage Democrats are building could help their candidates air more TV ads in the fall, since super PACs and other outside groups often get charged higher rates for advertising.

AMERICAN OVERSIGHT

But there's only so much a Senate candidate can raise $5,400 at a time, while super PACs can accept donations of unlimited size (and Scott can make them himself). Strategists say that it could cost a campaign at least $3 million weekly for saturation statewide TV advertising across Florida's major media markets.

Scott shied away from saying he'd personally kick in as much money as he did in 2010 during his first race — about $73 million — and instead referenced his reelection campaign, when he spent about $13 million of his own money.

"I'm planning on winning. I'm going to run to win," Scott said when asked how much of his own money he would contribute. "I'm committed to raising the resources required just like I did in 2014. I'm going to aggressively travel the state and tell people why they need to support me. But we'll see."

To view online click here.

Back

Climate change skeptics run the Trump administration Back

By Emily Holden | 03/07/2018 05:07 AM EDT

President Donald Trump is filling the upper ranks of his administration with appointees who share his disbelief in the scientific evidence for climate change — giving them an opportunity to impose their views on policies ranging from disaster planning to national security to housing standards.

At the Interior Department, decisions about Pacific island territories threatened by rising seas are in the hands of an assistant secretary who has criticized "climate alarmists" for "once again predicting the end of the world as we know it." Agriculture Secretary Sonny Perdue's top advisers include a former talk radio host who has dismissed much climate research as "junk science." Trump's nominee to head research and technology at the Department of Transportation claimed three years ago that global warming had "stopped" — a position at sharp odds with the findings of federal agencies like NASA.

Trump has chosen at least 20 like-minded people to serve as agency leaders and advisers, according to a POLITICO review of his appointees' past statements on climate science. And they are already having an impact in abandoning former President Barack Obama's attempt to help unite the world against the threat of rising sea levels, worsening storms and spreading droughts.

Most famously, the president and his team have scrubbed mentions of climate change from government websites, kicked scientists off advisory boards, repudiated the Obama administration's greenhouse gas regulations and made the U.S. the only nation on Earth to reject the 2015 Paris agreement on global warming.

AMERICAN OVERSIGHT

More quietly, Trump's White House excluded rising temperatures from the list of threats in its December national security strategy, contradicting the approach of both the Obama and George W. Bush administrations. Last year, just before Hurricane Harvey drowned Houston, the White House rescinded requirements that projects built with federal dollars take into account the way warming temperatures might intensify extreme weather.

People worried about the consequences of climate change say a government that denies the problem is courting danger.

"The analogy could be if somebody's got a heart problem or high cholesterol, you take medicine that helps manage that so you can avoid a heart attack," said Ana Unruh Cohen, the government affairs director at the Natural Resources Defense Council. "Trump taking that away, saying, 'Forget it, I don't believe I have high cholesterol,' is setting up the country for a heart attack."

Aparna Mathur, a resident scholar in economic policy at the conservative American Enterprise Institute, found the trend worrying as well.

Many administration officials "don't seem to believe climate change is real, or if they believe climate change is real, there's this sort of attitude that there's not much to do about it or it's not caused by human actions," said Mathur, whose AEI colleagues also include people who question the extent of man-made climate change. As a result, she said, the U.S. is falling behind countries that are taking action on the problem.

The doubts are coming from both prominent and little-known Trump appointees, in ways both obscure and subtle.

Some have expressed doubt that the Earth is warming at all, speculated that the trend might be good for humans, or said it's just impossible to know how much of a role humans and their pollution are playing. All these statements fly in the face of findings by the government's own research agencies and the vast majority of climate scientists.

"There are scientists that think lots of different things about climate change," then-Rep. Mike Pompeo (R-Kan.), now Trump's CIA director, said on C-SPAN in 2013. "There's some who think we're warming, there's some who think we're cooling, there's some who think that the last 16 years have shown a pretty stable climate environment." Pompeo dodged the issue in his confirmation hearing last year, saying he would "prefer today not to get into the details of the climate debate and science."

When he was running for president, HUD Secretary Ben Carson scoffed at the idea that strong evidence for human-caused climate change even exists. "I know there are a lot of people who say 'overwhelming science,' but then when you ask them to show the overwhelming science they never can show it," he told the San Francisco Chronicle in 2015.

Few have been as publicly outspoken on the issue as Trump, who more than once has dismissed human-caused climate change as a "hoax" and claimed in January that polar ice isn't melting.

AMERICAN OVERSIGHT

The White House sought to strike a somewhat more moderate tone in a statement to POLITICO on Monday, which said that "the climate has changed and is always changing. The Administration supports rigorous scientific analysis and debate." The statement from principal deputy press secretary Raj Shah added that "the development of modern and efficient infrastructure ... will reduce emissions and enable us to address future risks, including climate related risks."

Some of the administration's climate skeptics have already come and gone.

Former HHS Secretary Tom Price, who had criticized the "allegedly 'settled science' of global warming" as a member of Congress, resigned in September amid criticism of his expensive travels on government and private planes. Kathleen Hartnett White, Trump's pick to head the White House Council on Environmental Quality, withdrew her nomination earlier this year after she stirred criticism with a long list of controversial statements , including calling the human role in climate change "very uncertain."

Another unsuccessful nominee, former talk radio host and political science professor Sam Clovis, had to pull out of the running to be USDA's chief scientist after critics noted that he has no science credentials — but he remains a top adviser to Perdue. Clovis dismissed much climate research as "junk science" in a 2014 interview, adding that "a lot of this global warming ... is really about income redistribution from rich nations that are industrialized to nations that are not."

Brent Fewell, a conservative environmental lawyer who was an EPA water official under Bush, suggested that some of these officials may privately acknowledge that man-made climate change is real. But he added: "A lot of people on the political right are uninformed about the issue. For whatever reason, it's a lot easier to simply agree with the prominent voices in the political party."

The upshot is the same, however: a 180-degree reversal from Obama's efforts to make the U.S. a leader in addressing the causes and consequences of a warming planet.

The EPA is leading the charge by withdrawing or weakening a host of climate regulations, including a 2015 rule that would have sped the electric power industry's shift away from coal-fired energy. Trump has also approved tariffs for solar panel imports, which will make it harder for green energy to compete with fossil fuels. Agencies have sought to cancel rules meant to limit the oil and gas industry's methane pollution — another major greenhouse gas source — and are reconsidering tougher standards for vehicles, too.

The Energy Department has proposed regulatory changes to prop up coal plants that can't compete in the market, while the White House is seeking buyers for U.S. coal and gas exports.

When Trump's critics seek to challenge these actions in court, the government's defense will be run by the Justice Department — an agency whose leader, Attorney General Jeff Sessions, said during a 2015 Senate hearing that carbon dioxide is "really not a pollutant."

"It's a plant food, and it doesn't harm anybody except that it might include temperature

AMERICAN OVERSIGHT

increases," Sessions said.

Some agencies are still continuing to study climate change and factor their findings into their policy decisions. But even there, career staffers may not talk about their work as openly as they once did, and the agencies seldom showcase it the way they did during the Obama years.

Much of the alarm among Trump's critics focuses on EPA, which has replaced dozens of scientists on its key advisory boards with industry or state representatives, and has found other ways to keep researchers from contradicting the administration's message. Last fall, the agency canceled an appearance by three EPA scientists scheduled to speak about climate change at a Narragansett Bay conference . Both EPA and the Energy Department have given extra scrutiny to grant proposals with the words "climate change," and in the case of EPA, it has put a political appointee in charge of signing off on them, The Washington Post has reported.

All this is in line with the public statements of EPA Administrator Scott Pruitt, who has suggested that global warming might be a good thing and has spoken about holding a public debate on whether climate change is real.

"Right out of the gate ... the administration took any and all mention of climate change off of the White House website," said Jacob Carter, a research scientist who has been tracking the administration's treatment of science for the Union of Concerned Scientists. "It seems like the administration is really trying to undo a lot of the scientific process as a whole and get experts out of the way."

The Environmental Data and Governance Initiative, which has studied the purging and rewording of climate-related documents on government websites, reported at the end of 2017 that it had found a "significant loss of public access to information about climate change."

The State Department's website took down links related to the Paris climate agreement, EPA removed a student's guide to climate change, and the Energy Department got rid of the words "clean energy" on a page with information for investors and businesses looking for projects with national laboratories.

The Interior Department's Bureau of Land Management, which oversees energy development on federal land, cut text about the effects of climate change. Some of the resources are still technically available in archives or in new locations, but they are harder to find because the government sites don't directly link to them, the Environmental Data and Governance Initiative says.

"It's not alarming the public because it's very hard to see each incremental thing," said Andrew Bergman, a co-author of the report.

Some Trump appointees have downplayed the idea that agency leaders' personal views about climate change are critical to making policy, suggesting they can still respond to global warming's effects without addressing why it's happening.

AMERICAN OVERSIGHT

"We continue to take seriously climate change — not the cause of it, but the things that we observe," Tom Bossert, the president's homeland security adviser, told reporters after last year's spree of catastrophic hurricanes that ravaged Houston, Puerto Rico and the Virgin Islands.

Sarah Hunt, who works in energy policy at the conservative American Legislative Exchange Council, said that "policymaker views on climate science needn't have any bearing on their support for conservative clean energy policies that spur the innovation we need to reduce emissions and promote environmental stewardship while we grow our economy."

But Trump's actions have reflected his views on the science. For example, one of his early executive orders in March 2017 eliminated a number of ways agencies had been required to consider climate change, including in environmental reviews for infrastructure projects.

Because so many of his appointees have questioned the conclusions of climate scientists, they are jettisoning climate change from routine processes. Those include EPA's refusal to consider the global monetary benefits of curbing rising temperatures when it rolled back Obama-era rules for the power sector.

Still, some agencies have continued to issue major reports that warn that climate change is a real and growing problem — even as the president's staffers push the message that the science is uncertain.

In November, the government's 13-agency National Climate Assessment concluded that humans have pushed global temperatures to their highest level in modern times. In January, NASA published data showing that last year was the second-warmest on record, and noted that temperature rises are "driven largely by increased carbon dioxide and other human-made emissions into the atmosphere."

Trump's nominee to run the space agency, Rep. Jim Bridenstine (R-Okla.), criticized "climate change alarmists" on the House floor in 2013 and claimed that "global temperatures stopped rising 10 years ago." (In fact, they haven't.) At his confirmation hearing last year, he acknowledged that humans are a cause of climate change but wouldn't call them the main cause.

"That is a question that I do not have an answer to," he said.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to

AMERICAN OVERSIGHT

EXT-18-783-F-002568

ED_001863D_00000145-00023

https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Nolan, Rich
Sent: Thur 12/7/2017 12:39:07 PM
Subject: Fwd: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

AMERICAN OVERSIGHT

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports. Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according

AMERICAN OVERSIGHT

to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

AMERICAN OVERSIGHT

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the

AMERICAN OVERSIGHT

group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this

AMERICAN OVERSIGHT

morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on

AMERICAN OVERSIGHT

various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the

AMERICAN OVERSIGHT

RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

AMERICAN OVERSIGHT

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

AMERICAN OVERSIGHT

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

AMERICAN OVERSIGHT

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

AMERICAN OVERSIGHT

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

AMERICAN OVERSIGHT

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

AMERICAN OVERSIGHT

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see

AMERICAN OVERSIGHT

the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked

AMERICAN OVERSIGHT

off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

AMERICAN OVERSIGHT

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to

AMERICAN OVERSIGHT

return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut

AMERICAN OVERSIGHT

as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

AMERICAN OVERSIGHT

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the

AMERICAN OVERSIGHT

contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

AMERICAN OVERSIGHT

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

AMERICAN OVERSIGHT

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with

AMERICAN OVERSIGHT

roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

AMERICAN OVERSIGHT

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

AMERICAN OVERSIGHT

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

AMERICAN OVERSIGHT

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

AMERICAN OVERSIGHT

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

AMERICAN OVERSIGHT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

AMERICAN OVERSIGHT

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to rnolan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 12/7/2017 11:25:40 AM
Subject: POLITICO Playbook, presented by PhRMA: STATE DEPT issues 'worldwide caution,' as HAMAS calls for UPRISING IN ISRAEL after Trump announcement -- FIRST IN PLAYBOOK: Tax air wars in NY -- TOM LOBIANCO writing Pence book -- THE WING holds D.C. welcome dinner

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by PhRMA

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to today's Audio Briefing | Subscribe on Apple Podcasts | Visit the online home of Playbook

Driving the Day

THE STATE DEPARTMENT has issued a "worldwide caution" for U.S. citizens traveling the world. **MATT LEE,** the AP's longtime diplomatic correspondent **(@APDiploWriter),** says: "The last time the @StateDept issued a 'Worldwide Caution' because of a US policy decision was March 2003 at the start of the Iraq war." ***The State Department memo*** http://bit.ly/2B0IFkY

AP/GAZA CITY, at 4:18 a.m.: "GAZA CITY, Gaza Strip (AP) - Hamas leader calls for new uprising against Israel in wake of US decision to recognize Jerusalem as Israel's capital."

-- ADELSON'S PAPER -- ISRAEL HAYOM FRONT PAGE: In English: "Thank you, Mr. President! Jerusalem" (the "usa" in Jerusalem is colored with the American flag). In Hebrew: "The capital of Israel" http://bit.ly/2jYPwAZ

WSJ EDITORIAL -- "The Reality of Jerusalem": "Arab leaders denounced the Embassy move, but we wonder how long the fury will last. The Sunni Arabs also confront the threats of Islamic terrorism and Iranian imperialism, and the Palestinians are a third order concern. If the movement of an American Embassy that was signaled more than 20 years ago is enough to scuttle peace talks, then maybe the basis for peace doesn't yet exist." http://on.wsj.com/2AZOrU3

Good Thursday morning. EXPECTED TODAY: House Republican leaders tell us they feel confident they will pass a bill to fund government for two weeks. Sen. Al Franken (D-Minn.) is widely expected to resign. And Congressional leaders head to the White House for fiscal talks.

AMERICAN OVERSIGHT

TRUTH BOMB: THE NEXT MONTH IS GOING TO BE A MESS -- It looks like Congress is going to avoid a government shutdown this week. But this is only the beginning of a very, very messy month for Republican leaders. Top GOP lawmakers, at the moment, are not completely certain how they'll fund the government when funding expires on Dec. 22. One idea bouncing around is for the House to send the Senate a bill it won't even be able to take up -- a yearlong bill that increases military spending but doesn't bump domestic spending. Conservatives are itching for House Republican leaders to stand firm when the Senate rejects its opening funding salvo later this month.

-- ALSO TOUGH: Republicans and Democrats are almost certain to cut a deal to boost spending, renew CHIP -- the massive children's health program and bolster Obamacare. Some of that could come at the end of the month, or next month, on the back of an omnibus spending package, which will lump together 12 spending bills. The mood isn't good at the moment, and it only seems to be getting worse. Optimists hope tax reform makes all Republicans happy. Color us a tad skeptical.

AROUND THE TAX REFORM HORN ...

-- HOUSE/SENATE DIFFERENCES: "Tax Bill Is Likely to Undo Health Insurance Mandate, Republicans Say," by NYT's Robert Pear and Tom Kaplan: "House and Senate negotiators thrashing out differences over a major tax bill are likely to eliminate the insurance coverage mandate at the heart of the Affordable Care Act, lawmakers say.

"But a deal struck by Senate Republican leaders and Senator Susan Collins of Maine to mitigate the effect of the repeal has been all but rejected by House Republicans, potentially jeopardizing Ms. Collins's final yes vote. 'I don't think the American people voted for bailing out big insurance,' said Representative Dave Brat, Republican of Virginia, who opposes a separate measure to lower insurance premiums that Ms. Collins thought she had secured." http://nyti.ms/2AZIhU0

-- THE FIGHT OVER 20 PERCENT: "Corporate rate cut in tax bill could change as GOP hunts for votes," by Seung Min Kim, Nancy Cook and Bernie Becker: "In a closed-door meeting Wednesday with CEOs from the Business Roundtable, Republican Sen. Pat Toomey and White House economic adviser Gary Cohn in separate sessions told the crowd their strong preference was to keep the corporate rate at 20 percent, where it is now in the legislation, even as lawmakers were under intense pressure to find new revenue, according to three people familiar with the meeting.

"Both men left the crowd with the impression that the corporate rate was a target in the hunt for that revenue and could rise as a result. ... Each percentage point the corporate rate increases is worth about $100 billion over a decade. The top corporate rate is now 35 percent. ...

"Boosting the corporate tax rate could open a floodgate of other demands from lawmakers seeking to get provisions in the tax bill. Sen. Marco Rubio (R-Fla.), for

AMERICAN OVERSIGHT

instance, told POLITICO on Wednesday that if the rate goes up to 22 percent 'and they don't use some portion of it to help' boost the child tax credit, 'I'm going to have a big problem.'" http://politi.co/2nARInh

-- K STREET INC.: "Lawmakers face pressure to save deductions for mortgage interest and state and local taxes," by Theo Meyer, Aaron Lorenzo and Colin Wilhelm: "Lobbyists have launched an all-out effort to save tax breaks and protect powerful industries as the Republicans' tax overhaul lurches toward President Donald Trump's desk. Builders and real estate interests are pushing to save the mortgage interest deduction. Businesses are fighting to strip out a last-minute provision inserted into the Senate bill that would preserve the corporate alternative minimum tax. And a coalition of trade groups and local government leaders is urging Republicans not to cut the state and local tax deduction.

"With Trump pressing Congress to send him a bill before Christmas, lobbyists must decide where they want to focus their efforts over the next week. Some are working the senators and representatives who will make up the conference committee charged with ironing out the differences between the House and Senate bill. Others are working to persuade Republican leaders or leaning on the members of Congress whose constituents may see their taxes go up if changes aren't made to the bill." http://politi.co/2nCatqu

FIRST IN PLAYBOOK -- TAX AIR WARS IN NEW YORK - 45Committee, a group backed by the Adelson and Ricketts families, is launching ads against House GOP members who opposed both the tax bill and Obamacare repeal. The first ad -- on which the group says it's spending six figures -- criticizes Rep. Dan Donovan (R-N.Y.) for saying he is opposed to Obamacare and supports a tax overhaul, but voting against them. It's part of 45Committee's $10 million effort on tax reform, a representative of the group said. The ad's narrator ends the spot by saying "If he won't keep his word and support tax reform, how can we ever trust him again?" ***The ad*** http://bit.ly/2Ah695L

-- SCOOP: AMERICAN ACTION NETWORK is putting $2 million on TV, explaining what they believe the tax bill would do for 24 districts across the country. ***The ad*** http://bit.ly/2joVCeo

WSJ'S KRISTINA PETERSON and **KATE DAVIDSON: "House Republicans Weigh Linking Debt Ceiling Increase to Spending Bill":** "Rep. Doug Collins of Georgia, a member of House GOP leadership and the head of a working group of House Republicans on the debt limit, said lawmakers were considering increasing the debt ceiling as part of the bill funding the government for the rest of the fiscal year, known as an omnibus.

"GOP leaders are likely to seek to raise the debt limit enough to last at least through next November's midterm elections, lawmakers and aides said. They will have to act, likely by March, to avoid a default.

AMERICAN OVERSIGHT

"'There's just going to be an omnibus at some point, probably after the first of the year,' Mr. Collins said in an interview this week. 'Probably there'll be some debt ceiling discussions with the White House [going] into that bigger omnibus bill,' he said, but noted that the group of 23 House Republicans hadn't reached a final decision." http://on.wsj.com/2nBwOoh

****** **A message from PhRMA** : A medicine's path from the biopharmaceutical company to the patient involves many entities across the supply chain. A new report examines how money flows through this system - which includes wholesalers, pharmacy benefit managers, pharmacies and insurers - and how that impacts what patients pay at the pharmacy. Read more. http://onphr.ma/2kgd6Nu ******

IF YOU READ ONE THING - POLITICO MAGAZINE INVESTIGATION: "The Environmental Scandal in Scott Pruitt's Backyard: It's one of the dirtiest places in America. Former residents of Tar Creek, Oklahoma, want to know why Trump's EPA chief didn't prosecute allegations of wrongdoing during a federal buyout program," by Malcolm Burnley in Picher, Oklahoma: "Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike 'chat,' a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming '1A Football State Champs, 1984.'

"Tar Creek is also part of the environmental legacy of one of the state's-and nation's-leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's [EPA]. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

"Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges." http://politi.co/2kuwKFw

ATTN. DETROIT -- "John Conyers III was arrested for domestic abuse but not prosecuted," by NBC News' Andrew Blankstein in LA: "John Conyers III, a Detroit hedge fund manager named as a possible successor to his scandal-rocked father, Rep. John Conyers, was arrested in Los Angeles this year on suspicion of domestic violence, but prosecutors declined to charge him, according to documents obtained by NBC

AMERICAN OVERSIGHT

News. ... Conyers III, 27, was arrested on Feb. 15 at a Los Angeles residence on suspicion of violence against his girlfriend after the alleged victim called police. ... The girlfriend said that Conyers III suspected her of cheating after he went through her computer. She told police that he 'body slammed her on the bed and then on the floor where he pinned her down and spit on her,' the report says." http://nbcnews.to/2zUliWp

FOR YOUR RADAR -- "N. Korea says war is inevitable as allies continue war games," by AP's Kim Tong-Hyung in Seoul, South Korea: "North Korea says a nuclear war on the Korean Peninsula has become a matter of when, not if, as it continued to lash out at a massive joint military exercise between the United States and South Korea involving hundreds of advanced warplanes. In comments attributed to an unnamed Foreign Ministry spokesman, North Korea also claimed high-ranked U.S. officials, including CIA Director Mike Pompeo, have further confirmed American intent for war with a series of 'bellicose remarks.'" http://bit.ly/2iznFXY

JARED WATCH -- "Kushner bets he can have it both ways on Jerusalem move," by Annie Karni: "Jared Kushner is betting the house on a risky strategy that Middle East experts worry will derail any future Israeli-Palestinian peace deal - as well as what remains of the powerful son-in-law's shrinking West Wing portfolio. He privately encouraged President Donald Trump's announcement Wednesday that 'Jerusalem is Israel's capital,' which was seen by some experts in the region as a setback for peace efforts led by Kushner and his small team.

"The group has made dozens of trips to the region and spent hours on listening tours, working to gain the trust of the Palestinians and the broader Arab world. 'It is very, very hard to imagine how that peace effort can be continued,' said Ghaith al-Omari, who served as an adviser to the Palestinian Authority's negotiating team from 1999 to 2002. 'All the Arab leaders who have been cultivating relations with the new administration will be forced to come out very strongly against this.' But a person close to Kushner said he was forceful in his backing of the move. 'Encouraging would be an understatement,' the person said. 'It was him.'" http://politi.co/2k3bEdr

THE BACK STORY -- "Inside the demise of Al Franken," by Elana Schor and Seung Min Kim: "Al Franken weathered six women's sexual misconduct allegations without hearing a single resignation call from his fellow Democratic senators. No. 7 broke the dam. The Democratic women of the Senate had been talking among themselves about the Franken allegations for weeks, one Democratic aide said. None, however, went further than to call for a Senate Ethics Committee probe of the Minnesota senator, who many of them had considered a close friend.

"That stance became increasingly untenable as the accusations against Franken piled up. In calls and texts, the female senators eventually came to an unstated agreement, according to another aide familiar with their discussions: The next credible story of misconduct in a credible news outlet would would prompt them to call for Franken's resignation. When POLITICO reported Wednesday that a former Democratic congressional aide said Franken tried to forcibly kiss her in 2006, the aide said, it 'was

AMERICAN OVERSIGHT

the tipping point.'

"The first public resignation nudge came from Sen. Kirsten Gillibrand (D-N.Y.), a champion for reform of Capitol Hill's sexual harassment policy who one day earlier publicly declined to push Franken. Six more Senate Democratic women followed, with head-snapping speed. 'I think many people have been talking about this for some time. And we all responded with what we had been feeling today,' Sen. Patty Murray (D-Wash.) said after she said Franken should step aside. 'It wasn't coordinated, it just happened.'" http://politi.co/2iXZ2bb

THE REPLACEMENT -- "Female lieutenant governor expected to replace Franken if he resigns," by Maggie Severns: "Minnesota Gov. Mark Dayton is expected to appoint his lieutenant governor and close ally, Tina Smith, to Al Franken's seat if the Democratic senator resigns on Thursday, three people familiar with the Democratic governor's thinking said. But that appointment would be just the start of a huge upheaval in Minnesota.

"Part of the reason Smith could be heading to the Senate, the sources said, is because she has indicated no interest in running for Congress in the past and would not run for the remainder of Franken's term, which expires in 2020, in a 2018 special election. That would clear the way for a wide-open Democratic primary next year if Franken steps down." http://politi.co/2BQf7UM

FIRST PERSON - TINA DUPUY in The Atlantic, "I Believe Franken's Accusers Because He Groped Me, Too: The Democratic Party needs to stand with women who have been harassed-and not defend the politicians who abused them." http://theatln.tc/2iZhZu9

RUSSIA WATCH -- "Trump Jr. cites attorney-client privilege in not answering panel's questions about discussions with his father," by Kyle Cheney: "Donald Trump Jr. on Wednesday cited attorney-client privilege to avoid telling lawmakers about a conversation he had with his father, President Donald Trump, after news broke this summer that the younger Trump - and top campaign brass - had met with Russia-connected individuals in Trump Tower during the 2016 campaign.

"Though neither Trump Jr. nor the president is an attorney, Trump Jr. told the House Intelligence Committee that there was a lawyer in the room during the discussion, according to the committee's top Democrat, Rep. Adam Schiff of California. Schiff said he didn't think it was a legitimate invocation of attorney-client privilege. 'I don't believe you can shield communications between individuals merely by having an attorney present,' he said, after the committee's lengthy interview with Trump Jr. 'That's not the purpose of attorney-client privilege.'" http://politi.co/2kusF43

TRUMP'S THURSDAY -- The president is meeting with Republican senators and RNC Chair Ronna Romney McDaniel. He is also signing a proclamation for National Pearl Harbor Remembrance Day. In the afternoon he will meet with congressional leaders

AMERICAN OVERSIGHT

and former Ambassador to the United Nations John Bolton. He and the First Lady will also host a Hanukkah reception.

THE JUICE...

-- **FIRST IN PLAYBOOK - TOM LOBIANCO,** an AP White House reporter, has signed a deal to write a book on Vice President Mike Pence. LoBianco has covered the former governor of Indiana for multiple news organizations, including the AP and the Indianapolis Star, since 2011. The book was sold by Bridget Matzie of Aevitas Creative Management to Julia Cheiffetz of Dey Street Books, an imprint of HarperCollins.

-- **JUSTIN MYERS** has been hired as the CEO of For Our Future and For Our Future Action Fund. For Our Future was founded in 2016, when it ran a $60 million ground operation to help progressive candidates. He most recently has been SVP at the Pivot Group and is an alum of DCCC, Kay Hagan and the New Jersey Democratic State Committee, where he was ED.

-- **THE WING,** a New York-based women's co-working and social club, held a "welcome" dinner at 1789 last night. It is opening its D.C. outpost in Georgetown early next year. **SPOTTED:** Sens. Amy Klobuchar (D-Minn.), Heidi Heitkamp (D-N.D.) and Kirsten Gillibrand (D-N.Y.), Audrey Gelman, Giovanna Lockhart, Dayna Grayson, Alyssa Mastromonaco, Edith Gregson, Juleanna Glover, Kasie Hunt, Kristen Welker, Annie Karni, Pia Carusone, Susan Tynan, Tammy Haddad and Katie Glueck.

FUN VIDEO -- @TheDailyShow: "Trump's Best Words of 2017" - ***1-min. video*** http://bit.ly/2kvGTSs (h/t Matt Negrin)

HAPPENING TONIGHT -- Our first live podcast taping is **TONIGHT** at 7 p.m. at Sixth and I. Our inaugural guests: **MICHAEL BARBARO,** host of the New York Times' hit podcast "The Daily," **DCCC EXECUTIVE DIRECTOR DAN SENA** and **NRCC EXECUTIVE DIRECTOR JOHN ROGERS.** And a panel of **POLITICO** stars: **RACHAEL BADE, SEUNG MIN KIM** and **ANNIE KARNI.** Get your tickets now! http://bit.ly/2hWK7tF

Playbook Reads

PHOTO DU JOUR: A motorist on Highway 101 watches flames from the Thomas fire leap above the roadway north of Ventura, Calif., on Dec. 6. | Noah Berger/AP Photo

THE LATEST ON THE BAN -- "Appeals court considers legality of latest Trump travel ban," by Josh Gerstein: "A federal appeals court gave a somewhat friendlier reception Wednesday to President Donald Trump's latest travel ban order, just two days after the Supreme Court allowed the policy to be implemented in full for the first time. A

AMERICAN OVERSIGHT

three-judge panel of the 9th Circuit Court of Appeals met in Seattle to hear arguments over an injunction against varied travel restrictions Trump issued in September on citizens of six majority Muslim countries, as well as North Korea and Venezuela." http://politi.co/2jm0bWL

JUST POSTED -- "The surgeon general and his brother: A family's painful reckoning with addiction," by Andrew Joseph in STAT News: http://bit.ly/2j0ZYvw

HMM - "VA cuts program for homeless vets after touting Trump's commitment," by Arthur Allen and Lorraine Woellert: "Four days after Veterans Affairs Secretary David Shulkin held a big Washington event to tout the Trump administration's promise to house all homeless vets, the agency did an about-face, telling advocates it was pulling resources from a major housing program. The VA said it was essentially ending a special $460 million program that has dramatically reduced homelessness among chronically sick and vulnerable veterans.

"Instead, the money would go to local VA hospitals that can use it as they like, as long as they show evidence of dealing with homelessness. Anger exploded on a Dec. 1 call that was arranged by Shulkin's Advisory Committee on Homeless Veterans to explain the move. Advocates for veterans, state officials and even officials from HUD, which co-sponsors the program, attacked the decision, according to five people who were on the call." http://politi.co/2nCuQ6L

VALLEY TALK -- "Silicon Valley Investor Shervin Pishevar Accused Of Spreading False Information To Cover Up Alleged Sexual Misconduct," by BuzzFeed's Ryan Mac: "Venture capitalist Shervin Pishevar, who has been accused by multiple unnamed women of sexual misconduct in a recent news report, is now being accused by a Republican-affiliated opposition research firm of spreading false information about it in an attempt to cover up his alleged wrongdoings. In a bizarre twist on Wednesday, Definers Public Affairs - which Pishevar is suing for allegedly helping to spread a false police report that accuses him of rape - filed a motion to dismiss the investor's suit in full.

"That motion, made in San Francisco Superior Court, argues that Pishevar's lawsuit should be thrown out under California's anti-Strategic Lawsuit Against Public Participation (anti-SLAPP) law, which was designed to prevent litigation that is simply meant to silence or intimidate critics by burying them under legal costs." http://bzfd.it/2BH5RI2

ZACK STANTON in POLITICO Magazine: **"John Conyers Was An Icon. Then He Lost His Way:** It's time to reckon with the legacy of a man who saw so much and stayed too long": http://politi.co/2B8OgX3

****** **A message from PhRMA** : A medicine's path from the biopharmaceutical company to the patient involves many entities across the supply chain. A new report examines how money flows through this system - which includes wholesalers,

AMERICAN OVERSIGHT

pharmacy benefit managers, pharmacies and insurers - and how that impacts what patients pay at the pharmacy. Read more. http://onphr.ma/2kgd6Nu ******

DESSERT -- "A history of the final dying days of the power suit," by WaPo's Robin Givhan: "Douglas Heye wears suits. Like a lot of men, he gives a fair amount of consideration to the way those suits are styled. Unlike a lot of men, he is willing and able to break down those considerations into specifics. 'I like a pocket square, but I generally don't wear one with a tie,' says Heye, a former Republican strategist, now a CNN contributor. 'If I'm wearing a tie, three out of four times it's blue. I like blue and I've been told it works for me. ... If I'm wearing a jacket and no tie, I always like a pocket square. I think it's a little bit more dressy. It shows a little bit of effort.'

"Effort is important. The whole reason for wearing the suit, he says, is to set a tone. He recently attended a meeting where he knew everyone else would be casual. But he couldn't bring himself to show up in khakis and a golf shirt. A suit, he reasoned, signaled a certain seriousness. 'But I don't know,' he says. 'Maybe it means something to me and not the viewer.'" http://wapo.st/2Akck9h

MEDIAWATCH -- "ABC reprimands producer for giving data to Trump campaign," by Michael Calderone: "In their new book 'Let Trump Be Trump,' campaign insiders Corey Lewandowski and David Bossie wrote that Chris Vlasto -- then-executive producer of 'Good Morning America' and now senior executive producer for investigative reporting -- called Bossie, Trump's deputy campaign manager, at 5:01 p.m. on election night with information being shared within a consortium of the Associated Press and the major TV networks. ...

"Bossie had known Vlasto for decades, going back to when Bossie was a Republican House investigator in the 1990s and Vlasto was covering the Clinton Whitewater investigations, according to the book. Vlasto was considered for a senior communications position in the Trump White House in the weeks after the election before pulling himself out of consideration." http://politi.co/2BayJWQ

--PER MICHAEL CALDERONE IN MORNING MEDIA: "Doyle McManus is taking a buyout from the Los Angeles Times after 39 years with the paper. He said in a note to friends that he'll write occasional op-ed columns for the paper as a contributing writer, and that he plans to do more long-form pieces -- and possibly a book."

Playbookers

SPOTTED: Donald Rumsfeld in Farragut Square yesterday after getting a haircut

SPOTTED at the annual American Defense International holiday party at the Hotel George hosted by defense lobbyists Van Hipp and Michael Herson: Rick Harrison, star of History Channel's "Pawn Stars," Ed Nixon, brother of former President Richard Nixon,

AMERICAN OVERSIGHT

former Virginia Governor, RNC Chair and presidential candidate Jim Gilmore, Reps. Debbie Wasserman-Schultz (D-Fla.), Adam Schiff (D-Calif.), Adam Smith (D-Wash.), Joe Wilson (R-S.C.), Jim Banks (R-Ind.), Scott Taylor (R-Va.), Bill Shuster (R-Pa.), Pete Visclosky (D-Ind.), Bradley Byrne (R-Ala.), Martha McSally (R-Ariz.), Charlie Crist (D-Fla.), Mario Diaz-Balart (R-Fla.), and Mike Turner (R-Ohio).

TRANSITIONS -- "Cruz chief of staff leaves Capitol Hill," by Seung Min Kim: "Sen. Ted Cruz's chief of staff is leaving Capitol Hill after more than a year leading the Texas Republican's congressional operation in Washington and in his home state. David Polyansky, 46, came on board as Cruz's chief of staff following the Republican National Convention in 2016 at a time when the senator re-focused his energies on Texas following his unsuccessful presidential campaign.

"Now, Polyansky is returning to Houston, where his family resides, and staying on as a senior adviser for Cruz's re-election campaign in 2018. ... Pre Shah, currently Cruz's chief counsel, will take over for Polyansky as the senator's chief of staff. Cruz's legislative director, Steve Chartan, will become deputy chief of staff while keeping his legislative duties." http://politi.co/2AyC0Ou

-- SPOTTED: Cruz, Polyansky and Scott Reed in a booth at Capital Grille last night - also seen there: Rep. Jeff Duncan (R-S.C.) chatting with Arkansas Lt. Gov. Tim Griffin. Rep. Duncan Hunter (R-Calif.) and Rep. Roger Williams (R-Texas) were also at the restaurant.

BIRTHDAY OF THE DAY: Suhail Khan, Microsoft director of external affairs. **A fun fact about Suhail:** "I was a nanny in college, have ridden a '61 Harley Davidson since high school and am currently restoring a '67 Shelby Mustang GT500. I was also front row for Metallica three times this summer." **Read his Playbook Plus Q&A:** http://politi.co/2AzrXss

BIRTHDAYS: Carole Simpson is 76 ... Sen. Susan Collins (R-Maine) is 65 ... Sen. Thad Cochran (R-Miss.) is 8-0 ... CNN's Ashley Killough (hat tip: Kevin Cirilli) ... Emily Hamilton, director at Hamilton Place Strategies ... Kate Tummarello, policy analyst at Electronic Frontier Foundation ... Allie Grasgreen Ciaramella, comms manager at the National College Access Network ... Nicolás Luis Rosero ... Larisa Alexandrovna Horton ... Oath's Sarindee Wickramasuriya ... former Amb. Michael Punke, VP of global public policy for Amazon Web Services and author of "The Revenant" ... Scott Greene ... Kenny Fried ... Patrick Lee Plaisance is 54 ... Molly Block, newly-hired press secretary at EPA ... Ben Fallon ... Maria Fuentes ... Jeannie Lough ... Doug Henwood ... Dafna Tapiero ... Adam Culbertson ... Michael Steinhardt is 77 ... Jonathan Tisch is 64 ... Edelman's Erika Reyes ... NYT's Dean Chang ...

... Priya Dayananda of KPMG ... Anne MacMillan of Invariant ... Sam Runyon, deputy press secretary for Sen. Joe Manchin (D-W.Va.), celebrating over three days (h/t Jonathan Kott) ... Christina Freundlich ... Olivia Wenk (h/t Dad, Christopher) ... Tyler Prell ... Robert Cresanti, pres. and CEO of Int'l Franchise Association ... Mary Heitman,

AMERICAN OVERSIGHT

EVP at IFA ... Illinois State Sen. Dan McConchie ... Rep. Duncan Hunter (R-Calif.) is 41 (h/t Robb Watters) ... Tom Frieden ... Mike Klein ... Deloitte's Sam Schofield, a State alum (h/t Nihal Krishan, "his fellow Fessenden Fiefdom housemate") ... Jenny Kordick ... Amanda Faulkner, public policy and government relations at Google (h/t Ben Khouri) ... Lisa Sun ... Raj Peter Bhakta ... Tim Andrews ... Kim Bradford ... Peter Truell is 62 ... Brian Mosteller ... Mike Meece ... Cristina Beato ... Noam Chomsky is 89 ... Alice Parker ... Ruthanne Buck ... Sachin Chheda ... Antha Williams ... Jeff Blum (h/ts Teresa Vilmain)

****** **A message from PhRMA** : In the competitive marketplace for medicines, negotiations between pharmacy benefit managers (PBMs) and biopharmaceutical companies result in substantial rebates and fees. According to a new report, in many cases, this system often creates incentives for PBMs to prefer medicines with higher list prices and higher rebates. Read more about how money flows through the supply chain here: http://onphr.ma/2kgd6Nu ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 12/7/2017 10:45:23 AM
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

AMERICAN OVERSIGHT

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

AMERICAN OVERSIGHT

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

AMERICAN OVERSIGHT

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

AMERICAN OVERSIGHT

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

AMERICAN OVERSIGHT

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association

AMERICAN OVERSIGHT

President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

AMERICAN OVERSIGHT

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring

AMERICAN OVERSIGHT

federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for

AMERICAN OVERSIGHT

indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now

AMERICAN OVERSIGHT

Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be

AMERICAN OVERSIGHT

commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

AMERICAN OVERSIGHT

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a

AMERICAN OVERSIGHT

dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Wed 2/21/2018 12:08:52 PM
Subject: February 21 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Wed., February 21, 2018

READ FULL EDITION

1.CLIMATE:

Environmentalists lost big on LNG exports. Now what?

After years of fever-pitched opposition to liquefied natural gas exports, the Sierra Club quietly pulled its last LNG lawsuit from federal court last month. The withdrawal followed a series of losses in similar cases, a subdued end to environmentalists' chief legal campaign against shipping U.S. natural gas around the world.

TOP STORIES

2.ELECTRICITY:
Texas grid operator moves to protect state jurisdiction

3.INFRASTRUCTURE:
DOE's Walker plugs North American energy model

4.EPA:
IG report discounted Tar Creek Superfund fraud claims

LAW

5.SCIENCE:
D.C. court wades into messy feud between energy researchers

OIL AND GAS

6.ALASKA:
Interior to move quickly on ANWR leasing — Murkowski

7.PEOPLE:
Colo. governor's energy point man steps down

8.SAFETY:
Blaze at N.D. tank farm 'rare,' but owner citations frequent

ELECTRICITY

9.SECURITY:
DOJ task force takes aim at 'unprecedented' cyberthreat

10.UTILITIES:
Duke touts grid transformation plans

11.PIPELINES:
N.J. consumer advocate calls on FERC to reconsider PennEast

12.SOLAR:
Government mandates to cushion blow of Trump tariffs

13.SAFETY:
Tampa utility to appeal OSHA finding on molten-ash deaths

14.NUCLEAR:
White House bid for Saudi reactors worries legislators

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

AMERICAN OVERSIGHT

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net

All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Agriculture
Sent: Tue 8/1/2017 2:05:07 PM
Subject: POLITICO's Morning Agriculture: Perdue hits the road in search of farm bill 'roots' — The Almanza era draws to a close — Mexico names new chief NAFTA negotiator

By Catherine Boudreau | 08/01/2017 10:01 AM EDT

With help from Eric Wolff and Adam Behsudi

PERDUE HITS THE ROAD IN SEARCH OF FARM BILL 'ROOTS': We'll spare you the Clark W. Griswold joke and get right down to it: Agriculture Secretary Sonny Perdue is set to depart on a five-state farm bill tour via RV, a journey that begins Thursday at the Wisconsin State Fair and signals the secretary's intent to be "intimately" involved in development of the 2018 measure. Perdue's summer road trip - dubbed "Back to Our Roots" - will also bring him to Minnesota, Iowa, Illinois and Indiana, USDA will announce this morning. His schedule is packed with listening sessions, to allow him to hear from producers and consumers across the country who are "on the front lines of American agriculture and ... know best what the current issues are," Perdue said in a statement. He'll have some fun along the way, attending a Minnesota Twins game with USDA employees and popping in at Indianapolis Colts training camp for an event on the NFL's "Fuel Up to Play 60" initiative.

"USDA will be intimately involved as Congress deliberates and formulates the 2018 Farm Bill," Perdue said in a statement. "We are committed to making the resources and the research available so that Congress can make good, facts-based, data-driven decisions. It's important to look at past practices to see what has worked and what has not worked, so that we create a farm bill for the future that will be embraced by American agriculture in 2018."

That would mark a significant departure from the USDA that Congress came to know under former President Barack Obama. While Obama included changes to crop insurance and other farm bill programs in his annual budget, former Agriculture Secretary Tom Vilsack largely stayed out of negotiations over the legislation.

Does Sonny do encores? Yup. A second RV tour is planned for later this summer, though details have yet to be announced. The trips will be documented on Perdue's Twitter account under #BackToOurRoots.

HAPPY TUESDAY, AUGUST 1! Welcome to Morning Ag, where your host would categorize this as a crime of passion. You know the deal: Thoughts, news, tips? Send them to cboudreau@politico.com and @ceboudreau. Follow the whole team at @Morning_Ag.

TEXANS FRET ABOUT NEXT GENERATION OF FARMERS: Sticking with the 2018 farm bill for a moment ... House Agriculture Chairman Mike Conaway said at the panel's field hearing in San Angelo, Texas on Monday that he wants to get a farm bill on the House floor by the end of this year - echoing a goal that his Senate counterpart, Pat Roberts , outlined last week. Over the course of three hours, some 80 farmers and ranchers, food bank employees, agricultural bankers and conservation groups discussed their concerns and suggestions on farm policy to

AMERICAN OVERSIGHT

Conaway, ranking member Collin Peterson and six other committee members.

Calls for returning cotton to Title I so it can qualify for commodity supports, improving livestock disaster assistance and strengthening conservation programs like CSP and EQUIP were plentiful, but the more passionate statements came from producers who fear the next generation won't be on the farm for a variety of reasons: the lack of equity needed to secure financing; the constant rise in the cost of pesticides, seeds, and equipment while commodity prices slump, which makes it difficult to make a profit; and the deteriorating economic condition of rural America.

"I know five young growers who went out of business in the last three years," said Tony Dill of the Western Peanut Growers Association. "This is a very severe issue. I see no future in our country if we don't do something for younger farmers. A lot of us older farmers are living on equity, and younger farmers don't have that equity to get started."

THE ALMANZA ERA DRAWS TO A CLOSE: Al Almanza, administrator of the USDA Food Safety and Inspection Service, retired on Monday after 39 years at the agency. Secretary Perdue, in an email to staff, announced that two career employees will take on temporary leadership roles, beginning today: Paul Kiecker will be FSIS acting administrator, and Carmen Rottenberg will serve as acting deputy undersecretary for food safety - a post Almanza also held from September 2014 to December 2016.

In a farewell message to USDA employees last week, Almanza said highlights of his tenure include modernizing the poultry inspection system, reducing foodborne illnesses from listeriosis and E. coli and implementing stricter performance standards for campylobacter and salmonella in poultry.

The new line-up. Rottenberg has spent nearly six years in leadership roles at FSIS, including as deputy administrator and chief operating officer, overseeing the agency's $1-billion budget. Kiecker joined FSIS in 1988 as a food inspector and has held a number of positions since then, most recently as deputy assistant administrator for the Office of Field Operations.

MEXICO NAMES NEW CHIEF NAFTA NEGOTIATOR: Mexico is building out its negotiating team in preparation for the much-awaited renegotiation of NAFTA, naming Kenneth Smith Ramos on Monday to be its chief technical negotiator. Ramos, head of the trade and NAFTA office at the Mexican Embassy in Washington, will work just below Economy Secretary Ildefonso Guajardo and Undersecretary for Foreign Trade Juan Carlos Baker in leading the negotiations, a Guajardo spokesperson told our colleagues at Morning Trade.

Guajardo, speaking to reporters on Monday, highlighted Ramos' past work in Mexico's agriculture department as well as its economy ministry. "He is a man who has had a very, very long, intense and brilliant career in all foreign trade topics," Guajardo said in Spanish.

RFS HEARING BE POPPIN' LIKE CORN: EPA is throwing its annual Renewable Fuel Standard bash today, an all-day hearing for the agency to get feedback on its proposed rule, which will set the amount of biofuel that must be blended into the nation's fuel supply. The agency kept the ethanol mandate at the legal maximum of 15 billion gallons, but it dramatically

AMERICAN OVERSIGHT

cut the amount of advanced biofuels, and it will surely get an earful on that.

RFS A-listers: EPA will hear from: Iowa Gov. Kim Reynolds; Nebraska Gov. Pete Ricketts; Chris Bliley of Growth Energy; Bob Dinneen of the Renewable Fuels Association; Frank Macchiarola of the American Petroleum Institute; and Donnell Rehagen of the National Biodiesel Board. Reynolds, whose state leads the nation in ethanol production, will tell EPA she's glad it is on track for an on-time rule (they're actually a bit behind schedule), but wants the agency "to raise the advanced biofuel, biodiesel and cellulosic volumes. The RFS is a bold policy, and Iowans and the industry as a whole have always risen to the challenge."

NMPF: PLANT-BASED FOOD PETITION 'INAPPROPRIATE': The Good Food Institute's effort to revive a 20-year-old soy industry petition that requested FDA allow plant-based products to be labeled as "milk" is as "inappropriate today as it was ... in 1997," the National Milk Producers Federation said in response Monday. "Nothing has happened in the intervening time period to allow the combination of soy powder, water, emulsifiers, stabilizers, sugar, sodium and added vitamins to magically become milk," NMPF President Jim Mulhern said in a statement. "Regardless of what food technologists might try, milk still only comes from mammals."

GFI also filed its own petition on Monday, asking FDA to codify its existing practice of allowing manufacturers to use common dairy names to broadly label plant-based foods and beverages. The FDA told MA in response on Monday that it is "reviewing the matter and takes action in accordance with public health priorities and agency resources."

THIS TAX REFORM TIMELINE IS ... 'AGGRESSIVE': The White House expects tax reform legislation to move quickly through Congress this fall, clearing the House in October and the Senate in November, legislative director Marc Short said Monday. Markups will begin in September. "So that, I think, is an aggressive schedule, but that is our timetable," he said during an event hosted by a pair of conservative political groups backed by the billionaire Koch brothers - Freedom Partners and Americans for Prosperity.

Short's ambitious timeline is the most specific to be laid out by either the White House or Congress in recent months, reports Pro Tax's Aaron Lorenzo. It jives with a joint statement issued by administration and congressional negotiators last week, which said the expectation is that tax reform legislation will move through committees "this fall," followed by consideration on the House and Senate floor. Republicans are planning to use special instructions in a budget resolution - should it advance through Congress - to pass tax reform with a simple majority in the Senate in order to short-circuit a Democratic filibuster. But Short also suggested a Republican-only pathway isn't completely necessary. Some Democrats might get on board, particularly those up for reelection next year in states Trump carried, he said.

THE 2018 WATCH: CASEY, TESTER GET NEW CHALLENGERS: Senate Agriculture Committee member Bob Casey (D-Pa.) has a new challenger in 2018: GOP Rep. Lou Barletta, two Republican sources told POLITICO's Kevin Robillard. Barletta, an early supporter of President Donald Trump, is an immigration hard-liner serving his fourth term in the House. Trump has publicly suggested Barletta challenge either Casey or Democratic Gov. Tom Wolf.

AMERICAN OVERSIGHT

Barletta, a former mayor of Hazleton, Pa., is the biggest name in a large Republican field challenging Casey, a moderate who has emerged as a fierce Trump critic.

Tester territory: Montana State Auditor Matt Rosendale on Monday formally launched his campaign to challenge Democratic Sen. Jon Tester next year, and gave a heads-up to POLITICO's Elena Schneider. A handful of Republicans are already in the race, but Rosendale is the first statewide officeholder to jump in. Tester, an organic farmer and two-term incumbent, is one of the GOP's top Senate targets. Rosendale ran for Congress in 2014 and loaned his own campaign more than $1.1 million before losing to Interior Secretary Ryan Zinke in the Republican primary.

"I've always said that I will serve wherever Montanans feel I can be the most effective, and I've gotten calls from across the entire state from people who are not satisfied with the job that Tester is doing. He acts like a farmer when he's here, but he goes back to Washington and votes just like Chuck Schumer," Rosendale said. "We recognize that even if you go into federal government well-intentioned, there comes a time when you have been there too long."

U.S., BRAZIL TO COMPETE FOR CORN CUSTOMERS: Brazil's corn production in the 2016-17 season is forecast to be a record 97 million tons, while U.S. farmers are predicted to harvest their second-biggest crop this fall - setting up intense competition for buyers in the second half of 2017, Bloomberg reports . Two decades ago, Brazil wasn't even on the United States' radar as a competitor in corn exports, but has since ramped up shipments. In 2016, the country ranked third in corn exports, while the U.S. was No. 1 and Argentina No. 2, according to USDA data. Japan and Mexico are the top buyers of the commodity.

U.S. corn shippers are seeing slow bookings for the coming marketing year, which starts in September, Bloomberg reported, citing USDA data. Corn shipments from Brazil are climbing, but they are projected to continue to pace behind those of the U.S. Whether Brazil can steal more market share from U.S. farmers depends partly on the value of the Brazilian real and how many growers are willing to sell crops at low local prices, one analyst told Bloomberg.

Another factor? Trump. Mexico is looking to diversify its corn supply amid the political uncertainty surrounding NAFTA 2.0 and President Trump's harsh rhetoric. But Secretary Perdue, after two days of bilateral meetings in Mexico last week with Mexican Secretary of Agriculture José Calzada, said the U.S. still has an edge.

"I did not get any indication that they're seriously considering that," Perdue told reporters during a conference call on Friday. "I think while they may talk ... as if they're having conversations, we have a corner store location for their supply," he added, highlighting the U.S. agricultural sector's competitive and logistical advantages in relation to its southern neighbor.

ERS: FARM PRODUCTIVITY KEY TO FOOD SECURITY: Growth in agricultural productivity is strongly connected to improvements in developing countries' food security status, according to a report published by the USDA Economic Research Service on Monday. Investments in agricultural research and technology are central to efforts to meet the challenge of feeding a world population north of 9 billion by 2050. "On average, the faster the growth in

AMERICAN OVERSIGHT

agricultural productivity, the larger the reductions in food insecurity," the report said.

ERS analyzed the role of trade, agricultural productivity, international aid, and better data and measurement in achieving food security gains in 76 low- and middle-income countries over the past 15 years. Since the U.S. provides about half of global food aid and support for agricultural development - between $6 billion and 7 billion annually over the last few years - the researchers said it's necessary to study factors that drive improvement if the U.S. is to reach its commitment of ending global food insecurity by 2030.

Cash is king? The report also found that for countries receiving aid, cash-transfer programs can be more cost effective than traditional methods like in-kind commodity donations, which represent the United States' largest form of food aid under the Food for Peace program. However, not all countries have sufficient food markets or the administrative capability to broadly implement cash programs. Advances in IT, personal identification, banking and mobile phones support the expansion of targeted cash-transfer programs. "These innovations can ... reduce the market distortions associated with acquiring, distributing, and storing commodities found in traditional in-kind programs," the report said. Read it here.

FARM CREDIT ADMIN NAMES NEW IG: The Farm Credit Administration announced Monday that Wendy Laguarda will become its inspector general, effective today. Laguarda, who joined the FCA Office of General Counsel in 1990 and rose to become assistant general counsel and the designated agency ethics official, succeeds Elizabeth Dean, who retired Monday.

MA'S INSTANT OATS:

- New Food Economy has this deep dive on who owns America's farmland (hint: it's increasingly not farmers).

- The country's largest fresh-garlic producer solved its labor shortage by raising wages to $13. The Mercury News explores whether it's an isolated success story or a fix for U.S. agriculture more broadly.

- A group of leading crop scientists is calling for a coordinated approach to research to tackle global food security threats, Feedstuffs reports.

- Researchers found that providing a 50 percent discount on the price of fruits and vegetables doubled consumers' intake of the produce. Read the study here.

THAT'S ALL FOR MA! See you again soon! In the meantime, drop your host and the rest of the team a line: cboudreau@politico.com and @ceboudreau; jhopkinson@politico.com and @JennyHops; hbottemiller@politico.com and @hbottemiller; jlauinger@politico.com and @jmlauinger; and P.J. Joshi, at pjoshi@politico.com and @pjoshiny. Follow @POLITICOPro and @Morning_Ag on Twitter.

To view online:
http://www.politico.com/tipsheets/morning-agriculture/2017/08/01/perdue-hits-the-road-in-

AMERICAN OVERSIGHT

search-of-farm-bill-roots-221636

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Block, Molly[block.molly@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]
From: Hewitt, James
Sent: Wed 3/21/2018 1:07:07 PM
Subject: EPA Morning News Highlights 03.21.18
EPA Morning News Highlights 03.21.18 docx.docx

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

AMERICAN OVERSIGHT

Detroit News: EPA chief wants to eradicate lead from drinking water

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

AMERICAN OVERSIGHT

Politico: Congress struggles to clinch spending deal

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

AMERICAN OVERSIGHT

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

AMERICAN OVERSIGHT

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under

AMERICAN OVERSIGHT

major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

"We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."

Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

AMERICAN OVERSIGHT

"When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

AMERICAN OVERSIGHT

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

AMERICAN OVERSIGHT

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

AMERICAN OVERSIGHT

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

AMERICAN OVERSIGHT

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

AMERICAN OVERSIGHT

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate

AMERICAN OVERSIGHT

it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find

AMERICAN OVERSIGHT

themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

"Everything that remains is going to be pulling teeth to resolve," said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House

AMERICAN OVERSIGHT

legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

AMERICAN OVERSIGHT

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

“Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

AMERICAN OVERSIGHT

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix

the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply

AMERICAN OVERSIGHT

bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there's [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

AMERICAN OVERSIGHT

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At

AMERICAN OVERSIGHT

a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading

AMERICAN OVERSIGHT

center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

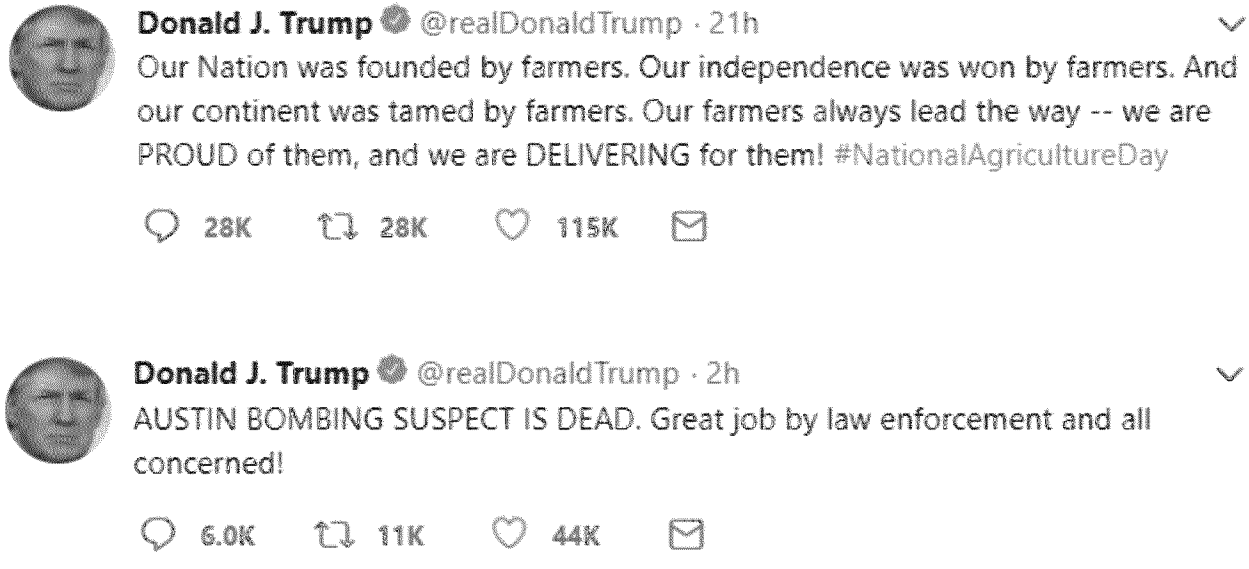
AMERICAN OVERSIGHT

China Investment Corp, Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS



AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

EPA Morning News Highlights 03.21.18

Tulsa World: EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'
Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. "It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there. "You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Hot Air: EPA Ends The Use Of "Secret Science" In Crafting Regulations
Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

Detroit News: EPA chief wants to eradicate lead from drinking water
The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat. "I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters. "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this." Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

New York Post: EPA head calls for 'coordinated' response to NYC lead crisis
EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis. Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts. "I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest." Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

The Philadelphia Inquirer: Philly has a smog problem. Will Scott Pruitt's EPA say so?
Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding. The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April. On Monday, Pruitt's office said it would meet the deadline.

National Morning News Highlights 03.21.18

Politico: Congress struggles to clinch spending deal
Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a

AMERICAN OVERSIGHT

host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown. Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties. There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Wall Street Journal: Trump to Ramp Up Trade Restraints on China

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said. The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion. But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

TRUMP TWEETS

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-administrator-scott-pruitt-says-lack-of-clean-up-of/article_4a3e4982-569e-5023-8141-392ebe629a65.html

EPA Administrator Scott Pruitt says lack of clean up of Tar Creek Superfund site is 'unacceptable'

By: Jim Myers, 3/21/18

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

The area in Ottawa County is contaminated by lead and other heavy metals from long-closed mining operations and is undermined with caverns that are prone to cave-ins. The Picher and Cardin communities were bought out by a federal program and are now ghost towns, but the mine wastes remain.

Pruitt blamed inconsistency, even within the EPA's 10 regions, as well as a lack of attention and focus, for slowing remediation outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear that the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

His comments came during one of several reporter roundtables he has been holding at the EPA's headquarters to mark his first year as administrator, during which he also became a leading voice in the Trump administration's major push on regulation reform.

AMERICAN OVERSIGHT

Those efforts have prompted applause from his supporters and alarm from his critics.

Recently Pruitt is rarely out of the headlines, with stories ranging from travel expenses to speculation over whether his political future might include bids for a U.S. Senate seat or even the White House.

When given the chance to comment on yet another story this week about his political options, he took a pass.

Pruitt also declined to comment when asked about a recent decision by an Oklahoma judge to allow a lawsuit filed by Campaign for Accountability to continue. The lawsuit seeks to force the release of a 2014 audit of the Lead-Impacted Communities Relocation Trust, which was created in an effort to help move residents out of communities affected by the Tar Creek contamination.

"That is during my time as attorney general," he said. "I think it is better that I just keep it focused on the EPA matters."

Pruitt, who was Oklahoma's attorney general before being tapped by President Donald Trump to lead the EPA, had declined to file charges based on the audit by state Auditor Gary Jones and also had taken steps to bar its release to the public.

According to reporting by The Oklahoman, legal action in the case continues and eventually could include an appeal to the Oklahoma Supreme Court.

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

As part of that process, Tar Creek landed on a list Pruitt says he will use to keep the emphasis on the program.

Hot Air

https://hotair.com/archives/2018/03/20/epa-ends-use-secret-science-crafting-regulations/

EPA Ends The Use Of "Secret Science" In Crafting Regulations

By: Jazz Shaw 3/20/18

Just in case liberals didn't already have enough reasons to pin EPA Administrator Scott Pruitt's picture to their dart boards, he's just rolled out another policy change which will force the "party of science" to rely on actual science when pushing for regulatory changes. Promising to eliminate "secret science" in EPA deliberations, Pruitt is ordering all scientific studies used when considering new regulations to include publicly available data and methodologies. This was announced in an exclusive interview with The Daily Caller News Foundation.

> "We need to make sure their data and methodology are published as part of the record," Pruitt said in an exclusive interview with The Daily Caller News Foundation. "Otherwise, it's not transparent. It's not objectively measured, and that's important."
>
> Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations.
>
> EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public.

AMERICAN OVERSIGHT

> "When we do contract that science out, sometimes the findings are published; we make that part of our rule-making processes, but then we don't publish the methodology and data that went into those findings because the third party who did the study won't give it to us," Pruitt added.

In other words, science is not being excluded from any EPA studies. The agency is simply ensuring that groups conducting studies publish the data used to reach the conclusions they forward to the EPA so it can be examined and potentially challenged if it's found to be faulty. Surely nobody who's really interested in following the science could object to that, right?

Wrong. Democrats were immediately arguing against such a move, saying that forcing research organizations to publish their figures "would reveal confidential patient data." That's a rather odd argument in a couple of different ways. First of all, there's a lot of data collected for various studies used by the EPA which have nothing to do with medical records. Examples include all of the groundwater studies done when the Obama administration was considering banning fracking.

But even in cases where medical information is required, the groups conducting the study were able to obtain the patient data. As Steve Milloy, the publisher of JunkScience.com was quoted as saying, California regularly makes such data available under the name, 'Public Use Death Files.' Other medical information can be compiled and have the patients' names and other identifying personal information scrubbed. This is already done on a regular basis.

In fact, barring some subject which might compromise national security – such as the handling of tactical weapons materials – it's difficult to imagine many true, scientific studies which couldn't publish their underlying data, making it available for peer review. So if you're still opposed to federal agencies wanting to see such data, the next logical question to ask is precisely what it is that you're hiding.

The Detroit News

https://www.detroitnews.com/story/news/politics/2018/03/20/epa-pruitt-lead-water-flint/33125283/

EPA chief wants to eradicate lead from drinking water

By: Melissa Nann Burke, 3/20/18

The head of the Environmental Protection Agency says eradicating lead from drinking water is one of his top priorities three years after the Flint water crisis, and he's worried Americans aren't "sufficiently aware" of the threat.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," EPA Administrator Scott Pruitt told reporters this week at the agency's headquarters.

"It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

Pruitt is concerned that parents and citizens don't understand the threat of lead in drinking water or toys, and "we're looking at ways we can contribute to that dialogue," he said, according to an audio recording provided by the New York Post.

"I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively," Pruitt said.

Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure.

AMERICAN OVERSIGHT

EXT-18-783-F-002674

ED_001863D_00000161-00004

Pruitt didn't describe a plan for replacing the thousands of lead service lines throughout the country – a cost estimated around $40 billion to $45 billion – but stressed the need for state and local governments to invest in such upgrades, perhaps with federal grant aid.

Pruitt added he would "love" to see local governments investing more in water infrastructure.

"These water treatment facilities – they have authority to bond out, to raise fees, to invest in corrosion control, the replacement of service lines and the rest," Pruitt said. "And some of them just aren't doing it."

Gov. Rick Snyder has proposed having water customers across Michigan pay a $5 annual fee to help upgrade aging infrastructure and replace lead pipes in their local communities, but the plan hasn't gained steam in the Republican-controlled Legislature.

U.S. Rep. Dan Kildee, D-Flint Township, said what Pruitt has described isn't really a plan.

"When it comes to Mr. Pruitt, nice words don't replace pipes. It takes money. What they have proposed is really nothing when it comes to infrastructure," Kildee said of the Trump administration.

Kildee said what would help is Pruitt putting his support behind Kildee's legislation that would reduce the acceptable amount of lead in drinking water to 5 parts per billion. The current federal action limit is 15 parts per billion.

"Force federal and state governments to stare this in the face by adopting a level that is science-based that says there is no acceptable level of lead," he said.

EPA has spent a decade trying to update the rule.

Snyder called the rule "dumb and dangerous" after the Flint disaster. The state has proposed draft rules to drop the acceptable amount of lead in drinking water to 10 parts per billion by 2024.

The New York Post

https://nypost.com/2018/03/21/epa-head-calls-for-coordinated-response-to-nyc-lead-crisis/

EPA head calls for 'coordinated' response to NYC lead crisis

By: Marisa Schultz, 3/21/18

EPA Administrator Scott Pruitt called for a "coordinated" response between New York State and City officials to address the ongoing lead crisis.

Asked whether federal intervention is needed to protect New York children and tenants from lead poisoning, the Environmental Protection Agency chief urged action on all fronts.

"I think a local, state and federal response that is very coordinated and collaborative is terribly important," Pruitt said in an interview. "We each play a role. I'd love to see steps taken at the local level to invest."

Gov. Cuomo already announced an emergency declaration for New York Housing Authority buildings and pledged an additional $250 million for upgrades. But heated public squabbles over resources and responsibility with rival Mayor de Blasio have complicated progress.

Pruitt declined to weigh in on the Cuomo/de Blasio feud but encouraged broad infrastructure investment from all levels to prevent children from getting sick.

AMERICAN OVERSIGHT

"I think the governor's call for that is important and it's something we think is important as well and we need to contribute to it along with the states, local cities and towns," Pruitt said.

While the problems in NYCHA are centered on lead paint, Pruitt has primarily tackled the issue of eliminating lead poisoning from water. He raised concerns over high lead levels found at certain New York City school water fountains.

"I do think that what happened in Flint is something that could happen elsewhere," Pruitt said. "We just simply need to take steps to do all that we can to address it prospectively and proactively."

Pruitt estimated it would take $40 billion – $45 billion to replace lead service lines nationwide and suggested President Trump's $1.5 trillion infrastructure plan can assist states and cities with the costs.

"I really believe that we ought to set a goal as a country that, over the next 10 years, that we ought to work with respect to investments in our infrastructure to eradicate lead in our drinking water," Pruitt said.

He added: "It can be achieved. Some of the mental-acuity levels of our children are being impacted adversely as a result of this."

The Philadelphia Inquirer

http://www.philly.com/philly/health/pruitt-epa-smog-philadelphia-ozone-20180320.html

Philly has a smog problem. Will Scott Pruitt's EPA say so?

By: Frank Kummer, 3/20/18

Mollie Michel of South Philadelphia keeps her children inside some days because of air pollution, so she's particularly irked by a long delay by the U.S. Environmental Protection Agency to say officially whether Philadelphia has a smog problem. That designation could mean more regulation to help clean up the dirty air, she said.

"You have a city with a childhood asthma rate twice as high as the national average," Michel said to bolster her argument. A member of Moms Clean Air Force, she gathered Tuesday with a few dozen other activists and local officials at City Hall to mark the first day of spring by protesting Trump administration policies.

Whether Philadelphia is violating the federal Clean Air Act remains in bureaucratic limbo. Despite deadlines, the EPA has refused to say whether Philadelphia and some other cities, including Pittsburgh, have met a 2015 benchmark of 70 parts per billion or less of ground-level ozone in the ambient atmosphere. Being out of compliance, or in "nonattainment," has a real-world impact on the state, city, businesses and industry, and even motorists through increased regulation and funding.

The EPA was supposed to state whether Philadelphia was in compliance by last Oct. 1. Last week, a federal court ruled that the EPA, under its administrator, Scott Pruitt, broke the law by missing the deadline, and gave the EPA until April.

On Monday, Pruitt's office said it would meet the deadline.

Pruitt said during a meeting with reporters at EPA headquarters in Washington that the scope of monitoring required to answer the smog question had caused the delay.

"The agency has been running behind for a number of years," said Pruitt, who took office a year ago.

Pruitt, who said he didn't have data specific to Philadelphia in front of him, also took issue with how the monitoring program has been carried out in the past, saving money by "modeling" — using data from one area and applying it to another.

AMERICAN OVERSIGHT

"Real data is terribly important," Pruitt said. "When we go forward, we need to focus more on monitoring as opposed to modeling … You shouldn't get data from one monitor and extrapolate it over a whole area because you're not dealing with real data at that point."

He said his office is "exploring ways" to pay for monitoring.

If Philadelphia is declared to have a smog problem, the Pennsylvania Department of Environmental Protection would be responsible for crafting a plan to reduce ground-level ozone. Ozone is formed when volatile organic compounds and nitrogen oxides — created by burning fossil fuels, and power plants and other industries — combine in sunlight. Long, hot, humid days act as smog factories, so smog is expected to increase as the climate warms up.

James Garrow, a spokesman for the city's Department of Public Health, said, "Philadelphia is indeed out of compliance" as of March 1. He said the trend for ground-level ozone has been going down for years and Philadelphia expects to meet requirements within a few years.

At the protest, Flora Cardoni, an organizer with PennEnvironment, joined Democratic State Reps. James R. Roebuck Jr. and Brian K. Sims, as well as members of Deep Green Philly and the Clean Air Council, in speaking out. Cardoni said it's already been too long a wait for action.

"Philadelphians want to walk along the Schuylkill, play in Fairmount Park, and wander the historic city without worrying about choking on smog and soot," she said.

Politico

https://www.politico.com/story/2018/03/20/omnibus-vote-house-thursday-473010?lo=ap_e1

Congress struggles to clinch spending deal

By: Burgess Everett, Rachel Bade, Sarah Ferris and Heather Caygle, 3/20/18

Congressional leaders are racing to finalize a spending bill by the end of Tuesday but find themselves still at odds over a host of controversial issues — delaying plans to unveil the proposal and raising the prospect of weekend votes to avoid a shutdown.

Democrats, Republicans and the White House battled late into the night Monday and into Tuesday afternoon over whether to include provisions on President Donald Trump's border wall, a massive New York infrastructure project and the special counsel's Russia investigation, according to lawmakers and aides in both parties.

There were still a number of unresolved issues as of Tuesday evening, and multiple sources were pessimistic that negotiators would reach a deal in time to release the bill before Wednesday.

Asked how confident he was that the Senate would avoid weekend work, Sen. John Thune (R-S.D.) replied: "I'm not real confident at this point."

Dragging the talks into Wednesday would increase the chance that lawmakers pass a short-term spending bill to prevent a temporary shutdown when funding lapses Friday evening.

Several issues remain open after administration officials participated in a lengthy meeting Tuesday afternoon with top leadership and appropriations staffers that did little to break the logjam.

"Everything that remains is going to be pulling teeth to resolve," said a senior congressional aide with knowledge of the meeting, which included representatives from the White House and the Office of Management and Budget.

AMERICAN OVERSIGHT

The New York-area Gateway project is a primary issue for the White House, according to the aide, but several other provisions are also still up in the air.

Trump is likely to support the bill if the Gateway project is excluded, the military receives a major budget boost and there is a significant infusion of border security funding, White House legislative affairs director Marc Short said at the Capitol Tuesday.

House Speaker Paul Ryan (R-Wis.) told his conference that he is planning to pass the massive, $1.3 trillion omnibus on Thursday, according to House Republicans.

"I'm hoping today," Ryan told reporters when asked Tuesday morning when leaders would wrap up negotiations. He said lawmakers were not yet considering a short-term funding patch to buy more negotiating time. "There are some unresolved issues. We're working through them as we speak."

Senate Majority Leader Mitch McConnell (R-Ky.) said he would keep the Senate in until the bill is passed.

"We anticipate the House filing later today, which will give the Senate plenty of time to take a look at it and see what's in it," McConnell said on Tuesday afternoon.

Still, on the House's current schedule, the Senate would have just a day to pass the bill before government funding runs out on Friday evening — allowing for any one senator to shut the government down briefly. Sen. Rand Paul (R-Ky.) caused such a shutdown last month in protest over a budget deal.

Paul would not rule out doing everything he can to stop the spending bill if he views it as poorly as he did a budget bill in February.

"I will oppose the bill. I have to make a decision about whether or I will accept a time agreement," Paul told reporters on Tuesday.

Senate leaders are already entertaining a short-term spending bill in preparation for any antics by Paul.

"We're going to be here into the weekend, perhaps. But I think there could be some measures taken to keep the lights on. But we'll get it done," said Senate Majority Whip John Cornyn (R-Texas). "Anything can happen around here."

Congressional leaders had hoped to file the bill, which would fund the government through the end of September, on Monday night with a House vote on Wednesday. But Congress is bogged down over policy provisions that various congressional factions are trying to attach to the must-pass bill. Many lawmakers view the legislation as their last chance to get their priorities signed into law before the midterm elections.

"Negotiations continue between the four leaders. A few sticking points remain, but we are very close," said Senate Minority Leader Chuck Schumer (D-N.Y.). "I think it will be a fair compromise."

Lawmakers and aides estimated there were as many as 20 provisions still being debated. One of the most controversial is $900 million in funding for the Gateway tunnel project in New York, a key priority of Schumer and New York-area Republicans and Democrats.

Gateway supporters are trying to include language that would allow the project to apply for competitive grant money and prevent the Trump administration from squashing the project. Trump has told Republicans he will veto a bill that funds the project specifically. Schumer and GOP leaders were still battling over the provision as of Tuesday afternoon, and the New Yorker said the tunnel is of national significance despite Trump's complaints.

AMERICAN OVERSIGHT

The White House remains unmoved, however.

“The secretary of transportation has explained if you put that much money in one project it’s going to crimp projects across the country she needs to fund. It‘s also a project that a majority of House Republicans… voted against," Short said. “The president has made his wishes well known so I think we’re going to be fine."

Another sticking point: immigration. Talks to protect young immigrants facing deportation fell apart over the weekend, but congressional Democrats spent Monday and Tuesday pushing to freeze hiring of immigration enforcement officials in return for providing Trump more than $1 billion in funding on his border wall.

Democrats and Republicans are likely to agree on about $1.6 billion in border funding that would help finance some fencing and security and avoid directly funding the large concrete wall that Trump wants, according to a Democratic aide.

Republicans are seeking to fix an error in the new tax law that lowers tax bills for farmers that sell grain to cooperatives at the expense of other companies. Though Senate Democrats and some Senate Republicans are willing to rewrite the provision in exchange for a boost in Low-Income Housing Tax Credits in the spending bill, Ryan has resisted, according to people in both parties. Ryan allies say that just because he rejected an offer from Schumer to fix the so-called “grain glitch,” it doesn't mean the issue is dead altogether.

Congressional Democrats also pushed provisions to protect special counsel Robert Mueller but have been rebuffed by GOP leaders. An attempt to shore up Obamacare's insurance markets is also stalled in a battle over abortion.

Lawmakers believe neither of those provisions will be in the omnibus.

A Tuesday morning school shooting in Maryland, however, may have thrown another wild card into the mix: GOP leaders are pressing to include popular legislation that would improve the National Instant Criminal Background Check System for firearms purchases.

“We remain hopeful that Fix NICS is in the omni," Short said of the proposal to improve the FBI’s background check system.

But Democrats want a broader gun debate and note that the provision is a modest way to simply bolster existing gun laws. Meanwhile, conservatives believe it would make it more difficult for some veterans to buy a gun, which could keep that provision out as well.

"There are still some key questions. There's a NICS question, there's an Internet sales tax question, there‘s [an Obamacare] question. There's a Gateway project financing question," said Rep. Jim Jordan (R-Ohio), a conservative leader. "It looks like a lot of those things aren't gonna be in it, which is a good step, but it still spends way too much money."

The Wall Street Journal

https://www.wsj.com/articles/trump-to-ramp-up-trade-restraints-on-china-1521593091

Trump to Ramp Up Trade Restraints on China

By: Bob Davis, 3/20/18

The White House is preparing to crack down on what it says are improper Chinese trade practices by making it significantly more difficult for Chinese firms to acquire advanced U.S. technology or invest in American companies, individuals involved in the planning said.

AMERICAN OVERSIGHT

EXT-18-783-F-002679

ED_001863D_00000161-00009

The administration plans to release on Thursday a package of proposed punitive measures aimed at China that include tariffs on imports worth at least $30 billion.

But the tariffs won't be imposed immediately. Rather, U.S. industry will be given an opportunity to comment on which products should be subject to the duties. As part of the package, the White House will announce possible investment restrictions by Chinese firms in the U.S. and will direct the Treasury Department to outline rules governing investment from China.

Final details of the plan, including the amount of imports to be hit by tariffs, remain in flux, those involved with the discussions said. While the rough amount and rationale for the tariffs are expected to be disclosed on Thursday, the final decisions will come once U.S. industry has had its say, they said.

A White House spokeswoman declined to comment.

The effort stems from a monthslong investigation by the administration into Chinese intellectual property practices that found the damage to U.S. companies from forced technology transfer is $30 billion annually.

The administration has warned Beijing that it risked tariffs if it didn't significantly liberalize its market and eliminate practices that disadvantage foreign firms.

While the administration's plans to put tariffs on China have received most of the attention, it is considering other significant penalties, especially those aimed at state-owned Chinese firms. It plans to argue that Chinese state-owned firms buy U.S. technology not for commercial purposes, but to apply for military use and otherwise gain an edge in the race for global technological dominance.

The administration believes that Beijing, in requiring U.S. companies to form joint ventures to do business in China, then pressures them to transfer important technology to their Chinese partners. The U.S. also contends Beijing improperly subsidizes Chinese companies looking to overtake U.S. rivals in such advanced technologies as semiconductors, artificial intelligence and robotics.

Chinese officials have said that they are improving their protection of intellectual property and liberalizing their economy. They also complain that the U.S. hasn't given them a specific list of demands that they need to meet to head off tariffs.

The country's responses to challenges from President Donald Trump loomed large as China's leaders closed out an annual political gathering on Tuesday.

Premier Li Keqiang, the titular No. 2 leader, struck a conciliatory tone on trade with the U.S. At a news briefing in Beijing's Great Hall of the People, Mr. Li said "there are no winners" in a trade war between the world's two largest economies, and appealed for calm.

People involved in the planning say the Trump administration is looking at making reciprocity the core of U.S. investment relations with China, meaning that the U.S. would impose restrictions on Chinese investment similar to those that U.S. firms face in China. That could mean that the U.S. would insist that Chinese firms form joint ventures before doing business in the U.S., unless China dropped those restrictions.

The U.S. has already made it more difficult for Chinese companies to invest in the U.S. by blocking Chinese bids to purchase U.S. semiconductor firms. That is done by an interagency review of foreign acquisitions by the Committee on Foreign Investment in the U.S. Congress is looking to broaden CFIUS reviews of acquisitions so they include joint ventures too.

AMERICAN OVERSIGHT

EXT-18-783-F-002680

ED_001863D_00000161-00010

The expansion would include reviews of technology transfers to foreigners and could apply to joint ventures both outside and within the U.S. But CFIUS looks solely at national security concerns. The administration wants to address economic harm as well, according to these people.

Any imposition of tariffs, without going first to the World Trade Organization, is sure to prompt a chorus of criticism not just from Beijing but from U.S. industry, which has opposed tariffs as counterproductive. The WTO adjudicates trade cases and has the power to authorize tariffs in cases where a losing party doesn't change its practices. The administration is also considering bringing a case against Chinese trade practices that are covered by the WTO.

Oregon Sen. Ron Wyden, the senior Democrat on the Senate Finance Committee, said he opposes the broad imposition of tariffs. "American producers who haven't gotten a fair shake in the past aren't going to get that back by just have tariffs slapped on imports indiscriminately," he said.

Tariffs are bound to cause China to retaliate, said Clement Leung, Hong Kong's representative in the U.S. Chinese officials "cannot show any weakness" at a time when the country's leader, Xi Jinping, has just been confirmed for his second term, Mr. Leung said. Hong Kong, a trading center that operates somewhat independently from the rest of China, would be hurt by limits on trade.

Whatever the political blowback, Harvard law professor Mark Wu, a trade expert, says that the White House has authority to impose tariffs under section 301 of the Trade Act of 1974.

"In situations where the U.S. Trade Representative deems unfair trade practices to fall outside the scope of a WTO-covered agreement, then the statute permits the executive branch to take action directly without first seeking recourse through WTO dispute settlement" procedures, he said.

Frustration with Chinese trade practices has been building among both the governments and private sectors of the U.S., Japan and Europe. One reason the U.S. is considering a separate WTO case is to try to recruit allies to pressure China. But any move to impose tariffs could allow Beijing to portray itself as a victim. Coalition-building has become more complicated in the wake of a separate U.S. action to levy tariffs on steel and aluminum imports from allied nations.

For instance, finance ministers and central bankers from the Group of 20 countries, meeting in Buenos Aires on Tuesday, failed to reach any new agreement on shared principles when it comes to trade policies, as the split between the U.S. and other major economies deepened over the U.S.'s tariff policies.

The administration is considering recommendations from two other reports that would impose draconian investment restrictions on China. The U.S.-China Economic and Security Review Commission, a Congressional panel that takes a hard line on China, last year urged the administration to prohibit "the acquisition of U.S. assets by Chinese state-owned or state-controlled entities, including sovereign wealth funds."

A report for the Pentagon by its Defense Innovation Unit Experimental, which examines technology issues, has recommended that the Pentagon pursue a policy of "deterring Chinese technology transfer" by broadening CFIUS's mandate and strengthening export controls on technology to China.

China Investment Corp¸ Chinese sovereign-wealth fund which could get hit by sanctions, is putting together a fund targeting as much as $5 billion with Goldman Sachs Group Inc., aimed at investing in U.S. manufacturing and other sectors. CIC hopes the fund would pass muster with U.S. regulators, say those people familiar with the plans.

It is unclear how far the administration will go in pursuing these ideas. Blocking the acquisition of all purchases by Chinese state firms, for instance, would mean that Chinese state-owned airlines couldn't buy Boeing jets. Toughening

AMERICAN OVERSIGHT

export controls on, say, semiconductor production machinery could cede the market to Japanese vendors.

The administration's actions on China come on the heels of plans to levy tariffs on steel and aluminum imports. Japan, Korea and the European Union are scrambling to get exemptions from those levies, which are set to go into effect on Friday.

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 21h

Our Nation was founded by farmers. Our independence was won by farmers. And our continent was tamed by farmers. Our farmers always lead the way -- we are PROUD of them, and we are DELIVERING for them! #NationalAgricultureDay

28K 28K 115K

Donald J. Trump @realDonaldTrump · 2h

AUSTIN BOMBING SUSPECT IS DEAD. Great job by law enforcement and all concerned!

6.0K 11K 44K

Donald J. Trump @realDonaldTrump · 2h

Department of Justice should have urged the Supreme Court to at least hear the Drivers License case on illegal immigrants in Arizona. I agree with @LouDobbs. Should have sought review.

3.6K 4.5K 18K

Donald J. Trump @realDonaldTrump · 2h

...there was no probable cause for believing that there was any crime, collusion or otherwise, or obstruction of justice!" So stated by Harvard Law Professor Alan Dershowitz.

9.2K 5.4K 21K

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

"Special Council is told to find crimes, whether a crime exists or not. I was opposed to the selection of Mueller to be Special Council. I am still opposed to it. I think President Trump was right when he said there never should have been a Special Council appointed because.....

11K 4.2K 17K

AMERICAN OVERSIGHT

EXT-18-783-F-002683

ED_001863D_00000161-00013

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-002699

ED_001863D_00000162-00016

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Fri 4/6/2018 2:16:15 PM
Subject: POLITICO's Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 10:00 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively - appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

- **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

- **Even with the continued spray of scandals,** CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

- **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement - the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

- **Another new letter to the IG emerged Thursday** from Carper, who raised questions last week - before Pruitt's scandal saga hit fever-pitch - about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal

AMERICAN OVERSIGHT

government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

- **The Renewable Fuels Association submitted FOIA requests** to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

QUICK HITS

AMERICAN OVERSIGHT

- U.S. companies on edge over tariff threat to supply chains, Financial Times.

- Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

- Conservative allies rally in bid to save embattled EPA head, Bloomberg.

- Documents show Shell grappled with climate change years ago, E&E News.

- How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

- This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

THAT'S ALL FOR ME!

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/06/pruitt-watch-what-comes-next-160332

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-002704

ED_001863D_00000163-00005

To: Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Block, Molly[block.molly@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Tue 2/13/2018 3:02:30 PM
Subject: EPA News Highlights 2.13.18
EPA News Highlights 2.13.18.docx

EPA News Highlights 2.13.18

The Washington Examiner: EPA Reaches $10 Million Settlement With Shell

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department. EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance. “This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution,” Pruitt said. The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La. The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases. The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

E&E News: Trump Wants To End EPA Dredge□And□Fill Permitting, Vetoes

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways. The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today. The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process. The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with. The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

AMERICAN OVERSIGHT

Milwaukee Journal Sentinel: No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin. Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency. Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared. The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

Oklahoma Energy Today: EPA Disagrees With Auditor Jones Over Tar Creek Trust

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site. He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma. The paper quoted the investigator from the report. "Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report. The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

Bloomberg BNA: Water Infrastructure Among Few EPA Winners In Trump Budget Plan

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs. The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans. At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

AMERICAN OVERSIGHT

National News Highlights 2.13.18

The Wall Street Journal: Shale Output Hasn't Grown This Fast Since Oil Was At $100

U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday. U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower. The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends. Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Bloomberg: Americans Expect Biggest Pay Jump In Years

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal: Trump's Big Public Works Dig

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species. Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years. Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General

AMERICAN OVERSIGHT

Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs. Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

The Washington Examiner

http://www.washingtonexaminer.com/epa-reaches-10-million-settlement-with-shell/article/2648888

EPA Reaches $10 Million Settlement With Shell

By John Siciliano, 2/12/18

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department.

EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance.

"This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said.

The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La.

AMERICAN OVERSIGHT

The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases.

The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

“This agreement is the latest in EPA’s and the Justice Department’s continuing efforts to work with our state partners to protect the American public from harmful air pollution,” said Jeffrey Wood, the Justice Department’s acting assistant attorney general for environment and natural resources.

E&E News

https://www.eenews.net/eenewspm/2018/02/12/stories/1060073641

Trump Wants To End EPA Dredge□And□Fill Permitting, Vetoes

By Ariel Wittenberg, 2/12/18

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways.

The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today.

The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process.

The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with.

AMERICAN OVERSIGHT

The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

While EPA and the Army Corps would continue working on current efforts to rewrite regulations defining which wetlands and small waterways are subject to the Clean Water Act, the administration apparently wants EPA's authority to end there.

Not only would the Army Corps be the only agency to issue jurisdictional determinations about whether specific projects need permits for dredging and filling, the administration also wants to "eliminate duplicative oversight" by removing EPA's veto authority over Army Corps 404 permits.

"The threat of the veto creates significant uncertainty and delays permit decisions," the proposal says. "Removing EPA's authority to veto a 404 permit would make the permitting process more efficient and predictable."

That could have major ramifications for projects nationwide, especially the Pebble mine project in southwestern Alaska.

Last month, U.S. EPA Administrator Scott Pruitt unexpectedly withdrew his attempt to quash proposed pre-emptive restrictions on the controversial mine project (Greenwire, Jan. 30).

Today's proposal would render that meaningless by eliminating 404(c) altogether, leaving Pebble's critics with only EPA's science showing "significant and irreversible harm."

EPA and Army Corps' joint administration of dredging and filling permits dates back to the Clean Water Act's 1972 passage. A deal between the House and Senate during CWA negotiations maintained the Army Corps' traditional authority over dredging and filling as EPA became responsible for water pollution from those projects (Greenwire, June 29, 2017).

AMERICAN OVERSIGHT

The agencies agreed in 1979 that while the Army Corps would be the primary permit administrator, EPA would have the final say. In 1992, the agencies signed another agreement that they would jointly participate in a dual review.

The administration's proposal follows requests from energy companies this fall that EPA be eliminated from 404 permitting.

"Unfortunately, the extreme difference in opinions and backgrounds between the agencies has created a significant disruption in their coordination and program administration," coal company Murray Energy Corp. wrote to the Army Corps in October. "Each agency is struggling to manage the program as they see fit creating an uncertainty and unclear path of progression for the applicants."

The comments were in response to the Army Corps' requests for comments on 30 regulations that "might be appropriate for repeal, replacement or modification" (Greenwire, Oct. 20, 2017).

The Waters Advocacy Coalition, which comprises more than 60 industry groups, also asked the Army Corps to withdraw from both the 1979 and 1992 agreements.

The 1979 agreement, the coalition wrote, "allows EPA to delay and/or second-guess the Corps expertise."

That position is also supported by several construction and farming groups.

"Recognizing the Corps' authority over its own 404 program would promote consistency and certainty, as permit holders could rely on a jurisdictional determination or 404 permit issued by the Corps without having to wonder if EPA will insert itself into the decision making process and undermine the Corps' positions," the National Association of Home Builders wrote.

AMERICAN OVERSIGHT

Milwaukee Journal Sentinel

https://www.jsonline.com/story/news/politics/2018/02/12/no-2-wisconsin-dnr-official-joins-cathy-stepp-regional-office-epa-chicago/330657002/

No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

By Lee Bergquist, 2/12/18

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin.

Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency.

Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared.

The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

The Foxconn project is likely to require some federal environmental reviews or oversight.

Foxconn is planning to construct a $10 billion flat-screen plant in Mount Pleasant. The Taiwan company has already won exemptions from some state environmental rules as part of a state financial incentive package.

AMERICAN OVERSIGHT

The EPA said earlier this month that Stepp has stepped aside from involvement in two ongoing regulatory cases in Wisconsin because of previous ties when she was at the DNR.

Those two cases involve pollution problems at barrel refurbishing plants in St. Francis, Milwaukee and Oak Creek and a longstanding EPA review of the DNR's water regulation program.

Asked if Stepp would recuse herself in other cases, an EPA spokeswoman told the Milwaukee Journal Sentinel on Feb. 6 that Stepp is "consulting with EPA ethics officials to determine which, if any, additional matters she should recuse herself from." The spokeswoman said Monday she had no additional details.

As for Thiede, the spokeswoman said, "Mr. Thiede will consult with EPA ethics officials to determine which matters he should recuse himself from."

Under the Walker administration, Thiede has played an influential role as an experienced agency insider in a department whose top managers mostly came from the outside.

In a memo to DNR employees on Monday, Thiede said:

"When I started to take on leadership roles at the agency I wanted to make sure we began to change the narrative that the DNR was something to be feared, avoided, or maligned.

"I wanted the agency to be viewed as a partner, a resource, and I feel like we have made great strides in this area. I understand that by the nature of our work we can't make everyone happy all the time, but we can change perceptions and make sure that any experience with the agency is professional, respectful and enlightening."

Stepp, a Republican and former builder and state senator from Racine County, oversaw all

AMERICAN OVERSIGHT

environmental regulations in Wisconsin as secretary from 2011 until August.

She left the DNR in August for a post in the Trump administration in the Kansas City office of the EPA. On Dec. 19, she was appointed to head up the Midwest regional office in Chicago.

The regional office oversees Wisconsin, Indiana, Illinois, Michigan, Minnesota and Ohio.

In Madison, DNR Secretary Dan Meyer said Ed Eberle, the assistant deputy secretary, will become the No. 2 official in the agency.

In another move, Pat Stevens, administrator of the environmental management division of the DNR, will become assistant deputy secretary.

Oklahoma Energy Today

http://www.okenergytoday.com/2018/02/epa-disagrees-with-auditor-jones-over-tar-creek-trust/

EPA Disagrees With Auditor Jones Over Tar Creek Trust

By Jerry Bohnen, 2/12/18

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site.

He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma.

AMERICAN OVERSIGHT

The paper quoted the investigator from the report.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report.

The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

The investigation and conclusions drawn by the State Auditor were submitted to then-Attorney General Scott Pruitt who chose not to release the report. Current Attorney General Mike Hunter agreed also not to release it.

Jones still contends his report should be released to the public.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones told the paper last week.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. The World reported they deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a $3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

Dalrymple told the newspaper he thinks the Auditor and Inspector's report should be made public and he's not afraid of its release, adding, "I can tell you every single person on that trust was honest and true."

Bloomberg BNA

https://www.bna.com/water-infrastructure-among-n57982088642/

AMERICAN OVERSIGHT

Water Infrastructure Among Few EPA Winners In Trump Budget Plan

By Dean Scott, 2/12/18

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs.

The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans.

At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

This $2.3 billion allocation is separate from the $20 billion proposed to go to EPA in the president's infrastructure proposal, which was also released Feb. 12. The $20 billion in the infrastructure plan would be used as matching funds meant to spur states, cities, and private companies to move forward on projects.

Before Congress last week reached a two-year budget deal, which Trump signed Feb. 9, the administration planned to cut more than $380 million from the infrastructure fund that goes toward wastewater projects. That would have been a more than 27 percent reduction from fiscal 2017, the last year for which detailed full-year budget figures exist.

The administration instead kept funding for the wastewater program and for the EPA's drinking water infrastructure program after the budget deal was reached.

Great Lakes, Chesapeake Cleanups Cut

AMERICAN OVERSIGHT

But funding for most regional water quality programs, in which the EPA supports cooperative efforts by states, would take a big hit under the Trump administration's fiscal 2019 request. It is seeking to eliminate EPA support for all such regional programs, with the exception of the Chesapeake Bay and the Great Lakes. Those two programs would be cut to 90 percent below the fiscal 2017 enacted levels.

The Chesapeake Bay regional cleanup effort would receive $7.3 million in fiscal 2019, down from the fiscal 2017 level of $73 million level, and the Great Lakes regional effort would receive $30 million, down from $300 million in fiscal 2017. The Trump administration proposed to eliminate those programs as well in its 2018 budget request, but Congress kept the funding.

Sen. Debbie Stabenow (D-Mich.) vowed to fight to restore that funding for the Great Lakes Restoration Initiative.

"This is outrageous," Stabenow said in a Feb. 12 statement. "People across Michigan spoke out and took action last year to stop these cuts and I know they'll do so again."

State water pollution programs also would get less funding under the Trump administration's budget plan. The White House is proposing $153 million for those EPA-funded programs, 33 percent below the enacted fiscal 2017 levels.

State Grant Cuts Sought

Trump also took aim once again at funding for state grants to reduce nonpoint source pollution, which comes from diffuse sources such as land runoff. His EPA budget proposal would eliminate funding for them in fiscal 2019.

The agency "will continue to coordinate with the United States Department of Agriculture to target funding where appropriate to address nonpoint sources," the administration said in its EPA budget request.

AMERICAN OVERSIGHT

The White House also is proposing to eliminate funding for beach protection, contending that local governments have acquired expertise and procedures to carry out this program without federal funding and technical assistance.

Whether the EPA will actually see an overall cut in those programs or its overall fiscal 2019 budget will depend in part on how Congress allocates increased spending it approved as part of a two-year budget deal that boosted both domestic and defense spending. The White House included an addendum in its budget plan released Feb. 12 to reflect that infusion of funds.

The EPA addendum would provide a boost of $724 million to the EPA, which is included in the $6.15 billion the White House requested in total. The White House proposed to use the additional funding for Superfund sites and EPA-funded state and tribal grants for drinking water and wastewater infrastructure projects.

Fees Boost Chemical Program

The EPA's chemicals program would see an increase in funding under the budget request, thanks to expected fees from the chemical industry.

The EPA requested $58.6 million for the chemicals program, which would represent an 8.8 percent cut from fiscal 2017 enacted levels. However, the EPA anticipates it would more than make up that difference through fees from chemical manufacturers, importers, and processors.

Updates to the nation's chemicals law authorized those fees to help defray agency costs. The EPA recently proposed a fee rule that presumes the agency would collect about $20 million annually.

The Wall Street Journal

https://www.wsj.com/articles/u-s-crude-output-expected-to-outpace-demand-iea-says-1518512404

AMERICAN OVERSIGHT

Shale Output Hasn't Grown This Fast Since Oil Was At $100

By Christopher Alessi, 2/13/18

LONDON—U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday.

U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower.

The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends.

Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Shale producers "cut costs dramatically" during the nearly three-year-long oil industry downturn, the IEA said. They then took advantage of the Organization of the Petroleum Exporting Countries cartel's decision to cut its own output, which helped prices rise from the low $40s to over $70 a barrel as recently as late last month.

"All the indicators that suggest continued fast growth in the U.S. are in perfect alignment," the IEA said.

The result has been a series of milestones for U.S. oil production, which surpassed 10 million barrels a day for the first time since 1970 and is now higher than Saudi Arabian output. The IEA said the U.S. could catch up with Russia this year, the world's biggest producer at 11 million barrels a day.

AMERICAN OVERSIGHT

Led by U.S. shale companies, crude output from non-OPEC nations is expected to outpace the growth in oil demand in 2018, the IEA said. That is an important data point for oil traders who have been watching to see if shale production could catch up to robust demand that has been fueled by a strong global economy.

"U.S. shale is growing as sharply as it was in 2013-2014," said Bjarne Schieldrop, chief commodities analyst at SEB Markets. But the situation is different now because of the OPEC-led agreement to curb production, Mr. Schieldrop added.

OPEC and 10 other countries including Russia—whose combined output accounts for over 55% of global supply—have been steadfast in their resolve to cut output. These countries have cut far more than the 1.8 million barrels a day they promised, according to the IEA.

The shale-oil growth will apply downward pressure on prices in the coming weeks. But as long as OPEC sticks to the deal, there won't be a dramatic correction like there was in 2014, when prices fell from $114 a barrel to less than $70, Mr. Schieldrop said. Demand for OPEC oil "is not going to decline this year," he said.

Until two weeks ago, oil prices had risen almost nonstop for over six months.

The optimistic sentiment was driven not only by OPEC but also by strong economic news, geopolitical flare-ups in Iraq, Saudi Arabia and Iran, and supply outages in Venezuela and the U.K. Oil storage levels—a gauge of a still-existing oversupply—have come down.

The IEA said commercial oil inventories in the Organization for Economic Cooperation and Development—a group of industrialized, oil-consuming nations, including the U.S.—fell by 55.6 million barrels in December, in the largest drop since 2011.

"The huge drop in inventories is a bullish signal," said Giovanni Staunovo, commodities analyst

AMERICAN OVERSIGHT

at UBS Wealth Management.

But inventory levels in the U.S. have begun to rise again, after months of falling, as U.S. output rises.

U.S. crude output in January climbed by 1.3 million barrels a day compared with a year earlier, according to the IEA. Shale output accounted for much of those gains and is forecast to grow 1.25 million barrels a day on its own in 2018—its fastest rate ever, the IEA said.

The numbers represent a turnaround for a U.S. shale industry that was once dismissed as too high-cost to survive when oil prices fell from their peak several years ago.

Bloomberg

https://www.bloomberg.com/news/articles/2018-02-12/americans-expect-biggest-pay-jump-in-years

Americans Expect Biggest Pay Jump In Years

By Matthew Boesler, 2/12/18

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal

https://www.wsj.com/articles/trumps-big-public-works-dig-1518481073

Trump's Big Public Works Dig

By The Wall Street Journal Editorial Board, 2/12/18

AMERICAN OVERSIGHT

The White House on Monday unveiled its plan to raise $1.5 trillion in capital for public works. This will cause sticker shock among Republicans, but the President's innovative regulatory reforms deserve debate and may even garner some Democratic support.

President Trump is proposing to spend $200 billion in federal funds to leverage $1.3 trillion in state, local and private investment in public works. This bid is probably dead on arrival since Republicans have little appetite for more spending after blowing the budget sequestration caps last week.

Many bridges and airports need a face-lift, though claims of crumbling roads are overwrought and often politically motivated. One problem is that public works like other discretionary programs are being squeezed by entitlements, which constitute nearly two-thirds of federal spending. But even while politicians in Washington gripe that we—always the royal "we"—don't spend enough on public works, they consistently prioritize other discretionary programs.

Consider: Of the $787 billion stimulus in 2009, only about $60 billion financed public works. Most was spent on safety-net programs and other progressive causes. More Hurricane Sandy recovery money went to "community development" than repairing train tunnels.

Many projects that do receive federal funding aren't national priorities, such as California's bullet train. That's because the government typically awards "competitive" grants to politically favored projects rather than those that would produce the biggest economic benefits. The Obama Administration rigged cost-benefit analysis to reward projects that would promote public housing and reduce carbon emissions.

Mr. Trump's plan includes $100 billion in "incentives" to spur state and private investment; $50 billion for rural projects; $30 billion in revolving federal credit and capital funds; and $20 billion for "bold and innovative projects" that may not attract private investment "because of the project's unique characteristics." By any other name, this is a national infrastructure bank synonymous with cronyism.

AMERICAN OVERSIGHT

State and local governments have shown they're willing to finance worthwhile projects. According to the Pew Charitable Trusts, more than half of states have raised gas taxes over the past five years to pay for public works. Many innovative projects have no trouble attracting private investment. Consider the Cadiz pipeline, which aims to move 16.3 billion gallons of groundwater each year from the Mojave Desert to Southern California. Or the new desalination plant in Carlsbad, Calif.

Mr. Trump and Congress should instead focus new federal funding on national or regional priorities such as improving port security and repairing the Hudson River train tunnels, which would benefit most of the Northeast. Congress could also shift from categorical and competitive grants to block grants that give governors flexibility. This would also make state and local politicians more accountable for their spending. Let California Gov. Jerry Brown choose between spending billions more on his bullet train in the Central Valley or improving commuter rail in the Bay Area.

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species.

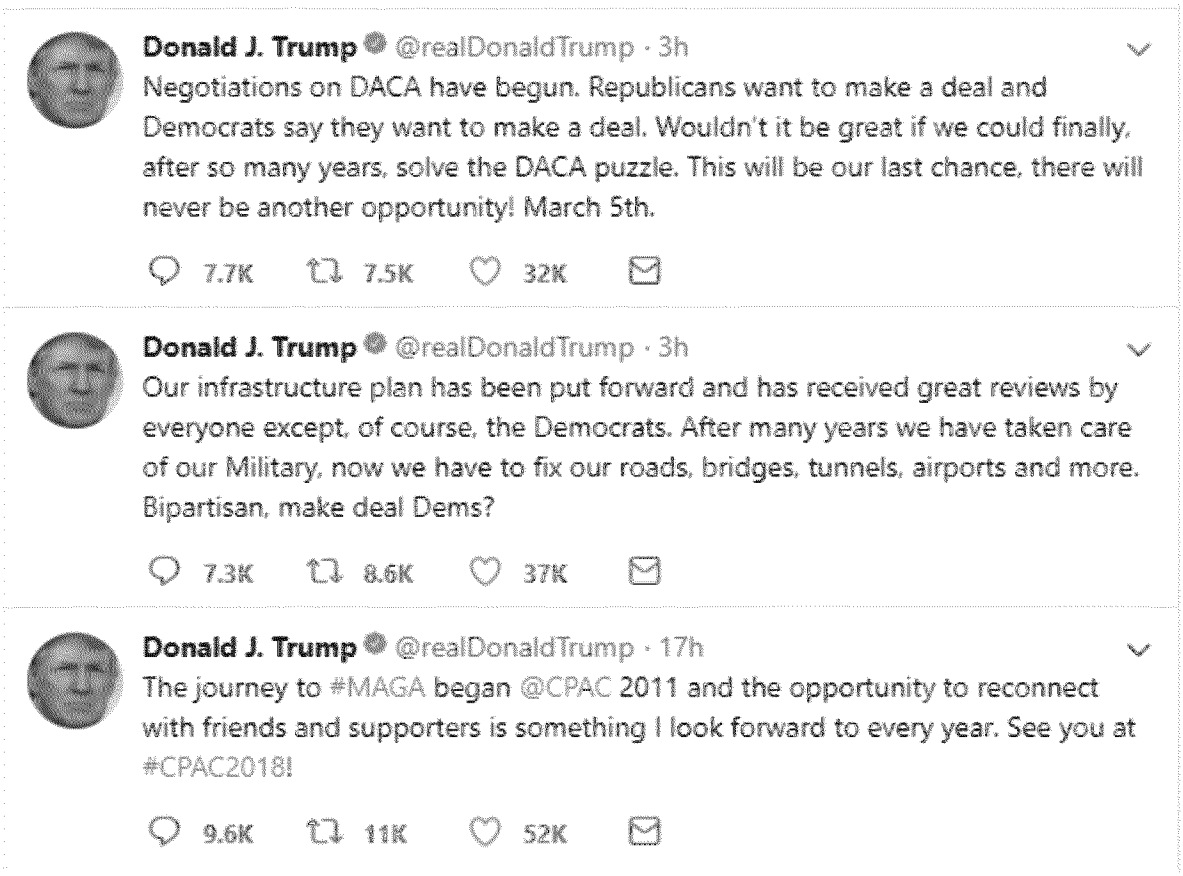
Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years.

Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs.

AMERICAN OVERSIGHT

Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS



AMERICAN OVERSIGHT

EPA News Highlights 2.13.18

The Washington Examiner: EPA Reaches $10 Million Settlement With Shell

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a settlement Monday with the Environmental Protection Agency and Justice Department. EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance. "This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution," Pruitt said. The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La. The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases. The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

E&E News: Trump Wants To End EPA Dredge□And□Fill Permitting, Vetoes

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways. The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today. The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process. The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with. The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

Milwaukee Journal Sentinel: No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin. Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency. Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared. The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

Oklahoma Energy Today: EPA Disagrees With Auditor Jones Over Tar Creek Trust

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site. He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma. The paper quoted the investigator from the report. "Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report. The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

Bloomberg BNA: Water Infrastructure Among Few EPA Winners In Trump Budget Plan

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs. The president's budget request released Feb. 12 would provide $6.15 billion to the EPA

AMERICAN OVERSIGHT

EXT-18-783-F-002725

ED_001863D_00000165-00001

for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans. At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

National News Highlights 2.13.18

The Wall Street Journal: Shale Output Hasn't Grown This Fast Since Oil Was At $100

U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday. U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower. The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends. Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Bloomberg: Americans Expect Biggest Pay Jump In Years

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal: Trump's Big Public Works Dig

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species. Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years. Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs. Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS

The Washington Examiner

http://www.washingtonexaminer.com/epa-reaches-10-million-settlement-with-shell/article/2648888

EPA Reaches $10 Million Settlement With Shell

By John Siciliano, 2/12/18

Energy giant Shell agreed to install $10 million in emissions control equipment at a Louisiana chemical plant as part of a

AMERICAN OVERSIGHT

EXT-18-783-F-002726

ED_001863D_00000165-00002

settlement Monday with the Environmental Protection Agency and Justice Department.

EPA Administrator Scott Pruitt said the agreement demonstrates the agency's "dedication" to working with the states to pursue violations of federal clean air laws and bring violating companies into compliance.

“This settlement will improve air quality for citizens of Louisiana by reducing emissions of harmful air pollution,” Pruitt said.

The EPA, Justice Department and the Louisiana Department of Environmental Quality announced the settlement with Shell Chemical for emissions violations stemming from the company's chemical plant in Norco, La.

The settlement will result in the elimination of more than 150 tons of excess emissions of harmful air pollutants. It resolves charges that Shell violated the Clean Air Act and state law by not properly operating flaring units to burn off excess gases.

The settlement, in addition to making the $10 million in improvements, also fined the company civil penalties totaling $350,000, including $87,500 to state regulators.

“This agreement is the latest in EPA’s and the Justice Department’s continuing efforts to work with our state partners to protect the American public from harmful air pollution,” said Jeffrey Wood, the Justice Department’s acting assistant attorney general for environment and natural resources.

E&E News
https://www.eenews.net/eenewspm/2018/02/12/stories/1060073641

Trump Wants To End EPA Dredge And Fill Permitting, Vetoes

By Ariel Wittenberg, 2/12/18

The Trump administration wants to eliminate U.S. EPA authority over dredging and filling the nation's wetlands and waterways.

The proposal — which would require congressional approval — was included in the Trump administration's infrastructure plan released today.

The plan would give the Army Corps of Engineers complete authority over the Clean Water Act Section 404 program, taking EPA out of the process.

The administration also wants to eliminate EPA's 404(c) veto power over permits it disagrees with.

The proposal would mean the Army Corps would be solely responsible for reviewing project proposals and permitting them.

While EPA and the Army Corps would continue working on current efforts to rewrite regulations defining which wetlands and small waterways are subject to the Clean Water Act, the administration apparently wants EPA's authority to end there.

Not only would the Army Corps be the only agency to issue jurisdictional determinations about whether specific projects need permits for dredging and filling, the administration also wants to "eliminate duplicative oversight" by removing

AMERICAN OVERSIGHT

EPA's veto authority over Army Corps 404 permits.

"The threat of the veto creates significant uncertainty and delays permit decisions," the proposal says. "Removing EPA's authority to veto a 404 permit would make the permitting process more efficient and predictable."

That could have major ramifications for projects nationwide, especially the Pebble mine project in southwestern Alaska.

Last month, U.S. EPA Administrator Scott Pruitt unexpectedly withdrew his attempt to quash proposed pre-emptive restrictions on the controversial mine project (Greenwire, Jan. 30).

Today's proposal would render that meaningless by eliminating 404(c) altogether, leaving Pebble's critics with only EPA's science showing "significant and irreversible harm."

EPA and Army Corps' joint administration of dredging and filling permits dates back to the Clean Water Act's 1972 passage. A deal between the House and Senate during CWA negotiations maintained the Army Corps' traditional authority over dredging and filling as EPA became responsible for water pollution from those projects (Greenwire, June 29, 2017).

The agencies agreed in 1979 that while the Army Corps would be the primary permit administrator, EPA would have the final say. In 1992, the agencies signed another agreement that they would jointly participate in a dual review.

The administration's proposal follows requests from energy companies this fall that EPA be eliminated from 404 permitting.

"Unfortunately, the extreme difference in opinions and backgrounds between the agencies has created a significant disruption in their coordination and program administration," coal company Murray Energy Corp. wrote to the Army Corps in October. "Each agency is struggling to manage the program as they see fit creating an uncertainty and unclear path of progression for the applicants."

The comments were in response to the Army Corps' requests for comments on 30 regulations that "might be appropriate for repeal, replacement or modification" (Greenwire, Oct. 20, 2017).

The Waters Advocacy Coalition, which comprises more than 60 industry groups, also asked the Army Corps to withdraw from both the 1979 and 1992 agreements.

The 1979 agreement, the coalition wrote, "allows EPA to delay and/or second-guess the Corps expertise."

That position is also supported by several construction and farming groups.

"Recognizing the Corps' authority over its own 404 program would promote consistency and certainty, as permit holders could rely on a jurisdictional determination or 404 permit issued by the Corps without having to wonder if EPA will insert itself into the decision making process and undermine the Corps' positions," the National Association of Home Builders wrote.

Milwaukee Journal Sentinel

https://www.jsonline.com/story/news/politics/2018/02/12/no-2-wisconsin-dnr-official-joins-cathy-stepp-regional-office-epa-chicago/330657002/

No. 2 Wisconsin DNR official joins Cathy Stepp at regional office of the EPA in Chicago

By Lee Bergquist, 2/12/18

A second top state official at the Wisconsin Department of Natural Resources is moving to the U.S. Environmental

AMERICAN OVERSIGHT

Protection Agency's regional office in Chicago — an agency that oversees federal regulatory issues in the Midwest, including Wisconsin.

Kurt Thiede, deputy secretary of the DNR, is joining the EPA as chief of staff for Cathy Stepp, the recently appointed regional administrator of the environmental enforcement agency.

Thiede was appointed deputy DNR secretary in March 2015 by Republican Gov. Scott Walker and has worked at the state agency since 1999 in a variety of positions. He told fellow employees in a memo Monday that one of his goals had been to change the perception that the DNR was a regulatory agency to be feared.

The move of Stepp and now Thiede to the EPA comes at a time when Foxconn Technology Group has started to submit environmental permit applications to the DNR for a massive industrial complex in Racine County.

The Foxconn project is likely to require some federal environmental reviews or oversight.

Foxconn is planning to construct a $10 billion flat-screen plant in Mount Pleasant. The Taiwan company has already won exemptions from some state environmental rules as part of a state financial incentive package.

The EPA said earlier this month that Stepp has stepped aside from involvement in two ongoing regulatory cases in Wisconsin because of previous ties when she was at the DNR.

Those two cases involve pollution problems at barrel refurbishing plants in St. Francis, Milwaukee and Oak Creek and a longstanding EPA review of the DNR's water regulation program.

Asked if Stepp would recuse herself in other cases, an EPA spokeswoman told the Milwaukee Journal Sentinel on Feb. 6 that Stepp is "consulting with EPA ethics officials to determine which, if any, additional matters she should recuse herself from." The spokeswoman said Monday she had no additional details.

As for Thiede, the spokeswoman said, "Mr. Thiede will consult with EPA ethics officials to determine which matters he should recuse himself from."

Under the Walker administration, Thiede has played an influential role as an experienced agency insider in a department whose top managers mostly came from the outside.

In a memo to DNR employees on Monday, Thiede said:

"When I started to take on leadership roles at the agency I wanted to make sure we began to change the narrative that the DNR was something to be feared, avoided, or maligned.

"I wanted the agency to be viewed as a partner, a resource, and I feel like we have made great strides in this area. I understand that by the nature of our work we can't make everyone happy all the time, but we can change perceptions and make sure that any experience with the agency is professional, respectful and enlightening."

Stepp, a Republican and former builder and state senator from Racine County, oversaw all environmental regulations in Wisconsin as secretary from 2011 until August.

She left the DNR in August for a post in the Trump administration in the Kansas City office of the EPA. On Dec. 19, she was appointed to head up the Midwest regional office in Chicago.

The regional office oversees Wisconsin, Indiana, Illinois, Michigan, Minnesota and Ohio.

AMERICAN OVERSIGHT

In Madison, DNR Secretary Dan Meyer said Ed Eberle, the assistant deputy secretary, will become the No. 2 official in the agency.

In another move, Pat Stevens, administrator of the environmental management division of the DNR, will become assistant deputy secretary.

Oklahoma Energy Today

http://www.okenergytoday.com/2018/02/epa-disagrees-with-auditor-jones-over-tar-creek-trust/

EPA Disagrees With Auditor Jones Over Tar Creek Trust

By Jerry Bohnen, 2/12/18

Oklahoma State Auditor and Inspector Gary Jones apparently has a different opinion about the way contracts were handled by the Trust created to handle the relocation of homes and businesses at the Tar Creek Superfund site.

He thinks there might have been criminal wrongdoing. But the Tulsa World reported over the weekend that a federal investigator concluded otherwise. The paper said a 2013 report by the Environmental Protection Agency's Office of Inspector General claimed there were no irregularities or violations of law concerning the handling of the bids and contracts at Tar Creek in northeast Oklahoma.

The paper quoted the investigator from the report.

"Extensive record reviews and interviews were conducted and did not disclose evidence to support the allegations," Special Agent Susan Chandler wrote in the OIG report.

The OIG report was initially obtained by a member of the Lead-Impacted Communities Relocation Assistance Trust in 2014.

The investigation and conclusions drawn by the State Auditor were submitted to then-Attorney General Scott Pruitt who chose not to release the report. Current Attorney General Mike Hunter agreed also not to release it.

Jones still contends his report should be released to the public.

"If the attorney general thinks the auditor and inspector's office did shoddy work, I'd think he'd want the public to see it," Jones told the paper last week.

The OIG report lists 15 allegations against LICRAT and project engineer Jack Dalrymple. The World reported they deal with claims that Dalrymple and perhaps trust members conspired to rig the bidding process on a $3 million contract to remove and dispose of abandoned buildings and otherwise rehabilitate the Tar Creek site.

Dalrymple told the newspaper he thinks the Auditor and Inspector's report should be made public and he's not afraid of its release, adding, "I can tell you every single person on that trust was honest and true."

Bloomberg BNA

https://www.bna.com/water-infrastructure-among-n57982088642/

Water Infrastructure Among Few EPA Winners In Trump Budget Plan

By Dean Scott, 2/12/18

Water infrastructure funding would be essentially shielded from the deep cuts the Trump administration is seeking in Environmental Protection Agency funding in fiscal 2019, even as the president seeks to eliminate or greatly reduce regional water quality programs.

AMERICAN OVERSIGHT

The president's budget request released Feb. 12 would provide $6.15 billion to the EPA for the fiscal year that begins Oct. 1, a reduction of about 25 percent from the fiscal 2017 enacted levels. A proposed cut that deep is expected to encounter resistance from Senate Democrats and even some Republicans.

At the same time, the proposed budget would maintain funding levels for EPA-funded water infrastructure projects. Overall, the EPA's two largest water funds, which provide money to states for infrastructure loans, would receive almost $2.3 billion in fiscal 2019.

This $2.3 billion allocation is separate from the $20 billion proposed to go to EPA in the president's infrastructure proposal, which was also released Feb. 12. The $20 billion in the infrastructure plan would be used as matching funds meant to spur states, cities, and private companies to move forward on projects.

Before Congress last week reached a two-year budget deal, which Trump signed Feb. 9, the administration planned to cut more than $380 million from the infrastructure fund that goes toward wastewater projects. That would have been a more than 27 percent reduction from fiscal 2017, the last year for which detailed full-year budget figures exist.

The administration instead kept funding for the wastewater program and for the EPA's drinking water infrastructure program after the budget deal was reached.

Great Lakes, Chesapeake Cleanups Cut

But funding for most regional water quality programs, in which the EPA supports cooperative efforts by states, would take a big hit under the Trump administration's fiscal 2019 request. It is seeking to eliminate EPA support for all such regional programs, with the exception of the Chesapeake Bay and the Great Lakes. Those two programs would be cut to 90 percent below the fiscal 2017 enacted levels.

The Chesapeake Bay regional cleanup effort would receive $7.3 million in fiscal 2019, down from the fiscal 2017 level of $73 million level, and the Great Lakes regional effort would receive $30 million, down from $300 million in fiscal 2017. The Trump administration proposed to eliminate those programs as well in its 2018 budget request, but Congress kept the funding.

Sen. Debbie Stabenow (D-Mich.) vowed to fight to restore that funding for the Great Lakes Restoration Initiative.

"This is outrageous," Stabenow said in a Feb. 12 statement. "People across Michigan spoke out and took action last year to stop these cuts and I know they'll do so again."

State water pollution programs also would get less funding under the Trump administration's budget plan. The White House is proposing $153 million for those EPA-funded programs, 33 percent below the enacted fiscal 2017 levels.

State Grant Cuts Sought

Trump also took aim once again at funding for state grants to reduce nonpoint source pollution, which comes from diffuse sources such as land runoff. His EPA budget proposal would eliminate funding for them in fiscal 2019.

The agency "will continue to coordinate with the United States Department of Agriculture to target funding where appropriate to address nonpoint sources," the administration said in its EPA budget request.

The White House also is proposing to eliminate funding for beach protection, contending that local governments have acquired expertise and procedures to carry out this program without federal funding and technical assistance.

Whether the EPA will actually see an overall cut in those programs or its overall fiscal 2019 budget will depend in part on how Congress allocates increased spending it approved as part of a two-year budget deal that boosted both domestic and defense spending. The White House included an addendum in its budget plan released Feb. 12 to reflect that

AMERICAN OVERSIGHT

EXT-18-783-F-002731

ED_001863D_00000165-00007

infusion of funds.

The EPA addendum would provide a boost of $724 million to the EPA, which is included in the $6.15 billion the White House requested in total. The White House proposed to use the additional funding for Superfund sites and EPA-funded state and tribal grants for drinking water and wastewater infrastructure projects.

Fees Boost Chemical Program
The EPA's chemicals program would see an increase in funding under the budget request, thanks to expected fees from the chemical industry.

The EPA requested $58.6 million for the chemicals program, which would represent an 8.8 percent cut from fiscal 2017 enacted levels. However, the EPA anticipates it would more than make up that difference through fees from chemical manufacturers, importers, and processors.

Updates to the nation's chemicals law authorized those fees to help defray agency costs. The EPA recently proposed a fee rule that presumes the agency would collect about $20 million annually.

The Wall Street Journal

https://www.wsj.com/articles/u-s-crude-output-expected-to-outpace-demand-iea-says-1518512404

Shale Output Hasn't Grown This Fast Since Oil Was At $100
By Christopher Alessi, 2/13/18

LONDON—U.S. shale companies are churning out crude oil at a record pace that could overwhelm global demand and reverse the oil market's fragile recovery, a top energy-market observer said Tuesday.

U.S. shale production is growing faster in 2018 than it did even during the boom years of $100 a barrel oil prices from 2011 to 2014, said the International Energy Agency in its closely watched monthly report. The difference this time: Oil prices are about 40% lower.

The situation is "reminiscent of the first wave of U.S. shale growth," when a flood of American oil built up a global glut that sent prices crashing over four years ago, said the Paris-based IEA, which advises governments and corporations on energy trends.

Oil prices fell after the report's release in Europe before recovering somewhat. Brent, the international benchmark was down 0.06% at $62.55 while U.S. prices were down 0.27% at $59.13.

Shale producers "cut costs dramatically" during the nearly three-year-long oil industry downturn, the IEA said. They then took advantage of the Organization of the Petroleum Exporting Countries cartel's decision to cut its own output, which helped prices rise from the low $40s to over $70 a barrel as recently as late last month.

"All the indicators that suggest continued fast growth in the U.S. are in perfect alignment," the IEA said.

The result has been a series of milestones for U.S. oil production, which surpassed 10 million barrels a day for the first time since 1970 and is now higher than Saudi Arabian output. The IEA said the U.S. could catch up with Russia this year, the world's biggest producer at 11 million barrels a day.

Led by U.S. shale companies, crude output from non-OPEC nations is expected to outpace the growth in oil demand in 2018, the IEA said. That is an important data point for oil traders who have been watching to see if shale production could catch up to robust demand that has been fueled by a strong global economy.

AMERICAN OVERSIGHT

"U.S. shale is growing as sharply as it was in 2013-2014," said Bjarne Schieldrop, chief commodities analyst at SEB Markets. But the situation is different now because of the OPEC-led agreement to curb production, Mr. Schieldrop added.

OPEC and 10 other countries including Russia—whose combined output accounts for over 55% of global supply—have been steadfast in their resolve to cut output. These countries have cut far more than the 1.8 million barrels a day they promised, according to the IEA.

The shale-oil growth will apply downward pressure on prices in the coming weeks. But as long as OPEC sticks to the deal, there won't be a dramatic correction like there was in 2014, when prices fell from $114 a barrel to less than $70, Mr. Schieldrop said. Demand for OPEC oil "is not going to decline this year," he said.

Until two weeks ago, oil prices had risen almost nonstop for over six months.

The optimistic sentiment was driven not only by OPEC but also by strong economic news, geopolitical flare-ups in Iraq, Saudi Arabia and Iran, and supply outages in Venezuela and the U.K. Oil storage levels—a gauge of a still-existing oversupply—have come down.

The IEA said commercial oil inventories in the Organization for Economic Cooperation and Development—a group of industrialized, oil-consuming nations, including the U.S.—fell by 55.6 million barrels in December, in the largest drop since 2011.

"The huge drop in inventories is a bullish signal," said Giovanni Staunovo, commodities analyst at UBS Wealth Management.

But inventory levels in the U.S. have begun to rise again, after months of falling, as U.S. output rises.

U.S. crude output in January climbed by 1.3 million barrels a day compared with a year earlier, according to the IEA. Shale output accounted for much of those gains and is forecast to grow 1.25 million barrels a day on its own in 2018—its fastest rate ever, the IEA said.

The numbers represent a turnaround for a U.S. shale industry that was once dismissed as too high-cost to survive when oil prices fell from their peak several years ago.

Bloomberg

https://www.bloomberg.com/news/articles/2018-02-12/americans-expect-biggest-pay-jump-in-years

Americans Expect Biggest Pay Jump In Years

By Matthew Boesler, 2/12/18

Americans are more optimistic about wage growth than they have been in years. U.S. consumers anticipate earnings will rise 2.73 percent in the coming year, the most since data collection began in 2013, according to the results of a New York Fed survey released Monday and conducted last month. January was only the third month in the survey's 56-month history in which expected wage growth topped expected consumer price inflation, which fell slightly, to 2.71 percent.

The Wall Street Journal

https://www.wsj.com/articles/trumps-big-public-works-dig-1518481073

Trump's Big Public Works Dig

By The Wall Street Journal Editorial Board, 2/12/18

AMERICAN OVERSIGHT

The White House on Monday unveiled its plan to raise $1.5 trillion in capital for public works. This will cause sticker shock among Republicans, but the President's innovative regulatory reforms deserve debate and may even garner some Democratic support.

President Trump is proposing to spend $200 billion in federal funds to leverage $1.3 trillion in state, local and private investment in public works. This bid is probably dead on arrival since Republicans have little appetite for more spending after blowing the budget sequestration caps last week.

Many bridges and airports need a face-lift, though claims of crumbling roads are overwrought and often politically motivated. One problem is that public works like other discretionary programs are being squeezed by entitlements, which constitute nearly two-thirds of federal spending. But even while politicians in Washington gripe that we—always the royal "we"—don't spend enough on public works, they consistently prioritize other discretionary programs.

Consider: Of the $787 billion stimulus in 2009, only about $60 billion financed public works. Most was spent on safety-net programs and other progressive causes. More Hurricane Sandy recovery money went to "community development" than repairing train tunnels.

Many projects that do receive federal funding aren't national priorities, such as California's bullet train. That's because the government typically awards "competitive" grants to politically favored projects rather than those that would produce the biggest economic benefits. The Obama Administration rigged cost-benefit analysis to reward projects that would promote public housing and reduce carbon emissions.

Mr. Trump's plan includes $100 billion in "incentives" to spur state and private investment; $50 billion for rural projects; $30 billion in revolving federal credit and capital funds; and $20 billion for "bold and innovative projects" that may not attract private investment "because of the project's unique characteristics." By any other name, this is a national infrastructure bank synonymous with cronyism.

State and local governments have shown they're willing to finance worthwhile projects. According to the Pew Charitable Trusts, more than half of states have raised gas taxes over the past five years to pay for public works. Many innovative projects have no trouble attracting private investment. Consider the Cadiz pipeline, which aims to move 16.3 billion gallons of groundwater each year from the Mojave Desert to Southern California. Or the new desalination plant in Carlsbad, Calif.

Mr. Trump and Congress should instead focus new federal funding on national or regional priorities such as improving port security and repairing the Hudson River train tunnels, which would benefit most of the Northeast. Congress could also shift from categorical and competitive grants to block grants that give governors flexibility. This would also make state and local politicians more accountable for their spending. Let California Gov. Jerry Brown choose between spending billions more on his bullet train in the Central Valley or improving commuter rail in the Bay Area.

The real earth-moving parts of Mr. Trump's plan are the regulatory reforms, some of which will need to be fleshed out. The President wants to establish "one agency, one decision" for environmental reviews that would avoid regulatory hop-scotch. Good idea. Mr. Trump also suggests reducing environmental reviews to two years that can now drag out for a decade. Even many Democrats would like to expedite their favorite projects that have been grounded due to the discovery of a tiger salamander or other endangered species.

Another idea with merit is delegating environmental review and permitting decisions to states. California has been assigned these responsibilities under agreements with the Federal Highway Administration, as have Texas, Florida and Ohio. According to Gov. Brown, California has reduced the approval process from the "notice of intent to final environmental impact statement" on highway projects on average by 10 years.

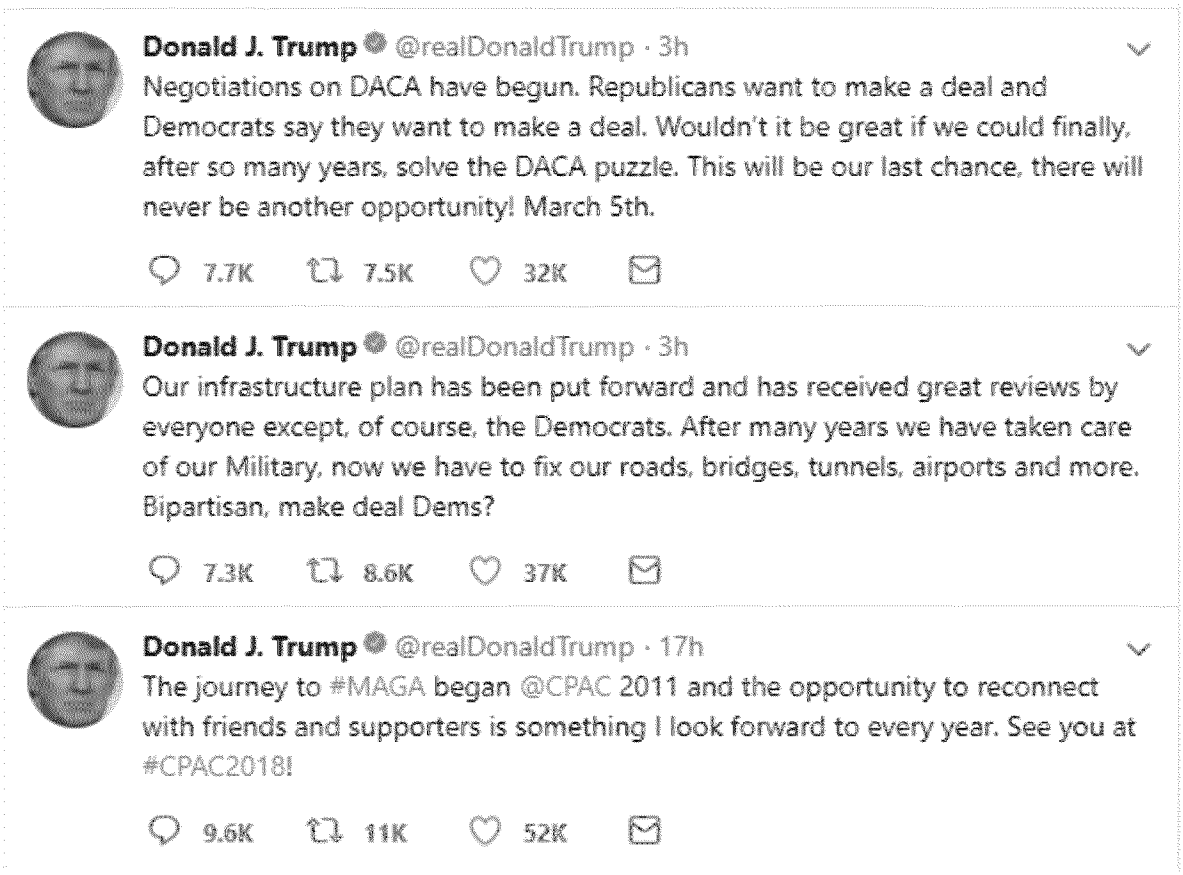
Tucked into the plan is modest flexibility on Buy America requirements and Davis-Bacon, which requires contractors on

AMERICAN OVERSIGHT

federal projects to pay workers prevailing wages set by unions. These raise construction costs. While this flexibility is commendable, Mr. Trump's plan will also require tens of thousands of more workers. The Associated General Contractors of America reported last month that 78% of contractors had a hard time hiring. Apprenticeships can make up some of the shortage, but the government will need to increase H-2B visas to avoid delays or exorbitant project costs.

Democrats are ripping the President's plan, and no doubt many think they can get more money if they win control of Congress in November. But they shouldn't be so sure. President Trump deserves credit for opening a debate in Congress about why merely spending more on public works won't help the public.

TRUMP TWEETS



AMERICAN OVERSIGHT

To: Hewitt, James[hewitt.james@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Block, Molly[block.molly@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: Daniell, Kelsi
Sent: Fri 4/20/2018 1:55:21 PM
Subject: EPA Morning News Highlights 04.20.18
EPA Morning News Highlights 04.20.18 docx..docx

EPA Morning News Highlights 04.20.18

-

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

-

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

AMERICAN OVERSIGHT

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

-

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters

AMERICAN OVERSIGHT

in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/

Indiana to Get EPA Money for Lead Cleanup, Water Upgrades

By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

AMERICAN OVERSIGHT

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.

Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment. "Apparently her property tested high in lead and she was showing them where the tests had occurred,"

Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

AMERICAN OVERSIGHT

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/

Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked

By: Chris Talgo, 4/19/18

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time."

To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

AMERICAN OVERSIGHT

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups.

Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

AMERICAN OVERSIGHT

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."

In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule.

EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

AMERICAN OVERSIGHT

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

AMERICAN OVERSIGHT

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

AMERICAN OVERSIGHT

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude,

AMERICAN OVERSIGHT

using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

AMERICAN OVERSIGHT

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

AMERICAN OVERSIGHT

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

AMERICAN OVERSIGHT

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

AMERICAN OVERSIGHT

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then

AMERICAN OVERSIGHT

related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning

AMERICAN OVERSIGHT

his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and

AMERICAN OVERSIGHT

because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)

Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael

AMERICAN OVERSIGHT

Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

AMERICAN OVERSIGHT

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has

AMERICAN OVERSIGHT

also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

6.9K 9.7K 37K

Donald J. Trump @realDonaldTrump · 2h

Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

8.1K 11K 38K

Donald J. Trump @realDonaldTrump · 3h

So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

7.0K 7.8K 43K

Donald J. Trump @realDonaldTrump · 3h

So General Michael Flynn's life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

17K 12K 43K

AMERICAN OVERSIGHT

EPA Morning News Highlights 04.20.18

BNA: Indian to Get EPA Money for Lead Cleanup, Water Upgrades.
The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state. EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Brietbart: Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked
Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration. He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

Gulf Live: EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site
The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula. In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula. The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

Daily Caller: Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements
The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel. The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business. Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

Tulsa World: Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Named EPA Head
Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver. As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

National Morning News Highlights 04.20.18

Associated Press: In Comey Memos, Trump Fixates on 'Hookers,' Frets Over Flynn
The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

AMERICAN OVERSIGHT

The Washington Post: Trump Hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia
Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference. The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

TRUMP TWEETS

BNA

https://www.bna.com/indiana-epa-money-n57982091298/
Indiana to Get EPA Money for Lead Cleanup, Water Upgrades
By: David Schultz, 4/19/18

The EPA is giving the Hoosier State a loan of nearly half a billion dollars to upgrade its water systems, with plans to spend additional money to clean up a lead-contaminated site in the northwestern part of the state.

EPA Administrator Scott Pruitt on April 19 visited Whiting, Ind., home of a former Federated Metals plant that is now a Superfund site. Pruitt said his agency would spend $1.7 million to address lead contamination at the former copper, lead, and zinc smelter.

Pruitt also highlighted a $436 million loan from the Environmental Protection Agency to Indiana through the agency's Water Infrastructure Finance and Innovation Act program, which provides low-cost financing for drinking water and wastewater infrastructure upgrades. The agency first announced last summer it had accepted Indiana's application for this loan as part of its first-ever round of financing under the program established in 2014.

The EPA said in an April 19 statement that the money would flow through to the state "once all needed processes are complete." The loan cleared a preliminary EPA environmental review earlier this year. This loan is one of 12 that the EPA granted through its first $2.3 billion round of financing through this program.

The agency's press office did not immediately respond to Bloomberg Environment's request for comment on what specific actions the EPA took on April 19 on the Indiana loan or about whether the loan has been finalized.
Pruitt Talks to Residents

The announcement came after Pruitt personally visited Whiting, which is on Lake Michigan, and spoke with people living near the contaminated Federated Minerals site.

"There was a woman who was a property owner waiting for them," Thomas Frank, an activist with the East Chicago, Ind.-based Community Strategy Group, an environmental justice advocacy coalition, told Bloomberg Environment.
"Apparently her property tested high in lead and she was showing them where the tests had occurred,"
Pruitt was at the Indiana site about 10 or 15 minutes, Frank said.

Pruitt also made a stop lasting less than 20 minutes at the EPA's Region 5 headquarters in Chicago, Mike Mikulka, president of American Federation of Government Employees Local 704 union, told Bloomberg Environment.

Brietbart

http://www.breitbart.com/big-government/2018/04/19/exclusive-talgo-epa-administrator-scott-pruitt-should-be-applauded-not-attacked/
Exclusive—Talgo: EPA Administrator Scott Pruitt Should Be Applauded, Not Attacked
By: Chris Talgo, 4/19/18

AMERICAN OVERSIGHT

Environmental Protection Agency (EPA) Administrator Scott Pruitt has unquestionably been the most effective official in President Donald Trump's administration.

He has laid waste to Barack Obama's radical environmental legacy, which is why Democrats, the mainstream media, academia, environmentalists, and left-wing advocacy groups are in full-panic mode. Out of desperation, these zealots (aided by the media) are resorting to unwarranted character assaults to challenge Pruitt's integrity and diminish his authority.

The disingenuousness of these attacks is made evident by the silence of these same groups when several Obama-era federal agencies engaged in illegal and/or unethical activities. The fact very few Americans know the name "Richard Windsor" is proof of selective outrage by "good government" groups and the media. (Windsor is the name of a fake EPA employee created by former EPA head Lisa Jackson to skirt public-records laws.)

Thankfully, Pruitt is not letting ad hominem attacks distract him from his mission of implementing a "back to basics" agenda for EPA. Unlike most of his predecessors at EPA and his opponents on the left, Pruitt believes, "We can and we will achieve clean air and clean water and we will also have strong economic growth and job creation at the same time." To accomplish these long-overdue reforms, Pruitt has focused on and been incredibly successful at implementing a "three E's" strategy: concentrating on the environment, economy, and engagement with state and local governments.

1. **Protecting the Environment**
2.

Under Obama, the EPA became a highly politicized agency, one that had been captured by radical environmental groups. When Pruitt took office, he vowed to refocus the agency on its core mission: protecting the environment and staying out of politics.

In May 2017, Pruitt created the Super Fund Task Force "to provide recommendations for improving and expediting site cleanups and promoting redevelopment." As of this writing, EPA has already completed seven Super Fund site clean-ups. Additionally, EPA is prioritizing drinking water problems, including the egregious lead problem that arose during the Obama era in Flint, Michigan.

2. **Sensible regulations that encourage economic growth**

Obama's two EPA administrators, Jackson and Gina McCarthy, instituted an unprecedented era of unnecessary, costly, burdensome rulemaking, undermining personal property rights and economic growth.

Fortunately, Pruitt has put an end to this. His highlights, which are many, include announcing that the United States will pull out of the Paris climate accord.

In 2016, Obama pushed the United States into the Paris climate agreement, which analysts found would reduce U.S. gross domestic product by more than $2.5 trillion and result in an average annual job loss of nearly 400,000 by 2035 compared to jobs projections without the accord.

Pruitt has been a staunch advocate of withdrawing from this fake "treaty," and his support for the idea surely contributed to Trump's decision to pull back from the Paris accords.

In October 2017, Pruitt proposed repealing Obama's Clean Power Plan, a set of regulations that economists estimated would cost U.S. taxpayers $40 billion per year and produce no effect on global carbon dioxide levels.

Also in October, Pruitt issued a directive to end EPA's "sue and settle" practices, a scheme in which radical environmental groups sue EPA to impose their agenda and EPA chooses not to fight the lawsuit in order to satisfy radical

AMERICAN OVERSIGHT

environmentalists' demands.

Putting the interests of ordinary Americans ahead of special-interest groups, Pruitt declared in October 2017 "the days of regulation through litigation are over."
In another measure designed to protect consumers, Pruitt announced in March 2018 the EPA will no longer use "secret science" in crafting regulations. Going forward, EPA rulemaking will be transparent and based on good data—not ideology.

Most recently, Pruitt suspended for review the onerous Corporate Annual Fuel Economy (CAFE) standards Obama's regime rushed through near the end of his final term. These burdensome regulations mandated unachievable fuel economy standards and would have forced carmakers to produce vehicles Americans don't want—and for an extra $3,800 per vehicle and negligible environmental benefits.

3. **Engaging with state and local partners**

For decades, EPA has usurped power from state and local governments. Pruitt is reversing this disturbing trend by instituting "cooperative federalism." Under this program, EPA will coordinate with state and local governments, rather than dictating edicts. His track record so far includes his revision of the definition and implementation of Obama's 2015 Waters of the United States rule (WOTUS), which was overly broad and abusive. WOTUS effectively granted to the federal government jurisdiction over every puddle and tiny body of water on private land.

"EPA is restoring states' important role in the regulation of water," Pruitt stated when announcing the end of the rule. EPA is also establishing Compliance Assistance Centers to "help businesses, colleges and universities, local governments, tribes and federal facilities understand and comply with environmental requirements and save money," and it's introducing Next Generation Compliance standards to "reduce costs and saves time and resources, while improving compliance."

Under Pruitt, the EPA is no longer imposing onerous rules that stifle economic growth and bankrupt the country. Instead, Pruitt is enacting levelheaded regulations that strike a proper balance between protecting the environment and maintaining consumer freedom.

After little more than a year on the job, Pruitt has transformed EPA's culture and restored its mission. The EPA Swamp has been substantially drained, a huge setback for power-grabbing leftists. And it's primarily for that reason the left and mainstream media have succumbed to attacking Pruitt's character. Just imagine how apoplectic they will get if Pruitt is allowed to continue his record of success in the years ahead!

Gulf Live

http://blog.gulflive.com/mississippi-press-news/2018/04/epa_administrator_signs_1076_m.html

EPA Administrator Signs $107.6 Million Memorandum to Clean Mississippi Phosphates Site

By: Tyler Carter, 4/19/18

The Environmental Protection Agency administrator Scott Pruitt signed an Action Memorandum for $107.6 million on Wednesday, accelerating the cleanup of the former Mississippi Phosphates Corporation (MPC) Site in Pascagoula.

In January, Pruitt and his team added MPC to its Superfund Priorities List after the agency announced in August 2017 their intentions to recommend the site for the list because of the environmental hazard it posed to marine and human life in the City of Pascagoula.

The Action Memorandum signed Wednesday selects a $71.6 million cleanup that will take place from 2018 through 2020, plus $36 million for ongoing wastewater treatment during the three-year cleanup period.

AMERICAN OVERSIGHT

"In just over a year, EPA has taken multiple important actions to accelerate the remediation of the Mississippi Phosphates Superfund Site," Pruitt said. "This memo reflects my commitment to addressing Superfund sites as quickly and safely as possible to ensure human health and economic activity in the surrounding areas are fully protected."

The cleanup plan identified in the Action Memorandum focuses on the closure of the East Gypsum Stack and the North Ponds at the West Gypsum Stack. The cleanup will eliminate storage of more than 500 million gallons of contaminated water on site and reduce the volume of water requiring treatment by an estimated 98 percent.

Design of the closure system is underway. EPA is evaluating the possible use of local dredge spoil to cap and close the East Gypsum Stack.

In response to comments received during the public comment period, EPA is also evaluating the use of engineered geosynthetic turf products as an alternative cap/cover system in its design.

The MPC Site is a former diammonium phosphate fertilizer plant that began operation in the 1950s. The facility ceased operations in December 2014 under Chapter 11 bankruptcy protection, leaving more than 700,000,000 gallons of acidic, nutrient-rich wastewater stored at the facility.

The wastewater--if improperly discharged--may be toxic to fish and other forms of marine life and can also cause algal blooms. Previous releases of untreated wastewater from the site (before EPA took over wastewater treatment operations) resulted in fish kills.

EPA currently oversees wastewater treatment at a rate of approximately 2-4 million gallons per day--at a cost of over $1 million per month--due to the high volume of wastewater requiring treatment. EPA has expended approximately $17 million to treat wastewater at the site.

EPA assumed control of wastewater treatment operations at the former MPC fertilizer facility once the MPC Environmental Trust, which owns the property, ran out of funds in February 2017.

"Pascagoula has lived with this catastrophic issue for years with no response," Mayor Dane Maxwell said. "Since President Trump took office and under Administrator Pruitt not only have we had a response, but it has been from the highest levels. Making Mississippi Phosphates cleanup a priority is very important for the entire Gulf Coast."

Daily Caller

http://dailycaller.com/2018/04/19/associated-press-scott-pruitt-travel/

Associated Press Publishes Misleading Headline on Scott Pruitt's Travel Arrangements

By: Jason Hopkins, 4/19/18

The Environmental Protection Agency is pushing back against The Associated Press' reporting on Administrator Scott Pruitt's private travel.

The AP released a report on Wednesday titled: "EPA chief sat in coach when not flying on taxpayer's dime." The headline — and the opening lede — suggested that the leader of the EPA makes more economical decisions when taking personal flights, as opposed to his travel when conducting official business.

AMERICAN OVERSIGHT

Pruitt has received criticism for flying first class on the taxpayers' dime, an arrangement he says is made for security reasons. The AP story centered on how Pruitt flew coach on Southwest Airlines when he made personal trips to Oklahoma in August and September.

However, there is one major detail included about Southwest Airlines: They do not offer first-class travel. This detail was included in the body of the AP article, but the headline and angle of the report framed Pruitt as a hypocrite when it comes to personal travel.

"Despite their misleading headline, the Associated Press knowingly reported that that there are no premium-class seats on Southwest Airlines," read a Wednesday statement from the EPA. "The fact is: Administrator Pruitt consistently follows the same security measures, which is not about sitting in first class but sitting near the front of the plane. It's impossible to fly first-class on Southwest Airlines, however Administrator Pruitt always sat in the first few rows of the aircraft."

This was not the only detail the EPA took issue with. The AP claimed on Twitter that it confirmed their story with the agency.

However, EPA spokesperson Jahan Wilcox said this tweet is false and that the agency never confirmed their report. "The same security procedures are followed whether Administrator Pruitt is on official or personal travel," the official statement provided to the AP read. The statement neither confirmed nor denied the story.

Pruitt, who has racked up thousands of dollars in travel expenses since taking the helm of the EPA, has received immense criticism for taking first-class flights on taxpayer dollars. Democrats and other Pruitt opponents have used news of his expensive flights to push for his ouster. The EPA, however, maintains more expensive flights are necessary for his safety.

Pruitt has been the target of aggression and profane language at airports since leading the agency.

"He was approached in the airport numerous times, to the point of profanities being yelled at him and so forth," Henry Barnet, director of the EPA's Office of Criminal Enforcement, told Politico in a Feb. 15 report. "We felt that based on the recommendation from the team leader, the special agent in charge, that it would be better suited to have him in business or first class, away from close proximity from those individuals who were approaching him and being extremely rude, using profanities and potential for altercations and so forth."

Tulsa World

http://www.tulsaworld.com/news/usworld/scott-pruitt-showed-penchant-for-travel-drivers-even-before-being/article_4aa07e53-b8ff-5241-a223-58d1829655d2.html

Scott Pruitt Showed Penchant for Travel, Drivers Even Before Being Names EPA Head

By: Ellen Knickmeyer and Sean Murphy, 4/20/18

Scott Pruitt's penchant for travel and concerns about security were notable even before he became head of the Environmental Protection Agency, according to newly obtained records that show that as Oklahoma's attorney general he frequently traveled out-of-state for appearances before conservative groups and used an office investigator as a driver.

As Oklahoma's top prosecutor from 2011 to 2016, Pruitt was raising his profile nationally as a conservative in favor of rolling back regulation and federal authority.

Records obtained by The Associated Press show Pruitt traveled extensively as Oklahoma's attorney general, taking 18 out-of-state trips in 2015 and 2016, for example, including 11 to Washington, D.C. Although some travel expenses were reimbursed by conservative think tanks where Pruitt spoke, records show no sign of reimbursement for several trips

AMERICAN OVERSIGHT

involving appearances before them.

Immediately after taking office as attorney general, Pruitt started using a full-time driver who chauffeured him in a large black SUV from his home in Tulsa to the office in Oklahoma City, about 90 miles away.

Pruitt's daily calendars show the driver — variously shown on the records as "driver" or "agent" — was often an office investigator, a licensed law enforcement officer who typically investigates crimes for the agency.

"It appears he created his own security detail," said Gary Jones, Oklahoma's state auditor and a fellow Republican.

As EPA administrator, Pruitt has been under intense scrutiny since it was first revealed last month that he had stayed last year in a bargain-priced Capitol Hill condo tied to a fossil-fuels lobbyist. Multiple investigations have been launched by government watchdogs and congressional committees looking into luxury travel expenses, outsized security spending and massive raises awarded to political appointees.

Lincoln Ferguson, a former spokesman for the attorney general who now serves as a senior adviser to him at the EPA, said if Pruitt's out-of-state travel was strictly for political purposes, it would have been paid for by campaign funds. But travel records show the trips were arranged through a state-contracted travel agency, and few show any reimbursement was made.

In Oklahoma, Pruitt routinely made the three-hour commute from his home in Tulsa to the state Capitol in Oklahoma City during the working day, according to the calendars.

The entry for Dec. 7, 2015, for example, shows the entry: "8:15 to 9:45, depart Tulsa for OKC" and "3:30-5, depart OKC for Tulsa."

That was despite Pruitt expanding his office's Tulsa branch during his time. The AP reported in December 2016 that the move to bigger, pricier offices in Tulsa were part of a 40 percent increase in his office's expenses as attorney general. Pruitt also added nearly 60 employees to the attorney general's office.

By contrast, Pruitt's predecessor, Democrat Drew Edmondson, who held the attorney general post for 16 years, said he typically used a four-door sedan and drove himself to events.

Ferguson, the senior adviser to Pruitt, said "there was no wasted time" on Pruitt's commutes between Tulsa and Oklahoma City.

"He was working, reviewing documents, on the phone," Ferguson said.

Overall spending on travel by Pruitt's office averaged about $270,000 a year in his last four years as Oklahoma's attorney general, up 26 percent from his predecessor's final year in office. The figures do not include a total for Pruitt's trips alone. The attorney general's office spent $201,000 on travel during his predecessor's last year in the office.

The calendars are heavily redacted and entire days are blacked out.

But the records do show Pruitt frequently traveled to Washington to speak to groups including the Federalist Society; the Club for Growth, a free-enterprise advocacy group; and an anti-abortion rally. He also made similar appearances elsewhere, such as one before the small-government FreedomWorks group in Cleveland on "Battling the Regulatory State."

"If it's not state-related, then the state should not be responsible for" the cost, said Jones, the state auditor. "You can't use any public assets for personal or political reasons."

AMERICAN OVERSIGHT

Records show many of the trips occurred during the workweek, when Pruitt was drawing a state salary of $132,000. Oklahoma broadly bans first-class tickets for state employees. The travel records show only one first-class flight for Pruitt, with a scrawled note on it showing Pruitt's campaign paid for it.

Edmondson, who is now running for governor, said his travel expenses as attorney general typically covered national and regional conventions of attorneys general.

"I think you'll find that his out-of-state travel would far exceed any other attorney general" in Oklahoma, said former Gov. David Walters, a Democrat, who recalled Pruitt speaking before local clubs on topics such as the Obama administration, rather than crime or consumer fraud in Oklahoma.

Conservative groups hosting Pruitt appeared to reimburse most of Pruitt's flights and some other direct state travel expenses after 2015, and some beforehand.

But on one trip in January 2016, Pruitt billed taxpayers more than $1,000 for a trip to Washington in which he held separate meetings with executives of three conservative think tanks: the APP Foundation, The Federalist Society and Club for Growth. There was no record of reimbursement for that trip. Three weeks later, Pruitt spent the weekend in California for a dinner and a speech to The Federalist Society, which reimbursed the state for his travel.

Associated Press

https://apnews.com/e29d5563fc0c45caa4faa6b3749405a6/Comey-memo:-Trump-complained-about-Flynn's-'judgment-issues

In Comey memos, Trump fixates on 'hookers,' frets over Flynn

By: Mary Clare Jalonick, Eric Tucker, and Chad Day, 4/20/18

In a series of startlingly candid conversations, President Donald Trump told former FBI Director James Comey that he had serious concerns about the judgment of a top adviser, asked about the possibility of jailing journalists and described a boast from Vladimir Putin about Russian prostitutes, according to Comey's notes of the talks obtained by The Associated Press on Thursday night.

The 15 pages of documents contain new details about a series of interactions with Trump that Comey found so unnerving that he chose to document them in writing. Those seven encounters in the weeks and months before Comey's May 2017 firing include a Trump Tower discussion about allegations involving Trump and prostitutes in Moscow; a White House dinner at which Comey says Trump asked him for his loyalty; and a private Oval Office discussion where the ex-FBI head says the president asked him to end an investigation into Michael Flynn, the former White House national security adviser.

The documents had been eagerly anticipated since their existence was first revealed last year, especially since Comey's interactions with Trump are a critical part of special counsel Robert Mueller's investigation into whether the president sought to obstruct justice. Late Thursday night, Trump tweeted that the memos "show clearly that there was NO COLLUSION and NO OBSTRUCTION."

The president also accused Comey of leaking classified information. The memos obtained by the AP were unclassified, though some portions were blacked out as classified. Details from Comey's memos reported in news stories last year appear to come from the unclassified portions.

In explaining the purpose of creating the memos, which have been provided to Mueller, Comey has said he "knew there might come a day when I would need a record of what had happened" to defend not only himself but the FBI as well.

AMERICAN OVERSIGHT

The memos cover the first three months of the Trump administration, a period of upheaval marked by staff turnover, a cascade of damaging headlines and revelations of an FBI investigation into potential ties between the Trump campaign and Russia. The documents reflect Trump's uneasiness about that investigation, though not always in ways that Comey seemed to anticipate.

In a February 2017 conversation, for instance, Trump told Comey how Putin told him, "we have some of the most beautiful hookers in the world" even as the president adamantly, and repeatedly, distanced himself from a salacious allegation concerning him and prostitutes in Moscow, according to one memo.

In another memo, Comey recounts how Trump at a private White House dinner pointed his fingers at his head and complained that Flynn, his embattled national security adviser, "has serious judgment issues." The president blamed Flynn for failing to alert him promptly to a congratulatory call from a world leader, causing a delay for Trump in returning a message to an official whose name is redacted in the documents.

"I did not comment at any point during this topic and there was no mention or acknowledgment of any FBI interest in or contact with General Flynn," Comey wrote.

By that point, the FBI had already interviewed Flynn about his contacts with the Russian ambassador, Sergey Kislyak, and the Justice Department had already warned White House officials that they were concerned Flynn was vulnerable to blackmail.

Flynn was fired Feb. 13, 2017, after White House officials said he had misled them about his Russian contacts during the transition period by saying that he had not discussed sanctions. The following day, according to a separate memo, Comey says Trump cleared the Oval Office of other officials, encouraged him to let go of the investigation into Flynn and called him a good guy. Flynn pleaded guilty to lying to the FBI and is now cooperating with Mueller's investigation.

The memos reveal that days before Flynn's firing, then-White House chief of staff Reince Priebus asked Comey if Flynn's communications were being monitored under a secret surveillance warrant.

"Do you have a FISA order on Mike Flynn?" Priebus asked Comey, according to the memos, referring to an order under the Foreign Intelligence Surveillance Act.

Comey said he "paused for a few seconds and then said that I would answer here, but that this illustrated the kind of question that had to be asked and answered through established channels."

Comey's response is redacted on the unclassified memos.

The memos also show Trump's continued distress at a dossier of allegations — compiled by an ex-British spy whose work was funded by the Democratic National Committee and the Clinton campaign — examining potential ties between him and his aides and the Kremlin. Comey writes how Trump repeatedly denied to him having been involved in an encounter with Russian prostitutes in a Moscow hotel.

"The President said 'the hookers thing' is nonsense," Comey writes, noting that Trump then related the conversation with Putin about the "most beautiful hookers." Comey says Trump did not say when Putin had made the comment.

The documents also include the president's musings about pursuing leakers and imprisoning journalists. They also provide insight into Comey's personal and professional opinions. He judges the administration's travel ban to be legally valid, and he takes a swipe at former Attorney General Loretta Lynch, calling her predecessor, Eric Holder, "smarter and more sophisticated and smoother."

The memos were provided to Congress earlier Thursday as House Republicans escalated criticism of the Justice

AMERICAN OVERSIGHT

Department, threatening to subpoena the documents and questioning officials.

In a letter sent to three Republican House committee chairmen Thursday evening, Assistant Attorney General Stephen Boyd wrote that the department was sending a classified version of the memos and an unclassified version. The department released Boyd's letter publicly but did not release the memos. The chairmen issued a statement late Thursday saying the memos show that Comey clearly never felt threatened, and Trump didn't obstruct justice.

Justice officials had allowed some lawmakers to view the memos but had never provided copies to Congress. Boyd wrote that the department had also provided the memos to several Senate committees.

Boyd wrote in the letter that the department "consulted the relevant parties" and concluded that releasing the memos would not adversely affect any ongoing investigations. Mueller is investigating potential ties between Russia and Trump's 2016 campaign as well as possible obstruction of justice by the president.

Comey is on a publicity tour to promote his new book, "A Higher Loyalty." He revealed last year that he had written the memos after conversations with Trump.

He said in an interview Thursday with CNN that he's "fine" with the Justice Department turning his memos over to Congress.

"I think what folks will see if they get to see the memos is I've been consistent since the very beginning, right after my encounters with President Trump, and I'm consistent in the book and tried to be transparent in the book as well," he said.

Washington Post

https://www.washingtonpost.com/politics/trump-hires-giuliani-two-other-attorneys-amid-mounting-legal-turmoil-over-russia/2018/04/19/8346a7ca-4418-11e8-8569-26fda6b404c7_story.html?utm_term=.995f4a24ac4a

Trump hires Giuliana, Two Other Attorneys Amid Mounting Legal Turmoil Over Russia

By: Robert Costa, Josh Dawsey and Rosalind Helderman, 4/19/18

Former New York mayor Rudolph W. Giuliani and two other former federal prosecutors joined President Trump's legal team Thursday following weeks of turbulence and struggles to find attorneys who would agree to represent the president in the ongoing federal probe into Russian election interference.

The reshuffling comes at a particularly tense juncture for Trump, who aides said is increasingly frustrated by special counsel Robert S. Mueller III's investigation and with the senior officials at the Justice Department.

The entry of Giuliani, an experienced attorney with a combative reputation, immediately raises questions about how Trump will engage with Mueller and the leadership at Justice. Some Trump advisers are concerned that the president could use his -executive authority to close or diminish the special counsel probe, which has spawned a parallel investigation in New York targeting his personal attorney.

"I'm doing it because I hope we can negotiate an end to this for the good of the country and because I have high regard for the president and for Bob Mueller," Giuliani said in an interview Thursday.

Trump said in a statement that Giuliani "wants to get this matter quickly resolved."

In recent days, the president has been regularly venting and speculating to aides about his legal status and the expected timeline for the Russia investigation to end, according to associates briefed on the discussions.

AMERICAN OVERSIGHT

Rudolph W. Giuliani was an ardent supporter of President Trump during the 2016 campaign, and the former New York mayor was considered for the post of attorney general. (Mike Segar/Reuters)
Trump also loudly and repeatedly complained to several advisers earlier this week that former FBI director James B. Comey, former deputy FBI director Andrew McCabe and former Democratic presidential nominee Hillary Clinton, among others, should be charged with crimes for misdeeds alleged by Republicans, the associates said.

Although White House officials said Thursday that Trump has not called Justice Department officials or taken any formal action, the persistent grousing has made some advisers anxious, according to two people close to the president. A publicity tour by Comey to promote his book critical of Trump, "A Higher Loyalty," has attracted particular attention from the president, who has disparaged Comey publicly and privately.

Trump also complained this week about Supreme Court Justice Neil M. Gorsuch, saying the judge had proved too liberal in recent cases, according to administration officials who heard about the complaints. Associates said he was incensed that Gorsuch had voted against the administration on an immigration case and said it renewed his doubts that Gorsuch would be a reliable conservative. One top Trump adviser played down the comments as unhappiness with Gorsuch's decision rather than with Gorsuch broadly.

Giuliani, 73, brings a familiarity with several of the legal fronts that Trump is navigating. He is a former associate attorney general and a former U.S. attorney for the Southern District of New York, which is the office overseeing an investigation of Trump's personal attorney, Michael Cohen.

Trump counsel Jay Sekulow said Thursday that former federal prosecutors Jane Serene Raskin and Marty Raskin, a couple who manage a Florida-based law firm, have also agreed to join the legal team.

Giuliani is certain to come under intense scrutiny for his role. His own pre-election activities two years ago have been the subject of criticism from Democrats, especially television interviews in which he suggested he had sources providing him inside information about the FBI's investigation of Clinton's private email server when she was secretary of state.

A Justice Department Inspector General report on the department's handling of the Clinton investigations is expected to be released in coming weeks and will probably include results of leak investigations regarding the Clinton probe.

Numerous other challenges face the attorneys who will work alongside Sekulow and counsel Ty Cobb — who have functioned as Trump's legal nucleus for weeks following the resignation of John Dowd, a legal veteran and the team's former leader. Dowd stepped down in March amid clashes over strategy and whether Trump should sit for a voluntary interview with Mueller. The legal team has often been beset by infighting.

"The big question is, how's he going to play with everybody else?" said a lawyer involved with the investigation who was not authorized to speak publicly. "Will he be combative Rudy, or will he play well with Mueller's team? Will he try to walk . . . back from the brink and answer the big question, which is whether the president will sit for an interview? And will Trump listen to him?"

Giuliani declined to say whether Trump has made a final decision on whether to sit for an interview with federal investigators. Trump has been mulling it for weeks, moving away from the idea after the home, offices and hotel room of Cohen were raided this month. Trump reacted angrily, calling it "disgraceful."

"It's too early for me to say that," Giuliani replied, when asked whether a Trump interview is unlikely to happen.

Giuliani also declined to discuss whether Deputy Attorney General Rod J. Rosenstein, who has been under fire from conservatives and oversees the Russia probe, could be fired by the president in the coming weeks.

"I'm not involved in anything about those issues. My advice on Mueller has been this: He should be allowed to do his

AMERICAN OVERSIGHT

job. He's entitled to do his job."

Giuliani said he formalized his decision in recent days, including over dinner last week at Trump's Mar-a-Lago resort in Florida. Giuliani and Trump spoke Thursday about the legal plan moving forward, along with Sekulow, whom he has known for years and called a friend. He added that he and Cobb also spoke, on Wednesday.

Giuliani — who will take a leave from his law firm, Greenberg Traurig, and is in the midst of a divorce from his third wife — said he would spend a "great deal of time" in Washington working with Trump but would continue to live in New York. He has been frequently been seen holding court at the Trump International Hotel in Washington, dining and drinking with friends and browsing for gourmet cigars.

Trump had considered Giuliani for attorney general and has said in recent weeks he needs a New York-based attorney. Many leading white-collar lawyers, such as former solicitor general Theodore Olson, have declined Trump's entreaties, often citing conflicts or expressing unease about the high-profile case.

Trump is also known to be a difficult client who does not always listen to his attorneys' advice, according to lawyers who know him. And Giuliani, once a top adviser, grew frustrated with his treatment during the transition and had receded from the inner circle.

As he has closely monitored cable-news programs chronicling his presidency and the Mueller probe, Trump has swatted away the notion that he cannot attract prominent attorneys. He has also spoken about his desire for a bolstered team and wondered aloud about the damage that Cohen's legal proceedings could bring, according to the associates briefed on the discussions, who requested anonymity to talk about them.

Giuliani's arrival is part of a broader shift in Trump's inner circle toward the core allies and brusque and brutal style that defined his outsider presidential campaign and his business career. Beyond Mueller, aides said everyone and everything around Trump feels liable to become a target for his wrath as he grapples with difficult issues at home and abroad, in Syria and North Korea.

"What we've been seeing with the president is that he is picking A-level people that he knows are experienced but also know him well," said Trump ally Christopher Ruddy, the president and CEO of Newsmax Media, a conservative outlet. "One of the problems in the first year was that people didn't work out because they didn't know him and they didn't have experience for the position."

Trump Tweets

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Looks like OPEC is at it again. With record amounts of Oil all over the place, including the fully loaded ships at sea, Oil prices are artificially Very High! No good and will not be accepted!

6.9K 9.7K 37K

Donald J. Trump @realDonaldTrump · 2h

Nancy Pelosi is going absolutely crazy about the big Tax Cuts given to the American People by the Republicans...got not one Democrat Vote! Here's a choice. They want to end them and raise your taxes substantially. Republicans are working on making them permanent and more cuts!

8.1K 11K 38K

Donald J. Trump @realDonaldTrump · 3h

So exciting! I have agreed to be the Commencement Speaker at our GREAT Naval Academy on May 25th in Annapolis, Maryland. Looking forward to being there.

7.0K 7.8K 43K

Donald J. Trump @realDonaldTrump · 3h

So General Michael Flynn's life can be totally destroyed while Shadey James Comey can Leak and Lie and make lots of money from a third rate book (that should never have been written). Is that really the way life in America is supposed to work? I don't think so!

17K 12K 43K

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/6/2018 9:43:20 AM
Subject: Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 05:41 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively — appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

— **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

— **Even with the continued spray of scandals,** CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

— **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement — the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

— **Another new letter to the IG emerged Thursday** from Carper, who raised questions last week — before Pruitt's scandal saga hit fever-pitch — about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering

AMERICAN OVERSIGHT

Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

— **The Renewable Fuels Association submitted FOIA requests** to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

AMERICAN OVERSIGHT

QUICK HITS

— U.S. companies on edge over tariff threat to supply chains, Financial Times.

— Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

— Conservative allies rally in bid to save embattled EPA head, Bloomberg.

— Documents show Shell grappled with climate change years ago, E&E News.

— How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

— This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

HAPPENING TODAY

8:00 a.m. — The Business Network for Offshore Wind holds International Offshore Wind Partnering Forum, Princeton, N.J.

9:00 a.m. — The Henry L. Stimson Center seminar on "Solving the Unsolvable: Nuclear Waste Solutions for the New Millennium," 1211 Connecticut Avenue NW

9:30 a.m. — The National Capital Region Water Resources Symposium on water management in urban environments, 4340 Connecticut Ave NW

10:00 a.m. — The Millennium Challenge Corporation discussion on work in the water, sanitation and irrigation sector, 1099 14th Street NW

12:30 p.m. — Young Professionals in Energy DC afternoon tour of Covanta's Energy-from-Waste facility, Alexandria, Va.

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-watch-what-comes-next-160332

Stories from POLITICO Pro

Pruitt fell behind on payments for his $50-a-night condo rental Back

By Eliana Johnson and Andrew Restuccia | 04/05/2018 05:21 PM EDT

AMERICAN OVERSIGHT

Environmental Protection Agency chief Scott Pruitt was at times slow to pay the rent on his $50-per-night lease in a Capitol Hill condo, according to two people with knowledge of the situation — forcing his lobbyist landlord to pester him for payment.

Pruitt's living arrangement is the latest ethical issue to come under scrutiny by the EPA's inspector general's office, which said Thursday it's considering opening an investigation into Pruitt's lease arrangement — a move that would add to reviews of Pruitt's taxpayer-funded first-class travel, his use of special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The EPA head was renting the condo from health care lobbyist Vicki Hart, whose husband, J. Steven Hart, is an energy lobbyist.

The cavalcade of problems has raised questions about Pruitt's future in the Trump administration.

Though President Donald Trump told reporters "I do, I do," when asked Thursday whether he had confidence in Pruitt, an administration official said the president has begun asking friends and advisers what he should do about the EPA chief.

On his way back from an event in West Virginia, Trump said he was considering how to respond to reports about Pruitt's activities. "I have to look at them," Trump said. "I'll make that determination."

But the president said repeatedly that he thinks Pruitt has done "a fantastic job."

"I think he's a fantastic person," Trump added. "I just left coal and energy country. They love Scott Pruitt. They feel very strongly about Scott Pruitt, and they love Scott Pruitt."

Trump's conservative outside advisers have been mounting a defense of the EPA chief, urging the president not to succumb to what they argue is an unfair pile-on by the media.

White House officials, conscious of how quickly the president's mind can change about defending or dismissing top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job. "I can't speak to the future of Scott Pruitt," White House spokesman Hogan Gidley said Thursday. "If the president has confidence in somebody, they stay."

But behind the scenes, White House officials are frustrated with the way Pruitt has handled the crisis. While in many cases, the president has unilaterally dismissed Cabinet members and senior advisers against the advice of his top aides, Pruitt's situation is a rare instance in which the president has remained loyal longer than other members of the White House staff, who are eager to see Pruitt gone.

West Wing frustration with Pruitt spiked after a Fox News interview on Wednesday that one White House official called a "disaster."

AMERICAN OVERSIGHT

Trump, who watched the interview, was said to be unhappy with Pruitt's performance, the aide said, adding that the EPA chief appeared to be unprepared for tough questions from Fox News correspondent Ed Henry.

Pruitt, for his part, has gotten conflicting messages from the White House.

During a phone call on Monday, Trump encouraged Pruitt to defend himself after the EPA chief complained that the press was out to get him, according to a person familiar with the conversation — which Pruitt interpreted as a green light from Trump to do a series of media interviews in a bid to tamp down the scandals engulfing him.

But Kelly and other White House officials have found Pruitt's efforts at a response to be lackluster and counterproductive. Kelly called Pruitt after Wednesday's Fox News interview to discourage him from doing more press.

In a separate phone call on Tuesday, Kelly pressed Pruitt about whether more damaging revelations were coming, the White House official confirmed. The Daily Beast first reported Kelly's comments. It is unclear how Pruitt responded, but the next day, The Atlantic broke the news that Pruitt circumvented the White House to grant raises to two employees.

And late Thursday, Pruitt faced a new batch of damaging reports, including one from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Pruitt's lease agreement, first reported last week by Bloomberg News, has become a point of contention because political appointees sign an ethics pledge prohibiting them from accepting gifts from lobbyists — which would cover cut-rate lodging.

A lease agreement covering February through April 2017 indicated Pruitt's rent was "payable on the 1st day of each month, in installments of $500 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy," according to a memo obtained by the Campaign Legal Center.

Had Pruitt stayed in the condo every night in a given month, he would have owed $1,500 — but canceled checks reviewed by Bloomberg show Pruitt made a payment of $1,700 on Sept. 1, suggesting he eventually paid his back rent.

A spokesman for Pruitt declined to comment.

The uncertainty about Pruitt's fate comes in the wake of Trump's successive dismissals last month of Secretary of State Rex Tillerson, national security adviser H.R. McMaster and Veterans Affairs secretary David Shulkin.

His situation may more closely resemble that of former "Apprentice" contestant Omarosa Manigault, who was fired in December of last year despite the president's initial objections after

AMERICAN OVERSIGHT

Kelly convinced him that her abuse of a White House car service, among other things, was a scandal in the making.

Pruitt was among a handful of Cabinet-level officials slapped on the wrist last month by Kelly, who called him into the White House to drill home the notion that — legality aside — "optics matter." CNN first reported on the meeting.

Pruitt has made clear he wants to keep fighting. He pushed back on allegations in the interview with Fox News on Wednesday. In the interview, Pruitt described his housing arrangement as "an Airbnb situation" and said EPA ethics officials had signed off on it.

An EPA ethics official clarified later Wednesday that he had concluded only that the $50-per-night lease did not constitute an improper gift but did not investigate whether Pruitt's arrangement ran afoul of other ethics rules.

Asked by Fox whether renting a room from a Washington lobbyist was inconsistent with Trump's promise to drain the swamp, Pruitt replied: "I don't even think that that's even remotely fair to ask that question."

To view online click here.

Back

Trump: Pruitt's 'done an incredible job' Back

By Kelsey Tamborrino | 04/05/2018 05:17 PM EDT

President Donald Trump today praised Scott Pruitt but said he would look into reports of ethics questions that have been raised about the EPA administrator.

"I think he's done an incredible job," Trump said of Pruitt, according to a pool report. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job."

Pruitt has come under scrutiny for a slew of reports concerning a $50-per-night condo he rented from a lobbyist last year, as well as previous questions surrounding his travel costs and security spending. When asked about the reports today, Trump suggested he had not read all the details.

"I have to look at them," Trump told reporters aboard Air Force One. "I'll make that determination. But he's a good man."

The president was returning from an event in White Sulphur Springs, W.Va., on the recent tax cuts, where he said the residents were in support of Pruitt.

"You know, I just left coal and energy country," Trump said. "They love Scott Pruitt. They feel very strongly about Scott Pruitt."

AMERICAN OVERSIGHT

To view online click here.

Back

Third Republican calls on Pruitt to resign Back

By Alex Guillén | 04/05/2018 03:34 PM EDT

Rep. Elise Stefanik (R-N.Y.) today called on EPA Administrator Scott Pruitt to resign, becoming at least the third Republican to do so even as more conservative lawmakers come to Pruitt's defense.

"I'm going to make news today," Stefanik said at a town hall meeting in South Glens Falls, about 45 miles north of Albany, according to The Saratogian. "I think Scott Pruitt should resign. I fundamentally disagree with how Pruitt has handled the EPA."

Reps. Carlos Curbelo and Ileana Ros-Lehtinen, both Florida Republicans, earlier this week called for Pruitt's ouster, as have a number of Democrats. Pruitt is facing increased scrutiny for ethics issues including the $50-per-night rent he paid to rent space in a condo from a lobbyist last year.

Meanwhile, conservative Republicans like Sens. Rand Paul (R-Ky.) and Ted Cruz (R-Texas) have come to Pruitt's defense today.

"Why do Obama and his media cronies want so badly to drive @EPAScottPruitt out of office?" tweeted Cruz.

Pruitt "is likely the bravest and most conservative member of Trump's cabinet," tweeted Paul. "We need him to help @realDonaldTrump drain the regulatory swamp."

To view online click here.

Back

Democrats ask EPA IG to expand probe into hiring authority to cover aides' raises Back

By Alex Guillén | 04/05/2018 05:10 PM EDT

Two Senate Democrats today asked EPA's inspector general to expand an existing investigation into Administrator Scott Pruitt's use of a special hiring authority to look into allegations that two aides brought with him from Oklahoma received large raises via that authority.

The Atlantic first reported this week that Sarah Greenwalt and Millan Hupp were both denied

AMERICAN OVERSIGHT

large raises by the White House, but that they later received them via special authority that allows Pruitt to make hires via the Safe Drinking Water Act.

Pruitt said Wednesday on Fox News that he had no knowledge of the raises, and was looking into the matter.

In a letter to EPA's IG, Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.) write that if Pruitt's statement to Fox News is accurate, then one or more EPA officials acted without his knowledge. "This could indicate a serious breakdown of internal controls on the appropriate use of this authority," they wrote. "If Pruitt's statements were false, then the SDWA hiring authority may have been intentionally abused under the direction of the Administrator to award large raises to favored aides."

EPA's IG in January announced an investigation into whether Pruitt used the SDWA hiring authority to shield political appointees from the Trump administration's ethics pledge.

To view online click here.

Back

EPA inspector general reviewing allegations around Pruitt rental Back

By Alex Guillén | 04/05/2018 09:04 AM EDT

EPA's inspector general is reviewing requests to investigate Administrator Scott Pruitt's $50-a-night lease agreement, a spokesman confirmed today — an initial step before determining whether to launch a formal probe.

Democrats from the House and Senate this week called on the IG to review Pruitt's rental of a room in a condo co-owned by the wife of a lobbyist with energy clients.

There are already three other IG investigations underway into Pruitt's specific activities at EPA. The IG is also investigating his travel, his use of a special Safe Drinking Water Act hiring authority and his spending on a soundproof phone booth for his office.

WHAT'S NEXT: It is unclear how long the IG will review the allegations before determining whether to open an investigation into the apartment lease. IG probes often take months to complete.

To view online click here.

Back

Top Pruitt policy aide Samantha Dravis resigns Back

AMERICAN OVERSIGHT

By Emily Holden and Daniel Lippman | 04/05/2018 09:05 AM EDT

Samantha Dravis, senior counsel and associate administrator of EPA's Office of Policy, submitted her resignation early last week, according to a source familiar with her plans.

People close to the situation said she had been planning to leave for some time, and that her decision is not because of a series of recent negative headlines for Administrator Scott Pruitt, including news that he rented a $50-a-night condo from a lobbyist and clarification from an ethics official late last night that he didn't have all the facts when he suggested the deal might not violate rules.

Dravis is one of Pruitt's top aides and she had been tasked with numerous new responsibilities, including a regulatory reform task force, and the offices for environmental reviews and environmental justice.

Dravis, who previously was policy director and general counsel of the Republican Attorneys General Association, will pursue opportunities in the private sector.

To view online click here.

Back

Trump in West Virginia promises review of emergency authority for power plants Back

By Eric Wolff | 04/05/2018 03:30 PM EDT

President Donald Trump told a crowd in West Virginia today that he'd review the use of emergency authority to prop up coal and nuclear power plants.

Trump said he would review the use of Section 202c of the Federal Power Act, a provision that can be used to keep power plants running that are in danger of retiring. The president was at an event in White Sulphur Springs, W. Va., promoting last year's tax cuts.

"We'll be looking at that 202. You know what a 202 is? We'll be looking at that," he told the crowd. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back."

FirstEnergy Solutions, an Ohio utility company, submitted an unusual request to the Department of Energy last week — days before the company filed for bankruptcy protection — asking that DOE use its authority to provide four-year contracts to as many as 85 coal and nuclear power plants in the PJM Interconnection, a power market consisting of 13 mid-Atlantic and rust belt states.

DOE rejected a request from FES, a subsidiary of the regulated utility FirstEnergy Corp., to use

AMERICAN OVERSIGHT

that authority last year, and FERC rejected a rule proposed by Energy Secretary Rick Perry that would have benefited FES in January.

Alex Guillén contributed to this report

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering up anything, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in the interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-led study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, which offered the most expensive of all four bids. At $2.1 million, Stone's bid was nearly four times that of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract

AMERICAN OVERSIGHT

remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, whose bid was also the least expensive of the three received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of

AMERICAN OVERSIGHT

the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In the interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at

AMERICAN OVERSIGHT

the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the former president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan

AMERICAN OVERSIGHT

Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Joplin Globe columnist Wally Kennedy, who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Konkus, John[konkus.john@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]
Cc: Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Daniell, Kelsi
Sent: Wed 1/10/2018 2:48:28 PM
Subject: EPA Morning News Highlights 01.10.18
EPA Morning News Highlights 01.10.18.docx

EPA Morning News Highlights 01.10.18

Reuters: Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants. The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

NewsOK: Contaminated Eagle Industries site in Midwest City added to EPA priorities list

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site. The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

Miami News Record: Tar Creek Superfund Site Makes Pruitt's Priority List

The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list. The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list. The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

AMERICAN OVERSIGHT

Times Free Press: Local Site Proposed for List of Country's Most Toxic Places

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places. The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

US News: Michigan Sets Standard for Chemical Contaminant in Water

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed. The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

Newark Post: EPA Adds Contaminated Newark Site to Superfund List

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program. The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

National Morning News Highlights 01.10.18

-

Los Angeles Times: At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims. The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

AMERICAN OVERSIGHT

Fox News: US Oks selling Japan missiles to shoot down North Korean missiles

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles. The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

CNBC: China is reportedly thinking of halting US Treasury purchases and that's worrying markets right now

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report. Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

Wall Street Journal: Amid signs of a thaw in North Korea, Tensions bubble up

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating. In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

Reuters

http://news.trust.org/item/20180110023844-vd9k3/

Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

By: Valerie Volcovici and David Shepardson, 1/9/18

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants

AMERICAN OVERSIGHT

The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

The agenda, laid out by EPA Administrator Scott Pruitt in an exclusive interview with Reuters on Tuesday, marks an extension of the agency's efforts under President Donald Trump to weaken or kill regulations the administration believes are too broad and harm economic growth, but which environmentalists say are critical to human health.

"The climate is changing. That's not the debate. The debate is how do we know what the ideal surface temperature is in 2100?... I think the American people deserve an open honest transparent discussion about those things," said Pruitt, who has frequently cast doubt on the causes and implications of global warming.

Pruitt reaffirmed plans for the EPA to host a public debate on climate science sometime this year that would pit climate change doubters against other climate scientists, but he provided no further details on timing or which scientists would be involved.

Pruitt said among the EPA's top priorities for 2018 will be to replace the Clean Power Plan, former President Barack Obama's centerpiece climate change regulation which would have slashed carbon emissions from power plants. The EPA began the process of rescinding the regulation last year and is taking input on what should replace it.

"A proposed rule will come out this year and then a final rule will come out sometime this year," he said. He did not give any details on what the rule could look like, saying the agency was still soliciting comments from stakeholders.

He said the agency was also planning to rewrite the Waters of the United States rule, another Obama-era regulation, this one defining which U.S. waterways are protected under federal law. Pruitt and Trump have said the rule marked an overreach by including streams that are shallow, narrow, or sometimes completely dry - and was choking off energy development.

AMERICAN OVERSIGHT

Pruitt said that in both cases, former President Barack Obama had made the rules by executive order, and without Congress. "We only have the authority that Congress gives us," Pruitt said.

Pruitt's plans to replace the Clean Power Plan have raised concerns by attorneys general of states like California and New York, who said in comments submitted to the EPA on Tuesday that the administrator should recuse himself because as Oklahoma attorney general he led legal challenges against it.

BIOFUELS AND STAFF CUTS

Pruitt said he hoped for legislative reform of the U.S. biofuels policy this year, calling it "substantially needed and important" because of the costs the regulation imposes on oil refiners.

The Renewable Fuel Standard, ushered in by former President George W. Bush as a way to help U.S. farmers, requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply every year.

Refining companies say the EPA-administered policy costs them hundreds of millions of dollars annually and threatens to put some plants out of business. But their proposals to change the program have so far been rejected by the Trump administration under pressure from the corn lobby.

The EPA in November slightly raised biofuels volumes mandates for 2018, after previously opening the door to cuts.

The White House is now mediating talks on the issue between representatives of both sides, with input from EPA, and some Republican senators from states representing refineries are working on possible legislation to overhaul the program.

AMERICAN OVERSIGHT

Pruitt said he also hoped Congress could produce an infrastructure package this year that would include replacing municipal water pipes, as a way of combating high lead levels in certain parts of the United States.

"That to me is something very tangible very important that we can achieve for the American people," he said.

Pruitt added that EPA also continuing its review of automobile fuel efficiency rules, and would be headed to California soon for more meetings with the California Air Resources Board to discuss them.

California in 2011 agreed to adopt the federal vehicle emission rules through 2025, but has signaled it would opt out of the standards if they are weakened – a move that would complicate matters for automakers serving the huge California market.

In the meantime, Pruitt said EPA is continuing to reduce the size of its staff, which fell to 14,162 employees as of Jan. 3, the lowest it has been since 1998, under Ronald Reagan when the employment level was 14,400. The EPA employed about 15,000 when Obama left office.

Nearly 50 percent of the EPA will be eligible to retire within the next five years, according to the agency.

NewsOK

http://newsok.com/contaminated-eagle-industries-site-in-midwest-city-added-to-epa-priorities-list/article/5578891

Contaminated Eagle Industries site in Midwest City added to EPA priorities list

By: Justin Wingerter, 1/9/18

AMERICAN OVERSIGHT

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site.

The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

"Groundwater resources at the site and the surrounding area are threatened by the contamination," the EPA wrote in a memo Tuesday. "(Trichloroethylene) has been found in off-site private drinking water wells. The site is an area of recharge for the Central Oklahoma aquifer system, which is a major source of groundwater in Central Oklahoma."

Contamination at Eagle Industries was first discovered in 2003. The company, which had dumped contaminants in violation of state law, closed in 2010 without paying a fine.

The EPA announced in early August it would consider adding Eagle to its national priorities list at the request of Gov. Mary Fallin. Several months of public comment followed, leading to Tuesday's announcement.

“Once again, Administrator (Scott) Pruitt is making it clear that he's focused on protecting the environment by partnering with states to clean up contaminated sites in local communities," said U.S. Sen. Jim Inhofe, R-Tulsa.

"By adding the Eagle Industries site in Oklahoma City to the National Priorities List, it will give the site increased attention for long-term clean-up efforts and focus on revitalizing the area for development and economic activity," he added.

The adverse public health ramifications of Eagle's illegal actions have not dissipated. Trichloroethylene, or TCE, has been found within nearby residential water wells. State investigators distributed a fact sheet to residents that stated TCE “may cause nervous system

AMERICAN OVERSIGHT

effects, liver and lung damage, abnormal heartbeat, coma and possibly death."

"It is clear that the TCE is migrating, with the likelihood of affecting approximately 30 additional residences and businesses," stated an internal DEQ memo obtained by The Oklahoman in an open records request. "Eagle Industries lies in Midwest City. The plume of pollution is flowing into Oklahoma City."

On Tuesday, the EPA wrote, "There are currently no readily available alternative drinking water sources for the 18 family homes south of Eagle Industries."

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," Pruitt said in a statement.

EPA cleanup efforts could eventually extend to a second Eagle site, where the company operated for decades, beginning in 1957. Since an investigation by The Oklahoman found Eagle employees may have also dumped trichloroethylene at the site, 8828 SE 29th St., state investigators and Midwest City have agreed to test the soil and groundwater there. The property is owned by Midwest City.

Rita Kottke, an environmental programs director at DEQ, told Midwest City council members last month that EPA headquarters in Washington had shown an interest in the 8828 site. The EPA contacted DEQ and pushed them to conduct environmental testing, the first step in the Superfund process, according to Kottke.

When soil and groundwater tests are complete in the coming months, several outcomes are possible. The tests could find no cause for concern, allowing Midwest City to develop the 8828 site and attract a grocery store or other retail opportunity. The tests could find minor contamination curative with soil extraction and other actions. Or the tests could find dire contamination requiring massive EPA action.

Miami News Record

AMERICAN OVERSIGHT

http://www.miamiok.com/news/20180109/tar-creek-superfund-site-makes-pruitts-priority-list

Tar Creek Superfund Site Makes Pruitt's Priority List

By: Melinda Stotts, 1/9/18

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

MIAMI – The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list.

The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list.

The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

The listed sites require timely resolution of specific issues to expedite cleanup and redevelopment efforts, according to the EPA's press release, and the list is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

According to the EPA, Pruitt will receive regular updates on the listed sites, but the EPA remains dedicated to addressing the risks of all Superfund sites.

AMERICAN OVERSIGHT

There are currently more than 1,300 Superfund sites on EPA's National Priorities List at various stages in the cleanup process

The Task Force recommendations are aimed at expediting cleanup at all sites and Pruitt has set the expectation of a renewed focus on accelerating work and progress.

The list released on Dec. 8 includes the following U.S. Superfund Sites Mohawk Tannery in Nashua, New Hampshire, Centredale Manor Restoration Project in North Providence in Rhode Island, American Cyanamid Co. in Bound Brook, New Jersey, Diamond Alkali Co. (aka Upper Lower Passaic) Newark, New Jersey, Ventron/Velsicol (aka Berry's Creek) in Wood Ridge Borough, New Jersey, L.A. Clarke & Son in Spotsylvania, Virginia, B.F. Goodrich in Calvert City, Kentucky, Mississippi Phosphates Corporation in Pascagoula, Mississippi, U.S. Smelter and Lead Refinery Inc. (aka USS Lead or East Chicago) in East Chicago, Indiana, Allied Paper Inc./Portage Creek/Kalamazoo River in Kalamazoo, Michigan, Tar Creek (Ottawa County) in Ottawa County, Oklahoma, San Jacinto Waste Pits in Channelview, Texas, Des Moines TCE (aka Dico Company) in Des Moines, Iowa, West Lake Landfill in Bridgeton, Missouri, Bonita Peak Mining District in San Juan County, Colorado, Anaconda Co. Smelter in Anaconda, Montana, Silver Bow Creek/Butte Area I Butte, Montana, Orange County North Basin in Fullerton, California, Anaconda Copper Mine in Lyon County, Nevada, Portland Harbor in Portland, Oregon and Quendall Terminal in Renton, Washington.

All 21 sites have been designated the nation's Superfund sites for years, some for decades. Tar Creek was first officially designated a Superfund in 1983.

Millions and millions, well over $300 million, of federal funding has been expended for cleanup and buyout of the Tar Creek Superfund Site which continues today and is expected to continue for more decades to come.

Pruitt is a former Oklahoma state senator and served the state as attorney general before his nomination by President Trump to the EPA and confirmation to the post in February of 2017.

During his time serving as Oklahoma's attorney general Pruitt refused to release the state audit conducted regarding the Lead-Impacted Communities Relocation Trust (LICRAT), a Public Trust and Agency of the State of Oklahoma buyout of the Tar Creek Superfund Site despite the

AMERICAN OVERSIGHT

objection of other state officials.

A non-profit Washington, DC watchdog group, Campaign for Accountability (CfA) filed a lawsuit in the District Court of Oklahoma in November of 2017 against Oklahoma Attorney General Mike Hunter and Oklahoma State Auditor and Inspector Gary Jones for failing to release copies of audits and documents related to corruption allegations associated with the management of the Tar Creek Reclamation site in the state, according to their press release.

"While he was serving as the Attorney General of Oklahoma, EPA Administrator Scott Pruitt declined to bring criminal charges in response to an audit that found evidence of criminal wrongdoing at the Tar Creek Reclamation site," said CfA Executive Director Daniel E. Stevens in a press release issued by Nov. 27, 2017, by CfA. "Why did he refuse to bring charges? We don't know because the Oklahoma Attorney General's office has repeatedly refused to release documents related to this audit."

Pruitt claimed if released the information in the audit might unfairly embarrass private civilians.

Times Free Press

http://www.timesfreepress.com/news/breakingnews/story/2018/jan/09/local-site-proposed/460875/

Local site proposed for list of country's most toxic places

By: Mark Pace, 1/9/18

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places.

The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be

AMERICAN OVERSIGHT

added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

"The priority for proposing the Site is protecting children by identifying and cleaning up lead-contaminated soil at residential properties and other areas where children may be present," according to a release from the EPA.

The site site located where waste material was used in past decades as fill or top soil in Alton Park, Cowart Place, Jefferson Heights, Richmond and the Southside Gardens areas in the southwestern portion of Chattanooga.

Lead levels at the site were detected above health-based benchmarks. The EPA will work with other groups and agencies to clean the site and replace it with clean soil.

Sites are added to the National Priorities List when contaminants are considered threats to human health and the environment.

The move is another step in EPA Administrator Scott Pruitt's goal to identify and the clean toxic sites. The announcement comes on the heels of a targeted campaign for "immediate and intense attention" to clean and restore 21 sites in the U.S.

US News

https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water

Michigan sets standard for chemical contaminant in water

By: David Eggert, AP, 1/9/18

AMERICAN OVERSIGHT

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion. That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted $23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

AMERICAN OVERSIGHT

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

Newark Post

http://www.newarkpostonline.com/news/epa-adds-contaminated-newark-site-to-superfund-list/article_bd185770-1678-57de-91c0-40f653ecd7af.html

EPA adds contaminated Newark site to Superfund list

By: Josh Shannon, 1/9/18

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program.

AMERICAN OVERSIGHT

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," EPA Administrator Scott Pruitt said in a prepared statement.

The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

City and state officials first asked for federal help investigating the cause of groundwater pollution in 2016.

The issue involves the area surrounding the city's South Well Field, located on a narrow property off South Chapel Street, between Brookside and Scottfield. Water from the South Well Field feeds the southern part of the city, roughly as far north as Kells Avenue. The northern part of the city gets its water from White Clay Creek and the Newark Reservoir.

Nearly 20 years ago, city officials noticed volatile organic compounds (VOCs) – including chemicals commonly found in dry cleaning solvents and other industrial solvents and degreasers – seeping into the water and installed a treatment system in 2003. The chemicals are toxic but are easily removed in treatment, according to Tom Coleman, acting city manager for the city of Newark.

"It's been in place since 2003, and we don't have any problem treating it," Coleman explained in 2016. "It's just an expense."

Coleman emphasized that treatment eliminates the VOCs from the water.

"Our water is safe, has been safe and will continue to be safe," he said.

AMERICAN OVERSIGHT

The Delaware Department of Natural Resources and Environmental Control has been studying the cause of the pollution but has been unable to pinpoint the source.

The contamination is believed to be in two groundwater plumes. One is beneath Pencader Plaza, the Blue Hen Industrial Park and homes around Scottfield Drive. The second is beneath a portion of the Diamond State Industrial Park along Bellevue Road.

Officials believe the VOCs may have come from industrial chemicals used or spilled in the industrial parks.

A year ago, the EPA conducted preliminary tests at monitoring wells in Brookside and Scottfield, as well as in the commercial areas along South Chapel Street. The agency was testing for "vapor intrusion," which is the migration of VOCs from contaminated groundwater into nearby buildings through openings in the building foundation.

The study found the concentration of VOCs does not present a vapor intrusion concern to nearby residents and businesses.

Los Angeles Times

http://www.latimes.com/local/lanow/la-me-ln-rainfall-mudflow-20180109-story.html

At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California

By: James Queally, Joseph Serna, Michael Livingston and Ruben Vines, 1/9/18

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and

AMERICAN OVERSIGHT

downed trees to search for victims.

The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

At least 25 other people were injured, authorities said at an afternoon press conference. Crews rescued 50 people by air and dozens more from the ground.

"It's going to be worse than anyone imagined for our area," Eliason said in a phone interview Tuesday. "Following our fire, this is the worst-case scenario."

The deaths came after a heavy band of rain struck around 2:30 a.m., causing "waist-high" mudflows, Eliason said.

Late Tuesday, about 300 people remained stuck in their homes in Montecito's Romero Canyon neighborhood after impassable roads halted rescue operations, officials said.

First-responders plan to launch aerial rescues at daybreak for those residents, all of whom are safe.

"So far there isn't a concern about anybody being in any potential danger in that area," said Rosie Narez, a spokeswoman for the multi-agency storm response. "There's no way in or out, so I mean, at some point … you're going to run out of stuff, so you're going to need help."

Authorities said the residents are in a mandatory evacuation zone.

AMERICAN OVERSIGHT

The mudslide struck a section of the city that is south of the Thomas fire's burn area and was not subject to a mandatory evacuation, Eliason said. Rescue personnel have yet to even make it north of Highway 192, which is closer to soil scorched by last month's wildfire. Burned areas are less capable of absorbing water, making them even more susceptible to flooding and mudslides.

Officials had no estimate on how many people could be trapped or how many homes were damaged. The search for survivors was still underway Tuesday afternoon, with many places inaccessible.

Stationed in Hawaii for the Navy, Tyler McManigal, 28, was notified Tuesday that his father and brother were swept away by flooding in Montecito.

In a phone interview, he said he knew very little else about what happened.

McManigal said when the flash flood and mud flow began, his 64-year-old father, John, woke up and rushed over to wake up his brother, Connor, 23. The pair were unable to make it out of their home in the 300 block of Hot Springs Road, just north of Olive Mill Road.

The torrent of brown liquid mixed with branches, rocks, boulders and other debris carried away the family home — along with McManigal's brother and father.

"They found my brother probably three-quarters of a mile away, south of where the house is, on the 101 Freeway," he said, adding that Connor was taken to a local hospital.

"My brother is OK," he said.

But his father, who has six children, is yet to be found, said McManigal, who is trying to get

AMERICAN OVERSIGHT

back home.

The founder of St. Augustine Academy in Ventura was among those killed early Tuesday when a powerful mudslide swept him and his wife from their Montecito home.

Roy Rohter was identified by officials at Thomas Aquinas College, from which his daughter graduated in 2000. His wife, Theresa, was rescued and is in stable condition, officials said.

Friends remembered Rohter as an energetic leader and generous benefactor of the college.

“Roy Rohter was a man of strong faith and a great friend of Catholic education,” Michael F. McLean, president of the college, said in a statement posted on the school’s website. “He played a pivotal role in the lives of countless young Catholic students — students who came to a deeper knowledge and love of Christ because of his vision, commitment and generosity.”

Michael Van Hecke, headmaster of St. Augustine, said in a statement that Rohter “has done so much for so many people and pro-life and Catholic education causes. … Thousands have been blessed by the Rohters’ friendship and generosity.”

Emergency crews spent the first hours of light making rescues in voluntary evacuation zones near Montecito Creek north of U.S. 101.

In the 300 block of Hot Springs Road, crews rescued six people and a dog after four homes were destroyed. The mud lifted one home off of its foundation and carried it into trees, where it then collapsed, Eliason said. Firefighters used the jaws of life to cut their way into the home where a firefighter heard muffled cries for help from a 14-year-old girl, Eliason said.

A rescue dog pinpointed the girl’s location and two hours later, the mud-covered girl was pulled free. A second 14-year-old girl was also rescued from the same neighborhood and carried from ankle-high mud in a basket by half a dozen firefighters.

AMERICAN OVERSIGHT

The U.S. Coast Guard also sent rescue helicopters into the area Tuesday morning, hoisting several people from collapsed homes or rooftops that stood above swirling mud and water. Rescue personnel were also able to save a young boy who was swept more than half a mile south from his house after the building was lifted from its foundation in Montecito, authorities said.

The boy was found alive under a U.S. 101 overpass, authorities said. But his father remains unaccounted for.

On Hot Springs Road on Tuesday afternoon, a dozen sheriff's deputies carried a body on a gurney from a collapsed house as muddy water raced down the street. The deputies surrounded the body in silence for several moments before placing it gently into an emergency vehicle.

According to the National Weather Service in Los Angeles, the highest preliminary rainfall total appeared to register at roughly 5 inches in a gauge north of Ojai in Ventura County, in the burn area of the Thomas fire, which forced evacuations and destroyed homes last month. With heavy showers still forecast, flash flood warnings remained in effect for Santa Barbara County and southern Ventura County through Tuesday afternoon, according to the National Weather Service.

The 101 Freeway was shut down in both directions for more than 30 miles in the Thomas fire burn area because of flooding and debris flow, spanning an area from Santa Barbara to Ventura, according to the California Highway Patrol. Sections of routes 33 and 150 were also closed in Ventura County, according to the Sheriff's Department. There was no estimate for when the roadways might reopen, a California Department of Transportation spokesman said Tuesday afternoon.

In Los Angeles, one person was killed when a big rig overturned in the northbound lanes of the 5 Freeway near Los Feliz, said Saul Gomez, public information officer for the California Highway Patrol's Southern Division. All northbound lanes were closed as of 4 a.m., though Gomez said police were hoping to reopen the roadway by 8 a.m.

AMERICAN OVERSIGHT

The victim, who was not identified, was approximately 60 years old, Gomez said. No one else was injured. While the accident happened as rain fell across Los Angeles County, Gomez said he could not confirm the crash was storm-related.

The fatal crash was one of hundreds that occurred during the downpour. Between 5 and 9 a.m. Tuesday, there were 275 traffic collisions reported on Los Angeles-area freeways, the California Highway Patrol said. There were only 30 during the same time period a week ago.

Santa Barbara County officials evacuated nearly 7,000 residents from foothill communities shortly before the heaviest surge hit the area, according to Sheriff's Office spokeswoman Kelly Hoover.

About 3 a.m., she said, the storm became ferocious.

"We just had a deluge, a power surge of rain. And we had a report of a structure fire burning in the Montecito area, the San Ysidro area. And it just kept going downhill from there," she said. "We have people stuck in their homes, stuck in their cars. There's downed power lines, flooded roadways, debris."

Hoover said the shutdown of the 101 Freeway was heavily hindering rescue efforts.

"There's no way to get from Ventura here, no way for us to get south," Hoover said. "We're encouraging people to stay off the roads if they're in an evacuation area."

By 8:30 a.m., the county's dispatch center had at least 50 calls pending, she said.

Santa Barbara County officials put a boil water notice in effect for the entire Montecito Water District on Tuesday afternoon.

AMERICAN OVERSIGHT

In Los Angeles County, there was "mudslide activity" on Country Club Drive in Burbank, where police ordered evacuations of all homes east of Via Montana on Tuesday morning. The Police Department released footage of water surging across a roadway and urged people not to attempt to drive over it. Some vehicles were picked up and moved by the surge, and a few homes suffered minor damage, but no one had been injured as of 1 p.m., according to Sgt. Derek Green, a Burbank police spokesman.

The torrent of mud and debris sheared at least three fire hydrants, pumping another 130,000 gallons of water onto the debris flow, said Bill Mace, an assistant general manager of water systems for Burbank Water and Power. The department was able to cut off the pressure to each hydrant, but 14 homeowners will be without water for at least two days, Mace said.

Country Club Drive residents Allie Vonnacher, 17, and her mom, Heidi Donato-Fennell, 42, said they awoke to the site of several cars flowing down the street, along with power lines, trees and mailboxes.

"It's just surreal how powerful nature is," Donato-Fennell said. "You just hope it stays contained in the street and it doesn't become life-threatening."

Surges also washed out Topanga Canyon Boulevard north of Pacific Coast Highway, and sections of the 110 Freeway were closed because of flooding. The Los Angeles Fire Department had to launch a swift-water rescue to aid a man and a dog trapped in rising water near the Sepulveda Basin Recreation Area, and a Los Angeles police cruiser became mired in a debris flow on La Tuna Canyon Road, according to authorities. The officer was uninjured and walked out of the vehicle. The cruiser was in the process of being dug out of the mud with a backhoe early Tuesday.

International travelers arriving at Los Angeles International Airport also had to be diverted from Terminal 2 on Tuesday morning, after the customs area became flooded, the airport said on Twitter.

The CHP also said heavy rains likely contributed to a crash that left one person dead on Highway 126 in Ventura County, about two miles from the Los Angeles County line, on Monday

AMERICAN OVERSIGHT

afternoon. One woman died and two others were injured in the five-car crash, the agency said.

The National Weather Service was reporting rainfall totals of up to 5 inches in Ventura County and 3.3 inches in Santa Barbara County as of 11 a.m. Nearly 1½ inches of rain had fallen in Bel-Air, which could be susceptible to mudslides and debris flow because of damage caused by the Skirball fire last month.

The storm spared some areas that were affected by last month's blazes. Early Tuesday afternoon, evacuation orders for neighborhoods in the burn areas of the Creek and Fish fires were lifted, according to the Los Angeles County Sheriff's Department.

"I woke up ready this morning to laugh and scoff at all the gloom-and-doom predictions," said Dominic Shiach, 50. "It's actually way worse than I thought it was going to be."

Shiach wore a Navy raincoat as he walked Archie, his 3-year-old West Highland terrier, down Sycamore Canyon Road on Tuesday morning.

Amber Anderson with the Santa Barbara Incident Management Team said there were about 75 people who called for evacuation help.

Marc Phillips realized he should have listened to emergency officials as he trudged down East Valley Road in mud-soaked jeans.

"They were right," he said, pointing to a place where residences had been knocked from their foundations. "It looks like there was never a house there, but it was."

Fox News

AMERICAN OVERSIGHT

http://www.foxnews.com/politics/2018/01/09/us-oks-selling-japan-missiles-to-shoot-down-north-korean-missiles.html

US Oks selling Japan missiles to shoot down North Korean missiles

By: Frank Miles, 1/9/18

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles.

The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

A State Department official told Fox News that, "Also included are four Mk 29 missile canisters, and other technical, engineering and logistics support services."

The department said the sale would support the U.S. defense industry and underscore Trump's commitment to improve the defense of allies threatened by North Korea.

The system was jointly developed by Japan and the U.S.

The missiles could be used at sea with Japan's current Aegis-equipped destroyers and with the land-based Aegis system its Cabinet approved for purchase last month.

That's intended to bolster Japan's current missile defense and perhaps curry favor with President Donald Trump who is eager for U.S. allies to buy more American military hardware.

"If concluded, this proposed sale will contribute to the foreign policy and national security interests of the United States," the State Department official told Fox News. "It will bolster the

AMERICAN OVERSIGHT

security of a major treaty ally that has been, and continues to be, a force for political stability and economic progress in the Asia-Pacific region. It will also improve (Japan Maritime Self-Defense Force's) interoperability with U.S. missile defense systems, and increase the protection for U.S. installations in the region."

Fox News previously reported that North Korea's weapons "are only aimed" at America and its territories, a regime official menacingly revealed during Tuesday's joint talks with South Korea — doubling down on Kim Jong Un's frequent threats to destroy the United States.

CNBC

https://www.cnbc.com/2018/01/10/china-is-reportedly-thinking-of-halting-us-treasury-purchases.html

China is reportedly thinking of halting US Treasury purchase and that's worrying markets right now

By: Fred Imbert, 1/10/18

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report.

Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

The report also notes that Chinese officials think U.S. debt is becoming less attractive compared to other assets, adding that trade tensions between the two countries could provide a reason to slow down or halt the purchases.

The news is worrying markets.

AMERICAN OVERSIGHT

Treasury prices fell, boosting yields. The U.S. dollar also fell vs. most currencies and gold increased.

Dow futures were down more than 110 points.

A taper in Chinese purchases would come as the Federal Reserve unwinds the massive balance sheet it amassed following the financial crisis. The Fed is also expected to raise rates three times this year. In 2017, the central bank also hiked rates three times.

The U.S. 10-year yield rose to 2.59 percent on Wednesday, hitting levels not seen since last March. The dollar also fell against a basket of major currencies, trading down 0.6 percent at 91.96.

Click here for the full report.

Wall Street Journal

https://www.wsj.com/articles/amid-signs-of-a-thaw-in-north-korea-tensions-bubble-up-1515427541

Amid signs of a thaw in North Korea, Tensions bubble up

By: Gerald Seib, 1/9/18

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating.

In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

AMERICAN OVERSIGHT

But as just one sign of how fraught the situation remains, simply consider this: U.S. officials are quietly debating whether it's possible to mount a limited military strike against North Korean sites without igniting an all-out war on the Korean Peninsula.

Senior officials from South and North Korea held their first formal face-to-face talks in two years on Tuesday, discussing Pyongyang's possible participation in the Winter Olympics and other issues in hopes of cooling tensions.

The idea is known as the "bloody nose" strategy: React to some nuclear or missile test with a targeted strike against a North Korean facility to bloody Pyongyang's nose and illustrate the high price the regime could pay for its behavior. The hope would be to make that point without inciting a full-bore reprisal by North Korea.

It's an enormously risky idea, and there is a debate among Trump administration officials about whether it is feasible. North Koreans have a vast array of artillery tubes pointed across the demilitarized zone at Seoul, the capital of South Korea, with which they could inflict thousands of casualties within minutes if they choose to unleash an all-out barrage.

Now, that danger is coupled with the risk that the North Koreans could attempt to use a nuclear weapon if they choose to escalate in retaliation against even a single strike.

Such a debate reflects how tense the situation remains, even though North Korea has scaled back the pace of its provocative actions in recent weeks and opened the door to diplomacy.

Tuesday's talks marked the first high-level dialogue between the Koreas in two years. After almost a year of regular provocations from North Korean leader Kim Jong Un, they are the first real sign that a diplomatic track is possible to begin de-escalating tensions over his nuclear and missile programs.

The U.S. and South Korea agreed on Thursday to delay their planned joint military exercises.

AMERICAN OVERSIGHT

The South Koreans are hosting the Olympics in February and want a period of calm and peace on the Korean Peninsula during that period. WSJ's Gerald F. Seib explains the short-term and long-term consequences of the delay.

A key question is whether the conversation can expand beyond the Olympics to include other topics Seoul wants to discuss, notably reunification of Korean families split between North and South, and a general lowering of hostility.

Even if that happens, though, the diplomatic move needed to really start dialing back tensions would be conversations between North Korea and the U.S. That possibility seems stuck in a long-distance dance between Pyongyang and Washington, with each side making opening bids the other finds unacceptable.

North Korea wants the U.S. to forswear joint military activities with South Korea in advance of talks, while the U.S. insists the goal of talks should be to eliminate North Korea's nuclear arsenal, not merely contain it. Each side finds the other's conditions unacceptable.

Indeed, diplomats suspect North Korea's engagement with South Korea is an attempt to drive a wedge between Seoul and its American allies, thereby reducing the possibility the U.S. could take any kind of military action against Pyongyang.

Efforts are under way to broaden the diplomatic opening beyond Tuesday's intra-Korean conversation. Jonathan Powell, a former chief of staff to British Prime Minister Tony Blair, has offered to help try to get broader conversations going, three people in the diplomatic community said.

And Jeffrey Feltman, an American diplomat now serving as U.N. under secretary-general for political affairs, recently traveled to North Korea to explore diplomatic possibilities. But Mr. Feltman returned alarmed at what he found in Pyongyang, where he sensed little interest in either talks with the U.S. or moving off the North's current nuclear track, say those who have talked with him.

Within the Trump administration, officials say, Secretary of State Rex Tillerson and Defense Secretary Jim Mattis remain focused on trying to get a broader diplomatic effort under way to

AMERICAN OVERSIGHT

rein in the North Korean nuclear program. National security adviser H.R. McMaster is arguing more vocally, publicly and privately, that military options need to be considered.

The wild card, as in all things in the Trump administration, is President Donald Trump himself. He signaled his own interest in a diplomatic track in the past. But he has also seemed to disavow Mr. Tillerson's overtures on negotiations. And his recent tweet—asserting he has a "bigger" nuclear button than does Mr. Kim—is, in the words of one experienced diplomat, the equivalent of "waving a red flag before a bull."

The U.S. hasn't done the kind of logistical preparations needed for a full-blown conflict on the Korean Peninsula. Still, as the talk of a "bloody nose" option suggests, that doesn't mean one can't happen.

Thanks to the Olympics and the intra-Korean diplomatic opening, the next few months figure to be relatively calm. But depending on whether the diplomatic opening widens or not, mid-2018 could be a time of reckoning.

AMERICAN OVERSIGHT

EPA Morning News Highlights 01.10.18

Reuters: Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018
A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants. The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

NewsOK: Contaminated Eagle Industries site in Midwest City added to EPA priorities list
A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental Protection Agency's national priorities list for Superfund site. The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

Miami News Record: Tar Creek Superfund Site Makes Pruitt's Priority List
The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list. The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list. The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

Times Free Press: Local Site Proposed for List of Country's Most Toxic Places
A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places. The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

US News: Michigan Sets Standard for Chemical Contaminant in Water
Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed. The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

Newark Post: EPA Adds Contaminated Newark Site to Superfund List
The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program. The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

National Morning News Highlights 01.10.18

Los Angeles Times: At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California
At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims. The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

AMERICAN OVERSIGHT

Fox News: US Oks selling Japan missiles to shoot down North Korean missiles
The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles. The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

CNBC: China is reportedly thinking of halting US Treasury purchases and that's worrying markets right now
China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report. Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

Wall Street Journal: Amid signs of a thaw in North Korea, Tensions bubble up
A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating. In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

Reuters

http://news.trust.org/item/20180110023844-vd9k3/

Exclusive: Trump's EPA aims to replace Obama-era climate, water regs in 2018

By: Valerie Volcovici and David Shepardson, 1/9/18

A top EPA priority for 2018 is to replace the Obama-era Clean Power Plan which would have slashed carbon emissions from power plants

The U.S. Environmental Protection Agency will replace Obama-era carbon and clean water regulations and open up a national debate on climate change in 2018, part of a list of priorities for the year that also includes fighting lead contamination in public drinking water.

The agenda, laid out by EPA Administrator Scott Pruitt in an exclusive interview with Reuters on Tuesday, marks an extension of the agency's efforts under President Donald Trump to weaken or kill regulations the administration believes are too broad and harm economic growth, but which environmentalists say are critical to human health.

"The climate is changing. That's not the debate. The debate is how do we know what the ideal surface temperature is in 2100?... I think the American people deserve an open honest transparent discussion about those things," said Pruitt, who has frequently cast doubt on the causes and implications of global warming.

Pruitt reaffirmed plans for the EPA to host a public debate on climate science sometime this year that would pit climate change doubters against other climate scientists, but he provided no further details on timing or which scientists would be involved.

Pruitt said among the EPA's top priorities for 2018 will be to replace the Clean Power Plan, former President Barack Obama's centerpiece climate change regulation which would have slashed carbon emissions from power plants. The EPA began the process of rescinding the regulation last year and is taking input on what should replace it.

"A proposed rule will come out this year and then a final rule will come out sometime this year," he said. He did not give any details on what the rule could look like, saying the agency was still soliciting comments from stakeholders.

He said the agency was also planning to rewrite the Waters of the United States rule, another Obama-era regulation, this one defining which U.S. waterways are protected under federal law. Pruitt and Trump have said the rule marked an overreach by including streams that are shallow, narrow, or sometimes completely dry - and was choking off energy development.

AMERICAN OVERSIGHT

Pruitt said that in both cases, former President Barack Obama had made the rules by executive order, and without Congress. "We only have the authority that Congress gives us," Pruitt said.

Pruitt's plans to replace the Clean Power Plan have raised concerns by attorneys general of states like California and New York, who said in comments submitted to the EPA on Tuesday that the administrator should recuse himself because as Oklahoma attorney general he led legal challenges against it.

BIOFUELS AND STAFF CUTS

Pruitt said he hoped for legislative reform of the U.S. biofuels policy this year, calling it "substantially needed and important" because of the costs the regulation imposes on oil refiners.

The Renewable Fuel Standard, ushered in by former President George W. Bush as a way to help U.S. farmers, requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply every year.

Refining companies say the EPA-administered policy costs them hundreds of millions of dollars annually and threatens to put some plants out of business. But their proposals to change the program have so far been rejected by the Trump administration under pressure from the corn lobby.

The EPA in November slightly raised biofuels volumes mandates for 2018, after previously opening the door to cuts.

The White House is now mediating talks on the issue between representatives of both sides, with input from EPA, and some Republican senators from states representing refineries are working on possible legislation to overhaul the program.

Pruitt said he also hoped Congress could produce an infrastructure package this year that would include replacing municipal water pipes, as a way of combating high lead levels in certain parts of the United States.

"That to me is something very tangible very important that we can achieve for the American people," he said.

Pruitt added that EPA also continuing its review of automobile fuel efficiency rules, and would be headed to California soon for more meetings with the California Air Resources Board to discuss them.

California in 2011 agreed to adopt the federal vehicle emission rules through 2025, but has signaled it would opt out of the standards if they are weakened – a move that would complicate matters for automakers serving the huge California market.

In the meantime, Pruitt said EPA is continuing to reduce the size of its staff, which fell to 14,162 employees as of Jan. 3, the lowest it has been since 1998, under Ronald Reagan when the employment level was 14,400. The EPA employed about 15,000 when Obama left office.

Nearly 50 percent of the EPA will be eligible to retire within the next five years, according to the agency.

NewsOK

http://newsok.com/contaminated-eagle-industries-site-in-midwest-city-added-to-epa-priorities-list/article/5578891

Contaminated Eagle Industries site in Midwest City added to EPA priorities list

By: Justin Wingerter, 1/9/18

A contaminated industrial site along Midwest City's border with Oklahoma City was added Tuesday to the Environmental

AMERICAN OVERSIGHT

Protection Agency's national priorities list for Superfund site.

The designation signifies the site is one of the nation's most severely polluted parcels of land. Soil and groundwater around the former Eagle Industries property at 10901 SE 29th St. are contaminated with trichloroethylene and dichloroethane, according to Oklahoma Department of Environmental Quality investigators.

"Groundwater resources at the site and the surrounding area are threatened by the contamination," the EPA wrote in a memo Tuesday. "(Trichloroethylene) has been found in off-site private drinking water wells. The site is an area of recharge for the Central Oklahoma aquifer system, which is a major source of groundwater in Central Oklahoma."

Contamination at Eagle Industries was first discovered in 2003. The company, which had dumped contaminants in violation of state law, closed in 2010 without paying a fine.

The EPA announced in early August it would consider adding Eagle to its national priorities list at the request of Gov. Mary Fallin. Several months of public comment followed, leading to Tuesday's announcement.

“Once again, Administrator (Scott) Pruitt is making it clear that he's focused on protecting the environment by partnering with states to clean up contaminated sites in local communities," said U.S. Sen. Jim Inhofe, R-Tulsa.

"By adding the Eagle Industries site in Oklahoma City to the National Priorities List, it will give the site increased attention for long-term clean-up efforts and focus on revitalizing the area for development and economic activity," he added.

The adverse public health ramifications of Eagle's illegal actions have not dissipated. Trichloroethylene, or TCE, has been found within nearby residential water wells. State investigators distributed a fact sheet to residents that stated TCE “may cause nervous system effects, liver and lung damage, abnormal heartbeat, coma and possibly death.”

“It is clear that the TCE is migrating, with the likelihood of affecting approximately 30 additional residences and businesses,” stated an internal DEQ memo obtained by The Oklahoman in an open records request. “Eagle Industries lies in Midwest City. The plume of pollution is flowing into Oklahoma City.”

On Tuesday, the EPA wrote, "There are currently no readily available alternative drinking water sources for the 18 family homes south of Eagle Industries."

“Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country,” Pruitt said in a statement.

EPA cleanup efforts could eventually extend to a second Eagle site, where the company operated for decades, beginning in 1957. Since an investigation by The Oklahoman found Eagle employees may have also dumped trichloroethylene at the site, 8828 SE 29th St., state investigators and Midwest City have agreed to test the soil and groundwater there. The property is owned by Midwest City.

Rita Kottke, an environmental programs director at DEQ, told Midwest City council members last month that EPA headquarters in Washington had shown an interest in the 8828 site. The EPA contacted DEQ and pushed them to conduct environmental testing, the first step in the Superfund process, according to Kottke.

When soil and groundwater tests are complete in the coming months, several outcomes are possible. The tests could find no cause for concern, allowing Midwest City to develop the 8828 site and attract a grocery store or other retail opportunity. The tests could find minor contamination curative with soil extraction and other actions. Or the tests could find dire contamination requiring massive EPA action.

AMERICAN OVERSIGHT

http://www.miamiok.com/news/20180109/tar-creek-superfund-site-makes-pruitts-priority-list

Tar Creek Superfund Site Makes Pruitt's Priority List

By: Melinda Stotts, 1/9/18

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

MIAMI – The Tar Creek Superfund Site made U.S. EPA Administrator Scott Pruitt's list of Superfund Sites Targeted for Immediate and Intense Action, but no commitment of additional funding is associated with the site's inclusion on the list.

The Tar Creek Superfund Site is included on a list of 21 sites across the nation making the list.

The EPA considered sites that could benefit from Pruitt's direct engagement and sites that have identifiable actions to protect human health and the environment.

The listed sites require timely resolution of specific issues to expedite cleanup and redevelopment efforts, according to the EPA's press release, and the list is designed to spur action at sites where opportunities exist to act quickly and comprehensively.

The Superfund list came in direct response to the EPA's Superfund Task Force Recommendations issued in July of 2017.

According to the EPA, Pruitt will receive regular updates on the listed sites, but the EPA remains dedicated to addressing the risks of all Superfund sites.

There are currently more than 1,300 Superfund sites on EPA's National Priorities List at various stages in the cleanup process

The Task Force recommendations are aimed at expediting cleanup at all sites and Pruitt has set the expectation of a renewed focus on accelerating work and progress.

The list released on Dec. 8 includes the following U.S. Superfund Sites Mohawk Tannery in Nashua, New Hampshire, Centredale Manor Restoration Project in North Providence in Rhode Island, American Cyanamid Co. in Bound Brook, New Jersey, Diamond Alkali Co. (aka Upper Lower Passaic) Newark, New Jersey, Ventron/Velsicol (aka Berry's Creek) in Wood Ridge Borough, New Jersey, L.A. Clarke & Son in Spotsylvania, Virginia, B.F. Goodrich in Calvert City, Kentucky, Mississippi Phosphates Corporation in Pascagoula, Mississippi, U.S. Smelter and Lead Refinery Inc. (aka USS Lead or East Chicago) in East Chicago, Indiana, Allied Paper Inc./Portage Creek/Kalamazoo River in Kalamazoo, Michigan, Tar Creek (Ottawa County) in Ottawa County, Oklahoma, San Jacinto Waste Pits in Channelview, Texas, Des Moines TCE (aka Dico Company) in Des Moines, Iowa, West Lake Landfill in Bridgeton, Missouri, Bonita Peak Mining District in San Juan County, Colorado, Anaconda Co. Smelter in Anaconda, Montana, Silver Bow Creek/Butte Area I Butte, Montana, Orange County North Basin in Fullerton, California, Anaconda Copper Mine in Lyon County, Nevada, Portland Harbor in Portland, Oregon and Quendall Terminal in Renton, Washington.

All 21 sites have been designated the nation's Superfund sites for years, some for decades. Tar Creek was first officially designated a Superfund in 1983.

Millions and millions, well over $300 million, of federal funding has been expended for cleanup and buyout of the Tar Creek Superfund Site which continues today and is expected to continue for more decades to come.

Pruitt is a former Oklahoma state senator and served the state as attorney general before his nomination by President Trump to the EPA and confirmation to the post in February of 2017.

AMERICAN OVERSIGHT

During his time serving as Oklahoma's attorney general Pruitt refused to release the state audit conducted regarding the Lead-Impacted Communities Relocation Trust (LICRAT), a Public Trust and Agency of the State of Oklahoma buyout of the Tar Creek Superfund Site despite the objection of other state officials.

A non-profit Washington, DC watchdog group, Campaign for Accountability (CfA) filed a lawsuit in the District Court of Oklahoma in November of 2017 against Oklahoma Attorney General Mike Hunter and Oklahoma State Auditor and Inspector Gary Jones for failing to release copies of audits and documents related to corruption allegations associated with the management of the Tar Creek Reclamation site in the state, according to their press release.

"While he was serving as the Attorney General of Oklahoma, EPA Administrator Scott Pruitt declined to bring criminal charges in response to an audit that found evidence of criminal wrongdoing at the Tar Creek Reclamation site," said CfA Executive Director Daniel E. Stevens in a press release issued by Nov. 27, 2017, by CfA. "Why did he refuse to bring charges? We don't know because the Oklahoma Attorney General's office has repeatedly refused to release documents related to this audit."

Pruitt claimed if released the information in the audit might unfairly embarrass private civilians.

Times Free Press

http://www.timesfreepress.com/news/breakingnews/story/2018/jan/09/local-site-proposed/460875/

Local site proposed for list of country's most toxic places

By: Mark Pace, 1/9/18

A local site composed of residential properties, including areas used by children, has been proposed to be put on a list of the country's most toxic places.

The Southside Chattanooga Lead Site is one of 10 sites across the country recommended to be added to the Superfund Program's National Priorities List by the Environmental Protection Agency.

"The priority for proposing the Site is protecting children by identifying and cleaning up lead-contaminated soil at residential properties and other areas where children may be present," according to a release from the EPA.

The site site located where waste material was used in past decades as fill or top soil in Alton Park, Cowart Place, Jefferson Heights, Richmond and the Southside Gardens areas in the southwestern portion of Chattanooga.

Lead levels at the site were detected above health-based benchmarks. The EPA will work with other groups and agencies to clean the site and replace it with clean soil.

Sites are added to the National Priorities List when contaminants are considered threats to human health and the environment.

The move is another step in EPA Administrator Scott Pruitt's goal to identify and the clean toxic sites. The announcement comes on the heels of a targeted campaign for "immediate and intense attention" to clean and restore 21 sites in the U.S.

US News

AMERICAN OVERSIGHT

https://www.usnews.com/news/best-states/michigan/articles/2018-01-09/michigan-sets-standard-for-chemical-contaminant-in-water

Michigan sets standard for chemical contaminant in water

By: David Eggert, AP, 1/9/18

Michigan regulators on Tuesday set a state threshold for chemicals that were once widely used and are being found in drinking water, a move they said will let them issue violation notices and take legal action if needed.

The announcement is the latest as Republican Gov. Rick Snyder's administration scrambles to combat potential health risks in tap water that stem from the chemicals used in firefighting, waterproofing, carpeting and other products.

The combined standard for perfluorooctanoic acid and perfluorooctanesulfonic acid is 70 parts per trillion. That mirrors a federal advisory level set in 2016.

"This new standard allows us to take regulatory enforcement actions, something we have not been able to do absent a state criterion," Michigan Department of Environmental Quality Director Heidi Grether said in a statement. "This means we will now have tools to mandate a responsible party conduct activities to address PFOA and PFOS contamination, thereby reducing risk to human health and the environment."

The expectation is that parties will voluntarily comply with clean up criteria, she said.

Per- and polyfluoroalkyl substances, or PFAS, have been detected at military bases, water treatment plants and, most recently, an old industrial dump site for footwear company Wolverine World Wide. The contaminants, classified by the U.S. Environmental Protection Agency as "emerging" nationally, have sparked enough concern that Snyder in November created a state response team and last month enacted $23 million in emergency spending passed by the Legislature.

The chemicals were used in scores of industrial applications and have been detected in human and animal blood around the world. The Agency for Toxic Substances and Disease Registry said scientists are uncertain about how they affect human health at exposure levels typically found in food and water. But some studies suggest the chemicals might affect fetal development, disrupt hormonal functions, damage fertility and immune systems, and boost the risk of cancer.

At least 1,000 homes with private wells in the Plainfield Township area north of Grand Rapids, near where Wolverine dumped hazardous waste decades ago, have been tested for PFAS contamination in recent months.

Also Tuesday, Snyder announced the creation of two advisory committees to the response team.

One, to be led by Dr. David Savitz of Brown University, will review the science and make recommendations within six months — including potentially a stricter state PFAS standard. Democrats are proposing legislation to establish a 5 parts per trillion limit, which would be the country's toughest guidelines.

The other advisory committee will focus on the public health impact of the contamination and be led by Dr. Eden Wells, Michigan's chief medical executive.

She has been charged with involuntary manslaughter, obstruction of justice and lying to an investigator as part of a criminal investigation of Flint's water crisis, but Snyder has stood behind her. In November, he appointed her to lead a new Public Health Advisory Council.

Newark Post

http://www.newarkpostonline.com/news/epa-adds-contaminated-newark-site-to-superfund-list/article_bd185770-1678-57de-91c0-40f653ecd7af.html

AMERICAN OVERSIGHT

EPA adds contaminated Newark site to Superfund list
By: Josh Shannon, 1/9/18

The Environmental Protection Agency has agreed to add a site in Newark to the National Priorities List – a list of contaminated sites eligible for remedial action financed under the federal Superfund program.

"Today's action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country," EPA Administrator Scott Pruitt said in a prepared statement.

The agency will conduct a remedial investigation and feasibility study to determine the extent of contamination and evaluate various cleanup options, a spokesperson said.

City and state officials first asked for federal help investigating the cause of groundwater pollution in 2016.

The issue involves the area surrounding the city's South Well Field, located on a narrow property off South Chapel Street, between Brookside and Scottfield. Water from the South Well Field feeds the southern part of the city, roughly as far north as Kells Avenue. The northern part of the city gets its water from White Clay Creek and the Newark Reservoir.

Nearly 20 years ago, city officials noticed volatile organic compounds (VOCs) – including chemicals commonly found in dry cleaning solvents and other industrial solvents and degreasers – seeping into the water and installed a treatment system in 2003. The chemicals are toxic but are easily removed in treatment, according to Tom Coleman, acting city manager for the city of Newark.

"It's been in place since 2003, and we don't have any problem treating it," Coleman explained in 2016. "It's just an expense."

Coleman emphasized that treatment eliminates the VOCs from the water.

"Our water is safe, has been safe and will continue to be safe," he said.

The Delaware Department of Natural Resources and Environmental Control has been studying the cause of the pollution but has been unable to pinpoint the source.

The contamination is believed to be in two groundwater plumes. One is beneath Pencader Plaza, the Blue Hen Industrial Park and homes around Scottfield Drive. The second is beneath a portion of the Diamond State Industrial Park along Bellevue Road.

Officials believe the VOCs may have come from industrial chemicals used or spilled in the industrial parks.

A year ago, the EPA conducted preliminary tests at monitoring wells in Brookside and Scottfield, as well as in the commercial areas along South Chapel Street. The agency was testing for "vapor intrusion," which is the migration of VOCs from contaminated groundwater into nearby buildings through openings in the building foundation.

The study found the concentration of VOCs does not present a vapor intrusion concern to nearby residents and businesses.

Los Angeles Times
http://www.latimes.com/local/lanow/la-me-ln-rainfall-mudflow-20180109-story.html

AMERICAN OVERSIGHT

At least 13 dead as heavy rains trigger flooding, mudflows and freeway closures across Southern California
By: James Queally, Joseph Serna, Michael Livingston and Ruben Vines, 1/9/18

At least 13 people were killed Tuesday when a rainstorm sent mud and debris coursing through Montecito neighborhoods and left rescue crews to scramble through clogged roadways and downed trees to search for victims.

The deluge that washed over Santa Barbara County early Tuesday was devastating for a community that was ravaged by the Thomas fire only a few weeks earlier. In just a matter of minutes, pounding rain overwhelmed the south-facing slopes above Montecito and flooded a creek that leads to the ocean, sending mud and massive boulders rolling into residential neighborhoods, according to Santa Barbara County Fire Department spokesman Mike Eliason.

At least 25 other people were injured, authorities said at an afternoon press conference. Crews rescued 50 people by air and dozens more from the ground.

"It's going to be worse than anyone imagined for our area," Eliason said in a phone interview Tuesday. "Following our fire, this is the worst-case scenario."

The deaths came after a heavy band of rain struck around 2:30 a.m., causing "waist-high" mudflows, Eliason said.

Late Tuesday, about 300 people remained stuck in their homes in Montecito's Romero Canyon neighborhood after impassable roads halted rescue operations, officials said.

First-responders plan to launch aerial rescues at daybreak for those residents, all of whom are safe.

"So far there isn't a concern about anybody being in any potential danger in that area," said Rosie Narez, a spokeswoman for the multi-agency storm response. "There's no way in or out, so I mean, at some point … you're going to run out of stuff, so you're going to need help."

Authorities said the residents are in a mandatory evacuation zone.

The mudslide struck a section of the city that is south of the Thomas fire's burn area and was not subject to a mandatory evacuation, Eliason said. Rescue personnel have yet to even make it north of Highway 192, which is closer to soil scorched by last month's wildfire. Burned areas are less capable of absorbing water, making them even more susceptible to flooding and mudslides.

Officials had no estimate on how many people could be trapped or how many homes were damaged. The search for survivors was still underway Tuesday afternoon, with many places inaccessible.

Stationed in Hawaii for the Navy, Tyler McManigal, 28, was notified Tuesday that his father and brother were swept away by flooding in Montecito.

In a phone interview, he said he knew very little else about what happened.

McManigal said when the flash flood and mud flow began, his 64-year-old father, John, woke up and rushed over to wake up his brother, Connor, 23. The pair were unable to make it out of their home in the 300 block of Hot Springs Road, just north of Olive Mill Road.

The torrent of brown liquid mixed with branches, rocks, boulders and other debris carried away the family home — along with McManigal's brother and father.

AMERICAN OVERSIGHT

"They found my brother probably three-quarters of a mile away, south of where the house is, on the 101 Freeway," he said, adding that Connor was taken to a local hospital.

"My brother is OK," he said.

But his father, who has six children, is yet to be found, said McManigal, who is trying to get back home.

The founder of St. Augustine Academy in Ventura was among those killed early Tuesday when a powerful mudslide swept him and his wife from their Montecito home.

Roy Rohter was identified by officials at Thomas Aquinas College, from which his daughter graduated in 2000. His wife, Theresa, was rescued and is in stable condition, officials said.

Friends remembered Rohter as an energetic leader and generous benefactor of the college.

"Roy Rohter was a man of strong faith and a great friend of Catholic education," Michael F. McLean, president of the college, said in a statement posted on the school's website. "He played a pivotal role in the lives of countless young Catholic students — students who came to a deeper knowledge and love of Christ because of his vision, commitment and generosity."

Michael Van Hecke, headmaster of St. Augustine, said in a statement that Rohter "has done so much for so many people and pro-life and Catholic education causes. ... Thousands have been blessed by the Rohters' friendship and generosity."

Emergency crews spent the first hours of light making rescues in voluntary evacuation zones near Montecito Creek north of U.S. 101.

In the 300 block of Hot Springs Road, crews rescued six people and a dog after four homes were destroyed. The mud lifted one home off of its foundation and carried it into trees, where it then collapsed, Eliason said. Firefighters used the jaws of life to cut their way into the home where a firefighter heard muffled cries for help from a 14-year-old girl, Eliason said.

A rescue dog pinpointed the girl's location and two hours later, the mud-covered girl was pulled free. A second 14-year-old girl was also rescued from the same neighborhood and carried from ankle-high mud in a basket by half a dozen firefighters.

The U.S. Coast Guard also sent rescue helicopters into the area Tuesday morning, hoisting several people from collapsed homes or rooftops that stood above swirling mud and water. Rescue personnel were also able to save a young boy who was swept more than half a mile south from his house after the building was lifted from its foundation in Montecito, authorities said.

The boy was found alive under a U.S. 101 overpass, authorities said. But his father remains unaccounted for.

On Hot Springs Road on Tuesday afternoon, a dozen sheriff's deputies carried a body on a gurney from a collapsed house as muddy water raced down the street. The deputies surrounded the body in silence for several moments before placing it gently into an emergency vehicle.

According to the National Weather Service in Los Angeles, the highest preliminary rainfall total appeared to register at roughly 5 inches in a gauge north of Ojai in Ventura County, in the burn area of the Thomas fire, which forced evacuations and destroyed homes last month. With heavy showers still forecast, flash flood warnings remained in effect for Santa Barbara County and southern Ventura County through Tuesday afternoon, according to the National Weather Service.

AMERICAN OVERSIGHT

The 101 Freeway was shut down in both directions for more than 30 miles in the Thomas fire burn area because of flooding and debris flow, spanning an area from Santa Barbara to Ventura, according to the California Highway Patrol. Sections of routes 33 and 150 were also closed in Ventura County, according to the Sheriff's Department. There was no estimate for when the roadways might reopen, a California Department of Transportation spokesman said Tuesday afternoon.

In Los Angeles, one person was killed when a big rig overturned in the northbound lanes of the 5 Freeway near Los Feliz, said Saul Gomez, public information officer for the California Highway Patrol's Southern Division. All northbound lanes were closed as of 4 a.m., though Gomez said police were hoping to reopen the roadway by 8 a.m.

The victim, who was not identified, was approximately 60 years old, Gomez said. No one else was injured. While the accident happened as rain fell across Los Angeles County, Gomez said he could not confirm the crash was storm-related.

The fatal crash was one of hundreds that occurred during the downpour. Between 5 and 9 a.m. Tuesday, there were 275 traffic collisions reported on Los Angeles-area freeways, the California Highway Patrol said. There were only 30 during the same time period a week ago.

Santa Barbara County officials evacuated nearly 7,000 residents from foothill communities shortly before the heaviest surge hit the area, according to Sheriff's Office spokeswoman Kelly Hoover.

About 3 a.m., she said, the storm became ferocious.

"We just had a deluge, a power surge of rain. And we had a report of a structure fire burning in the Montecito area, the San Ysidro area. And it just kept going downhill from there," she said. "We have people stuck in their homes, stuck in their cars. There's downed power lines, flooded roadways, debris."

Hoover said the shutdown of the 101 Freeway was heavily hindering rescue efforts.

"There's no way to get from Ventura here, no way for us to get south," Hoover said. "We're encouraging people to stay off the roads if they're in an evacuation area."

By 8:30 a.m., the county's dispatch center had at least 50 calls pending, she said.

Santa Barbara County officials put a boil water notice in effect for the entire Montecito Water District on Tuesday afternoon.

In Los Angeles County, there was "mudslide activity" on Country Club Drive in Burbank, where police ordered evacuations of all homes east of Via Montana on Tuesday morning. The Police Department released footage of water surging across a roadway and urged people not to attempt to drive over it. Some vehicles were picked up and moved by the surge, and a few homes suffered minor damage, but no one had been injured as of 1 p.m., according to Sgt. Derek Green, a Burbank police spokesman.

The torrent of mud and debris sheared at least three fire hydrants, pumping another 130,000 gallons of water onto the debris flow, said Bill Mace, an assistant general manager of water systems for Burbank Water and Power. The department was able to cut off the pressure to each hydrant, but 14 homeowners will be without water for at least two days, Mace said.

Country Club Drive residents Allie Vonnacher, 17, and her mom, Heidi Donato-Fennell, 42, said they awoke to the site of several cars flowing down the street, along with power lines, trees and mailboxes.

AMERICAN OVERSIGHT

"It's just surreal how powerful nature is," Donato-Fennell said. "You just hope it stays contained in the street and it doesn't become life-threatening."

Surges also washed out Topanga Canyon Boulevard north of Pacific Coast Highway, and sections of the 110 Freeway were closed because of flooding. The Los Angeles Fire Department had to launch a swift-water rescue to aid a man and a dog trapped in rising water near the Sepulveda Basin Recreation Area, and a Los Angeles police cruiser became mired in a debris flow on La Tuna Canyon Road, according to authorities. The officer was uninjured and walked out of the vehicle. The cruiser was in the process of being dug out of the mud with a backhoe early Tuesday.

International travelers arriving at Los Angeles International Airport also had to be diverted from Terminal 2 on Tuesday morning, after the customs area became flooded, the airport said on Twitter.

The CHP also said heavy rains likely contributed to a crash that left one person dead on Highway 126 in Ventura County, about two miles from the Los Angeles County line, on Monday afternoon. One woman died and two others were injured in the five-car crash, the agency said.

The National Weather Service was reporting rainfall totals of up to 5 inches in Ventura County and 3.3 inches in Santa Barbara County as of 11 a.m. Nearly 1½ inches of rain had fallen in Bel-Air, which could be susceptible to mudslides and debris flow because of damage caused by the Skirball fire last month.

The storm spared some areas that were affected by last month's blazes. Early Tuesday afternoon, evacuation orders for neighborhoods in the burn areas of the Creek and Fish fires were lifted, according to the Los Angeles County Sheriff's Department.

"I woke up ready this morning to laugh and scoff at all the gloom-and-doom predictions," said Dominic Shiach, 50. "It's actually way worse than I thought it was going to be."

Shiach wore a Navy raincoat as he walked Archie, his 3-year-old West Highland terrier, down Sycamore Canyon Road on Tuesday morning.

Amber Anderson with the Santa Barbara Incident Management Team said there were about 75 people who called for evacuation help.

Marc Phillips realized he should have listened to emergency officials as he trudged down East Valley Road in mud-soaked jeans.

"They were right," he said, pointing to a place where residences had been knocked from their foundations. "It looks like there was never a house there, but it was."

Fox News

http://www.foxnews.com/politics/2018/01/09/us-oks-selling-japan-missiles-to-shoot-down-north-korean-missiles.html

US Oks selling Japan missiles to shoot down North Korean missiles

By: Frank Miles, 1/9/18

The Trump administration has approved a $133.3 million missile defense sale to Japan to meet the escalating threat from North Korea — by shooting down the rogue nation's own ballistic missiles.

The State Department says Congress was notified Tuesday of the proposed sale of four missiles for the SM-3 Block IIA interceptor.

AMERICAN OVERSIGHT

A State Department official told Fox News that, "Also included are four Mk 29 missile canisters, and other technical, engineering and logistics support services."

The department said the sale would support the U.S. defense industry and underscore Trump's commitment to improve the defense of allies threatened by North Korea.

The system was jointly developed by Japan and the U.S.

The missiles could be used at sea with Japan's current Aegis-equipped destroyers and with the land-based Aegis system its Cabinet approved for purchase last month.

That's intended to bolster Japan's current missile defense and perhaps curry favor with President Donald Trump who is eager for U.S. allies to buy more American military hardware.

"If concluded, this proposed sale will contribute to the foreign policy and national security interests of the United States," the State Department official told Fox News. "It will bolster the security of a major treaty ally that has been, and continues to be, a force for political stability and economic progress in the Asia-Pacific region. It will also improve (Japan Maritime Self-Defense Force's) interoperability with U.S. missile defense systems, and increase the protection for U.S. installations in the region."

Fox News previously reported that North Korea's weapons "are only aimed" at America and its territories, a regime official menacingly revealed during Tuesday's joint talks with South Korea — doubling down on Kim Jong Un's frequent threats to destroy the United States.

CNBC

https://www.cnbc.com/2018/01/10/china-is-reportedly-thinking-of-halting-us-treasury-purchases.html

China is reportedly thinking of halting US Treasury purchase and that's worrying markets right now

By: Fred Imbert, 1/10/18

China, the United States' biggest buyer of sovereign bonds, could be slowing down or even halting its purchases, according to a report.

Bloomberg News reported Wednesday, citing people familiar with the matter, that officials in Beijing have recommended the Chinese government lowers — or even stops — its buying of U.S. sovereign debt.

The report also notes that Chinese officials think U.S. debt is becoming less attractive compared to other assets, adding that trade tensions between the two countries could provide a reason to slow down or halt the purchases.
The news is worrying markets.

Treasury prices fell, boosting yields. The U.S. dollar also fell vs. most currencies and gold increased.
Dow futures were down more than 110 points.

A taper in Chinese purchases would come as the Federal Reserve unwinds the massive balance sheet it amassed following the financial crisis. The Fed is also expected to raise rates three times this year. In 2017, the central bank also hiked rates three times.

The U.S. 10-year yield rose to 2.59 percent on Wednesday, hitting levels not seen since last March. The dollar also fell against a basket of major currencies, trading down 0.6 percent at 91.96.

Click here for the full report.

AMERICAN OVERSIGHT

Wall Street Journal

https://www.wsj.com/articles/amid-signs-of-a-thaw-in-north-korea-tensions-bubble-up-1515427541

Amid signs of a thaw in North Korea, Tensions bubble up

By: Gerald Seib, 1/9/18

A tentative move toward diplomacy over the confrontation with North Korea has begun, though that hardly means the tension is evaporating.

In a village on their heavily militarized border, North and South Korean officials opened talks Tuesday, ostensibly over possible North Korean participation in the coming South Korean Olympics. South Korea would like the talks to expand beyond that, toward finding broader ways to lower tensions.

But as just one sign of how fraught the situation remains, simply consider this: U.S. officials are quietly debating whether it's possible to mount a limited military strike against North Korean sites without igniting an all-out war on the Korean Peninsula.

Senior officials from South and North Korea held their first formal face-to-face talks in two years on Tuesday, discussing Pyongyang's possible participation in the Winter Olympics and other issues in hopes of cooling tensions.

The idea is known as the "bloody nose" strategy: React to some nuclear or missile test with a targeted strike against a North Korean facility to bloody Pyongyang's nose and illustrate the high price the regime could pay for its behavior. The hope would be to make that point without inciting a full-bore reprisal by North Korea.

It's an enormously risky idea, and there is a debate among Trump administration officials about whether it is feasible. North Koreans have a vast array of artillery tubes pointed across the demilitarized zone at Seoul, the capital of South Korea, with which they could inflict thousands of casualties within minutes if they choose to unleash an all-out barrage.

Now, that danger is coupled with the risk that the North Koreans could attempt to use a nuclear weapon if they choose to escalate in retaliation against even a single strike.

Such a debate reflects how tense the situation remains, even though North Korea has scaled back the pace of its provocative actions in recent weeks and opened the door to diplomacy.

Tuesday's talks marked the first high-level dialogue between the Koreas in two years. After almost a year of regular provocations from North Korean leader Kim Jong Un, they are the first real sign that a diplomatic track is possible to begin de-escalating tensions over his nuclear and missile programs.

The U.S. and South Korea agreed on Thursday to delay their planned joint military exercises. The South Koreans are hosting the Olympics in February and want a period of calm and peace on the Korean Peninsula during that period. WSJ's Gerald F. Seib explains the short-term and long-term consequences of the delay.

A key question is whether the conversation can expand beyond the Olympics to include other topics Seoul wants to discuss, notably reunification of Korean families split between North and South, and a general lowering of hostility.

Even if that happens, though, the diplomatic move needed to really start dialing back tensions would be conversations between North Korea and the U.S. That possibility seems stuck in a long-distance dance between Pyongyang and Washington, with each side making opening bids the other finds unacceptable.

North Korea wants the U.S. to forswear joint military activities with South Korea in advance of talks, while the U.S. insists

AMERICAN OVERSIGHT

the goal of talks should be to eliminate North Korea's nuclear arsenal, not merely contain it. Each side finds the other's conditions unacceptable.

Indeed, diplomats suspect North Korea's engagement with South Korea is an attempt to drive a wedge between Seoul and its American allies, thereby reducing the possibility the U.S. could take any kind of military action against Pyongyang.
Efforts are under way to broaden the diplomatic opening beyond Tuesday's intra-Korean conversation. Jonathan Powell, a former chief of staff to British Prime Minister Tony Blair, has offered to help try to get broader conversations going, three people in the diplomatic community said.

And Jeffrey Feltman, an American diplomat now serving as U.N. under secretary-general for political affairs, recently traveled to North Korea to explore diplomatic possibilities. But Mr. Feltman returned alarmed at what he found in Pyongyang, where he sensed little interest in either talks with the U.S. or moving off the North's current nuclear track, say those who have talked with him.

Within the Trump administration, officials say, Secretary of State Rex Tillerson and Defense Secretary Jim Mattis remain focused on trying to get a broader diplomatic effort under way to rein in the North Korean nuclear program. National security adviser H.R. McMaster is arguing more vocally, publicly and privately, that military options need to be considered.

The wild card, as in all things in the Trump administration, is President Donald Trump himself. He signaled his own interest in a diplomatic track in the past. But he has also seemed to disavow Mr. Tillerson's overtures on negotiations. And his recent tweet—asserting he has a "bigger" nuclear button than does Mr. Kim—is, in the words of one experienced diplomat, the equivalent of "waving a red flag before a bull."

The U.S. hasn't done the kind of logistical preparations needed for a full-blown conflict on the Korean Peninsula. Still, as the talk of a "bloody nose" option suggests, that doesn't mean one can't happen.

Thanks to the Olympics and the intra-Korean diplomatic opening, the next few months figure to be relatively calm. But depending on whether the diplomatic opening widens or not, mid-2018 could be a time of reckoning.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Samuel DeMarco III
Sent: Thur 12/14/2017 3:19:03 AM
Subject: Fwd: A New Chapter Begins in the Long Running PWSA Saga

Good evening Tate,
I wanted to forward this email from a local think tank for some additional background on the Pittsburgh Water and Sewer Authority. Please forward to the appropriate folks dealing with this.

P.S. Have a Merry Christmas!

Thank you,

Councilman Sam DeMarco
(412) 370-1737

Begin forwarded message:

From: allegheny institute for public policy <allegheny_institute_for_public_p@mail.vresp.com>
Subject: A New Chapter Begins in the Long Running PWSA Saga
Date: December 13, 2017 at 9:12:26 AM EST
To: council@alleghenycounty.us
Reply-To: allegheny institute for public policy <reply-cf9667db1c-acad8b3768-7793@u.cts.vresp.com>

A New Chapter Begins in the Long Running PWSA Saga

(December 13, 2017)--Summary: The year 2017 has not been kind, to say the least, to the Pittsburgh Water and Sewer Authority (PWSA). As *Policy Brief Vol. 17, No. 14*, described earlier this year, the PWSA's very old infrastructure has been continually springing leaks that have cost millions of dollars to repair. The mayor proposed leasing the beleaguered authority to a private operator. But given the very high level of debt and the daunting problem of replacing the many miles of water and sewer lines at a cost of several billions of dollars, finding a firm that will enter into a lease agreement on the mayor's terms is not likely to happen. A state auditor general's (AG) report claims that half of all the water treated is lost before it reaches customers.

AMERICAN OVERSIGHT

PWSA's very serious problems caught the eye of the state Legislature which introduced a bill (HB 1490) back in June to place the authority under regulation by the state Public Utility Commission (PUC). After the House passed the bill and sent it to the Senate, HB 1490 was not acted on again for several months. It received legislative approval and was signed into law in late November.

The legislation does two essential things: First, it holds the PWSA accountable for putting together a compliance plan to bring its procedures such as accounting, billing and technology in line with the requirements applicable to other PUC-governed water and wastewater utilities. The authority needs to improve its asset management capabilities so it will know what assets need repair and be able to prioritize those repairs.

Second, it requires the PWSA to create a long-range plan to improve its infrastructure. This plan must include a general description of items needing repair, where they are located and an initial schedule of the planned repairs or replacements. The PWSA will also be required to project annual expenditures to implement the plan and will be allowed to raise rates to pay for the repairs/replacements. The authority will be allowed to update the charge quarterly as appropriate while keeping customers informed about any rate increases. In addition, the PUC will require the authority to submit an annual plan detailing what has been improved or replaced as well as a description of the work to be done in the coming year. This requirement is designed to ensure that the PWSA follows through on the urgent need to replace the outdated and fragile infrastructure.

The legislation gives the authority six months (until May 20, 2018) to present its compliance plan.

In addition to legislative action on the PWSA this year, the AG conducted an audit of the authority (the city controller had performed an audit earlier in the year). The AG audit focused on the leadership of the PWSA and its ties to city government but also provided a useful history of the authority.

A succinct recap of that history follows: The PWSA was established in 1984 under the Municipal Authorities Act of 1945 but was not granted a fully independent status. Indeed, its primary function was to oversee a $200 million capital improvement program to refurbish the entire system. The city would bill the PWSA for any back-office services the authority used and employees remained on the city payroll. In 1995, the PWSA and city replaced the 1984 arrangement by entering into a new agreement in which the authority would lease the system from the city for an upfront payment of $101.4 million to cover the 30 year lease. At the end of the lease, the authority could purchase the system for $1.

AMERICAN OVERSIGHT

However, the 1995 agreement also included a 40-year co-op arrangement in which the city would also provide for a fee the same services agreed to in 1984—telephone and data, vehicle fuel and repair, legal aid, computer services, payroll service and administration of benefit programs. A major change was to move PWSA employees off the city's payroll.

In addition, the PWSA would provide the city with 600 million gallons of water per year at no charge (estimated to be worth $6 million and $6.84 million at 2016 and 2017 rates, respectively). The city would also charge the authority for direct and overhead expenses for any services required (estimated to be worth a total of $7.15 million from 2012 to 2016). Furthermore, the PWSA is required to make equalization payments to city residents not served by the authority and have to get their water from another provider if its water costs more than PWSA water. Over the three years ending in 2016, this requirement cost PWSA an estimated $4.8 million.

Both the 1984 and 1995 agreements placed conditions on the PWSA that doomed it to financial hardship—while providing a bailout for a city that couldn't put its fiscal house in order. The AG quoted a former mayor who claimed that from 1984 to 1995 the PWSA was used to help balance the city's budgets. Revenues were diverted to uses not related to the PWSA system limiting the authority's ability to invest in infrastructure upgrades.

A primary aim of the 1995 agreement was to spin off the PWSA to "focus on rebuilding the system and not use it as a financial tool of the city." The AG's report notes that the city used the $101.4 million payment—which the PWSA had to borrow—to improve its own financial situation. According to the audit, "the City retained ownership of the system, yet pawned the financial and operation responsibilities of the neglected system off on the PWSA."

The AG believes the "City has over-extended authority regarding the PWSA." Based on the original governing documents (1984 and 1995 leases), the city never intended the PWSA to be a truly independent organization. That starts with the makeup of the board of directors. One seat belongs to city council, two belong to the city finance director and treasurer and the remaining four are appointed by the mayor. The board appoints an executive director. Little wonder the authority agreed to lopsided agreements with the city.

Additionally, to the detriment of the PWSA, the 1995 lease agreement states that the PWSA is to keep the system in "as good condition as it is in on the date hereof, ordinary wear and tear excepted… while also putting all the financial burden on the authority." The new 1995 agreement stipulates that "the City shall not be liable for any [PWSA] debt payments." This holds the PWSA responsible for the system and absolves the city of any responsibility

AMERICAN OVERSIGHT

even though it still owns the system's assets. City ownership of the assets and the co-op agreement have limited the steps PWSA could take to accelerate needed improvements. This arrangement designed to benefit the city while hamstringing the PWSA is not remotely akin to good governance.

As mentioned above the AG audit reports that the city receives free water worth close to $7 million, the value of the 600 million gallons allowed under the 1995 agreement. What is not known is how much water the city *actually* uses because the water it uses is not metered. The city does not have a list of all properties that receive free water. However, as the audit explains the known free water users include, "its departments, agencies and instrumentalities (i.e., Pittsburgh Zoo, Phipps Conservatory, National Aviary, and Schenley Golf Course)." Although in a footnote it is explained that the golf course was metered in 2012 and has been paying bills, but for prior years was not.

The PWSA has severely under-invested in its infrastructure in large part due to the heavy debt load incurred over the past 30 years. The audit notes the debt levels (debt, bond and loan debt minus swap debt) increased from $300 million in 1995 to $680 million in 2012 to $750 million at the end of 2016.

High debt levels at the PWSA have critically hampered the authority's ability to make adequate investments in its infrastructure. For the years 2012-2016, the period of the audit, the PWSA's average annual capital investment was $31.4 million, ranging from $21.4 million in 2013 to $47.2 million in 2015. The recommended annual capital investment during this time, as noted by a PWSA official, was $200 million. Obviously the actual investment fell well short of what was needed.

Misuse of the PWSA as a source of funding for the city resulted in inadequate expenditures on the crumbling infrastructure. This ill-advised policy has caught up to the authority (and the city) in a big way and it will cost several billions of dollars to fix the problems now staring them in the face.

So where does the PWSA go from here?

Provisions of HB 1490 require the authority to start working on a plan to begin addressing the dreadful condition of its delivery infrastructure. Presumably, the PWSA board is taking the six- month deadline seriously. Moreover, the board and the city should also take the AG's audit to heart and begin to develop a more arms-length relationship wherein the PWSA has greater independence and less influence from city government officials. Perhaps the PUC can help with that effort. While the authority will remain an autonomous entity, its board will be accountable to the PUC and ultimately the Legislature which will undoubtedly be keeping a close watch.

AMERICAN OVERSIGHT

Of utmost importance is to keep the PWSA's critical problem of repairing and/or replacing its very old equipment at the forefront of management thinking. And that project will be very costly—recent estimates place the cost at $5 billion. Unfortunately, with its current debt and revenue levels, the authority will find it difficult to borrow the enormous amount of funding necessary to carry out a long term repair and replace program. Thus, as our earlier *Policy Briefs* pointed out, customers will be forced to bear the cost of borrowing the funds for the project in the form of substantially higher rates. Note that rate hikes must be approved by the PUC and those increases must conform to the long-term plan.

And what can the city do to help fix the mess it has allowed to develop? While the co-op agreement frees the city from any PWSA debt responsibility, nonetheless the city should take steps to help. First of all it needs to meter all city properties and begin paying for water like any other user. Secondly, city officials should pledge to support the PWSA as it develops a long-term plan as required by law and avoid carping when rate hikes become necessary. Indeed, city officials should help prepare residents and businesses for the likelihood of substantially higher water and sewer bills to come over the next several years. Dealing with this critical problem cannot be avoided any longer. In short, the city must accept the urgent need for a wholesale system upgrade and fully and willingly cooperate and assist in the process.

Frank Gamrat, Ph.D. Senior Research Associate
Jake Haulk, Ph.D., President

If you wish to support our efforts please consider becoming a donor to the Allegheny Institute.The Allegheny Institute is a 501(c)(3) non-profit organization and all contributions are tax deductible.Please mail your contribution to:

The Allegheny Institute
305 Mt. Lebanon Boulevard
Suite 208
Pittsburgh, PA15234

For more on this topic click here

Link to Allegheny Institute Website

Forward this Brief to a friend

Tel: (412) 440-0079
Fax: (412) 440-0085
Email: [redacted]

AMERICAN OVERSIGHT

Click to view this email in a browser

If you no longer wish to receive these emails, please reply to this message with "Unsubscribe" in the subject line or simply click on the following link: Unsubscribe

---

Allegheny Institute for Public Policy
305 Mt. Lebanon Blvd. Ste #208
Pittsburgh, PA 15234
US

Read the VerticalResponse marketing policy.

.....

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, forwarding, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

AMERICAN OVERSIGHT

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]
From: Daniell, Kelsi
Sent: Fri 6/29/2018 12:47:54 PM
Subject: Fwd: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

Got Kelsey to include our meeting!

Sent from my iPhone

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: June 29, 2018 at 2:44:20 AM PDT
To: <daniell.kelsi@epa.gov>
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars
Reply-To: "POLITICO subscriptions" <reply-fe9013757364017d7d-630326_HTML-848943095-1376319-0@politicoemail.com>

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in

AMERICAN OVERSIGHT

terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on

AMERICAN OVERSIGHT

innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another

AMERICAN OVERSIGHT

NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey,

AMERICAN OVERSIGHT

New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

AMERICAN OVERSIGHT

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-

AMERICAN OVERSIGHT

and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a

AMERICAN OVERSIGHT

risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

AMERICAN OVERSIGHT

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

AMERICAN OVERSIGHT

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

AMERICAN OVERSIGHT

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

AMERICAN OVERSIGHT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the

AMERICAN OVERSIGHT

best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any

AMERICAN OVERSIGHT

of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

AMERICAN OVERSIGHT

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

AMERICAN OVERSIGHT

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

AMERICAN OVERSIGHT

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

AMERICAN OVERSIGHT

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection

AMERICAN OVERSIGHT

this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any

AMERICAN OVERSIGHT

timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get

AMERICAN OVERSIGHT

a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to daniell.kelsi@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-002868

ED_001863D_00000178-00021

To: Kundinger, Kelly[kundinger.kelly@epa.gov]
Cc: Bennett, Tate[Bennett.Tate@epa.gov]
From: Chancellor, Erin
Sent: Mon 6/25/2018 4:34:42 PM
Subject: Re: John Meyer

If y'all need anything, holler!

Erin E. Chancellor

On Jun 25, 2018, at 12:25 PM, Kundinger, Kelly <kundinger.kelly@epa.gov> wrote:

> He is getting into town early to run through the route. He said he can be there at 2:30, therefore, I assume he can come 30 minutes sooner if we ask.
> Please let me know if you'd like me to give him a call.
>
> Sent from my iPhone
>
> On Jun 25, 2018, at 11:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
>
> > Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?
> >
> > Sent from my iPad

AMERICAN OVERSIGHT

To: Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]
From: Block, Molly
Sent: Tue 4/17/2018 2:33:30 PM
Subject: EPA News Highlights 4.17.18
EPA News Highlights 4.17.18.docx

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Tulsa World: EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

AMERICAN OVERSIGHT

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources. Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed. "I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole." "It's definitely a step forward," he said Monday.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from

AMERICAN OVERSIGHT

the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal

AMERICAN OVERSIGHT

EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

“We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn’t mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency’s regional staff said they needed a push from the administrator, Albert “Kell” Kelly, Pruitt’s senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

AMERICAN OVERSIGHT

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed

AMERICAN OVERSIGHT

waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims

AMERICAN OVERSIGHT

to compel companies responsible for the sites to pay the cleanup bills.

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-finalizes-guidelines-to-ebb-illinois-river-tenkiller-lake-pollution/article_f2de85c0-46c8-5dec-99c4-3a84fc710fad.html

EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

By Kelly Bostian, 4/16/18

Long-awaited rules mean Arkansas and Oklahoma agencies will operate off same page

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources.

Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed.

"I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole."

"It's definitely a step forward," he said Monday.

Phosphorous and nitrates from wastewater plants, poultry producers, industry and other sources caused algae to grow in the river and changed the habitat. The pollutants can cause algal blooms that lead to low dissolved oxygen and fish die-offs in the lake. Increased erosion and sedimentation in the river and lake also are issues.

What the EPA approved are working models for the river and the lake that address the long-debated water quality factors, most notably "total maximum daily load" for phosphorus and nitrates. In coming weeks and months, Oklahoma and Arkansas agencies and stakeholders will review the models and discuss implementation and enforcement of those rules.

The Oklahoma Water Resources Board planned to discuss the guidelines in its meeting in Oklahoma City Tuesday morning. Oklahoma Secretary of Energy and Environment Michael Teague met with his cabinet and other state agency leaders Monday.

"What we have now is a template that is concise and clear and user-friendly," said Ed Fite, vice president of water quality for Grand River Dam Authority. "The homework assignment now is for the two states to put together a framework of how it all comes together."

AMERICAN OVERSIGHT

Teague said his office, Arkansas state leaders, agency leaders of both states and Cherokee tribal leaders have worked with the EPA throughout the process.

"The models (for the river and Tenkiller Lake) say, 'here is the tool we're all going to use,' " Teague said. "Now we can look at it and say, 'now if we put this regulation change in place here, then what does that impact throughout the system?' It gives everyone a common platform."

EPA Regional Administrator Anne Edsal urged that continued cooperation.

"Over the years, we have made great progress by working with states, tribes and local agencies in improving conditions throughout the watershed and we look forward to continuing this effort," she said.

After years of disagreement between the states, a Statement of Joint Principles and Action was signed in 2003 in an effort to avoid litigation and further scientific understanding of the situation at hand.

The agreement fell short in the eyes of Oklahomans, who filed suit against poultry producers in a lawsuit that concluded in 2008 but has yet to see a ruling from the presiding judge.

Cooperative efforts increased after the lawsuit and in 2013 the states extended the agreement, enlisted the help of Baylor University as a neutral third party to complete water quality studies, and in 2016 the reports and suggested models were given to the EPA for finalization.

"Now the states and other entities can begin finding agreement on how to achieve Oklahoma Scenic River water quality standards," said Denise Deason-Toyne, president of non-profit Save the Illinois River group. "We are anxious to see the modeling for phosphorous, the primary nutrient that is over fertilizing our scenic rivers and Tenkiller Lake. Sedimentation is also a big problem, which must be addressed."

The Oklahoma-Arkansas Scenic Rivers Joint Phosphorus Study, part of the cooperative effort started in 2003, found that a 0.037 ppm total maximum daily load was appropriate for the river with the help of Baylor University researchers. The guideline is one that Arkansas interests initially thought to be arbitrary and too restrictive.

Teague said his understanding is the new models follow that 0.037 recommendation but he said the states will have to make it official.

Fite said that from his discussions with Arkansas leaders and stakeholders, the guidelines will be welcomed.

"People have been just waiting for the ambiguity to be firmed up and have a number so they can actually plan, design and fund and implement (their plans)," he said.

Teague said collaboration between states, agencies and stakeholders has been a superior process

AMERICAN OVERSIGHT

to legal wrangling of the past.

"Collaboration is how you get everything done," he said. "It's how we addressed earthquakes, it's this same type of thing, and now we have Arkansas and Oklahoma and EPA Region 6 and the Cherokee Nation all working together and improving this watershed."

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the

AMERICAN OVERSIGHT

surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

AMERICAN OVERSIGHT

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

AMERICAN OVERSIGHT

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

AMERICAN OVERSIGHT

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

AMERICAN OVERSIGHT

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are

AMERICAN OVERSIGHT

protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

AMERICAN OVERSIGHT

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

“My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens,” she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

AMERICAN OVERSIGHT

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

AMERICAN OVERSIGHT

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the

AMERICAN OVERSIGHT

campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described

AMERICAN OVERSIGHT

himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't

AMERICAN OVERSIGHT

be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Tulsa World: EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources. Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed. "I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole." "It's definitely a step forward," he said Monday.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event"

AMERICAN OVERSIGHT

against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'
Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati
By Carrie Blackmore Smith, 4/16/18

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

"We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn't mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites
By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

AMERICAN OVERSIGHT

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg

AMERICAN OVERSIGHT

Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Tulsa World

http://www.tulsaworld.com/homepagelatest/epa-finalizes-guidelines-to-ebb-illinois-river-tenkiller-lake-pollution/article_f2de85c0-46c8-5dec-99c4-3a84fc710fad.html

EPA Finalizes Guidelines to Ebb Illinois River, Tenkiller Lake Pollution

By Kelly Bostian, 4/16/18

Long-awaited rules mean Arkansas and Oklahoma agencies will operate off same page

After decades of disagreement and litigation, it appears Arkansas and Oklahoma finally will be operating off the same page when it comes to Illinois River and Tenkiller Lake pollution sources.

Longtime Illinois River advocates were glad to see the Environmental Protection Agency's announcement Monday of long-awaited pollution guidelines for the watershed.

"I'm certainly glad to hear this," said Ed Brocksmith, a founder of the group Save The Illinois River, who said for a Tulsa

AMERICAN OVERSIGHT

World article just a few weeks ago that he feared years of cooperative efforts in the hands of the EPA had "fallen into a black hole."

"It's definitely a step forward," he said Monday.

Phosphorous and nitrates from wastewater plants, poultry producers, industry and other sources caused algae to grow in the river and changed the habitat. The pollutants can cause algal blooms that lead to low dissolved oxygen and fish die-offs in the lake. Increased erosion and sedimentation in the river and lake also are issues.

What the EPA approved are working models for the river and the lake that address the long-debated water quality factors, most notably "total maximum daily load" for phosphorus and nitrates. In coming weeks and months, Oklahoma and Arkansas agencies and stakeholders will review the models and discuss implementation and enforcement of those rules.

The Oklahoma Water Resources Board planned to discuss the guidelines in its meeting in Oklahoma City Tuesday morning. Oklahoma Secretary of Energy and Environment Michael Teague met with his cabinet and other state agency leaders Monday.

"What we have now is a template that is concise and clear and user-friendly," said Ed Fite, vice president of water quality for Grand River Dam Authority. "The homework assignment now is for the two states to put together a framework of how it all comes together."

Teague said his office, Arkansas state leaders, agency leaders of both states and Cherokee tribal leaders have worked with the EPA throughout the process.

"The models (for the river and Tenkiller Lake) say, 'here is the tool we're all going to use,' " Teague said. "Now we can look at it and say, 'now if we put this regulation change in place here, then what does that impact throughout the system?' It gives everyone a common platform."

EPA Regional Administrator Anne Edsal urged that continued cooperation.

"Over the years, we have made great progress by working with states, tribes and local agencies in improving conditions throughout the watershed and we look forward to continuing this effort," she said.

After years of disagreement between the states, a Statement of Joint Principles and Action was signed in 2003 in an effort to avoid litigation and further scientific understanding of the situation at hand.

The agreement fell short in the eyes of Oklahomans, who filed suit against poultry producers in a lawsuit that concluded in 2008 but has yet to see a ruling from the presiding judge.

Cooperative efforts increased after the lawsuit and in 2013 the states extended the agreement, enlisted the help of Baylor University as a neutral third party to complete water quality studies, and in 2016 the reports and suggested models were given to the EPA for finalization.

"Now the states and other entities can begin finding agreement on how to achieve Oklahoma Scenic River water quality standards," said Denise Deason-Toyne, president of non-profit Save the Illinois River group. "We are anxious to see the modeling for phosphorous, the primary nutrient that is over fertilizing our scenic rivers and Tenkiller Lake. Sedimentation is also a big problem, which must be addressed."

The Oklahoma-Arkansas Scenic Rivers Joint Phosphorus Study, part of the cooperative effort started in 2003, found that a 0.037 ppm total maximum daily load was appropriate for the river with the help of Baylor University researchers. The guideline is one that Arkansas interests initially thought to be arbitrary and too restrictive.

AMERICAN OVERSIGHT

EXT-18-783-F-002896

ED_001863D_00000181-00005

Teague said his understanding is the new models follow that 0.037 recommendation but he said the states will have to make it official.

Fite said that from his discussions with Arkansas leaders and stakeholders, the guidelines will be welcomed.

“People have been just waiting for the ambiguity to be firmed up and have a number so they can actually plan, design and fund and implement (their plans),” he said.

Teague said collaboration between states, agencies and stakeholders has been a superior process to legal wrangling of the past.

“Collaboration is how you get everything done,” he said. “It’s how we addressed earthquakes, it’s this same type of thing, and now we have Arkansas and Oklahoma and EPA Region 6 and the Cherokee Nation all working together and improving this watershed.”

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada’s Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

“Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding,” said Mary-Sarah Kinner, the governor’s spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

“We are making tremendous progress expediting sites through the entire Superfund remediation process,” Pruitt said in a statement.

Pruitt said the updated list “reflects our commitment to addressing Superfund sites as quickly and safely as possible.”

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the

AMERICAN OVERSIGHT

national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

AMERICAN OVERSIGHT

EXT-18-783-F-002898

ED_001863D_00000181-00007

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted,

AMERICAN OVERSIGHT

EXT-18-783-F-002899

ED_001863D_00000181-00008

according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

AMERICAN OVERSIGHT

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

AMERICAN OVERSIGHT

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

AMERICAN OVERSIGHT

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has

AMERICAN OVERSIGHT

been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't

AMERICAN OVERSIGHT

know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

"This is not some tin pot dictatorship where the leader of the country gets to say 'the people I don't like go to jail.' Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be," Comey told NPR. "Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying 'you should be in jail.'"

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call," he said. "I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership... I'm going to use my book in the class and I'm

AMERICAN OVERSIGHT

going to buy it for the students, because I'm not going to be one of those professors."

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 5m
So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!
1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m
Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!
597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m
I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.
498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m
Employment is up, Taxes are DOWN. Enjoy!
625 1.2K 4.6K

AMERICAN OVERSIGHT

Name	City	State
Dana Beasley	Jones	Oklahoma
Tony Smith	Queen Creek	Arizona
David Bucarey	Fairfax	Virginia
Stan Beasley	Jones	Oklahoma
ROSEMARY LANDRY	MEREDITH	New Hampshire
Mark Scirocco	Cape Girardeau	Missouri
Paul Edens	Hensley	Arkansas
Wesley Warnke	Springfield	Nebraska
Neville Storm	Lakeside	Arizona
Bill Nagele	Sheldon	Illinois
Adam Houser	Fairfax	Virginia
RJ Bradner	Bath Township	Ohio
Louis Bushard	Roseville	Minnesota
Pat O\'Neal	Cartersville	Georgia
Burnet Shealey Sr	Honea Path	South Carolina
Jerry Johnson	Butte	Montana
Karen Scaggs	Middleton	Idaho
Louis Fourie	Livermore	California
Walter Fitzpatrick	South Windsor	Connecticut
Mike Woody	Ellisville	Missouri
Robert Cruikshank	Bradenton	Florida
Hugh Bartlett	Rolla	Missouri
K R	Southampton	Pennsylvania
Wanda Wilson	Tallahassee	Florida
Richard Lambert`	Gaithersburg	Maryland
Ng Lai Hah	Singapore	California
Naomi VanHart	Conlkin	New York
William Hertel	Granbury	Texas
John Mowery	Dublin	Ohio
Anthony Pompei	Long Beach	California
Marleen Wiersum	Ocala	Florida
Harry Gompf	Lawrenceburg	Tennessee
Jay Popowicz	Baltimore	Maryland
Lori Rucker	Berryville	Virginia
Thomas Roark Sr.	Mahwah	New Jersey
craig Anderson	Stockton	California
Diane Arnal	St.George	Utah
Julie Anderson	Bellefontaine	Ohio
William Brauer	Jacksonville	Florida
Dean Schaf	Indianapolis	Indiana
Arthur Dehon	Fernandina Beach	Florida
steve wegner wegner	big bend	Wisconsin
Michael Molchanow	The Villages	Florida
John Russell	Newport	North Carolina
Jim Williams		Pennsylvania
Sally Major	Greenville	South Carolina
Bob Brock	Chapel Hill. Brisbane. Australia	Select a state
William Beckham	Fresno	California
Jarrod Simon	Gueydan	Louisiana
Dr. Jochem Hauser	White Plains	New York
Harold Shaffer	Harrington	Delaware
Glenn Hemp	Waynesboro	Virginia

For year

EPA has
unduly l

EPA has
and has

EPA has
resource

Presider

Adminis

Therefo
and to c
construc

AMERICAN OVERSIGHT

Bert Ruys	Bluffton	South Carolina
gail walton walton	Nashville	Tennessee
michael neibel neibel	Roseville	Michigan
roxie Tyler	Amelia	Ohio
Edward Hicks	Mesa	Arizona
Rudy Moehs	HURLEYVILLE	New York
Mark Vance	Clover	Virginia
George Miller	Tracy City	Tennessee
Cheryl Mulligan	Pahrump	Nevada
Patrick Mulligan	Pahrump	Nevada
Tanq Mayo	Woodstock	Georgia
Kathryn B. Mayo	Woodstock	Georgia
Ronald Countryman	Greenville,	South Carolina
Jeffrey May	Indio	California
Russell Webster	Fleming Island	Florida
Katie Lambert	Yuma	Arizona
Alfred Pfeiffer	Denver	Colorado
William Olds		Select a state
Diana Schommer	Merritt Island	Florida
Susan De Courley	Hallsville	Missouri
Clay Pasternak	Walsenburg	Colorado
Nancy Pasternak	Walsenburg	Colorado
Steve Malinowski	RED MOUNTAIN	California
John Trulio Trulio	Los Angeles	California
Clint Evans	Russell	Kansas
TIMOTHY ODWYER	IRVING	Texas
randy smith	vacaville	California
Richard E. Otto	Badger	Minnesota
Paul Gionet	Liverpool	New York
Gilbert Calhoun	Eagle Rock	California
bruce judelson	tamarac	Florida
Hildegarde Evans	Sacramento	California
David Swan	Warren	Oregon
Gregory Weber	Columbia	South Carolina
Herman and Carole Fisler Fisler	Greencastle	Pennsylvania
Paul Thiele	Lakewood	Colorado
Linda Gurski	Becket	Massachusetts
Rebecca Voytek	Rowland Heights	California
Randy Giles	West Terre Haute	Indiana
Albert Simpson	Longwood	Florida
Rebecca Loporto	Ruidoso, NM	New Mexico
Cheryl Little	Chandler	Arizona
Jack. Hamm	Collbran	Colorado
rick cole	peoria	Arizona
Mary Auer Auer	Rancho Cordova	California
Ken Kleinendorst	Hop Bottom	Pennsylvania
Charles Hall	Chester	Maryland
Marti Deputy	Minden	Nevada
Richard Wickham	STOCKTON	California
Dean Eickman	Seward	Illinois
Valerie Dowden	KOKOMO	Indiana
Debby Stebel	Belchertown	Massachusetts
Alan Cannon	Houston	Texas

AMERICAN OVERSIGHT

Steve Rovensine	Overland Park	Kansas
Neal Brown	San Diego	California
Mitchel Fritschle	Auburn	Washington
Kenny Miller	Madison	Alabama
Liz Prestridge	Magnolia	Texas
Stanley Halecki	South Mills	North Carolina
Jesse Davidson	Dickinson	Texas
Barbara Rogers	Flushing	New York
Sally Jadlowski	Olean	New York
Elizabeth Terrazas	Sacramento	California
Bryan Latham	Clark	New Jersey
alwyne todd	sydney	Select a state
William Kurz	Sanford	Florida
Michael Lastufka	Cedar Hill	Texas
Adele Cunningham	Bartlesville	Oklahoma
Robert Cunningham	Dallas	Texas
Marilyn Stadtmueller	Olathe	Kansas
Robert Allen	Livermore	California
Doug Hoover	Minden	Nevada
Douglas Stewart	Adelaide	California
Margaret Dumas	Montrose	Colorado
james jackson	albright	West Virginia
Mike Heath		Select a state
Karen Spremulli	Bay Village	Ohio
Jess Stark	Houston	Texas
Micki Lynn Zettel	Laguna Hills	California
David Moretz	Belhaven	North Carolina
Norman Holman	Hood River	Oregon
Laura Hilse	Andover	Minnesota
Marian Creel	DAVIDSONVILLE	Maryland
Esther Steege	Mercer Island	Washington
charles gordon	saint johns	Florida
Donald Mueller	New Palestine	Indiana
michael Ferrell	Hyannis	Massachusetts
Mike Ayers Ayers	Myrtle Creek	Oregon
Herman Stanford	Poplarville	Mississippi
john willoughby	villa rica	Georgia
Marvin Earle	Mt arlington	New Jersey
Patti Sexton	Cambridge	Idaho
Jim Stadler	Dayton	Ohio
Eleanor Zimmerlein	LaMoille	Illinois
Sue Marsh	Pittsburgh	Pennsylvania
David Nicklas	Danvers	Massachusetts
steven torres	manvel	Texas
William Moulliet	Harrison	Ohio
Jay Taylor	Pensacola	Florida
Gary Simpronio	Selma	Oregon
cheryl steen	Woodland Park	Select a state
Ronald Russell	UNION	Washington
George Kacek	Chelmsford	Massachusetts
Robert Balsbaugh	Myerstown	Pennsylvania
Robert Flechtner	San Ber\'dino	California
Donald Stoneburner	Lima	Ohio

AMERICAN OVERSIGHT

Owen Henry	Pharr	Texas
Denny Allen	Auburn	California
Bonnie Chandler Chandler	Harvard	Massachusetts
Michael St-Onge	Coeur d\'Alene	Idaho
Robert Resetar Resetar	Tucson	Arizona
Pedro Avila	Miami	Florida
Janis Ulmer	Fallbrook	California
Bonnie Hackett	S Berwick	Maine
Lee Cruickshank	Orange Park	Florida
Brett Wortham	Kimberly	Idaho
Jeremy Jelle	Tucson	Arizona
Linda Mellott	Jeffersonville	Ohio
Ann Lowe	Clarksville	Tennessee
Charlotte Brock Brock	Gallatin	Tennessee
John Akers	Everett	Pennsylvania
Lynne Morand	Monroe	North Carolina
Jean Reed	Ft. Myers	Florida
Nancy Dueppengiesser	Greenville	Texas
Kathy Koznek	Willowick	Ohio
Michael Leitch	Cedar City	Utah
James Ozee	Mattoon	Illinois
Paul Castilleja	Joseph	Oregon
Judi Maus	El Dorado Hills	California
Mark Rochen	ROSENBERG	Texas
Matthew Grigas	Millbury	Massachusetts
William Taylor	Chicago	Illinois
John Ruckman	Yreka	California
Joseph D\'Ambrosia	Frederick	Maryland
William Calderon	Naperville	Illinois
John Sammons	Ocala	Florida
Dennis Nickson	Cameron Park	California
John Anderson	Sparta	Wisconsin
Larry Mattson	Pine Island	Minnesota
Ann Seamon	Cleveland	Ohio
Newell Richardson	Spanish Fork	Utah
Mike Nelsen	Ft myers	Florida
DebraAnn Grimes	Paris	Tennessee
Brian Cates	Las Vegas	Nevada
james durant	minneapolis	Minnesota
Kathy Brewer	Greenville	Illinois
Kimberly Caudill	Williamsburg	Ohio
Theresa Spencer	Sioux Falls	South Dakota
Elaine Balgemann	Mesa	Arizona
sandy abel	roseburg	Oregon
Bill Meznarich	Kalispell	Montana
Laura Christiansen	Palmer	Alaska
Kyle and Julie Barnett	Briscoe	Texas
Heidi Williams	Marysville	Washington
Marjorie McGee	Gardnerville	Nevada
Edwin Smith	Santa Ana	California
Frances McCandless	Kernersville	North Carolina
Stephen Coyle	Lawrenceville	Georgia
John Thompson	Canyon Lake	California

AMERICAN OVERSIGHT

Barbara Denton	Easton	Maryland
Daniel Carroll	East Meadow	New York
Clifton Powell	Denver	Colorado
Dennis Schmit	Bonney Lake	Washington
Ralph Mullinger	Findlay	Ohio
kathleen conley	adairsville	Georgia
Beverly Manning	Waleska	Georgia
Edward Crabbs	Fredericksburg	Virginia
john mleziva	manasass	Virginia
Michael Clark Clark	Quebeck	Tennessee
Daniel sprigg	Whittier	California
Brian Heist	Palmyra	Pennsylvania
Eunice Peterson	Fort Myers	Florida
Connie Livingston	Longwood	Florida
William Burris	Saint Clairsville	Ohio
V Gleeson	Adairsvile	Georgia
Gregorio Solorzano	Loma Linda	California
Brian Dall	Maplewood	Minnesota
Leo Schoepl	Freehold	New Jersey
Janet Carlini	Clarkston	Michigan
Sonya Haler	Silva spring	Select a state
William Coates	Eckert	Colorado
Christine Stephenson	De Leon	Texas
Harold Tucker	Pulaski	Tennessee
Beverly Collins Collins	Bloomsburg	Pennsylvania
Kirk Dennis	Hayden	Idaho
James Ballard	Jensen Beach	Florida
nick cinquino	schaumburg	Illinois
Barbara Taylor	Carrollton	Texas
Teresa Jones	Crestview	Florida
Trudy Stamps	Cordova	Tennessee
Dexter Wilson	Amarillo	Texas
Scott Soroko	Jeannette	Pennsylvania
Howard Bull	Mountain View	California
William Elliott	Pike Road	Alabama
Carla Sodowsky	Arlington	Texas
Mary K. Paddenburg	Lawrenceburg	Indiana
CHARLES SMITH	WOODSTOCK	Illinois
Don Feller	Morton	Illinois
Bill Weiss	Aiken	South Carolina
leland long	saratoga	California
Darrell Rogers	Oskaloosa	Iowa
jeff king	shelbyville	Indiana
Mishael Grabner	Roosevelt	Washington
wynne williama	cottage grove	Wisconsin
Kenny Danner	Tallahassee	Florida
Mcihael Matlock	Gardendale	Alabama
Lucy Clark	Hoisington	Kansas
Jean Johns		Maryland
Peter Pero	Rochester	New York
Ronnie Edelstein	Morgantown	West Virginia
G.L. Meyer	Bristol	Indiana
John Steiger	Nassau Bay	Texas

AMERICAN OVERSIGHT

Stephen Kunkle	Bernville	Pennsylvania
Glen Ingalsbe	Selah	Washington
Dihlon McManne	Ben Avon	Pennsylvania
ronald miller		Select a state
John Shumar	Berkeley Springs	West Virginia
Sandra Smith	Prescott	Arizona
Richard and JoAnn Dreist	Royal Oak	Michigan
Bill Gradoville	Rapid City	South Dakota
James McBurney	Augusta	Georgia
Mary McLemore	Pike Road	Alabama
Garland Rucker	Herington	Kansas
Pamela Bennett	West Monroe	Louisiana
David Thompson	Richmond	Texas
Joe Priday	Marysville	Ohio
Erik Wahlman	Shingletown	California
don jackson	imperial beach	California
Marv Becker	Nevada city	California
Josh Roeder	Amarillo	Texas
Walter Barnes	Albuquerque	New Mexico
Lawrence Whalley	Cary	Illinois
Joanne Mortensen	Lake Elsinore	California
Ann Rave	Wilmington	Delaware
Fred Meabe	Manchester	New Jersey
Leslie Callahan	Tulsa	Oklahoma
John Bauer	San Diego	California
RICHARD VINCENT	HOUSTON	Texas
SHARON SCHECHTER	Locust Valley	New York
James Borgstadt	Mitchell	South Dakota
Lois Barron	Lindsay	Select a state
Richard Sweazy	Greenwood	Indiana
Charled Johnson	PHOENIX	Arizona
Fred Maddalena		Select a state
William Helmer	Ilion	New York
Lester Ensminger	Carson city	Nevada
Rick Minato	Huntington Beach	California
Paul Polansky	New Providence	New Jersey
Philip Effland	Gunnison	Colorado
MARY ORR	RIO RANCHO	New Mexico
GARY ORR	RIO RANCHO	New Mexico
joyce flaherty	frankfort	Illinois
Roger Charles	Benton	Pennsylvania
James BRYANT	MONTGOMERY	Alabama
Brendan Hopkins	Orlando	Florida
Edward Smith	BLACK DIAMOND	Washington
Chad Palmer	Vienna	Virginia
Ray Labahn	Price	Utah
A.F. MONTEALEGRE	MIAMI	Florida
Carol Clymo	Mckinleyville	California
Mark Austin	Centerville	Utah
bud chapel	olympia	Washington
Mary Folger	Pasco	Washington
Doug Foster	Colorado Springs	Colorado
Robert Cihak	Gilbert	Arizona

AMERICAN OVERSIGHT

Thomas Pinelli Pinelli	Fairlawn	New Jersey
john gilsenan	south windsor	Connecticut
Suzanne Stockfisch	Maryville	Tennessee
John Hammond	Indianapolis	Indiana
Gary Kellogg Kellogg	OLEAN	New York
Raymond Reddy	Albuquerque	New Mexico
Robert Pedersen	Glen Carbon	Illinois
Wayman Boudinier		Select a state
Kendall Johnson	Richmond	Utah
David Smith	Henderson	Nevada
Tom McNeight	Eatonton	Georgia
Patricia Petrovich	Klamath Falls	Oregon
Edna Willadsen	Port Angeles	Washington
Doreen Zeliff	Shingletown	California
Fred Sullivan	Killeen	Texas
Leroy Rouse	Knoxville	Tennessee
Nancy Tuzes	Virginia Beach	Virginia
Linda Mahar	Rockledge	Florida
ronald hanson	BUTTE	Montana
Sally Hahner	Grass Valley	Colorado
Jeanne Pastor	San Diego	California
MARCIO FERRAZ	Monroe	Washington
Catherine James	Battle Ground	Washington
Kathleen Kirsan	Lincoln	California
James Feguer	Harrisburg	Pennsylvania
Steve Loizeaux	Telford	Pennsylvania
Alex Bealer	Moorpark	California
Richard Taylor Taylor	poway	California
Thomas Coram	Wheeling	West Virginia
Douglas Wood	Huber Heights	Ohio
Bob Anderson	Florence	South Carolina
Tommy and Kathryn Carter	Creston	California
Jack E Zehring	Mechanicsburg	Pennsylvania
Bonnie Rosell	Tulsa	Oklahoma
David Miller	Kenner	Louisiana
Stephen Uhalley	Novato	California
Ron Bailey	Lagrange	Georgia
Althea Rhoads	Olathe	Kansas
Ronaldok suder	belington	West Virginia
Russell Lerch	Henrico	Virginia
Linda Meyer	Speedwell	Virginia
John hammerbacher	SAN GABRIEL	California
Carl Looney	Henderson	Nevada
william fehling	jupiter	Florida
Larry Hoover	Fort worth	Texas
Diane Deboard	Terrebonne	Oregon
William Holland	Albion	Maine
larry sanders	bethany	Missouri
Phil Chait	Beverly	Massachusetts
Katherine Schleifer	Wind Gap	Pennsylvania
Colleen Franzese	FORT MYERS	Florida
LaDean Fennern	New Ulm	Minnesota
Gordon Miller	Shady Shores	Texas

AMERICAN OVERSIGHT

Gregg Phillips	Huntington Beach	California
Steve Clabaugh	Gettysburg	Pennsylvania
Susan Harris	Chelsea	Michigan
Patric Brock	Kihei	Hawaii
Robert Griffith	Hammond	Indiana
James Itterly	PRINCETON	Minnesota
Brian Baker	Victorville	California
Eric Fahnoe	Garnet Valley	Pennsylvania
joe thorpe	selah	Washington
Edwin Lamberth	Alexander City	Alabama
Brad FOLKEDAHL	Millersburg	Iowa
John Conway	Loveland	Colorado
Patrick Forrester	Chicago	Illinois
Jerry Fink		Select a state
Joseph King	Choctaw	Oklahoma
Christian Chatfield Sr	Las Vegas	New Mexico
William Battcher	Lombard	Illinois
Robert Miller	kimberly idaho 83341	Idaho
Stephen Sharp	Sandy	Utah
Betty Super	Bigfork	Montana
John Weinreich	Chesapeake	Virginia
Richard Eger	Goshen	Indiana
Kenneth Carlson	Morgan Hill	California
Tod Bartholomew	Wayne	Michigan
Jacob Kaiser	Lovelady	Texas
John Barrett	Marion	Massachusetts
John Trudel	Newberg	Oregon
melody mokres	lancaster	California
James Knaus	Rochester	Michigan
betty guffey	troy	North Carolina
Roger L. Boyell	Moorestown	New Jersey
S.B. McClary	Rimrock	Arizona
Anna Green	HOUSTON	Texas
Eileen Barayasarra	Meridian	Idaho
Piper Keairnes	Suwanee	Georgia
Tammy Kerr	Lindstrom	Minnesota
Thomas Proctor	Dublin	Georgia
Lawrence Foster	The Villages	Florida
James Collins	Cornville	Arizona
Robert Gibson	LAS CRUCES	New Mexico
Robert L Fragoman	Memphis	New York
Gregory Aldrich	Terre Haute	Indiana
Robert Coe	Jacksonville	Florida
Francisco Aguilar	San Antonio	Texas
Bruce Dunn	Cicero	Indiana
Pam Russell	Fouke	Arkansas
George Eddy	Coulter	Iowa
William Cole	Brookville	Pennsylvania
Thomas Cambridge	Amarillo	Texas
Robert Beck	Wimberley	Texas
Steve Feder	Chester	Virginia
Mary Pence	Ellettsville	Indiana
Randy Freeland	Bodfish	California

AMERICAN OVERSIGHT

Joseph Parish	edgewater	Florida
Doug Thoman	Anchorage	Kentucky
Larice McCann	Philadelphia	Pennsylvania
James Deuro	Sanborn	New York
Koe Davidson	Guysville	Ohio
GEORGE SCRUGGS	Durham	North Carolina
Gene Hutchins	Saint Louis	Missouri
Frank X McWilliams	Glenshaw	Pennsylvania
Rita Albright	Chevy Chase	Maryland
Alan Schug	Lewiston	Select a state
Ronald Guyer	Newport Beach	California
ALAN WELCH	BLAINE	Minnesota
jeff ross	senatobia	Mississippi
Barrett Cowen	State College	Pennsylvania
Donald Hess Hess	Willow Street	Pennsylvania
David McCoy	The Villages	Florida
Mike Yannes	Saylorsburg	Pennsylvania
Glenn Schexnayder	Donaldsonville	Louisiana
Paul Nemitz	Crossville	Tennessee
Peter Kirschhoffer	Lake Mills	Wisconsin
Barbara Serbick	Naperville	Illinois
Phyllis Kolb	Indianapolis	Indiana
Francis Barbeau	Finlayson	Minnesota
Elmer Werth	Grand Ronde	Oregon
Nancy Norton	Carthage	Texas
John Diegel	Knoxville	Tennessee
Thomas Green	St. Clair	Michigan
Neal McDowell	Clifton	Texas
Joseph Fury	Woodland Park	Colorado
William Heckethorn	Bullhead City	Arizona
Sharon Asch	Montclair	California
Erma Cox	Riner	Virginia
Elaine Herring	Leavenworth	Kansas
Neville Robeson	Ft Myers	Florida
Thomas Szczygiel	Riverhead	New York
Sheilah Heidenreich	Lady Lake	Florida
Daniel Fels	Bradenton	Florida
Holly Lindell	Brookfield	Wisconsin
Louis Wright	Kearneysville	West Virginia
Jan Bott	Pikeville	Tennessee
Debbi Tylenda	Sterling Heights	Michigan
Richard Herd	Greensburg	Pennsylvania
John Eiken	Delano	Minnesota
Yochanan Heimeyer	Bradenton	Select a state
Harry Gayle	Sacramento	California
Mark Hilse	Ham Lake	Minnesota
Val Page	Nashville	Tennessee
Patrick Klinzmann Klinzmann	Sterling	Colorado
Jeff Weber		Select a state
D.M. De Haven	Orange	California
Saul Fermon	Mesa	Arizona
Earlene Wallick	Shaker Heights	Ohio
Alan Brandis	Woodstock	Georgia

AMERICAN OVERSIGHT

Jeanne Hurlebaus	Plano	Texas
James Maddox	Collierville	Tennessee
Ken Meiners	Carroll	Iowa
Bernard Kordenbrock	Florence	Kentucky
Pamela Matlack-Klein	Appomattox	Virginia
Robert Dimmock	Cullman	Alabama
William Thompson	Butte	Montana
Richard Swomley	Lancaster	Pennsylvania
Steve Gerrish	Bristol	Rhode Island
kelly white	loyalton	California
Bonnie White	Loyalton	California
David Wagner	Norway	Michigan
Andy White White	Loyalton	California
George Decker	Mount Vision	New York
Gene Watts	Apopka	Florida
Elizabeth Montgomery	Hamilton	Ohio
Karen Haines	Macungie	Pennsylvania
Jesse Montgomery	Hamilton	Ohio
Henry Smith	Fox Lake	Wisconsin
Melaine Mullin	Granbury	Texas
Tony Johnson	North Wilkesboro	North Carolina
Tony Paskali	Nashua	New Hampshire
Tracy Jones	Scottsdale	Arizona
Donna Batagianis	Galien	Michigan
Brad Etheredge	Dale	Texas
Michael Douthit	Jacksonville	Florida
ROY BROWN	ROME	Pennsylvania
Thomas Burk	Chapel Hill	North Carolina
Lyle Rogalla	Willow River	Minnesota
Stephen Brim	Strasburg	Virginia
L Pierce Pierce	Parkersburg	West Virginia
Christopher Whitham	LOVELAND	Colorado
Dick Dazey	Castle Rock	Colorado
Tom Casey	Clarksville	Virginia
Britny Blake	Coventry	Rhode Island
Glenda Jordan	Coventry	Rhode Island
Glenda Disney	Hobbs	New Mexico
Edward Kozelnicky Kozelnicky	Center Valley	Pennsylvania
Bryan Montgomery	Willow Park	Texas
John Vivier	Las Vegas	Nevada
David Bayer	Gilbert	Arizona
Julius Smoak	Memphis	Tennessee
Joseph P Farrell	Lake Waynoka	Ohio
Eileen ONeill	Danville	California
James Covey	Houston	Texas
Len Salonsky	Prescxott	Arizona
Jack Corneveaux	Midway	Utah
Duane and Linda Bunnell	East Concord	New York
Leroy Harbough	Provo	Utah
Jerry Metcalf	Crossroads	Texas
Mark Liscinski	Albrightsville	Pennsylvania
Pauline Hale	Roanoke	Virginia
DAVID PHILPOTT PHILPOTT	SHERIDAN	Montana

AMERICAN OVERSIGHT

Ted Gramlich Gramlich	Cutler	Maine
Robert Hildebrand Hildebrand	Reidsville	North Carolina
Richaard Bertozzi	Marco Island	Florida
Donald Olsen	San Leandro	California
Paul Robillard	Yellville	Arkansas
Frederick Fisher	Carolina Beach	North Carolina
Jane Balzer	Florence	Oregon
Ed Jackson	Montgomery	Alabama
Donna Campagna	Millboro	Virginia
Kerri Landis Landis	COLUMBIA	Pennsylvania
Michael Carter	Boulder City	Nevada
Dennis Davis	Prescott	Arizona
Nick Puluso	Venice	Florida
Anthony Cassoni	Arcanum	Ohio
Ray Sablick	Plainfield	Illinois
Sharon Roberts	Woodland Park	Colorado
Jack Dermanoski	Iredell	Texas
teresa wolfe wolfe	Auburn	California
Roger Kelly	Southbury	Connecticut
Steve and Lorri Vouk	Saint Joseph	Minnesota
Russell Buckley	La Mesa	California
Pearson Liddell	Bradenton	Florida
Ron Alberico	Livingston	Texas
Kenneth Reed	Rochester	Minnesota
RICH LAVOIE LAVOIE	ENFIELD	Connecticut
Mike Maly	Frankfort	Illinois
Earl Wells	Beeville	Texas
Debbie Maddox	Ooltewah	Tennessee
Andrew Pughe	Howey In The Hills	Florida
Scott Drysdale	Houston	Texas
Charla Shamhart	Yucca Valley	California
George Burns	Loysville	Pennsylvania
John Bagby	Picayune	Mississippi
Donald Ewing	Meredith	New Hampshire
Shadley Wiegman	Apollo Beach	Florida
Troy Vanderhoof	Camas Valley	Oregon
JOHN EAGLE	ANAHEIM	California
Diane Lagergren	Titusville	Florida
Roger Campbell Campbell	Dayton	Tennessee
howard yost	Midkiff	West Virginia
eliezer sandler	brooklyn	New York
stuart mcpherson	Yuba City	California
Marc Yaxley	Cortez	Colorado
lauren james	Topeka	Maine
jack moulder	san antonio	Texas
Brad Zeigler	Berlin	Pennsylvania
jason currie	Fairfield	Ohio
Cheryl Johnson	San Antonio	Texas
Daniel DOMOGALA	Eatontown	New Jersey
Lisa Distad	Apple Valley	Minnesota
Jeffrey Wright	Renton	Washington
Frank Warren	North Plainfield	New Jersey
Robert Emling	Hazelwood	Missouri

AMERICAN OVERSIGHT

Charles Lefkowitz	Rancho Palos Verdes	California
GLENN NELSON	Pipestone	Minnesota
Foy Foy	Lincoln	Arkansas
Mike Haiduck	Minneapolis	Minnesota
Jeffrey Dammeyer	Edenton	North Carolina
Bill Stapleton	Fairview	Texas
Susan LENTZ	central	South Carolina
Annelise Freeman	Royal Oak	Michigan
Keith F9rtin	Anderson	South Carolina
Lyle Duncan	Lakeland	Florida
Jerry Dickerson	Waco	Texas
earl sexton	owingsville	Kentucky
Don Isgitt	Plano	Texas
Michael Caserta	Fairfield	Connecticut
Ron Harvey	Belen	New Mexico
James F Thigpen Jr	Monroe Township	New Jersey
Angela Andrews	Dallas	Texas
Robert Thompson	Bonita	California
Joe Goodykoontz	Radford	Virginia
Joseph Brenner	Waterford	Michigan
James Wagner	Yarrow Point	Washington
John Preston Preston	Lewes	Delaware
Arthur Phelps	Blue Springs	Missouri
shaun ward	Lethbridge	Select a state
Ray Baugh	Roy	Utah
Edward Kurzanski	Ashtabula	Ohio
Rodney Jacobs	Kissimmee	Florida
doris carey	Cherry Hill	New Jersey
marjorie ulmer	empire	Louisiana
Michael Pooschke	OREGON CITY	Oregon
Robert Stricler Stricler	RIPON	California
Don Chambers	Loganville	Georgia
Lois Anderson	Millsboro	Delaware
Joseph Orlando	Ridgewood	New Jersey
Kathy Foster-Sowell	Mesa	Arizona
Rosa Shobe	Trafalgar	Indiana
Frances Lafferman	Culver City	California
George Goyer	PALM SPRINGS	California
John Meisenheimer	Orlando	Florida
Ted Kisiel	Erie	Pennsylvania
Dennis Avery	Swoope	Virginia
Gary Feist	Akron	Ohio
Melinda Ryan	Alta Lima	California
Glen Haas	Allen	Texas
William Zmistowski, Jr.	Mesa	Arizona
BOBBIE KREWSON	LICKING	Missouri
Wayne Haas	Modesto	California
Bob Novak	tulsa	Oklahoma
Donald Myer	Jackson	New Jersey
Jon Bradfield	Saint Helens	Oregon
Jim Baker	Rochester	Minnesota
Lopamudra Mohanty	St.Peters	Missouri
Steven Lopez	Lake Hughes	California

AMERICAN OVERSIGHT

Ross Campbell	St Martinville	Louisiana
William Mosser	Palmdale	California
Jeannette Solinsky	Center	Colorado
Bob Armstrong	Woodland Park	Colorado
Luke Lemmo	Palm Beach Gardens	Florida
dennis lauver	harrisburg	Pennsylvania
Timothy Docter	Las Vegas	Nevada
YVONNE JENSEN	Palm Desert	California
Leonilla Hones Hones	Rochester	New Mexico
Doug HALL	Arlington	Tennessee
D.W. Daniels	Waterloo	Iowa
W A Klein	Mobile	Alabama
Justin Klingler	Redding	California
Timm Lyons Lyons	Rexburg	Idaho
Ken Tice Tice	Tucson	Arizona
RONALD SOPER	Hermiston	Oregon
Howard Bartlett	Casselberry	Florida
john hudgins	Anna	Texas
Shannon Nerren	Rockwall	Texas
Delbert Zerjav	St. Peters	Missouri
Scott Andres	Gilbert	Arizona
bob staples		Select a state
Vick Pope	Powder Springs	Georgia
Michael Graves	Cedar Rapids	Iowa
Star Jones	Phoenix	Arizona
Annette Savoie	Palm Bay	Florida
Kenneth Buckley	Moon Township	Pennsylvania
Alice Steinbacher	Bernardsville	New Jersey
Carl Nelson Nelson	Manakin- Sabot	Virginia
Karen Mattox	Hamilton	Montana
Brant Smith	Phoenix	Arizona
Robert Bates	Clinton	Mississippi
Janey Larson	Seguin	Texas
Philip Gebbie	Flower Mound	Texas
Everett Griffiths	Ashburn	Virginia
william lott	harmoney	Pennsylvania
Larry Krohmer	Katy	Texas
David TEbbe	Shawnee	Kansas
Judith Leone	Cliffside Pk	New Jersey
Tom Moore	Prior Lake	Minnesota
Robert Mahar	Florence	Montana
Richard Lashua	Colorado Springs	Colorado
Donald Marion	Whitehouse	Ohio
John Gimple	Arvada	Colorado
Donald Sawyer	Columbia	Maryland
Dean Connelly	Burlington	Iowa
James Drechsel	GLEN ELLYN	Illinois
Daryl Behrens	VISALIA	California
Anthony DAntonio	Neptune	New Jersey
Judy Borg	Moore	Oklahoma
Ron Baker	Fillmore	Utah
Ron Thaine	Rochester	New York
David Kopka	Normal	Illinois

AMERICAN OVERSIGHT

Charles Kendrick	Monroe City	Missouri
Larry Bever	Clive	Iowa
Ana Vila	Elk Grove	California
Denny Funnemark	Williston	Florida
Martha Dudley Dudley	Madison	Virginia
Curt Botelho	North Hollywood	California
Holly Porter	Beaverton	Oregon
Don Lieske	Houston	Texas
Robert Irwin	Sweeny	Texas
Richard McNerney	Monett	Missouri
Eric Watson	Sunbury	Ohio
Larry Reynolds	Beryl	Utah
Mike Protopappas	Pahrump	Nevada
Mark Carter	Mesquite	Texas
Donna Matthews	Huntington	West Virginia
David Lyons Lyons	Huntington Station	New York
Daniel Buck	Barneveld	New York
Marianne Swon	Brookfield	Illinois
Merle Wiese	Price	Utah
Cindy Buttelwerth	Cincinnati	Ohio
Riley Dunahoo	Su;phur Springs	Texas
Patrick Coyne	Hays	Kansas
Darell Trouth	Champaign	Illinois
Chris Nickalls	Mechanicsburg	Pennsylvania
HD Sumner	Montague	California
Charles Alcini	Dryden	Michigan
Larry Hudler	San Antonio	Texas
William embree	MEAD	Colorado
Carole Leofsky	Oakland	Oregon
Joan Justesen	Staten island	New York
David Johnson	Lyons	Colorado
Carol Mitchell	Trail Creek	Indiana
Michael Little	Pittsburgh	Pennsylvania
Paul Nickalls	Mechanicsburg	Pennsylvania
Francis Schlegel	Berwyn	Pennsylvania
eric vosburgh	san antonio	Texas
Chris Byers	Phoenix	Arizona
John Peters	Northport	New York
Ruth Delmore	Bonita Springs	Florida
John Gundling	Hagerstown	Maryland
Sharon Bollum	Fair Oaks	California
Fenton Larsen	Ivins	Utah
John Mustonen	Sault Ste Marie	Michigan
Dolores Testerman	Vail	Arizona
Crystal Paneiro	Spokane	Washington
DAVID FEARIS	Waxahachie	Texas
Jerry Rivers	Roosevelt	New York
Marc Burningham	Provo	Utah
eric tuch	Phoenix	Arizona
Earl Peyton	Lexington	Kentucky
Roger Bott	Pikeville	Tennessee
Dow Bancroft	Hubert	North Carolina
Carla Nagel	Blasdell	New York

AMERICAN OVERSIGHT

ken wilmes	mankato	Minnesota
Hugo Ortega	CARTERET	New Jersey
Ralph Ccalabrese	Webster	New York
RICKY MATHIS	ADEL	Georgia
nancy Roullier	tonasket	Washington
John Hallenbeck	Brick	New Jersey
Dr. Herbert Lebherz	San Diego	California
Dennis Dudgeon	East Helena	Montana
Patricia Morgan	Raleigh	North Carolina
William Ballard	Elgin	Texas
bob pearson	Eugene	Oregon
John Sadler	Knoxville	Tennessee
Cheryl Leon	Duson	Louisiana
Alvin Barden	Eagle River	Wisconsin
Jeffrey Stenger	Shelbyville	Illinois
Paul Cavote	Worthington	Ohio
William McCafferty	Fall City	Washington
Wayne Fowler	Albuquerque	New Mexico
Josh Pelland	Northampton	Massachusetts
Kevin Coe Coe	Woodbridge	Virginia
Roger Attwood	Centralia	Washington
Dale Mensch	Pittsburgh	Pennsylvania
James Keeton	Metairie	Louisiana
sandra wood	Prosper	Texas
Judith Discenza	Jacksonville	Florida
Terria Bridgeford	El Cajon	California
Don Bruner	Somerset	Pennsylvania
gregg elsom	durant	Oklahoma
Ted Grygar	SAN DIEGO	California
Raymond Hillson	CLARENDON HILLS	Illinois
Philip Smith	Dallas	Texas
De Ette Moon	Ponca City	Oklahoma
Blair Brooks		California
John Steed II	Amarillo	Texas
DAVID BODAH	Shippensburg	Pennsylvania
Rosanne Stewart	West Cherster	Pennsylvania
Dennis Stewart	West Chester	Pennsylvania
Steve Epstein	Arkdale	Wisconsin
Lynn Loomis	Loudon	Tennessee
Michael Sheehan	Navarre	Florida
DONALD WILSON	North Hollywood	California
Dorothy Novotny	Bloomington	Minnesota
Todd Marvin	Newark	Ohio
Dennis Lamb	Santaquin	Utah
Jason Blair	Kamuela	Hawaii
Terri Nelson		Minnesota
Kenneth Condrey	North Chesterfield	Virginia
antoinette Beamer	Inverrness	Florida
Lee Underwood	Wasilla	Alaska
Greg Brummett	Pueblo	Colorado
Claude Sanderlin Sanderlin	Blue Ridge	Georgia
KENNETH SHEDAKER	DELANCO	New Jersey
DALE DOEHLER	WATERTOWN	Wisconsin

AMERICAN OVERSIGHT

Peter Henden	Dalton	New Hampshire
JoAnn Baughman	Philomath	Oregon
Frank Ray	Sherwood	Oregon
Jim Mayer	McKinney	Texas
Mark Matis	COCOA	Florida
Richard Burleigh	Shelton	Washington
David Jennings	Kingsbury	Texas
Edward Katz		Maryland
carl orzech	lagrange	Ohio
Le Nora Geenen	San Antonio	Texas
Ken Starcher	CUYAHOGA FALLS	Ohio
John Wall		Select a state
Ken Counts	Severna Park	Maryland
Clinton Thoman	Beaufort	South Carolina
Howard Campbell	Middleburg	Florida
Karen Enns	Sun Lakes	Arizona
Irene _Pederson	Plentywood	Montana
Michael Mundt	Santa Fe	New Mexico
Jeffrey Mahn	Albuquerque	New Mexico
david poulos	weymouth	Massachusetts
larry lasky	olmsted falls	Ohio
Peter Hayles	Toms River	New Jersey
connie condra	new haven	Indiana
Tod Torrence	Kennebunk	Maine
Ronald Stabile	Warminster	Pennsylvania
Janet Bell	Fredericksburg	Virginia
Evan Watson	Sunbury	Ohio
Shelley McKnight	Sunbury	Ohio
Val Sanchez	Corpus Christi	Texas
Roger Trout	Ephrata	Pennsylvania
Don Myrick	Kennesaw	Georgia
John Bergin	Skull Valley	Arizona
Joy McCarl	Willow Creek	California
David McCarl	Willow Creek	California
John Hart	Peru	New York
Diana Van Zeelt	Holland	Michigan
joseph Manning	narragansett	Rhode Island
paul kelly	moseley	Virginia
Boyd Reasor	Edgewood	New Mexico
william langston	mineral springs	Arkansas
David Dawson	Las Vegas	Nevada
Kevin Jump Jump	Kalispell	Montana
Joe Selig	Vallejo	California
Scott Schmer	Ft. Collins	Colorado
James Troy Troy	Alexandria	Virginia
Ted Rouster	Belleville	Michigan
Hubert Rosa	Riverside	California
Donald Coyne	Charles Town	West Virginia
Mark Dodge	Tampa	Florida
Boyd Rankin	Elizabeth	Pennsylvania
Stephen Aument	Lancaster	Pennsylvania
james best	phoenix	Arizona
David Osthus	Eagan	Minnesota

AMERICAN OVERSIGHT

Samuel Payton	Mena	Arkansas
Nina Gilbert		New Jersey
Charles Ashley	Lynnwood	Washington
Nancy Grosser Copp	Glenmoore	Pennsylvania
Peter Andrew Copp	Glenmoore	Pennsylvania
josephine collier	falls church	Virginia
robert collier	falls church	Virginia
Case Smit	New York	New York
Sylvia Cozzens	Milford	Massachusetts
Keith Terrell	Dallas	Texas
Shirley Stewart	Payson	Arizona
Mariah Corona	Durham	North Carolina
Pam Smith	Surprise	Arizona
JULIE ALLINGTON	MCFARLAND	Wisconsin
Ed Morse	Greeley	Colorado
Ken Mitchell	Livermore	California
Gerald Brown	Detroit	Michigan
Michael Merchant	Longwood	Florida
Mary Hock	Cicero	New York
kerry camp	Independence	Missouri
Albert Carnes	Fairview	Texas
Neal Ala	Roy	Utah
Cressie Patterson	Chino	California
Terrance Pausche	Bellingham	Washington
Charles Calvano	Fort Collins	Colorado
Gary Vasek	Colorado Springs	Colorado
Julie Von Vett	wyoming	Minnesota
Ron Lautenslager	Cashmere	Washington
Robert Gholston	Enid	Oklahoma
Marc Jeric	Las Vegas	Nevada
Sharon Hixon Hixon	Jefferson City	Tennessee
George Tomaich	Lexington	Kentucky
RIchard Snowden	Andalusia	Pennsylvania
Thearl Nelson	Sweetwater	Texas
Fred Cannizzaro	Orange	California
Gary Barman	Norwalk	Ohio
Skathleen Easterly ng	Roseville	Minnesota
Cory Miedema	Nine Mile Falls	Washington
Steve Ash	Hollis	New Hampshire
Carla Robertson	Hewitt	Texas
LJ SCOTT	LA MESA	California
Theodore Cahoon	Los Gatos	California
Mark Emerson	Las Vegas	Nevada
Joan Kromphold	Tucson	Arizona
carl griffin	Winnsboro	Texas
Bruce Mcelvaine	Tucson	Arizona
Robert B Pring	Cottleville,	Missouri
william Porteous	Chandler	Arizona
Larry Leavitt	Indianapolis	Indiana
Rocky L Mountain	Lakewood	Colorado
Robert Withers	Antioch	California
Gary Henderson	Olympia	Washington
Glenda Parr	Texas City	Texas

AMERICAN OVERSIGHT

Carolyn Therrien	Windham	New Hampshire
Ann Weinhagen	Hamburg Twp.	Michigan
Ruth Hoefert	Sioux Falls	South Dakota
Bruce Stevenson		Select a state
Ernest Jackson	Denver	Colorado
H Doersam	Annapolis	Select a state
david goeden	stoughton	Wisconsin
Duane Georgeson	Ventura	California
Karroll Bohnak	Negaunee	Michigan
Carl Friis-Hansen		Texas
Bob Cihak	Clarkston	Washington
BERNARD DAMBROSIO	INDIALANTIC	Florida
HORACE CASH	Chester	Virginia
Greg Wofford	New Braunfels	Texas
Donald Sims	Carmi	Illinois
james bowe	massapequa park	New York
William Pekny	Midway	Utah
Donald Buchanan	Redlands	California
randy robinson	victorville	California
Gene & Betty Preas	Richmond	Virginia
Michael Duvall	Blairsville	Georgia
James Wing	VALLEY VIEW	Texas
Tom Stevens	Columbus	Ohio
Thomas Marburger	San Antonio	Texas
Latasia Horton	Uniontown	Kentucky
Ryan Cipkar	Carbondale	Illinois
Joshua Lambert	Austin	Texas
Peter Eldredge	Westfield	Maine
Doris Cheney	Canyon Lake	Texas
Cheryl Goldberg	Boca Raton	Florida
nicholas ioannou	fort pierce	Florida
William Snyer	Cedaredge	Colorado
GILDARDO HIGAREDA	LAS VEGAS	Nevada
BRENDA STREY	LAS VEGAS	Nevada
Tammy Weatherly	Cortland	Ohio
Ian Elrod	St Paul	Minnesota
Ruth Cook	Hobbs	New Mexico
Charles Barney	Burnsville	Minnesota
Geert F de Vries	Pretoria, South Africa	Connecticut
David Healy	Elizabeth	Colorado
John Parks	Coatesville	Pennsylvania
TONY LOPICOLA	Wayne	Michigan
kermit wilson	arlington	Texas
Carl Morgan	Colton	Oregon
Janice McShane	Mount Ephraim	New Jersey
joseph smith	phoenix	Arizona
Maurice Guest	Fulton	New York
Carmen Bonney	Scituate	Massachusetts
Roger Saxton	Las Cruces	New Mexico
Paul Pradetto	Columbia	Connecticut
April Gallart	Mission Viejo	California
CHRIS STARBALA STARBALA	PLEASANT VALLEY	New York
John Nowak	Santa Ana	California

AMERICAN OVERSIGHT

Jennifer Larson	LONG BEACH	Mississippi
David Houghton	Laguna Niguel	California
Elizabeth Houghton	Laguna Niguel	California
Beth Richardson	Buda	Texas
Ms Jackie Ladd	Queensbury	New York
Bonnie Fleiss	SMYRNA	Georgia
Mike Magaletti	Gardnerville	Nevada
Bryan Cunningham	Amarillo	Texas
Rob shull	Eagan	Minnesota
ELIZABETH HERSHKOWITZ	Wickenburg	Arizona
David D Vanderhoofven	Delta	Colorado
Eleanor Dyson	Harrisville	Rhode Island
Craig Gomes	Mililani	Hawaii
Peggy Burns	Newbury Park	California
Fred Gertz	Minot	North Dakota
Harley Simonson	Snohomish	Washington
Alexander Martin	Normal	Illinois
Lisa Babcock	Lawrenceville	Georgia
Dana George Reed	Spencer	Massachusetts
joy johnson	atlanta	Georgia
Mary Reilly	Gansevoort	New York
Mary Garrett	Fairbanks	Alaska
Michael Hall	Heidelberg	Select a state
David Hansen	Brownsville	Oregon
Murney Sikes	Cheyenne	Wyoming
John Irwin	Oakhurst	California
Elias Goldstein	Highland Beach	Florida
Joseoph Nichols	Great Falls	Virginia
Herb Sand	Glasgow	Montana
PAT VIVAS	MIRAMAR	Florida
Marilyn Bo.		Select a state
Janice Stuessi	Sandy	Utah
RW Gross	Avon Lake	Ohio
William Ranney	Owensboro	Kentucky
Richard Dell Dell	Macedoni	Ohio
Elizabeth Toler	Dallas	North Carolina
Dennis Parrott	Sunset Hills	Missouri
Lawrence Leon	WALLINGFORD	Connecticut
John Allard	Barrington	New Hampshire
Janet Westlake	ELM CREEK	Nebraska
David Paliotta	East Syracuse	New York
John Kesler	Apache Junction	Arizona
angie bluck	springfiled	Illinois
Jean Maschek	Gulfport	Mississippi
kay causey	adairsville	Georgia
John Mccall	Butler	Pennsylvania
Charles Orr	Ponca	Oklahoma
John Clark	Rolla	Missouri
Harvey Miller	Advance	North Carolina
Harold Cooper	Prospect	Ohio
Gertrude C Dickinson	lake Panasoffkee	Florida
JoAnn Olson	Glenmoore, PA	Pennsylvania
Charlotte Dexter	Wilmington	North Carolina

AMERICAN OVERSIGHT

harold egbert	Ridge	New York
Sandra Standeford	Cedartown	Georgia
Patrick Quinn	Ingram	Texas
Pamela Partridge	Butler	Missouri
Ed Myhan	Azle	Texas
Freda Faith	Hendersonville	Tennessee
LETA fRY	tULSA	Oklahoma
Wanda Crotts	Sophia	North Carolina
Oris Smith	Lincoln	Nebraska
Grace Crary		Select a state
Ward and Carole Larsen	Everson	Washington
Robert Yorgason	Cowley	Wyoming
Jerry Robison	MUKILTEO	Washington
Sally Barclay	Calvert City	Kentucky
linda lucero lucero	reno	Nevada
W.Randy Holman	Henrietta	Texas
Tony Barnes	Bicknell 47512	Indiana
JOHN MULLIN	POWAY	California
N E Freed	Kansas City	Missouri
Frank Jansson	Saint Augustine	Florida
Chris Beemer	Milford	Kansas
Sue McPherson	Hendersonville	Tennessee
Richard Garowski	Alvin	Illinois
Linda Altice	Salem	Virginia
James Corey	Greenville	South Carolina
Lynda Cooper	Hawaiian Gardens	California
Jim Campbell	Springfield	Missouri
TERRY OLIVARES	SAN FRANCISCO	California
Virginia Burch	West Manchester	Ohio
suzy slaughter	carson city	Nevada
Meredith Headquist	Tate	Georgia
Tim Schoenradt	Frisco	Texas
Tim Cannon	Keller	Texas
Katherine Anderson	Stuart	Florida
Donald Verdinella	Keller	Texas
William Dietz	Indian river	Michigan
Thomas Pearman	Chula	Georgia
Mollie Waters	Ferdinand	Idaho
Amy Vincent	Pekin	Illinois
Sandra L. Lampert Lampert	Monticello	Illinois
eric meller	Tampa	Florida
James Marusek	Bloomfield	Indiana
Paula Matteson	Tyler	Texas
Dennis Janes	San Antonio	Texas
Kerry Killebrew	Niceville	Florida
Kathy Cross	Idaho Falls	Idaho
Lea Smetana	Glen ellyn	Illinois
Janice Allen	Orono	Maine
Darlene Harris	Fort McCoy	Florida
Bob Morris	albemarle	North Carolina
Julia Rowe	Show Low	Arizona
Mark Wieber	Sykesville	Maryland
Lee Miller	Stmarys	Ohio

AMERICAN OVERSIGHT

Danny Deckard	Denison	Texas
David Bumer	Linesvillr	Pennsylvania
Jane Gilmore	Perry Hall	Maryland
Warren Benaway	Grand Haven	Michigan
Keith Kempenich	Bowman	North Dakota
Ronald Junker	Galloway	Ohio
John Mullins	Cleburne	Texas
MJ Lewis	Columbus	Georgia
Charlie Brugger	Albuquerque	New Mexico
Erika Cramer Cramer	Milpitas	California
Kim Fowlkes	Tampa	Florida
Emmanuel Zullo Zullo	Surprise	Arizona
Charles Ness		Select a state
VERNON MCDERMOTT	RIDGEWOOD	New York
James Miller	Salisbury	North Carolina
Mike Richardson		Select a state
David Elliott	Thousand Oaks	California
Tammy Cleary	Sugar Land	Texas
John Gibbons	Sulphur Springs,	Texas
Lawrence Campbell	Montgomery	Alabama
David Scroggins	Hallsville	Texas
Thomas Acosta	Laguna Niguel	California
Henry Pate	Horton	Alabama
Lloyd Whitney	Kansss City	Mississippi
Larry Trevino	Colorado Springs	Colorado
Michael Koga	Largo	Florida
Billy Pierce Pierce	FLAGLER	Colorado
Joshua Kahn	Kew Gardens	New York
Travis White	San Antonio	Texas
DAVID LAMMERT	SAINT CHARLES	Missouri
JUDITH MARTIN	DUNDEE	Florida
Richard Chernisky	Sagamore Hills	Ohio
Joseph Clark	Mesa	Arizona
Thomas Robertson	Muncie	Indiana
David Moyer	CampHill	Pennsylvania
Robert McMillan	Lilburn	Georgia
L. Daniel Miller	Sherman	Texas
Daniel OLeary	Westerville	Ohio
Ron Beegle	Trion	Georgia
Gerald Battle Battle	Suttons Bay	Michigan
Thomas Lewis	Paso Robles	California
Terry Mathews	West Melbourne	Florida
Thomas Little	Howell	Michigan
Jet Ledesma	Perkiomenville	Pennsylvania
Karl Olsen	Newport	Pennsylvania
Michael England	Prince George	Virginia
donald solomon	providdence	Rhode Island
Michael Gustafson	Superior	Wisconsin
Brad Grace	Canfield	Ohio
Lisa Thiel	Sherwood	Oregon
Kevin A Masterman Masterman	Harris	Minnesota
James Macdonald	Vancouver	Washington
John Meyer	Arlington	Virginia

AMERICAN OVERSIGHT

Nancy Buchik	Port Charlotte	Florida
john p hanges	iron mountain	Michigan
Paul McElligott	Ione	Oregon
Leonard Rowley	The Woodlands	Texas
R. Michael Allen	Marietta	South Carolina
Robert Eline		Pennsylvania
Michael Muro	North Pole	Alaska
Matt Horrer	Clayton	North Carolina
Gail Coverdale	Erie	Pennsylvania
Grant Smith	Wauconda	Illinois
Karen Seibel	Carnegie	Pennsylvania
Pat Mergner	Wheaton	Illinois
Rachel Erikson	De Witt	Michigan
Clifton Hefner	Garwood	Texas
Mark Kahler	Scottsville	Kentucky
DUANE BERRY	NEW PORT RICHEY	Florida
Geoffrey Lloyd	Kissimmee	Florida
J Mahn	Albuquerque	New Mexico
John A. Steiger Steiger	Nassau Bay	Texas
Jane Bohman	Robinson	Illinois
Barbara Garrigus Garrigus	Saint Ignatius	Montana
Peter Kinnebrew	Huntsville	Alabama
edward allen	new castle	Pennsylvania
dennis ryan	white pine	Tennessee
Tim Dixon	Waverly	Ohio
Marlin Massey	Fort worth	Texas
Ron Olsthoorn	Buffalo	New York
Ronald Pitsch	Farmington Hills	Michigan
John McGregor	Ballinger	Texas
Carol Dove	Vero Beach	Florida
Bryant Cochran	Alexandria	Virginia
Louise Clarke	Huntersville	North Carolina
Gus Godwin	Huntersville	North Carolina
Karen Godwin	Fancy Gap	Virginia
Brian Godwin	Fancy Gap	Virginia
Barbara Cox	Macon	Georgia
Don Arnold	Kemper	Texas
JOHN GREER	WILMINGTON	Delaware
James Wharton	LUMBERTON	Texas
Anthony Reyes	Brooklyn	New York
Mary Auer	Rancho Cordova	California
MARCI REED REED	BURKE	Virginia
MARY WUTKE	MADISON	Wisconsin
Nantalie Hodapp	Mankato	Minnesota
Maxine Haley	Shirley	Arkansas
William Chase	North Chesterfield	Virginia
Gerald Bourque	DESTREHAN	Louisiana
Linda B.	Salinas	California
Connie CooperSmith	Chelan	Select a state
John Davies	Canonsburg	Pennsylvania
C Graham Wayne	Macomb	Illinois
Alan Fuller	East Canton	Ohio
MARKUS HAYES	Lebanon	Pennsylvania

AMERICAN OVERSIGHT

robert Norberg	Banning	California
Paul Louisell	Grosse Pointe	Michigan
Connie Potter	Chewelah	Washington
P.A. Lewis		Select a state
don mccollough	deweyville	Texas
curtis cobb	Thief River Falls	Minnesota
Paul DiPasquale	Carbondale	Kansas
W. Dow Jones	Ventura	California
william couch	MESA	Arizona
Wayne Smyly	Milton	Florida
Halford Park	Scotland	Connecticut
Jere Casey	Pennsburg	Pennsylvania
Kathryn Yamamoto	Seal Beach	California
Joseph Walsh	Bridgewater	New Jersey
Eric Matson	Phoenix	Arizona
Norma Ross	Magnolia	Delaware
Lew Ridgway	Heathsville	Virginia
Freddie Morrill	City By The Sea	Texas
William Nunnery	Cary	North Carolina
sally sprecher	libby	Montana
Cheryl Dick	Mountain Lake	Minnesota
Walter Hatcher	Lake Charles	Louisiana
Lester Barclay	Tampa,Fl.	Florida
Roger Rigney	Rotonda West	Florida
ryan forkin	boston	Massachusetts
richard schwartz	dunellen	New Jersey
Richmond Petty Petty	Roseburg	Oregon
Dennis Sundermeyer	Donna	Texas
Edward Andre	Fort Bragg	California
Bridget Yates	Huntsville	Texas
Marie Smith	Marengo	Illinois
Anthony Charletta	Katy	Texas
Gregory Olsen	Tempe	Arizona
Greg Altberg	Littleton	Colorado
noel joynt	lakeside	California
John Ribecky	Tampa	Florida
Philip Sikes	Summit	Wisconsin
E Brown Brown	Dallas	Texas
Susan Petree	Winston-Salem	North Carolina
Thomas Balaskas	Chandler	Arizona
Marc Taylor	Overland Park	Kansas
Teresa Acosta	Houston	Texas
bob phelps	groveland	New York
J Bonner	Potsdam	New York
Ron Klick	White Bear Lake	Minnesota
Steve Jakowski	Farmington	Minnesota
Timothy Moore	Earleville	Maryland
LuAnn Hestermann	Bellevue	Nebraska
Wendy Fulks		Select a state
Mark Bartelt		Select a state
Judy Kozlowski	Oshkosh	Wisconsin
Jeanne Wacker	Carbondale	Illinois
Ted Bruesch	West Bend	Wisconsin

AMERICAN OVERSIGHT

Michelle Abrams	State College	Pennsylvania
David Boland	Washington Crossing	Pennsylvania
Linda Poland	Effingham	Illinois
robert johnson	southwick	Massachusetts
Dan Benton	Boise	Idaho
Frank Turner	Alamogordo	New Mexico
kevin mc	tampa	Florida
Ronald Wentworth	Sanford	Maine
Patrick Merlet	Orlando	Florida
david ansell	tauranga	California
Dennis Hedke	Andover	Kansas
Michelle Schick	Lincoln	Illinois
Judy Wolz	Bellevue	Nebraska
James Bratten	Evansville	Indiana
Deborah Ellison-Amurn	Council Bluffs	Iowa
John E. Emrick	Clarksburg	West Virginia
M Pahl	Palmyra	Pennsylvania
MELVIN GAMBLE	RAINIER	Oregon
Martin Owens	Lee\'s Summit	Missouri
Allen Wessel	Chalmers	Indiana
Aaron Graupman	GrantsPass	Oregon
William Price	Bakersfield	California
Henry Parker	Camilla	Georgia
Sue Little	Decorah	Iowa
Chris Hageman	Conroe	Texas
Adrienne Schiele	Chandler	Arizona
Barbara Cole	Shelby	Montana
Randall Ross	Evansville	Indiana
Marcia Puskar	Buckeye	Arizona
John Trulio	Los Angeles	California
Paul Constantine	Bel Air	Maryland
Tom Medinger	David City	Nebraska
Robert Yates	Ormond Beach	Florida
Darren Earley	Campbell Town	Select a state
robert helms	abilene	Texas
Terry Welty	Davenport	Iowa
Stephen Linck	Chevy Chase	Maryland
Becky Adams	Houlton	Maine
Rebecca Williams	Hobe Sound	Florida
Edward Goolbis	New London	New Hampshire
Joanne Ledford	AKRON	Ohio
Maurine Cornelius	Plainview	Texas
Jimmy Cornelius	Plainview	Texas
Linda Williams	Torrance	California
Bill Hoffman	Madison	Ohio
Gerald Jarabek	Dayton	Ohio
Reggie Geier	Girard	Kansas
Gleita Edwards	Mesa	Arizona
Ronald Merritt Merritt	Roswell	New Mexico
james Boyd	Homosassa	Florida
Mark Moennig	Mobile	Alabama
warren klaus	nesconset	New York
Joseph Lovero	Buckeye	Arizona

AMERICAN OVERSIGHT

Richard Sparks	Holiday	Florida
Paula Sparks	Holiday	Florida
Shawn Salazar	El Prado	New Mexico
Christine King King	Inverness	Florida
Jerry Tuott	Cedar	Minnesota
Everett Rackley	Van Alstyne	Texas
Keith Grew Grew	Bay City	Michigan
Catherine Sweeney	Pleasanton	California
Ted Leger	Elizabethton	Tennessee
Kenneth Pugoa	Scotch Plains	New Jersey
Kate Jaudes	Salem	Oregon
Stephen Legg	Knoxville	Tennessee
Tom Cumberland	West Melbourne	Florida
donald cockrel	woodstock	Georgia
Michael Beard	Johnson City	Tennessee
Thomas Stack	Oxford	Michigan
Timothy Mishic	Kane	Pennsylvania
Ronald Chappell Chappell	Taylorsville	Utah
Marva Heier	Halethorpe	Maryland
hubert bradford	fairview	Tennessee
Bryan Hagedorn	West Union	West Virginia
Kathleen Carter	Meredith	New Hampshire
Greg Clement		Select a state
RITA PALMER PALMER	Mountain Home	Arkansas
Shane I Tyler Sr	Perryville	Missouri
William I Coates	Eckert	Colorado
Michael Davis	Bulls Gap	Tennessee
Craig Bowen	Jasper	Alabama
Dennis Corbiser	Berkeley Springs	West Virginia
Jerel Brown	Shirley	Arkansas
Gene Schultz	Fremont	Nebraska
Paul Lysen	South Haven	Minnesota
k kenney	chandler	Arizona
Bernard Resh	Lititz	Pennsylvania
Mike Moore	Charlotte	North Carolina
Frank Yates	Santa Fe	New Mexico
James & Mary McIntosh	Wasilla	Alaska
robert sinclair	arlington	Massachusetts
DAVID ARNDT	WILLIAMSVILLE	New York
Richard Hobby	Yarmouth	Maine
Ken Griffith	Rancho Mirage	California
Martin Cornell	Lake Jackson	Texas
Phil Minard	Moncks Corner	South Carolina
Joyce Jacobsen	Cheyenne	Wyoming
Henry Carpenter	Orofino	Idaho
Steve Curley	Columbia	South Carolina
matt McAuslin	St.Michaels	Maryland
Robert Archer	Boerne	Texas
William Vail	Cookeville	Tennessee
Luctrician Hamilton	Fairfax station	Virginia
Carmen Cieslar	Lakewood Ranch	Florida
Jim Vanderveen	Holland	Michigan
Mike Benton	Houston	Texas

AMERICAN OVERSIGHT

John Wood	Austin	Texas
David Greene Greene	Winchester	Virginia
Linda Black	prescott	Arizona
Sharon Allen	Soldotna	Alaska
Willis Wells	Garwood	New Jersey
Donna Schmidt	Phoenix	Arizona
Keith Rollins	Bolingbroke	Georgia
Stuart Brown	bushnell	Florida
Wayne Davis	Oakridge	Oregon
David DeMent	Oakland	California
Joseph Simmons	Chino	California
Ray Renfro	WINTER PARK	Florida
Rodger Wesch	Farmington Hills	Michigan
Erman Croney	Thayer	Missouri
Larry Schultz	Vancouver	Washington
Rich Missall	Ocala	Florida
Bob Sutphin	Mound	Minnesota
Paul Groves	Vista	California
Patricia Dale	Babylon	New York
Wendell Neugebauer	Ballston Spa	New York
Daniel Bill	Phoenix	Arizona
ed herman	rochester hills	Michigan
Alfred Ewell	Cape Charles	Virginia
Kathy Johnson	West Allis	Wisconsin
Sandra Johnston	Cumming	Georgia
Stephen Chilluffo	Caledonia	Michigan
Denis Palmer	TULSA	Oklahoma
Bobby Anderson	Midway	Arkansas
Roger Burtner	Fullerton	California
Tom Ford	Penn Valley	California
Carol Bertilson	Minneapolis	Minnesota
Eric Augustine	Lakeside	California
Karen Ebert	Murrysville	Pennsylvania
Sally Zehnal	Hudson	Ohio
rick noggle	massillon	Ohio
Chris Williams	Dixon	Kentucky
Dr. and Mrs. Walter Duffin	Birmingham	Alabama
Diane Parker	Cocoa	Florida
Dakota Mills	Montgomery	Alabama
Vonda Marlow	Little Hocking	Ohio
Josephine Gieske	Silver Spring	Maryland
Randy Adams	Marion	Illinois
Scott Schultz	Kaneohe	Hawaii
Susan Joakimson	Franklin	Wisconsin
Carol Palmer	McKinleyville	California
Tom McKean	Peoria	Arizona
Ron Engle Engle	Richmond	Indiana
Gary Wright	Monument	Colorado
stephen lord	Encinitas	California
ROLAND RODRIGUEZ	SAN ANTONIO	Texas
DENNIS HOUSE HOUSE	CHAPEL HILL	North Carolina
SHARON RHOADS	COSTA MESA	California
EARL WHETSTONE	PLEASANTON	California

AMERICAN OVERSIGHT

Milton L Johnson	Mobridge	South Dakota
Darlene Dunsmore	Prescott	Arizona
Scott Bertilson	Minneapolis	Minnesota
Frank Mallon	Roundup	Montana
Scott Greenfield	Plano	Texas
Robert Tingley	Burien	Washington
Matt Darrah	Amarillo	Texas
Shirley McBurney	Augusta	Georgia
KURT HEIMBROCK	Littleton	Colorado
Leo Flores	West Covina	California
Dean Ekberg	Mahomet	Illinois
Dianne Maddox	Miami	Florida
Frank and Linda Plath	Troy	New York
Kevin Lawler	Brooklyn	Michigan
ernest dunajski dunajski	lla grande	Oregon
James Huston	Rushville	Indiana
Darryl Hetherington	Ringtown	Pennsylvania
Dean Maycock Maycock	ROY	Utah
Martha McGowan McGowan	Bradenton	Florida
Robert Flinders	Kaysville	Utah
Jeff Mcfarlin	Ashland	Ohio
Ted Gramlich	Cutler	Maine
Morgan Kennon	Houston	Texas
Bernard Murguia	San Antonio	Texas
Bruce Lefebure	Ponca City	Oklahoma
Paula Ford Ford	Prosper	Texas
Charles Powell	Irvine	California
Lou Burton	Garner	North Carolina
Jack Rookhuyzen	La Conner	Washington
Gordon Wavra	Monmouth	Oregon
Roger Rusert	Midland	Texas
Ervin Bathke	Falls City	Oregon
Daniel Sheldon	Fort Lupton	Colorado
Stanley Wengert	Mt. Pleasant	South Carolina
Joseph Hebert Jr	East Providence	Rhode Island
Doris Jones	Hoschton	Georgia
Jerry Taylor	Flowery Branch	Georgia
Roberto Ayala	Chandler	Arizona
Joseph Ostrander	Wausau	Wisconsin
Daniel Pechacek	Allentown	Pennsylvania
Edmund Jacoby	Harbor Springs	Michigan
Pamela Ament	Colorado Springs	Colorado
Steven Glynn	Abita Springs	Louisiana
John Jolly	Amarillo	Texas
Gary Grayson	Fort Worth	Texas
Leslie Estes	Granbury	Texas
Michael Walsh	Wilmington	Delaware
thomas wright	bothell	Washington
Linda Roeder	Amarillo	Texas
DAVID PHILLIPS PHILLIPS	PRESCOTT	Arizona
Jerry Piger	Auburn	Washington
Keith Hollien	Gainesville	Florida
Michelle Hollien	Gainesville	Florida

AMERICAN OVERSIGHT

Gladys Johnson	Ventura	California
Sally Price	Newport News	Virginia
Herman Breed	San Antonio	Texas
PAUL BRONZO	MORTON	Illinois
Reggie Grimes	Olive Branch	Mississippi
David Braithwaite	Perry	Utah
Brad Studebaker	Gold Hill	Oregon
Andrea Pitts		Select a state
Robert O\'Neill	South Jordan	Utah
David Sipe	White Oak	Pennsylvania
Dennis Richey	Commerce City	Colorado
Thomas Wiley	Anchorage	Alaska
Laurie Lyford	Bellevue	Washington
Leslie Karl	Rock Tavern	New York
Daniel VanHart	conklin	New York
Richard Doran	Kahului	Hawaii
Robert Gaston	Leander	Texas
Rick Kole Kole	Phoenix	Arizona
Victoria Murphy	San Leandro	California
James Strachan	Escondido	California
Teri Santucci	Arcadia	Florida
Gordon Eyre	St. George	Utah
James Cooney	Helena	Montana
Robert Ziccarelli	Kenosha	Wisconsin
Paul Kotowicz	Perrysburg	Ohio
scott nickerson	big horn	Wyoming
Dave Dahlen	Punta Gorda	Florida
Clint Coakley	Golden	Colorado
Frank Rasmussen	Edgemont	South Dakota
Frank Lehmann	Vista	California
Jan Rogers	Polson	Montana
Marjorie Olmstead	Wauseon	Ohio
Joseph Sero	Simpsonville	South Carolina
Robert Armistead	Apple Valley	California
Greg Henry	Vernal	Utah
Dianne Patti	Austell	Georgia
John Schmalenberg	Ironton	Minnesota
Melvin Buerck	Perryville	Missouri
Sharon Buerck	Perryville	Missouri
Gil Roschuni	Bowie	Maryland
CARL SYKES	LOWELLVILLE	Ohio
Charles Brockus	Reno	Nevada
James W. W, Lundy Lundy	Port Matilda	Pennsylvania
Janet Sykes	Lowellville	Ohio
Kaye Stenbeck	Simi Valley	California
Tim Phelps	Gladstone	Missouri
Stephen Dunbar	Broken Arrow	Oklahoma
Edward and Velinda Jonson Jonson	Hudson	New Hampshire
Tony Lanetti		Select a state
Harold Fry	Kent	Ohio
James Hausmann	Kearney	Nebraska
Samuel Ashwood	MUSKOGEE	Oklahoma
Keith Cook	Brentwood	California

AMERICAN OVERSIGHT

George Smietana	Beaumont	California
Joseph Murphy	Silver Spring	Maryland
Cathleen Geiger	Milwaukee	Wisconsin
James Costlow	Atlanta	Georgia
John Ogle	Shell Knob	Missouri
Therese Seybert	Des Plaines	Illinois
Mike Messenger	Medford	Oregon
Barbara Potter	Landrum	South Carolina
Giuliano Ceradelli	Milano	South Carolina
Charles Ward	Mechanicsville	Virginia
Vitus Cheng Cheng	DERWOOD	Maryland
Mark Huffman	Corona	California
John Batista	Dayton	Ohio
Barry Haymes	Tulsa	Oklahoma
John Copeland	Corvallis	Montana
Robert Connolly	ROLAND	Arkansas
Harold Nash	Hayward	California
J.M. Duty	Sand Springs	Oklahoma
Al Evans	East Amherst	New York
Geraldine Hofer Hofer	Wyoming	Michigan
Deborah Crutchfield	Geneva	Alabama
Michael Oberndorf	Cortez	Colorado
THURMAN SMITH SMITH	WINCHESTER	Massachusetts
Rita Langfitt	Walling	Tennessee
Samuel A. Sheller	Orrville	Ohio
William Pennington	Melbourne	Florida
Peggy Carpenter	Woodland Hills	California
Jack C. Hamm	Collbran	Colorado
Kay Cook	Radford	Virginia
francis galiano	Matawan	New Jersey
TERRY NEELD	NEW ALBANY	Indiana
John Bates	Naples	Florida
Raymond Miller	Spring Lake Hgts.	New Jersey
Karen LaVance	Taylors	South Carolina
LaVary Hager	Brighton	Colorado
john graves	raleigh	North Carolina
John Stillman	Tucson	Arizona
Mark Burhans	Timberlake	North Carolina
Frank Valente	Bakersfield	California
Mickey Olmstead	Austin	Texas
Michael Guin	Bozeman	Montana
Steve Schoer	Rocklin	California
linsey lane	sioux city	Iowa
Mike Carr	Livermore	California
Tom Perrin	Tallahassee	Florida
Allan Ward	Boca Raton	Florida
Paul Woyciechowski	Blackwood	New Jersey
Harold Carter	Millington	Tennessee
Timothy LaForest	Conesus	New York
ROBERT PRUDHOMME	DENVER	Colorado
Kendal Holmes	Streamwood	Illinois
Edward Marr	Round Rock	Texas
Tommy Harris	Houston	Texas

AMERICAN OVERSIGHT

William Ballard Ballard	Elgin	Texas
Jose Hernandez	Azusa	California
Maxwell Friedlander	Tobyhanna	Pennsylvania
BRETT HARDY	MERRIFIELD	Minnesota
Austin Oldham	Rowlett	Texas
Scott Clouser	Harrisburg	Pennsylvania
JAMES CAVANAUGH CAVANAUG	WONDER LAKE	Illinois
John Easterling	Roseville	Minnesota
Kurt Faber	Shorewood	Illinois
mireille torjman torjman	north fort myers	Florida
Bo Hindall	Columbus	Ohio
Janeen White	Dallas	Oregon
Stephen Shoemaker	Gresham	Oregon
Lanna Shrader	Eagle	Nebraska
Dan Troidl	Raleigh	North Carolina
Harriet Lester	Houston	Texas
Charles King	San Diego	California
Joe Ingalls	Peoria	Arizona
Randy Thomas	Miami	Florida
James Morgan	Boca Raton	Florida
Michael Grivette	Blackhawk	California
Ian Page	Cottage Grove	Minnesota
Rocky Bensch	Pickens	South Carolina
Mary Baruch	Mimbres	New Mexico
Gilbert Ruiz	Redondo Beach	California
Peter Alexander	Greenwich	Connecticut
Cs Beelman	Pensacola	Florida
Helen McDonald	Denio	Nevada
Susan Glasner	Beaufort	South Carolina
Don Scott	Wisconsin Dells	Wisconsin
Felton Barlow	Eastman	Georgia
George Carey	Pahrump	Nevada
Robert Braunohler	Washington	District of Columbia
Arch Kennedy	Atlanta	Georgia
Sean Conrad		Select a state
James Atkinson	Cullowhee	North Carolina
Tony Elliot	Oxford, England	Select a state
Thomas Barry	Woodridge	Illinois
Paul Thoman	Jacksonville	Florida
Ted Pettigrew Pettigrew	melrose	Florida
David Wolgemuth	Manheim	Pennsylvania
Chris Klein	Saint Ignace	Michigan
Thomas Buchenauer	Sumas	Washington
Paul Barabasz	Louisburg	North Carolina
Tom Scheeler	San Tan Valley	Arizona
Lawrence Carpenter	FENTON	Michigan
William Coffey	Chicago	Illinois
sal manzo	ny	New York
Toby Bofshever	Davie	Florida
karl krumins	houston	Texas
William Glick	Soldotna	Alaska
Kathleen Peatfield	Billerica	Massachusetts
Pete Diffenderfer Diffenderfer	Eugene	Oregon

AMERICAN OVERSIGHT

Beatrice Rano	Vestal	New York
rob rano	Binghamton	New York
Randy Leliaert	Osceola	Indiana
John Dean	El Paso	Texas
Tim DiMartino	Pittsburgh	Pennsylvania
Glenn Moore	Harrisburg	Pennsylvania
Ted Richichi	Lake George	New York
Karen Laffredi	Morristown	Tennessee
Seth Cottrell	Sioux City	Iowa
David Simsek	Winnemucca	Nevada
Roger Studebaker	Pierceton	Indiana
Harold Hutson	Thermopolis	Wyoming
bobby barefield	jackson	Mississippi
C Earl Jantzi	Grottoes	Virginia
Tom Farrar	Monticello	Illinois
David King	SPOTSYLVANIA	Virginia
Maralyn Ortiz	Chaparral	New Mexico
Thomas Smith	Columbus	Ohio
alan degraw degraw	jenison	Michigan
Chad Seda	San Clemente	California
Taylor Seda	Upland	California
Marlene Seda	Arcadia	California
Greg Seda	Arcadia	California
Chuck Byrum	Bangor	Maine
Sara Waymire	Dayton	Ohio
Elizabeth Waymire	Dayton,	Ohio
Charles Waymire	Dayton,	Ohio
Elisa Smalley	Chappaqua	New York
JIll Crawford Crawford	Cordova	Tennessee
Phyllis Haig	PHOENIX	Arizona
Jim Fulford	Orinda	California
Beverly Bradshaw Bradshaw	Fredericksburg	Virginia
Gerald Pierson	enid	Oklahoma
Brad Puryear	Sandpoint	Idaho
John Muzio	San Mateo	California
Bill Stephens	Woodward	Oklahoma
John DeKam	Boynton Beach	Florida
jams yuill	harpursvill	New York
Janis Karabats	Burney	California
Kevin Sheffield	Rigby	Idaho
Dennis Flohrschutz	Berryton	Kansas
Gerald Strawn	Vancouver	Washington
Bruce Longenecker	Harmony	Pennsylvania
Marcia Sailsbury	Litchfield	Illinois
Eric Johnson	Granite Falls	Washington
Cheryl Richardson	Easley	South Carolina
R.E.L. Richards	Westfield	New Jersey
Madeleine Pigg		Texas
Walter Kunz	Flagler Beach	Florida
T. Hardin		Select a state
desaray green	joplin	Missouri
Vincenia Annuzzi	Newton	New Jersey
Rexford Yoshimoto	Covington	Washington

AMERICAN OVERSIGHT

Jane Orient	Tucson	Arizona
Herve Lajoie	Helena	Montana
Denise Benson	Tulsa	Oklahoma
Mary Jo Lunsford	Stuart	Florida
jorge marenge	sandy	Utah
David Blauvelt	Tacoma	Washington
Betty Ann DeHaven DeHaven	Martinsburg	West Virginia
Louise Kresan	Stevensville	Montana
Eldred Stricklin	LITTLE ROCK	Arkansas
Chris Hammond	Wolfeboro	New Hampshire
Dale Engel		Tennessee
Trygve Gaalaas	Fairfax	Virginia
Susan Cook	Springfield	Illinois
Patricia Eden	Newark	Delaware
Robert Forbes	Campbell	California
George Brooks	Greenback	Tennessee
Annemarie Maynard	Bailey	Colorado
Betsy Barnicle	Dillsburg	Pennsylvania
John Boyle	Hernando Beach	Florida
Susan Kolczun	Claremore	Oklahoma
mike Civil	Hewitt	New Jersey
Marshall Murphy	League City	Texas
William Gibson	Leesburg	Florida
Carolyn Gibson	Leesburg	Florida
Malcolm Allred	Vicksburg	Mississippi
Walt Christen	Beaverton	Oregon
Gina Tarvin	Harned	Kentucky
John Paloma	Camby	Indiana
Jodi Cera-Markota	girard	Ohio
Joseph Taverniti	Pensacola	Florida
Jodi Cera\'s-markota	Girard	Ohio
james Shugrue	Onalaska	Wisconsin
Stephen Leonard	Hampton	Virginia
Sheila Brothers	Brocton	Illinois
Gene Donner	Mechanicsville	Virginia
Joseph Griffin	WINTERVILLE	North Carolina
Tom Streifel	Kodiak	Select a state
William Olson	Roosevelt	Minnesota
Charlie Bates	Albuquerque	New Mexico
lloyd Elliott	Spiceland	Indiana
Shirley Mansfield	East Peoria	Illinois
Tom Viets		Alabama
Carol Herbert	MARNHULL	Select a state
Tom Shade III	Hartford City	Indiana
forrest leatherman	fort lupton	Colorado
William Ron Bobby	Peoria	Arizona
Wendy Frerkson	Salinas	California
Walter R. Daniels	Kirksville	Missouri
William Popp	Royalton	Minnesota
Layne Gosnell	Weatherford	Texas
Joseph Lear	Crescent	Pennsylvania
Sidney Cabbiness	Bixby	Oklahoma
KEVIN ROMSEY	GILBERT	Iowa

AMERICAN OVERSIGHT

William Lippincott	Del Mar	California
Sherry Barbarisi	Neptune Bch	Florida
CARY CONNORS	SPANISH FORK	Utah
UWE HOFFMANN	Colorado Springs	Colorado
Steven Welcenbach	MENOMONEE FALLS	Wisconsin
john emery	Shady Cove	Oregon
Daniel Carr	East Pembroke	New York
wynne williams	cottage grove	Wisconsin
Frank E Murphy Murphy	Hidden Valley Lake	California
Robert Glover	Hermitage	Tennessee
Robert Slowik	Yardley	Pennsylvania
JOHN STORMS	OLALLA	Washington
Eric Osterberg Osterberg	Holden	Massachusetts
Gene Smith	RALEIGH	North Carolina
k Keefe Keefe	Dillon	Montana
shirley vaughn	boise	Idaho
Jack Bridge Bridge	Blairsden-graeagle	California
Carla Woolbright	Greenwood	Arkansas
Nancy Pordon	Hop Bottom	Pennsylvania
Wayne Herrod Herrod	lisbon	Ohio
Kenneth Barber	Forney	Texas
David Gish	Orange	California
John Boggs	Kingston	Ohio
Arnold Conrad	Ashland	Oregon
Grace Larson	Kalispell	Montana
Margaret Plese	Poway	California
baird davis	germantown	Tennessee
John Arden	Harleton	Texas
Jerry McDonough McDonough		Select a state
Robert LaLanne	Rockdale	Texas
Anthony Horzempa	Kirkville	New York
arnold smith	cleveland	Texas
Angela Younger	Meeker	Oklahoma
Emil Younger Jr	Meeker	Oklahoma
David Baughn Baughn	Newcastle	Oklahoma
Chuck Beach	Delaware	Ohio
Michael Henderson	Oakland	Maryland
Michael Austin	Princeton	Texas
Serena Bennett	Republic	Washington
Dennis Finley Finley	Louisville	Select a state
Tim Smith	Ann Arbor	Michigan
Lynda Farabee	Littlefield	Texas
Jay Peterson	Fremont	Nebraska
Raymond Lukens	Paradise	California
Laurie Smith	Sierra Blanca	Texas
Betty Vis	sioux Falls	South Dakota
Jonathan Jacob	Woodside	New York
Michael Thompson	Glendale	Arizona
Daniel Stewart	Atascadero	California
Roger Stokes	St. John	Indiana
Susan Erwin	Benicia	California
John Pastuck	Long Valley	New Jersey
James McEnanly	Belmont	Michigan

AMERICAN OVERSIGHT

James Samuel	Chicago	Illinois
Ken Wicker	Flat Rock	North Carolina
Tim Kelly	Larkspur	Colorado
John Mann	Kingman	Arizona
Geoff Derrick	Brisbane	Select a state
Paul Youngblood	Bloomington Springs	Tennessee
mike malone	warrenville	Illinois
Georga Collins	Baton Rouge	Louisiana
Brad Neufeld	Paradise	California
John Anderman	Phila	Pennsylvania
Karl Whittenberg	Lewes	Delaware
William Hille	Manorville	New York
Mike Rochelle	Resaca	Georgia
Ronita Sylvester	LaSalle	Colorado
James Hill	Eagle lake	Florida
Crissy pelafas	Wheaton	Illinois
Duane Siedentop	Herscher	Illinois
Lewis James	Graton	California
Lynette Lewis	Springfield	Oregon
Thomas Bluemel	Arcadia	California
James Leigh	Roundup	Montana
Michael Foley	Tacoma	Washington
Jerrold Sturm	Caledonia	New York
Michael Bell	Durango	Colorado
Kinney Beisel	Bastian	Virginia
Greg McCall	Hilliard	Ohio
Bill Nickerson	Ashburn	Virginia
Jacqueline Stellone	Melrose	New York
Eric Wolfe Wolfe	Walkerton	Indiana
Dennis Reynolds	Kennesaw	Georgia
Jeff Silver	Los Angeles	California
Tami Argo-Ray	Kimball	Nebraska
Jimmy Smith	Murray	Kentucky
Edgar MacWilliam	Sebastain	Florida
Steven Hill	Marietta	Georgia
Sarah Parks	Bryan	Texas
Randy Barbe	Hampstead	Maryland
Melanie Coles	FT Myers	Florida
Ken Moreland	Bettendorf	Iowa
chuck kandel kandel	West Bend	Wisconsin
Aimee W		Georgia
Jeremy Provencher	Litchfield	New Hampshire
Christopher Wright	Worthing, UK	Select a state
TIMOTHY DARNELL	Sanford	Florida
Philip Christiansen	West Newbury	Massachusetts
Robert Goetz	Orrington	Maine
Kenneth Bakke	Central Point	Oregon
Dan Gingras	Rye	New Hampshire
Darlene Richison	Fort Scott	Kansas
John Paniagua	Rego Park	New York
Susien Sugeng	Grantham	New Hampshire
Lanell Stockstill	Denham Springs	Louisiana
Kenneth DeGeneffe	Georgetown	Kentucky

AMERICAN OVERSIGHT

Wojciech Poza	London UK	Select a state
jim karlock	Portland	Oregon
Richard Piel	Sparta	Missouri
Kelly Piel	Sparta	Missouri
Carolyn Piel	Sparta	Missouri
David Russell	SAN DIEGO	California
Jim Riedmann	Glendale	Arizona
Charles Gilstad	New Town	North Dakota
Rance Allyn	Brea	California
Sue-Ann Jacobson	Belgrade	Montana
Warren H. Toone	Farmington	Utah
Margaret Abeyta	Albuquerque	New Mexico
art fonden	encinitas	California
Robert Feldmann	Volborg	Montana
George Gasparian	Doylestown	Pennsylvania
marilynn manke	st. paul	Minnesota
Thomas Wysmuller	Ogunquit	Maine
Brooke Biehl	Spring City	Pennsylvania
melinda godwin	Hot Springs National Park	Arkansas
Craig Adkins	los angeles	Select a state
John Gilman	Tiburon	California
Glem Riddle	Ada	Oklahoma
Charles Tedrow	North Bend	Oregon
Stephen Wille	Bellevue	Washington
Mark Hendricks	Bothell	Washington
Ed Bradford	Pflugerville	Texas
Larry McGrenera	Orland Park	Illinois
Hap Herndon	Grapevine	Texas
Franklin Hilmen	Georgetown	Delaware
William Gilbert	Arden	North Carolina
Dennis Irby	Kennewick	Washington
Rob Real	Farmington	New Hampshire
Susan Sisley	Ambridge	Pennsylvania
Michael Howington	Kingwood	Texas
Dennis Carlson	Thousand Oaks	California
Gibson jerue	Fargo	North Dakota
Joe Henson	Tyler	Texas
John Unnasch	La Crescent	Minnesota
George Reisman	Laguna Hills	Select a state
Glennda Shelton	Tulsa	Oklahoma
Kathy Trimble	Kingston	Arkansas
jim wiese	lexington	Kentucky
Zobeida Harp	Oregon City	Oregon
Lori Williams	Midwest City	Oklahoma
Linda Black Black	Bellaire	Texas
Jack Gallaher	Kokomo	Indiana
Mark Schaefer	Tempe	Arizona
Jessca Walton	Albany	Georgia
Douglas Johnson	Escanaba	Michigan
Jonathan Laux	Elida	Ohio
Matthew Norman	Farmington Hills	Michigan
Dana Schaefer	Broken Arrow	Oklahoma
Richard Zalar	University City	Missouri

AMERICAN OVERSIGHT

Kay Davis	Grifton	North Carolina
William Gardner	Cleveland	Tennessee
Linda Newhouse	Broken Arrow	Oklahoma
Sharla Utz	Round Lake Beach	Illinois
Katy Hoppa	Tulsa	Oklahoma
John Merson	Linthicum Heights	Maryland
Billy Harnage	Leesburg	Georgia
Bob Hobert	Penn Valley	California
Henry Perry	Titusville	Florida
Eric Sandberg	Long Prairie	Minnesota
Larry Tschopp	Savoy	Illinois
Victor Pierson Pierson	Georgetown	Texas
Richard Benson	Tulsa	Oklahoma
Janette Sheely	High Springs	Florida
Greg Munger	Burlington	Select a state
Fredericka Thompson	Missoula	Montana
ROBERT JONES	Bethany	Oklahoma
Robert Hains	Markleville	Indiana
Paul Schoonmaker Schoonmaker	Claryville	New York
Chris and Tammy Kreif	2321 Moccassin Ln	Texas
Peter Pollock	Palo Alto	California
Les Birtchet	Satsuma	Florida
Epifanio Cruz	Fultondale	Alabama
Michael Healy	Chicago	Illinois
Thomas Schaefer		Select a state
John Hagg	Las Vegas	Nevada
Michael Hill	Gaston	South Carolina
bill nicol	Jupiter	Florida
Brian Prunty	Braselton	Georgia
Bob Hoff	Spokane	Washington
Steven Adams	Lakewood	Colorado
Al Gom	Harrisburg	Pennsylvania
ST Urban	Leonardtown	Maryland
Ben Brigham	Austin	Texas
William Humphrey Humphrey	Newbury Park	California
rose Phelps	Thief River Falls	Minnesota
richard stokely	jamestown	Pennsylvania
John Mack	Lago Vista	Texas
Lyle Henretty	Marion	Ohio
Judith Gustafson	Ojai	California
George Matyas	Lisle	New York
Gregory Emerick	Johnstown	Pennsylvania
Franklyn Durilla	Mount Airy	Maryland
Norman Larson	south beloit	Illinois
Evelyn Ashour	Glen Burnie	Maryland
Todd Fry	Scottsdale	Arizona
robert youells	elizabethville	Pennsylvania
Roger Messier	Manteca	California
Michael Barlage	LANSING	Illinois
Robert Bermea	Bremerton	Washington
Gordon Gill	Twentynine Palms	California
Jack Campell	Longmont	Colorado
Phillip Bullington	Florence	Alabama

AMERICAN OVERSIGHT

Ronald Gabel	Sunland	California
Tony Whiddon	Kennesaw	Georgia
Donald Engels	Fayetteville	Arkansas
Richard Deiss	Warrington	Pennsylvania
Robert Steffel	Loveland	Ohio
Gene Smithson		Select a state
Martin Nolan	Baton Rouge	Louisiana
Adreanna Mendoza		Select a state
Richard Ferris	San Luis Obispo	California
ROGER HOFFMAN	MADISON	Wisconsin
Kerry Chase	PORTLAND	Tennessee
Beverly Wentz	OAK RIDGE	North Carolina
Virginia Ross		New York
Jeff Ware	Rapid River	Michigan
Thomas Sokoloski		New Hampshire
Gerald Marquardt	Onemo	Virginia
LaVonne Howard	Blaine	Washington
Robert Lande	Muscatine	Iowa
Samuel A. Sheller		Select a state
Caleb Rossiter	Washington	District of Columbia
R J Prokop	Pontiac	Michigan
Jamie Spry	NYC	New York
Kim Cleveland	Millville	Pennsylvania
Donna Reaved	Mooresville	Indiana
Kendall Post	Madison	Wisconsin
MOHAMED ABOUL-SEOUD	SCHENECTADY	New York
Bob Lento	Brooklyn	New York
John Linnenkamp		Maryland
Susan Olson	Bella Vista	Arkansas
Earl Pederson	Renville	Minnesota
Christopher DePhillips	Montclair	New Jersey
RUTH BARKER	Organ	New Mexico
Giles Earnshaw	New york	New York
John Stuhrman	Conyers	Georgia
Lauretta Freiberg		Select a state
Marty Remmes	GRAND ISLAND	New York
West Coile	Laytonsville	Maryland
Jim Hausmann	Kearney	Nebraska
Ted Grah	Blaine	Washington
Gene Beljaeff	Madison	Wisconsin
scott mcpherson	barneveld	New York
Bernard Clark	Columbia	Maryland
Greg Hughan	Tulare	California
James Stankey	Dublin	Ohio
Robert Hamilton	White Cloud	Kansas
Tyson Poskochil	Wahoo	Nebraska
kate Williams	Sydney	Select a state
Christine Gaskin Gaskin	Gaston,	South Carolina
Philip Birchall	Spindale	North Carolina
Douglas Pettibone	Sarasota	Florida
John Thauberg	Victoria	Select a state
Philip Verslues	Holts summit	Missouri
DAVID BOESCH	TEANECK	New Jersey

AMERICAN OVERSIGHT

Lee Valentine	Los Angeles	California
Brian Phillips	Garland	Texas
Leonard Giuliani	S.Daytona	Florida
Sylvia Bradford	Cypress	Texas
David Altom	Mabank	Texas
Teresa Stone	FLORISSANT	Missouri
Claude Culross	Baton Rouge	Louisiana
Peter Walseth	Centennial	Colorado
Andrea Smith	Baton Rouge	Louisiana
Terry Dunleavy Snr	Auckland, New Zealand	Select a state
Dennis Scogin	Cave City	Arkansas
Gabriela Lopez-Gardner	Branson	Missouri
pete kelly	montgomery	Texas
Robert Eberspacher	Baldwin	Wisconsin
Jack Hopkins	Eureka	California
Wendell Laney	Mint Hill	North Carolina
Don Thompson	Whittier	California
Sarah Blahnik	Hoschton	Georgia
Thomas Wiita	Vancouver	Washington
Launa Wing	Fossil	Oregon
Brenda Cox	Jefferson City	Tennessee
Jim Lakely	Lake Zurich	Illinois
Jill Burns	Wildwood	Missouri
Robert Amos	Point Clear	Alabama
Barbara Stockwell	Gren Valley	Arizona
Miller Drake	Glendale	California
Bret Koops	Denver	Colorado
Rick Allemang	Kirksville	Missouri
TD Boudreau	Flower Mound	Texas
warrick walker	calgary	Select a state
George Germick	Schererville	Indiana
Patricia Hines	Pittston	Pennsylvania
William Rickards	Goose Creek	South Carolina
Brian Will	South Dartmouth	Massachusetts
Richard Ellerson	Tucson	Arizona
Bryan Leyland	Auckland	Select a state
Arvid Pasto	Sparks	Nevada
Greg Brownell	Steamboat Springs	Colorado
Jack Logan	Wethersfield	Connecticut
Leo Belill	Sarasota	Florida
Raymond Bajer	Phoenix	Arizona
William Hoy	Bailey	Colorado
Ralph Heap	Mesa	Arizona
Kevin Kane	Denver	Colorado
John Micknal	Campwood	Texas
John Lange	Austin	Texas
Judith McMillen	Tulsa	Oklahoma
Eoghan Finnerty	Boston	Massachusetts
Kevin Hearle	Te Puke NZ	Select a state
Bernhard Winkler		South Dakota
Don Lingle	Avon	Indiana
Deryl Henson	Jacksonville	Texas
Michael Shimek	Corpus Christi	Texas

AMERICAN OVERSIGHT

michael sullivan	knoxville	Texas
Shawn McFatter McFatter	Freedom	California
Karl Backus		Select a state
Darren Neal	Castle Rock	Colorado
Greg Ritzer	Freehold	New Jersey
Louise Kelly	Cleveland	Tennessee
Kenneth Lutich	Sequim	Washington
Debra Bergum	Rancho Cucamonga	California
Daniel Stanhope	Palm Harbor	Florida
Suzanne Morstad	Basin	Wyoming
Bobby Todd	Trenton	Texas
STEVEN SCHRAM	GRAND JUNCTION	Colorado
Robert Fisher	Berkeley	California
John Levonian	Covina	California
Don Schroeder	Park City	Utah
Lowell Howard	Merrill	Wisconsin
Marilyn Zimmerman	Hollandale	Minnesota
Jack DeLong	Jackson	Tennessee
Harry Parker	Birmingham	Alaska
Karen Stanley	eustace	Texas
Lois Mammel	Newtown	Pennsylvania
Alan Becker	Wantagh	New York
Ray Ryan	Carolina Beach	North Carolina
Jim Demorest	Escondido	California
Ben Brahler	Massillon	Ohio
Mary Merryman	Philipsburg	Pennsylvania
Hugh Wise	Gainesville	Florida
Bill Warren	Elgin	Illinois
Rick Champagne		Select a state
Jim Wenzel	Brighton	Colorado
Amos C. Myer Myer	Medford	Oregon
sharon zdrojewski	LANCASTER	California
Chase Kramer	Indianapolis	Indiana
Andrew O\'Donnell	Woodhaven	Michigan
John Power	Longview	Washington
Ethan Whisenant	Front Royal	Virginia
Rich Manning	KEIZER	Oregon
Richard Campbell	Fredericksburg	Virginia
kenneth freund	aurora	Colorado
Virginia Hansen	North Las Vegas	Nevada
Reid Smith	Glastonbury	Connecticut
Ed Hardman	Grove City	Ohio
Christine Genge	Cave Creek	Arizona
Kathryn Fanning	Thermopolis	Wyoming
John French	Burkeville	Texas
Tanner Davis		Georgia
George Guisewhite	Mohrsville	Pennsylvania
Daniel Zeise	Black Creek	Wisconsin
John Sherouse	Grafton	Illinois
Robert Weber	GRANGER	Texas
Peter Capell Capell	PITTSBURGH	Pennsylvania
allan bose	Sumas	Washington
Jacqueline Brown	Orange	New Jersey

AMERICAN OVERSIGHT

Tim Barrett	Burks Falls	Select a state
Bonnie Kaiser	Helena	Montana
Robert Weidner	Phoenix	Arizona
Kevin Kelly		Select a state
stephen Hillis	Lakeland	Florida
Kathren Parker	granbury	Texas
hsuh yao	Milan	Pennsylvania
William Vanderheyden	Katy	Texas
Vivian Ellis	Scottsdale	Arizona
George Woodward	Swanton	Vermont
Tom Zapico	Lakewood	Colorado
Phillip Ferris	Houston	Texas
Joel Patterson	Portland	Oregon
Lowell Miles	Albuqerque	New Mexico
Marvin Powers	Rogersville	Tennessee
Allen Cichanski	Redding	California
manny medeiros	kill devil hills	North Carolina
Denis McCormick	Landenberg	Pennsylvania
Christian Adams	Yalaha	Florida
Richard Hessel	Manhattan	Kansas
Dennis Stayer	Moorpark	California
Punyamurtula Kishore	Chestnut Hill	Massachusetts
LAWRENCE BROWN	MEQUON	Wisconsin
Willis Eschenbach	Occidental	California
john abrahamson	hurricane	Utah
Bill Snider	Arlington	Texas
Charles Mosgrave	Lexington	Kentucky
John Matty Jr	Colonia	New Jersey
Lucy Molinaro		Georgia
Larry James	Marquette	Michigan
Linda Weighall	Lenore	Idaho
Robert Hendricks	Fair Oaks	California
Roger Weaver	De Soto	Missouri
Jerome Hudson	Concord	California
Wesley Fulks	Richmond	Kentucky
Janine Frederick	Taylor	Michigan
Stephen Craffen	Oakland	New Jersey
Richard Lindzen	NEWTON HIGHLANDS	Massachusetts
Darryl Delaney	Manchester	New Hampshire
Linda Bunnell	East Concord	New York
Duane Bunnell	East Concord	New York
Robert Conklin Conklin	Peoria	Arizona
Jim Ballew	Spring	Texas
Ross Davis	Burlington	Massachusetts
Carl Langner	Loveland	Colorado
Sumant Rawat	Pueblo	Colorado
Cecil Coupe	Boise	Idaho
Douglas Heffington	Las Vegas	Nevada
Charles Battig	Houston	Texas
Beth Cheek	Cheekjabc@bellsouth.net	Georgia
Tom Robinson	mendham	New Jersey
KIRAN ANDROLEWICZ	ALBUQUERQUE	New Mexico
Carl Lehfeldt	Morgan Hill	California

AMERICAN OVERSIGHT

Karry Phillips	Calvert	Texas
John Hill	Caldwell	Idaho
Don Allen	Buckeye	Arizona
Bienvenido Oplas, Jr.	Makati City, Philippines	Select a state
Keith Smith	Canyon Country	California
John Harwell	Guthrie	Oklahoma
David Wojick	Wardensville	West Virginia
Robert Strauss	Sayre	Pennsylvania
mike schnurr	spokane	Washington
Carol Westervelt	White Post	Virginia
Patrick Moore	Comox, BC Canada	Select a state
Raymond Freisleben	West Bend	Wisconsin
Bruce Moore	Geneva	New York
Kathleen Sgamma	Denver	Colorado
willie soon	salem	Massachusetts
Thomas Lavallee	Prescott	Arizona
Eileen Green	Jacksonville	Florida
Joseph Pujol	Montclair	New Jersey
Leslie Anchors	Polo	Missouri
Michael Zimmer MD	Vero Beach	Florida
Richard Kahle	Lincoln	Nebraska
Gary Hall	Los Angeles	California
Diane Bast	Sherwood	Wisconsin
John Droz	Morehead City	North Carolina
Burlin Wright		West Virginia
John Warden	PIKE ROAD	Alabama
Mervin Kamper	Hudsonville	Michigan
Elizabeth Lynn	Dublin	Ohio
William Temple	Austin	Texas
James Howell	Evansville	Indiana
Zach Fairchild	Normal	Illinois
Harold Seneker	Fair Lawn	New Jersey
John Larkin	Warminster	Pennsylvania
John Hartley		Select a state
Joanne Walczak	Gulf Breeze	Florida
Perley Patrick	TEANECK	New Jersey
Jerry Davidson	Reno	Nevada
Joyce Hemphill	Cherryvale	Kansas
Steven Ivey	Margate	Florida
Jack Gravlin	Egg Harbor	New Jersey
Stephan Strasser	Scottsdale	Arizona
scott Smolenski	Gainesville	Florida
Robert Schmidt Jr	Bremen	Indiana
Jay Mahoney	Harwich Port	Massachusetts
Daniel Davis	Creve Coeur	Illinois
harry betley	chicago	Illinois
Marlene LaForge	Parsons	Kansas
Steve Sollars	Washington C.H.	Ohio
Paul JAHNSON JAHNSON	Montreal	Wisconsin
Michael Van Parys	Desert Hot Springs	California
Bob Lex		Washington
Tom Anderson Anderson	Eureka	California
frank free		Select a state

AMERICAN OVERSIGHT

William Adkerson	Yukon	Oklahoma
Rodney Gaumer	Boiling Springs	Pennsylvania
Steve Cantrell	Loma Linda	California
Tom F. Rolewicz Rolewicz	Mendota Heights	Minnesota
Joe Reilly	Bellevue	Washington
Donald Larson	Gurley	Alabama
norman staton staton	Sebring	Florida
Dennis Evans	Taylor	Arizona
Daniel Roeder	Amarillo	Texas
terry woolven	HASTINGS	Maine
Calvin Simmons	Bountiful	Utah
Bill Schlibdiver	Parsippany`	New Jersey
Katherine Smith	Mt Vernon	Maine
Curtis Jones	Madison	Ohio
James Kramer	Goshen	Indiana
MICHAEL TYLER	PLUM BRANCH	South Carolina
Bill Shepherd	Lewisville	Texas
Keith Brandt	Alvin	Texas
Jeff Zenker	Capitola	California
Kelton Peery	Leavenworth	Washington
Gary Sharp	Salinas	California
Gene Stevenson	Bluff	Utah
Gale Clemenson	Portland	Oregon
Bradley Beran Beran	Concord	North Carolina
Cindy Rodibaugh	Flatonia	Texas
Roger Lakey	Carlsbad	California
Clyde H. Shaulis, Jr.	Erie	Michigan
Michael Wagner	Mercer	Pennsylvania
Ronnie Goble	Inez	Kentucky
Gloria Senecal	Delanson	New York
Jack Deal	Massillon	Ohio
Greg Bores	Prior Lake	Minnesota
Zdzislaw Meglicki	Bloomington	Indiana
Eugene Sanders	Newark Valley	New York
Ricardo Ferraz	Mountainside	New Jersey
Jerry Estes	Tallapoosa	Georgia
Carole Watson	Sunbury	Ohio
ScottPruitt isCorrupt	Jackson	Mississippi
Christine Ogden	Washington	Utah
Diane Toth	Venice	Florida
Steve Glasgow	Charlotte	North Carolina
Judith Battraw	Richmond	Indiana
Daryn Montgomery	Indianapolis	Indiana
Matthew Horsley	Pinehurst	North Carolina
roger stone	northbrook	Illinois
rudy Batties	Palo Alto	California
Linda Haege	Glen Ellyn	Illinois
Michael Verga	Los Gatos	California
Ray Vandenberg	Pequot Lakes	Minnesota
Samantha Sloan	Groesbeck	Texas
Jim Egbert	Colorado Springs	Colorado
David Gunn		Select a state
Mark Reinhard	Endwell	New York

AMERICAN OVERSIGHT

William Coddington	Prior Lake	Minnesota
Benjamin Boekweg	Springville	Utah
George Levasseur	Carpendale(Ridgeley)	West Virginia
Darrell Rogers		Select a state
joe Phillips	Lebanon	Tennessee
Frank Spracklen	Salt Lake City	Utah
Harold Levi	Blairsville	Georgia
Fritz Damveld	Hollywood	Florida
Emily R	Athens	Georgia
Carl Winters	Farmington	New Mexico
Michael Melton	Texarkana	Texas
Jill neubraunner	N.A.	Select a state
Cole Wibbels	Gillette	Wyoming
John Drew	Battle creek	Michigan
Joy Bazill	Fairborn	Ohio
terry chambers	Boyd	Texas
Carolyn Watters		Florida
Sam Pyeatte	Everett	Washington
Alex Dunlap	Woodstock	Georgia
Roger Sowerby	Kaysville	Utah
Allyn Thornberry	Vulcan	Michigan
Steve Gunyon	Bowie	Maryland
William Jordan	Huntsville	Alabama
DAN HALL	LUDLOW FALLS	Ohio
Allen Rogers	Vancouver	Washington
Edward Rogers Rogers	ironton	Ohio
Richard Cramer	Mount Pleasant	Wisconsin
Robert Latta	Columbia	South Carolina
Chris Gerhardstein	Hiram	Ohio
John Loftin	Lake Charles	Louisiana
Armand Kachigian	Granite City	Illinois
Lois Grebosky	Woodbury	Connecticut
Edward Martin Martin	Poinciana	Florida
Mark Zaslav	Novato	California
Kris Moore	Earleville	Maryland
Mark Sims	Camp Hill	Pennsylvania
Kevin Lopata	Latrobe	Pennsylvania
Gary Wescom	LEBANON	Missouri
carlo blanco	boca raton	Florida
Cliff Cottonaro	Davie	Florida
Phil Doucette	Memphis	New York
John Barnes	Lexington	Kentucky
Richard Reitmeyer	Henderson	North Carolina
Arnoldus Lapre	Carligford, N.S.W. 2118, Australia	Select a state
Paul D Renselle	Carmel	Indiana
Gary Arthur	Coopersville	Michigan
James Barnett	Sierra Vista	Arizona
William Strang	Westland	Michigan
Charles Landgraf	Anacortes	Washington
Dale Horst	Lititz	Pennsylvania
Roy Royster	Dunlap	Tennessee
Michael Turner	Pine Grove	Pennsylvania
John Ziegenhardt	Milford	Ohio

AMERICAN OVERSIGHT

William Edwards	Georgetown	Texas
James Roy	Brandywine	Maryland
jim donohue	newtown	Pennsylvania
Rich Zuppio	Peabody	Massachusetts
Rick Groman	Bridport	Vermont
Karen Thompson	Canaseraga	New York
Warren Cole	Charlotte	North Carolina
Fred Barth	Reading	Pennsylvania
Jeannie Luttrell	Greeneville	Tennessee
John LaBriola	Fairfax Station	Virginia
Glen Kuykendall	Amarillo	Texas
Lyle Baumann		Select a state
Dennis Hardman Hardman	Piedmont	Oklahoma
dale jones	summersville	West Virginia
Al Martin	Denton	Texas
Sanford Edwardsen	Bellingham	Massachusetts
Doug Ellwood	Chesterfield	Missouri
Susan Davis	Marshall	Missouri
Robert Lyman	West Berlin	New Jersey
William Threewits	Lawndale	Select a state
kenneth lyon	Wagoner	Oklahoma
Mark Michalsky	Waukesha	Wisconsin
Charles Iliff	Arnold	Maryland
Dennis Kimball	Cambridge	Maryland
Eric Nelson	Crossville	Tennessee
Oren Kesler		Select a state
Roger Densley	elma	Washington
Clark Graeve	Bloomington	Minnesota
Mark Hodges	Malo	Washington
Colin Wilkinson	St. Paul	Minnesota
Troy Rogers		Select a state
Tim Chapin	Akron	Ohio
Ryan Gengler	Mosinee	Wisconsin
Ron Marks	Mount Juliet	Tennessee
Margie Luna	Livingston	Texas
Bryce Johnson	Saratoga	California
Mark Rocconi	Bethel	Connecticut
Tim Power		Kansas
James Barrett Jr	Canton	Texas
Patrick Collins	Greendale	Indiana
Jennifer Cleveland	McKinney	Texas
Paul Link	Hampton	Virginia
Rachelle Brown	Detroit	Michigan
Rick Rivera	Quinlan	Texas
Eric Anderson	Palm Coast	Florida
DONALD KERSEY	SHAWNEE	Oklahoma
Al Lowe		Select a state
Kevin Saunders	Samson	Alabama
David Sion	Springville	New York
Dennis THOMAS	GULF BREEZE	Florida
tad dickerson	denham springs	Louisiana
Li Tyler	Winchester	Kentucky
Don Bishop	Estes Park	Colorado

AMERICAN OVERSIGHT

Rob Mudry	Westlake	Ohio
Bill wyman	Gunnison	Colorado
Ronald Fleck	Saint Louis	Missouri
John Angiulli	Poughkeepsie	New York
Ron Brooks	Sugar Land	Texas
David Samples	Ray	Ohio
Jules Guidry	Battlefield	Missouri
Barry Bordes	Slidell	Louisiana
Jim Drescher	Justin	Texas
Harry Wilson	Los Angeles	California
Ron Stappenbeck	Macedon	Select a state
neil santucci		Select a state
Janet Carter	Moran	Texas
Clifford Eike	Willow Grove	Pennsylvania
arren bruns	sunman	Indiana
Ruby Lewis	Churchville	New York
Grand Nagus	Irving	Texas
Pauli Hirvonen	SUMMERVILLE	South Carolina
John Keller	Dunedin	Florida
Danny Spivey	Tipp City	Ohio
Samuel Fluckiger	Golden	Colorado
Richard Brue		Nevada
James Oberlin	Lewisburg	Pennsylvania
John Stowe	lebanon	Missouri
Peter Wells	St. Cloud	Florida
John Viertel	Moran	Texas
Augustine O\'Brien	Lawrence	Massachusetts
Robert Denham	Hiram	Georgia
John Boland	Murrells Inlet	South Carolina
Courtney Owen		Select a state
David D\'Arcangelo	Collegeville	Pennsylvania
Stephanie D\'Arcangelo	Collegeville	Pennsylvania
Lorraine Gloede	Dover	Delaware
Ted Bjorem	Tigard	Oregon
Thomas Graham	Mount Pleasant	South Carolina
Shawn Marshall	Hardy	Virginia
Richard Pitts	Alpharetta	Georgia
Jon Atkinson	Aitkin	Minnesota
Fred Purdue	Elmira Heights	New York
georgia cannon	fayetteville	North Carolina
Barbara Brackett	Forest Park	Georgia
Eugene Wojciechowski	Mickleton	New Jersey
Tony Douglas	Independence	Missouri
Joel Black	Birmingham	Alabama
Anna Pacer	Auburn	Alabama
Mark Barbee	Dry Prong	Louisiana
AL NAZARIO	NYC	New York
Frank Thompson	Bullard	Texas
alvin copping	Cumming	Georgia
Tom Hinkelman	Arlington	Texas
Cliff & Diana Schommer	Merritt Island	Florida
Samuel Wallace	Georgetown	Indiana
Jack Langdon	Asheville	North Carolina

AMERICAN OVERSIGHT

Neale Bailey Bailey	The Villages	Florida
FREDERICK MCCAIN	gasport	New York
David Ingraham	Napa	California
Gregg Frye	Prospect Park	Pennsylvania
Matthew Emanuel	Chicago	Illinois
Thomas Bruice	Carlsbad	California
Susan King	Lebanon	Oregon
Gary Fausz	Markle	Indiana
Jim Carmichael	Brunswick	Georgia
Henry Le Donne	Groveton	New Hampshire
Bill Ponton	Winston Salem	North Carolina
Kate Jaudes Jaudes	Salem	Oregon
Ron Wilcox	Menan	Idaho
Lewell Austin	St. Cloud	Florida
Bonnie McGinnis	Sturgis	South Dakota
Chantenelle Lind	Billings	Montana
Scott Parlin	Sahuarita	Arizona
Herve Deveaux	Paphos	Select a state
Douglas Spillman	Louisville	Kentucky
James Baker	Anchorage	Alaska
Lynn Thacker		Select a state
Jack Moilanen	L\'Anse	Michigan
Loren Corle	New London	Minnesota
Walter Clark	Wilmington	North Carolina
Lawrence E Jones Jones	Plymouth	Michigan
Joshua Henrie	Benton	Pennsylvania
Kenneth Bevering	Hamilton	Illinois
Paul Yale	Portland	Oregon
Dale C Casey	Cooper	Maine
David Lawell	Eloy	Arizona
William F Lynes Jr	Alameda	California
Mark Roberts	Kempton	Pennsylvania
Rodney Spriggs	Berryville	Virginia
Jennifer and Keith Lorensen	PUEBLO	Colorado
E Eugene Wickstrom	Cathlamet	Washington
Milt Peters	Glennallen	Alaska
James Brown	Clyde	North Carolina
Rita Padget	Kingman	Arizona
Kevin Hoar	Portland	Oregon
Dennis Faulkner	Lakeside	California
Richard Gutierrez	Channelview	Texas
Russ Meisner	Poulsbo	Washington
Lars Tovander	Baytown	Texas
michael nehlsen	big bend	Wisconsin
Ed Feldman Feldman	Freeport	New York
Christina Chan	San Diego	California
vern sieving sieving	lemay	Missouri
Todd McNemee	Salem	Oregon
Aimee Potter	Seattle	Washington
Margrett Buchholz	Prosser	Washington
Suzanne Prince	Las Vegas	Nevada
Eric Shields	Portland	Oregon
William Chase Chase	North Chesterfield	Virginia

AMERICAN OVERSIGHT

Kimberly Wingard	Gainesville	Florida
Jerry Nass Nass	Clarksville	Tennessee
Norman Sannes	Mora	Minnesota
Paul Phillips	Carbondale	Illinois
Jordan Thompson	Mountain House	California
Mitch LaBuda	San Jose	California
Daniel Dennison	Lubbock	Texas
Ryan Muhammad		New York
Warren H. TooneFarmington	Farmington	Utah
Dick Bertrand	Lincoln	Nebraska
Cecil Beumer	Asheville	North Carolina
Dale McDaniel	Conroe	Texas
Anthony Armini	NIPOMO	California
John Mix	Lake Forest	California
Alan Jussila	Goldendale	Washington
David Lee	Mesa	Arizona
Larry Kirkland	Moscow	Idaho
Paul Atwater	Benicia	California
Delbert Cline	Coos Bay	Oregon
Paul Atwater Atwater	Benicia	California
Beverlee Roper	Weatherby Lake	Missouri
Robert Fox	Brentwood	California
Gregory Kuhl	Hammond	Indiana
Dean Unruh	Sioux Falls	South Dakota
J S		Select a state
Peter Fanucchi	Fulton	California
Deryk Ford	Lake Worth	Florida
Dennis & Marsha Stayer	Moorpark	California
Charles Morrison	Soledad	California
John DeFayette	Gettysburg	Pennsylvania
Martha Johnson	Chandler	Arizona
Melvin Howerton		Select a state
William Hutchins	Lexington	Kentucky
michael may	tempe	Arizona
Reggie Jardon	Elk Grove	California
Joe Wellborn	Corrales	New Mexico
David Averill	Littleton	Colorado
Suzanne Phillips	McCleary	Washington
Robert Byers	Martisville	New Jersey
Thomas Williams	Grand Blanc	Michigan
Willy Nerdal	Bergen	Select a state
John Bickford	Bismarck	North Dakota
Thomas Bauch	Colleyville	Texas
John Sipp	Pinehurst	Idaho
Margaret Taskila	Scobey	Montana
Jennifer Kelly	Prescott Valley	Arizona
Suzanne Paroski	Story	Wyoming
Thomas F. Stalnaker	Tehachapi	California
Marian Hopkins	Dawsonville	Georgia
Candy luhrsen	Mimbres	New Mexico
Ralph Bazil	Rose Hill	Kansas
Mark Smith		Alabama
John Ritland	Kirkwood	Missouri

AMERICAN OVERSIGHT

Robert Fogelsanger	Gilbert	Arizona
Joseph Draper	Christiansburg	Virginia
John Brudnicki	Gold Beach	Oregon
Shawn Broman	Plainfield	Illinois
Sam Neff	Ruby Valley	Nevada
Brian Halawith	Phoenix	Arizona
David Peterson		Select a state
Margaret Folz	Glen Cove	New York
Kerwin Dunsmore	Dunsmore	Colorado
Frank Romano	Carmichael	California
Amanda Pence	Norman	Oklahoma
Sterling Munce	Valley Village	California
Mary Curry	Medford	Oregon
Esther McGuire	Momtrose	Colorado
Frank Nash	pleasant Plains	Arkansas
Floyd McGuire	Montrose	Colorado
Dan Korpi	Eveleth	Minnesota
Ronald Sabo	Lk Cormorant	Mississippi
RICK RETHWISCH	LEWELLEN	Nebraska
Dustan Duphily	Oroville	Washington
Bill Prater	Redkey	Indiana
Eva Oriold	Baldwin Park	California
John F. Gunn	SPOKANE	Washington
Stephen Oriold	Baldwin Park	California
Alan Mewhort	Houston	Texas
Raymond Acuna	Torrance	California
Robert Baxter Jr	Paaso Robles	California
Lois` Van Kirk	Metairie	Louisiana
Michael Gangemi	Rochester	New York
Ronald Collins	Knoxville	Tennessee
John Bruha	Grand Rapids	Michigan
Daniel Zabawa Zabawa	Omaha	Nebraska
John Duck	Dallas	Texas
Greg Mather	The Woodlands	Texas
Philip Sanchez	Joshua tree	California
Charles Albritton	Pascagoula	Mississippi
Richard Green	Prescott	Arizona
Lark Pursifull	Nampa	Idaho
John Sanders	Painesville	Ohio
Bruce Thompson	Stratton	Colorado
Franca Gaudet	east Longmeadow	Massachusetts
Alex Moorehead1	Cohasset	Massachusetts
Albert Porter	Fernandina Beach	Florida
Robert A. Musser	Arlington	Texas
Charles Oslakovic	Wonder Lake	Illinois
Kazuko Meissen	las vegas	Nevada
Greta Kocol	Bellingham	Washington
Joseph Meissen	las vegas	Nevada
Kelly Gerez	LAWRENCEVILLE	Georgia
Dennis zumbrun	montz	Louisiana
Glenn Shelton	PITTSBORO	North Carolina
Kara Schoepfer	Ames	Iowa
Michael Murphy	Sioux Falls	South Dakota

AMERICAN OVERSIGHT

Richard J Jones	Dayton	Ohio
Michael Morris	Naples	Florida
David Kuhn	Chatsworth	California
Richard Schaeffer	Vacaville	California
Sharon Larson	South Beloit	Illinois
James P Vincent	Alvin	Texas
Mackey Stephenson	Willow Spring	North Carolina
Carol Keddington	Salt Lake City	Utah
Kevin Parnin	Alachua	Florida
greg heymans	minneapolis	Minnesota
Martin Montoya Montoya		California
Ellen Theilen	Farmers Branch	Texas
Tracy Butts	Caney	Kansas
Alan Zeidman	Vail	Arizona
Paul Standridge	Allen	Oklahoma
Shirley Sampson	Hoffman	Minnesota
Kyle Cramer	Saint Michael	Minnesota
Albert Emge	Gardendale	Alabama
Jerry coyle	Grove	Oklahoma
James fitch	renton	Washington
Ron Nichols	Richfield	Minnesota
Paul Prochko	Pocatello	Idaho
James Burnett	Hermitage	Tennessee
Richard Del Frate	Crossville	Tennessee
Merrilee Mcdonald	Boise	Idaho
Mark Crouse	Plattsburgh	New York
Linda Carney	Forest Lake	Minnesota
Gary Jones		Select a state
Allen Barr	Stevensville	Montana
James Nolan	Cave Junction	Oregon
David Sementilli	Liberty Hill	Texas
Ernest Moody	Reno	Nevada
Gary Carrington Carrington	Bartonville	Texas
Bruce Morgan	Torrance,	California
Richard Jensen	Torrey	Utah
Jerry Cooper	Tumbling Shoals	Colorado
Denis Mewis	Roggen	Colorado
Frank DeVoy	Wauwatosa	Wisconsin
Scott Harris	Henderson	Nevada
Donald E and Donna K Sims	Carmi	Illinois
Barbara Lytle	Chula Vista	California
Willie McRoy	Fuquay Varina	North Carolina
Peter Jarvi	Menahga	Minnesota
Dawn Whitman	Ruston	Louisiana
John Riganati	Skillman	New Jersey
Ann Gabel	Byrnes Mill	Missouri
K Reynoso Reynoso	Tehachapi	California
Henry Koopman	Waite park	Select a state
Rosejoy Stagg	Pineville	Louisiana
Marsha Greenfield	Gardena	California
David Olson	Greenwood Village	Connecticut
Frank Buckoski	Mims	Florida
Sam Bronstein	College park	Maryland

AMERICAN OVERSIGHT

William Puckette	Poteau	Oklahoma
Darrell Radford	Templeton	California
Ellis Venia Jr	Toledo	Ohio
David Koepp	Brule	Wisconsin
Earl Neidig	Dillsburg	Pennsylvania
Prof. James Rust	Atlanta	Georgia
Daniel Botwin	Montgomery	Alabama
Nita Hewson	Mandeville	Louisiana
Richard Vermilyea	Houston	Texas
Judy Lovins	Springfield	Missouri
Connie Hester	Witt	Illinois
Greg Wagner	Spokane	Washington
Amber Matthews	Burleson	Texas
Perry Rucker	Slidell	Louisiana
Michelle Weaver	Dryden	Washington
THOMAS TRAINOR	SUSSEX	New Jersey
THOMAS SIMPSON	BOCA RATON	Florida
Emma Brown	Watkinsville	Georgia
Nathan Detrich	Escondido	California
benjamin antrim	gilroy	California
David Pullin	McDowell,	Virginia
John Dyer	Evansville	Indiana
Jose Rodriguez	Houston	Texas
Jan Fisher	Sudan	Texas
D Kenny	Niles	Illinois
CJ Hinkle	Portland	Oregon
Kent Schumacher	Elkhart	Indiana
Pete McEntee	Spring Hill	Florida
Richard Spicka	Littleton	Colorado
Justin Victoria	Franklin	Massachusetts
Robert Peacock	San Diego	California
Vernon Boyd	Roy	Washington
Vicki Cicero	Tyrone	Georgia
Dean Maycock	ROY	Utah
Brent Junkins	Highland	California
Tim Momsen	Golden Valley	Minnesota
Bernard Tully	Mashpee	Massachusetts
Mark Ragsdale	Duncan	South Carolina
Glenn Gelineau	San Carlos	California
Pam Ostrander	Lake villa	Illinois
Terry Burke Burke	Castleton	Vermont
Thomas Griffith	Boulder	Colorado
Gail Daley	Westfield	Massachusetts
Stanley Hutchinson	Grand Junction	Colorado
Rob Warner	Broomall	Pennsylvania
Michael Everett	Princeton	North Carolina
Barb Otto	Spencer	Nebraska
Tammy Woten	Potter	Nebraska
Ellen Atkins	Emory	Texas
Earl Vraney	Antioch	Illinois
Frank Dierenfeld	Deep River	Iowa
John Taylor	Gardendale	Alabama
Sarah Luke	Houston	Texas

AMERICAN OVERSIGHT

James Buysse	Riverside	California
David Jenningd	Kingsbury	Texas
mike logan		Select a state
Thomas Rall	Fort Worth	Texas
Virginia Davis	Mooresville	Indiana
Sharon Lindsay	Sedalia	Colorado
Kathy Michaelson	Rockton	Illinois
Mike Ayers	Myrtle Creek	Oregon
Ted & Diana Burton Burton	Oklahoma City	Oklahoma
Bill RYAN	Mount Wilson	Select a state
Jason Miller	Northpole	Alaska
John Kotchian	Middlebury	Connecticut
Richard Woodworth	Los Osos	California
Ron Johnson	Arlington	Washington
Justin Barnes	Memphis	Tennessee
Ben Humphries	Jasper	Alabama
Randy O\'Connell	Conception Junction	Missouri
Jacob Schulfer	Platteville	Wisconsin
Charles Fox	Phx	Arizona
Thomas Arnold	Manchester	Missouri
Jim DeVore	Navarre	Florida
John Crawford	Phoenix	Arizona
Timothy Simmons	Elizabeth	West Virginia
Judy Skov	Denver	Colorado
Henry W Friedrich	Algona	Iowa
ruth hickey	Minneapolis	Minnesota
Judith Liegmann	Campbell	California
Jeffrey Saler Saler	Bellbrook	Ohio
Paul Dyer	Springfield	Missouri
Ronald D Thompson	Bandera	Texas
Lana Butler	Lynnwood WA 98087-7028	Washington
Andrew Woods	CARRSVILLE	Virginia
Paul Buckholz	Croswell	Michigan
PAUL HENRY	MOUNTAIN HOME	Arkansas
Linda Sarto	Camdenton	Missouri
Douglas Cross	Birch Bay	Washington
Terry Grambsch	Hamilton	Ohio
MANDY PRUYT		Select a state
Gabrielle Geschke	Jackson	Wisconsin
michael forster	Lincoln	Delaware
Gonzalo Munevar Munevar	Farmington Hills	Michigan
Judith Stroick	Chandler	Arizona
John Mooney	Taylor	Michigan
Frank Colton	Baker City	Oregon
Linda Augsbach	Tarpon Springs	Florida
holly yanushka	mckinleyville	California
Matthew Mayo	Pickerington	Ohio
judy graham	magnolia	Texas
Tom Spanton	San Diego	California
Brian Fulton		Select a state
Matthew Madsen	Fairfax Station	Virginia
Paul Savoy	Metairie	Louisiana
Harley Moody	Corpus Christi	Texas

AMERICAN OVERSIGHT

Velma Enloe	Eldon	Missouri
Anna Enloe	Eldon	Missouri
Mr. & Mrs. Harding	Wilmington	North Carolina
Caitlyn Curtis	Eldon	Missouri
Kayla Theys	Oak Creek	Wisconsin
Laurence Barton	Santa Fe	New Mexico
Donna E. Smith	San Antonio	Texas
Anna Curtis	Eldon	Missouri
John Roberts	Clermont	Florida
Edward Eteshola	Gahanna	Ohio
Eric Stampfli	Greenwood	Indiana
Darlene Beckman	Lilburn	Georgia
Esta Bond	Eldon	Missouri
Gary Bjerrum	Vermillion	South Dakota
Anna Bond	Eldon	Missouri
Rose Comstock	Clio	California
Caitlyn Bond	Eldon	Missouri
Jennifer Bond	Eldon	Missouri
Chris Kornowski	West Allis	Wisconsin
Bruce Ebelt	Kerrville	Texas
Jodi Coan	De Leon	Texas
Roy Bond	Eldon	Missouri
Garrell Bond	Eldon	Missouri
Penny Bonadonna	Williamsburg	Virginia
Al Lancasters@verizon.net	Byram	New Jersey
Marge Taylor	Guntersville	Alabama
claudia pauloo	divide	Colorado
James Ottesen	Chula Vista	California
Shawn Allan	St. Clair	Pennsylvania
Phillip Hoffer	Glenside	Pennsylvania
Linda Myrick	Chicago	Illinois
James Lugar	Austin	Minnesota
Reagan Rieken	Ames	Iowa
James Payne	San Diego	California
Robert Perwas	Elmwood Park	New Jersey
Leonard Schafer	Campbelltown NSW Australia	Select a state
Anne Burton	Ozark	Missouri
Jack Bulwidas	New milford	Connecticut
Tara Poston	Athens	Georgia
James Baird	Mapleton	Utah
James Higgins	Leawood	Kansas
David Minshall	Roxboro	North Carolina
robert hanneken	stroud	Oklahoma
Stephen Kersten	Leicester	North Carolina
Mark Kohlhafer	Kill Devil Hills	North Carolina
William Seachrist	Harrisburg	Pennsylvania
Joe Perry	Damascus	Maryland
Charles Burket	GRIMES	Iowa
Jackson Garrott	Penhook	Virginia
Robert Bischoff	Oak Grove	Missouri
gary graber	lebanon	Missouri
DuNard Cooper	St. Peters	Missouri
Steve Dorgan	Gilberts	Illinois

AMERICAN OVERSIGHT

Jean Onasch	Port Charlotte	Florida
Michael Snyder	Merritt Island	Florida
Timothy Powell	Appling	Georgia
Brad Van Conant II	Croswell	Michigan
Eugene and Frances Livesay	Newport	Tennessee
John Haworth	Sequim	Washington
Ken Andrews	SALT LAKE CITY	Utah
Donna Rott	Henry	Illinois
SUE HORNER	KENNY LAKE	Alaska
MIKE RUTHERFORD		Select a state
Ray Bugbee	Upland	California
William Lippe Lippe	San Angelo	Texas
VAUGHAN MCCURRIE	CHRISTCHURCH	Select a state
Gary Elliott	Las Vegas	Nevada
Glenn Gruenhagen	Glencoe	Minnesota
Evelyn Gallego	Baton Rouge	Louisiana
Paula Peterson	Loveland	Colorado
Eric Hein		Select a state
RICK WAYMAN	NAPLES	Florida
Sheryl Durbin	Justin	Texas
Garret Conner	Annville	Pennsylvania
Richard Duke	Burns	Oregon
Kenneth Loveland	Fairfax	Virginia
Frank Zipperer	Round Rock	Texas
Melinda Crawley	RINGGOLD	Georgia
Alan Morrison	Grafton	Ohio
Tom Daniel	Florissant	Colorado
Peter Pomeroy	Perth	Alaska
Don Curtis	Long Beach	California
Mark Strandjord	Lakewood	Colorado
Sue Moore	Sedalia	Colorado
Catherine Moore	Felton	California
Ralph Lindenberger Lindenberger	UNION	Kentucky
R Nicholas	GT Falls	Montana
Eric Henderson	Grants Pass	Oregon
Al Wigand	evavsville	Indiana
Christopher Cook	Londonderry	New Hampshire
Lisbeth Pierce	Bothell	Washington
Don Kemper		Select a state
Jennifer Frie	El Dorado Hills	California
Arlen Besel	Elkton	Maryland
Steve Buchanan	South Jordan	Utah
Ed Ellis	Basking Ridge	New Jersey
Jim Kempen	Fond du Lac	Wisconsin
Harold Kramer Kramer	Mansfield	Texas
Cameron Montgomery	Price	Utah
Tony Matrona	Berlin	Maryland
Marvin Johnson	Independence	Minnesota
Cindy Kirkland	Tioga	Texas
Donald Hatfield	Stillwater	Oklahoma
edward tegland	Parker	Colorado
Sandra Aleman	Cody	Wyoming
Donald Ratliff	Gray	Tennessee

AMERICAN OVERSIGHT

Ronald Sims	Niangua	Missouri
Janice Rathman Rathman	Orlando	Florida
William Tessore	Squaw Valley	California
Roland Sleater	CHANDLER	Arizona
David LaPlant	Taunton	Massachusetts
Jerry RosebErry	Ona	West Virginia
Jim McGregor-Dawson	Capalaba	Select a state
James Keogh	Wheaton	Illinois
Sam Tucci	Harrisburg	Pennsylvania
Scott Smith	Provo	Utah
Mark Wakeford	Flagstaff	Arizona
Tim Juett Rose urg	Roseburg	Oregon
Michelle Alsobrook	Friendswood	Texas
Steve Cook	Montrose	Colorado
Anthony Follett	Santa Clarita	Select a state
jack stockdale	Worcester	Massachusetts
George Pranis	West Bloomfield	Michigan
Gary Kohl	Glasgow	Virginia
Macky Patton	New Braunfels	Texas
Terry Fox	Louisville	Kentucky
Garry forquer	Surprise	Arizona
Thomas Lucero	Arleta	California
John Paddenburg	Lawrenceburg	Indiana
Jackie Kearney	Daphne	Alabama
Fred Mueller	Grove City	Pennsylvania
Stanley Castagnetto	Newbury Park	California
earl sexton sexton	owingsville	Kentucky
Richard Fox	Sedro Woolley	Washington
Douglas Larson t	Tonopah	Arkansas
David Tallant	Albuquerque	New Mexico
Bill Hertel	Granbury	Texas
patricia bauer	tukwila	Washington
Harry Titshaw	Knoxville	Tennessee
charles hartman	shirley	Massachusetts
David r	Port Angeles	Washington
Cheston M Newbold Newbold	Cornish	New Hampshire
Erin Jackson	Columbus	Ohio
Jeff Smith	Stillwater	Oklahoma
John Ashe	Plano	Texas
Ronald suder	belington	West Virginia
Francis Furmanek	Westport	Connecticut
Dwayne Oxford	Holladay	Tennessee
Dirk Jeanis	Clearwater	Florida
James Bubb	Gaithersburg	Maryland
Mlke Lewis	Santa Barbara	California
Christine Anderson	San Diego	California
Kenneth Murphy	San Augustine,	Texas
Robert Walsh	Islip Terrace	New York
Jordan Hammond	Columbia	South Carolina
Gerald Shepherd	Santa Barbara	California
Deborah Castleman	Santa Monica	California
Mario Esparza	Conroe	Texas
Robert Barr	Weston	Ohio

AMERICAN OVERSIGHT

Stephen Wibberley	Canterbury	Connecticut
Ted Deremer	North Canton	Ohio
Bill Lindemann	Honolulu	Hawaii
Dennis Fullenkamp	Tomball	Texas
Jay Zoller	Tulsa	Oklahoma
Jennifer Grethel	Encinitas	California
Ray Svoboda	Elburn	Illinois
Stuart Colman	Isle of Palms	South Carolina
William Seibel	Carnegie	Pennsylvania
Chris Reeves	Sacramento	California
Michael Trazzera		Select a state
Glenda Dunn	Boerne	Texas
Edward Cooper	Aztec	New Mexico
Joyce Miller	Colonial Beach	Virginia
NANCY ALBERICO ALBERICO	MARSHALL	Virginia
Bruce Hempel	Tivoli	New York
Janet Zimmer	Warrenton	Virginia
William Allbritten	Aberdeen	Maryland
John Heinsen	Orlando	Florida
Robert Workman	Ashburn	Virginia
Barbara Geary	Paso Robles	California
Sara Dowling	St. Petersburg	Florida
William Rachels	APPLING	Georgia
Gordon Maronde	Omah	Nebraska
Bill Foster	Red Oak	Texas
Jim Billingsley	Bloomington	Indiana
Armida Remy	Le Plan de la Tour	Select a state
Patrick Bray	Edmond	Oklahoma
Anna Aldredge Aldredge	Encino	California
George Reagan	Fort Worth	Texas
Naomi Kane	New Milford	Connecticut
Mark Behrens	San Francisco	California
Peter Farrell	Houston	Texas
David Simpson	New York	New York
Harry Young	Eagle River	Alaska
Conner Chambers	Pawhuska	Oklahoma
Richard Brox	Amherst	New York
DAN VANDRE	KOKOMO	Indiana
LORETTA WOLTER-PINKOWSKI	UPLAND	California
Dominic Bashford	Highland Heights	Kentucky
Stephen Doyle	Glade Park	Colorado
Robert DiPerna DiPerna	Remsen	New York
Katherine Bartlett	Colfax	Wisconsin
Steve Bochra	Chicago	Illinois
Clinta Samuelson	Omaha	Nebraska
Roy Harvey	Chautauqua	New York
Stece Bochra	Chicago	Illinois
David Strock	Napa	California
Pierre Kleff	Harker Heights	Texas
Ronald Kitts	Munford	Tennessee
John Holliday	Madison	Wisconsin
Austin Burge	Culpeper	Virginia
Carl Curtis	Lynchburg	Virginia

AMERICAN OVERSIGHT

Deanne Phillips	Alabaster	Alabama
Michael Wilkinson	Benicia	California
Karl Schwelm	Marietta	Georgia
Robert Brucklacher	New Cumberland	Pennsylvania
Mark Williams	Tulsa	Oklahoma
Lawrence Harrison	Lakerwood	Colorado
Lori Miller	Lovettsville	Virginia
Gabrielle Oreskovic		Wisconsin
Travis Sherman	Rossford	Ohio
James Peck		Washington
James Steenson	Puyallup	Washington
Kenneth Young	Simi Valley	California
Robin Glass	Bloomfield	New Mexico
Jolynn Rider	Lamar	Colorado
Daniel Smith	Rolla	Missouri
Aaron Smith	West Lafayette	Indiana
Paul Fredriksen	Clear Lake	Iowa
john Birge	montrose	Colorado
Mike Davis	Canyon	Texas
Charles Sander	Mutual	Oklahoma
Matthew Winn	Conroe	Texas
Rebecca Sexton	Kendallville	Indiana
Peter Glick	Los Angeles	California
Jackson Carroll	Pullman	Washington
Fred Sowerwine	Belgrade	Montana
John Campbell	Palm City	Florida
Diane Von Niederhasuern	Hyrum	Utah
Preston Fittro	Auburn	Alabama
Chet Swartz	Covington	Virginia
Bernard Brzostek	Virginia Beach	Virginia
Elaine Liming	Yorba Linda	California
anthony musillo	manalapan	New Jersey
Roger Lamphier	Birch Run	Michigan
Dwight Reese	Davenport	Iowa
LEONARD SHARP	JACK	Alabama
Martin Kneis	Houston	Texas
JEFFERY DeLong	Lancaster	Pennsylvania
Craig Nelson		Select a state
wayne van ness	Dunlap	Tennessee
Steven Hyde	Astoria	Oregon
Priscilla Kennedy	Manasquan	New Jersey
Lawrence Whalley Whalley	Cary	Illinois
James Price	Hop Bottom	Pennsylvania
Bonnie Carter	Lawrenceburg	Indiana
Dave Hamilton	Vancouver	Washington
Barbara Snodgrass	Grafton	Wisconsin
Kaden Bratt		Select a state
Blake Marx	Gilbert	Arizona
Daniel Mills	Windham	New Hampshire
carla christopherson	Springfield	Missouri
Larry Hendrickson	Tyler	Texas
sion peters		Massachusetts
George HOFFMANN	Galena	Illinois

AMERICAN OVERSIGHT

C M Green	Spicewood	Texas
Charles Everly		Georgia
Sarah Myers	Westerville	Ohio
Cathy Epsim		Illinois
Maddie Schrage	Beecher	Illinois
Miles McGillivray	Rancho Mirage	California
david boyer	desloge	Missouri
Michelle Daigh	Boerne	Texas
Anna Graziosi	Grosse Pointe Shores	Michigan
michael musgrove		Texas
William de Otero	San Fernando	California
Jim Hopkins	Berkeley Heights	New Jersey
robert hoyum	kelliher	Minnesota
Barry Jackson	coconut creek	Florida
Bryan L. Peterson	North Richland Hills	Texas
Edward Hee	Cantril	Iowa
Katherine McDonald	Oxford	Connecticut
Stephan Stringer		Select a state
Gerald Bailey	Oxford	Connecticut
Charles Cox	Muskogee	Oklahoma
Ronald May	Bloomington	Indiana
Tommy Salem	Marble Falls	Texas
Roberta Rees	Rockwood	Tennessee
Carl Johnson	Hesston	Kansas
Ted Cooper	Troy	Michigan
Andre Zivkovic	Nampa	Idaho
Barbara Kowlsen	Athens	Tennessee
Keith Brockmeyer	Spirit Lake	Iowa
Betsy Santoro	Plano	Texas
Robert Mitchell	Eldorado	Illinois
Cheryl Volesky	Castle Rock	Colorado
Doris Slyfield	Milwaukee	Wisconsin
Robert Young	Oro Valley	Arizona
Rory Murphy		Connecticut
Curtis Shepherd	Fort Collins	Colorado
Jared Core	Fond du lac	Wisconsin
Leroy Hulse	Forest Grove	Oregon
kellie schmaus	Winchester	Idaho
John Alston	Newport Beach	California
Ralph Orton	Merlin	Oregon
D Haesloop	Baltimore	Maryland
THOMAS CONATY	Le Roy	Illinois
Roger Rulewich		Select a state
Dick Broadway	Mission Viejo	California
Douglas Sanger	Versailles	Ohio
Al Winger	Monument	Colorado
Jim Bollenbacher	Huron	Ohio
Roger Redman	Lumberton	North Carolina
Stephen Tyler	Port Jervis	New York
Philip Tarnaski	Wendell	North Carolina
Kathleen Danker	Saint Louis	Missouri
Thomas Sakkestad	Hazlet	New Jersey
Alec Medich	White Oak	Pennsylvania

AMERICAN OVERSIGHT

Timothy Tolleson	Valencia	California
Gary Lenz		Select a state
Richard Conn	Lorton	Virginia
Jay McIntyre	Paoli	Pennsylvania
Mike and Jaye	Westerly	Rhode Island
Dennis Mason	Ulysses	Kansas
Glen Summers	Burleson	Texas
Carol Stephens	Katy	Texas
Christine DiVinere	Carlsbad	California
GENE SYMS	SALEM	Wisconsin
Jadyn Cline	Coshocton	Ohio
Brooke Montalbano	Huntsville	Texas
mark walker walker	new castle	Virginia
Ashlie Thomas	Victoria	Texas
Ryan Smith	Dallas	Texas
Griffin Walker	Spokane	Washington
JImmy Dunford	Appleton	Wisconsin
David House	Hubert	North Carolina
John Deeter	Glen Allen	Virginia
Andy Stringfellow	Columbus	Georgia
John R. Vasko	Redmond	Washington
Beverly Breaux	Houston	Texas
Philip Bunch	Greenwood	Arkansas
kathy ostrowski	churchton	Maryland
Gary Grant	Naperville	Illinois
Victor Lombardi	Phoenix	Arizona
Cynthia Miller	Lumberton	North Carolina
John Burns	Sheridan	Indiana
Annette Price	Stephenville	Texas
Christina Cunneen	Brooklyn	New York
Amy Poelker	Saint Ann	Missouri
Jerry Hampton	Aledo	Texas
Jann Dougherty	Richmond	Virginia
Kerry Baum	Highland	Utah
Daniel James	Seagoville	Texas
Patricia Nickalls	Mechanicsburg	Pennsylvania
Meaghan Brown	Holliston	Massachusetts
Q S		Select a state
Key Mastrion	Atlanta	Georgia
James Hile	Lansing	Michigan
Ryan Leahy	Columbus	Ohio
Lillie Adams	Riverside	California
James Myers	Comanche	Texas
Emma Nicole Erfourth Erfourth	Tallahassee	Florida
Richard Warner Warner	Willow Springs	Missouri
JC Mayfield	Warner Springs	California
Collier Smith		Select a state
Richard Eckstein	Mountain View	California
Thomas M. Dorr Dorr	Fremont	Ohio
kathie sola	milan	Michigan
Doug Dunham	Quakertown	Pennsylvania
Jake Liacone	Norridge	Illinois
Donald Mitchell	Laurel	Delaware

AMERICAN OVERSIGHT

Matthew Camacho	Austin	Texas
Mike Chmaj	Phoenix	Arizona
Brendan Zuraw	East Longmeadow	Massachusetts
Jeff Furlong	Honeyville	Utah
Sherilyn Thompson	Terre Haute	Indiana
Thomas Carter	Warner Robins	Georgia
Colin Barton	Cottonwood	Arizona
Roger Brannon	Tallahassee	Florida
GUSTAVE A PRIBNOW PRIBNOW	Collierville	Tennessee
Kevin Yeager	Chinle	Arizona
Mary Gild	Pittsburgh	Pennsylvania
Jim Woodside	Portage	Michigan
Burton C Trattner Trattner	HAMBURG	New Jersey
Connie Robertson	BROOMFIELD	Colorado
Charles Wellman	Lenoir	North Carolina
MaryKathryn Dick	El Paso	Texas
George Griffin	Lynchburg	Virginia
Sandra Shoun	Arlington	Virginia
Andrew Nelson	Armada	Michigan
Lydia Christensen	Oshkosh	Wisconsin
James Maurer	North Hollywood	California
Brady Moore	Norman	Oklahoma
Liz Kaufmann	Coeur d Alene	Idaho
Paul George	Vancouver	Washington
Trace Lutz	Cypress	Texas
Chris Luna	Huntsville	Texas
Benjamin Chafetz	Boise	Idaho
Deb Foulkes	Creedmoor	North Carolina
Austin Airmet	Layton	Utah
Kirk Smith	Sanford	North Carolina
Gilbert Juarez	Edgewater	Florida
Cameron Riedy	Chesapeake	Virginia
James Egan	Atlantic Beach	North Carolina
Connor Ryan	Edmond	Oklahoma
Gregg Messerschmitt	Wimauma	Florida
Luis Guzman	South Pasadena	California
merle Dack	culbertson	Nebraska
Paul Geasland Geasland	western New Mexico...Reserve, N.M.	New Mexico
Phil Esposito	Carson	California
David Smith		Select a state
Wanda Huber	Fairbanks	Alaska
Donald Ady	Summit	New Jersey
VINCENT DEGEORGE	MALDEN	Massachusetts
Brenda Woodrell	Stockton	Missouri
Stanley Penkala	Pittsburgh	Pennsylvania
Kaitlyn Collins	Roanoke	Indiana
William Tipping	Fairfield	Iowa
Shirley Beranek	Raymond	Nebraska
Virginia Rester	Dallas	Texas
Steve Coots	San Antonio	Texas
Wayne Forkum	Knoxville	Tennessee
Michelle Bixby	Oakhurst	New Jersey
Mike Mathis	Cabot	Arkansas

AMERICAN OVERSIGHT

Jim Mullins	walton	Kentucky
David Witham	Thousand Oaks	California
Ralph Tremper	Youngsville	New York
Jimmy R. Mitchell	Snohomish	Washington
LARRY TROLLINGER	ALEXANDRIA	Virginia
Larry Hart	Middletown	Delaware
Nancy ODonnell	Charleston	West Virginia
larry conrad	jasper	Florida
Ralph Ormsbee	Eustis	Florida
D. SteMarie	Houston	Texas
John Schmedake	Olympia	Washington
Herman Ruta	Menomonee Falls	Wisconsin
Mary Elizabeth Kuykendall	Santa Ana	California
Andrew Boyd	Elkton	Maryland
Russ Torgersen	Cottonwood Heights	Utah
Richard Young	Asheville	North Carolina
Thomas Gillespie	Coopersburg	Pennsylvania
joan ring	lisle	Illinois
Russell Sikes	Moreno Valley	California
Bill Regli	Lewes	Delaware
James Nachtman	Detroit	Michigan
Richard Baca	Albuquerque	New Mexico
Bruce and Marjorie Drayton	Temecula	California
Ralph Heising	San Diego	California
Vince Yorston	Bowie	Maryland
Sue Mosher	Ironton	Missouri
Ed Newby		Select a state
Gregory Flis	Burlington	Oregon
Thomas Martin	San Antonio	Texas
Lloyd Duke	Knoxville	Tennessee
Bob Copeland	Nampa	Idaho
Bret Romer	Lakeside	Connecticut
john frank		Iowa
Gayle Moxness	Ramsey	Minnesota
Ted Troyer	Evansville	Indiana
Kurt Hall	Littleton	Colorado
Annie Provence	Amarillo	Texas
ken lobbes	grand rapids	Michigan
Richard Baty	Milton	Delaware
Howard Chandler	Scarborough	Maine
Guy Kern		Maryland
Paul Chacho	Placitas	New Mexico
Robert Simonton	Ventura	California
Thomas Boswell	Saint Clair	Michigan
Lynn Kursewicz	Epping	New Hampshire
Diane Bissonnette	Lecanto	Florida
James King	Salisbury	Maryland
Rory Robertson	Wilmington	Illinois
Matt Dielman	Louisville	Kentucky
RONALD HAWKS	SYRACUSE	New York
Stephen West	Milan	Pennsylvania
phil arnold	Hermitage	Tennessee
Jeffrey Kilgariff	O\'Fallon	Missouri

AMERICAN OVERSIGHT

Greg Benz	Clarksville	Ohio
Blandina Spitznagle	St. Louis	Missouri
william mulgrew	millbourne	Pennsylvania
Janice Smith Smith	Vienna	Virginia
Dave B.		Select a state
Naida Bacon	Tacoma	Washington
Klara Szekely	Greenville	South Carolina
Richard Bacon	Tacoma	Washington
Gordon Lee	Lubbock	Texas
Joseph W Linton	Little Canada	Minnesota
Royce Hallock	Corpus Christi	Texas
Anthony Ivanoski	Montgomeryville	Pennsylvania
David Jokela	Champlin	Minnesota
Darryll Green	Spring Hill	Florida
James Scherbinski		Select a state
Cynthia Van Slogteren	Denison	Texas
Dave Wingrove	Houston	Texas
Mike Wallace	Huntingtown	Maryland
Kenneth Bird	Palo Alto	California
Brenda Vaughn	Hixson	Tennessee
Maxwell McGuire	Portland	Oregon
William Robertson	simpsonville	South Carolina
David Cutshall	Sioux Falls	South Dakota
Pamela J Dunn	Wesley Chapel	Florida
Jim Rosemary	Kent	Washington
Craig Arneson	LAKEVILLE	Minnesota
Maya Callahan	Cincinnati	Ohio
Dennis Oliver		Select a state
Anthony Sing	Reeds Spring	Missouri
Tim Turner	Mooresville	Indiana
Wesley isbrod Weisbrod	Largo	Florida
Rosemary DANDREA	Morehead City	North Carolina
Steven Bryant	Champaign	Illinois
Stephen Kelly	London	Select a state
Donald Rose	Hood River	Oregon
Dan Benson	Stockbridge	Georgia
Steve Burgess	Shawnee	Ohio
Calvin Burr	Albany	Oregon
R Campeau	San Diego	California
Anna Benson Benson	Stockbridge	Georgia
Ashley Hilton	Massillon	Ohio
Ira Kiilbourne	Parks	Arizona
Jean Bartholomew	Mebane	North Carolina
Mike Hixson	Park Hills	Missouri
Wayne Lea	Apple Valley	Minnesota
Ralph Neeley	Gardnerville	Nevada
Cecilia Parodi	Miami Beach	Florida
Patricia Bernhard	Glenside	Pennsylvania
WILLIAM BURKEL	CHELSEA,	Michigan
Harold Thornbrough	Sedro Woolley	Washington
Robert Mack	Irvine	California
Peter Moles	Cypress	Texas
ROBERT VOZEY	ERATH	Louisiana

AMERICAN OVERSIGHT

Cathy Bickerstaff	Bartlett	Tennessee
paul murdock	brea	California
Glenn Biedermann	Ponca City	Oklahoma
wayne erkkinen	Greenville Junction	Maine
Betty Wood	Atwater	California
Collin Farrell	Sanger	Texas
William Singleton	Conway	South Carolina
Robert Steiner Steiner	Seattle	Washington
Traci Grant	Edmond	Oklahoma
Harry Power	Stockett	Montana
Bernard Kepshire Jr. Kepshire Jr.	CORVALLIS, OREGON	Oregon
Kilton Holmes	baraboo	Wisconsin
Elaine Jacobs	Lakeway	Texas
Pollyanna Hardesty	Tell City	Indiana
Joseph Fisher Fisher	West Columbia	South Carolina
William Striegel	Waipahu	Hawaii
Theodore Holsten Holsten	Shoreview	Minnesota
Gregory Baumgartner	Vail	Arizona
William Wolf	Columbia	Missouri
William Parsons	Harrison	Maine
Daniel Schell	Enumclaw	Washington
Terry Miller	Bloomington	Illinois
Larry Haagenson	Loveland	Colorado
Robert Swota		Select a state
Angie Battin	Inverness	Illinois
dallas brockton	beecher city	Illinois
Gary Triffo	Mullica Hill	New Jersey
Randy Schutt	Tilden	Nebraska
Terry Nieuwlandt	Placentia	Connecticut
Kip Harzman	Wimauma	Florida
Charles Slice	Prescott	Arizona
LaVon Ausherman	Pomona	California
Deborah Oliphant	Hagerstown	Maryland
Dennis McGuire	Sioux City	Iowa
Elizabeth Davis	Greeneville	Tennessee
Mark Regan	Westfield	Massachusetts
Ted Eisch	Longboat Key	Florida
Francis Slojkowski	Morris Plains	New Jersey
Carol Walton	Dearborn Heights	Michigan
Timothy O\'Dwyer	Irving	Texas
Timothy Johnson	Tucson	Arizona
Jan Breslow	Scarsdale	New York
Wayne Thorenson	Junction City	Oregon
Perry Morinville	Brooks	Minnesota
James A Penrod Penrod	SAINT LOUIS	Missouri
Corey Elder	O Fallon	Missouri
William Thompson	Atlanta	Georgia
Ray Rosalia	Bayport	New York
Sandra Nelson	Beaverton	Oregon
Beverly Guyn	Surpris	Arizona
Vern Eaton	Lexington	South Carolina
Scott Miller	San Antonio	Florida
James Shelburg	Houston	Texas

AMERICAN OVERSIGHT

Guy Terrill	Grand Haven	Michigan
Wayne Elliott	Aurora	Missouri
BJ Anderson	Hopewell	Virginia
Jim Haney	Dallas	Texas
Dennis Fangmeyer	Nashville	Kansas
Kevin Morrey	Creal Springs	Illinois
Eric Moeller	Barker	New York
Kent Ferrell	Carrollton	Texas
John Archibald	Tri-Cities	Washington
Gregory Barnes	San Diego	California
Ronald Orians	Tigard	Oregon
dan zimsen	Bremerton	Washington
David Hooven	NASHVILLE	Tennessee
Jane Morton-Moncrieff	Julian	Pennsylvania
Verlon Blagg	Modesto	California
Paul Newby	Bozeman	Montana
Brenda Weiss	Nashville	Tennessee
Michael Hammerlund	Big Lake	Minnesota
Ann McCoy	Renton	Washington
Philip Meadow	Livingston	Texas
Cherie Hein	Lantana	Florida
James Burnell	Golden	Colorado
Mary Schneider	Cincinnati	Ohio
Andrew Macdonald	Sydney	Select a state
Larry Baker	Perkasie	Pennsylvania
TERRY LIATER	BLOOMFIELD	Iowa
Donald DaCosta	Raleigh	North Carolina
Mark Mckeon	Sterling Heights	Michigan
Roger Harris	Lapeer	Michigan
Dale Spratt	Sylvania	Ohio
Clark Elliott	Guthrie	Oklahoma
Christopher Wicker	Wyandotte	Michigan
Paul Stout	Topeka	Kansas
Harold Craft	Birmingham	Alabama
Brenda Derreberry	Akron	Ohio
David Turnidge	Blaine	Minnesota
Gini Whitney	Corning	California
G Wilson	S\'bridge	Georgia
Donald Attig	Chenoa	Illinois
Steven Gregor		Select a state
jack scott	lockport	New York
Larry Sims	Culver	Oregon
Larry Morriss	New Braunfels	Texas
Bill Denman	Hornbeak	Tennessee
B K Jennings	Carversville	Pennsylvania
Valerie Guinan	Bend	Oregon
Randall Esperas	Bend	Oregon
Timothy Spong	Houston	Delaware
Gerald Brunetto	Cromwell	Connecticut
Richard Oliver	Corpus Christi	Texas
Samuel Hills	Slidell	Louisiana
stephan shook	mesa	Arizona
Ed Ewing	Saint Helena	California

AMERICAN OVERSIGHT

teresa j wolfe wolfe	auburn	California
Bruce Lundberg	Ham lakw	Minnesota
Raymond Finke	Miami	Florida
Terrance Haviland	Newburgh	New York
Wally Ake	Garfield	Arkansas
Susan Bingham	Idaho Falls	Idaho
Irwin Mincks	Grants Pass	Oregon
Gwen Myers	Roseville	California
Ann Hair	Greenville	Mississippi
David P	Conway	Arkansas
Gordon Fritzler	Northglenn	Colorado
paula hoskins	reno	Nevada
Louis Molnar	Bound Brook	New Jersey
William Roach	Hutchinson	Kansas
R F SENGER	HUSTISFORD	Wisconsin
Frank Phillips Phillips	Largo	Florida
Rory Carpenter	Ypsilanti	Michigan
Matthew Kelley	Holiday	Florida
Vincent Bowers	Ocala	Florida
James Thompson	Miller place	New York
Laura Miller	Fairhope	Alabama
Russell Barnes Barnes	Greeneville.	Tennessee
James W. Somervell	Hardin	Kentucky
J Kube	Nq Lonson	Wisconsin
Joel Knight	Sandy Springs	Georgia
Ralph Bell	Fall City	Washington
Sharman Dow	Indian Wells	California
Sylvan Melroe	Fargo	North Dakota
Jennifer Wellsman	Oro Valley	Arizona
Markus Egli	ORO VALLEY	Arizona
Darrel Koontz	Petersburg	Indiana
Dan Chilton Chilton	Middleton	Idaho
Ruth Kolb	La Mirada	California
ole syberg	west vancouver	Select a state
David McEwen	Calgary	Montana
Douglas Laird	Colorado Springs	Colorado
Kenneth Springer	Marshallton	Delaware
James Delaney	Fort Wayne	Indiana
Eileen ONeill		California
William Flader	Madison	Wisconsin
Edward Parker	Trussville	Alabama
Donna Peterson	Soperton	Georgia
Ron Smith	Manzanola	Colorado
Ian Glennie		Select a state
James Breuer Breuer	Horseshoe Bend	Idaho
Pat Rumschik	Orchard Park	New York
Jess Hines	Houston	Texas
James Martin	Wimberley	Texas
Lottie Kaehlert	Mesa	Arizona
Marcia Wallace	Sarasota	Florida
Marty Koval	Eagle Point	Oregon
Lisa Atkins	Golden	Colorado
Kurt Kolanko	Kokomo	Indiana

AMERICAN OVERSIGHT

Debra Seely	Oxford	Michigan
Steve Weismantel	Moneta	Virginia
Mac Poe	Houston	Texas
David Boleneus	Spokane	Washington
Janet Kuchler	Atlantic Beach	Florida
Bill and Janice Peacock	Livingston	Texas
Robert Biermann	Rockford	Illinois
Jeremy De Shazo	Wylie	Texas
Peter Humphrey	Scottsville	New York
Phyllis Kalman	Manalapan	New Jersey
Mark Hoffman	Stoughton	Massachusetts
David Vaught	Charlotte	North Carolina
Michael Menne	Largo	Florida
Raymond Brown	Houston	Texas
Richard Wisner	Sun Valley	Nevada
ROBERT PATZOLD	UPLAND	California
RALPH WARMACK	GULFPORT	Florida
Robert Merrell	FARMINGTON	New Hampshire
Benjamin Shafer	Colorado Springs	Colorado
Sharon Garvine	Alameda	California
Bob Wright	Otis Orchards	Washington
Carolyn Bruce	Elyria	Ohio
Jennifer English	Troutdale	Oregon
Suanne Comfort	Kansas City	Missouri
George Griffith	Eastvale	California
Bruce Schlink	Waterford	Michigan
Frank Majchszak	Columbus	Ohio
Gilbert Alfaro	Humble	Texas
geneva lehman	Greene	Maine
Harvey Sietsema	Reno	Nevada
Dale Downer	Des Moines	Iowa
Jennifer Loving	Temple	Texas
norman myers	farwell	Michigan
Joe Fitzgerald	Urbandale	Iowa
Royce Hill	Manitou	Oklahoma
Ken Bollom	Santa Fe	Texas
Heather Anderson	Garden city	New York
Robert Gumm	Minneapolis	Minnesota
Luther Patteson	Lenexa	Kansas
james Gartman Gartman	Graham	North Carolina
Steven Mondel Mondel	Farmingdale	New Jersey
Gene Farr	Port Townsend	Washington
Orville Swenson	Clearwater	Florida
Anthony DeRosa	Bloomington	Illinois
Douglas Snyder	Soddy Daisy	Tennessee
Paula Kurjack	Jonesboro	Georgia
Dale Rush	Salinas	California
Clark Pitcairn	Bryn Athyn	Pennsylvania
Bob Jameson	Portsmoth UK.	Select a state
James Brumfield	Louisville	Colorado
DEBORAH L FREETHY	WAKEFIELD	Massachusetts
Del Reinhart	Yuma	Arizona
john corrigan	lakeland	Florida

AMERICAN OVERSIGHT

Juanita Alexander	Laurens	South Carolina
Lawrence Bell	pine grove	California
Richard Rust	Polson	Montana
JOSEPH C. ROSE	Texarkana	Arkansas
David Gray	Spring Creek	Nevada
Shimon Weiss	Pgh	Pennsylvania
Don Ranck	Paradise	Pennsylvania
Ronald Just	Dodge City	Kansas
Robert Street Street	Chesterfield	Missouri
Dana Allen	LeSueur	Minnesota
Kathleen Null	Gardendale	Texas
Jimme Sweat	Tishomingo	Oklahoma
Pam Thurman	Paragould	Arkansas
jerry dodge	north sandwich	New Hampshire
Richard Gilley	North Richland Hills	Texas
Joe Guenther	Edgewood	Kentucky
Ernie Verhulst	SAINT PETERS	Missouri
Dr Alan L SmithCHRH	Staten Island	New York
Brenda Lindholm	Spring	Texas
Edward Fiertz	PITTSBURGH	Pennsylvania
William Miller	Old Tappan	New Jersey
James Coffin	Lehigh acres	Florida
Alan Atkinson	Quincy	Massachusetts
Jake Johnson	Tustin	California
Gerald Blevens	Lake in the Hills	Illinois
ross lukitsch	west allis	Wisconsin
Beth Ochs	Santa Rosa Beach	Florida
Paul Browne	Las Cruces	New Mexico
Darlene Stanaland	Frisco	Texas
Joseph Smerdel	PLACENTIA	California
Steve Carr	Gloucester	Massachusetts
Joseph Morrow	Philadelphia	Pennsylvania
Elaine Lewis	Detroit	Michigan
David Collins	Alton	Virginia
Jim GrF	MESA	Arizona
Edward Eamsey	Chandler	Arizona
Arthur Cameron	Tyler	Texas
Steve Pinkowski	Upland	California
Rene Freeman	Phoenix	Arizona
James Foxwell	Federalsburg	Maryland
Laura Resener	Nashville	Tennessee
Diane Kraas	Bradenton	Florida
David Chladek	West Concord	Minnesota
Dorothy Thorsen	Clinton	Washington
Holmes Bishop	Buffalo	South Carolina
Jerry Heying	New Hampton	Iowa
Richard Gonzales	Silverdale	Washington
George Holladay	Summerville	South Carolina
Richard Rakestraw	Mayfield	Kentucky
Jeremy Conlin Conlin	Cocolalla	Idaho
Bob Gustaffsen	Lenore	Idaho
Robert White	St. Charles	Missouri
John Wagner	New Boston	Michigan

AMERICAN OVERSIGHT

Wilson Six	Stanton	California
Fred Rola	Reedley	California
Warren Peterson	Albuquerque	New Mexico
Myrna Grasser	Orofino	Idaho
Carol Kite	Chittenango	New York
Mary Seri	Sacramento	California
Duane Stott	Huntsville	Alabama
Don Fleming	OFallon	Missouri
Paul Chase	CINCINNATI	Ohio
Spero Torakis	Fort Lauderdale	Florida
Joanne Tellez Giron	Summerville	South Carolina
leslie deickman	baltimore	Maryland
Grace Coleman	O\'Neill	Select a state
Edward Calame	COMANCHE	Oklahoma
Thomas Anderson	Storrs	Connecticut
Sandra Holstein	Aurora	Colorado
Joanne Fruth	Marana	Arizona
Ralph Kidder	Brownsburg	Indiana
Kurt Thompson	Kelso	Washington
Susan Sloan	Midland	Georgia
Dana Dixon	Centennial	Colorado
Fred Miller	Big Bear Lake	California
Faith Dewaay	Butte	Montana
Robert MacCloskey	Mckinney	Texas
Scott Scarborough	Lynch Station	Virginia
George Gunn	Tallahassee	Florida
Donald Hunter	Sherwood	Oregon
w j Stephenson	kopperl	Texas
L eRoy Nyhus	Hutchinson	Minnesota
Michael and Rebecca Derck	Gilbert	Arizona
Carol Glassel	Shakopee	Minnesota
Charles Simmons	Findlay	Ohio
Patti Yott	Pavilion	New York
Monique Peltier	Hermosa Beach	California
Donald Keuck Sr.	Collins	New York
Chris Maddox	Memphis	Tennessee
Michael Malcolm	Aspen	Colorado
Joann Cooper	El Cajon	California
Dan Holland	Killingworth	Connecticut
Charles Scantlebury	Anchorage	Alaska
Harriet Miller	Goshen	Indiana
Scott Martin	Hinckley	Minnesota
Adrian Kaull	Fond du Lac	Wisconsin
Linad Freeman	Edwardsville	Kansas
John Wilson	Georgetown	Texas
William Hoover Hoover	West Palm Beach	Florida
Robert Dunham Dunham	Lansdale	Pennsylvania
Gary Szucs	Dayton	Ohio
Fred Grillot	Rogersville	Tennessee
mark kytonen	sterling	Alaska
Joseph Schrantz	Granbury	Texas
Dorothy Taylor	Exton	Pennsylvania
susan Harris		Select a state

AMERICAN OVERSIGHT

Gil Higham	Taylorsville	Utah
John & Elizabeth Novinger	Cypress	California
Ed Jazab	Leeds	Massachusetts
Brin Jenkins		Arkansas
Edwin Arnold	Leander	Texas
Donald Horne	Plover	Wisconsin
Eugene Russel	Land O Lakes	Florida
Tom Bandy	Roanoke	Virginia
Hobart Powell	Sanger	California
THOMAS HARDISTER	BROWNSVILLE	Tennessee
Guy Morley	Keizer	Oregon
Howard Spery	Evergreen	Colorado
Nina Falzone	Statesville	North Carolina
Mike Roberts	Portland	Oregon
Terryl Morgan	Santa Rosa	California
Danny Hughes	Winslow	Arkansas
Franque O\'Hara	Union	New Jersey
Robert Kircher	Phoenix	Arizona
Jack Edwards	Salisbury	North Carolina
Dale Miller	Murfreesboro	Tennessee
Cynthia Hager	Brighton	Colorado
Stephen Whelan	NYC	New York
David Moore	Clinton	Massachusetts
Kathleen Powell	Brunswick	Georgia
Buck Boudinier		Select a state
Douglas Shackley	Pleasanton	California
Les Morrow	Lubbock	Texas
Jim Hix Hix	Plano	Texas
Gary Carter	Glencoe	Minnesota
James Wotring Wotring	Clarkston	Washington
daniel trammell	decatur	Georgia
Rick Funk	LANCASTER	Pennsylvania
Frank Adams	Leavenworth	Washington
Gerald Fay	DIGHTON	Kansas
Roy C Holmes	Boston	New York
Tim Lynch	Fort lee	New Jersey
Gary Prater	Magnlia	Texas
King Barnes	Baltimore	Maryland
Jeff Pace	Fruita	Colorado
Janice Gregory		Ohio
Patrick Mealey	MENLO PARK	California
Richard C Savage	Franktown	Colorado
Thomas A GROVE	Imperial	Pennsylvania
robert vaulman	littleton	Colorado
Leonard Murphy	Houston	Texas
Leo Plouffe Plouffe	Pascoag	Rhode Island
Tim Kelly	Buena Vista	Colorado
Don and Carol Glitschka	Lacey,	Washington
Crystal Dancy	King	North Carolina
Bob Grabowski	Naples	Florida
Alice Buxton	New Franklin	Ohio
George Evans	Grass Valley	California
Peggy Moseley	FORT MADISON	Iowa

AMERICAN OVERSIGHT

Beatrice Hill	Denver	Colorado
EDWARD TRIBUNA TRIBUNA	BLUFFTON	South Carolina
Darlene Stepanic	Latrobe	Pennsylvania
Darla Lee	Sparks	Nevada
EDWARD ZEAMBA	CAMARILLO	California
Phyllis Rought	MONTROSE	Pennsylvania
Terryt Tedder	Abbeville	Alabama
David Darflinger	Valdosta	Georgia
Ron Stabb	Coatesville	Pennsylvania
Anthony Rasavage	DuBois	Pennsylvania
Edward & Joeanne Sawyer	Klamath Falls	Oregon
Oliver Hemmers	Henderson	Nevada
Nancy Eiben	Pittsburgh	Pennsylvania
Eric Warnet	Tallahassee	Florida
Tim Fromm	Fulshear	Texas
Stephen Norling	Necedah	Wisconsin
Elmer Melancon	Church Point	Louisiana
Robert Campos	Arleta	California
Michael Lisbony Lisbony	Mesa	Arizona
Jerry & Judy Hatton	Oakland	Oregon
Hugh Smith	Superior	Wisconsin
Robert Salli	West Bend	Wisconsin
Robert Grasel	Reese	Michigan
Scott Jon	Cocoa Beach	Florida
Bob Minton	Bethel	Ohio
Dale Dukellis	Encino	California
Paul Caruana	Oxford	Michigan
David Lindsey	Semmes	Alabama
Kenneth Penner	Chattaroy	Washington
Richard Stosio	Beaverton	Michigan
William Suermann	Philadelphia	Pennsylvania
Natalie Collins	Roanoke	Indiana
Steve Kunkel	Spring Valley	California
Joe Lanteri	Waterbury	Connecticut
EDMOND Young	Arcadia	California
Brady Kreger	Elk River	Minnesota
Thomas Voltz	Melville	New York
Larry Shultz	NorthPort	Florida
Robewrt Whitten	Cupertino	California
Richard Miller	Elizabethtown	Pennsylvania
Esther Myers Myers	Varnville	South Carolina
Joe Patterson	Wellington	Utah
john twigg	barton	Maryland
Neal Mask	Tulsa	Oklahoma
Jerry Brown	Springfield	Virginia
Dale Oestmann	Pine	Arizona
Peter Biggins	Indian Orchard	Massachusetts
Thomas Houghton	Severna Park	Maryland
James Fargo	Locust Grove	Virginia
Theodore Ireland	East Haven	Connecticut
Barbara Hammons	Cudahy	Wisconsin
Jacqueline Lynch	Roanoke	Virginia
Jimmie Styer	Tonasket	Washington

AMERICAN OVERSIGHT

Mark Gehret	Greenwood	Mississippi
Frank Van Nostrand	Phelps	New York
Andrew Visser	Brinnon	Washington
Steve Dunn	Huntingburg	Indiana
VIRGINIA WEIGUM	ST JOSEPH	Missouri
Charles Landess	Evensville	Tennessee
Vernon Pace	Grand Junction	Colorado
Mark Heinold	Verona	Wisconsin
Paul Harmon	The Villages	Florida
Dennis Wellman	Laurens	New York
patrick patterson	Tulsa	Oklahoma
David Jaissle	STERLING HEIGHTS	Michigan
John Sabo	West Farminton	Ohio
Mark Hemmann	Hartford	Connecticut
Dorothy Hollo	Chelsea	Michigan
Walter Murphy	Houston	Texas
CArl Peter	Crystal Lake	Illinois
Robert Bellas	GLEN BURNIE	Maryland
Keith Sampson	Arlington	Texas
Howard Ward Ward	Cedar Bluff	Alabama
Joe Bessler	Villa Hills	Kentucky
Richard Hollo	Chelsea	Michigan
Marlene Heppner	Newcastle	Washington
Paul Cavote		Select a state
David Butte	Magnolia	Texas
James Garcio	Long Beach	California
Richard Holdener	Sun Prairie	Wisconsin
Harvey Pitcher	Aloha	Oregon
JOHN SKELLEY	WILTON	Iowa
Jacob Newkirk	Newhall	California
James Toth	CaRTERET	New Jersey
John Kaufmann	Okemos	Michigan
debbie smith	louisville	Kentucky
William Walter	Oak Ridge North	Texas
joseph matais	portsmouth	Rhode Island
Kenneth Diubek	Brookfield	Illinois
Richard Behnke	Fond Du Lac	Wisconsin
Brian Koski		Michigan
Keith Carter	Austin	Texas
Charles Clinton	Portland	Oregon
William Bruce Higgins	Farmington	New Mexico
David Williams	Hilton	New York
John Detweiler		Select a state
Michael Cannon	North Richland Hills	Texas
Brendan Phair	Pittsfield	Massachusetts
Robert Clitherow	Huntington Beach	California
Gary Guinan	Dallas	Texas
Matthew Esser	Lucedale	Mississippi
Valerie Brown	Henderson	Nevada
Barbara Iwan	Cary	Illinois
Steve Rainey	Clarksville	Tennessee
Kathy Priest-Smith	San Angelo	Texas
Ifeoma Edoziem	Humble	Texas

AMERICAN OVERSIGHT

Kenneth Platt	Wayne	New Jersey
Ron Davidson		Select a state
Lee Eidsvoog	Zimmerman	Minnesota
Ann Stoetzer	Glendale	Arizona
Roger Dede	Sioux Falls	South Dakota
jack collins	roanoke	Indiana
Sand Cuculich	Tampa	Florida
Richard Parkin	Taylor	Michigan
James Marianski	Fort Myers	Florida
Mark Bigott	Kerrville	Texas
Thomas Alford	Lomita	California
Jeffry King	BRISTOL	Pennsylvania
Herbert Wahler	Silver Spring	Maryland
Marc Brittain	Mountain Brook	Alabama
Jarlene Lehm	Enterprise	Utah
Paul Wittke	Knoxville	Tennessee
William Scanlon	Jackson	California
Frank Stevenson	Ponte Vedra	Florida
Joan Grindel	Farmington Hills,	Michigan
Hal Howell	Abilene	Texas
Wayne Jacobson	Blaine	Minnesota
rick meek	foley	Alabama
Sam Sandlin	Sarepta	Louisiana
Alecia Noland	Marietta	Georgia
Joseph Greene	Philomath	Oregon
gerald ludwig	houston	Texas
Ella Antonsen	McKinleyville	California
Sharon Daugherty	Tulsa	Oklahoma
Patrick Minnis	Raleigh	North Carolina
Lynn Reynold		Select a state
Shirley Akins	College Station	Texas
Douglas Fairobent	Lebanon	Ohio
Forrest Cooperrider	Thornville	Ohio
John Donnelly	San Diego	California
Elizabeth Fischer	Norco	California
Judie Hensel	Surprise	Arizona
Steven Pugh	Mobile	Alabama
Kerry Wilson	Moorpark	California
Ron Engle	Richmond	Indiana
Carl Quass	Cocolalla	Idaho
Bernd Fischer	Norco	California
John Woods	Oklahoma City	Oklahoma
Steve and Robyn Schmalz	Santa Fe	New Mexico
Rhoda Miller	Edison	New Jersey
William Tate	New york	New York
Frode Jensen	Grants Pass	Oregon
Robert Bixler	W. Springfield	Massachusetts
Dr. Tfhomas Oellerich, PhD	Athens	Ohio
B Davis	Rexburg	Idaho
Steve Rovenstine Rovenstine	Overland Park	Kansas
Dan Bassham	Mission	Texas
Bruce Langfitt	Walling	Tennessee
Robert Phillips	Flemington	Missouri

AMERICAN OVERSIGHT

Melissa Barrios	Dallas	Texas
Nancy Wainwright	New Haven	West Virginia
Jonnie Zvonek	Wessington	South Dakota
Linda Ehrlich	Burlington	North Carolina
Gregory Wisz	Rockford	Michigan
Don Gould	Geneva	Minnesota
David Fields	Newnan	Georgia
Kelly Kuehl	Commerce	Texas
Lynn carlson	Overland park	Kansas
George Bongert	Oshkosh	Wisconsin
Martin Verdoorn	Bentonville	Arkansas
Sam Malko	Pawtucket	Rhode Island
lorraine Glodis	Spring Hill	Florida
Clyde King	CHERRY VALLEY	California
marjorie spielman	Twin Valley	Minnesota
Beverly Whiting	Erie	Pennsylvania
Charlyn Miller	Ridgeview	West Virginia
Paul Wilson	New Port Richey	Florida
thomas stuth	Hodgkins	Illinois
MARK HIGGS	HOMOSASSA	Florida
john cutting	belgium	Wisconsin
Ronald Mabry	Fort Mill	South Carolina
Robert Aust	Riverside	California
richard zwirblis	RONKONKOMA	New York
eugene hovey	owatonna	Mississippi
Susan Neben	Oroville	California
stephen johnston	tempe	Arizona
Craig Miller	Rocherter	Minnesota
John Cataldi	Columbia	Maryland
Greg Harper	Naples	Florida
Shields Jett	Midlothian	Virginia
Jeffery Johnson	Tucson	Arizona
Jonathan Cutting	Keizer	Oregon
William Weidemoyer	Troy	Montana
Jason Romano	Dearborn	Michigan
LEE WEST	Fort Worth	Texas
Jan Risley Risley	Atascadero	California
Sheryl Schachtner	Carroll	Iowa
Randolph Skora	Redford	Michigan
Bob Joy	Box Elder	South Dakota
Joseph E Hebert Jr	Easy Providence	Rhode Island
Patrick Garbutt	Seminole	Oklahoma
Yvonne Maizland	Elon College	North Carolina
Hugh Anderson	Lubbock	Texas
Robert Krog	Memphis	Tennessee
Wayne Pruitt	Tulsa	Oklahoma
Sandra Rabel	Baltimore	Maryland
Stephen Kaplan	Ferndale	Washington
Louis Glover	Donalsonville	Georgia
john mauro	Arvada	Colorado
Greg Smith	Lancaster	Pennsylvania
Janey Larson Larson	Seguin	Texas
Wayne Rychner	Killdeer	North Dakota

AMERICAN OVERSIGHT

Randy Ashby	Houston	Texas
Al Holoubek	Redwood City	California
Ed Heberling	Clearfield	Pennsylvania
MICHAEL O\'LEARY	Westminster	Colorado
Stephen Smiley	Van Meter	Iowa
Leeta von Buelow	Dexter	Michigan
ricky bohin	Kimball	West Virginia
Richard Swier	Sarasota	Florida
Virginia Heyler	Missoula	Montana
Mary Lou Kaplan	Ferndale	Washington
Jack Burch	Berryville	Arkansas
Duane Matson	POMPANO BEACH	Florida
Dayton Hanson	Glendale	Arizona
Mark Mielke	Streamwood	Illinois
scott marblr	beaverton	Michigan
Scott Peacock	Jamestown	Tennessee
Kevin Hebert	Sioux Falls	South Dakota
Robert Nims	Midland	Texas
joe ranalli	oakland park	Florida
Graham Beduze	Lafayette	Louisiana
Clydean oltremari	Placitas	New Mexico
Margaret Remy	Meridian	Mississippi
Elizabeth Schauer	Pensacola	Florida
Susan Albright	Springfield	Illinois
Geraldine Stites	Placerville	California
Blaine Clowser	Milford	Nebraska
Brad Smith	Berwick	Pennsylvania
Jim Goegebeur	Royal Oak	Michigan
Gayle Fitzsimmons	Santa cruz	California
richard dicioccio	ossining	New York
DOUGLAS Nulik Nulik	Peck	Kansas
Jerry Bryan	Oceanside	California
Berkley Spencer	Provo	Utah
allan white	chicago	Illinois
Eleanore Rideout	Port Saint Lucie	Florida
William Mason	vilonia	Arkansas
Charles Elliott	Oden	Arkansas
Paul Bottari	Wells	Nevada
Richard Ward	Waterford	Michigan
John Ellingboe	Albertville	Alabama
Todd Kinzel	Soldotna	Alaska
Robert Fitzsimmons	Santa cruz	California
Joe Ursini	Bradenton	Florida
Royce Boon	Arlington	Texas
stephanie peters	gerber	California
Steve Wynn	Kettering	Ohio
Dennis Marshall	Newbury park	California
Pam Adams	Sandy Springs	Georgia
Ruth Emery	Tahlequah	Oklahoma
Mark Shear	Calabasas	California
Janice Tarter	Morrow	Ohio
Sharon Wright	Rockville	Maryland
Chris Bush	New York	New York

AMERICAN OVERSIGHT

James Story	LAS VEGAS	Nevada
James Kuhlenschmidt	Goshen	Indiana
dino fry	redwood city	California
Norman Wakeman	Willow	Alaska
Richard Metz	Middleburg	Florida
Steven McKeehan	Lake Stevens	Washington
Judith Shepard	Dearborn	Michigan
Alma Wayman	West Jordan	Utah
Dennis Ortega	Woodburn	Oregon
David Nearing	Imperial Beach	California
Debra Beckman	Sunrise	Florida
Richard ANSCHUETZ	KENNETH CITY	Florida
Steve Scanlon	Olathe	Kansas
David Hunte	Ft. Myers	Florida
carl efurd	ruidoso downs	New Mexico
Dale Premo Premo	Orrtanna	Pennsylvania
Jack Boone	Pine	Colorado
Mitchell Greene	Winooski	Vermont
Neil Grant	Vernon	Connecticut
Rudolf Scheffrahn	Plantation	Florida
Dean Starke	Calgary	Montana
Fred Scott		Select a state
Roger Baxter	Batavia	Ohio
david chin	ARLINGTON	Texas
DELAUN ROMIG ROMIG	Apple Valley	Minnesota
Pam Carter	McKinney	Texas
Robert Sokolowski	Westfield	Michigan
Robert Grimes	Salisbury	Maryland
Arleigh Wangen	Sargeant	Minnesota
scott frasier	three bridges	New Jersey
Michael McGinnis	Millbury	Massachusetts
William Slater	Libertyville	Illinois
Edward Sullivan	Tulsa	Oklahoma
Susan Luenser	Colorado Springs	Colorado
Dan Chapman	Meriden	Iowa
Justin Curtis	Nipomo	California
Nancy Trocke	Brooklyn Park	Minnesota
Sam Twitty	McLoud	Oklahoma
Carol Kratz	Indianapolis	Indiana
Craig Kamerath	Salt Lake City	Utah
Milt Sanders Sanders	Orem	Utah
Joseph Passalino	Lake Forest	Illinois
Sharon Chaney	Brandywine	Maryland
Florence Krueger	BLUFFTON	South Carolina
Donald Salyer	Newport News	Virginia
Frank Busby	McComb	Mississippi
Tom Walas	Woodland Hills	California
Steve Fitzgerald	Wesley Chapel	Florida
Ervin Tucker	Spokane	Washington
Richard Mullins	Sagle	Idaho
Clay Sanborn	Garland	Texas
Garth Balcom	Mesa	Arizona
Kerry Stone Stone	Ft Lauderdale	Florida

AMERICAN OVERSIGHT

Michael Beamish	Palm Desert	California
Lynn Sliwinski	Ebensburg	Pennsylvania
Karen Meyer	Galena	Ohio
James Hiser	Danville	Illinois
MARVIN WAGNER	Grafton	Wisconsin
Harry Brown	Saint Joseph	Missouri
David Hedstrom	Pleasant Grove	Alabama
Charles Haggard Haggard	Staunton	Virginia
Tom Kees	Madison	Virginia
Shirley Beardsley	Burbank	California
Alvin Bubert	Hamilton	Texas
Bill Moriarty		Nevada
Norma Jean Fritz		Florida
Dave Hill	Bloomington	Minnesota
Bryan Stewart	Charlotte	North Carolina
Larry Osborne	Crowley	Texas
Janet Hunter	Pacifica	California
Jeffrey Hunter	Pacifica	California
Bruce Madewell	Chino Hills	California
Mark Harper	WEBSTER	New York
Thomas Dvorak	St. Charles	Missouri
Gary Carpenter	West Lafayette	Ohio
Steven Hicks	Granbury	Texas
John Bioski	Oxford	Connecticut
George Bohman	Robinson	Illinois
Michael Fecko	Henrico	Virginia
CHARLIE WAX	VICTORVILLE	California
Ronald Osovski	Nebraska City	Nebraska
Dale Kramer	Portland	Michigan
Barry Seegraves	Rockledge	Florida
Michael Covell	Hendersonville	North Carolina
Al Crossen	North Wildwood	New Jersey
Thomas Dunphy	Walnut Creek	California
Al Acevedo	Bonners Ferry	Idaho
Frank Trask	Strafford	New Hampshire
Peter Reitz	Fond du Lac	Wisconsin
Kandace Kremnetz	Hernando	Florida
Dorothy Woodworth	Homosassa	Florida
Ben Dillard	Whittier	North Carolina
Joseph Garruba	Hollis	New Hampshire
Joseph DAmbrosia	Frederick	Maryland
Mk Oconnor	Capegirardeau	Missouri
Lamarr Douglas	Saint Petersburg	Florida
Jim Camp	Jackson	Georgia
James Douglas	Saint Petersburg	Florida
James Walker	Elora	Tennessee
Lynn Kleinvehn	Highlands Ranch	Colorado
Daniel Newhouse		Missouri
Kyle Davenport	Dallas	Texas
john merchant	abilene	Texas
Marsha Ambrose	New York	New York
DAVID LANE	WOODSIDE	New York
Robert Kline	Pelham	New Hampshire

AMERICAN OVERSIGHT

Sharon Aloi Aloi	Atlantic City	New Jersey
Robert Solum	Missoula	Montana
Bruce Scott	Pacific Palisades	California
Frank Santucci	Henderson	Nevada
carol camp	Sun City Center	Florida
Michael Walt	North Saint Paul	Minnesota
John Adams	Riceville	Iowa
Albert Kunz	Ringwood	Illinois
Henry Schoenberger	Elgin	Illinois
jimmy camp	Sun City Center	Florida
Steven Lindner	Chandler	Arizona
Francis Jackson	Grass Valley	Colorado
Richard Gerry	Bellingham	Washington
Joy Truax	Wayzata	Minnesota
c jones		Utah
Donald J Firestone	Northport	Michigan
Neil Mahony	Cathedral City	California
Susan Legere	Austin	Texas
Merrell Crumley	San Angelo	Texas
Mark Kuzawinski	Maine	New York
Laine Stewart	Calverton	Virginia
Linda Blood Blood	Marblehead	Select a state
J. Gary Nelson	Prescott	Arizona
Daniel Lynch	Corona De Tucson	Arizona
Andrew Schultz	Dallas	Texas
Angela Rover	Palm Desert	California
Larry Bunch	Bryan	Texas
Charles Schumacher	St. Helens	Oregon
Ray Smith	Johnstown	Pennsylvania
Ron Gjoraas	Sioux Falls	South Dakota
Robin Decker	DeLand	Florida
Richard Watts	Riverside	California
Richard Klabechek	Anoka	Minnesota
Keith McCoy	Iron Gate	Virginia
Bob Horacek	Southwick	Massachusetts
Russ Erwin	Sacramento	California
Roger Selah	Haddonfield	New Jersey
Philip Apple	Leesburg	Virginia
mary Kopmeier	Fairfield Glade	Tennessee
Richard angborn Pangborn	Hereford	Arizona
James Rader Rader	Indianapolis	Indiana
David Polister	Alamogordo	New Mexico
Marilyn Liesmann	HAZELWOOD	Missouri
Roger Bartlett	Los Alamos	New Mexico
John Keiper	Paw paw	West Virginia
John & Roma Hardy	Spanish Fork	Utah
Oleg Konovalov	Brooklyn	New York
frank shattuck	covington	Louisiana
Jerry Heitmeyer	Cloverdale	Ohio
Patrick Hartnett	Luquillo	Virginia
Marilyn Pierce	Jacksonville	Florida
Dennis Churchill	Greenfieid	Massachusetts
Joan Pereira	Franktown	Colorado

AMERICAN OVERSIGHT

Ricardo Hernandez	Harlingen	Texas
Allan Barry	Chester	New York
Bill Shaw	Land o lakes	Florida
Chris Hanie	Midland	Texas
Robert Brock	Commerce	Michigan
Harold Welborn	Penryn	California
Krista Klaus	Dallas	Texas
Jim Nelson	Milford	Michigan
Doug Weber	New Orleans	Louisiana
Bob Shiley	Chicago	Illinois
Mark Willis	Powder Springs	Georgia
Robert Rando	Dallas	Texas
Joel Sportel	Wyoming	Michigan
Daniel Melton	Lake Park	Minnesota
Eldone Truex	ORLANDO	Florida
TIMOTHY YOUNG	AURORA	Indiana
Sanford Small	Lemoore	California
Janet Yoder	Goshen	Indiana
Jeffrey King	East Peoria	Illinois
Robert Rando Dallas	Dallas	Texas
Ronne Proch	Solon	Ohio
Frederick Keady	Northfield	Illinois
MaryAnn Lacorazza	Bridgewater	Connecticut
EDMUND CHAMPLIN	CLARKS SUMMIT	Pennsylvania
Stephen Schatz	Philadelphia	Pennsylvania
Barry Stephens	Buxton	Maine
William Lindqvist	Tiburon	California
robert hansen	mission viejo	California
Hoi Heldt		Select a state
Bruce Nelson	Coon Rapids	Minnesota
carroll plott		Louisiana
Bill Hyatt	LAS Vegas	Nevada
Wayne Price	Addison	Illinois
Frank Watrous	Fairview	Michigan
James Seippel	Cypress	California
Thomas P Lowe	Excelsior	Minnesota
Alvin Schmidt Schmidt	Cherokee Village	Arkansas
Jim Green	Firestone	Colorado
Jeffrey Wurtz	Cupertino	California
Thomas Leiby	GLEN ALLEN	Virginia
Nancy Lavery	Moline	Illinois
BRIAN WEST	GREENCASTLE	Indiana
ROBERT MENEFEE	SMYRNA	Tennessee
Greg Whittaker	Strasburg	Colorado
DEBBIE MENEFEE	SMYRNA	Tennessee
Michael Fitelson	Columbia7	Maryland
Scot Leeger	San Marcos	California
Blair Brooks	Ontario	California
James Demeter	Templeton	California
Lisa Pankratz	Mount Calvary	Wisconsin
Sam Edwards	Scottsville	Virginia
John Fenimore Fenimore	Bear	Delaware
J Althage	Rocky Mount	Missouri

AMERICAN OVERSIGHT

Rodney Kessler	Easton	Pennsylvania
Kenneth Paxton	Gardnerville	Nevada
L. Brent Lee	Hillsborough	North Carolina
Jeffrey Nauss		Select a state
Kathaleen Simmons	Hernando	Mississippi
william hume	Palm Desert	California
Mike Kluczan	Pittsburgh	Pennsylvania
Phil Lense	Pinetop	Arizona
Gary Oakden	Hilton	New York
ronald szczotka	burbank	Illinois
Jonathan Bryer	Greenwich	Connecticut
Twyla Tranfaglia	Fredericksburg	Texas
mike gillam	Vancouver	Washington
Randal Joslyn	Coralville	Iowa
Jeffery Powers	Milford	Ohio
Robert Feller	Freeport	Maine
William Redding	Chico	California
Michael Stoner	Bozeman	Montana
Carol Hess	Trenton	Ohio
Herbert Boester	Lytle	Texas
Barb Anderson Anderson	Lovell	Wyoming
Charlotte A Brock Brock	Gallatin	Tennessee
Bruce Hunnicutt	Gray	Georgia
Linda Moon	Ankeny	Iowa
Philip Zoebisch	Collingswood	New Jersey
Robert Stam	Amery	Wisconsin
Janet Hughes	Trinity	North Carolina
Eugene Kavanagh	Ventura	California
norman housleyu	Hollywood	Florida
John Gross	Bakersfield	California
Margo Jett	Spokane	Washington
Richard Starr	Butler	Pennsylvania
ROBERT IGELMAN	SEATTLE	Washington
James Peddicord	Osceola	Iowa
Jon Stuver	Niles	Michigan
Scott Holcomb	marietta	Georgia
John Lobritz	Monroeville	Pennsylvania
Tom Walklet	Bend	Oregon
Joseph Ke	Orlando	Florida
Wayne Rowe	Grand Forks	North Dakota
Joyce Marr	Palm Beach Gardens	Florida
Judith Gove	Longmont	Colorado
gerald moeller		Select a state
Gene Keechi	Oklahoma City	Oklahoma
Glen Hunt	Phoenix	Arizona
CAROLYN KAZMANN	RICHARDSON	Texas
Susan Faucher	Chula Vista	California
Wanda Murray	Elkton	Virginia
Zachery Smith	West jordan	Utah
Paul Leslie	Winder	Georgia
Dennis Conger	Reedsport	Oregon
Berenice N. Bauer Bauer	Glen Ellyn	Illinois
David Mills	Newberg	Oregon

AMERICAN OVERSIGHT

Roxane Grippon	Englewood	Colorado
Jim Sibley	Pride	Louisiana
Charles Murray	Elkton	Virginia
Richard Mustain	Rochester	Minnesota
Ralph McCullough	Franklin	Georgia
Emanuel Butera	Yardley	Pennsylvania
Robert M. Stuendel	Orlando	Florida
John Griffitt	Wichita	Kansas
cosmos voutsinos	Point Roberts	Washington
Don Carter	Hickory	North Carolina
Robert C Giargiari	Natick	Massachusetts
marvin bowman	prescott	Arizona
Linda Kalbach	Sparks	Georgia
kenneth mateas	aurora	Illinois
JoAnn Goodwin	Carrizozo	New Mexico
Kevin Bennett	Shingletown	California
Paul DesHarnais	Kapaa	Hawaii
Rick Yenney	Lakeland	Florida
Duane Marquis	Raymond	Nebraska
Mark Baillargeon	Valatie	New York
George Figueroa	Baldwin	New York
Linda Duggins	Greeneville	Tennessee
R Butchko		Ohio
M. Scott Barone	Surf City	North Carolina
Paul Mraz	Hutchinson	Minnesota
Thomas Randolph	Gordo	Alabama
diane nero	richmomd	Virginia
Harley Jones	Sacramento	California
Thomas Spelman	Greenwich	Connecticut
John Williams	Saint Louis	Missouri
Michael Thibaudeau	Jaffrey	New Hampshire
Timothy Collani	Brick	New Jersey
Nancy Selbman	Petaluma	California
David Larsen	Hardin	Montana
Paul Brown	Winter Haven	Florida
Linda Stewart	Springfield	Illinois
Peter Middleton	Arlington	Massachusetts
Carol Woods	Blanchard	Oklahoma
James Severs	Conway	Arkansas
Jim Schmidt	Wichita	Kansas
Linda Dieringer	Wikieup	Arizona
Shawn Brandt	Rochester	Washington
John Zitkus	Mundelein	Illinois
Ronald Eggert	Newton	Kansas
naomi sublett	hohenwald	Tennessee
Sue Johnson	Green Cove Springs	Florida
Phil Fetzer	New york	New York
Mark Breese	Newport	Washington
Lyle Hartman	Hulett	Wyoming
Rick Faircloth	Hinesville	Georgia
John Schwab		Michigan
Debbie Brandt	Rochester	Washington
Darren Hopper	Quakertown	Pennsylvania

AMERICAN OVERSIGHT

Bill Dallin	Dallas	Texas
Lagean Dunn	Bullard	Texas
Barry Cigich	Hallsville	Texas
Steve Ruf	DePere	Wisconsin
Rhonda Monahan	Mifflinburg	Pennsylvania
Rand Dykman	Holland	Michigan
James flythe	Spotsylvania	Virginia
Claude Aaron	Pleasanton	Texas
Clay Smith Smith	El Paso	Texas
Sharon Tuten	New Ellenton	South Carolina
Donna Eyman	Shelbyville	Tennessee
Dale Grunsky	Conway	South Carolina
Carl Kolpin	Barnum	Minnesota
Guy VanDusen	Sherman	Texas
Clyde Wheeler	Coarsegold	California
Don Rasmusson	Rudolph	Ohio
Delrita Jungnitsch	Las Vegas	Nevada
Henry Sintzenich	Geneva	Florida
David L Light	Thomasville	North Carolina
Alexander Denes	Omaha	Nebraska
Mark Armstrong	Chattanooga	Tennessee
Charles Vion	The Villages	Florida
Michael Noland	Kansas City	Missouri
Brenda Eldredge	Avondale	Arizona
David Lininger	Sioux Falls	South Dakota
John Klovstad	Whitefish	Montana
PAUL deardurff	Bellefontaine	Ohio
Darice Montgomery	Decatur	Texas
Michael Sloane		Select a state
Ed Simmons	Las Vegas	Nevada
Allen Lee	Omaha	Nebraska
Gary Sollner	McAllen	Texas
Lewis James	Clarence Center	New York
Werner Lippe	Miles	Texas
Glenn Marshall	Waxhaw	North Carolina
Edmond Vernacchia	MYRTLE BEACH	South Carolina
Christina Jones	blacklick	Ohio
Ronald Pate	East York	Michigan
Ted Whalen	Marion	Illinois
Darin Tosse	Rochester	Minnesota
Richard Collins	Georgetown	Massachusetts
Edward Stewart	Cincinnati	Ohio
grant gardner	troy	Ohio
Martha Dunn	Woodside	California
Lawrence Sanborn Sanborn	BELLEVUE	Washington
Gregg Rudolph	Apple Valley	Minnesota
michael cox	nutley	New Jersey
Oudrey Wilson	Donie	Texas
Michael Barone	Raleigh	North Carolina
Terri Olsen	Laguna Woods	California
Leonard Ernsbarger	nevada	Missouri
Gary Johnston	Kingston	Tennessee
Dennis Childress	Grapeland	Texas

AMERICAN OVERSIGHT

dave r	sequim	Washington
Robert Koehler	Andover	Illinois
Charles Spiroff	Harrisburg	Pennsylvania
Daisy Volcan	Augusta	Georgia
Dave Rauen	Hamilton	Ohio
Kenneth Ferrell	Clarksville	Tennessee
Philip Kelly	Huntsville	Alabama
mark book	plymouth	Minnesota
Vicki Barrett	Loveland	Colorado
ROY MALLMANN	SUGAR LAND	Texas
Bob HARRISON	Ortonville	Michigan
Hal Fahner		Florida
Charles Hess Hess	Ringwood	New Jersey
James Wilson	Chehalis	Washington
Tom Harlander	Wood River	Illinois
Gregory Fasolt	Manchester	Pennsylvania
Ronald Lewis	White House	Tennessee
Allan Moore	Williamsburg	Ohio
Steven Abraham	Elyria	Ohio
Reece Maggard	Kingston	Tennessee
Thomas Farrell	Monmouth	Oregon
Henry Zarb	Miami	Florida
George Gallagher	Annapolis	Maryland
Stephan Dejean	New York	New York
Grant Mitchell	Englewood	Colorado
Scott Stinson	Centennial	Colorado
Lou Polaski	Bend	Oregon
Bobby Maggard	Whitesburg	Kentucky
Joseph Walz	Massapequa	New York
Muti Aitaoto	Boise	Idaho
Tony McWilliams	Lubbock	Texas
Lori Jenkins	Martinez	California
Paul Pummill	Colorado Springs	Colorado
Robert Graff	FEASTERVILLE TREVOSE	Pennsylvania
John Eliopoulos	Sierra Vista	Arizona
Neil Jordan	Irvine	California
Bill Willis	Martinsville	Indiana
Nicanor Ruiz	Greenacres	Florida
cd r	Knoxville	Tennessee
Robert Pattillo	Old River-Winfree	Texas
Tim Bostick	Palm Bay	Florida
David Brown Brown	Charlottesville	Virginia
Daniel Sauber	Laurel	Maryland
Bruce Rester	Glendale	Oregon
Jeri Schneider	Rio Rancho	New Mexico
K K Shack	St. Petersburg	Florida
JOHN MORRISON	DOUGLAS	Massachusetts
Patty Wirth	Wolf Creek	Montana
Cynthia Dahnert	SAINT AUGUSTINE	Florida
Orvell Kemp	Florissant	Missouri
Mark Cooley	Rio Rancho	New Mexico
Gregg Taylor Taylor	Telephone	Texas
Carmen Svalstad	TRAVERSE CITY	Michigan

AMERICAN OVERSIGHT

Erin Rankin	Faunsdale	Alabama
Russell Cook		Select a state
Tom Stoltz	Smithfield	Rhode Island
Werner Lorenzen	Urbandale	Iowa
paul lauricella	lyndonville	New York
Kenneth Chilton	Lake Saint Louis	Missouri
fred klein	newark	Ohio
Jill Halliburton	Coos Bay	Oregon
Ricky Massey	Wilmington	North Carolina
charles smith	tyrone	Georgia
George Alexander	Longmont	Colorado
Wayne Cowles	Racine	Wisconsin
Bruce Zoeller	Louisville	Kentucky
Larry HESTER	myrtle beach	South Carolina
John Smith	Lake Isabella	California
John Petty	Dallas	Texas
Richard Johnson	Brea	California
Kurt Hayden	KENDALLVILLE	Indiana
Michael Bodeau	Yorba Linda	California
Richard Waide	Billings	Montana
Donald Breyer	Sonoma	California
Carlisle Chewning Jr	Agua Dulce	Texas
Phillip Abney	Farmington	New Mexico
Edwin Johnson	Shell Knob	Missouri
Bao-Li Loza	Paoli	Pennsylvania
Terrence Conaway		Select a state
Adele Watkins	Martinez	California
F. Joseph Bindeman	Mount Clemens	Michigan
Craig Wise	Memphis	Tennessee
Raymond Girouard	Atherton	California
Tom Bauer	Twentynine Palms	California
Robert Grunseich	Pt Jefferson	New York
Michael Rophone		Select a state
MAX ARGO	ATLANTIC	Iowa
Stephen Hatch	St. Augustine	Florida
Lois Johnson	Edison	New Jersey
Walter Geffert	Geneseo	Illinois
Anna Cicur	Arlington	Texas
James Ventura	Poughkeepsie	New York
Milton Schick	Tucson	Arizona
Carlton Giancarli	Binghamton	New York
Sandra Simmons	mendota il	Illinois
Tom Sheahen	Oakland	Maryland
Steve Froslie	Barnesville	Minnesota
RM Soja Soja	Crestview	Florida
James Nurnberger	Coleman	Michigan
Rod Takata	St. Louis Park	Minnesota
Cole Ryan	San Francisco	California
Alfred Grosfield	Big Timber	Montana
Raymond Wilson	Wyandotte	Oklahoma
Bill Christian	Elk Grove	Illinois
Ross Spain	Clovis	California
james de saxton	colorado springs	Colorado

AMERICAN OVERSIGHT

Gordon Wells	Wolcottville	Indiana
Colin Nordstrom	Emeryville	California
David Ellison	Odessa	Texas
Kathy Christian	Elk Grove	Illinois
Mary Dahlheim	Austin	Texas
Bruce Haufler	Austin	Texas
James Scheub	Grand Rapids	Ohio
Joyce Watts	Orange Beach	Alabama
Erlinda McCrea	Merritt Island	Florida
Gerald Petras	Campbell	Ohio
Steve Penrod	San Antonio	Texas
James Muhlenbruch	Austin	Texas
Doug Lyons	Poulsbo	Washington
Richard Yule	Rochester	New York
CLINNON ALEXANDER	DUNNELLON	Florida
Stanley Rydzak	Brookfield	Connecticut
Marlin Winslow	Salt Lake	Utah
John Thomas	Mitchell	Nebraska
Richard Bultemeyer	Fort Wayne	Indiana
Hubert Merworth	Comanche	Texas
Paul Richards	McKinney	Texas
Vincent Candela	Summit	New Jersey
Suzanne Murlowski	St. Paul	Minnesota
John Puffer	Hixson	Tennessee
Philip Murlowski	New Brighton	Minnesota
Chris Rozmajzl	Temecula	California
Edward Weberq	Port Ewen	New York
Roy Shippen	Long Beach	California
Marissa Skaja	Minneapolis	Minnesota
Frank HOLMES	Goleta	California
Larry Lunan	Kingsport	Tennessee
Michael Murlowski	New Brighton	Minnesota
keith fortin	anderson	South Carolina
Janelle Murlowski	Minneapolis	Minnesota
John Beebe	Bayfield	Colorado
Stephen Smith	Louisville	Kentucky
Jack Hearn	VALDOSTA	Georgia
Robert Thomson	Aberdeen	Washington
John Murlowski	Saint Paul	Minnesota
Leszek Sulanowski	Deford	Michigan
Ralph Weaver	Noblesville	Indiana
glenn davis	worcester	Massachusetts
Joe Davidson	Guysville	Ohio
Scott Jacobson	Maplewood	Minnesota
Greg Lewis	Rocester	New York
Constance Nourse	Wake Forest	North Carolina
George Sardella	Bakersfield	California
Howard Harbes Harbes	Richmond	Texas
Charles Carpenter	Woodland Hills	California
Michael Asbury	Fresno	California
S. Milicevich	Shingle Springs	California
John La Fontaine	Wilmington	North Carolina
Richard Hartle	Lancaster	Ohio

AMERICAN OVERSIGHT

Douglas Hall	Arlington	Tennessee
Rick Jablon	Nashville	Tennessee
BRIAN MARIE	JACKSONVILLE	Florida
Nan E Puckett	Greensboro	North Carolina
Bruce Klekta	Winnipeg	North Dakota
george bernhard	pawcatuck	Connecticut
Pat Tracy	Westerville	Ohio
Casimir Sammanasu	Lincoln	California
Thomas Sash	Plant City	Florida
LaVar Clegg	Scottsdale	Arizona
Janice Knaus	Bennet	Nebraska
David Tintle	CaÃ±on City	Colorado
Darin Hauer	Gilberts	Illinois
John McGill	Midlothian	Virginia
Burr Rubey	Ocala	Florida
Leslie Dearman	TUCSON	Arizona
Gloria Long	Kokomo	Indiana
Daniel Dick	Maricopa	Arizona
Svend-Erik Mortensgaard	DK-7570 Vemb	Select a state
Dave McGuigan	Frazer	Pennsylvania
Ronald Sutton	Orlando	Florida
Jerry Kirkpatrick	Upland	California
Gary Craft	Esperance	New York
Linda Paul	Tulsa	Oklahoma
William Lanahan	Selkirk	New York
Mary Ashbrook	Coloma	Michigan
Mark Snyder	Golden	Colorado
Michael S	Coeur d\'Alene	Idaho
Michael Ashbrook	Coloma	Michigan
Robert Roth	Stilwell	Kansas
Shawn Miller	Lebanon	Pennsylvania
Thomas Dunn	St. Charles	Illinois
James McGeown	Sarasota	Florida
Robert Soule	Princeton	Minnesota
Michael Yard	Goodrich	Michigan
Joseph Quinty	Corona	California
ken Enderle	Goodyear	Arizona
Fred Bowling	Cincinnati	Ohio
Lynnette Huston	Black Canyon City	Arizona
Todd Minchey	Cedar City	Utah
Anthony Smith	Huntington Beach	California
Lindsey Fine Fine	Granite Bay	California
David Edgar	Spruce Pine	Alabama
Tom Frichtel	Borrego Springs	California
James Wheeler	Ingram	Texas
Michael Graetz	Stillwater	Minnesota
Edward J Mitchell Jr	Jeffersonville	Pennsylvania
Marilyn Wilson	Wichita	Kansas
Jim Sickinger	Lowell	Indiana
Jim Hutchinsonon	Lampasas	Texas
Thomas Radziewicz	Belleville	New Jersey
Robert Tatarka	Batavia	New York
Eddie Robinson	Goodlettsville	Tennessee

AMERICAN OVERSIGHT

Jeff Price	Three Forks	Montana
Jo Monaghan	Caldwell	Idaho
Loren Kraus	Salina	Kansas
Laura May	Dallas	Texas
Terry Marshall	Clint	Texas
Chris Sell	Willow Park	Texas
Jimmy Allcorn	Weatherford	Texas
Wally Geesey	Greer	South Carolina
Kermit McKinney	Marietta	Oklahoma
Peter D.		Select a state
Jim Marzonie	Houston	Texas
Dale Shiffer	Eau Claire	Wisconsin
Patrick Carboneau	Seattle	Washington
thomas adair	Lexington	Georgia
David Gonzales	Ventura	California
Jerold Monahan	Cincinnati	Ohio
LARRY HYAK	GALT	California
Bruce Niehm	Ames	Iowa
Robert Cleaver	Mohnton	Pennsylvania
Harold Westra	Pipestone	Minnesota
Richard Batchelor	Jacksonville	Florida
John Botts	Cumming	Iowa
Michael Fulton	LITTLE ROCK	Mississippi
Deborah Wall	Merritt	North Carolina
Aman Singh	New York City	New York
Dan Kessler		Select a state
Merlin` Wood	Augusta	Kansas
Cheryl Moir	Dexter	Michigan
Charles Stone	Fort Pierce	Florida
Daniel Sheldon Sheldon	Fort Lupton	Colorado
Gwendolyn Geer	Dunedin	Florida
Vernon Beighley	Blackduck	Minnesota
Philip Baker	Cleveland	Tennessee
Charlie Guidarelli	South Yarmouth	Massachusetts
Fred Behling	Cape Coral	Florida
Mette McDermott	Medford	Oregon
charles smith	little rock	Arkansas
Jim Anthony	Bedford	Texas
David Livingstone	Dallas	Texas
DAN GILL	SOLANA BEACH	California
Dwight Heller	Lincoln	Kansas
Tony Hays	Mckee	Kentucky
Janine Nevins	long beach	California
Leonard Hale	Kansas city	Missouri
Tom Casey Casey	Clarksville	Virginia
David Rawson	SAINT MARYS	West Virginia
Wendy Youngquist	Aurora	Colorado
Kenneth Tiedeman	Orlando	Florida
Tamara Johnson	Minneapolis	Minnesota
Robert Steckler	Kenner	Louisiana
Joan Harper	West Chester	Pennsylvania
W lee Simmons	Richfield	North Carolina
Richard Becht	Tucson	Arizona

AMERICAN OVERSIGHT

Joe Finneman	Covington	Louisiana
Gene Dwyer	Springfield	Virginia
joe french french, JD, LL.M.	richmond	Kentucky
Lynn Butts	Denver	Colorado
Thomas Wiedmann	Kenneth	Minnesota
Carl Mattes	Levittown	Pennsylvania
Charles Breedlove	Baton Rouge	Louisiana
JEFF BROWN	CANYON	Texas
robert bust	ardmore	Oklahoma
P Wolcken	West Chester	Pennsylvania
Conrad Byron	Deltona	Florida
John Boyce Boyce	Canon City	Colorado
Amy Yurs	Benson	Arizona
Missie Hickey	Mendota Heights	Minnesota
Ken Huge	Frisco	Colorado
Daniel Lewallen	Aurora	Colorado
Terry Hansen	Centerville	Utah
Sally Byrd	Four Oaks	North Carolina
Frank Thurlow	Vista	California
C Murphy	Atlanta	Texas
James Nice	Marysville	Washington
Julie Sharkey	Casper	Wyoming
Darryl Speiser Speiser	Nampa	Idaho
Antoinettte Beamer	Inverness	Florida
Michael G Del Rossi	Lower Gwynedd	Pennsylvania
Scotty Woodward	Lovettsville	Virginia
Twyla Bacon Bacon	LEON	Kansas
Ray Veneklase	Ada	Michigan
Steve Wolf	albuquerque	New Mexico
Jerry Walling	Dallas	Texas
Lindnef Bongaardt	Glen Mills	Pennsylvania
Lew Wallace	Pearl River	New York
Bruce Richardson	Columbus	Oregon
Rich Garber	Boise	Idaho
Robert Duenckel	Colorado Springs	Colorado
Carol Scace	Bothell	Washington
LIZ CARTIER	VALHALLA	New York
Janet Fellhauer	Lad Vegas	Nevada
Charles Walkup Jr	Waxhaw	North Carolina
Barbara Phillips	Prescott	Arizona
Kenneth Long	High Springs	Florida
Christine Caraher	Bohemia	New York
Brian Brotherton	Barberton	Ohio
Gary KELLOGG	OLEAN	New York
William Wright	Titusville	Florida
Linda Devlin	Pittsburgh	Pennsylvania
Dan Scoggins	st.simons island	Georgia
William King	Isom	Kentucky
Terry Jensen	Oreana	Idaho
Charles Shortell	Richmond	Missouri
Dr. Ronald Bartzatt Bartzatt	Omaha	Nebraska
David Niedzielski	Manistee	Michigan
Frank Heilman	Allentown	Pennsylvania

AMERICAN OVERSIGHT

John Melewski	Schanmburg	Illinois
Gregg Dickson	Burlington	North Carolina
John Paterson Jr	Kemah	Texas
Brenda Warneka	Laughlin	Nevada
Richard Taylor	Henderson	Tennessee
Daniel R. Ferry	Pierre	South Dakota
Thomas Leszczynski	Richfield	Wisconsin
Thomas Sullivan	Leesburg	Florida
Marvin Booth	Downing	Wisconsin
Tim Reynolds	Knoxville	Tennessee
Kathy Gibbons	Eatontown	New Jersey
Ruth Pine	Bonners Ferry	Idaho
Dennis Henderson	Fayetteville	Ohio
Frank Stabler	Fairhope	Alabama
Al Peterson	Tabernash	Colorado
Lisa Beach	Gahanna	Ohio
Marcel Matte	Calgary	Select a state
JACK SLOVER	NORCROSS	Georgia
stan kennedy	Garden City	Kansas
Stan Young	Raleigh	North Carolina
Edward Quirk	Oak Harbor	Washington
Richard Depies	Appleton	Wisconsin
Raymond Martini	Oceanside	New York
Edward Novak	La Grange Park	Illinois
Daniel St.Martine	Hollywood	Florida
Thomas Gagnon	Shalimar	Florida
david beck	grand junction	Colorado
Tamara Ritter	Tampa	Florida
Larry Kalmbach	Mahwah	New Jersey
CHUCK KIRKHUFF	TEMPE	Arizona
Don Leedy Leedy	Coldspring	Texas
vern street street	reeds spring	Missouri
Gary Anderson	Fruita	Colorado
Kirk Sampson	Omaha	Nebraska
Denise Sager	Williams	Oregon
Larry McDonald	Davisburg	Michigan
Nick Calley	Niceville	Florida
James Young	Pueblo	Colorado
Pamela Schmidt	Carol Stream	Illinois
David Thomas	Gardnerville	Nevada
Greg Behneke	Evans	Georgia
Kris Rieman	Newell	Iowa
David Smith	Akron	Ohio
Juliw Molnar	San Bernardino County	California
Stephen Hitchman	Cherry Hill	New Jersey
Ralph Shives	Lancaster	New York
Richard Piland	Niwot	Colorado
Calvin Kunzrich	Richland	Washington
Donald Hemm	Canton	North Carolina
James Brewer	Big Water	Utah
Joe Black	San Jose	California
Charles Hickman	MARION	Louisiana
Tom Collins	Bonita Springs, Fl	Florida

AMERICAN OVERSIGHT

Rose Acker	Coon Rapids	Minnesota
Barry Lawrimore	Trinty	North Carolina
Robert Reed	CONYERS	Georgia
Brian Robb Robb	Sterling	Alaska
Don Tilton	Fulton	Missouri
Norman Peters	Suamico	Wisconsin
Fred Beck	Galax	Virginia
Paul Grilli	Streetsboro	Ohio
Mike Prescott	Laytonille	California
Steve Carlock	Lebanon	Maine
Moreland Beans	Whiteside	Tennessee
Kevin Casey	Carlsbad	California
Steve Jehle	St Paul	Minnesota
patrick dullea	san francisco	California
christopher murray	billings	Montana
David Weimer	Waxhaw	North Carolina
VICTOR IMPARATO	BRONX	New York
Keith Lauver Lauver	YORKVILLE	Illinois
Ronald Sundquist	Palmdale	California
maria benton	wewoka	Oklahoma
Edward Clifford	Spring Hill	Florida
Laurie Gatza	Waukesha	Wisconsin
Dushan Mitrovich	Cedar Crest	New Mexico
James Hubbard	Boulder	Colorado
Dennis Mackin	Dunwoody	Georgia
David Humble	Walnut Ridge	Arkansas
Mervin Shreve	St Johns	Florida
peter dober	Livonia	Michigan
Barry Levine	La Jolla	California
Diana Chrislip	Wyandotte	Michigan
Walter Caracciolo	Franklin Square	New York
William Bode	Lynden	Washington
David Wells	Minneapolis	Minnesota
David Whitham	Loveland	Colorado
David Witty Witty	Nyssa	Oregon
Michael Galea	Burton	Michigan
Thomas Hauck	Ocala	Florida
Pat Vaughn	Caldwell	Idaho
Daniel Swartz	Clear Lake	Iowa
norm wendrow	mt pleasant	Michigan
Randall Craig	Marblehead	Massachusetts
David Albert	Belgrade	Montana
Charles lee	Washington	District of Columbia
Brent Gray	Chandler	Arizona
Darren Marinis	Salem	Wisconsin
Doris Caward	Granite Bay	California
Nyal Bender	Vernal	Utah
Gregory Wrightstone	Allison Park	Pennsylvania
Margaret Schweyer		Florida
glenn schantz	little rock	Arkansas
Dustin Rider	Lee\'s Summit	Missouri
Thomas Pinson	Colorado Springs	Colorado
Lauren King	Lexington	South Carolina

AMERICAN OVERSIGHT

Harry Prince Jr	Saco	Maine
Thomas Pinson Pinson	Colorado Springs	Colorado
Orvis Pigg	Suwanee	Georgia
Scott Stolnitz	Friday Harbor	Washington
Paul Scherer	Arvada	Colorado
Michael Goetz	Port Charlotte	Florida
christina norman	mechanicsburg	Pennsylvania
Paul Driessen	Fairfax	Virginia
Marc Morano	Manassas	Virginia
Bonner Cohen		Virginia
Craig Rucker	Berryville	Virginia
Doug Houser	Toms River	New Jersey
Jonathan Houser	Minneapolis	Minnesota

AMERICAN OVERSIGHT

Keep Scott Pruitt and keep EPA reform alive

:s EPA has engaged in bureaucratic overreach far exceeding its lawful authority;

; been used by partisan interests, radical pressure groups and profiteers to thwart business and ɔurden private property rights often with questionable if any benefit to the environment;

; operated in an opaque manner, refusing to share the data and science it relies upon for review avoided realistic cost-benefit analyses of its policies;

; used "sue and settle" legal tactics to short-circuit the regulatory process and divert financial :s to select special interests;

ıt Trump charged EPA Administrator Scott Pruitt with the task of reforming EPA;

ıstrator Pruitt has become the target of partisan attacks aimed at thwarting his efforts at reform;

re, we the undersigned, call upon President Trump to retain Scott Pruitt as EPA Administrator, ontinue the badly needed process of reforming EPA and restoring it to its proper role as a :tive, non-partisan protector of our environment.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Mon 2/12/2018 9:30:58 PM
Subject: February 12 -- E&E News PM is ready

Read today's E&E News PM on the web

AN E&E NEWS PUBLICATION

E&E NEWS PM — Mon., February 12, 2018

READ FULL EDITION

1.ENDANGERED SPECIES:

Citing climate impact, court restores seal protections

A federal appeals court today reinstated protections for Arctic ringed seals, dealing a blow to Alaska oil and gas companies that had argued NOAA Fisheries went beyond its authority in taking into account climate change impacts on the species.

TOP STORIES

2.INTERIOR:

Reorganization gets funding, new focus in budget

3.WATER POLICY:

Trump wants to end EPA dredge-and-fill permitting, vetoes

4.EPA:

Strategic plan stresses 'rule of law,' silent on climate

THIS AFTERNOON'S STORIES

5.SUPERFUND:

Okla. auditor: Pruitt 'acted improperly' on Tar Creek audit

6.AIR POLLUTION:

Shell agrees to La. plant upgrades, $350K penalty

7.COAL ASH:

Co-op restores missing plan info for Wyo. plant

BUDGET

8.OFFSHORE DRILLING:

'No stomach to mess' with revenue sharing — Zinke

9.FEDERAL WORKFORCE:

Unions pledge to fight budget 'onslaught'

10.INFRASTRUCTURE:

Inland shippers would face new fees under Trump plan

11.EPA:

Trump proposes 25% funding cut for vehicles lab

12.NOAA:

President seeks 20% cut, urges return to 'core functions'

13.STATE DEPARTMENT:

Blueprint would scrap climate programs, funds

14.TRANSPORTATION:

White House plan cuts DOT funding by 19%, chops grants

15.AGRICULTURE:

Conservation programs would take big hit in Trump budget

16.COAL:

Budget would spare Appalachian Regional Commission

UPCOMING HEARINGS AND MARKUPS

17.CALENDAR:

Activity for February 12 - February 18, 2018

AMERICAN OVERSIGHT

Get all of the stories in today's E&E News PM, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.eenewspm.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.
To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT E&E NEWS PM – Late-Breaking News

E&E News PM is written and produced by the staff of E&E News. A late afternoon roundup providing coverage of all the breaking and developing policy news from Capitol Hill, around the country and around the world, E&E News PM is a must-read for the key players who need to be ahead of the next day's headlines. E&E News PM publishes daily at 4:30 p.m.

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net

All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/29/2018 9:44:16 AM
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas

AMERICAN OVERSIGHT

infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal

AMERICAN OVERSIGHT

expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like

AMERICAN OVERSIGHT

future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved

AMERICAN OVERSIGHT

Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

AMERICAN OVERSIGHT

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national

AMERICAN OVERSIGHT

emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the

AMERICAN OVERSIGHT

commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that

AMERICAN OVERSIGHT

few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

AMERICAN OVERSIGHT

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

AMERICAN OVERSIGHT

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer

AMERICAN OVERSIGHT

or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided

AMERICAN OVERSIGHT

aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under

AMERICAN OVERSIGHT

the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of

AMERICAN OVERSIGHT

staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

AMERICAN OVERSIGHT

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm

AMERICAN OVERSIGHT

elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

AMERICAN OVERSIGHT

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of

AMERICAN OVERSIGHT

course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the

AMERICAN OVERSIGHT

farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Chancellor, Erin[chancellor.erin@epa.gov]
From: Kundinger, Kelly
Sent: Mon 6/25/2018 4:25:51 PM
Subject: Re: John Meyer

He is getting into town early to run through the route. He said he can be there at 2:30, therefore, I assume he can come 30 minutes sooner if we ask.
Please let me know if you'd like me to give him a call.

Sent from my iPhone

On Jun 25, 2018, at 11:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

> Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?
>
> Sent from my iPad

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]
From: Block, Molly
Sent: Fri 1/5/2018 3:11:42 PM
Subject: EPA Morning News Highlights 01.05.18
EPA News Highlights 1.5.18.docx

EPA News Highlights 1.5.18

Washington Examiner: EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions. The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

Columbia County Spotlight: St. Helens Approves Contract for Brownfield Site Study

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city. In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

Reuters: Monsanto Wins Support from 11 U.S. States in California Cancer Dispute

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Politico Morning Energy: Justices to Discuss Energy Cases Today

AMERICAN OVERSIGHT

he Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic. EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations.

National News Highlights 12.4.17

Wall Street Journal: Dow Industrials Cross 25,000 for First Time

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestone in history. The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era.

Reuters: 'Bomb Cyclone' Hits US East Coast Energy, Power Supply

A severe winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for almost 80,000 homes and businesses. The only nuclear plant in Massachusetts was shut just after 2 p.m. because of the failure of a line that connects the reactor to the power grid.

CNN: Major Chip Flaws Affect Billions of Devices

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday. And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems. The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found.

Associated Press: Judges Recommend Rebates for Utility Corporate Tax Savings

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said. The rulings were handed down

AMERICAN OVERSIGHT

following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

(Opinion) The Oklahoman: Why Now is the Time to See Sooner Sensation Trae Young

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing. he clock may be ticking, too, on Trae Young. Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. That timeline has been accelerated. As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

TRUMP TWEETS

Washington Examiner

http://www.washingtonexaminer.com/epa-sets-hard-deadline-for-enforcing-obama-era-ozone-restrictions/article/2645034

EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

By John Siciliano, 1/4/18

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions.

The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

The Trump EPA had tried to delay formally designating the regions as non-attainment zones, which would force some cities and other areas to establish special pollution control plans that critics of the rule have argued would deter development and economic growth.

A court blocked EPA Administrator Scott Pruitt's delay strategy and directed the agency to

AMERICAN OVERSIGHT

enforce the regulations. Since the court order, environmentalists have held the agency to meeting deadlines for designating the non-attainment regions, which is a key part of implementing the regulations.

EPA has missed the deadlines, saying it needs more time to collect data from states.

Thursday's notice ends that data collection period.

In November, the EPA said 2,646 counties, including Indian country in those counties, are meeting the ozone standards, and listed three other counties as unclassifiable. Thursday's notice means the EPA intends to designate all of the remaining areas as non-attainment regions.

In a separate action, EPA also proposes taking a large area that includes Missouri, including St. Louis, and Illinois off the non-attainment list for related rules for controlling soot pollution.

The action is meant to get feedback from stakeholders on the EPA's proposed plan to designate the large bi-state area as meeting the rules based on new pollution data from 2017.

"EPA expects to approve the area's re-designation," the agency said. The proposal becomes effective Friday.

Columbia County Spotlight

http://www.pamplinmedia.com/scs/83-news/383099-271372-st-helens-approves-contract-for-brownfield-site-study

St. Helens Approves Contract for Brownfield Site Study

By Nicole Thill, 1/5/18

City Council votes to approve contract with Maul Foster Alongi to oversee grant-funded program

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city.

The St. Helens City Council voted Wednesday, Jan. 3, to approve a contract with Maul Foster Alongi, placing the environmental engineering and consulting company in charge of project management for brownfield site identification.

In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been

AMERICAN OVERSIGHT

contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

The city approved a work plan in July that outlined the project scope to perform the brownfield assessments. The main purpose of the EPA-funded project will be to identify key areas that are limited in their ability to be redeveloped due to a brownfield designation. The goal will be to conduct six environmental site assessments in phase one, six assessments in phase two, convene a brownfield advisory committee and host two public meetings to determine site prioritization and reuse planning.

Approval of the plan was the first step, however, and the city recently put out a request for proposals to seek an applicant to oversee implementation of the plan. The city issued a request for qualifications in November and recently reviewed the applications it received.

City Administrator John Walsh explained that brownfield site identification is a specialized field, and the city received only three proposals from companies interested in taking on the project management role.

The city has worked with Maul Foster Alongi on previous projects, including the development of the waterfront framework plan that outlines development possibilities for waterfront land the city owns.

Reuters

https://www.reuters.com/article/us-usa-pesticides-monsanto/monsanto-wins-support-from-11-u-s-states-in-california-cancer-dispute-idUSKBN1ES269

Monsanto Wins Support from 11 US States in California Cancer Dispute

By Tom Polansek, 1/3/18

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Missouri, home to Monsanto's headquarters, along with other farm states including Iowa and Indiana, said in court documents on Tuesday that the warnings would be misleading because there is no definite link between glyphosate and cancer.

Midwest businesses would need to include warnings on glyphosate products if California

AMERICAN OVERSIGHT

requires them or stop selling such goods because they may end up in the Golden State, according to the states' filing.

California added glyphosate, the main ingredient in Monsanto's Roundup herbicide, to its list of cancer-causing chemicals in July 2017 and will require products containing the chemical to carry warnings by July 2018.

The state acted after the World Health Organization's International Agency for Research on Cancer concluded in 2015 that glyphosate was "probably carcinogenic."

"The mandate imposes confusing and potentially inconsistent obligations on non-resident businesses, creating a strong incentive to abandon glyphosate markets altogether," the states' filing said.

For more than 40 years, farmers have applied glyphosate to crops, most recently on soybeans that Monsanto genetically engineered to resist the herbicide. Roundup is also sprayed on residential lawns and golf courses.

The controversy in California is a headache for the company as it faces a crisis around another herbicide based on a chemical known as dicamba that has been linked to U.S. crop damage.

Monsanto, which is being acquired by Bayer AG for $63.5 billion, developed the dicamba-based product following an increase in weeds resistant to glyphosate.

The 11 states are supporting a federal lawsuit Monsanto, the National Association of Wheat Growers and other agricultural groups filed in November to stop the state from requiring glyphosate warnings.

Monsanto said Wednesday it had discussed California's mandate with officials in agricultural states as it proceeded with the lawsuit.

AMERICAN OVERSIGHT

California's Office of Environmental Health Hazard Assessment (OEHHA), which is named in the lawsuit, declined to comment. The office previously said it stands by the decision to include glyphosate on the state's list of products known to cause cancer, as required under a rule known as Proposition 65.

"Proposition 65 is 30 years old and for every one of those years there have been strenuous attempts to kill it on the ground that it's different from other states," said David Roe, the rule's primary author.

"They've always failed."

Politico: Morning Energy

https://www.politicopro.com/newsletters/morning-energy/2018/01/zinkes-drilling-plan-lands-with-a-thud-065911 **Justices to Discuss Energy Cases Today**

By Kelsey Tamborrino, 1/5/18

The Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic.

EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations. The Trump administration opposes requiring EPA to produce the study Murray wants and has urged the Supreme Court not to take the case. But EPA Administrator Scott Pruitt said in October that his agency will give greater consideration to coal jobs via some type of study in the future. The case is 17-478, Murray v. Pruitt.

AMERICAN OVERSIGHT

NAAQS implementation: The 9th Circuit ruled in 2016 that EPA wrongly approved part of Arizona's particulate matter clean-up plan that counted already completed actions — such as paving dirt roads — as required "contingency measures" meant to help Maricopa County meet the standard. Arizona argues that similar approvals have happened dozens of times in recent decades, and that the 5th Circuit ruled previously in favor of that scheme. The Trump administration urged the Supreme Court not to get involved, saying the circuit split "does not create any unmanageable practical difficulties." The case is 16-1369, Arizona v. Bahr.

Wall Street Journal

https://www.wsj.com/articles/global-stocks-extend-gains-1515034296

Dow Industrials Cross 25,000 for First Time

By Corrie Driebusch, Michael Wursthorn and Georgi Kantchev, 1/5/18

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestonein history.

The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era. The broad index has more than quadrupled since the bull market began in March 2009, surpassing the tech-fueled rally of the 1990s, according to the research firm Leuthold Group, which excluded dividends from its calculations. The Dow has risen 283% over that same period, according to the WSJ Market Data Group.

Thursday's moves marked the latest feats for a rally that has repeatedly wrong-footed skeptics and sent stock indexes around the world to multiyear highs. The Dow industrials hit five thousand-point milestones last year, the most such records in its 120 years.

Faster economic growth around the globe and improving sentiment from consumers and businesses have helped power this rally in recent weeks. Economic data in the first days of the new year continued to suggest steady expansion in the U.S., China and Europe.

"The turn of the calendar year doesn't change the dynamics of economic growth and earnings growth," said Kate Warne, investment strategist at retail brokerage Edward Jones. "We shouldn't be surprised that markets continue to move higher because fundamentals continue to be positive and investor optimism is actually improving rather than investors becoming more cautious."

The Dow industrials, which heavily weights industrial giants such as Boeing and Caterpillar, gained 152.45 points, or 0.6%, to 25075.13. It took the Dow industrials 23 trading days to reach 25000 from 24000, ahead of the 24-day spans that carried the index to 11000 in 1999 and 21000 in March.

AMERICAN OVERSIGHT

The S&P 500 climbed 10.93 points, or 0.4%, to 2723.99, while the Nasdaq Composite added 12.38 points, or 0.2%, to 7077.91. Each major index closed at fresh records.

Shares of financial firms led markets higher Thursday as a strong private jobs report raised investors' expectations for further interest-rate increases.

Businesses across the country added 250,000 workers in December, according to payroll processor Automatic Data Processing Inc. and forecasting firm Moody's Analytics, topping economists' expectations. The U.S. Bureau of Labor Statistics will release its monthly jobs report on Friday.

Goldman Sachs Group gained $3.54, or 1.4%, to $256.83, contributing about 24 points to the Dow's gain. American Express Co. added 1.65, or 1.7%, to 100.85, while JPMorgan Chase & Co. rose 1.54, or 1.4%, to 109.04.

"Financials had been out of favor for some time, but they've been benefiting from this [tax] stimulus," said Jeff Zipper, a portfolio manager and managing director at U.S. Bank's Private Client Reserve.

He added the firm has been increasing clients' exposure to financial stocks as Republicans passed their tax overhaul, and on expectations that the gap between the two-year and 10-year Treasury note yields will increase after nearing its narrowest level in a decade last month. A wider gap between short- and long-term interest rates tends to boost lenders' profits.

The Dow industrials rose 25% in 2017 as investors bet on solid corporate earnings and a pickup in global economic growth. Analysts and investors say sectors like financials and energy are poised to play a bigger role in pushing markets higher. Recently, the price of oil has risen above $60 a barrel, providing a boost to many of the oil-and-gas companies that languished much of last year.

Shares of Chevron surged in the second half of 2017. The oil producer's stock has risen 21% in the last six months, roughly double its gain for all of last year. Exxon Mobil has climbed nearly 6% over that same period despite finishing last year lower.

"The risk sentiment is absolutely roaring right now," said Richard Benson, co-head of portfolio investments at Millennium Global Investments. "As an investor, it's easy to develop a fear of missing out."

While some investors are excited by the swift pace at which the Dow climbed the latest 1,000 points, many analysts are quick to note that as the blue-chip index rises, the percentage move required to leap to a new milestone becomes significantly easier. For instance, the move to 11000 from 10000 required a gain of 10%, while the rise from to 25000 from 24000 needed a 4.2% increase.

The market's steady climb continues to worry some money managers who question whether

AMERICAN OVERSIGHT

stock valuations have become stretched, even as earnings for S&P 500 companies this year are projected to grow at their best rate in seven years. A recent jump in investor exuberance has also put some analysts and investors on edge.

"If investor optimism gets excessive, and I think it's close to being excessive, I wouldn't be surprised to see" a pullback in the market, said Bruce Bittles, chief investment strategist at Baird.

Reuters

https://www.cnbc.com/2018/01/04/bomb-cyclone-hits-us-east-coast-energy-power-supply.html

'Bomb Cyclone' Hits US East Coast Energy, Power Supply

By Scott DiSavino, Devika Krishna Kumar, 1/4/18

An intense winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for tens of thousands of Americans.

Some 65,000 homes and businesses along the U.S. East Coast are without power, and that number is expected to swell on Thursday as the storm punishes the densely populated U.S. Northeast.

The storm is the product of a rapid and rare sharp drop in barometric pressure known as bombogenesis, or bomb cyclone. Heavy snow pounded the East Coast along a front stretching from Maine as far south as North Carolina early on Thursday, taking out power lines, icing over roadways and closing hundreds of schools.

Prices for heating oil and natural gas in the U.S. Northeast hit their highest levels in years on the back of near-record heating demand. Benchmark U.S. heating oil futures are near their highest in almost three years.

U.S. natural gas demand was expected to remain near record highs this week. Natural gas is the major fuel for residential and commercial heating in the U.S. Northeast and is also widely used by power plants.

On Wednesday, natural gas futures fell 1.6 percent to $3.008 per million British thermal units, but cash prices in New York and New England remain elevated.

"NYMEX Henry Hub prices should rise further to the mid-$3 range, as cash Henry Hub prices already traded above $6. But the market, due to the supposed record-breaking production growth in 2018, still seems to be under-appreciating the potential for cold weather persisting," Citi

AMERICAN OVERSIGHT

analysts said in a note.

New England's cash prices soared last week, and remain near four-year highs at $36.32 per mmBtu. ISO-New England, that region's power grid operator, said on Thursday that its power operators were relying more heavily on generators that burn heating oil, due to heavy natural gas demand from homes and businesses.

"We expect to have sufficient capacity and fuel available and expect to be able to weather the storm without running up against significant emissions limits, but concerns remain the same regarding fuel availability and emissions limits throughout this protracted cold spell and the rest of the winter," the company said in a statement.

There are fears that a significant disruption could lead to a heating oil shortage, as distillate inventories, including heating oil, in the New England and Mid-Atlantic regions are currently at their lowest levels for this time of year since 2015.

This has spurred tankers carrying diesel and heating oil to set out from Europe bound for the United States to address supply worries, reversing a traditional trade route.

Icebreakers have been used in key ports of Boston, New York and Philadelphia to keep shipping lanes clear, though delays are expected, and the Coast Guard said late Wednesday that those ships will remain at shore until the storm passes.

Reliance on heating oil is highest in the Northeast region, with about 21 percent of households using oil for space heating.

So far, most northern U.S. refiners are not reporting problems. Phillips 66 shut a crude and coking unit at its Wood River, Illinois, refinery after a line froze followed by a brief fire, a source told Reuters on Wednesday. It did not currently have a timeline for restarting the units at the Illinois plant, the source said.

Philadelphia Energy Solutions postponed planned work at its 335,000 refinery complex in Philadelphia until after the storm.

Valero's 125,000 bpd refinery in Meraux, Louisiana, restarted most operations after sub-freezing conditions froze instruments earlier this week, according to a report by Energy News Today (ENT).

Valero was forced to cut rates at its Port Arthur, Texas, refinery due to the cold weather, ENT reported, and operations are expected to return to normal by the end of the week.

CNN

http://money.cnn.com/2018/01/03/technology/computer-chip-flaw-security/index.html

AMERICAN OVERSIGHT

Major Chip Flaws Affect Billions of Devices

By Selena Larson, 1/4/18

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday.

And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems.

The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found. Daniel Gruss, a researcher from Graz University of Technology who helped identify the flaw, said it may be difficult to execute an attack, but billions of devices were impacted.

Called Meltdown and Spectre, the flaws exist in processors, a building block of computers that acts as the brain. Modern processors are designed to perform something called "speculative execution." That means they predict what tasks they will be asked to execute and rapidly access multiple areas of memory at the same time.

That data is supposed to be protected and isolated, but researchers discovered that in some cases, the information can be exposed while the processor queues it up.

Researchers say almost every computing system -- desktops, laptops, smartphones, and cloud servers -- is affected by the Spectre bug. Meltdown appears to be specific to Intel (INTC) chips.

"More specifically, all modern processors capable of keeping many instructions in flight are potentially vulnerable. In particular, we have verified Spectre on Intel, AMD, and ARM processors," the researchers said.

Government agencies issued statements warning users about the vulnerabilities.

The U.S. Computer Emergency Readiness Team said that while the flaws "could allow an attacker to obtain access to sensitive information," it's not so far aware of anyone doing so.

The agency urged people to read a detailed statement on the vulnerabilities by the Software Engineering Institute, a U.S.-government funded body that researches cybersecurity problems.

The institute said that "fully removing the vulnerability requires replacing vulnerable [processor] hardware."

It later changed its guidance on Thursday to suggest updating software was enough. The institute didn't say why it had made the change and didn't immediately respond to a request for further

AMERICAN OVERSIGHT

information.

It said the problems affect technology giants including Apple, Google and Microsoft.

The U.S. Computer Emergency Readiness Team recommended that users read advice posted online by Microsoft and software company Mozilla.

The U.K.'s National Cyber Security Center advised organizations and individuals to "continue to protect their systems from threats by installing patches as soon as they become available."

Google (GOOGL) programmer Jann Horn of Project Zero was one of the researchers who discovered the flaws. In a blog post, he said his group alerted chipmakers to the issues in June. Since last fall, security researchers and companies have investigated and updated software systems to address the flaws.

ntel chips are found in everything from personal computers to medical equipment. The company's shares were down 3% on Wednesday.

The company said in a press release that "many types of computing devices — with many different vendors' processors and operating systems — are susceptible to these exploits."

Intel said it is working with other chipmakers, including AMD and ARM Holdings, to solve the issue. ARM said in a statement a small subset of its processors are susceptible to the flaws. AMD said in a statement there is a "near zero risk of exploitation" for one of the security issues, due to architecture differences.

A fix requires both the chip manufacturers and software makers to update their products before pushing it out.

Estimates posted on Linux message boards suggested computer performance could slow down between 5% and 30% once patched, however Intel said users will not see significant performance changes.

Tech website The Register was first to report the processor flaws on Tuesday.

A spokesperson for Microsoft (MSFT) told CNNMoney the company is aware of the issue and is in the process of deploying mitigations to cloud services and has released security updates to protect Windows users.

Google's Cloud Platform has been updated to prevent the vulnerabilities, the company said.

Amazon (AMZN) said in a statement most of its cloud computing machines affected by the flaw are already protected, but it was updating the rest on Wednesday.

Apple (AAPL) revealed Thursday that all its Mac and iOS devices were affected by the flaws, but said that "there are no known exploits impacting customers at this time." The company has

AMERICAN OVERSIGHT

already released some fixes for Meltdown, and will release others for Spectre in subsequent updates.

It's important for all users to update their devices when new updates are released.

Flaws in chips are unusual. Back in 1994, a major error in Intel's Pentium processor caused computers to incorrectly calculate results.

Associated Press

https://www.usnews.com/news/best-states/oklahoma/articles/2018-01-04/oklahoma-utility-regulators-consider-request-for-rate-cut

Judges Recommend Rebates for Utility Corporate Tax Savings

By Tim Talley, 1/4/18

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said.

The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

The new law lowers the highest corporate income tax rate from 35 percent to 21 percent, and Hunter's office has estimated that customer savings could be $100 million a year not including any savings from the utilities' excess accumulated deferred income tax accounts, Deputy Attorney General Dara Derryberry said. The accounts are used to reflect utility companies' past use of tax breaks to defer tax bills.

The five utilities affected by the recommendations are Oklahoma Gas & Electric, Public Service Company of Oklahoma, Oklahoma Natural Gas, CenterPoint Energy and Arkansas Oklahoma Gas.

The judges recommended that the three-member commission, which regulates public utilities in the state, grant Hunter's request that each of the five utilities make any income tax savings they receive from the new law subject to ratepayer rebates, Derryberry said.

The judges instructed the commission's staff to prepare proposed orders by Friday and the commission could consider whether to grant the rebate orders as early as Monday, she said.

AMERICAN OVERSIGHT

"The attorney general is urging swift action by the commission," Derryberry said.

Utility officials have said they were already working with the commission on possible rate changes and shared Hunter's goal to keep rates affordable. OG&E spokesman Brian Alford has said the utility is still trying to determine the impact of the tax bill and will conduct its own rate review regardless of what the commission decides.

Hunter's office has estimated that OG&E's corporate tax savings from the new law will be $51.7 million a year, more than the other four utilities combined.

Hunter's office asked the commission to pass the savings onto consumers last month after President Donald Trump signed the sweeping overhaul of federal tax law.

"These companies will begin seeing major savings after the tax cut is implemented," Hunter said at the time. "Oklahomans who are customers of these companies should immediately retain the benefits."

The Oklahoman

http://newsok.com/why-now-is-the-time-to-see-sooner-sensation-trae-young/article/5578401

Why Now is the Time to See Sooner Sensation Trae Young

By Jenni Carlson, 1/5/18

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing.

But as soon as the Sooner phenom reached the unsuspecting Cowboy on Wednesday night, he crossed over his dribble, right to left. In a flash, he was in the open, and you wondered how he did that.

The crowd inside the Lloyd Noble Center started oohing and aahing long before Young put the ball through the basket.

It was fun for anyone watching.

It was even better in person.

During a week in which we rang in the new year and the Big 12 heralded the start of conference play, there were reminders a plenty that the clock is ticking. Only a couple months of the regular season remain. Three months from now, we'll stand on the precipice of the national

AMERICAN OVERSIGHT

championship game.

The clock may be ticking, too, on Trae Young.

Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. The probable thinking was that his first season would be an adjustment, physically and mentality, and that with experience, development and some more time in the weight room, his skills would really start to shine during his second season.

That timeline has been accelerated.

As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

After OU's Bedlam win Wednesday night, he is averaging 29.4 points and 10.6 assists a game. He leads the country in both categories, something that has never been done before.

Ever.

Not by a freshman. Not by anyone.

Ever.

The website The Ringer compiled a chart of the seven point guards who have won the Wooden Award, which has been given annually to college basketball's best player since its inception in 1977. Comparing Young's numbers to theirs — remember, these are some of the best to ever play college ball — he would rank first in scoring and assists, second in 3-point percentage and third in field goal percentage.

His numbers may well sag during Big 12 play, but what if they don't?

OU opened conference play with TCU and OSU, and both squads are stout defensively. The Frogs and the Cowboys got physical with Young, who had seven turnovers against TCU and six against OSU. Way more than he wanted.

And still, he averaged 33.0 points and 12.0 assists in those two wins.

“The thing about it, he's so consistent at such a high level,” Sooner coach Lon Kruger said. “It's not consistent average. He's consistent exceptional.”

But for all the eye-popping numbers, it's the way Young plays that is most amazing. If you've never been to watch him in person, go. See. Witness. You'll be glad you did.

I actually wrote those last few sentences a year ago during Young's sensational senior year at Norman North. We headlined it, “THE TRAE YOUNG EXPERIENCE: Why you need to go see

AMERICAN OVERSIGHT

the Norman North point guard before his high school days are done."

At that point, we didn't know where Young would play in college. OU and OSU were among his finalists, but so were Kansas and Texas Tech, Kentucky and Washington. He could've been playing Wednesday night in Rupp Arena instead of Lloyd Noble, and it would've been a lot harder to see him in person.

But since Young picked the Sooners, The Experience stayed in state.

But I'll say now what I said a year ago — don't wait to go see him.

I have to admit that I don't quite understand how Young does what he does. He isn't an athletic marvel.

A year ago when I wrote about him, I termed him "slight and thin."

That hasn't changed.

I stood by him the other day during a post-practice interview scrum, and I'm pretty sure I could get my hands around his biceps, index finger to index finger and thumb to thumb. And I don't have particularly large mitts.

Young shows signs of time spent in the weight room, but strength isn't his superpower. Neither is speed. Or ups. He has all those skills and many more, but what makes him a superstar is his fearlessness. He isn't afraid to use his range or his handles even when the defense or the conventional wisdom says otherwise.

Pull up from 35 feet and shoot with a hand in his face? Sure.

Bounce a pass through a defender's legs? OK.

Turn college basketball on its head?

Why not?

The packed seats Wednesday night at the Lloyd Noble Center — and the already announced sellouts of the TCU and Kansas games later this month — are evidence that people are making an effort to see Young. But I'm imploring you to join them.

You won't regret it.

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

Dow goes from 18,589 on November 9, 2016, to 25,075 today, for a new all-time Record. Jumped 1000 points in last 5 weeks, Record fastest 1000 point move in history. This is all about the Make America Great Again agenda! Jobs, Jobs, Jobs. Six trillion dollars in value created!

6.8K 6.0K 25K

AMERICAN OVERSIGHT

EPA News Highlights 1.5.18

Washington Examiner: EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions
The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions. The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

Columbia County Spotlight: St. Helens Approves Contract for Brownfield Site Study
St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city. In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

Reuters: Monsanto Wins Support from 11 U.S. States in California Cancer Dispute
Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.

Politico Morning Energy: Justices to Discuss Energy Cases Today
he Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic. EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations.

National News Highlights 12.4.17

Wall Street Journal: Dow Industrials Cross 25,000 for First Time
The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestone in history. The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era.

Reuters: 'Bomb Cyclone' Hits US East Coast Energy, Power Supply
A severe winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for almost 80,000 homes and businesses. The only nuclear plant in Massachusetts was shut just after 2 p.m. because of the failure of a line that connects the reactor to the power grid.

CNN: Major Chip Flaws Affect Billions of Devices
Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday. And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems. The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found.

Associated Press: Judges Recommend Rebates for Utility Corporate Tax Savings
Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said. The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

(Opinion) The Oklahoman: Why Now is the Time to See Sooner Sensation Trae Young

AMERICAN OVERSIGHT

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing. he clock may be ticking, too, on Trae Young. Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. That timeline has been accelerated. As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

TRUMP TWEETS

Washington Examiner

http://www.washingtonexaminer.com/epa-sets-hard-deadline-for-enforcing-obama-era-ozone-restrictions/article/2645034

EPA Sets Hard Deadline for Enforcing Obama-era Ozone Restrictions

By John Siciliano, 1/4/18

The Environmental Protection Agency has set a hard spring deadline for listing regions of the country that cannot meet the Obama administration's strict rules for smog-forming ozone emissions.

The EPA plans to complete designations for all of the non-compliant areas no later than April 30, the agency announced in the Federal Register Thursday.

The Trump EPA had tried to delay formally designating the regions as non-attainment zones, which would force some cities and other areas to establish special pollution control plans that critics of the rule have argued would deter development and economic growth.

A court blocked EPA Administrator Scott Pruitt's delay strategy and directed the agency to enforce the regulations. Since the court order, environmentalists have held the agency to meeting deadlines for designating the non-attainment regions, which is a key part of implementing the regulations.

EPA has missed the deadlines, saying it needs more time to collect data from states.

Thursday's notice ends that data collection period.

In November, the EPA said 2,646 counties, including Indian country in those counties, are meeting the ozone standards, and listed three other counties as unclassifiable. Thursday's notice means the EPA intends to designate all of the remaining areas as non-attainment regions.

In a separate action, EPA also proposes taking a large area that includes Missouri, including St. Louis, and Illinois off the non-attainment list for related rules for controlling soot pollution.

The action is meant to get feedback from stakeholders on the EPA's proposed plan to designate the large bi-state area as meeting the rules based on new pollution data from 2017.

"EPA expects to approve the area's re-designation," the agency said. The proposal becomes effective Friday.

Columbia County Spotlight

http://www.pamplinmedia.com/scs/83-news/383099-271372-st-helens-approves-contract-for-brownfield-site-study

St. Helens Approves Contract for Brownfield Site Study

By Nicole Thill, 1/5/18

City Council votes to approve contract with Maul Foster Alongi to oversee grant-funded program

AMERICAN OVERSIGHT

EXT-18-783-F-003127

ED_001863D_00000198-00002

St. Helens will continue its working relationship with a Portland-based consulting company to conduct site studies of potential brownfields in the city.

The St. Helens City Council voted Wednesday, Jan. 3, to approve a contract with Maul Foster Alongi, placing the environmental engineering and consulting company in charge of project management for brownfield site identification.

In May the city received $300,000 in grant funding from the Environmental Protection Agency to conduct brownfield assessments throughout the city. Brownfields are site that have been contaminated by potentially hazardous substances or pollutants left behind by previous development on the land.

The city approved a work plan in July that outlined the project scope to perform the brownfield assessments. The main purpose of the EPA-funded project will be to identify key areas that are limited in their ability to be redeveloped due to a brownfield designation. The goal will be to conduct six environmental site assessments in phase one, six assessments in phase two, convene a brownfield advisory committee and host two public meetings to determine site prioritization and reuse planning.

Approval of the plan was the first step, however, and the city recently put out a request for proposals to seek an applicant to oversee implementation of the plan. The city issued a request for qualifications in November and recently reviewed the applications it received.

City Administrator John Walsh explained that brownfield site identification is a specialized field, and the city received only three proposals from companies interested in taking on the project management role.

The city has worked with Maul Foster Alongi on previous projects, including the development of the waterfront framework plan that outlines development possibilities for waterfront land the city owns.

Reuters

https://www.reuters.com/article/us-usa-pesticides-monsanto/monsanto-wins-support-from-11-u-s-states-in-california-cancer-dispute-idUSKBN1ES269

Monsanto Wins Support from 11 US States in California Cancer Dispute

By Tom Polansek, 1/3/18

Monsanto Co has won support from eleven U.S. states in its attempt to stop California from requiring cancer warnings on products containing glyphosate, ratcheting up a legal fight over the company's popular weed killer.
Missouri, home to Monsanto's headquarters, along with other farm states including Iowa and Indiana, said in court documents on Tuesday that the warnings would be misleading because there is no definite link between glyphosate and cancer.

Midwest businesses would need to include warnings on glyphosate products if California requires them or stop selling such goods because they may end up in the Golden State, according to the states' filing.

California added glyphosate, the main ingredient in Monsanto's Roundup herbicide, to its list of cancer-causing chemicals in July 2017 and will require products containing the chemical to carry warnings by July 2018.

The state acted after the World Health Organization's International Agency for Research on Cancer concluded in 2015 that glyphosate was "probably carcinogenic."

"The mandate imposes confusing and potentially inconsistent obligations on non-resident businesses, creating a strong incentive to abandon glyphosate markets altogether," the states' filing said.

For more than 40 years, farmers have applied glyphosate to crops, most recently on soybeans that Monsanto genetically engineered to resist the herbicide. Roundup is also sprayed on residential lawns and golf courses.

AMERICAN OVERSIGHT

EXT-18-783-F-003128

ED_001863D_00000198-00003

The controversy in California is a headache for the company as it faces a crisis around another herbicide based on a chemical known as dicamba that has been linked to U.S. crop damage.

Monsanto, which is being acquired by Bayer AG for $63.5 billion, developed the dicamba-based product following an increase in weeds resistant to glyphosate.

The 11 states are supporting a federal lawsuit Monsanto, the National Association of Wheat Growers and other agricultural groups filed in November to stop the state from requiring glyphosate warnings.

Monsanto said Wednesday it had discussed California's mandate with officials in agricultural states as it proceeded with the lawsuit.

California's Office of Environmental Health Hazard Assessment (OEHHA), which is named in the lawsuit, declined to comment. The office previously said it stands by the decision to include glyphosate on the state's list of products known to cause cancer, as required under a rule known as Proposition 65.

"Proposition 65 is 30 years old and for every one of those years there have been strenuous attempts to kill it on the ground that it's different from other states," said David Roe, the rule's primary author.

"They've always failed."

Politico: Morning Energy

https://www.politicopro.com/newsletters/morning-energy/2018/01/zinkes-drilling-plan-lands-with-a-thud-065911

Justices to Discuss Energy Cases Today

By Kelsey Tamborrino, 1/5/18

The Supreme Court meets privately today for their regular conference with several high-profile energy-related cases on its list. It's not clear whether any of these cases will pique the justices' interest, so we'll keep an eye on Monday morning's release of orders from today's conference. Here's a brief rundown of the energy cases by topic.

EPA coal jobs study: Murray Energy is appealing the 4th Circuit ruling from last year that said EPA was not legally obligated under the Clean Air Act to produce a study specifically considering coal industry job losses caused by its regulations. The Trump administration opposes requiring EPA to produce the study Murray wants and has urged the Supreme Court not to take the case. But EPA Administrator Scott Pruitt said in October that his agency will give greater consideration to coal jobs via some type of study in the future. The case is 17-478, Murray v. Pruitt.

NAAQS implementation: The 9th Circuit ruled in 2016 that EPA wrongly approved part of Arizona's particulate matter clean-up plan that counted already completed actions — such as paving dirt roads — as required "contingency measures" meant to help Maricopa County meet the standard. Arizona argues that similar approvals have happened dozens of times in recent decades, and that the 5th Circuit ruled previously in favor of that scheme. The Trump administration urged the Supreme Court not to get involved, saying the circuit split "does not create any unmanageable practical difficulties." The case is 16-1369, Arizona v. Bahr.

Wall Street Journal

https://www.wsj.com/articles/global-stocks-extend-gains-1515034296

Dow Industrials Cross 25,000 for First Time

By Corrie Driebusch, Michael Wursthorn and Georgi Kantchev, 1/5/18

The Dow Jones Industrial Average jumped past 25000 for the first time Thursday, the index's fastest run to a fresh 1,000-point milestonein history.

AMERICAN OVERSIGHT

The S&P 500's long-running rally also reached a new landmark Thursday, becoming the greatest bull market in the postwar era. The broad index has more than quadrupled since the bull market began in March 2009, surpassing the tech-fueled rally of the 1990s, according to the research firm Leuthold Group, which excluded dividends from its calculations. The Dow has risen 283% over that same period, according to the WSJ Market Data Group.

Thursday's moves marked the latest feats for a rally that has repeatedly wrong-footed skeptics and sent stock indexes around the world to multiyear highs. The Dow industrials hit five thousand-point milestones last year, the most such records in its 120 years.

Faster economic growth around the globe and improving sentiment from consumers and businesses have helped power this rally in recent weeks. Economic data in the first days of the new year continued to suggest steady expansion in the U.S., China and Europe.

"The turn of the calendar year doesn't change the dynamics of economic growth and earnings growth," said Kate Warne, investment strategist at retail brokerage Edward Jones. "We shouldn't be surprised that markets continue to move higher because fundamentals continue to be positive and investor optimism is actually improving rather than investors becoming more cautious."

The Dow industrials, which heavily weights industrial giants such as Boeing and Caterpillar, gained 152.45 points, or 0.6%, to 25075.13. It took the Dow industrials 23 trading days to reach 25000 from 24000, ahead of the 24-day spans that carried the index to 11000 in 1999 and 21000 in March.

The S&P 500 climbed 10.93 points, or 0.4%, to 2723.99, while the Nasdaq Composite added 12.38 points, or 0.2%, to 7077.91. Each major index closed at fresh records.

Shares of financial firms led markets higher Thursday as a strong private jobs report raised investors' expectations for further interest-rate increases.

Businesses across the country added 250,000 workers in December, according to payroll processor Automatic Data Processing Inc. and forecasting firm Moody's Analytics, topping economists' expectations. The U.S. Bureau of Labor Statistics will release its monthly jobs report on Friday.

Goldman Sachs Group gained $3.54, or 1.4%, to $256.83, contributing about 24 points to the Dow's gain. American Express Co. added 1.65, or 1.7%, to 100.85, while JPMorgan Chase & Co. rose 1.54, or 1.4%, to 109.04.

"Financials had been out of favor for some time, but they've been benefiting from this [tax] stimulus," said Jeff Zipper, a portfolio manager and managing director at U.S. Bank's Private Client Reserve.

He added the firm has been increasing clients' exposure to financial stocks as Republicans passed their tax overhaul, and on expectations that the gap between the two-year and 10-year Treasury note yields will increase after nearing its narrowest level in a decade last month. A wider gap between short- and long-term interest rates tends to boost lenders' profits.

The Dow industrials rose 25% in 2017 as investors bet on solid corporate earnings and a pickup in global economic growth. Analysts and investors say sectors like financials and energy are poised to play a bigger role in pushing markets higher. Recently, the price of oil has risen above $60 a barrel, providing a boost to many of the oil-and-gas companies that languished much of last year.

Shares of Chevron surged in the second half of 2017. The oil producer's stock has risen 21% in the last six months, roughly double its gain for all of last year. Exxon Mobil has climbed nearly 6% over that same period despite finishing last year lower.

AMERICAN OVERSIGHT

"The risk sentiment is absolutely roaring right now," said Richard Benson, co-head of portfolio investments at Millennium Global Investments. "As an investor, it's easy to develop a fear of missing out."

While some investors are excited by the swift pace at which the Dow climbed the latest 1,000 points, many analysts are quick to note that as the blue-chip index rises, the percentage move required to leap to a new milestone becomes significantly easier. For instance, the move to 11000 from 10000 required a gain of 10%, while the rise from to 25000 from 24000 needed a 4.2% increase.

The market's steady climb continues to worry some money managers who question whether stock valuations have become stretched, even as earnings for S&P 500 companies this year are projected to grow at their best rate in seven years. A recent jump in investor exuberance has also put some analysts and investors on edge.

"If investor optimism gets excessive, and I think it's close to being excessive, I wouldn't be surprised to see" a pullback in the market, said Bruce Bittles, chief investment strategist at Baird.

Reuters

https://www.cnbc.com/2018/01/04/bomb-cyclone-hits-us-east-coast-energy-power-supply.html

'Bomb Cyclone' Hits US East Coast Energy, Power Supply

By Scott DiSavino, Devika Krishna Kumar, 1/4/18

An intense winter storm froze pipes and disrupted services at refineries on the U.S. Atlantic coast on Thursday, sending fuel prices higher as heavy snowfall and high winds caused electricity outages for tens of thousands of Americans.

Some 65,000 homes and businesses along the U.S. East Coast are without power, and that number is expected to swell on Thursday as the storm punishes the densely populated U.S. Northeast.

The storm is the product of a rapid and rare sharp drop in barometric pressure known as bombogenesis, or bomb cyclone. Heavy snow pounded the East Coast along a front stretching from Maine as far south as North Carolina early on Thursday, taking out power lines, icing over roadways and closing hundreds of schools.

Prices for heating oil and natural gas in the U.S. Northeast hit their highest levels in years on the back of near-record heating demand. Benchmark U.S. heating oil futures are near their highest in almost three years.

U.S. natural gas demand was expected to remain near record highs this week. Natural gas is the major fuel for residential and commercial heating in the U.S. Northeast and is also widely used by power plants.

On Wednesday, natural gas futures fell 1.6 percent to $3.008 per million British thermal units, but cash prices in New York and New England remain elevated.

"NYMEX Henry Hub prices should rise further to the mid-$3 range, as cash Henry Hub prices already traded above $6. But the market, due to the supposed record-breaking production growth in 2018, still seems to be under-appreciating the potential for cold weather persisting," Citi analysts said in a note.

New England's cash prices soared last week, and remain near four-year highs at $36.32 per mmBtu. ISO-New England, that region's power grid operator, said on Thursday that its power operators were relying more heavily on generators that burn heating oil, due to heavy natural gas demand from homes and businesses.

"We expect to have sufficient capacity and fuel available and expect to be able to weather the storm without running up against significant emissions limits, but concerns remain the same regarding fuel availability and emissions limits throughout this protracted cold spell and the rest of the winter," the company said in a statement.

There are fears that a significant disruption could lead to a heating oil shortage, as distillate inventories, including

AMERICAN OVERSIGHT

heating oil, in the New England and Mid-Atlantic regions are currently at their lowest levels for this time of year since 2015.

This has spurred tankers carrying diesel and heating oil to set out from Europe bound for the United States to address supply worries, reversing a traditional trade route.

Icebreakers have been used in key ports of Boston, New York and Philadelphia to keep shipping lanes clear, though delays are expected, and the Coast Guard said late Wednesday that those ships will remain at shore until the storm passes.

Reliance on heating oil is highest in the Northeast region, with about 21 percent of households using oil for space heating.

So far, most northern U.S. refiners are not reporting problems. Phillips 66 shut a crude and coking unit at its Wood River, Illinois, refinery after a line froze followed by a brief fire, a source told Reuters on Wednesday. It did not currently have a timeline for restarting the units at the Illinois plant, the source said.

Philadelphia Energy Solutions postponed planned work at its 335,000 refinery complex in Philadelphia until after the storm.

Valero's 125,000 bpd refinery in Meraux, Louisiana, restarted most operations after sub-freezing conditions froze instruments earlier this week, according to a report by Energy News Today (ENT).

Valero was forced to cut rates at its Port Arthur, Texas, refinery due to the cold weather, ENT reported, and operations are expected to return to normal by the end of the week.

CNN

http://money.cnn.com/2018/01/03/technology/computer-chip-flaw-security/index.html

Major Chip Flaws Affect Billions of Devices

By Selena Larson, 1/4/18

Two major flaws in computer chips could leave a huge number of computers and smartphones vulnerable to security concerns, researchers revealed Wednesday.

And a U.S. government-backed body warned that the chips themselves need to be replaced to completely fix the problems.

The flaws could allow an attacker to read sensitive data stored in the memory, like passwords, or look at what tabs someone has open on their computer, researchers found. Daniel Gruss, a researcher from Graz University of Technology who helped identify the flaw, said it may be difficult to execute an attack, but billions of devices were impacted.

Called Meltdown and Spectre, the flaws exist in processors, a building block of computers that acts as the brain. Modern processors are designed to perform something called "speculative execution." That means they predict what tasks they will be asked to execute and rapidly access multiple areas of memory at the same time.

That data is supposed to be protected and isolated, but researchers discovered that in some cases, the information can be exposed while the processor queues it up.

Researchers say almost every computing system -- desktops, laptops, smartphones, and cloud servers -- is affected by the Spectre bug. Meltdown appears to be specific to Intel (INTC) chips.

"More specifically, all modern processors capable of keeping many instructions in flight are potentially vulnerable. In

AMERICAN OVERSIGHT

particular, we have verified Spectre on Intel, AMD, and ARM processors," the researchers said.

Government agencies issued statements warning users about the vulnerabilities.

The U.S. Computer Emergency Readiness Team said that while the flaws "could allow an attacker to obtain access to sensitive information," it's not so far aware of anyone doing so.

The agency urged people to read a detailed statement on the vulnerabilities by the Software Engineering Institute, a U.S.-government funded body that researches cybersecurity problems.

The institute said that "fully removing the vulnerability requires replacing vulnerable [processor] hardware."

It later changed its guidance on Thursday to suggest updating software was enough. The institute didn't say why it had made the change and didn't immediately respond to a request for further information.

It said the problems affect technology giants including Apple, Google and Microsoft.

The U.S. Computer Emergency Readiness Team recommended that users read advice posted online by Microsoft and software company Mozilla.

The U.K.'s National Cyber Security Center advised organizations and individuals to "continue to protect their systems from threats by installing patches as soon as they become available."

Google (GOOGL) programmer Jann Horn of Project Zero was one of the researchers who discovered the flaws. In a blog post, he said his group alerted chipmakers to the issues in June. Since last fall, security researchers and companies have investigated and updated software systems to address the flaws.

ntel chips are found in everything from personal computers to medical equipment. The company's shares were down 3% on Wednesday.

The company said in a press release that "many types of computing devices — with many different vendors' processors and operating systems — are susceptible to these exploits."

Intel said it is working with other chipmakers, including AMD and ARM Holdings, to solve the issue. ARM said in a statement a small subset of its processors are susceptible to the flaws. AMD said in a statement there is a "near zero risk of exploitation" for one of the security issues, due to architecture differences.

A fix requires both the chip manufacturers and software makers to update their products before pushing it out.

Estimates posted on Linux message boards suggested computer performance could slow down between 5% and 30% once patched, however Intel said users will not see significant performance changes.

Tech website The Register was first to report the processor flaws on Tuesday.

A spokesperson for Microsoft (MSFT) told CNNMoney the company is aware of the issue and is in the process of deploying mitigations to cloud services and has released security updates to protect Windows users.

Google's Cloud Platform has been updated to prevent the vulnerabilities, the company said.

Amazon (AMZN) said in a statement most of its cloud computing machines affected by the flaw are already protected, but it was updating the rest on Wednesday.

Apple (AAPL) revealed Thursday that all its Mac and iOS devices were affected by the flaws, but said that "there are no

AMERICAN OVERSIGHT

EXT-18-783-F-003133

ED_001863D_00000198-00008

known exploits impacting customers at this time." The company has already released some fixes for Meltdown, and will release others for Spectre in subsequent updates.

It's important for all users to update their devices when new updates are released.

Flaws in chips are unusual. Back in 1994, a major error in Intel's Pentium processor caused computers to incorrectly calculate results.

Associated Press

https://www.usnews.com/news/best-states/oklahoma/articles/2018-01-04/oklahoma-utility-regulators-consider-request-for-rate-cut

Judges Recommend Rebates for Utility Corporate Tax Savings

By Tim Talley, 1/4/18

Administrative law judges recommended Thursday that five Oklahoma utilities use any savings they receive from new federal corporate tax rates to issue rebates totaling as much as $100 million to their customers, a deputy state attorney general said.

The rulings were handed down following legal arguments before administrative law judges appointed by the Oklahoma Corporation Commission to hear Attorney General Mike Hunter's request that consumer rates be reduced to reflect lower tax rates that went into effect on Monday.

The new law lowers the highest corporate income tax rate from 35 percent to 21 percent, and Hunter's office has estimated that customer savings could be $100 million a year not including any savings from the utilities' excess accumulated deferred income tax accounts, Deputy Attorney General Dara Derryberry said. The accounts are used to reflect utility companies' past use of tax breaks to defer tax bills.

The five utilities affected by the recommendations are Oklahoma Gas & Electric, Public Service Company of Oklahoma, Oklahoma Natural Gas, CenterPoint Energy and ArkansasOklahoma Gas.

The judges recommended that the three-member commission, which regulates public utilities in the state, grant Hunter's request that each of the five utilities make any income tax savings they receive from the new law subject to ratepayer rebates, Derryberry said.

The judges instructed the commission's staff to prepare proposed orders by Friday and the commission could consider whether to grant the rebate orders as early as Monday, she said.

"The attorney general is urging swift action by the commission," Derryberry said.

Utility officials have said they were already working with the commission on possible rate changes and shared Hunter's goal to keep rates affordable. OG&E spokesman Brian Alford has said the utility is still trying to determine the impact of the tax bill and will conduct its own rate review regardless of what the commission decides.

Hunter's office has estimated that OG&E's corporate tax savings from the new law will be $51.7 million a year, more than the other four utilities combined.

Hunter's office asked the commission to pass the savings onto consumers last month after President Donald Trump signed the sweeping overhaul of federal tax law.

"These companies will begin seeing major savings after the tax cut is implemented," Hunter said at the time. "Oklahomans who are customers of these companies should immediately retain the benefits."

AMERICAN OVERSIGHT

EXT-18-783-F-003134

ED_001863D_00000198-00009

The Oklahoman
http://newsok.com/why-now-is-the-time-to-see-sooner-sensation-trae-young/article/5578401

Why Now is the Time to See Sooner Sensation Trae Young

By Jenni Carlson, 1/5/18

Trae Young dribbled down the court heading directly toward an Oklahoma State defender, and you wondered what he was doing.

But as soon as the Sooner phenom reached the unsuspecting Cowboy on Wednesday night, he crossed over his dribble, right to left. In a flash, he was in the open, and you wondered how he did that.

The crowd inside the Lloyd Noble Center started oohing and aahing long before Young put the ball through the basket.

It was fun for anyone watching.

It was even better in person.

During a week in which we rang in the new year and the Big 12 heralded the start of conference play, there were reminders a plenty that the clock is ticking. Only a couple months of the regular season remain. Three months from now, we'll stand on the precipice of the national championship game.

The clock may be ticking, too, on Trae Young.

Talk around town when the point guard committed and signed with Oklahoma out of Norman North was that he planned to spend a couple years in college before leaving for the NBA. The probable thinking was that his first season would be an adjustment, physically and mentality, and that with experience, development and some more time in the weight room, his skills would really start to shine during his second season.

That timeline has been accelerated.

As a freshman — and a freshman point guard at that — Young is authoring one of the most dazzling and dominating seasons that college basketball has seen in quite some time.

After OU's Bedlam win Wednesday night, he is averaging 29.4 points and 10.6 assists a game. He leads the country in both categories, something that has never been done before.

Ever.

Not by a freshman. Not by anyone.

Ever.

The website The Ringer compiled a chart of the seven point guards who have won the Wooden Award, which has been given annually to college basketball's best player since its inception in 1977. Comparing Young's numbers to theirs — remember, these are some of the best to ever play college ball — he would rank first in scoring and assists, second in 3-point percentage and third in field goal percentage.

His numbers may well sag during Big 12 play, but what if they don't?

OU opened conference play with TCU and OSU, and both squads are stout defensively. The Frogs and the Cowboys got physical with Young, who had seven turnovers against TCU and six against OSU. Way more than he wanted.

And still, he averaged 33.0 points and 12.0 assists in those two wins.

AMERICAN OVERSIGHT

“The thing about it, he's so consistent at such a high level,” Sooner coach Lon Kruger said. “It's not consistent average. He's consistent exceptional.”

But for all the eye-popping numbers, it's the way Young plays that is most amazing. If you've never been to watch him in person, go. See. Witness. You'll be glad you did.

I actually wrote those last few sentences a year ago during Young's sensational senior year at Norman North. We headlined it, “THE TRAE YOUNG EXPERIENCE: Why you need to go see the Norman North point guard before his high school days are done.”

At that point, we didn't know where Young would play in college. OU and OSU were among his finalists, but so were Kansas and Texas Tech, Kentucky and Washington. He could've been playing Wednesday night in Rupp Arena instead of Lloyd Noble, and it would've been a lot harder to see him in person.

But since Young picked the Sooners, The Experience stayed in state.

But I'll say now what I said a year ago — don't wait to go see him.

I have to admit that I don't quite understand how Young does what he does. He isn't an athletic marvel.

A year ago when I wrote about him, I termed him “slight and thin.”

That hasn't changed.

I stood by him the other day during a post-practice interview scrum, and I'm pretty sure I could get my hands around his biceps, index finger to index finger and thumb to thumb. And I don't have particularly large mitts.

Young shows signs of time spent in the weight room, but strength isn't his superpower. Neither is speed. Or ups. He has all those skills and many more, but what makes him a superstar is his fearlessness. He isn't afraid to use his range or his handles even when the defense or the conventional wisdom says otherwise.

Pull up from 35 feet and shoot with a hand in his face? Sure.

Bounce a pass through a defender's legs? OK.

Turn college basketball on its head?

Why not?

The packed seats Wednesday night at the Lloyd Noble Center — and the already announced sellouts of the TCU and Kansas games later this month — are evidence that people are making an effort to see Young. But I'm imploring you to join them.

You won't regret it.

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 1h

Dow goes from 18,589 on November 9, 2016, to 25,075 today, for a new all-time Record. Jumped 1000 points in last 5 weeks, Record fastest 1000 point move in history. This is all about the Make America Great Again agenda! Jobs, Jobs, Jobs. Six trillion dollars in value created!

6.8K 6.0K 25K

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 6/28/2018 9:44:23 AM
Subject: Morning Energy, presented by ExxonMobil: Musical chairs: SCOTUS edition — Gas industry against 'transition fuel' description — Perry's back

By Kelsey Tamborrino | 06/28/2018 05:42 AM EDT

With help from Alex Guillén, Annie Snider, Eric Wolff, Anthony Adragna and Emily Holden

MUSICAL CHAIRS, SCOTUS EDITION: Supreme Court Justice Anthony Kennedy announced his retirement Wednesday — setting the stage for President Donald Trump to install a pick that will likely shift the court to the right for a generation to come. Talk of who will replace Kennedy kicked off about 1.4 seconds after he announced his retirement. The president said he will pick from his list of contenders from last year (so say goodbye to the idea of Justice Scott Pruitt). It's early, but here are a few names ME is keeping an eye on:

— **Brett Kavanaugh**, 53, judge on the D.C. Circuit Court of Appeals since 2006. Kavanaugh — already reportedly a front-runner — has been on Republican SCOTUS short lists since he joined the D.C. Circuit 12 years ago. Thanks to his seat there, Kavanaugh has had his fingers in numerous environmental cases over the years, and is widely seen as critical of many Obama-era EPA rules. (In a tweet , E&E News' Robin Bravender pointed out Kavanaugh's conservative credentials. "A source told me a few years back: 'I would think him a judge that is more open to second-guessing the EPA than nearly anyone.'")

— **Patrick Wyrick**, 37, Oklahoma Supreme Court justice, nominee to the U.S. District Court for the Western District of Oklahoma. Aside from his youth, Wyrick's other claim to fame is a close connection to EPA chief Pruitt. Wyrick's nomination to a federal district court cleared committee earlier this month on a party-line vote, but he drew fire from liberal groups such as the Alliance for Justice and the League of Conservation Voters for his work as Oklahoma's solicitor general while Pruitt was fighting federal regulations as attorney general. Pruitt previously called him "a superb lawyer" and "a dear friend and trusted counselor."

— **Sen. Mike Lee** (R-Utah), 47. Lee chairs the Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining and the Republican Steering Committee. A former clerk for Samuel Alito when he was on the 3rd Circuit Court of Appeals, Lee in recent years made headlines for holding up federal aid to Flint, Mich., saying the state should pay for its lead crisis. Lee also praised the president last year for significantly reducing the size of two national monuments in Utah.

ICYMI: Environmental issues are certainly not left out of the wide-ranging implications of Kennedy's departure, as Pro's Alex Guillén and Annie Snider report. Kennedy for more than a decade has dictated by his votes which streams and wetlands should be protected under the Clean Water Act, and he cast the deciding vote that in 2007 opened the door to EPA climate regulations.

WELCOME TO THURSDAY! I'm your host, Kelsey Tamborrino. Bracewell's Frank Maisano

AMERICAN OVERSIGHT

knew President Richard Nixon was the first to see a triple play while attending a baseball game. It was a 1969 game between the Senators and Tigers, where the Tigers got the play, but still ended up losing 7-3. For today: Three current governors were born in Pennsylvania — more than any other state. Name them. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. New speakers include: Seema Verma, administrator of the Centers for Medicare & Medicaid Services; Scott Gottlieb, commissioner of the Food and Drug Administration; and others. Register today.

CROSS THAT BRIDGE FUEL: Industry leaders are trying to make one simple message clear at this week's World Gas Conference: They're nobody's transition fuel. As natural gas has been touted by some as a cleaner-than-coal bridge fuel to hold things over until renewable sources take over, gas executives this week argued that renewables can't keep up with growing energy demand, Pro's Eric Wolff reports . "Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become de-carbonized itself, gas needs to become green if it wants to be part of a de-carbonized future in Europe."

Others said the vast scale of the power grid would require a fuel like gas for decades, while highlighting how wind and solar can only provide less than 8 percent of the U.S. power supply. Still, executives said they see coal as their chief competition, not renewables. "Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

HE'S BAAACK: Energy Secretary Rick Perry returns to Day Four of the conference for a discussion this afternoon on the role of gas in an integrated Americas. Ahead of his appearance, Perry will join Ray Washburne, president and CEO of the Overseas Private Investment Corporation, to announce a joint initiative for energy investment in the Americas. And when Perry takes the stage, he'll be joined by private-sector representatives and Javier Iguacel, the energy minister of Argentina, where Perry attended the G-20 earlier this month.

Perfect timing: DOE released an updated primer on Natural Gas Liquids on Wednesday, with a renewed focus on NGL's potential in the Appalachian region. The primer, updated with new data from EIA, includes a new section on R&D opportunities related to natural gas and NGL production, conversion and storage. Read it here.

What else? Alaska Sen. Lisa Murkowski will deliver keynote remarks at the conference this morning on "access to sustainable energy in developing economies." Ohio Rep. Bill Johnson will

AMERICAN OVERSIGHT

discuss the small- to mid-scale LNG movement.

ZINKE RESPONDS: Interior Secretary Ryan Zinke spoke out publicly for the first time Wednesday about a POLITICO report exposing a Montana real estate deal involving a nonprofit he launched and developers backed by Halliburton Chairman Dave Lesar. On talk radio program Voices of Montana, Zinke attacked the reports but did not dispute any specific details, as POLITICO's Ben Lefebvre notes . The secretary acknowledged meeting with Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier.

NOT SO FAST: Senate Judiciary Chairman Chuck Grassley's first ever invocation of his chairmanship in response to EPA's Renewable Fuel Standard announcement on Tuesday didn't escape the notice of EPW Chairman John Barrasso. Though noting he didn't want to "get into a thing," Barrasso said, "in terms of the RFS, that's in the jurisdiction of EPW." He added, "I have a great deal of respect for Chairman Grassley. He knows the institution, the committees, jurisdiction probably better than anybody."

DIVIDED PANEL UPHOLDS MURRAY PUNISHMENT OVER BONUS PLANS: An evenly divided federal panel has effectively upheld a judgment against coal producer Murray Energy for a bonus program that an administrative law judge said undermined worker safety. The bonus plans offered miners up to $250 a shift if the crew met certain production quotas, but an ALJ at the Federal Mine Safety and Health Review Commission in 2016 said that motivated miners to avoid reporting safety violations or injuries. She fined Murray $150,000, even more than the Obama administration had asked for. The matter was appealed to the four sitting FMSHRC commissioners, with two saying the ALJ's decision should be upheld and two saying it should be reversed — creating a tie that in effect upheld the ALJ's decision. "We will immediately appeal this split decision and we will prevail," Murray said in a statement.

FIRSTENERGY LOOKING TO DUMP MURRAY CONTRACTS: FirstEnergy Solutions wants a bankruptcy judge to reject a contract the company has with the McElroy mine, owned by Murray Energy. The company has been trying to unload nuclear fuel and coal supply contracts throughout its bankruptcy, but Wednesday's filing was the first time it tried to get out of a Murray contract. The company says a January fire at its Bruce Mansfield coal plant has reduced its need for coal, and it wants out of $35 million worth contracts. Murray and FirstEnergy Corp. CEO Chuck Jones have both lead the charge for a federal bailout of coal and nuclear plants

MOVING AHEAD: Count Sen. Lamar Alexander, who oversees the Appropriations subpanel responsible for the energy and water spending title, in favor of moving ahead quickly with a conference between the House and Senate. "We'll move quickly as soon as the conferees are appointed," he told ME. "There's always issues, but we have a good history of working together." Alexander said he'd already had an informal chat with his House counterpart, Rep. Mike Simpson, and expected the House would name conferees later this week.

FOR YOUR RADAR: FERC Commissioner Neil Chatterjee will discuss "securing America's energy infrastructure" during a discussion at the Bipartisan Policy Center's conference today on

AMERICAN OVERSIGHT

the electric grid. Separately, Eric Lightner, director of DOE's Smart Grid Task Force, will participate in a discussion on "nourishing the research."

DEMOCRATS: BRING BACK THE ICR: Democrats are rallying around a return of an EPA information collection request in the aftermath of reports last week that oil and gas methane emissions are much greater than previously thought. A group of Democrats sent a letter to Pruitt on Wednesday calling on him to reinstate a formal ICR — which would require companies to report detailed technical information about methane emissions from their operations — after he withdrew the Final Methane ICR in March 2017. "With new science showing that emissions are likely considerably higher than previously thought, there is no excuse for delaying or rescinding methane emission controls, or for failing to collect data from methane emitters," the Democrats wrote.

MAIL CALL! CENTER'S REBUTTAL: The Center for Biological Diversity fired back at House Natural Resources Republicans, who last week questioned its relationship with the Japanese government. Defending its moves to protect the Okinawa dugong, an imperiled marine mammal, the center said it collaborated with U.S. and international partners but did not take direction from anyone but its board and executive director. "Neither its dugong campaign, nor any of its conservation work, is controlled in any manner by any other domestic or foreign interest. Nor does the Center formally represent the interest of any party other than itself and the species and places it seeks to protect," the Center's Kierán Suckling writes. If Republicans are "confused ... it is perhaps because they abuse their positions of power so regularly, and are so deeply influenced by powerful corporate donors, that they are unable to conceive of people being motivated by empathy, public interest and respect for the rule of law and democracy." Read the letter here.

ABOUT THAT 'RULE OF LAW': The top Democrats in the House and Senate overseeing the Clean Water Act are worried that Pruitt is not enforcing all violations of the 1972 law. The administrator has recently moved to consolidate key decisions with top political appointees, and last month an EPA staffer publicly acknowledged that the agency is dropping or slow-walking cases where Clean Water Act coverage is not a "slam dunk." In a letter to Pruitt yesterday, House Transportation ranking member Peter DeFazio and Senate Environment and Public Works Committee ranking member Tom Carper raised their concerns, arguing that the moves "call into question this administration's commitment to the rule of law," and asking for key details about enforcement actions currently underway.

REPORT: GHG EMISSIONS TO MISS PARIS TARGET: U.S. greenhouse gas emissions are estimated to drop 12 percent to 20 percent below 2005 levels by 2025 — far lower than the 26 percent to 28 percent that the Obama administration promised in the Paris agreement, according to a new assessment by Rhodium Group. The findings are based on current policies, although the outlook could change with state and local efforts and based on future elections, Rhodium noted. The power sector accounts for most emissions reductions.

Natural gas and renewable power will continue to displace coal, but they also will push nuclear plants into retirement after 2025, meaning there could be an emissions rebound. Transportation is the largest source of greenhouse gases, which could decline as electric vehicles

AMERICAN OVERSIGHT

become more affordable. But "there is little downward pressure on economy-wide emissions post-2025," Rhodium said. Forest and land use remain a "wild card" for U.S. emissions, the group added.

CEQ RELEASES NEUMAYR DISCLOSURE: The Council on Environmental Quality has released its updated financial disclosure for Mary Neumayr, the new nominee to run the White House Council on Environmental Quality. Her disclosure doesn't show any direct energy-related holdings. Neumayr, who has been acting head of CEQ for more than a year, previously his jobs on the Hill and in the Bush administration.

QUICK HITS

— "He lobbied for coal. Now he's In the Trump administration, and watching his words," Bloomberg.

— "OPEC run by unanimous decision, not Saudi Arabia, says Kazempour," S&P Global.

— "Ford beats its own carbon emission reduction goals 7 years early," CNET.

— "Company plans to finish Louisiana oil pipeline by October," Associated Press

— "Interior Department plans to let people kill endangered red wolves," The Washington Post

HAPPENING TODAY

9 a.m. — The Inter-American Dialogue discussion on "Energy Policy in Brazil: What's Next for Upstream, Refining and LNG?" 1155 15th St NW.

10 a.m. — Plug In America and the Senate Auto Caucus host electric vehicle "ride and drive," 1st and C Streets NE.

10 a.m. — United States Energy Association discussion on fossil energy in a sustainable energy future, 1300 Pennsylvania Ave NW.

1:15 p.m. — Bipartisan Policy Center conference on advancing the electrical grid, 529 14th St NW.

4 p.m. — USAID Adaptation Community meeting on managing for climate risk, 1717 H St NW.

6 p.m. — The Competitive Enterprise Institute's annual dinner and reception, 901 Massachusetts Ave NW.

7 p.m. — Sen. Ed Markey holds a "Climate Crisis Action Summit," Belmont, Mass.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/musical-chairs-scotus-edition-266214

Stories from POLITICO Pro

Anthony Kennedy retiring, giving Trump opening to reshape Supreme Court Back

By Josh Gerstein and Louis Nelson | 06/27/2018 02:06 PM EDT

Supreme Court Justice Anthony Kennedy announced on Wednesday that he will retire, unleashing an epic political battle to replace him that could allow President Donald Trump to shift the court to the right for a generation to come.

The departure of the 81-year-old Kennedy from his post after more than three decades has the potential to radically reshape the court on issues such as abortion, affirmative action and gay rights, where Kennedy has served as a swing vote.

"It has been the greatest honor and privilege to serve our nation in the federal judiciary for 43 years, 30 of those years on the Supreme Court," Kennedy said in a statement. He said that he wanted to spend more time with his family and that his decision would be effective July 31.

His exit is expected to create a furious fight in the Senate over his replacement, and it could thrust the often overlooked issue of judicial selection to the forefront in close Senate races in this year's midterms.

Trump told reporters Wednesday that Kennedy, whom he said has "been a great justice of the Supreme Court," had come to the White House earlier in the day to inform him of his retirement plans. Trump said he asked Kennedy for recommendations as to his replacement but did not say how the retiring justice responded.

The president pledged that his pick for Kennedy's successor would come from lists of potential nominees he already circulated, starting during the 2016 election, when he campaigned on a promise to fill the seat formerly held by Justice Antonin Scalia with another conservative judge. The replacement process will "begin immediately," Trump said, adding, "hopefully, we will pick someone who is just as outstanding."

Senate Majority Leader Mitch McConnell (R-Ky.) — who in 2016 refused to allow a vote on then-President Barack Obama's nominee to fill Scalia's seat, saying voters should get a say at the ballot box — said Wednesday that the Senate would vote this fall on Kennedy's replacement,

AMERICAN OVERSIGHT

before lawmakers elected in November's midterms are sworn in.

Senate Republicans lined up in support of filling Kennedy's seat quickly. Sen. Ben Sasse (R-Neb.), a frequent critic of the president who sits on the Senate Judiciary Committee, said in a statement that "the Senate ought to spend August and September confirming the next Justice."

Democrats, though, called McConnell a hypocrite for changing his stance from 2016. Sen. Chris Murphy (D-Conn.) called the majority leader's move "absolute hypocrisy," and Sens. Elizabeth Warren (D-Mass.), Kamala Harris (D-Calif.) and Ed Markey (D-Mass.) all expressed similar sentiments.

"Our Republican colleagues in the Senate should follow the rule they set in 2016, not to consider a Supreme Court justice in an election year," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor. "Anything but that would be the absolute height of hypocrisy."

Nominated to the court by President Ronald Reagan after the Senate rejected the more conservative Robert Bork, Kennedy grew to become the swing vote on the court, voting with its more liberal wing on landmark cases that upheld abortion rights and authoring the court's decisions in multiple cases on gay rights, including 2015's Obergefell v. Hodges, in which the court ruled that same-sex couples have the Constitutional right to marry.

He famously sided with the majority in *Planned Parenthood v. Casey*, a 1992 ruling that affirmed the constitutional right to abortion established in *Roe v. Wade*. Trump, like many conservatives, has voiced a desire to see *Roe* overturned.

But Kennedy has also swung key cases toward the conservatives as well, including notably in Citizens United v. FEC, a 5-4 decision in which the court ruled that government limits on political spending by individuals and organizations constituted a violation of the right to free speech. Of the 17 5-4 decisions handed down by the court in its most recent term, 14 were split along ideological lines, according to Mother Jones. In all 14, Kennedy sided with the court's conservative wing.

Still, Kennedy's retirement came as a blow to many Democrats, and cries of "Oh" and "Oh, my God" punctuated a call between members of the Democratic National Committee's rules and bylaws panel as the news broke Wednesday.

Abortion is likely to loom large in the debate over replacing Kennedy. With just a 51-49 GOP majority in the Senate, Republicans can afford to lose only one vote in a confirmation fight. Two Republican senators, Lisa Murkowski of Alaska and Susan Collins of Maine, are both supporters of abortion rights.

"Because President Trump will nominate the next Supreme Court Justice, a woman's constitutional right to access legal abortion is in dire, immediate danger—along with the fundamental rights of all Americans," said NARAL Pro-Choice America President Ilyse Hogue in a statement on Wednesday.

AMERICAN OVERSIGHT

Kennedy's decision, announced on the court's final day of releasing decisions for the current term, followed a quiet campaign by the Trump White House and its allies to convince Kennedy that it was a suitable time for him to retire and that his replacement would be an esteemed and reputable jurist.

Many court-watchers saw that motivation in Trump's selection last year of Neil Gorsuch, a former Kennedy clerk, to fill the vacancy created by Scalia's death in 2016.

At Trump's maiden speech to Congress last year, he took a moment to stop and chat with Kennedy. Kennedy's son Justin knows Donald Trump Jr. through work in New York real estate. Kennedy's other son, Gregory, worked briefly last year on the Trump transition team, handling financial issues related to NASA.

One Republican with knowledge of the White House's deliberations said two leading contenders to fill the vacancy were former Kennedy clerks Brett Kavanaugh, now a D.C. Circuit Court judge, and Raymond Kethledge, who sits on the U.S. Court of Appeals for the 6th Circuit.

White House legislative affairs director Marc Short said last month that Trump could consider nominating someone he has not yet named publicly if a vacancy arose. The president might pick someone seen as less stridently conservative for Kennedy's seat, since moderate Republican senators are likely to face pressure from the left not to confirm anyone viewed as too polarizing.

Other people mentioned as possible replacements for Kennedy include those who were interviewed by Trump for the seat Gorsuch eventually filled, 3rd Circuit Judge Thomas Hardiman, 11th Circuit Judge William Pryor and 6th Circuit Judge Amul Thapar.

Trump included on previous lists of potential Supreme Court nominees 7th Circuit Judge Amy Barrett, Supreme Court Justice Britt Grant, 11th Circuit Judge Kevin Newsom and Oklahoma Supreme Court Justice Patrick Wyrick. And conservative court-watchers have speculated that former George W. Bush solicitor General Paul Clement, who is the right's go-to litigator at the high court but was not on Trump's latest list, and Sen. Mike Lee of Utah could be candidates for the spot.

Sen. Ted Cruz (R-Texas), speaking Wednesday to Fox News, said he would like to see Lee be the nominee. Asked by a CBS News reporter if he would be interested in an appointment to the Supreme Court, Lee responded, "Of course."

David Siders, Matthew Nussbaum and Eliana Johnson contributed to this report.

To view online click here.

Back

Kennedy retirement tilts court right on climate, water Back

AMERICAN OVERSIGHT

By Annie Snider and Alex Guillén | 06/27/2018 04:08 PM EDT

Justice Anthony Kennedy's retirement will add the environment to the areas on which the Supreme Court will likely shift rightward at a time when major legal battles are wending their way to the justices.

For more than a decade, it has been Kennedy's sole view of which streams and wetlands should be protected under the country's foremost water law that reigned, shaping the cost of new housing developments, the location of coal mines and the health of the nation's waters.

And Kennedy cast the deciding vote in a landmark 2007 case that opened the door for EPA to regulate greenhouse gases. Both rules are among the most contentious actions of the Obama era that the Trump administration is working hard to undo or restrict.

Environmentalists, developers and farmers have been battling over the scope of the Clean Water Act since it was signed into law in 1972. In the turning point 2006 case *Rapanos v. United States,* the court's four conservative justices, led by the late Justice Antonin Scalia, took a limited view of which waterways should be federally protected, saying only that waterways that regularly flow into major rivers, and the wetlands directly next to them, should be covered. The court's liberal wing took an expansive interpretation, and Kennedy found himself in the middle.

Kennedy's stand-alone opinion in *Rapanos,* which argued that any creek, bog or marsh that has a "significant nexus" to downstream navigable waters warranted federal protection, has been broadly viewed by lower courts as the one to follow.

In 2008, the George W. Bush administration's EPA issued guidance hinged to Kennedy's "significant nexus" test, and when the Obama administration issued its 2015 Waters of the United States rule meant to clarify the reach of the 1972 law, it too was pegged to Kennedy's opinion. Expecting that challenges to the rule were likely to reach the Supreme Court, Obama's EPA used the phrase "significant nexus" more than 500 times in the Waters of the U.S. rule.

Even as court battles are raging in district courts over the legality of the Obama-era rule, the Trump administration has begun the process of repealing it and drafting its own, much narrower interpretation of the law pegged to Scalia's opinion. A draft of the proposal was sent to the White House for interagency review two weeks ago.

Legal experts generally considered the Trump administration's rewrite project to be a vanity project, likely to fall flat if it reached the Supreme Court for a review while Kennedy was still on the bench. Now, all bets are off.

Vermont Law School professor Patrick Parenteau said Kennedy was notable among the court's conservatives for the interest he took in learning about the science and complexity of the environmental problems before him.

"Nowhere was this more evident than in his concurring opinion in *Rapanos,* which has become the controlling test for evaluating what waters are protected under the [Clean Water Act],"

AMERICAN OVERSIGHT

Parenteau said by email. "His leaving will doubtless have a major bearing on the outcome of the litigation over the Waters of the U.S. rule."

With many environmental cases often narrowly splitting the court, Kennedy frequently played a key role in the blockbuster environmental cases of recent decades.

Most importantly, Kennedy cast the crucial fifth vote in *Massachusetts v. EPA*, the 2007 case that set the stage for the last decade of political battles over climate change.

He joined the court's four liberal justices to rule that the Clean Air Act gave EPA the authority to regulate greenhouse gases, including carbon dioxide. The Obama administration used that ruling to justify sweeping new rules on cars and later power plants that the Trump administration is now working to undo.

Kennedy, along with Chief Justice John Roberts, also sided with the court's liberal wing in 2014 to uphold EPA's Cross-State Air Pollution Rule, which a lower court had thrown out. The rule, which limits pollution that hurts air quality in downwind states, helped drive utilities to shutter a number of older, dirtier coal-fired power plants rather than pay for new pollution controls.

But Kennedy did not always side with environmental interests. In 2015, he and the four more conservative justices ruled that EPA had wrongly failed to consider the cost of regulating when first deciding to limit mercury emissions from coal plants. Although that ruling did not completely derail the mercury rule, it opened the door for an ongoing effort at EPA to change how costs and benefits are calculated, a move critics argue will make it easier to justify not regulating pollution.

Kennedy also cast the fifth vote in 2016 to block the Clean Power Plan before the D.C. Circuit had even reviewed it, an unprecedented step. Neither the court nor Kennedy ever explained the decision.

Looking forward, the Supreme Court has two environmental cases on its docket this fall, with potentially more on the way: The court has agreed to weigh when habitat can be designated as critical under the Endangered Species Act. The justices will also decide whether Virginia's 36-year-old uranium ban is pre-empted by federal law.

In addition, the Supreme Court will decide whether an American Indian-owned fuel business is exempt from the state of Washington's gas tax.

To view online click here.

Back

Gas industry: We're a destination fuel, not a transition Back

By Eric Wolff | 06/28/2018 05:00 AM EDT

AMERICAN OVERSIGHT

Gas industry officials at the World Gas Conference have a message for renewable energy advocates: We're not your transition fuel.

Natural gas has long been touted as an energy source that can displace coal around the world and serve as a bridge fuel until cleaner power systems that run on renewables like wind and solar can take over. But gas industry executives said renewables alone won't be able to meet global energy needs, and they'll need gas to run power plants when sunlight and wind aren't available.

"I like the expression of gas as a destination fuel and not a transition (fuel)," Patrick Pouyanné, CEO of Total S.A. told the conference this week.

Gas executives argued that renewables can't keep up with growing energy demand, and natural gas will be needed for decades to come. Even European Union countries that have agreed to sharp cuts in greenhouse gas emissions are hoping to build new pipelines and LNG terminals that will keep gas flowing in for several decades, a trend will require capturing and sequestering the carbon dioxide it produces.

"Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become decarbonized itself, gas needs become green if it wants to be part of a decarbonized future in Europe."

Other energy executives said the vast scale of the power grid would require a fuel like gas for decades. Even with their fast growth in recent years, wind and solar only provide less than 8 percent of the U.S. power supply.

"We have to get to a point of not talking about 100 percent renewables, it just cannot happen," Barry Perry, CEO of Fortis, a gas and power company with operations in the U.S. and Canada, told POLITICO. "When we talk about the big grid, you need that base generation to make it all work. ... We can do more renewables over time, but the grid is going to need some of the base generation for a very long time into the future."

Gas executives acknowledged that renewables will continue their fast growth, and they said gas turbines will provide critical ramping services on the power grid as well as keeping the lights on when the wind and solar can't. And with recent studies by the Energy Information Administration, the International Energy Agency, and others suggesting the world energy demand is likely to jump as developing nations electrify, gas will still be required.

"This is a challenge on a scale not faced before by humanity," De la Rey Venter, executive vice president for Shell's Integrated Gas Ventures, told an audience on Tuesday. "Renewable energy will play a major role in meeting this challenge. But renewables alone cannot transform the power sector. Today gas is ideal to handle to variability of the solar and wind."

Executives like Perry and Didier Holleaux, executive vice president for French utility Engie, said they doubted whether renewables could to handle the enormous projected energy demand needed as Asian countries expand their electricity networks and vehicles shrink their dependence on oil-

AMERICAN OVERSIGHT

based fuels. And despite some recent successes of renewables-plus-storage projects in the U.S., they don't believe batteries can compete with natural gas to supply the amount of energy that will be needed.

"In comparison batteries will always be an order of magnitude in cost — 1,000 times more expensive, today it's 2,000 times more expensive," Holleaux said. "Even if you think the cost will decrease, the cost of storing energy in gas is far cheaper."

Gas executives still see coal as their chief competition, not renewables.

"Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

"America has 100 years of gas of proven reserves, Canada has 200 years," he added. "It's an amazingly abundant resource, it is a foundational fuel, not a transitional fuel."

To view online click here.

Back

Exclusive: Zinke linked to real estate deal with Halliburton chairman Back

By Ben Lefebvre and Nick Juliano | 06/19/2018 05:05 AM EDT

WHITEFISH, Mont. — A foundation established by Interior Secretary Ryan Zinke and headed by his wife is playing a key role in a real-estate deal backed by the chairman of Halliburton, the oil-services giant that stands to benefit from any of the Interior Department's decisions to open public lands for oil exploration or change standards for drilling.

A group funded by David Lesar, the Halliburton chairman, is planning a large commercial development on a former industrial site near the center of the Zinkes' hometown of Whitefish, a resort area that has grown increasingly popular with wealthy tourists. The development would include a hotel and retail shops. There also would be a microbrewery — a business first proposed in 2012 by Ryan Zinke and for which he lobbied town officials for half a decade.

The Whitefish city planner, David Taylor, said in an interview that the project's developer suggested to him that the microbrewery would be set aside for Ryan and Lola Zinke to own and operate, though the developer told POLITICO that no final decisions have been made.

Meanwhile, a foundation created by Ryan Zinke is providing crucial assistance. Lola Zinke pledged in writing to allow the Lesar-backed developer to build a parking lot for the project on land that was donated to the foundation to create a Veterans Peace Park for citizens of Whitefish. The 14-acre plot, which has not been significantly developed as a park, is still owned by the foundation. Lola Zinke is its president, a role her husband gave up when he became interior

AMERICAN OVERSIGHT

secretary.

The Zinkes stand to benefit from the project in another way: They own land on the other side of the development, and have long sparred with neighbors about their various plans for it. If the new hotel, retail stores and microbrewery go through, real estate agents say, the Zinke-owned land next door would stand to increase substantially in value.

Lesar, who also served as Halliburton's chief executive until last year, is providing money to back the hotel and retail development, according to business records and officials at Whitefish city government and Halliburton. He also has a longstanding relationship with the Zinkes. In 2014, he and his wife, Sheryl, gave $10,400, the maximum allowed by law, to Zinke's first House campaign. His only other federal contributions that year were to Halliburton's PAC and the campaign of Rep. Liz Cheney, whose father, Dick, ran the company before becoming George W. Bush's vice president.

Ryan Zinke did not respond to a list of specific questions but said in a statement that he "resigned as president and board member" of the foundation "upon becoming secretary."

The foundation's 2018 annual report to the state of Montana, however, lists Ryan Zinke as an officer, with Lola Zinke as president and their daughter as treasurer. Zinke said the report was in error and he would seek to amend it.

In his statement, Zinke declared: "The mission remains to provide a children's sledding park and community open space in a setting that recognizes the contributions of the railroad and the veterans to the community. ... The subject LLC you mention has been in contact with Lola with the intent of expanding their parking requirements on park property. I understand a concept was provided but no formal proposal or documents have been submitted or agreed upon. I also understand by reading the paper is their proposal is supported by the City Council."

He did not respond to questions about the microbrewery, the involvement of Lesar or Lesar's status as chairman of Halliburton.

Lola Zinke did not respond to questions left on her Facebook page or messages left at the family's Montana home. Neither Jennifer Detlefsen, the Zinkes' daughter and the foundation's treasurer, nor the foundation's law firm of Frampton Purdy Law, responded to questions.

In Whitefish, the plan to use land that was donated to the Zinkes' foundation as a public park to further a private development strikes residents as a surprise.

"I've never been clear exactly what his intentions are for the place," said Steve Thompson, who lives near the park and supported Zinke early in his career but has since grown disillusioned with him. He described the current state of the land as "sort of a big puddle, a mudhole puddle."

The involvement of the interior secretary's family in a multimillion-dollar project funded by the chairman of an energy-services giant — revealed here for the first time — is rife with conflicts of interest, ethics experts say, especially since Zinke's job as interior secretary makes him the

AMERICAN OVERSIGHT

custodian of more than 500 million acres of public land and head of a department that sets technical and safety standards for pipelines and drilling.

Halliburton is the largest American oil-services company, drilling wells and building rigs. It stands to benefit from any new oil and gas exploration on public land or offshore — something the Trump administration has promised to promote — and the company has frequent dealings with the Interior Department in its regulatory capacity.

For example, federal disclosures show that Halliburton's in-house lobbyist met repeatedly with Interior officials to discuss the department's policies on hydraulic fracturing, the oil extraction procedure that some studies have linked to groundwater contamination and earthquakes. Under Zinke, the department last year rescinded Obama-era rules that restricted fracking on federal land, a decision that directly benefited Halliburton, one of the world's leading fracking companies.

Marilyn Glynn, who was acting director of the Office of Government Ethics under former President George W. Bush, said the foundation's involvement in a deal backed by the chairman of Halliburton is clearly inappropriate and, at minimum, should force Zinke to recuse himself from any policy decisions affecting Halliburton.

"That Halliburton's chairman would almost be a business partner of Zinke or his wife, he would have to recuse himself from anything involving Halliburton," said Glynn, adding that the relationship clearly crosses ethical lines.

She suggested the Trump administration should set a higher ethical standard.

"In a previous administration, whether Bush or Obama, you'd never run across something like this," she said. "Nobody would be engaging in business deals" with executives whose companies they regulate.

Amy Myers Jaffe, a longtime energy analyst now working at the Council on Foreign Relations, said the Interior Department, in setting specifications for rig equipment and how much methane can leak from pipelines, has the power to make Halliburton's business more or less profitable.

"They spend a tremendous amount on R&D to comply" with government regulations, Jaffe said of oil-service companies. "You wouldn't want Interior to change specifications and make that equipment no longer commercially viable."

She added that Zinke's conflicts could extend to investigations of accidents involving Halliburton's equipment.

"One thing that is most concerning is if Interior would be called upon to investigate the procedures of a service company offshore" in case of an accident, said Jaffe. "A tight relationship [between the interior secretary and the company] would be problematic."

Executive branch officials such as Zinke are subject to conflict-of-interest rules requiring that

AMERICAN OVERSIGHT

they recuse themselves from government decisions involving people with whom they or their close relatives have a financial relationship.

Craig Holman, a specialist in federal ethics laws for the advocacy group Public Citizen, said Lola Zinke's efforts to help the development backed by Lesar would amount to a financial relationship.

"Entering this type of business relationship could very clearly open the doors [of government] to business interests that have stakes before the office holder," Holman said. "Clearly, any substantial development project next to the vacant lot owned by Zinke's foundation would significantly boost the value of the lot. The conflict-of-interest statute would be invoked if even the nonprofit on which Zinke or his spouse serves as an officer, as either paid or unpaid officers, derives a financial benefit."

***

After 23 years as a Navy SEAL, Ryan Zinke retired from the military in 2008 and returned to Whitefish, the mountain city of roughly 6,000 people where he grew up and where his father and grandfather ran a plumbing business.

It was, however, a changed community, increasingly popular with tourists and second homeowners for its pristine isolation and proximity to Glacier National Park.

A city that began as a stopping place for freight trains carrying lumber from the state's thriving timber industry was fast becoming an upscale resort. In 2009, the year after Zinke's retirement, about 17 percent of households were making more than $100,000 a year, according to the U.S. Census Bureau. By 2016, 23 percent of Whitefish households were making that much, adjusted for inflation.

Whitefish is a particular magnet for California tech entrepreneurs and oil barons from Canada and Texas who have built homes valued at more than $1 million each. Lesar is one of them. He currently has a home behind a gate on a private road looping up one of the nearby mountains.

As the then 46-year-old Zinke planned his future, he began laying the groundwork for business and political careers more or less simultaneously, and sometimes on parallel tracks. Launching a nonprofit foundation to build a park in Whitefish was one of the first things he did to reintroduce himself to the community, which helped bolster his credentials for office.

The foundation's first big donation was from BNSF Railway, the nation's largest freight railroad, with more than 32,500 miles of track. The railway is one of the state's biggest landowners, with extensive business before the state government.

Zinke proudly announced that the donated land would be used for what he dubbed "the Great Northern Veterans Peace Park." In announcing the gift, he touted his own career in uniform and described the park as a gift to Whitefish. His intent was to combine the railway land and an adjacent city-owned hill into "a children's winter sledding park in a setting that recognizes the

AMERICAN OVERSIGHT

contributions of the veterans and the railroad to the local community," according to the nonprofit's publicly available IRS forms.

"The theme of this park is to celebrate life — why veterans fight," Zinke told a local newspaper in February 2008.

That same year, he filed paperwork to run for the state Senate.

He won the race and, shortly after taking office, cast the deciding committee vote on a bill that strongly benefited BNSF. The bill would have pumped millions of taxpayer dollars into railroad construction through a publicly funded Montana Rail Authority.

Jeff Mangan, Montana's commissioner of political practices, said the vote, coming so soon after Zinke accepted a donation of land from the railway, would have violated the Legislature's code of conduct if he did not disclose the relationship. "If there's an appearance of conflict of interest, they have a duty to disclose that conflict before a vote," Mangan said. But enforcement of that requirement can be "fairly laid back," he said.

There is no record of Zinke making a formal disclosure of his relationship with BNSF before the vote, and Zinke did not respond to questions on the matter.

Ultimately, then-Gov. Brian Schweitzer vetoed the legislation for the Montana Rail Authority, saying he was concerned "that public money will be targeted to build infrastructure that should be rightly financed by the private sector."

BNSF continued to donate more land to the Veterans Peace Park with adjoining parcels being given to Zinke's foundation in 2010 and 2013.

BNSF spokesman Ross Lane said in an interview, "We would firmly reject that there is any quid pro quo on the donations" for the Veterans Peace Park.

The land remains mostly in a natural state, and is only lightly utilized, except when local children use it for sledding, as they had before Zinke's foundation acquired the land. On a recent spring day, the only inhabitants were a pair of Bufflehead ducks sharing a retaining pond that dominates the property with a discarded inner tube.

Nonetheless, even in an undeveloped state, the land is now valued at more than $500,000, according to the group's 2016 tax returns, the most recent publicly available. The tax returns also show monetary gifts to the foundation, which increased as Zinke's political career advanced.

In 2012, when Zinke launched an unsuccessful bid for lieutenant governor, the foundation took in $30,000, according to tax records. In 2014, when Zinke ran for the House, the foundation again received $30,000 in contributions and saw its cash holdings grow from $118 to $23,743 over the course of the year. The foundation raised $36,000 in 2015, before seeing its contributions fall to $5,000 the following year, the last before he became interior secretary.

AMERICAN OVERSIGHT

The Zinkes reported that they gave the foundation $10,000 in 2012, but the source of the rest of the contributions is undisclosed. That lack of transparency is a common concern when politicians control their own charities, said Melanie Sloan, a senior adviser at government ethics watchdog group American Oversight.

"The main concern is it's another way for donors and corporations to curry favor with politicians," Sloan said. "If he's doing something to benefit those making donations, it's invisible to us. It undermines the whole interest of transparency."

Even as the park continued to lie fallow, Ryan and Lola Zinke turned their attention to pieces of land that they own through various LLCs. In December 2012, while Ryan was preparing to leave the state Senate, the Zinkes announced that they wanted to turn his childhood home into a B&B called the Snowfrog Inn, and also to build a microbrewery on their development land across the street. They planned to call the brewery "Double Tap," which is a Navy SEAL term for two gunshots.

Both proposals required public approvals, which put Zinke — one of the state's rising political stars — in a position of arguing before local politicians. He was steadfast in calling for more commercial development in the face of neighbors' complaints about traffic and noise.

The City Council appointed Zinke to a special steering committee of local residents to explore ways to develop the area where the Zinkes' land was located. The committee included 13 residents of Whitefish, just two of whom lived in the neighborhood, Zinke and one other.

The committee recommended opening the area for greater commercial development. The City Council and mayor endorsed the plan.

While the larger planning process was playing out, Zinke won approval in 2013 for the B&B without a microbrewery across the street, as he had initially proposed. The Snowfrog Inn website states that it is still under construction.

By 2015, Zinke was back before the City Council, this time in his first term as Montana's sole representative in the U.S. House, arguing passionately for the committee plan to expand development, according to a video of the meeting. He cited his microbrewery proposal as the impetus for the changes to the planning process.

"In regards to a brewery, I've asked for a brewery because that's what started this whole process," Zinke declared at a contentious May 4, 2015, council meeting, referring to the changes to the city's planning rules that he had helped orchestrate.

Neighborhood activists continued to raise objections, insisting that Zinke had done little in the 29 months since announcing his microbrewery proposal to assuage their concerns about noise and traffic. But Zinke told them they were outnumbered.

"The same people are going to be against it tomorrow as was at the beginning, but most of the strong majority of the steering committee, which represented every bit of the neighborhoods ...

AMERICAN OVERSIGHT

all came to the same conclusion, that this [planning change] should stand," Zinke said, according to a video of the meeting.

The changes to the planning process did not lead to approval of the microbrewery on the Zinkes' own development parcel, but they opened the doors to a new proposal for a multiuse development on a much larger plot — a former timber-company lot — between the Zinkes' land and the veterans' peace park that they controlled.

The project, known as 95 Karrow, named for the avenue on which the land sits, was launched in September of last year. Two days after the partnership backing the development was established, Lola Zinke, in her capacity as president of the foundation controlling the peace park, signed an official letter of intent to allow the construction of a parking lot for customers of the microbrewery and other businesses on the parkland, which the developers included in their proposal. The letter said the specific terms of the agreement would be worked out by the parties.

Taylor, the Whitefish city planner, told POLITICO that the developers "certainly implied that they were working with [Zinke] to find a place for his microbrewery as well as a shared use agreement for parking on the peace park."

At least two project maps submitted to the city mark off space specifically for a microbrewery adjacent to the parking lot. The letter Lola Zinke signed and submitted to Whitefish City Council states "it is the intent of the GNVPP Foundation to concur with the general design of the parking, micro-brewery, multiple use path, fence and other supporting elements" of the redevelopment project. Attached to that letter is a map with a handwritten notation indicating a "border adjustment" that would appear to carve out the microbrewery site from the rest of the property.

The parking lot is also meant to serve the park if the foundation ever does anything with the rest of the 14-acre parcel it owns.

The developers of the hotel, microbrewery and retail shops are a partnership known as 95 Karrow LLC, which itself is controlled by two individuals and three other entities, according to business registration records filed with Montana's secretary of state. The two individuals are John and Katie Lesar, who are the son and daughter-in-law of Halliburton's chairman, according to a biography his wife, Sheryl, wrote for a local nonprofit, where she serves as a board member.

Two of the other entities, BADF LLC and KCM Enterprises Inc., are linked to Bruce Boody, a local architect who worked with the Zinkes on their B&B proposal, and a local developer named Casey Malmquist, according to Montana business records. The third, Greenstream Resources LLC, lists a Texas address but does not disclose any owners in records filed there. However, the P.O. Box it uses matches the address of another business, First Floor Properties LLC, that lists David Lesar as its "general partner" and other family members among its management.

Both Malmquist and a Halliburton official confirmed that David Lesar is a member of the Greenstream Resources LLC, which is expected to provide a significant portion of the financing for the 95 Karrow project.

AMERICAN OVERSIGHT

Halliburton spokeswoman Emily Mir said the company had no comment on Lesar's involvement in the project, calling it a private investment that Lesar was making outside his role in the company.

Malmquist, who is leading the development project, said that talk of Zinke owning a brewery on the site was premature, as no final decisions have been made on what type of businesses the redevelopment will contain.

"If and when we get to that point, Ryan Zinke, or anyone else that is interested, can purchase a parcel of property, properly located on the development by use and per zoning, and develop a project that is permitted from the standpoint of zoning designations that determine the permitted uses on the development parcel, as well as following the [covenants, conditions, and restrictions] that are yet to be developed for the property," Malmquist said in an email.

***

The Zinkes' mixing of their nonprofit role as stewards of the Great Northern Veterans Peace Park Foundation with their role as landowner and developer echoes other ethical concerns raised about the couple.

In 2012, Ryan Zinke formed a super PAC called Special Operations for America, through which he raised money from donors to attack then-President Barack Obama's reelection campaign for taking credit for the death of Osama bin Laden. Over the following year, the group paid nearly $40,000 to an LLC established by Ryan and Lola Zinke called Continental Divide International for "strategy consulting" and "fundraising consulting" and to reimburse travel expenses.

Only $7,000 of the more than $180,000 the group raised in 2012 went to efforts to influence the election, according to the group's FEC filings.

The super PAC was Zinke's foray into a world of political fundraising that would carry through to his time in the Trump administration. Less than a month after being sworn in as interior secretary, he appeared at a fundraiser in the Virgin Islands for another PAC that has been criticized for spending vastly more on administrative expenses than on campaign activities.

The Virgin Islands GOP PAC has raised $5.7 million since its inception in February 2015. It has spent $76,000 — just 1.3 percent — on congressional candidates, including $3,500 to Zinke's campaign and SEAL PAC, a subsequent group he launched after his election to the House.

Meanwhile, two of Zinke's top aides at Interior, chief of staff Scott Homell and counselor Vincent DeVito, were previously on the payrolls of Special Operations for America and SEAL PAC, respectively.

Earlier this year, the Interior Department's internal watchdog criticized Zinke for obscuring his personal interest in some ostensibly official duties — an incident that involved another Whitefish resident, Fidelity National Financial Chairman Bill Foley, who was one of Zinke's biggest political donors.

AMERICAN OVERSIGHT

Zinke charged taxpayers more than $12,000 last June for a late-night charter flight from Las Vegas, where he had spoken to a National Hockey League team Foley owns, to Whitefish for meetings at the Western Governors Association that were being held there the following day.

Speaking to the Las Vegas Golden Knights was a favor to a friend and donor. He "first mentioned during his initial ethics briefing in March 2017 that he wanted to speak to a friend's hockey team," according to a report from the IG. He did not mention any specific aspects of his job as interior secretary during the speech, which focused on his time as a Navy SEAL. After Zinke and his staff made plans for the speech, the Interior Department started to schedule an event for him to announce Payment In Lieu of Taxation grants, routine business that is typically handled with a news release.

The IG's investigation found that the charter flight could have been avoided with better scheduling, and that Zinke's prior relationship with Foley should have been disclosed in advance to ethics officials who had reviewed the trip.

Foley, a West Point graduate who grew up in the Texas panhandle, has been a major presence in Whitefish since buying a home there in 2005. That same year, he purchased a majority share in Winter Sports, the company that runs the Whitefish Mountain Resort in the town. He soon bought Glacier Jet Center, a private airport about 20 minutes outside the city.

Foley's development projects, like David Lesar's and the Zinkes', are signs of just how far Whitefish has come since Zinke's childhood. The Pastime Pool Hall and Bar, which Zinke fondly remembered in his autobiography as where his grandfather used to socialize, has been renamed "The Bulldog," although not much else about it has changed. But the city also boasts a crepiere, an artisanal olive oil shop and a camping store that sells "overnight yurts." A new yoga studio stands about a minute's walk down the block from Zinke's boyhood home.

"It's gone from a dirty ski town to pretty bougie," said Cale Knox, a Whitefish native and employee at the Red Caboose coffee shop downtown. In a sign of the times, tech venture capitalist Michael Goguen recently bought the Red Caboose, and there is rumor that it will become a wine bar.

Only a mile away is the open land that Zinke dubbed his Veterans Peace Park. Ten years after the railroad donated the first piece of land, locals are as flummoxed as ever about what will happen to it. The situation has left some residents worried that what was pitched as an attempt to provide a green space dedicated to children and veterans was instead used to build Zinke's political profile.

"It was something to put on his résumé," Whitefish City Council member Richard Hildner said of the park during a visit there. "Now, it just sits here."

To view online click here.

AMERICAN OVERSIGHT

Back

Zinke seeks to explain meeting with Halliburton chairman Back

By Ben Lefebvre | 06/27/2018 04:40 PM EDT

Interior Secretary Ryan Zinke sought Wednesday to explain his role in a real estate deal involving a nonprofit he launched and developers backed by the chairman of Halliburton, a major energy company with extensive business before his department.

In his first public comments on the deal since it was first reported by POLITICO last week, Zinke acknowledged meeting with Halliburton Chairman Dave Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier. The developers all live in or near Whitefish, Mont., the secretary's hometown where the development would be built.

"And then Dave Lesar and his son, who is developing a piece of property next door, they don't understand, when they had the property, actually, the Veterans Peace Park owns the lot next door. So they come and say, 'Hey, what's the background?'" Zinke said on Voices of Montana, a talk radio program broadcast throughout the state, referring to the August 2017 meeting. He added, "We go out to dinner. We talk about the background of the park. What are the neighbors like. What was the vision of the park. Where the boundaries are. Where the water table is, because the water table has changed over time. What the railroad is. So they have the background."

About a month after that meeting, Lola Zinke, the secretary's wife and now president of the foundation, signed a letter of intent to allow the developers to build a parking lot on its land in Whitefish, a move that could increase property values for parcels the Zinkes own nearby and that a city planner said could result in Zinke running a microbrewery on the site. Zinke did not address the microbrewery or his other real estate holdings in Whitefish on the radio program Wednesday.

House Democrats are calling for Interior's inspector general to investigate whether the deal may have violated conflict of interest rules. Zinke's role at Interior places him as one of the chief regulators overseeing oil and gas drilling activities, including those performed by Halliburton, one of the world's largest fracking and offshore drilling services companies. The inspector general's office is looking into the lawmakers' request before determining whether to launch a full investigation, a spokesperson for the internal watchdog told POLITICO Wednesday.

Zinke launched the Great Northern Veterans Peace Park Foundation after receiving his first donation of railroad land from BNSF in 2008. The land remains largely undeveloped, but Zinke told the Montana radio host Wednesday that his foundation has "added 27,000 tons of material. We've redone roads. We groom it."

In the interview, Zinke said he resigned from the park foundation board after joining Interior. He

AMERICAN OVERSIGHT

told POLITICO earlier that he had no involvement in the park's business, though one of the developers in question, Casey Malmquist, said he visited Zinke in Washington, D.C., in August to discuss the development plans. Malmquist also emailed project development maps to Zinke, according to Interior emails.

Zinke attacked reports on the project without disputing any particular details.

"Clearly, I'm not on the board anymore. My wife runs the board. And they make a letter of intent for my wife that, you know what, the community is for this project, the city approves it, it's a good project for Whitefish, we'll share some parking lots with you. That's it. And this nefarious reporter comes to Whitefish — my hometown — lies to the city on record, lies to the developer on record, takes pictures of an inner tube in the park, and promulgates this story that somehow it's about Interior and Halliburton. This is exactly what's wrong with the press, and the president has it right. It's fake news. It's knowing, it's willing, to willingly promulgate fake news."

An Interior spokesperson did not immediately reply to questions. Interior spokeswoman Heather Swift has said in the past that the matter was not a department issue.

POLITICO stands by its reporting.

To view online click here.

Back

EPA pulls methane information request Back

By Alex Guillén | 03/02/2017 04:36 PM EDT

EPA says more than 15,000 oil and gas companies no longer have to report detailed technical information about methane emissions from their operations.

The move was announced via a Federal Register notice that will be published on March 7 but will take immediate effect.

It is the agency's first step away from an Obama-era plan to regulate methane emissions from existing oil and gas operations. EPA in November directed oil and gas operators to respond to an "information collection request" on the topic that the agency estimated would cost companies, which are required by law to respond, about $42 million in total.

"By taking this step, EPA is signaling that we take these concerns seriously and are committed to strengthening our partnership with the states," EPA Administrator Scott Pruitt said in a release. "Today's action will reduce burdens on businesses while we take a closer look at the need for additional information from this industry."

EPA also noted it received a letter on Wednesday from eleven state attorneys general or

AMERICAN OVERSIGHT

governors, including new Oklahoma Attorney General Mike Hunter, asking EPA to drop the "onerous" request.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 4/26/2018 9:44:10 AM
Subject: Morning Energy: Pruitt steps up to the plate — Tester's 'great equalizer' — Bishop still talking NEPA

By Kelsey Tamborrino | 04/26/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT STEPS UP TO THE PLATE: Scott Pruitt makes his eagerly anticipated trip to the Hill this morning, and the stakes couldn't be higher for the embattled EPA administrator. His appearances before the House E&C Committee in the morning and Appropriations panel in the afternoon — ostensibly to defend the Trump administration's proposed cuts to EPA's budget — will give lawmakers their first opportunity to directly question Pruitt since the news broke about his heavy spending, sweetheart condo rental, VIP security and first-class flights. And while both Democrats and Republicans are expected to pull no punches as they weigh Pruitt's behavior, the real audience will be sitting in 1600 Pennsylvania Ave.

Check out this graphic breakdown of Pruitt's problems by POLITICO's Emily Holden, Alex Guillén and your ME host.

— **The administrator has kept a low profile** in the lead-up to today's events — even leaving press out of a Tuesday announcement on his plan to ban secret science — but expect the cameras to be out in force this morning. ME breaks down what to expect today as Pruitt heads for the batter's box. (ME is also taking suggestions for an appropriate walk-up song. One option here.)

THE GAME PLAN: Pruitt will point out he now flies coach when he travels, and shift the blame to staffers for the raises given to two of his close aides, according to a talking points document — dubbed "hot topics" — obtained by The New York Times. He will likely also say officials who were reassigned or demoted after challenging his spending all had performance issues.

— **EPA did not dispute the authenticity** of the Times document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels." You can read Pruitt's full opening statement for the E&C hearing here.

DEMOCRATS WILL SEARCH FOR ANSWERS: The afternoon session is expected to dive into Pruitt's proposed deep cuts to the agency's budget and his deregulatory actions, but that doesn't mean Democrats will ignore the ethics woes dogging the embattled chief. "Administrator Pruitt, you are letting the American people and your agency down," Rep. Betty McCollum, ranking member of the Appropriations subpanel, plans to say. Democrat Nita Lowey , the ranking House appropriator, will question Pruitt on the Antideficiency Act after the Government Accountability Office found EPA illegally failed to notify Congress about the cost of his secure phone booth. Meanwhile, E&C's top Democrat Frank Pallone wouldn't tip his hand: "I just hope

AMERICAN OVERSIGHT

he shows up," he said when ME asked for his plan of attack.

— **House Energy and Commerce Democrats** will hold a news conference at 9 a.m. to once again call for Pruitt's ouster. Kathy Castor and Paul Tonko will attend, alongside representatives from numerous green groups.

REPUBLICANS OFFER SOME ADVICE: "Answer the questions and stay calm," John Shimkus said. "And the time will eventually end." The Illinois Republican didn't let on about his line of questions to Pruitt, but added: "It's not going to all be addressing stewardship issues. There are going to be policy questions."

— **Fellow Oklahoman and member of the Approps committee** Tom Cole expects the "highly charged" hearing to contain some "pretty much straight budget questions" — at least from the Republican side. Cole said he recently spoke to Pruitt on the upcoming hearing and warned him it would be "rugged."

Keep in mind: None of the committee Republicans said they'd been in contact with the White House ahead of the session. Shimkus said the Republicans hadn't huddled ahead of time to develop a game plan as they sometimes do with high-profile hearings. And Democrats are expected to turn out in force — E&C members not on the Environment subpanel will "waive in" to the hearing. They don't need GOP permission to do so, but will have to wait until all subcommittee members participate before asking questions. ME would look here for especially fiery questions or any surprises.

STRIKE 3? Pruitt's critical audience, of course, will be President Donald Trump, who has so far stuck by him, but is expected to judge how Pruitt fares in front of the cameras, POLITICO's Anthony Adragna and Nancy Cook report . So far, Pruitt's support among Trump's conservative backers has kept him on solid ground, despite the growing resentment of a "high maintenance" EPA chief among White House officials. "The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

IN THE OUTFIELD: Environmental group Defend Our Future will hand out first-class boarding passes today at the Pruitt hearing, while Moms Clean Air Force will deliver these report cards. And the League of Conservation Voters and its state parners will launch television ads today urging Sens. Dean Heller and Cory Gardner to hold Pruitt accountable. Watch them here and here.

If you go: The E&C hearing will begin at 10 a.m. in 2323 Rayburn, and the Appropriations hearing at 2 p.m. in 2007 Rayburn. Watch the livestreams here and here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and the American Petroleum Institute's Jeff Stein was the first to name Khartoum, Sudan — the capital city where the Blue and White Niles meet to form the Nile. For today: Name the state where the first officially designated

AMERICAN OVERSIGHT

Democratic floor leader hailed. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

PUBLIC LANDS CRUCIAL FOR TESTER: Democratic Sen. Jon Tester 's bid for reelection could come down to how he handles public lands issues, Pro's Kevin Robillard reports. Close to one-third of the land in Tester's home state of Montana is under federal government ownership, and the Democratic senator hopes to use it to keep on board those who voted Trump — including hunters, hikers, snowmobilers and ranchers. "Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock told Kevin. "It doesn't matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize lands. Bullock emphasized it in his reelection bid in 2016 and New Mexico Sen. Martin Heinrich, who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior west. "There a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation. Read more.

DEMOCRATS CALL FOR SPECIAL COUNSEL: In a letter Wednesday to the U.S. Office of Special Counsel, Pallone and Oversight ranking member Elijah Cummings requested an investigation into whether there is a pattern of problematic personnel practices at EPA. The Democrats point to recent reports of agency officials being reassigned, demoted or requesting new roles, after voicing concerns on Pruitt. "The reassignment or dismissal of employees who questioned Administrator Pruitt's wasteful and potentially unlawful expenditures suggests a troubling pattern of retaliation against EPA employees that may be illegal," they write. Read the letter here.

BISHOP STILL TALKING NEPA: House Natural Resources Chairman Rob Bishop told ME he's been in contact with administration officials "over the last few weeks" about a series of modifications to NEPA that he says "run the gamut." His two overarching goals are to speed the permitting process and to enact categorical exclusions that will limit litigation to allow projects to advance more quickly. "It's one of the consistent problems they recognize," he said of the administration's engagement on NEPA.

Apples to oranges: Controversy over $139,000 spent on doors at Interior is not comparable to spending woes engulfing Pruitt, according to Bishop. "There are some real issues and there are some issues that we play around with," he said. "This is one I think people are playing with." Interior officials said previously that career facilities and security officials recommended the work and that Secretary Ryan Zinke was not aware of it.

AMERICAN OVERSIGHT

THAT DAM BILL: The House passed a heavily watched measure, H.R. 3144 (115), Wednesday that would override a court decision requiring changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon. The measure, from Washington Rep. Cathy McMorris Rodgers, passed by a nearly party-line vote of 225-189, and now heads to the Senate, where some of the region's Democratic senators have made known their opposition. Pro's Annie Snider breaks down more here.

REFINERY WORKERS HIT THE HILL: Close to 100 workers from refineries Monroe Energy, Philadelphia Energy Solutions and PBF Energy will rally for their jobs and Renewable Fuel Standard reform on the Hill today, the United Steelworkers said. The rally begins at 1 p.m. in the "Senate Swamp" — the grass across the drive from the east Senate steps. Texas Sen. Ted Cruz will participate in a press conference with the workers at the same time. Watch the livestream here.

OFF-SHORE UP SUPPORT: While it didn't have quite the same build-up as Pruitt's hearings this morning, the House Natural Resources energy and mineral resources subcommittee will hold a hearing today on offshore energy revenue sharing for Gulf-producing states, with a focus on the Gulf of Mexico Energy Security Act. Democrats intend to call out the oil and gas industry and demand they take responsibility for their role in causing the destruction of Louisiana wetlands, according to a release. Former Sen. Mary Landrieu (D-La.), now a senior policy adviser at Van Ness Feldman, and John Barry, former board member of the Southeast Louisiana Flood Protection Authority — East, will testify, among others. **If you go:** The hearing begins at 10 a.m. in 1324 Longworth.

GET YOUR COMMENTS IN: Comments are due today on EPA's proposed repeal of the Clean Power Plan. The Competitive Enterprise Institute, for one, will file a comment today in support of the proposed repeal, calling the CPP "unlawful." Close to 20 other individuals from free-market groups signed onto the joint comment. Google, meanwhile, submitted its own comment Wednesday "respectfully" urging EPA to forgo the repeal. "Google continues to believe that the Clean Power Plan aligns with overall electricity sector trends and the specific goals of our company," it says. The Natural Resources Defense Council and NRDC Action Fund said it generated 208,000 comments in support of keeping the CPP.

MAIL CALL! IN THE AIR TONIGHT: California Sen. Dianne Feinstein wrote to Transportation Secretary Elaine Chao Wednesday, calling on her to maintain national fuel economy standards set by California under the Clean Air Act. "I ask for your commitment to maintain the Corporate Average Fuel Economy standards at the maximum feasible level, as required by law, and to seek consensus with California so that we can continue to enjoy the success of a coordinated national program to improve fuel economy," Feinstein wrote. Read the letter here.

— **Eighty-seven lawmakers signed onto a letter Wednesday** that calls on Pruitt to reinstate the "once in, always in" policy to "safeguard" from harmful air pollutants. "This is a matter of critical human health and safety," the lawmakers write. Read it here.

GoT RENEWABLES? Rapper Kanye West tweeted about his connection to Trump and their

AMERICAN OVERSIGHT

"dragon energy" on Wednesday. "We are both dragon energy. He is my brother. I love everyone. I don't agree with everything anyone does." Spoiler: It's not an energy company we forgot to tell you about. Bloomberg breaks it down here, but earlier in the day, West described dragon energy as, "Natural born leaders Very instinctive Great foresight." The House Natural Resources account tweeted the exchange telling West to "have your people call our people."

QUICK HITS

— Behind the scenes of Pruitt's Nevada trip, E&E News.

— U.S. mine safety agency website 'hacked,' remains down, S&P Global.

— Exxon Mobil boosts quarterly dividend to 82 cents, Reuters.

— Climate change could make thousands of tropical islands "uninhabitable" in coming decades, new study says, The Washington Post.

— Memo: Park Police officers were forbidden from wearing body cameras, The Hill.

— Perry's son owns an energy investment company. Is that a problem? McClatchy.

HAPPENING TODAY

8:00 a.m. — Water Leaders summit on "Building an Innovative Future for Water Policy and Technology in America," 215 Capitol Visitors Center

8:30 a.m. — George Mason University's Center for Energy Science and Policy symposium on "Energy-Water Nexus," Fairfax, Va.

9:00 a.m. — Colorado State University hosts symposium on "Water in the West," Denver

10:00 a.m. — The U.S. Energy Association forum on "fostering the deployment of CCUS technologies," 1300 Pennsylvania Ave NW

10:00 a.m. — The House Energy and Commerce Committee hearing on EPA's budget request, 2323 Rayburn

10:00 a.m. — House Science Environment and Space subcommittees hearing on "Surveying the Space Weather Landscape," 2318 Rayburn

10:00 a.m. — House Natural Resources Oversight Subcommittee hearing on "Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States," 1324 Longworth

10:00 a.m. — The Center for Strategic and International Studies' Energy and National Security Program discussion on "Challenges to Ukrainian Energy Reform and European Energy

AMERICAN OVERSIGHT

Security," 1616 Rhode Island Avenue NW

11:30 a.m. — The Atlantic Council discussion on "From an Oil Company to an Energy Company," 1030 15th Street NW

1:00 p.m. — Monroe Energy, Philadelphia Energy Solutions and PBF Energy news conference on RINs prices under the Renewable Fuel Standard, Capitol.

1:30 p.m. — Information Technology and Innovation Foundation release on "Closing the Innovation Gap in Grid-Scale Energy Storage," 1101 K Street NW

2:00 p.m. — House Appropriations Interior, Environment, and Related Agencies Subcommittee hearing on EPA's fiscal 2019 budget, 2007 Rayburn

2:00 p.m. — House Natural Resources Committee hearing on H.R. 5317 (115) and H.R. 211 (115), 1324 Longworth

2:00 p.m. — Senate Appropriations Energy and Water Development Subcommittee hearing on the Nuclear Regulatory Commission's proposed budget for FY 2019, 430 Dirksen

2:30 p.m. — The Center for a New American Security discussion on "Geopolitical Risks and Opportunities of the Lower Oil Price Era," 1152 15th Street NW

3:00 p.m. — Rep. Nydia Velázquez discussion on "21st Century Energy Solutions for Puerto Rico," S-115

5:00 p.m. — The Atlantic Council discussion on "Investing in Iraq: Reconstruction and the Role of the Energy Sector," 1030 15th Street NW

6:30 p.m. — Wild & Scenic Film Festival with screenings of feature films that cover topics from climate change to environmental justice, and a panel discussion on women in the outdoors, 1307 L Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-steps-up-to-the-plate-183688

Stories from POLITICO Pro

Pruitt scales back EPA's use of science Back

By Emily Holden and Annie Snider | 04/24/2018 03:17 PM EDT

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the

AMERICAN OVERSIGHT

agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt's persistence in pursuing President Donald Trump's anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency's approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it's going to be reproducible, it's going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we've drawn the proper conclusions or not," Pruitt said.

Text of the proposed rule was not immediately available.

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

AMERICAN OVERSIGHT

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

To view online click here.

Back

Report: Pruitt plans to shift blame for scandals Back

By Emily Holden | 04/25/2018 01:55 PM EDT

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

AMERICAN OVERSIGHT

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President [Donald] Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels."

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA's inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations "in short order."

To view online click here.

Back

'It could be pretty painful' when Pruitt faces Congress Back

By Anthony Adragna and Nancy Cook | 04/25/2018 06:00 PM EDT

When Scott Pruitt returns to Capitol Hill on Thursday, he will find few friends ready to greet him — and an audience of one waiting to determine his fate.

Republicans say they aren't going to give the Environmental Protection Agency chief a free pass on accusations of lavish spending, a sweetheart condo lease and luxe air travel during a pair of high-stakes hearings. Since Pruitt's previous appearance on Capitol Hill in January, he has faced an avalanche of damaging headlines and investigations that have alienated much of the White House and raised questions about his future leading the agency.

President Donald Trump has so far stuck by Pruitt. But the biggest test for the media-obsessed president may be how Pruitt fares in front of the cameras — only three weeks after he drew poor reviews for a combative interview with Fox News' Ed Henry.

House Energy and Commerce Chairman Greg Walden (R-Ore.) said Pruitt will receive a "cordial reception, but he's got some tough questions to answer."

Rep. John Shimkus (R-Ill.), whose subcommittee will be Pruitt's first stop Thursday, said the administrator should expect a "cool" reception from Republicans — who still strongly support his work to pare back EPA rules.

"It could be pretty painful, but when you accept the position of a senior administrator in a federal agency you've got to expect [that]," Shimkus, who chairs the Energy and Commerce Environment Subcommittee, told Politico. "You've just to grin and bear it and get through it."

AMERICAN OVERSIGHT

Pruitt has few allies left in the White House, apart from the president himself. Senior administration aides characterized the hearings as potential make-or-break moments for Pruitt but said it's ultimately up to the president as to whether the White House wants to tolerate Pruitt's bad press.

Trump is largely keeping Pruitt around because he appreciates Pruitt's hard-charging agenda and because the White House does not want to go through another bruising confirmation battle over another Republican to lead EPA, according to senior administration officials and Republicans close to the White House. Already the White House expended great political energy this week on its pick for secretary of state, Mike Pompeo, a former congressman whom the White House views as eminently qualified but who is barely expected to squeak through the Senate confirmation process.

Most important, the president fears that dumping Pruitt would anger conservatives.

"The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

When asked at the White House briefing on Wednesday about Pruitt's spending and potential ethical violations, press secretary Sarah Huckabee Sanders would only say: "We are evaluating these concerns, and we expect the EPA administrator to answer for them."

Pruitt's waning support among White House aides has been months in the making. And at this point, many administration officials say they are tired of the terrible headlines and consider the allegations about Pruitt a nonstop swirl of distractions. It's not just Pruitt's handling of the questions that has irked White House officials but the facts themselves about the way he's led the EPA and run his own staff.

Over the past year, Pruitt has also alienated members of the communications team, National Economic Council, and Cabinet Affairs in various fights over policy like the Paris climate deal, messaging over policy rollouts, and spending decisions at the EPA. Another Republican close to the White House said Pruitt has earned a reputation among White House aides as "high maintenance."

The White House was not involved in helping to prepare Pruitt for the two Hill hearings on Thursday.

Shimkus predicted the toughest questions would come from the other side of the aisle.

"We need to make sure that we understand and recognize the valid, valid concerns that are out there on policy and administrative activity," he said. "But I don't think we'll be gouging his eyes out either — I think we'll have other folks that'll do that."

Some Pruitt supporters say he should be judged on his overall tenure.

AMERICAN OVERSIGHT

"It should be based on his past performance, not necessarily standing in front of a microphone," House Natural Resources Chairman Rob Bishop (R-Utah) said. Bishop's committee does not have jurisdiction over EPA, but he has been a strong supporter of Pruitt's policy goals.

In his opening statement released ahead of the hearing, Pruitt will sidestep any discussion of the latest controversies, instead focusing on policy goals like Superfund cleanups and working more closely with states. "I will focus on key objectives to improve air quality, provide for clean and safe water, revitalize land and prevent contamination, ensure the safety of chemicals in the marketplace, assure compliance with the law, and improve efficiency and effectiveness," Pruitt will say in his prepared remarks.

Democrats are expected to tie the scandals facing Pruitt to his aggressive deregulatory push and proposal to slash EPA's budget by more than a quarter — which they see as just as worrisome as his alleged ethical improprieties. Multiple aides said there's such strong interest in the session that committee Democrats not on the Environment Subcommittee plan to participate, which does not require signoff from the majority.

"There's a confluence of concerns here that I think the Democrats are going to want to get answers to," Rep. Paul Tonko of New York, top Democrat on the panel, told POLITICO. "We were concerned yesterday, we're concerned today and we'll be concerned tomorrow if he's there."

There will be no shortage of things to ask him about, including the more than $105,000 the agency has spent on his first-class flights, lavish spending on a $43,000 soundproof phone booth and round-the-clock security, a cushy $50-per-night condo lease from a Washington lobbyist who personally met with Pruitt to discuss the agency's Chesapeake Bay work, and a trip to Morocco in December on which he spent time promoting liquefied natural gas exports — a topic that isn't part of his agency's portfolio. Pruitt is also facing scrutiny over the significant pay raises the agency gave to a handful of his longtime aides from Oklahoma despite the White House's objections.

Federal watchdogs, the agency's inspector general, congressional investigators and the White House have launched more than a dozen investigations into various aspects of Pruitt's conduct.

But Rep. Joe Barton (R-Texas), the longest-serving member of Energy and Commerce, said Pruitt's ethics issues are "not the purpose of the hearing" and suggested many Republicans would come to the administrator's defense. However, he said the panel's GOP members have not met in advance to plot strategy.

"He's had a lot of death threats. I don't have a problem with his security costs," Barton said Wednesday. "I don't really have a major problem with his telecommunications setup. It's a difficult job to be the EPA administrator when you're a Republican."

Still, signs are increasing of weariness toward Pruitt among congressional Republicans. Three senior Senate Environment and Public Works Committee Republicans, including his staunch ally Sen. Jim Inhofe (R-Okla.), called for hearings into Pruitt's behavior earlier this week. Four

AMERICAN OVERSIGHT

House Republicans have called for his resignation. And EPW Chairman John Barrasso (R-Wyo.) said he has "serious questions" about Pruitt's spending and pledged to send additional oversight letters.

"He'll need to acquit himself well," Sen. John Thune, the No. 3 Republican in the Senate, said when asked about how important the sessions will be for Pruitt's future in the administration.

An aide to Rep. Betty McCollum of Minnesota, top Democrat on the House Appropriations Interior and Environment Subcommittee, where Pruitt will appear Thursday afternoon, told POLITICO their hearing would likely focus more on Pruitt's proposed cuts to nearly a quarter of the agency's budget and regulatory rollbacks.

"I expect the E&C hearing will have a greater focus on the ethical concerns surrounding Pruitt," the aide said.

Some Democrats on Energy and Commerce acknowledge Pruitt has in the past performed well in congressional hearings, which they said could allow him to respond to some of the charges.

"If Mr. Trump is going to look for a good performance, I bet he'll put up a great performance," said Rep. Scott Peters (D-Calif.), another member of the subpanel. "But if he doesn't address the substance of the ethical and environmental challenges, I hope that they would think about finding someone else."

Other Democrats think Pruitt's main goal will be to avoid a major gaffe but they don't see any way he will emerge from the hearing in a significantly strengthened position.

"One or two of these transgressions would be survivable but there are so many scandals that it's really hard for me to imagine that Republicans want to lower the bar this much," said Sen. Brian Schatz (D-Hawaii), an outspoken Pruitt critic. "It is actually beyond me why they're sticking by him."

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers,

AMERICAN OVERSIGHT

snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

AMERICAN OVERSIGHT

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Colorado-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

Interior spent $139K on Zinke office doors Back

By Anthony Adragna | 03/08/2018 05:58 PM EDT

The Interior Department is spending $139,000 for new doors for Secretary Ryan Zinke's office suite, according to records posted online.

The work was recommended by Interior career facilities and security officials, an agency spokeswoman said, not by Zinke.

"The secretary was not aware of this contract but agrees that this is a lot of money for demo, install, materials, and labor," Heather Swift, the spokeswoman, said in a statement.

The award to Maryland-based Conquest Solutions LLC was first reported by the Associated Press. The work involves replacing three sets of double doors, including two that open onto a balcony and leak during rain storms, the AP reported. An existing set of doors to Zinke's office

AMERICAN OVERSIGHT

from a hallway do not have a lock, so the security will be upgraded with the new doors.

Swift said the work is part of a "decade-long modernization of the historic FDR-era building."

"Between regulations that require historic preservation and outdated government procurement rules, the costs for everything from pencils to printing to doors is astronomical. This is a perfect example of why the Secretary believes we need to reform procurement processes."

Housing and Urban Development Secretary Ben Carson drew criticism recently over news that HUD would spend $31,000 on a dining set. That order was subsequently canceled.

To view online click here.

Back

House passes controversial dam bill Back

By Annie Snider | 04/25/2018 04:45 PM EDT

The House passed a controversial measure to override a court decision that required changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon.

The measure, H.R. 3144 (115), from Rep. Cathy McMorris Rodgers (R-Wash.), was passed by a nearly party-line vote of 225-189.

The 9th Circuit Court of Appeals earlier this month upheld a lower court decision requiring that water be spilled over the tops of dams along the Columbia and Snake rivers, including the powerhouse Grand Coulee Dam, the largest power station in the U.S., during periods when young salmon and steelhead migrate to the ocean. The suit was brought by the state of Washington, tribes and conservation groups.

McMorris Rodgers and other Republicans in the region have fought the decision because it would reduce the dams' hydropower output. Their legislation would override the courts and require that dam operations continue as they have historically to maximize power production until an environmental review of the system can be completed.

The legislation is the latest front in a yearslong battle over the nearly 100-year-old hydropower system on the rivers. Conservation groups and tribes with treaty fishing rights want it altered and operated to benefit wildlife, including calling for the removal of four dams along the Snake River.

WHAT'S NEXT: The legislation moves to the Senate, where some of the region's Democratic senators have registered their opposition.

AMERICAN OVERSIGHT

To view online click here.

Back

EPA drops 'once in, always in' policy from key Clean Air Act requirements Back

By Alex Guillén | 01/25/2018 06:11 PM EDT

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				

AMERICAN OVERSIGHT

Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003177

ED_001863D_00000207-00017

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Beach, Christopher
Sent: Sun 6/24/2018 6:16:35 PM
Subject: Re: Touching base regarding Monday

Oh okay. So I'll put all these topics on a pocket card then.

Sent from my iPhone

On Jun 24, 2018, at 10:54 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

It's the same thing

On Jun 24, 2018, at 9:06 AM, Beach, Christopher <beach.christopher@epa.gov> wrote:

So are there two events – one CCR and then this one?

From: Bennett, Tate
Sent: Friday, June 22, 2018 6:17 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Subject: Fwd: Touching base regarding Monday

2 pm on Monday!

Begin forwarded message:

From: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Date: June 22, 2018 at 5:44:09 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

AMERICAN OVERSIGHT

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

AMERICAN OVERSIGHT

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.
>
> The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.
>
> Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

AMERICAN OVERSIGHT

Michelle Wynn

DEQ - Legislative Liaison

405-702-7163 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

AMERICAN OVERSIGHT

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

AMERICAN OVERSIGHT

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

AMERICAN OVERSIGHT

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement &
Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Beach, Christopher
Sent: Sun 6/24/2018 1:06:46 PM
Subject: RE: Touching base regarding Monday

So are there two events – one CCR and then this one?

From: Bennett, Tate
Sent: Friday, June 22, 2018 6:17 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Subject: Fwd: Touching base regarding Monday

2 pm on Monday!

Begin forwarded message:

From: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Date: June 22, 2018 at 5:44:09 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

AMERICAN OVERSIGHT

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.
>
> The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.
>
> Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.
>
> Michelle Wynn
>
> DEQ - Legislative Liaison
>
> 405-702-7163 Office
>
> Ex. 6 - Personal Privacy
>
> Begin forwarded message:
>
> **From:** Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
> **Date:** June 22, 2018 at 11:33:17 AM CDT

AMERICAN OVERSIGHT

To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]

AMERICAN OVERSIGHT

Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems

AMERICAN OVERSIGHT

in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

AMERICAN OVERSIGHT

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Fri 4/13/2018 2:05:59 PM
Subject: POLITICO's Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 10:00 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals - but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress - just like his boss. Former Trump EPA political appointee Kevin Chmielewski - the subject of letter released Thursday by Democrats - met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass - adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today - he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt - as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general - it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances - a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

- **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

- Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

- A bird's fate sharpens focus on ESA - and on key official, E&E News.

- Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

- The climate stakes of nuclear plant retirements, Axios.

- Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

- Mining company fights 'bad actor' polluter label in Montana, Associated Press.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/13/pruitts-security-blanket-168376

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/13/2018 9:44:44 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals — but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress — just like his boss. Former Trump EPA political appointee Kevin Chmielewski — the subject of letter released Thursday by Democrats — met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today — he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt — as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general — it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances — a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

— **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

— Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

— A bird's fate sharpens focus on ESA — and on key official, E&E News.

— Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

— The climate stakes of nuclear plant retirements, Axios.

— Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

— Mining company fights 'bad actor' polluter label in Montana, Associated Press.

HAPPENING TODAY

8:00 a.m. — The Johns Hopkins University Paul H. Nitze School of Advanced International Studies discussion on "Canadian Natural Gas Energy Frontiers: How Canadian Firms and Governments are Responding," 1619 Massachusetts Avenue NW

9:00 a.m. — House Energy and Commerce Environment Subcommittee hearing on "High Octane Fuels and High Efficiency Vehicles: Challenges and Opportunities," 2123 Rayburn

9:00 a.m. — The University of Chicago's Booth School of Business holds Energy Forward conference, Chicago

11:00 a.m. — House Appropriations Homeland Security Subcommittee hearing on the FY 2019 budget for FEMA, 2359 Rayburn

1:00 p.m. — The National Audubon Society teleconference on the Migratory Bird Treaty Act

CORRECTION: The April 12 edition of Morning Energy misidentified the rank of a Democrat on the Foreign Relations Committee. Sen. Ben Cardin is a senior Democrat on the panel.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and

AMERICAN OVERSIGHT

Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitts-security-blanket-168376

Stories from POLITICO Pro

Former staffer: EPA fired him for refusing to OK first-class flight Back

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel "because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

AMERICAN OVERSIGHT

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Exclusive: EPA removes staffer who OK'd report on Pruitt's security Back

By Emily Holden | 04/10/2018 12:45 PM EDT

EPA removed a career staffer Tuesday who approved an internal report that undermined

AMERICAN OVERSIGHT

Administrator Scott Pruitt's claims that he needed around-the-clock bodyguards and other expensive security protection, according to two former agency employees familiar with the situation.

Mario Caraballo was the deputy associate administrator of EPA's Office of Homeland Security, which in February concluded that an earlier assessment failed to identify credible direct threats against the administrator that would justify his heavy security spending.

Sens. Tom Carper (D-Del.), the ranking member on the Environment and Public Works Committee, and Sheldon Whitehouse (D-R.I.) wrote to Chairman John Barrasso (R-Wyo.) on Tuesday requesting oversight hearings and quoting the report, making public its doubts about the need for the heightened security.

One source with direct knowledge of Caraballo's dismissal said the agency claimed he was let go because of a personnel issue from a previous military job nearly a decade ago that had been resolved then and already been reviewed by EPA several years ago. That source said senior officials also were not happy with the report from Caraballo's office.

"They're trying right now to just keep pressure on the wound," the source said. "They're trying to find out where these leaks are coming from ... They're in full panic mode right now."

EPA Principal Deputy Assistant Administrator Donna Vizian said the agency would not comment on personnel matters. But she added that today's action "was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."

A career EPA staffer who has worked with Caraballo described him as a "standout manager," and a "veteran and dedicated public servant and intelligence official to boot."

The source predicted Caraballo's dismissal would stiffen the resolve of Pruitt's critics within the agency.

"This isn't going to frighten staff, this is going to embolden us to leak more to get these criminals out," the employee said Tuesday. "They need to know we're not intimidated and we're going to blow the whistle on anything even borderline questionable."

In their letter to Barrasso, the two Senate Democrats said the records from the EPA, Secret Service and a terrorism task force fail to justify Pruitt's use of the multimillion-dollar security detail.

Instead, according to the internal EPA memo, the "threats" include protesters attempting to disrupt one of Pruitt's closed-door speeches, a letter from a prisoner, and a postcard that included the greeting: "CLIMATE CHANGE IS REAL!!! We are watching you," Carper and Whitehouse wrote to Environment and Public Works Chairman John Barrasso (R-Wyo.).

The two Democrats demanded oversight hearings into Pruitt's security spending, citing an

AMERICAN OVERSIGHT

internal EPA review, Secret Service threat assessments and a Joint Terrorism Task Force report.

But Barrasso rejected their request, while bashing the two Democrats for releasing "sensitive information."

"I am deeply troubled that members of the committee would publicly release law enforcement sensitive information regarding the safety and security of a cabinet member and his family," Barrasso said in a statement. "This letter selectively quotes non-public documents."

Barrasso added that "any reasonable reading" of those documents supported a conclusion that Pruitt faced a "variety of direct death threats."

To the contrary, Carper and Whitehouse said the Secret Service identified no "reports of behaviors of interest" against Pruitt, and internal EPA reviews dispute "the administrator's claims that the nature of the threats against him justify his expenditures."

Pruitt has drawn widespread scrutiny for demanding a round-the-clock security detail, flying first-class to limit contact with threatening passengers, and having a soundproof booth installed in his office, among other steps — all of which offered far greater protection and privacy than his predecessors received. The Associated Press, citing an unnamed EPA official, said last week Pruitt's "total security costs approached $3 million when pay is added to travel expenses."

EPA has said Pruitt has experienced a sharp increase in threats compared with his immediate predecessor, Obama-era Administrator Gina McCarthy. Among specific incidents, the agency said one person had approached Pruitt in the Atlanta airport while yelling, "Scott Pruitt, you're f---ing up the environment."

In one of the nonpublic documents Carper and Whitehouse cited, the EPA Office of Homeland Security's intelligence team concluded that an earlier threat assessment prepared by Pruitt's security team "***DOES NOT*** employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the administrator," according to a section of the Feb. 14 memo reproduced in the senators' letter (emphasis included). The memo concluded that EPA intelligence officials had "not identified any specific credible direct threat to the EPA administrator," according to the letter.

None of the incidents listed concern air travel, according to the letter.

The senators said the records don't match public statements from EPA and President Donald Trump, who tweeted Saturday that Pruitt's expenses are justified.

One view is "that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the administrator himself or others in the agency," the senators said.

AMERICAN OVERSIGHT

EPA spokesman Jahan Wilcox said Tuesday that "Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within [Office of Enforcement and Compliance Assurance] using information collected from the [Protective Service Detail], EPA's Office of Homeland Security, and Inspector General." He pointed to interviews with EPA's inspector general office discussing an increase in threats compared to the previous administrator's tenure.

Alex Guillen contributed to this report.

To view online click here.

Back

Lobbyist couple had to change the locks on Pruitt Back

By Eliana Johnson | 04/06/2018 03:13 PM EDT

Scott Pruitt was only supposed to be living in the Capitol Hill condominium that has become a focal point of his latest ethics controversy for six weeks last year while he got settled in Washington - but the new Environmental Protection Agency administrator didn't leave when his lease ended.

Instead, he asked the lobbyist couple who became his disgruntled landlords to revise his lease several times, according to two people with knowledge of the situation.

The couple, Vicki and Steve Hart, became so frustrated by their lingering tenant that they eventually pushed him out and changed their locks. After trying to nudge Pruitt out of their home over the course of several months, the Harts finally told Pruitt in July that they had plans to rent his room to another tenant.

"The original arrangement was that he would be there living out of a suitcase ... and it just kept going and going," said one of the people with knowledge of the arrangement.

The condo, in which Pruitt rented a bedroom for $50 a night, has attracted the attention of the EPA's inspector general, which said Thursday it was considering opening an investigation. The agency is already reviewing Pruitt's taxpayer-funded first-class travel, his use of a special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The president has dismissed two Cabinet secretaries in recent weeks — his former secretary of state, Rex Tillerson, and his former secretary of Veterans Affairs, David Shulkin — as well as a senior White House aide, national security adviser H.R. McMaster, making Pruitt the latest in a series of top Trump officials to risk losing their job.

The president denied in a tweet Friday that he had plans to get rid of him: "Do you believe that the Fake News Media is pushing hard on a story that I am going to replace A.G. Jeff Sessions

AMERICAN OVERSIGHT

with EPA Chief Scott Pruitt, who is doing a great job but is TOTALLY under siege? Do people really believe this stuff? So much of the media is dishonest and corrupt!"

The former Oklahoma attorney general, who has played an integral role in Trump's efforts to slash federal regulations, is a favorite of some of Trump's conservative backers. They have encouraged the president to keep him, while chief of staff John Kelly has encouraged Trump to let him go.

Pruitt has been the target of a number of damaging media reports this week, including one Thursday from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Both people familiar with the condo arrangement described Pruitt as a difficult tenant who, intoxicated by his newfound power, paid little attention to the headaches he was causing others.

Prior to Pruitt's arrival in Washington, Steve Hart — an energy lobbyist who, like Pruitt, is a native Oklahoman — had been a friend and supporter of the EPA administrator. He and his wife, a health care lobbyist, viewed the six-week living arrangement as a favor for a friend.

They drew up a lease running from February through April 1, 2017, said the people familiar with it, in order to make sure neither they nor Pruitt ran afoul of ethics rules, which prohibit political appointees from accepting gifts from lobbyists. Under the terms of that lease, Pruitt paid a cut rate of $50 per night to stay in the condominium.

That favor turned into a headache for the couple when Pruitt repeatedly asked to extend his lease. "There were gentle questions regarding, OK, when are you going to leave and what have you ... and they even started sending him ads of places close by that he could rent," said the first person.

"Scott Pruitt is the Kato Kaelin of Capitol Hill. He is the long-term house guest who takes advantage of his hosts and refuses to take a hint about when it's time to leave," the second person said.

A spokesman for Pruitt did not immediately reply to a request for comment.

The Harts eventually told Pruitt, who had to be reminded repeatedly to pay his rent, that they had plans to rent the room to somebody else — and that he needed to find another place to live, according to the people familiar with events. They also informed him in early August that they were changing the locks on their door.

To view online click here.

Back

Former staffer: EPA fired him for refusing to OK first-class flight Back

AMERICAN OVERSIGHT

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel

AMERICAN OVERSIGHT

"because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

AMERICAN OVERSIGHT

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Former Trump EPA official met Oversight Republican staff today Back

By Anthony Adragna | 04/12/2018 04:06 PM EDT

A former Trump EPA political appointee, Kevin Chmielewski, met with House Oversight Committee staff today to discuss his allegations of mismanagement and ethical lapses by Administrator Scott Pruitt, a spokeswoman confirmed.

That comes on the same day as congressional Democrats released a letter after meeting with Chmielewski detailing lavish spending habits, retaliation against aides who questioned Pruitt's actions and other ethically dubious behavior. Chmielewski, formerly EPA's deputy chief of staff for operations who handled many of Pruitt's travel and logistics coordination, told them he was fired after refusing to sign off on first-class travel for one of Pruitt's closest aides.

Oversight Chairman Trey Gowdy (R-S.C.) has been looking into Pruitt's behavior. He sent a

AMERICAN OVERSIGHT

letter Wednesday demanding additional records on the administrator's first-class travel arrangements and Capitol Hill condo agreement with a Washington lobbyist couple.

To view online click here.

Back

Pruitt's security chief goaded spending, employees say Back

By Emily Holden and Alex Guillén | 04/12/2018 08:13 PM EDT

Environmental Protection Agency Administrator Scott Pruitt has had a willing partner in pushing for his massive spending on bodyguards and first-class flights, current and former EPA officials say — the Secret Service veteran who heads his security detail.

Pasquale "Nino" Perrotta played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, and he's boasted of his exploits with women, firearms and luxury watches in a self-published autobiography. Now he's running security for the nation's top environmental regulator like a lavishly funded SWAT team, according to interviews with seven people who have worked with him under both the Trump and Obama administrations.

The current and former staffers say that rather than acting as a restraint on Pruitt, who came into the agency a year ago demanding round-the-clock bodyguards, Perrotta has instead egged him on — indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his exposure to potential threats from fellow passengers. Perrotta has even barred all but a select group of agency employees from entering rooms and corridors near Pruitt's offices, according to Ron Slotkin, a career official who recently retired as director of the EPA's multimedia office.

Perrotta has also accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources.

Slotkin said Perrotta and others around Pruitt strained repeatedly against any restrictions on their activity, including longstanding federal limits on spending and conduct.

"They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now Perrotta's own ethics are drawing scrutiny from members of Congress looking into Pruitt's actions. Five Democratic lawmakers alleged in a letter sent to President Donald Trump on Thursday that EPA issued at least one contract to an employee of Perrotta's private security firm, and that other contracts may have gone to Perrotta's "friends or associates," based on allegations from former agency deputy chief of staff Kevin Chmielewski.

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign aide, has told lawmakers EPA fired him after he refused to retroactively approve first-class travel for one of Pruitt's closest aides, former agency policy chief Samantha Dravis, according to the letter from Democrats including Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island. He also told the lawmakers that Perrotta threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call.

Perrotta did not respond to multiple requests for comment.

Agency spokesman Jahan Wilcox defended EPA's decisions on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." He added that the agency had done similar security sweeps for former President Barack Obama's two EPA administrators, Lisa Jackson and Gina McCarthy.

"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and security decisions are made by EPA's Protective Service Detail," Wilcox said in a statement. "Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."

Pruitt's spending, relationships with industry lobbyists and reputation for excessive secrecy have generated calls for his firing from Democratic lawmakers, some Republicans and even White House staff. But he still has at least a public champion in Trump, who tweeted last weekend that "Scott is doing a great job!"

To the contrary, the current and former agency employees say Pruitt has fostered an atmosphere of chaos, mistrust and disregard for optics — and that Perrotta has been a crucial part of it.

Several said Perrotta's personality and Pruitt's expectations are both probably driving EPA's security spending, adding that other key aides have signed off on the administrator's expenses either willingly or begrudgingly.

"He'll do anything to satisfy his boss," said one departed career staffer.

Perrotta was born to Italian immigrants in New York and has spent his life in law enforcement, including in the Secret Service, where he said he protected presidents and dignitaries and investigated financial and organized crimes, according to "Dual Mission," the autobiography he self-published in 2016.

In the book, he calls himself "completely misunderstood by most," including family, friends and coworkers, in large part because of his "high level of energy." Former and current colleagues have described Perrotta as rigidly loyal but also enthusiastic to push boundaries to get what he wants — an impression his book supports.

He recalls "creatively" finding ways to show probable cause to get warrants, providing financial incentives to police, and making sources of female "friends," "showering them with gifts that I was easily able to afford."

AMERICAN OVERSIGHT

Perrotta said he also let women hold his government-issued firearm in romantic situations. "It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along," he recalled.

He said he liked the finer things, including a Rolex Submariner watch that he wore in his youth. When working for the Secret Service in Bulgaria, he wrote, he dressed "more like a gangster than law enforcement," clad in square-toed, black biker boots and a black, Italian-made turtleneck sweater with a ".380 Sig" gun tucked underneath.

He joined EPA in 2004. That eventually brought him into Pruitt's orbit.

Pruitt, a former Oklahoma attorney general, had built a reputation in conservative Republican circles for his frequent lawsuits against the EPA's Obama-era regulations, putting him at odds with much of the agency's workforce. And his penchant for lavish spending was documented even before he arrived in Washington: An audit in Oklahoma showed that expenses at the attorney general's office surged during his tenure compared with his predecessor's, The Intercept reported Thursday.

When Pruitt arrived at EPA after his confirmation in February 2017, his transition team had already made it clear that he expected around-the-clock security, a former agency employee who was there at the time said.

A week after Pruitt's first day at the agency, top staffers had a meeting on "24/7 security," according to calendars obtained by the watchdog group American Oversight. Chief of staff Ryan Jackson met for half an hour with security officials including Henry Barnet, the director of the criminal enforcement office where Pruitt's security detail is housed.

Perrotta was soon promoted to replace a career staffer who had pushed back on the administrator's desire to use sirens to navigate D.C. traffic. He quickly developed a close relationship with Pruitt.

As head of Pruitt's security detail, Perrotta has been instrumental in decisions for him to fly only first-class, upgrade to a souped-up SUV and have his office swept for bugs, a former Trump administration official said. Perrotta has also overseen Pruitt's 19-person crew of bodyguards, which is three times the size of the team that protected McCarthy — and offers 24/7 protection that exceeds what most Cabinet members receive.

"Mr. Pruitt thinks he's the president of the United States," said the first former career staffer. "He's big on image."

The office sweep for listening devices — which was conducted by a company linked to Perrotta — rankled some career staffers and led to a scuffle between Perrotta and a member of the agency's homeland security office at a meeting last summer, The New York Times reported Thursday.

Despite EPA's argument that Pruitt has received a record number of death threats, an internal

AMERICAN OVERSIGHT

report from the agency's Office of Homeland Security suggests that the threats mainly consist of letters and criticism on social media that don't warrant such blanket protection. (On Tuesday, the agency dismissed a staffer who had signed off on the memo and argued with Perrotta, for what it insists were issues dating back several years.)

But several current and former EPA staffers say they also consider the security fears overblown.

"We never saw any threat, never heard any threat," said Slotkin, the former multimedia director. "If anything, it came from Pruitt, we would hear him speak about it. But there was no evidence that anybody could even get near him."

That included many EPA employees: Slotkin said Perrotta cordoned off Pruitt's suite of offices inside EPA's headquarters at Federal Triangle, posting security guards to keep out anyone who wasn't on an approved list. One restricted area was a chandelier-decorated conference room named after environmentalist Rachel Carson where agency employees had previously been allowed to hold events, Slotkin said.

"He didn't want anybody near him," Slotkin said.

Soon Perrotta was flying with Pruitt and discussing matters that went beyond security, two former employees said.

"It wasn't uncommon that given travel and Nino's proximity, he would always weigh in on matters beyond his scope as security, leveraging his institutional knowledge," one said. "He often would say what he recalled prior administrators doing."

By the spring of last year, Perrotta was regularly attending travel planning meetings with top political staff, including a March 30 international scheduling discussion and an April 10 talk on international travel, according to EPA records.

He and other security agents were closely involved in planning in May for a trip the following month to Italy, where Pruitt visited the Vatican and then attended G-7 environment meetings in Bologna. Perrotta had lived for two years in Rome on Secret Service assignment, where he made many connections, according to his book.

Wilcox said the security arrangements on the Italy trip were not novel. "EPA's Protective Service Detail tried to replicate the same security measures taken when EPA Administrator Gina McCarthy traveled to Italy in 2015," he wrote.

Thursday's congressional letter offered a new detail about Perrotta: The Democratic senators said Chmielewski reported that Perrotta entered into a $30,000 contract with private Italian security personnel for that trip. Records have revealed that expense but did not disclose whether it was for a private detail.

One of the former EPA staffers said Perrotta was friends with those guards. That source described Pruitt's protection while in Italy as extensive, with security agents from EPA and the

AMERICAN OVERSIGHT

U.S. Embassy, in addition to a large group of local agents.

News reports have revealed Pruitt also had a soundproof booth constructed for his office and considered having bulletproof desks installed.

And the spending isn't over. EPA also appears to be planning to purchase bulletproof vests specially designed to blend in underneath regular clothing for his security detail, according to a solicitation issued on Friday. The solicitation calls for 16 white-colored vests of varying sizes manufactured by Velocity Systems, along with corresponding armor made of "special threat enhanced steel" and cummerbunds that provide enhanced protection.

The armor requested is just over a quarter-inch thick and can protect against the type of bullets shot from AK-47 rifles and some AR-15 semi-automatics, according to Velocity Systems' website.

EPA would not confirm to POLITICO whether the armor is for Pruitt's protective detail or for other agents, saying only that all agents in EPA's criminal enforcement division, which includes Pruitt's detail, "are assigned bulletproof vests" and that the effectiveness of the vests expires every five years. But a source familiar with EPA's security operations said the vests are likely for Pruitt's bodyguards because of their unusual specifications and the number requested. Other enforcement agents wouldn't need their vests to be concealed, that source said.

To view online click here.

Back

Senate confirms Wheeler as EPA deputy Back

By Anthony Adragna | 04/12/2018 04:32 PM EDT

The Senate today confirmed lobbyist Andrew Wheeler to be deputy EPA administrator, sending the beleaguered agency a second-in-command as Administrator Scott Pruitt faces an uncertain future amid a torrent of ethics scandals.

Wheeler, a long-time former Senate aide, cleared the chamber by a vote 53-45. Democrats Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana supported him, as did every Republican who voted.

Democrats and the environmental community rallied hard against the nomination, pointing to Wheeler's work as a coal lobbyist and his time working as an aide to the climate change-denying Sen. Jim Inhofe (R-Okla.). And they argued he hasn't undergone sufficient scrutiny in the event he must step in to run the agency indefinitely should the Senate have to launch the uphill battle to confirm a replacement for Pruitt.

Wheeler has worked at the law firm Faegre Baker Daniels since 2009, where his past lobbying

AMERICAN OVERSIGHT

clients included coal producer Murray Energy, Xcel Energy, Bear Head LNG and Energy Fuels Resources. He provided advice and counsel, but not lobbying work, to International Paper, Archer Daniels Midland and General Mills.

WHAT'S NEXT: Wheeler will be sworn in at EPA, where he would be next in line to run the agency in the event of a vacancy.

To view online click here.

Back

Trump pledges to expand ethanol sales Back

By Eric Wolff | 04/12/2018 12:37 PM EDT

President Donald Trump said today the administration would allow year-round sales of 15 percent ethanol blends in gasoline, handing the ethanol industry a big victory.

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters said in response to questions about the biofuel today, adding that "makes a lot of farmers very happy."

Trump's statement endorses a policy change long-sought by ethanol producers and their farm-state allies in Congress to win year-round sales of higher blends of ethanol in all states. The Clean Air Act restricts when the ethanol blends above 10 percent can be sold to exclude the summer months in order to reduce air pollution.

EPA has already begun the groundwork that could lead to a proposed rule for a waiver for the higher ethanol blends. USDA has been pushing for such a waiver in light of news that EPA has been granting exemptions from the Renewable Fuel Standard for at least 25 small refineries, at least twice as many as in previous years.

Granting such a waiver will be vigorously opposed by oil companies, who are expected to challenge change in court.

To view online click here.

Back

Trump orders EPA to review Clean Air Act orders and speed permits Back

By Eric Wolff | 04/12/2018 02:55 PM EDT

President Donald Trump issued an executive order today ordering EPA to ease some of its

AMERICAN OVERSIGHT

procedures around the regulating of six key air pollutants under the Clean Air Act.

"These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy," the order says.

Highlights from the order include:

— EPA must complete reviews of state plans to reduce pollution within 18 months.
— It must complete reviews of project pre-construction permits within a year.
— Review the federal plans imposed on some states under the regional haze program to see if they can be replaced with state plans.
— When considering emissions levels, EPA must take into account pollution from other countries, even in states that are not on U.S. borders. It also must consider whether states have reduced pollution to "background levels."
— Allow states to engage in trading of pollution offsets.

The order also requires EPA to consider rescinding all of its past rules, guidance, and orders from the NAAQS program.

"This memorandum helps ensure that EPA carries out its core mission, while reducing regulatory burdens for domestic manufacturing," EPA Administrator Scott Pruitt said in a statement.

The Clean Air Act requires EPA to conduct reviews every five years of acceptable pollution levels for lead, carbon monoxide, nitrogen oxides, sulfur oxide, particulates and ground-level ozone.

To view online click here.

Back

Interior watchdog: Personnel moves were not properly documented Back

By Ben Lefebvre | 04/11/2018 02:46 PM EDT

The Interior Department's internal watchdog on Wednesday said it could not determine why more than two dozen senior executives were reassigned last year, but a substantial share of the employees forced into new jobs blamed the moves on politics or clashes with agency leadership.

The Inspector General's report shows Interior officials kept no documentation of why the senior executive service employees were reassigned, preventing investigators from reaching a conclusion on whether the personnel moves complied with federal law. Investigators interviewed members of an Executive Resources Board Interior Secretary Ryan Zinke established last year and 31 employees who received reassignment notices but came away with little more than broad

AMERICAN OVERSIGHT

justifications for the reassignments.

"When we asked the ERB members who in the Department leadership ordered the reassignment of senior executives, no one could provide an answer," the IG report stated.

Furthermore, investigators "found no documented evidence — nor were we provided a methodology or record of discussion — that the ERB reviewed the senior executives' qualifications before proposing reassignments."

One of the major purposes of the broader reorganization was to move more staff members out of D.C. and into field offices, Zinke has said.

But of the senior executive staff members originally marked for reassignment, four received proposed reassignments to put them out of the Washington, D.C., area while the same number were supposed to move from a field office to Washington, D.C., "effectively negating the ERB's stated reason to move senior executives to field offices," the report states.

The lack of record-keeping went against recommendations the OMB issued in September 2009, the inspector's report said.

Interior Deputy Secretary David Bernhardt blamed the Obama administration and Senate Democrats for the department's failure to comply with those guidelines.

"While I cannot begin to guess why the recommendation to adopt the guidelines was either rejected or simply ignored between September 9, 2009 and January 20, 2017, I do believe delays in confirming key presidentially nominated, Senate confirmed officers ... means that there are fewer principal officers to carefully evaluate existing practices and drive improvements within the Department," Bernhardt wrote in a reply to the IG's office included with the report.

Joel Clement, a climate scientist who was reassigned to work as an accountant for oil and gas royalties and has since become a top Zinke critic, blasted the report and called for the secretary to step down.

"This report sends up a red flag that indicates a deeper investigation is necessary. I hope that Congress will seek more information from the ERB members at Interior, and consider how and when Interior should do right by the executives who were impacted by discrimination or retaliation," Clement said in a statement. "In the meantime, Secretary Zinke, the only Senate-confirmed employee at Interior when these reassignments took place, should resign."

Interior sent reassignment notices to 35 employees and ultimately moved 27 of them into new jobs between June and October of last year. The IG's office interviewed 31 of those who had received the notices.

Twelve of the senior executives reassigned last year believed their moves may have been related to their prior work assignments, including climate change, energy or conservation, according to the report. Ten blamed political or punitive reasons, and eight cited conflict with department

AMERICAN OVERSIGHT

leadership. Some employees listed more than one reason, and eight others said they had positive feelings about being moved to a new job.

In most of the cases, Interior leadership did not notify an employee's supervisor, the acting bureau director or the assistant secretary the person would be reassigned "until hours before the ERB sent the reassignment notifications," the report states. At least one employee who was told he was being considered for a move was then not notified that the move would be canceled, according to the report.

"He negotiated a lease breakage option on his new lease because of uncertainty after he received notification for a geographic reassignment that the ERB ultimately canceled" the inspector general wrote in its report.

The Inspector General is expected to release the results of its separate investigation into Zinke's use of official travel to attend campaign and fundraising events within the next week.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered " reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill . He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003243

ED_001863D_00000219-00023

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Wed 4/11/2018 11:22:55 AM
Subject: April 11 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Wed., April 11, 2018

READ FULL EDITION

1.POLITICS:

Could oil taxes, striking teachers shift Okla.?

Lawmakers in Oklahoma are facing fallout from a tax hike and a teacher walkout. There could be more turmoil if EPA Administrator Scott Pruitt, who was the state attorney general until early 2017, decides to run for governor.

TOP STORIES

2.NEWSMAKER:

To Perry devotee, Texas market is 'experiment in freedom'

3.SECURITY:

White House departure creates another cyber vacancy

4.SUPERFUND:

Watchdog group sues again on Tar Creek, seeks Inhofe emails

ELECTRICITY

5.SECURITY:

DHS brews a 'Cyber Storm' for critical infrastructure

6.POWER MARKETS:

FirstEnergy's call for help gets little sympathy

7.PEOPLE:

Former oil and gas rep confirmed as Kan. utilities regulator

OIL AND GAS

8.GAS EXPORTS:

Cove Point LNG launches East Coast exports

9.BUSINESS:

Devon sheds 300 more jobs

10.PEOPLE:

Texas oil regulator taps its CFO as new leader

11.TECHNOLOGY:

Oil majors jostle for supercomputing edge

12.OFFSHORE DRILLING:

BP to tap two new blocks in North Sea

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

AMERICAN OVERSIGHT

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Tue 4/10/2018 2:05:16 PM
Subject: POLITICO's Morning Energy, presented by the American Petroleum Institute: Parsing Pruitt's 'war on lead' — Jackson takes responsibility on raises — Mission impossible? Replacing Pruitt

By Kelsey Tamborrino | 04/10/2018 10:00 AM EDT

With help from Eric Wolff, Annie Snider, Alex Guillén, Anthony Adragna and Ben Lefebvre

PARSING PRUITT'S 'WAR ON LEAD': Amid the wave of recent scandals, EPA Administrator Scott Pruitt and his supporters have touted regulatory rollbacks and a focus on drinking water policy as big victories for the Trump administration. "Record clean Air & Water while saving USA Billions of Dollars," President Donald Trump tweeted over the weekend, in support of the embattled administrator. But details on Pruitt's water plans remain sparse, Pro's Annie Snider reports, leaving critics to wonder how much he can achieve while also seeking to shrink the agency.

It is unclear exactly what air and water "record" Trump was referring to in his tweet, but it is likely too early to make such definitive claims, Annie reports. Only limited data on drinking water quality under the Trump administration is available, and air pollution has been declining for more than a decade. But before Pruitt was engulfed by negative headlines, the EPA chief touted his ambitious goals to update aging infrastructure and eradicate dangerous chemicals from drinking water. He's since leaned into such plans in interviews with conservative media outlets when defending himself against accusations of ethical missteps.

Pruitt brought together high-level officials from across the government earlier this year to launch his "war on lead," and in May is set to convene a nationwide summit of drinking water officials to address chemical contamination. Local drinking water agencies are glad to see Pruitt pay attention, Annie reports, but many still wonder how much he'll be able to get done, with a White House that has indicated Pruitt should be able to accomplish his goals without any new money. Read more.

IT'S TUESDAY! I'm your host Kelsey Tamborrino. QEP Resources' Shane Schulz was first to identify Gilbert Stuart's portrait of George Washington as the one saved by former first lady Dolley Madison during the War of 1812. For today: What are the five countries in Europe that don't have an airport? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

CAUGHT BETWEEN AN EMAIL AND AN INTERVIEW: EPA chief of staff Ryan Jackson says he takes responsibility for the controversial raises given to two of Pruitt's top aides, Pro's Emily Holden reports. The Atlantic reported Monday on the existence of an internal EPA email between Sarah Greenwalt, senior counsel to the administrator who previously worked with Pruitt in Oklahoma, and EPA HR. The email confirms Pruitt knew of and approved Greenwalt's raise, which the Atlantic reports is roiling agency staff and contradicts Pruitt's comment to a Fox News interviewer when he said "I didn't know they got the pay raises until yesterday."

AMERICAN OVERSIGHT

In a response to the report, Jackson distanced Pruitt from the salary decision. "Administrator Pruitt had zero knowledge of the amount of the raises, nor the process by which they transpired. These kind of personnel actions are handled by EPA's HR officials, Presidential Personnel Office and me," Jackson said in a prepared statement Monday. Read more.

EPA ETHICS OFFICIAL REFERS TO IG: Kevin Minoli, EPA's top ethics official, has sent ethics concerns regarding Pruitt to the Office of Inspector General for further investigation, according to a letter sent Monday and obtained by Buzzfeed. Minoli, a longtime EPA attorney, was responding to the Office of Government Affairs' acting director, David Apol, who on Friday urged him to further review issues like Pruitt's housing, spending and the raises granted to aides. In his response, Minoli writes that he lacks independent investigative authority. "Consequently, in an instance in which the EPA ethics office lacks sufficient evidence to assess fully an ethics matter, we have a long-standing practice of referring it to the" IG, he wrote.

SWAMP THINGS: Senate Minority Leader Chuck Schumer joined his House counterpart Nancy Pelosi in calling for Pruitt's exit on Monday. "President Trump says he's going to drain the swamp. Pruitt characterizes the swamp in just about all of his actions, and Trump sticks by him," Schumer said from the Senate floor. "If you want to drain the swamp, Mr. President, get rid of Mr. Pruitt." The Environmental Working Group calculated there are now 91 bipartisan members of Congress calling for Pruitt's removal. More here from your ME host.

LUKEWARMLY STAND BY YOUR MAN: A bunch of GOP senators told ME Monday that legitimate questions had been raised about Pruitt's conduct, but none of them would go so far as to call for his resignation. "I know there a lot of questions that are being asked that sound like they need to be responded to," Senate Energy Chairman Lisa Murkowski told ME. "The questions that have come up are legitimate questions to have, so we'll have to wait and see what his answers are to those," Sen. John Boozman said.

But members of Senate leadership largely dodged. Sen. John Cornyn, the chamber's Majority Whip, wouldn't directly weigh in on the scandals: "It's the president's decision not ours." And Sen. John Barrasso, chairman of the EPW Committee, said Pruitt would probably come before his panel again this year, but declined anything more specific. Others defended the embattled EPA chief completely, with Sen. Roger Wicker arguing Pruitt's "vilified because he's doing his job and the left is doing everything they can to make him not succeed."

Sen. Joe Manchin, one of the few Senate Democrats who backed Pruitt's confirmation, said he didn't regret his vote, but added that the administrator should answer questions about his conduct. "He has to be held accountable," Manchin told reporters. Asked if he was surprised Pruitt still had a job, Sen. Brian Schatz told ME: "I'll just say that other secretaries in the same administration have left for less."

MISSION IMPOSSIBLE: With a shrunken Republican majority in the Senate, lawmakers would struggle to confirm any new EPA administrator, POLITICO's Burgess Everett and Anthony Adragna report - let alone someone as aggressive about undoing former President Barack Obama's environmental rules and regulations. "Anything is going to be hard right now at

AMERICAN OVERSIGHT

50-49 to confirm, especially if it's a high profile position," said Sen. John Thune of South Dakota, the No. 3 GOP leader. Read the full story here.

MORE SUPPORT FOR WHEELER: Republican Sen. Susan Collins, who opposed Pruitt's selection to run EPA, said she intends to back his selection for deputy administrator, Andrew Wheeler. "Unless there is some new adverse information, based on my review of his record I do intend to support him," she told ME. That further clears the path for Wheeler, who has secured the support of at least two moderate Democrats as well.

MOST ENDANGERED: Rivers threatened by oil, gas, agriculture and mining development dominate this year's list of Most Endangered Rivers, the annual rundown by green group American Rivers. Mississippi's Big Sunflower River list is ranked in the top slot, thanks of efforts by the state's congressional delegation to revive a vetoed Army Corps of Engineers flood control project that would have drained tens of thousands of acres of wetlands in the watershed. A rider supporting the project failed to make it into the fiscal 2018 spending bill last month - the last one managed by Mississippi Sen. Thad Cochran before he retired. Read the report here.

** **A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

THE RFS MEETING THAT DIDN'T ROAR: The participants at a White House meeting Monday on the Renewable Fuel Standard know what happened, but hardly anyone else does. One ethanol source told ME that Trump had punted the issue to Congress, but a Growth Energy spokeswoman said, "Our understanding is that they will continue to explore options." Reuters Jarrett Renshaw tweeted that Trump had decided to allow another three months for discussions. Growth, an ethanol trade association, put out a statement saying, "We are encouraged that the White House continues to rebuff Senator [Ted] Cruz's efforts to place a cap on RINs, which would destabilize the RFS and devastate struggling farm communities."

So what now? If Trump has indeed decided not to decide - at least for a while - then all eyes turn to Sen. John Cornyn and Rep. John Shimkus who have been working on a draft legislation that would overhaul the RFS. The Senate has a world of work to do, from approving nominees to run the State Department and the CIA to funding the government in September, so it's not clear how anything could get to the floor before - at the earliest - a lame-duck session after the November election.

CONFIRMED: James Edward Campos was confirmed by voice vote Monday to be director of the Office of Minority Economic Impact at the Energy Department. The Senate also confirmed Theodore Garrish Monday by voice vote to be assistant secretary of Energy for international affairs, and James Reilly to be director of the United States Geological Survey. Read more.

TWEET FOR TAT: Interior press shop's relationship with New Mexico conservationists seems to be ... not great. Nonprofit Trust For Public Land took to the social platform Monday afternoon

AMERICAN OVERSIGHT

to thank BLM and New Mexico lawmakers - Rep. Ben Ray Luján and Sens. Tom Udall and Martin Heinrich - for helping to add 600 acres to the Rio Grande del Norte National Monument. DOI followed up hours later: "Too bad they pulled their quote from a joint press release at the last minute. Guess they aren't all that interested in collaborative conservation. SAD," the official DOI press secretary Twitter account posted. "We're extremely proud of our collaboration with both Democrats and Republicans to ensure everyone has access to public lands," TFPL spokesman Keith Maley said, declining to comment further "on a press release we didn't issue."

A GREENER APPLE: Apple Inc. on Monday said all of its global facilities, which include data centers, Apple stores, and offices, are running on 100 percent renewable electricity. "We're going to keep pushing the boundaries of what is possible with the materials in our products, the way we recycle them, our facilities and our work with suppliers to establish new creative and forward looking sources of renewable energy because we know the future depends on it," CEO Tim Cook said in a statement.

ICYMI: **'CALL YOUR SENATORS':** An ME reader flagged a 30-second ad touting Interior Secretary Ryan Zinke that aired in D.C. last month. The ad prompts viewers to "call your senator" to demand they back Zinke and funding to repair national park infrastructure. But ME is a little skeptical that the TV spot is really about a specific policy, given that a) sources told us the ad only aired in D.C., which doesn't have any local senators to call, b) the footage reserves its longest shot for a smiling Zinke, and c) it aired around the same time a polling firm recently asked people in Iowa what they thought about the former Montana congressman and Navy SEAL. ME's source said American Economic Freedom Alliance paid for the spot. Little is known about the group, but it may have relationships with Vice President Mike Pence, according to the Indianapolis Star.

GREENS NOT FANS OF SCOTT'S SENATE RUN: Florida Gov. Rick Scott announced Monday he's running for Sen. Bill Nelson 's seat - drawing the immediate condemnation of environmentalists who say the two-term governor has refused to acknowledge climate change, among other issues, Pro Florida's Bruce Ritchie reports. They instead accused Scott of "greenwashing" his record in the state. "I think he will try to put everything he can out there to say he is an environmental champion," Frank Jackalone, the Sierra Club's Florida chapter director, told Bruce. "But we look at the bigger record and he is not [an environmental champion]." Read the story.

GREENS: **REJECT POMPEO:** More than 200 environmental groups called on senators today to reject Mike Pompeo's nomination for secretary of State. The letter, organized by the Food & Water Watch, cites Pompeo's history of statements doubting the science behind climate change. Read the letter here.

HARD BLOCK CAFE: Democratic Sens. Jeff Merkley, Ed Markey, Ben Cardin and Michael Bennet will hold a press conference today alongside clean air advocates to discuss EPA's recent announcement that it intends to rollback Obama-era fuel economy standards. Janet McCabe, former acting assistant administrator of EPA's Office of Air and Radiation, will also join the event.

AMERICAN OVERSIGHT

TRUE CRIME: The Atlantic Council's Global Energy Center released a new report today on illicit maritime activity related to the use of hydrocarbons. The report focuses on crimes including the small-scale smuggling of subsidized fuel and the hijacking of oil tankers. Read it here.

QUICK HITS

- The SEC is blunting investor activism over climate, K-Cups and gay rights, The Washington Post.

- State attorney general releases Tar Creek audits, Tulsa World.

- "Kinder Morgan blinked": Cross-Canada pipeline on hold because of opposition, The Seattle Times.

- Biggest U.S. electric grid has plan to keep power plants afloat, Bloomberg.

- Ohio power company has few allies in bailout bid, The Wall Street Journal.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politico.com/newsletters/morning-energy/2018/04/10/parsing-pruitts-war-on-lead-163864

To change your alert settings, please go to https://secure.politico.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Konkus, John[konkus.john@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Block, Molly[block.molly@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]
From: Daniell, Kelsi
Sent: Wed 12/20/2017 3:10:06 PM
Subject: EPA Morning News Highlights 12.20.17
EPA Morning News Highlights 12.20.17.docx

EPA Morning News Highlights 12.20.17

-

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

AMERICAN OVERSIGHT

The Californian: Salinas Oil Company Penalized for Environmental Violations

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

AMERICAN OVERSIGHT

Politico: Senators, White House Lay Groundwork for Dreamers Deal

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

AMERICAN OVERSIGHT

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President

AMERICAN OVERSIGHT

Trump's agenda."

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans."

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

The findings contradict the advisory by the World Health Organization's International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is "probably carcinogenic." The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

AMERICAN OVERSIGHT

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement "will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon's economy continues to be a working harbor."

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

AMERICAN OVERSIGHT

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous “potential wildlife receptors,” which could give further insight into the effectiveness of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

“This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June,” Sallinger said.

The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

AMERICAN OVERSIGHT

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future."

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

AMERICAN OVERSIGHT

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

AMERICAN OVERSIGHT

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to

AMERICAN OVERSIGHT

state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new

AMERICAN OVERSIGHT

approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

AMERICAN OVERSIGHT

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lace Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways

AMERICAN OVERSIGHT

and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program

AMERICAN OVERSIGHT

administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

AMERICAN OVERSIGHT

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

"No, we'll not be doing DACA … this week," McConnell said. "That's a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it."

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

AMERICAN OVERSIGHT

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation's asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

"Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?" Flake said, summing up the questions from senators. "There's a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support."

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday's meeting with Kelly, as did Senate Majority Whip John Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

"I think what we're trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures," Cornyn said as he left the meeting. "We got a promise to provide it to us and hopefully we'll get that in short order. Maybe even this week."

Republicans' commitment to taking up a DACA deal next month won't spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won't risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

AMERICAN OVERSIGHT

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

AMERICAN OVERSIGHT

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

AMERICAN OVERSIGHT

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The

AMERICAN OVERSIGHT

disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

AMERICAN OVERSIGHT

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, “Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years “have gone to industries lagging behind State growth in employment and annual average pay.” In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

AMERICAN OVERSIGHT

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive “has never been used” and the state Department of Commerce “no longer promotes the program on its website due to lack of interest.”

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a “dearth of data.” The group also reported there is “insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit.”

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, “Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents.”

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow “guide” the process.

AMERICAN OVERSIGHT

EPA Morning News Highlights 12.20.17

Washington Examiner: EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis
Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday. Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin. The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

Brownfield Ag News: EPA says Glyphosate does not cause cancer in humans
The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans. The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as "not likely to be a carcinogen for humans." The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found "no statistically significant associations with glyphosate use and cancer at any site."

Portland Business Journal: EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal
The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday. The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

The Californian: Salinas Oil Company Penalized for Environmental Violations
In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement. The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

Joplin Globe: John Berrey: Politico Got It Wrong on Tar Creek
After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

Missourinet: Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides
EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated. Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas. Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

National Morning News Highlights 12.20.17

Politico: Senators, White House Lay Groundwork for Dreamers Deal
Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump. At a

AMERICAN OVERSIGHT

Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

Bloomberg: Christmas Comes Early for Trump with Tax Win

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate. The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

Yahoo! Congress Discloses 3 More Sexual Harassment Settlements

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

The Oklahoman: Incentive Review Shows Value of Tax Simplicity

This year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

Washington Examiner

http://www.washingtonexaminer.com/epa-appoints-region-head-to-cover-home-of-lead-contamination-crisis/article/2643923

EPA Appoints Region Head to Cover Home of Lead-Contamination Crisis

By: John Siciliano, 12/19/17

Environmental Protection Agency Administrator Scott Pruitt appointed Cathy Stepp to become regional administrator for Region 5, which includes the home of the lead contamination crisis in Flint, Mich., the agency announced Tuesday.

Stepp will oversee EPA efforts in Indiana, Illinois, Michigan, Minnesota, Ohio, and Wisconsin.

The Region 5 office has become of critical political importance in recent years after the Flint drinking water crisis captured national attention during last year's presidential election.

The drinking water crisis in the working-class city north of Detroit also became a focal point in congressional oversight last year and in major spending bill fights. The crisis started after Republican Gov. Rick Snyder appointed a project manager to find more cost-effective ways of supplying water to Flint.

The appointee signed off on a plan to divert the city's water supply from Lake Michigan to the Flint River, which caused the drinking water pipes in the city to corrode, sending large amounts of lead into residents' drinking water.

Stepp is coming from the EPA Region 7 office, where she serves as principal deputy regional administrator. Region 7 serves Iowa, Kansas, Missouri, Nebraska and nine tribal nations.

She previously served in the Midwest region as the secretary of the Wisconsin Department of Natural Resources from 2011 to 2017. She also served as a state senator in Wisconsin.

Pruitt said her experience brings "a fresh perspective to EPA as we look to implement President Trump's agenda."

AMERICAN OVERSIGHT

EXT-18-783-F-003276

ED_001863D_00000235-00002

Susan Hedman, the Region 5 head who served under the Obama administration's EPA, resigned over the Flint water crisis after it was reported that she refused to provide information on the lead contamination crisis after being contacted by the mayor.

Brownfield Ag News

https://brownfieldagnews.com/news/epa-says-glyphosate-not-cause-cancer-humans/

EPA says Glyphosate does not cause cancer in humans

By: Amie Sites, 12/19/17

The Environmental Protection Agency has released a draft human health risk assessment stating that weed-killer glyphosate likely does not cause cancer in humans.

The assessment concluded there are no meaningful risks to human health when the pesticide label is followed, and it should be classified as “not likely to be a carcinogen for humans.”

The EPA says the findings are consistent with the 2017 National Institute of Health Agricultural Health Survey, which found “no statistically significant associations with glyphosate use and cancer at any site.”

The findings contradict the advisory by the World Health Organization’s International Agency for Research on Cancer (IARC), which concluded in 2015 that glyphosate is “probably carcinogenic.” The state of California plans to add glyphosate to its list of cancer-causing chemicals, which requires that products containing or grown with glyphosate carry warnings that it is a known carcinogen.

The EPA will open a 60-day comment period on the draft human health and ecological risk assessment.

Portland Business Journal

https://www.bizjournals.com/portland/news/2017/12/19/epa-four-companies-reach-key-portland-harbor.html

EPA, Four Companies Reach Key Portland Harbor Superfund Cleanup Deal

By: Pete Danko, 12/19/17

The Environmental Protection Agency and four major industrial polluters have agreed on a key next step in the Portland Harbor Superfund site cleanup, the federal agency announced on Tuesday.

The agreement between Arkema Inc., Evraz Inc. NA, Schnitzer Steel IndustriesInc., the Marine Group LLC and the EPA sets the framework of a $14 million sampling plan that will be used to guide and assess the cleanup of the polluted 10-mile stretch of the Willamette River.

In a joint statement, Schnitzer (NASDAQ: SCHN) and the Marine Group said the agreement “will expedite the cost-effective cleanup of the site in a way that is protective of public health and the environment, while ensuring that this waterway that is so vital to Oregon’s economy continues to be a working harbor.”

Yet environmentalists and state environmental regulators say the agreement falls short of their hopes.

The Oregon Department of Environmental Quality's Sarah Greenfield, in-water coordinator on the cleanup project, said that while the sampling plan would provide "a lot of necessary data," there "are a few data gaps and a few additional pieces of information that we hoped to see."

AMERICAN OVERSIGHT

The agreement represents one of the first major steps in implementing the 13-year, $1.05 billion cleanup plan unveiled by the Obama administration in January.

In October, DEQ and local officials, tribal leaders and environmental organizations had criticized the EPA over a draft agreement between the EPA and four then-unnamed companies, saying it threatened to undo the Obama administration's record of decision.

Gov. Kate Brown described the EPA draft agreement in October as a "significant setback" that "undermines the progress we've made."

On Tuesday, Bob Sallinger, conservation director for Portland Audubon, said the latest deal might not be as bad as that October version, but it's not what environmentalists hoped to see, nor what the EPA had been talking about earlier in the year.

In addition to sampling the contaminated river bottom, those earlier drafts called for sampling numerous “potential wildlife receptors,” which could give further insight into the effectiveness of the cleanup.

The settlement, Sallinger said, calls for sampling only one species, smallmouth bass.

“This sampling plan is significantly weaker than the draft plans that the EPA had sent out in June,” Sallinger said.
The DEQ's Greenfield said the agency was also hoping to see additional fish tissue sampling, particularly of carp, one of the more commonly eaten fish from the river.

Schnitzer defended that part of the plan.

"We had prepared our proposal prior to the release of EPA's proposal and our sampling plan focused on the smallmouth bass because in the record of decision that is the primary species of concern for fish consumption risk," a company spokesperson said. "EPA agreed with this approach and agreed that it could do additional sampling including other species in the future.”

Sallinger, however, said it was disappointing that only four polluters — out of several dozen potentially responsible parties — had been allowed to define the baseline sampling plan.

The Californian

http://www.thecalifornian.com/story/news/2017/12/19/salinas-oil-company-penalized-environmental-violations/966236001/

Salinas Oil Company Penalized for Environmental Violations

By: Cristian Ponce, 12/19/17

Encore Oils and Ottone-Salinas, Inc. have been penalized for several federal Clean Water Act violations.

The U.S. Environmental Protection Agency reached a settlement Tuesday with both companies in an effort to prevent the risk of oil spills from their biodiesel processing facility in Salinas to the Monterey Bay Watershed.

The settlement includes a $31,893 penalty and resolves several Clean Water Act Violations, according to the press release from the EPA.

Ottone-Salinas, Inc. owns the property that Encore Oils, also known as SeQuential, operates on, located ten feet from Alisal Creek which flows into the Salinas River.

AMERICAN OVERSIGHT

In September 2016, the EPA inspected the company and found there was a violation of the Clean Water Act's Oil Spill Prevention, Control and Countermeasure, according to an EPA press statement.

The inspection found that there was a lack of secondary containment to keep oil that had been spilled from leaking into nearby water, a lack of safe and appropriate containers for the storage of oil, a failure of regular inspections and tank integrity testing and failure to provide and maintain records from the company's compliance with requirements, according to the press release.

These regulations are put in place to reduce the risk of having oil reach nearby waters and to make sure there is adequate containment of oil spills, according to the press release.

Under the agreement with the EPA, SeQuential has put in place different safeguards to make sure oil spills will not reach nearby waterways, which include closing tanks that are failing.

Joplin Globe

http://www.joplinglobe.com/opinion/columns/john-berrey-politico-got-it-wrong-on-tar-creek/article_96e18c96-8e7d-51b4-bccc-8ab81e6d9575.html

John Berrey: Politico Got it Wrong on Tar Creek

By: John Berrey, 12/19/17

As the longtime chairman of the Quapaw Tribe of Oklahoma, I take strong exception to the Dec. 6 article by Politico's Malcom Burnley ("The Environmental Scandal In Scott Pruitt's Backyard"), which showed Burnley to be an accomplished ax-grinder.

This piece indicated that Oklahoma Sen. Jim Inhofe bears significant blame for the complicated nature of the cleanup of the Tar Creek Superfund site located on Quapaw land in Northeast Oklahoma.

Even casual observers know that the complications at Tar Creek existed long before the tenure of Sen. Inhofe. When mining companies discovered lead and zinc ore on Quapaw lands in the early 1900s they were required to acquire mining leases through the federal Bureau of Indian Affairs. Many Quapaw tribal members refused to lease their land to the mining companies. Perhaps not unsurprisingly, the BIA responded by declaring those tribal members "incompetent" and went ahead and executed the mining leases on their behalf.

When the Environmental Protection Agency declared Tar Creek a national priority list Superfund site in 1983, the EPA considered the BIA, along with the mining companies, a "responsible party" because of BIA's participation in leasing the land for mining and its management of mining practices on Indian leases.

For most of the 30-plus years since being declared a responsible party by EPA, and therefore liable for the cleanup, BIA has refused to accept responsibility for the cleanup or provide any cleanup funds. In fact, because of its fear of past and future liability, the BIA fought every effort by the EPA to clean up mine waste on Quapaw tribal lands. This — not anything Sen. Inhofe did or didn't do — is the primary reason that cleanup of Tar Creek has languished for over most of the last 35 years.

In reality, Sen. Inhofe and his staff, including his former chief of staff Ryan Jackson, should get significant credit for ending the deadlock between EPA and BIA, thereby allowing the start of the cleanup of the mountains of heavy metal-laden mine waste (called "chat") that dominate the landscape on Quapaw land. In the early 2000s, Sen. Inhofe, using his influence as chairman of Environment and Public Works Committee in the Senate and working with Quapaw tribal leaders, brought upper management of the EPA and the Department of the Interior together by facilitating an agreement and sponsoring legislation that would ease fear of liability and allow the EPA to finally begin cleanup of mine waste on tribal lands. Since then, there has been more mine waste cleaned up at Tar Creek than in the previous 30 years

AMERICAN OVERSIGHT

combined.

More than once in the article the author states that the Quapaw tribe has been "contracted" to perform cleanup at Tar Creek. This represents a fundamental misunderstanding of the facts and the nature of tribal sovereignty. Under the Superfund law, Indian tribes have the same status as states where Superfund sites are concerned. The EPA cleanup funds that the Quapaw tribe's Environmental Office receives to clean up mine waste on tribal lands are channeled through an inter-agency cooperative agreement — a funding method identical to EPA funding provided to state agencies that participate in Superfund cleanups.

This method of cleanup funding has significant advantages over "contracting" out Superfund cleanup work. By funding a tribe or state agency to perform the work themselves, it allows work to be performed by local entities that know the communities in which they work, not to mention the lower costs that result from avoiding the usual markups of multilayered contractors.

This local control and funding of the cleanups at Superfund sites is consistent with Pruitt's change in the focus of the Superfund program nationwide.

It should be noted that Tar Creek is the first Superfund site in the nation where an Indian tribe has been given the lead by the EPA in site cleanup. It may be news to Malcom Burnley, but the Quapaw tribe has scientists and engineers on staff to provide technical oversight and the tribe has a construction division with heavy equipment and numerous tribal employees with construction and earth moving equipment and experience. These enhancements were a direct result of tribal leaders, the EPA and Sen. Inhofe and his staff working together for over a decade to ensure that the tribe had the capacity and ability to perform this work.

It is reasonable to expect that the tribe, the most adversely affected stakeholder at Tar Creek, should benefit from the cleanup of its own lands. Accordingly, the Quapaw tribe has cleaned up more waste and returned more acres to productive use since 2013, than was cleaned up in the previous 30 years at Tar Creek.

The article states that "(a)s EPA administrator, he (Scott Pruitt) has assumed full responsibility for the still-faltering cleanup." As I pointed out above, the cleanup is far from "faltering," and in fact the state of Oklahoma — seeing how the tribe has achieved unprecedented progress in the cleanup at Tar Creek — has entered into its own inter-agency agreement with the Quapaw tribe to perform cleanup of contaminated nontribal land.

This state/tribe agreement is another nationwide first at a Superfund site. Not surprisingly, after Pruitt sent his senior staff to visit Tar Creek this past summer and report back to him, they reported that because of the tribe's more than adequate capacity to perform the work at a lower cost, and because of the tribe's longstanding relationships with landowners and the local communities, the current remediation work at Tar Creek should be a model for bringing new approaches to large legacy Superfund sites.

Most of the article derides the Lead Impacted Communities Relocation Assistance Trust for alleged mismanagement of the relocation of residents of the Tar Creek area. Although I am not familiar with all of the inner workings of the LICRAT or the nature and validity of all of the grievances of the relocated residents, I do know that all of the residents have been removed from the hazards of the inevitable mine cave-ins that occur at the site on a regular basis.

Members of the LICRAT have also endeavored to see that the tribe ultimately receives the land that was purchased so that the tribe can ensure that the land is remediated and eventually converted into some form that can be safely used as a part of its land base.

It should also be noted that many residents living in the Tar Creek area were living on Quapaw tribal land, and in many cases, did not know it because the BIA had not been collecting rent for decades as it was required to. This resulted in some of the residents' evident resentment toward the LICRAT's proposed buyout offers.

AMERICAN OVERSIGHT

After decades of exploitation, environmental devastation, mismanagement of natural resources and broken promises, the Quapaw tribe, with the help of Sen. Inhofe, Pruitt and the EPA, and the state of Oklahoma, has taken a leadership role at the Tar Creek site. With all due respect to the former residents of the Tar Creek area and Politico, the real story at Tar Creek is this: The members of an Indian tribe were promised land as a place to be Quapaw. Now they are taking it back one truckful of mine waste at a time.

John Berrey is the chairman of the Quapaw Tribe of Oklahoma.

MissouriNet

https://www.missourinet.com/2017/12/19/missouri-lawmakers-differ-on-fixing-st-louis-area-landfill-before-epa-head-decides/

Missouri Lawmakers Differ on Fixing St. Louis Area Landfill before EPA Head Decides

By: Jason Taylor, 12/19/17

There are competing ideas among Missouri lawmakers for cleaning up the West Lake Landfill Superfund Site west of St. Louis.

Environmental Protection Agency (EPA) administrator Scott Pruitt said earlier this month that the government's taken too long to address the issues while declaring that a decision would be announced in January.

"There's proposals that I'm looking at this month to make a decision on West Lake. It's a very important issue to the people of St. Louis," says Pruitt.

Back in May, bipartisan legislation was introduced by Missouri members of Congress to transfer management of the site from the EPA to the Army Corp of Engineers.

Republican Roy Blunt and Democrat Claire McCaskill teamed up on a measure in the Senate, while GOP member Ann Wagner and Democrat William Lace Clay, both St. Louis area Congress members, file a companion bill in the House.

In October, Republican state Senator Mike Kehoe of Jefferson City sent a letter to the EPA's regional office in Kansas City, asking the agency to follow its own 2008 recommendation to physically cap and isolate the material at the landfill forever.

Kehoe said in his letter that there continues to be no evidence of health risks to individuals living or working near the West Lake site, and that excavating the waste would present unintended hazards.

17 other Republican State Senators signed onto Kehoe's letter, which claims excavation and transportation of waste would create unnecessary exposure and public safety risks on roadways and railways.

The correspondence also points out there's concern among wildlife and aviation experts that excavation would lead to the risk of bird strikes to aircraft approaching and leaving St. Louis' Lambert Airport.

Kehoe's letter expressed sympathy to those who worry their health may have been compromised by the legacy of the Manhattan Project, a World War II nuclear bomb development program which led to the dumping of contaminated waste at the West Lake site in the 1970's.

An underground fire at the nearby Bridgeton Landfill, which has been burning since at least 2010, is making its way toward the radioactive material at West Lake.

AMERICAN OVERSIGHT

While Kehoe's letter dismisses the existence of health risks at West Lake, it states that circumstances at nearby Coldwater Creek have been found to be wholly different.

Kim Visintine of the Coldwater Creek group told Missourinet earlier this month people living in that area have reported a list of health battles, including cancer, autoimmune disease, some cannot have children and some children born with deformities.

EPA head Pruitt told a U.S. House committee in early December that he'll release a decision next month on what will be done at West Lake Landfill. The site will either be capped, as Kehoe and the group of Republican State Senators want, or it will be excavated.

Meanwhile, Democratic State Senator Maria Chappelle-Nadal of University City refiled the same measure she put forth last session to assist homeowners in contaminated areas.

Under the plan, if a federal or state environmental or state health agency determined a home to be uninhabitable due to contamination from certain radiation, the owner would be eligible to sell the home for fair market value through the Missouri contaminated home acquisition program administered by the state Department of Natural Resources.

Chappelle-Nadal's bill calls for up to $12.5 million to be dedicated to achieving the goal.

Politico

https://www.politico.com/story/2017/12/19/senate-white-house-trump-lay-groundwork-for-daca-deal-306298

Senators, White House Lay Groundwork for Dreamers Deal

By: Seung Min Kim, Heather Caygle and Elana Schor, 12/19/17

Top senators and White House officials are laying the groundwork for a major immigration deal in January to resolve the fate of young undocumented immigrants whose legal protections were put in limbo by President Donald Trump.

At a Tuesday afternoon meeting with nearly a dozen senators deeply involved in immigration policy, White House chief of staff John Kelly pledged that the administration will soon present a list of border security and other policy changes it wants as part of a broader deal on so-called Dreamers, according to people who attended the meeting. The plan could come in a matter of days, senators said.

About a half-dozen senators have been negotiating a bipartisan package prompted by Trump's decision to kill the Deferred Action for Childhood Arrivals program, an Obama-era executive action that granted work permits to nearly 800,000 undocumented immigrants who came here as minors. Yet the senators could not fully flesh out a deal before they knew what Trump was willing to sign.

"We couldn't finish this product, this bill, until we knew where the administration was," Sen. Jeff Flake (R-Ariz.), who has been negotiating a DACA compromise for weeks, said in an interview after the meeting with Kelly. "And that's why this meeting was so important."

Congressional Republicans and the White House have long said any DACA deal would need to be paired with security and other enforcement measures. Democrats say that's fine as long as the provisions weren't too onerous. But the border security question has been a sticking point for weeks, as senators swapped proposals without cutting a deal, so far.

And while liberal Democrats and grass-roots activists are pressuring Congress to enact permanent legal protections for Dreamers this year, both Democrats and Republicans at the meeting with Kelly said there was a consensus that legislation wouldn't pass before lawmakers leave Washington. It was one of the clearest sign yet that a Dreamers agreement won't, to the chagrin of liberals, come before 2018.

AMERICAN OVERSIGHT

"Our belief is that if this matter is not resolved this week — and it's not likely to be resolved — that come the omnibus and the caps, that we have another chance to finally come up with a bipartisan package of things to include" by mid-January, said Sen. Dick Durbin (D-Ill.), who also attended the meeting. "The closer we get [to the March deadline], the more nervous I get, not to mention the way these young people feel. I'm sorry that it's taken this long."

Flake said he believes he has a commitment from Senate Majority Leader Mitch McConnell (R-Ky.) to hold a cloture vote on the floor on an immigration deal by mid-January, before the next likely deadline to fund the government, Jan. 19.

A spokesman for McConnell did not immediately return a request for comment. But the majority leader said during a Fox News interview that he has talked about the immigration issue with his counterpart, Senate Minority Leader Chuck Schumer of New York.

“No, we’ll not be doing DACA … this week,” McConnell said. “That’s a matter to be discussed next year. The president has given us until March to address that issue. We have plenty of time to do it.”

At the Tuesday meeting, Kelly and other administration officials went into detail about how much of the southern border is currently fenced and how much more the White House would want in exchange for a DACA deal, according to people who attended.

Senators also pressed the White House on other immigration demands, such as an overhaul of the nation’s asylum system or a change in policy toward unaccompanied minors who are apprehended at the southern border, and whether they needed to be included in the current DACA talks.

“Which of those policy items, or immigration law changes, do we need to make as part of this and what can wait for something else?” Flake said, summing up the questions from senators. “There’s a lot of nice things we need to do as part of broader comprehensive reform, but we need to have a bill in January and we need to know what has to be in it and what the administration will support.”

The bipartisan group of senators — Flake and Durbin, Michael Bennet (D-Colo.), James Lankford (R-Okla.), Thom Tillis (R-N.C.), Lindsey Graham (R-S.C.) and Cory Gardner (R-Colo.) — has discussed a legalization plan that would marry the DREAM Act, drafted by Durbin and Graham, with a more conservative proposal for Dreamers written by Tillis and Lankford, Flake said.

Those seven senators attended Tuesday’s meeting with Kelly, as did Senate Majority Whip John Cornyn (R-Texas), and Republican Sens. Tom Cotton of Arkansas and David Perdue of Georgia.

“I think what we’re trying to do is to get some clarity from the administration on what they require by way of border security and other enforcement measures,” Cornyn said as he left the meeting. “We got a promise to provide it to us and hopefully we’ll get that in short order. Maybe even this week.”

Republicans’ commitment to taking up a DACA deal next month won’t spare Democrats the fury of liberal groups that have demanded that any spending bill this year include a solution for Dreamers.

Democratic leaders have signaled that they won’t risk a government shutdown this month to secure relief for the Dreamers, though some lawmakers have vowed to withhold their votes for any must-pass funding measure without an immigration fix.

Durbin, the influential second-ranking Senate Democrat, is firmly in the camp of senators who won't vote for a spending bill without help for Dreamers. That group also includes liberal Sens. Bernie Sanders (I-Vt.), Kamala Harris (D-Calif.), Kirsten Gillibrand (D-N.Y.), and Elizabeth Warren (D-Mass.).

AMERICAN OVERSIGHT

Durbin was asked by reporters Tuesday if there was a divide between him and Schumer over where to draw the line on the issue, and acknowledged that there "may be."

Schumer, for his part, put Republicans on notice Tuesday that they shouldn't count on Democratic votes for a short-term funding package that includes just some of Democrats' priorities — such as children's health insurance — while leaving immigration for next year.

In the House, lawmakers, including several in the Congressional Hispanic Caucus, privately say they don't see a path to secure a legislative fix for Dreamers before the end of the year. They acknowledge that the sides are now positioning themselves for a fight in January.

House Minority Leader Nancy Pelosi (D-Calif.) touched on dynamics during a private leadership meeting Monday night.

"We need to stick [together] and show that they need us," said one Democratic member with knowledge of the strategy going into January. Republicans "are not going to be able to keep going on with the CRs. ... Then we're at an inflection point in January."

That hasn't stopped some members from making a last-ditch effort to reach a bipartisan agreement, in hopes Democrats can use it as leverage in the House if Republicans need their votes to pass a short-term funding bill later this week.

"I believe that my leadership is gonna close the deal and I have to believe that," said CHC Chair Michelle Lujan Grisham (D-N.M.), noting she's canceled all Christmas travel to stay in Washington and work on a legislative fix.

Reps. Will Hurd (R-Texas) and Pete Aguilar (D-Calif.) are behind one effort that would pair a proposal similar to the DREAM Act with border security, according to several members.

And the Problem Solvers Caucus, a bipartisan group of 48 moderate Democrats and Republicans, is preparing to publicly embrace a specific proposal in the next day or two. A subset of the group has been working for weeks to hammer out an agreement and the entire caucus planned to meet again Tuesday night.

"There's certainly scenarios where this could get done this week. I'm not an expert on how all these pieces could unfold," said Rep. Josh Gottheimer (D-N.J.), a co-chairman of the group. "But everything is clearly on the table, which is why we think it's important we move and move quickly here."

Bloomberg

https://www.bloomberg.com/news/articles/2017-12-20/christmas-comes-early-for-trump-with-tax-win

Christmas Comes Early for Trump with Tax Win

By: Kathleen Hunter, 12/20/17

After a year of infighting, frustration and failure, President Donald Trump and his Republicans finally have something to celebrate.

The Senate early this morning passed the largest U.S. tax overhaul in more than three decades with barely a vote to spare, bringing Trump to the brink of his first big legislative win. One more (likely routine) vote in the House and the bill could be on his desk as soon as this afternoon.

The legislation - passed before Christmas, as Trump urged just two months earlier - quiets questions about the fractious

AMERICAN OVERSIGHT

party's ability to govern. The measure's repeal of the Obamacare insurance mandate also helps salve the wounds from Republican struggles to repeal the broader law earlier this year.

But the celebration may be short-lived. Congress must quickly pass a spending bill by Friday to avoid a holiday government shutdown.

The new year will bring more spending showdowns, Russia probe revelations and a midterm election in which the Democrats are increasingly favored to take back at least one house of Congress. The tax bill, with most of its benefits going to corporations and the rich, will provide ample fodder for the campaigns ahead.

Want to receive this post in your inbox every morning? Sign up for the Balance of Power newsletter, and follow Bloomberg Politics on Twitter and Facebook for more.

Senator Tim Scott, a Republican from South Carolina, center, speaks during a news conference with Senate Republicans

Yahoo!

https://www.yahoo.com/news/congress-discloses-3-more-sexual-211917622.html

Congress Discloses 3 More Sexual-Harassment Settlements

By: Lisa Ryan, 12/19/17

The Office of Compliance of the U.S. House of Representatives revealed on Tuesday three additional sexual-harassment settlements it paid out, totaling $115,000, the Hill reports. The disclosure comes just one month after the Washington Postrevealed the Office paid more than $17 million since 1997 to settle 264 workplace complaints (including harassment allegations).

According to the Hill, the three payments were made between fiscal years 2008 through 2012. Yet, the disclosure doesn't include any information about the recipients of the settlements, or from which offices the complaints originated.

Representative Gregg Harper, the chair of the House Administration Committee, released a statement, saying that his group had asked for a breakdown of the $17 million total amount paid to settle the aforementioned complaints. Harper added that the committee still hasn't received all of the requested information.

"We must create a culture within our Capitol Hill community that instills in every employee and employer, new and old, that there is no place for sexual harassment in the halls of Congress," Harper said.

However, on Monday, the Senate's Office of Compliance rejected a bid by Senator Tim Kaine to release information about that chamber's sexual-harassment settlements, claiming it would violate confidentiality rules. "The [Office of Compliance] shares your concern over the issue of sexual harassment in Congressional workplaces, and we stand ready to work with Members, Committees, and other employing offices to promote awareness and prevention of this problem," the office wrote in a letter, per the Hill.

The Oklahoman

https://www.oklahoman.com/oklahoma-incentive-review-shows-flaws-of-political-planning/article/5576567

Incentive Review Shows Value of Tax Simplicity

By: Editorial Board, 12/20/17

THIS year, the state's Incentive Evaluation Commission reviewed 12 state economic tax incentives and ultimately voted

AMERICAN OVERSIGHT

to repeal five. Revenue increases associated with those repeal votes will be relatively minor. Instead, the biggest impact of the commission's work may be that it reinforces the fact that politicians have a poor record when it comes to identifying and nurturing job creation via targeted tax breaks.

In some instances, breaks have been designed to support companies that are producing fewer jobs than those produced by non-taxpayer supported industries. The commission found this was the case even for the Quality Jobs Act, generally considered one of the state's better business-incentive programs.

The commission's final report notes, “Industries incentivized by Quality Jobs have shown slower growth in employment and annual average pay over the last five years, compared to the State as a whole. Employment in incentivized industries contracted by 2.9 percent, while the State as a whole expanded by 2.5 percent."

The report reveals that Quality Jobs payments during the past five years “have gone to industries lagging behind State growth in employment and annual average pay.” In fact, only 27 percent of payments went to establishments with growth in employment, total wages and average annual wage that exceeded state averages.

The commission reached similar conclusions regarding the Small Employer Quality Jobs program. “The industry group decreased employment over the last five years, as overall State employment expanded.”

Since 1987, Oklahoma has offered a Home Office Tax Credit to insurance companies that establish home or regional home offices in Oklahoma and meet certain employment levels. The Incentive Evaluation Commission's final report notes, “The credit appears to have had little impact on the State's insurance industry employment in recent years. Insurance industry employment in Oklahoma has declined by 4.2 percent since 2001, while neighboring states, most of which do not have a similar home office incentive, have experienced growth ranging from 6 to 30 percent.”

Other credits fared worse, or lacked sufficient data to even measure their worth.

Oklahoma has had a High Impact Quality Jobs program since 1994. The commission found the incentive “has never been used” and the state Department of Commerce “no longer promotes the program on its website due to lack of interest.”

The debate over Oklahoma's capital gain deduction was marred by what the commission deemed a “dearth of data.” The group also reported there is “insufficient data to accurately estimate or verify the total economic or tax revenue impacts of the clean-burning fuel vehicle credit.”

Then there's the Ethanol Fuel Retailer Tax Credit. The commission reports, “Based on the economic and fiscal impact analysis, it appears the annual incentives offered under this program exceed the tax revenue generated by additional household spending by Oklahoma residents.”

The commission's work reinforces the value of tax simplicity. Keeping tax rates low, applying them evenly across the board, and then letting market forces determine individual companies' success or failure works better than depending on politicians to somehow “guide” the process.

AMERICAN OVERSIGHT

EXT-18-783-F-003286

ED_001863D_00000235-00012

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Samuel DeMarco III
Sent: Wed 11/1/2017 7:15:34 PM
Subject: PG Reader: Mismanagement, conflicted leadership blamed for governance problems at PWSA

FYI - Today's paper

Mismanagement, conflicted leadership blamed for governance problems at PWSA

By: By Adam Smeltz / Pittsburgh Post-Gazette

Description: Problems — ranging from lead contamination to inaccurate bills — prompted state Auditor General Eugene DePasquale to investigate.

(Sent from PG Reader)

Link to this article:
http://www.post-gazette.com/local/city/2017/11/01/PWSA-audit-mismanagement-conflicted-leadership-DePasquale/stories/201711010131

Sent from my iPad

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Wed 10/18/2017 10:37:43 AM
Subject: POLITICO Playbook, presented by JPMorgan Chase & Co.: SIX HOURS in the mind of POTUS -- TRUMP to widow of fallen soldier: He knew what he was signing up for -- IVANKA and JARED at Ghibellina -- POLITICO/MORNING CONSULT poll: 46% think media makes up news

View online version | Add politicoplaybook@politico.com to your address book.

Today's POLITICO Playbook presented by JPMorgan Chase & Co.

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc) and DANIEL LIPPMAN (daniel@politico.com; @dlippman)

Listen to today's Audio Briefing | Subscribe on iTunes | Visit the online home of Playbook

Driving the Day

Good Wednesday morning. SIX HOURS IN THE MIND OF THE PRESIDENT ... PRESIDENT DONALD TRUMP took several seemingly contradictory positions about the government continuing cost-sharing reduction payments for Obamacare. CSR payments help insure the poor. The president said he'd stop paying them last week.

-- 1:59 p.m., toward the top of his press conference with Greek Prime Minister Alexis Tsipras: "So when I knocked out the hundreds of millions of dollars a month being paid back to the insurance companies by politicians -- I must tell you -- that wanted me to continue to pay this, I said I'm not going to do it. This is money that goes to the insurance companies to line their pockets, to raise up their stock prices. And they've had a record run. They've had an incredible run, and it's not appropriate."

-- 2:10 p.m., in the middle of his press conference with the Greek prime minister, when asked about the White House's role in a bipartisan deal between Sens. Lamar Alexander and Patty Murray to keep paying CSR payments: **"Yes, we have been involved.** And this is a short-term deal because we think, ultimately, block grants going to the states is going to be the answer. ... Lamar has been working very, very hard with the Democratic -- his colleagues on the other side, and Patty Murray is one of them, in particular. ... The solution will be for about a year or two years, and it will get us over this intermediate hump because we have -- as you probably know, we have -- we either have the votes or we are very close to having the votes. And we will get the votes for having, really, the potential of having great healthcare in our country."

-- 7:37 p.m., during a speech to the Heritage Foundation: "I'm pleased the Democrats have finally responded to my call for them to take responsibility for their Obamacare disaster and work with Republicans to provide much-needed relief to the American

AMERICAN OVERSIGHT

people. While I commend the bipartisan work done by Senators Alexander and Murray -- and I do commend it -- I continue to believe Congress must find a solution to the Obamacare mess instead of providing bailouts to insurance companies."

IF YOU ARE A LAWMAKER, or an observer of Washington, how do you know what the president means when he says three seemingly different things in less than six hours?

THE REALITY ABOUT THE DEAL -- JEN HABERKORN and **ADAM CANCRYN: "Bipartisan Obamacare deal would need Trump lobbying muscle":** "A bipartisan deal in Congress offers a glimmer of stability for the Obamacare insurance markets. But for it to become law, each party will need to declare a victory -- and President Donald Trump will have to agree to prop up a law he just spent months trying to repeal. ... The framework, which got more immediate support from Democrats than Republicans, will need the lobbying muscle of the White House to win over skeptical Republicans in Congress. ...

"But Trump could face another legislative disappointment without a sustained, focused lobbying effort on Capitol Hill, where Republicans are facing a biting political calculus. They're still stinging from spending all of this year in a draining but fruitless effort to repeal and replace Obamacare -- the law that congressional Republicans have been trying to uproot for seven years. Now, they would have to decide whether the state flexibility concessions Alexander got are enough." http://politi.co/2x44J9e

-- WHAT TO MAKE OF ALEXANDER-MURRAY: It's probably not going anywhere -- at least in its current form.

CHOOSE YOUR NEWS -- WSJ, banner headline, A1: **"Bipartisan Health Bill Gains Steam"** http://bit.ly/2aVNXyP ... **WAPO**, A1: **"Latest health-care effort quickly stalls"** http://bit.ly/2zissDg ... **NYT: "DEAL BY SENATORS SEEKS TO RESTORE HEALTH SUBSIDIES** ... TRUMP SUPPORTS PLAN ... Bid to Stabilize Markets -- 2 Years of Aid for Poorer Patients" http://nyti.ms/2yylyLS

PRESIDENT TRUMP, 344 DAYS POST ELECTION DAY -- @realDonaldTrump at 6:21 a.m.: "Wow, FBI confirms report that James Comey drafted letter exonerating Crooked Hillary Clinton long before investigation was complete. Many.." **at 6:27 a.m.:** "...people not interviewed, including Clinton herself. Comey stated under oath that he didn't do this-obviously a fix? Where is Justice Dept?"

-- FLASHBACK: July 2, 2016, WaPo: **"FBI interviews Hillary Clinton for more than 3 hours in email probe"** http://wapo.st/2grOqzV

TRUMP AND THE GOLD STAR FAMILIES ...

-- "Politics and the fallen: Trump hasn't called all families," by AP's Calvin Woodward and Jonathan Lemire: "President Donald Trump has pulled bereaved military families into a painful political fight of his own making, going so far Tuesday as to cite

AMERICAN OVERSIGHT

the death of his chief of staff's son in Afghanistan to question whether Barack Obama and other presidents did enough to honor the military dead.

"He's boasted that 'I think I've called every family of someone who's died,' though The Associated Press found relatives of two soldiers who died overseas during Trump's presidency who said they never received a call or a letter from him, as well as relatives of a third who did not get a call from him.

"The White House said Trump did telephone on Tuesday the families of four soldiers who were killed in Niger nearly two weeks ago, the issue that had spawned the controversy this week. 'He offered condolences on behalf of a grateful nation and assured them their family's extraordinary sacrifice to the country will never be forgotten,' said a White House statement.

"Contending that Trump's propensity for a political fight has drifted into 'sacred' territory, Democrats and some former government officials have expressed anger at his comments that he, almost alone among presidents, called the families of military members killed in war. They accused him of 'inane cruelty' and a 'sick game.'" http://bit.ly/2x4rREA

-- WHAT HE SAYS WHEN HE CALLS: WPLG, the ABC affiliate in **MIAMI: "Trump to widow of Sgt. La David Johnson: 'He knew what he signed up for'":** "President Donald Trump told U.S. Army Sgt. La David Johnson's widow Tuesday that 'he knew what he signed up for ... but when it happens it hurts anyway,' when he died serving in northwestern Africa, according to Rep. Frederica Wilson, D-Miami Gardens.

"'Yes, he said it,' Wilson said. 'It is so insensitive. He should not have said that. He shouldn't have said that.' The president called about 4:45 p.m. and spoke to Johnson's pregnant widow, Myeshia Johnson, for about five minutes. She is a mother to Johnson's surviving 2-year-old son and 6-year-old daughter. The conversation happened before Johnson's remains arrived at Miami International Airport on a commercial Delta Airlines flight.

"A top advisor later told Local 10 News 'The president's conversations with the families of American heroes who have made the ultimate sacrifice are private.'" http://bit.ly/2hMMAGE ... ***30-second video of Wilson talking about what the President said*** http://bit.ly/2zvnq7j

-- WAPO'S PHIL RUCKER and **DAN LAMOTHE: "Twelve days of silence, then a swipe at Obama: How Trump handled four dead soldiers":** "In his call with Sgt. La David T. Johnson's widow, Myeshia Johnson, Trump told her, 'He knew what was signing up for, but I guess it hurts anyway,' according to the account of Rep. Frederica S. Wilson (D-Fla.), who was riding in a limousine with Johnson when the president called and heard the conversation on speakerphone. Wilson recalled in an interview with The Washington Post that Johnson broke down in tears. 'He made her cry,' Wilson said. The congresswoman said she wanted to take the phone and 'curse him out,' but that the

AMERICAN OVERSIGHT

Army sergeant holding the phone would not let her speak to the president." http://wapo.st/2x4u9nc

****** **A message from JPMorgan Chase & Co.: 30 Years in the Waiting** It's been more than three decades since America reformed its tax system. As the world became more competitive, our tax code remained the same, putting America at a disadvantage when it comes to creating new jobs. Learn how tax reform can jump-start our economy: http://politi.co/2gBVNBD ******

TRUMP'S WHITE HOUSE ...

-- "Internal White House documents allege manufacturing decline increases abortions, infertility, and spousal abuse," by WaPo's Damian Paletta: "White House officials working on trade policy were alarmed last month when a top adviser to President Trump circulated a two-page document that alleged a weakened manufacturing sector leads to an increase in abortion, spousal abuse, divorce and infertility, two people familiar with the matter said.

"The documents, which were obtained by The Washington Post, were prepared and distributed by Peter Navarro, director of the White House Office of Trade and Manufacturing Policy. They were presented without any data or information to back up the assertions, and reveal some of the materials the Trump administration reviewed as it was crafting its trade policy.

"Two administration officials confirmed the authenticity of the documents, which have emerged as the administration has threatened to withdraw from a free trade agreement with South Korea and is taking a hard-line stance against Canada and Mexico in renegotiating the North American Free Trade Agreement." http://wapo.st/2ziJBwl

-- PUBLIC RECORDS: "National Archives warned Trump White House to preserve documents ," by Josh Dawsey and Bryan Bender: "National Archives officials have periodically warned White House lawyers that the Trump administration needs to follow document preservation laws, according to people familiar with the conversations and emails reviewed by POLITICO. The White House legally must preserve all presidential records, which are given to the National Archives after the president leaves office and are used for historical records. The documents that must be preserved include written memos, emails, speeches, record logs and more.

"But National Archives officials have told the White House counsel's office they were concerned that wasn't happening, particularly early in the administration ... Conversations have included John Laster and Gary Stern, two National Archives officials, and the White House counsel's office." http://politi.co/2yrhw9y

NEW POLITICO/MORNING CONSULT POLL -- "Poll: 46 percent think media make up stories about Trump," by Steven Shepard: "Nearly half of voters, 46 percent,

AMERICAN OVERSIGHT

believe the news media fabricate news stories about President Donald Trump and his administration, according to a new POLITICO/Morning Consult poll. Just 37 percent of voters think the media do not fabricate stories, the poll shows, while the remaining 17 percent are undecided.

"More than three-quarters of Republican voters, 76 percent, think the news media invent stories about Trump and his administration, compared with only 11 percent who don't think so. Among Democrats, one-in-five think the media make up stories, but a 65 percent majority think they do not. Forty-four percent of independent voters think the media make up stories about Trump, and 31 percent think they do not. Among the voters who strongly approve of Trump's job performance in the poll, 85 percent believe the media fabricate stories about the president and his administration." http://politi.co/2yv5k5i

FINALLY... A WIN FOR MCCONNELL -- "McCain endorses budget bill in win for GOP tax-reform effort," by WaPo's Elise Viebeck and Damian Paletta: "The White House's push for tax cuts made crucial progress on Tuesday as Senate Republicans rallied behind a budget proposal the party needs to pass to keep alive its hopes of enacting sharp reductions in tax rates later this year.

"Senate Republican leaders earned a series of much-needed victories Tuesday, first with the return of ailing Sen. Thad Cochran (R - Miss.) and later with an announcement from Sen. John McCain (R - Ariz.) that he would back the budget resolution in order to help passage of tax cuts. Senate Republicans are now hopeful they can agree on a final budget resolution later this week, which is a key procedural step to help them pass a tax cut plan later in the year without relying on support from any Democrats." http://wapo.st/2ziJBwl

-- THIS MEANS that the budget will pass, and tax reform will proceed.

ALERT -- TAX REFORM MEETINGS -- THE HOUSE WAYS AND MEANS COMMITTEE has notified its members that it is holding two more extended policy discussions on tax reform next Tuesday from 10 a.m. to 1 p.m. and Wednesday from 9 a.m. to 1 p.m., according to a GOP aide. Committee members are now "meeting regularly and in great detail now to make final decisions in the lead up to the release of the text."

-- TAX SLIPPING TO 2018: MICK MULVANEY to Bloomberg's Kevin Cirilli: "There's still a chance it gets done this year but more likely it goes over into the beginning of next year. We need this reform, we need this tax package sooner, rather than later ... The longer we wait to get tax reform, the longer the benefits take to kick in." https://bloom.bg/2yrTKKV

-- Club for Growth released its first batch of TV and digital ads targeting Democrats to urge them to support tax reform in an initial $600,000 buy. Two 15-second TV ads will begin airing today in the St. Louis media market. ***The ads -- "Tax Code Struggle"***

AMERICAN OVERSIGHT

http://bit.ly/2ywyG57 ... ***"Managing Small Business"*** http://bit.ly/2ySoYve

WHAT THEY'RE READING ON MASSACHUSETTS AVE, N.E. -- "Heritage Foundation considers top White House aide, Cubs co-owner as next leader," by WaPo's Bob Costa, Ashley Parker and John Wagner: "The Heritage Foundation has narrowed its search for a new president down to a shortlist of finalists, a group that includes Todd Ricketts, a co-owner of the Chicago Cubs, and Marc Short, a senior Trump White House official, according to three people familiar with the discussions.

"In addition to Ricketts and Short, Heritage's board of trustees also has expressed interest in Lisa B. Nelson, the chief executive of the American Legislative Exchange Council, and David Trulio, a vice president at Lockheed Martin ... The conservative think tank's trustees, however, remain torn over their decision.

"Kay Coles James -- a Heritage board member who served as the director of the U.S. Office of Personnel Management under President George W. Bush and is close to Heritage founder Edwin J. Feulner -- has been mentioned by several associates as someone who could serve in a temporary capacity if the board cannot settle on a candidate." http://wapo.st/2xPBVWw

-- IT'S HARD TO SEE why Marc Short would take this job. Republicans we talk to in the White House and on the Hill say he's ascendant in the Trump administration.

THE BANNON BEAT -- "Bannon hits up GOP mega-donors exasperated with McConnell: The Breitbart chief barnstorms the country in search of cash to fund his project to primary Republican senators," by Alex Isenstadt: "Over the last several weeks, Bannon has crisscrossed the country meeting with dozens of the party's biggest contributors -- all in the hopes of capitalizing on their anger at McConnell. The populist bomb-thrower wants donors to bankroll primary challenges against Republican incumbents, or short of that, to close their wallets to McConnell-aligned causes.

"Bannon has gone to New York City to talk with venture capitalist John Childs, who plowed nearly $400,000 into McConnell's 2014 reelection. In Colorado, he huddled with Gore-Tex heiress Susan Gore, a major backer of libertarian causes. And Bannon met with casino mogul Sheldon Adelson, the GOP's most prominent donor, for several hours when he swung through Washington this month." http://politi.co/2xOUMku

--"Bannon's army includes candidates backed by the GOP establishment: The former White House strategist has declared war on Mitch McConnell but is endorsing candidates who have also accepted help from the Republican apparatus," by Annie Karni: "Matt Rosendale, the Montana state auditor running for U.S. Senate, recently received the endorsement du jour in Republican politics: Steve Bannon plucked him for the slate of candidates he is backing as part of his war on the GOP establishment. ...

"Bannon's interest in Rosendale -- as well as many of the other candidates on his dance card -- also has some Washington GOP power brokers confused by his definition

AMERICAN OVERSIGHT

of 'anti-establishment.' For months, the [NRSC] has been media training Rosendale ... In addition to any help he gets from Bannon, Rosendale is a client of the consulting firm On Message, one of the most 'establishment' consulting firms in Washington." http://politi.co/2x4gJYa

TRUMP'S WEDNESDAY -- Trump is scheduled to speak via phone with the Iowa Gov. Kim Reynolds. He is also meeting with the Senate Finance Committee and will have lunch with VP Mike Pence.

FOR YOUR RADAR -- "N.F.L. Owners Won't Penalize Players for Kneeling During Anthem," by NYT's Ken Belson and Kevin Draper: "The N.F.L. for now will continue to let players kneel or sit during the national anthem without a penalty, capitulating to demands by the athletes for free expression but potentially further alienating fans who object to the protests and feel they are disrespectful to the flag and the military.

"But, after a meeting Tuesday with union representatives and players, the league did promise to help support some of the causes targeted by the protesting players, including reform of the criminal justice system." http://nyti.ms/2ySrp0Q

THE JUICE ...

-- SPOTTED at **GHIBELLINA:** Ivanka and Jared dining solo Tuesday night.

-- MCCLATCHY'S ANITA KUMAR: "The Republican National Committee raised more than $100 million in the first nine months of 2017, marking the first time it has raised that much, that fast, in a non-presidential election year." http://bit.ly/2yxexw8

MONEY IN YOUR EARS -- POLITICO's new Money podcast brings you to the intersection of Washington and Wall Street with the most influential minds on the economy. Every Wednesday, Ben White will help you understand the economic and financial policies that move markets. While money never sleeps, you have to - so let Ben keep you up to speed and turn dollars into sense. The first POLITICO Money podcast, premiering with our launch sponsor, Morgan Stanley, features Treasury Secretary Steven Mnuchin. ***Subscribe here*** http://politi.co/2gmJTit

Playbook Reads

PHOTO DU JOUR: Greek Prime Minister Alexis Tsipras and President Donald Trump hold a joint press conference in the Rose Garden at the White House on Oct. 17. | Drew Angerer/Getty Images

THE BATTLEFIELD -- "Navy SEALs Were Ready if Pakistan Failed to Free Family Held as Hostages," by NYT's Adam Goldman and Eric Schmitt: "A C.I.A. drone was

AMERICAN OVERSIGHT

circling a remote valley in northwest Pakistan last month when it picked up an unusual sight: a young woman and children in a militant camp. To intelligence analysts, she appeared to be an American abducted five years earlier while backpacking in Afghanistan with her Canadian husband. The grainy images were a breakthrough. Military planners mobilized members of the Navy's SEAL Team 6, an elite group of commandos, to mount a rescue ...

"But the operation was called off amid concerns, and days later, the C.I.A. watched in alarm as militants drove the family out of the camp and across Pakistan's lawless tribal lands. The top American diplomat in Pakistan, Ambassador David Hale, turned to his host country ... delivering an urgent message to the Pakistani government: Resolve this, or the United States will. The implication was clear. If the Pakistanis did not act decisively, the United States would set aside its unease and launch a raid deep inside the country to free the family." http://nyti.ms/2yuzi9t

ON RUSSIA ...

-- "Spicer interviewed by Mueller's team," by Annie Karni and Josh Dawsey: "President Donald Trump's former press secretary Sean Spicer met with special counsel Robert Mueller's team on Monday for an interview that lasted much of the day, according to multiple people familiar with the meeting. During his sitdown, Spicer was grilled about the firing of former FBI director James Comey and his statements regarding the firing, as well as about Trump's meetings with Russians officials including one with Foreign Minister Sergei Lavrov in the Oval Office ... Spicer declined to comment." http://politi.co/2yxKULb

-- "Judge tosses libel lawsuit against AP by Russian oligarch tied to Manafort," by Josh Gerstein: "A federal judge has tossed out a libel lawsuit filed against The Associated Press by a Russian oligarch whose business dealings with former Trump campaign chairman Paul Manafort have come under scrutiny by investigators probing Russian influence in the 2016 presidential election. Russian industrialist and investor Oleg Deripaska sued the AP in May, alleging that the news outlet falsely implied that Deripaska was paying Manafort for work aimed at advancing the goals of the Russian government and Russian president Vladimir Putin." http://politi.co/2ywnJjW

-- "Putin's 'chef,' the man behind the troll factory," by CNN's Tim Lister, Jim Sciutto, and Mary Ilyushina: "Yevgeny Prigozhin is a Russian oligarch dubbed 'chef' to President Vladimir Putin by the Russian press. ... U.S. investigators believe it was Prigozhin's company that financed a Russian 'troll factory' that used social media to spread fake news during the 2016 U.S. presidential campaign ... One part of the factory had a particularly intriguing name and mission: a 'Department of Provocations' dedicated to sowing fake news and social divisions in the West ... Prigozhin is one of the Kremlin's inner circle. His company is believed to be a main backer of the St. Petersburg-based 'Internet Research Agency' (IRA), a secretive technology firm." http://cnn.it/2yw4yqh

-- VANITY FAIR'S GABE SHERMAN: "JARED KUSHNER ADDS CHARLES

AMERICAN OVERSIGHT

HARDER TO LEGAL TEAM AS WEST WING PRESSURE MOUNTS": "On Monday evening I was contacted by Charles Harder in his capacity as a legal representative for Kushner. ... (Harder, who has represented Hulk Hogan and Melania Trump, recently severed ties with another client, Harvey Weinstein.)" http://bit.ly/2x56Olt

NYT'S MAGGIE HABERMAN: "Bipartisan Group Plans to Urge Trump to Adjust Policing Policies": "A broad coalition of law enforcement officials and activists is expected to urge President Trump on Wednesday to adjust policies on policing and criminality, the first time such a group has spoken out against the Trump administration. Some of the nation's most prominent prosecutors, police chiefs and criminal justice overhaul advocates -- including Senator Thom Tillis, Republican of North Carolina, as well as representatives from the conservative Koch brothers network -- will gather in Washington for the National Law Enforcement Summit. The former attorney general Eric H. Holder Jr. and Sally Q. Yates, the acting attorney general whom Mr. Trump abruptly fired in the first few days of his presidency, will speak." http://nyti.ms/2zwVKP

TRUMP ADMINISTRATION DEPARTURE LOUNGE -- CNN's Tal Kopan: "Department of Homeland Security press secretary David Lapan, the voice of the department and a longtime colleague of White House chief of staff John Kelly, is leaving the Trump administration ... Lapan [will be] joining the Bipartisan Policy Center as senior director of communications and public affairs at the end of the month." http://cnn.it/2gPpPly

****** **A message from JPMorgan Chase & Co.: Keeping Jobs at Home** America is falling behind when it comes to a tax system that helps spur job growth and expand economic opportunity. A 2017 EY report found that the existing tax structure has put job creators here at home at a disadvantage: updating the outdated tax system could have kept nearly 4,700 companies in the United States. That could mean more products made here in America, more parts sourced from American companies and billions of dollars spent here at home. As JPMorgan Chase Chairman and CEO Jamie Dimon put it, "Reforming the tax code is the single most important thing that Congress could do to jump-start our economy, create jobs, and raise wages for American workers." Learn more: http://politi.co/2wSCuu0 ******

TRUMP INC. -- "The Miami Heat will move its charity golf tournament away from President Trump's course," by WaPo's Dave Fahrenthold: "The Miami Heat basketball team, which has held a charity golf tournament at President Trump's Doral golf course for four straight years, will shift that tournament to another course in 2018, a team spokesman said. The spokesman declined to give a reason for the change. 'We're not getting into it,' the spokesman said. He declined to be quoted by name. The Heat has held the tournament -- called the Heat Scramble or the Heat Golf Classic -- at Trump's Doral golf resort, outside Miami, every year since at least 2014." http://wapo.st/2ghAMfb

PUERTO RICO -- "Warren to call for the cancellation of Puerto Rico's debt," by Colin Wilhelm: "'Puerto Rico is facing a full-scale humanitarian crisis, and every last dollar of aid must go to helping the hurricane victims,' Warren said in a statement

AMERICAN OVERSIGHT

emailed to POLITICO. 'We have an obligation to put the lives of U.S. citizens ahead of Wall Street profits - it's as simple as that. Wall Street vulture funds should not get a single penny more from the devastated island.' Warren's office did not elaborate on how she would propose to eliminate Puerto Rico's massive debt."

HOLLYWOODLAND -- "The Other Brother: Bob Weinstein Was an Abusive Boss," by WSJ's Alexandra Berzon and Ben Fritz: "Over the years, movie producer Bob Weinstein has belittled and bullied employees, shoved an executive's spouse and pressured a subordinate to date him, people who worked for him said. Bob Weinstein hasn't been accused of the kind of severe sexual misconduct that led to the ouster of his brother, Harvey ... Instead ... he was a volatile executive whose behavior, which went on for years at his companies, wouldn't be tolerated in most American corporations. Jeffrey Katzenberg, who ran Walt Disney Co.'s movie studio for some of the time it owned the brothers' former studio Miramax, said it was Bob Weinstein who caused problems for Disney executives." http://on.wsj.com/2yqnszJ

MEDIAWATCH -- FUTURE OF NEWS - "New York Times' Breakthrough 'The Daily' Soars Past 100M Download Mark," by Ken Doctor on The Street: "'The Daily' is becoming a phenomenon, an out-of-the-blue hit that is forcing print-based business leaders to think anew about the revolutionary power of digital audio. Further, as the leading edge of The New York Times' now dozen-strong audio unit, it may provide a growing line of revenue still badly required to overcome print ad loss. ... [W]eekday daily downloads [have been] growing 34% since June. ... Able to obtain ad rates equaling video ad sales, the Times now plans to build a 'franchise' around The Daily's success." http://bit.ly/2ywvNRS

-- Laura Barrón-López is joining the Washington Examiner as a political reporter. She previously covered Congress for the Huffington Post and is an alum of The Hill.

Playbookers

SPOTTED: Former Speaker John Boehner at Nobu in West End ... Sen. Dick Durbin (D-Ill.) walking alone last night into Boxcar Tavern in Eastern Market and immediately heading to the back of the restaurant -- Sen. Heidi Heitkamp (D-N.D.) and Sen. Angus King (I-Maine) later joined him. ... Sen. Ron Johnson (R-Wis.) meeting with DHS nominee Kirstjen Nielsen Tuesday afternoon -- ***pic*** http://bit.ly/2zwY3SI ... Jeff Roe and Sam Nunberg last night at the Yankees-Astros game -- ***pic*** http://bit.ly/2yw0iqV

OUT AND ABOUT - Pool report: "French Ambassador Gérard Araud hosted a reception to celebrate 'The Michelin Guide 2018' for Washington, D.C., Tuesday evening at his residence. Guests toasted the restaurant scene in D.C., including the 11 one-star and three two-star (out of only 25 in the U.S.) restaurants included this year. A special shout out was given to José Andrés, who was in Puerto Rico serving meals to those recovering from the hurricane." ***The list*** http://bit.ly/2yTyZIk ... ***$8.90 on Amazon***

AMERICAN OVERSIGHT

http://amzn.to/2gNLdrq1

SPOTTED: Sen. Sheldon Whitehouse (D-R.I.), Sen. Mark Warner (D-Va.), Secretary Wilbur Ross, Douglas and Heidi Rediker, Gwen and Stuart Holliday, Ashley and Ben Chang, Jonathan Karl, UAE Ambassador Yousef Al Otaiba, Jordanian Ambassador Dina Kawar, Andrea Mitchell, Bret and Amy Baier, Steve Clemons, Margaret Carlson, Juleanna Glover, Lyndon Boozer, Kate Bennett, Mark Landler, Arturo Sarukhán, Tony Podesta, Marie Royce, Kathleen Biden, Jane Harman, Pamela Brown, Richard Chalkey, Eleanor Clift, Virginia Coyne, Ambassador Paula Dobriansky, Susan Eisenhower, Tammy Haddad, Bart Gordon, Tamera Luzzatto, David Leiter, Trevor Potter, Barbara Slavin, Elizabeth Thorp.

WELCOME TO THE WORLD -- Josh Sharp, co-founder of Advoc8 and an RNC alum, and **Melissa Sharp**, senior media planner at National Media and an NRSC alum, on Tuesday welcomed Jacob Alexander "Jake" Sharp, weighing 7 lbs 6 oz and measuring 20 inches long. "Their Election Day due date turned into an 'October surprise.' Mom and baby are healthy and well." ***Pic*** http://politi.co/2xOv0Ne

BIRTHDAY OF THE DAY: Caitlin Conant, executive director of communications at CBS News and a Portman/Rubio alum, celebrating with Alex at Bourbon Steak. **A fun fact about Caitlin:** "I'm one of the few townies. I grew up in Gaithersburg and am a Georgetown Visitation alum (Politico's own Lisa Leonard is one of my best friends from the class of '04). You can still find many of this rare breed at Town Hall for football Sunday afternoons, which I try to join after I wrap up work for 'Face the Nation.'" **Read her Playbook Plus Q&A:** http://politi.co/2gOJ1zT

BIRTHDAYS: Annie LeHardy, a White House press aide, is 25. She's celebrating at a happy hour with friends ... Julia Ioffe ... Politico's Annie Karni and Margaret Stewart ... Steven Greenhouse ... Michael Krempasky, partner at Brunswick Group ... Rep. Dennis Ross (R-Fla.) is 58 (h/t J.P. Freire) ... Rep. Brenda Lawrence (D-Mich.) is 63 ... Makese Motley ... Daniel Scarvalone of Bully Pulpit Interactive ... Colorado State Rep. Dan Pabon is 4-0 ... Jan Simmons ... Troy Appel ... Joshua Sinai ... Babs Chase, VP of civic engagement at JPMorgan Chase ... Bill Evers, research fellow at the Hoover Institution ... Colleen Sullivan ... Valeria Boucas ... Katherine Lyons Hahn ... Kiki Reginato of Hearst Digital Media ... Amazon's Theresa Lepow ... Amanda Robinson ... Rachael Parry ... Jake Loft, client services associate for Targeted Victory (h/ts Lenny Alcivar and Logan Dobson) ... DOT's Marianne McInerney (h/t Rick Ahearn) ...

... Fox News' Jon Decker, celebrating by watching Chris Rock perform at the MGM ... Marion Smith, executive director of Victims of Communism Memorial Foundation ... Jonathan Tasini ... Trisch Smith, EVP and group head at Edelman in D.C. ... Bloomberg's Cas Holloway ... Sarah Cannon ... Steve Whitmer ... Flavia Colgan ... Karen Smith Murphy ... Martha Burk ... Richard Lobo ... former Rep. Chris Shays (R-Conn.) is 72 ... former Sen. Jim Talent (R-Mo.) is 61 ... Mason Wiggins ... Bristol Palin is 27 ... Anne Summers (h/t Teresa Vilmain)

AMERICAN OVERSIGHT

****** **A message from JPMorgan Chase & Co.: Investing in America** The American economy powers the world, but our tax system is holding us back. A 2017 EY report found that reforming the tax system could have brought an additional $195 billion of foreign direct investment into the United States, an increase of 14 percent. That investment can help companies expand, explore new strategies and grow. What does that mean for America? It can help jumpstart our economy, make our country stronger in an increasingly competitive world, and can mean more jobs and higher wages for the American workers. Learn more about what tax reform can mean for our country: http://politi.co/2ghszvf ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Kundinger, Kelly[kundinger.kelly@epa.gov]
From: Michelle Wynn
Sent: Fri 6/22/2018 9:44:09 PM
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

AMERICAN OVERSIGHT

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn

DEQ - Legislative Liaison

405-702-7163 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

AMERICAN OVERSIGHT

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

AMERICAN OVERSIGHT

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you

AMERICAN OVERSIGHT

need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wheeler, Andrew[wheeler.andrew@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Block, Molly
Sent: Fri 5/4/2018 1:11:58 PM
Subject: RE: EPA News Highlights 5.4.18
EPA News Highlights 5.4.18.docx

If you're having issues accessing the word doc. Please try the new one attached.

From: Block, Molly
Sent: Friday, May 4, 2018 8:45 AM
To: Daniell, Kelsi <daniell.kelsi@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Frye, Tony (Robert) <frye.robert@epa.gov>; Gordon, Stephen <gordon.stephen@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hanson, Paige (Catherine) <hanson.catherine@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Shimmin, Kaitlyn <shimmin.kaitlyn@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>; Wheeler, Andrew <wheeler.andrew@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: EPA News Highlights 5.4.18

EPA News Highlights 5.4.18

AMERICAN OVERSIGHT

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

AMERICAN OVERSIGHT

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

AMERICAN OVERSIGHT

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

AMERICAN OVERSIGHT

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

AMERICAN OVERSIGHT

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

AMERICAN OVERSIGHT

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

“If you try to deceive the United States, then you will pay a heavy price,” Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. “The indictment unsealed today alleges that Volkswagen’s scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends “a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities.”

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

AMERICAN OVERSIGHT

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

AMERICAN OVERSIGHT

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant

AMERICAN OVERSIGHT

Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

AMERICAN OVERSIGHT

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt

AMERICAN OVERSIGHT

named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1

AMERICAN OVERSIGHT

1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don't exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight. 7:00 P.M. , @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies
Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting
EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal
A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech
President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say
Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

AMERICAN OVERSIGHT

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

AMERICAN OVERSIGHT

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-

AMERICAN OVERSIGHT

aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

AMERICAN OVERSIGHT

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends “a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities.”

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen “continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases.”

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to “fight” the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group’s annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans’ firearms, a White House official said.

This will be Trump’s fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November’s midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

AMERICAN OVERSIGHT

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

AMERICAN OVERSIGHT

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there

AMERICAN OVERSIGHT

where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

AMERICAN OVERSIGHT

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

AMERICAN OVERSIGHT

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

AMERICAN OVERSIGHT

TRUMP TWEETS

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don't exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight. 7:00 P.M. , @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Bodine, Susan[bodine.susan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Frye, Tony (Robert)[frye.robert@epa.gov]; Gordon, Stephen[gordon.stephen@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hanson, Paige (Catherine)[hanson.catherine@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Jackson, Ryan[jackson.ryan@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Leopold, Matt[Leopold.Matt@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Ross, David P[ross.davidp@epa.gov]; Shimmin, Kaitlyn[shimmin.kaitlyn@epa.gov]; Wehrum, Bill[Wehrum.Bill@epa.gov]; Wheeler, Andrew[wheeler.andrew@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]
From: Block, Molly
Sent: Fri 5/4/2018 12:44:38 PM
Subject: EPA News Highlights 5.4.18
EPA News Highlights 5.4.18.docx

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one

AMERICAN OVERSIGHT

entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He

AMERICAN OVERSIGHT

often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

TRUMP TWEETS

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes

AMERICAN OVERSIGHT

from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court

AMERICAN OVERSIGHT

disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

AMERICAN OVERSIGHT

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

AMERICAN OVERSIGHT

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

AMERICAN OVERSIGHT

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally

AMERICAN OVERSIGHT

oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

AMERICAN OVERSIGHT

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

AMERICAN OVERSIGHT

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

AMERICAN OVERSIGHT

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said

AMERICAN OVERSIGHT

Bailey.

Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 2h

Going to Dallas (the GREAT State of Texas) today. Leaving soon!

6.2K 4.1K 24K

Donald J. Trump @realDonaldTrump · 2h

NBC NEWS is wrong again! They cite "sources" which are constantly wrong. Problem is, like so many others, the sources probably don't exist, they are fabricated, fiction! NBC, my former home with the Apprentice, is now as bad as Fake News CNN. Sad!

8.0K 7.1K 28K

Donald J. Trump @realDonaldTrump · 2h

Andy McCarthy will be on @LouDobbs tonight. 7:00 P.M. , @FoxBusiness.

2.0K 2.2K 10K

Donald J. Trump @realDonaldTrump · 2h

Because Jobs in the U.S. are doing so well, Americans receiving unemployment aid is the lowest since 1973. Great!

3.9K 8.2K 38K

Donald J. Trump @realDonaldTrump · 2h

Our Southern Border is under siege. Congress must act now to change our weak and ineffective immigration laws. Must build a Wall. Mexico, which has a massive crime problem, is doing little to help!

6.3K 6.9K 28K

AMERICAN OVERSIGHT

EPA News Highlights 5.4.18

Bloomberg Environmental: EPA Tailoring Superfund Agreements for Concerned Companies

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties. The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3. Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Politico: EPA Narrows Guidelines for Aggregating Sources for Air Permitting

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements. Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately. In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

Washington Examiner: US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles. Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

National News Highlights 5.4.18

Reuters: Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

CNBC: Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter. Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity. The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

Wall Street Journal: The Kentucky Derby Favorite Is Seeking to Outrun a Ghost

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year. Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

AMERICAN OVERSIGHT

Bloomberg Environment
https://news.bloombergenvironment.com/environment-and-energy/epa-tailoring-superfund-agreements-for-concerned-companies

EPA Tailoring Superfund Agreements for Concerned Companies

By Sylvia Carignan, 5/3/18

Third parties that want to take on Superfund site projects can expect more personalized attention and customized agreements from the EPA, as the agency moves to redevelop contaminated properties.

The Environmental Protection Agency is targeting companies' contamination liability concerns at the site level, pushing more tailored, site-specific agreements in addition to using agency-wide guidance, Cyndy Mackey, director of the agency's Office of Site Remediation Enforcement, told Bloomberg Environment May 3.

Those changes are enticing more private investors to step in, clean up, and redevelop the country's most contaminated sites, the agency said.

Renewed Interest

Those third parties are often environmental remediation companies and redevelopers that are willing to take on cleanup risks. The site-specific agreements address their concerns regarding their responsibilities at contaminated sites and the potential for future liabilities.

"We have seen an uptick in interest with those agreements," Mackey said.

Previously, third parties interested in Superfund sites had to rely on statutory protections to determine whether they are liable for contamination. The site-specific approach, which comes from the agency's Superfund task force, helps manage third parties' cleanup expectations and liability concerns, she said.

EPA Administrator Scott Pruitt's task force specifically focuses on making changes to the Superfund program that don't require legislation. In more than 40 recommendations, the task force details administrative ways the agency can ensure accountability, accelerate cleanup, and prepare sites for reuse.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with the EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites, or third parties, to pay the cleanup bills.

From HQ to Regions

The two types of site-specific agreements that the EPA seeks to promote are bona fide prospective purchaser agreements and prospective purchaser agreements. The EPA's headquarters office is encouraging regional offices to use them more frequently. Both require the approval of the Department of Justice.

The bona fide prospective purchaser provision in the 2002 brownfields act protects landowners from liability for cleanup costs. The agreement is valid only if they meet certain conditions. These include reviewing records and inspecting the site for the presence or possibility of contamination, demonstrating that the purchaser is not affiliated with any liable party, complying with land use restrictions, and cooperating with information requests.

Prospective purchaser agreements center on the EPA's promise not to sue a party that could buy contaminated property. Certain conditions also must be met for these agreements.

AMERICAN OVERSIGHT

The agency also is reviewing the content of those agreements to determine whether their templates should be revised, the EPA noted in guidance signed April 17.

Third-Party Liability

But third parties looking to take on contaminated sites may have another reason to hesitate, after an April 27 ruling from the U.S. Court of Appeals for the Ninth Circuit.

In California Department of Toxic Substances Control v. Westside Delivery, the court ruled that a third party, Westside Delivery, was liable for the costs of cleanup the state performed at Westside's contaminated property in Los Angeles.

Westside acquired the property in a tax sale and didn't interact directly with the original owner, the Davis Chemical Co., which recycled spent solvents at the site. A 1992 EPA assessment of the site found significant spillage, according to court documents.

The defendant argued that it was protected from liability under Superfund law, but the court disagreed.

"This decision reinforces the golden rule of acquiring industrial property—look before you leap," Peter Hsiao, partner at Morrison Foerster LLP in Los Angeles, told Bloomberg Environment in an email. Hsiao's practice includes Superfund litigation and other types of environmental law.

On the other hand, the case may not affect many third parties that are interested in buying contaminated sites, Bart Seitz, partner at Baker Botts LLP in Washington, told Bloomberg Environment.

"On the narrow facts of this case, I don't think it's that common," he said. Seitz represents companies involved in Superfund litigation.

The EPA is reviewing the court's decision and will determine whether any changes need to be made to site-specific agreements or guidance, Mackey said.

Politico

https://subscriber.politicopro.com/energy/whiteboard/2018/05/epa-narrows-guidelines-for-aggregating-sources-for-air-permitting-1157347

EPA Narrows Guidelines for Aggregating Sources for Air Permitting

By Alex Guillen, 5/3/18

EPA will alter its interpretation of when related facilities are considered a single source for air permitting purposes in a way that could ease their permitting requirements.

Permitting rules say that plants located near each other should be aggregated for permitting purposes if they are operated by the same entity, known as "common control." In that case, the facilities' emissions can be aggregated and be subject to more stringent permitting requirements than if treated separately.

In an April 30 memo concerning a common control designation for a Pennsylvania landfill and nearby biogas processing facility that are owned by different companies, EPA air chief Bill Wehrum revised the agency's interpretation so that facilities meet the definition if one entity has "the power or authority … to dictate decisions of the other that could affect the applicability of, or compliance with, relevant air pollution regulatory requirements."

A dependent relationship should not necessarily mean common control, he added. Facilities can be "economically or operationally interconnected" without being able to direct the other.

In the immediate case of the Pennsylvania landfill and processing plant, Wehrum concluded that the two are not

AMERICAN OVERSIGHT

commonly controlled because the landfill could otherwise meet methane emissions limits by burning off biogas and because the processing plant hopes to secure other sources of biogas.

WHAT'S NEXT: Ultimately, EPA's reasoning is only a recommendation. Pennsylvania regulators have the final say on whether these particular facilities fall under "common control."

Washington Examiner

https://www.washingtonexaminer.com/business/us-charges-ex-volkswagen-ceo-martin-winterkorn-in-emissions-scandal

US Charges Ex-Volkswagen CEO Martin Winterkorn in Emissions Scandal

By James Langford, 5/3/18

A federal grand jury has charged former Volkswagen CEO Martin Winterkorn with wire fraud in what prosecutors say was a long-running scheme to cheat diesel-emission standards for U.S. vehicles.

Winterkorn, 70, and other senior executives of the German carmaker conspired for about nine years to mislead investors and U.S. consumers about the ability of its "clean diesel" vehicles to comply with the country's rules, according to an indictment unsealed Thursday in U.S. District Court in Michigan. Winterkorn, who stepped down from the top job shortly after the federal investigation began, also faces three counts of wire fraud in a scandal that has weighed on the company's U.S. stock for more than two years.

"If you try to deceive the United States, then you will pay a heavy price," Attorney General Jeff Sessions, an appointee of President Trump, said in a statement. "The indictment unsealed today alleges that Volkswagen's scheme to cheat its legal requirements went all the way to the top of the company. These are serious allegations, and we will prosecute this case to the fullest extent of the law."

Environmental Protection AGency Administrator Scott Pruitt said the indictment sends "a clear message that EPA and its law enforcement partners will seek to hold corporate officers accountable for alleged criminal activities."

According to the indictment, Winterkorn and other Volkswagen executives implemented software that made VW and Audi diesel vehicles appear to meet U.S. emissions standards when they didn't, thus boosting the company's sales and, potentially, their own incomes.

The so-called defeat device, which tightened engine emission controls enough to meet requirements when the software recognized a test was being performed, was developed after VW executives realized the carmaker was unable to build a diesel engine that was both compliant and had market appeal, prosecutors said.

Under normal driving conditions, which the software also recognized, the diesel engines' emission-control systems were much less effective, allowing them to pump as much as 35 times more nitrogen oxides into the environment than U.S. regulators allowed, according to the indictment. The pollutants contribute to both smog and acid rain.

The Justice Department and the EPA notified Volkswagen of the investigation in late September 2015, and the company promised to cooperate. Winterkorn relinquished his roles as CEO and chairman of the supervisory board five days later.

"I am doing this in the interests of the company, even though I am not aware of any wrong doing on my part," he said at the time. "Volkswagen needs a fresh start — also in terms of personnel. I am clearing the way for this fresh start with my resignation."

The company's U.S. shares have climbed 8.2 percent since the investigation was disclosed, trailing 32 percent growth on the broader S&P 500.

Volkswagen "continues to cooperate with investigations by the Department of Justice," said Pietro Zollino, a company

AMERICAN OVERSIGHT

spokesman. "It would not be appropriate to comment on individual cases."

Reuters

https://www.reuters.com/article/us-usa-guns-trump/months-after-parkland-shooting-trump-to-embrace-nra-in-rally-like-speech-idUSKBN1I50ZR

Months After Parkland Shooting, Trump to Embrace NRA in Rally-Like Speech

By Jeff Mason, 5/4/18

President Donald Trump, who briefly pledged to "fight" the National Rifle Association after a February mass shooting at a Florida high school, is expected to throw his full weight behind the powerful gun rights group on Friday at an event in Dallas.

In addressing the gun lobbying group's annual convention, the Republican president will emphasize his support for gun rights in political terms, likely claiming again that Democrats want to take away Americans' firearms, a White House official said.

This will be Trump's fourth speech to the powerful NRA and, with control of the U.S. Congress up for grabs in November's midterm elections and campaigns under way, it is expected to include familiar warnings meant to excite the Republican voter base.

"These things typically are pretty 'rah, rah Second Amendment' types of addresses," the official said, adding that Trump likely will say that Democrats oppose the constitutional amendment that protects gun ownership.

The massacre that killed 17 people at Marjory Stoneman Douglas High School in Parkland, Florida, on Feb. 14 seemed to mark a turning point in America's long-running gun debate, sparking a youth-led movement for tighter gun controls.

Days after the shooting, Trump promised action on gun regulation and at a gathering of state officials, said this of the NRA: "We have to fight them every once in a while."

Since then, no major new federal gun controls have been imposed, although the administration is pursuing a proposed regulatory ban on bump stocks of the sort used in an October 2017 mass shooting in Las Vegas that killed 59 people.

A bump stock allows a semi-automatic rifle to fire like an automatic one. Semi-automatic assault rifles are sold widely in the United States, which has the world's highest per capita gun ownership rates. The NRA has fiercely defended America's gun ownership rights for many years, citing the Second Amendment.

RHETORICAL SHIFT

Since Parkland, Trump has largely moved his rhetoric back in line with the NRA, which endorsed him in his 2016 presidential election campaign and gave him its financial backing.

The group's convention in Texas will attract a strongly pro-Trump crowd, officials said, giving the president room to take some swipes at his opponents, review his record in office and complain about Special Counsel Robert Mueller's investigation of possible collusion between Trump's 2016 campaign and Russia.

The event was likely to be "reminiscent of rallies past," a second White House official said.

A Reuters/Ipsos poll found in March 2018 that 54 percent of adults wanted "strong regulations or restrictions" for firearms. That was up from 39 percent in a similar poll from April 2012.

Among Republicans in the poll, 40 percent wanted strong regulations or restrictions in March 2018, up from 22 percent in April 2012.

AMERICAN OVERSIGHT

Trump met with NRA officials privately at the White House twice in February as he mulled policy responses to the shooting. He eventually endorsed an NRA proposal to arm teachers, a step the group said would help prevent mass school shootings. Gun control activists generally oppose that idea.

Trump initially expressed enthusiasm for measures to close loopholes for gun buyers seeking to avoid the background check system, raise the age limit for buying rifles, and find ways to seize guns temporarily from people reported to be dangerous.

He has since endorsed more modest proposals, such as legislation aimed at providing more data for the background check system. He did not endorse closing a loophole in existing law that would require background checks for guns bought at guns shows or sales arranged over the internet.

CNBC

https://www.cnbc.com/2018/05/03/mueller-focuses-on-links-between-roger-stone-trump-campaign-aide-gates.html

Special Counsel Robert Mueller Focusing Sharply on Links Between Trump Confidant Roger Stone and Former Campaign Official Rick Gates, Sources Say

By Brian Schwartz, 5/3/18

Special counsel Robert Mueller is focusing intensely on alleged interactions between former top Trump campaign official Rick Gates and political operative Roger Stone, one of President Donald Trump's closest confidants, according to sources with direct knowledge of the matter.

Stone, a longtime advisor to Trump, is apparently one of the top subjects of the Mueller investigation into potential collusion between the Kremlin and the Trump campaign, sources told CNBC on condition of anonymity.

The questions have been largely about what was discussed at meetings, including dinners, between Stone and Gates, before and during the campaign, said the sources, who have knowledge of the substance of the recent interviews.

In February, Gates pleaded guilty to two counts stemming from the Russia investigation, and he is cooperating with Mueller's probe.

The new developments indicate that Mueller's team is interested in Stone beyond his interactions with Wikileaks founder Julian Assange during the campaign.

An attorney for Stone, Robert Buschel, did not deny discussions took place between his client and Gates, but sought to downplay their importance.

"Roger Stone did not have any substantive or meaningful interaction with Rick Gates during or leading up to the 2016 campaign," Buschel told CNBC in a statement.

An attorney for Gates declined to comment. The special counsel's office declined to comment.

The link between Gates and Stone goes back to their work at what had been one of the most powerful lobbying firms in Washington, which was founded by Stone along with former Trump campaign chairman Paul Manafort. The special counsel's probe has yielded two indictments against Manafort, who is accused of several crimes, including bank fraud and conspiracy against the United States.

Gates joined the firm as an intern more three decades ago, and it is unclear how much work he did with Stone at the time.

The firm, called Black, Manafort, Stone and Kelly, was known for its work to help improve the image of controversial politicians, including Ferdinand Marcos of the Philippines, Mobutu Sese Seko of the Democratic Republic of the Congo

AMERICAN OVERSIGHT

and the Russian-aligned former president of Ukraine, Viktor Yanukovych.

Gates joined the Trump campaign in the spring of 2016 and became Manafort's deputy. It was there where he became close to many of Trump's confidants. He remained with the campaign even after Manafort's ouster. Gates then worked on Trump's inaugural committee and co-founded the pro-Trump nonprofit group America First Policies.

In March, Gates was pulled into the Mueller inquiry when the special counsel's office filed a motion that claimed the former campaign aide had contact with a former agent of the Russian intelligence service in 2016. This came after Gates pleaded guilty to lying and conspiring against the United States, which could lead to possibly six years in prison. A sentencing date has yet to be announced.

For Stone, this is another potential hurdle in an ongoing investigation that continues to focus on him, among others.

Sam Nunberg, a former Trump campaign advisor, also said he was asked about Stone's involvement with Wikileaks during his interview before Mueller's grand jury in March.

"Roger is certainly a subject," Nunberg said. "The fact that Roger hasn't been called in and the special counsel continues to ask questions about Roger's possible activities during the election shows that at the very least he's a subject."

Stone allegedly met with Assange, the Wikileaks founder, in August 2016. In an email leaked to The Wall Street Journal, Stone said, "I dined with my new pal Julian Assange last nite."

Stone has denied that he has met with the Wikileaks founder and said the email was in jest.

During the 2016 campaign, Wikileaks published emails allegedly stolen from the Democratic National Committee's servers by a Russia-linked hacker known as "Guccifer 2.0."

Wall Street Journal

https://www.wsj.com/articles/the-kentucky-derby-favorite-is-seeking-to-outrun-a-ghost-1525431686

The Kentucky Derby Favorite Is Seeking to Outrun A Ghost

By Jim Chairusmi, 5/4/18

Bob Baffert is a four-time Kentucky Derby-winning trainer with a stable full of champion thoroughbreds, most recently sweeping the Triple Crown with American Pharoah in 2015. He often works with the sport's best horses, so it wasn't particularly noteworthy when a young colt named Justify entered his barn late last year.

"I just can't remember offhand," Baffert said last month about his earliest memories of Saturday's Kentucky Derby favorite.

But it didn't take long for the 65-year-old Baffert to take notice, after he saw the chestnut colt breeze in a workout at Santa Anita Park.

The dirt track at Santa Anita is deep and many horses can struggle over the surface, Baffert said. But not Justify.

"The first time I worked him [there] I knew he was something really special," Baffert said. "He just went around there and just did it effortlessly. And that's when I knew he was really a cut above the rest."

Justify went on to win his debut race in February and is undefeated in three starts, securing a berth in the Kentucky Derby after an easy three-length win in the Santa Anita Derby on April 7. That was enough for Churchill Downs oddsmaker Mike Battaglia to tap Justify as the 3-1 favorite, even though the Run for the Roses will be Justify's first race outside of the state of California.

AMERICAN OVERSIGHT

But besides trying to beat 19 rivals to the finish line on Saturday, Justify and Baffert are also running against history. A horse that didn't race as a 2-year-old hasn't won the Kentucky Derby since a gelding named Apollo accomplished the feat in 1882. Since statistics were first kept in 1937, 61 horses have entered the Derby without racing at the age of 2. All have lost and only eight of the 61 even finished in the top-3.

The Kentucky Derby, a race in which only 3-year-old horses are eligible, is a stiff test for still-maturing thoroughbreds, with a large field and a boisterous crowd of over 150,000 fans, contested at a distance (1 ¼ miles) farther than any horse in the field has ever run. As a result, the popular consensus among horsemen has been to establish a racing foundation for a horse at an early age before attempting to run in classic races such as the Derby, Preakness and Belmont Stakes.

"The lack of experience is a very tough thing to overcome but in the case of Justify, if he had started at 2, he might not be in the position he is in today as the favorite," said Simon Bray, a former trainer and current analyst for the racing network TVG. "Physically, he's so big. I don't think he would have been as developed racing as a 2-year-old.

Hall of Fame jockey Jerry Bailey said the most impressive part about Justify is how quickly he's turned into a star, akin to a freshman in high school making the leap straight to the NBA.

"Justify is particularly challenged because [in addition] to not racing at age 2, he didn't even race until Feb. 18."

The so-called Curse of Apollo is something Baffert has heard a lot about, having come within 1 1/2 lengths of breaking it in 2012, when his trainee Bodemeister, who also didn't race as a 2-year-old, was overtaken just steps from the wire by I'll Have Another.

"The Apollo thing," Baffert said. "Whether it happens this year or whatever, it will happen."

Baffert said a big reason the streak hasn't been broken is that trainers used to start horses much earlier in their racing careers, something he said isn't fully the case now. "Trainers take their time. They don't run them as early 2-year-olds anymore," he said. "So I think the game has changed."

Bailey said an "exceptional" talent can overcome a lack of race experience.

"In this day and age, an inexperienced horse that didn't race at the age of 2, isn't running against horses that have run 10 times, 12 times, like they did 25 years ago. Most of the horses in the field are relatively lightly raced, so the disparity isn't as great," said Bailey, who is now an analyst for NBC Sports.

Trainer Todd Pletcher conditions Magnum Moon, the other late-developing, undefeated colt in this year's Derby field who is also looking to outrun the ghost of Apollo on Saturday.

"It's lasted long enough that I guess there has to be something to it. But I feel strongly that at some point someone's going to reverse the curse," Pletcher said.

Looking at the full field for the Derby, Bailey sees Justify as the likeliest winner.

"Magnum Moon is a good horse but I think Justify is several lengths faster than him. And probably several lengths faster than almost all of the field, except maybe Mendelssohn," said Bailey.

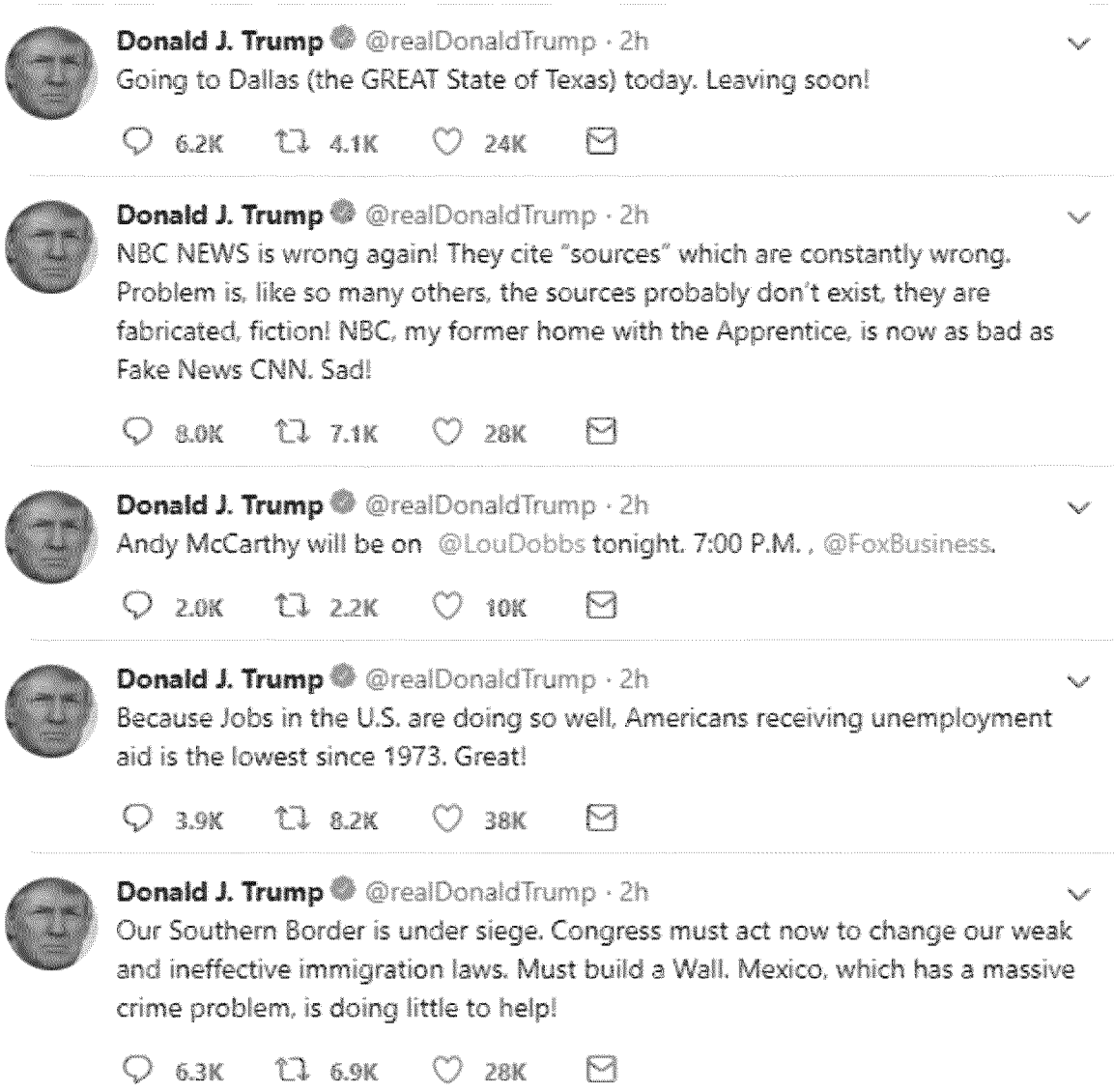
Coincidentally, the horse many consider to be the biggest threat to Justify in the Derby actually comes from the same bloodline. Mendelssohn—who secured a berth with an 18 1/2 length victory in the UAE Derby--and Justify were both sired by Scat Daddy. But horses by the same stallion, but birthed by a different dam (mother), are not considered related. Mendelssohn, conditioned by Irish trainer Aidan O'Brien, has won four of seven career starts.

Bray said he and Baffert were chatting one morning before the UAE Derby in Dubai when Baffert pointed to Mendelssohn.

AMERICAN OVERSIGHT

"Baffert said, 'That horse is going to win the UAE Derby. The problem is, he's only the second-best Scat Daddy in the world right now. I have the best one.'"

TRUMP TWEETS



AMERICAN OVERSIGHT

To: Jackson, Ryan[jackson.ryan@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Konkus, John[konkus.john@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Block, Molly[block.molly@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Hewitt, James
Sent: Mon 12/11/2017 2:57:29 PM
Subject: EPA News Highlights 12.11.17
EPA News Highlights 12.11.17.docx

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

AMERICAN OVERSIGHT

The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media

AMERICAN OVERSIGHT

and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

AMERICAN OVERSIGHT

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites

EPA names Butte and Anaconda as priority Superfund sites

By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks

AMERICAN OVERSIGHT

as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html

Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

AMERICAN OVERSIGHT

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about $50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about $1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

AMERICAN OVERSIGHT

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

AMERICAN OVERSIGHT

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

AMERICAN OVERSIGHT

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

AMERICAN OVERSIGHT

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

"We are offering you an opportunity to confer with us about the violations," Mr. Czerniak wrote in the letter. "You may have an attorney represent you at this conference."

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has

AMERICAN OVERSIGHT

been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. “Heritage Thermal is one of the city’s largest employers,” he said. “We are all friends and neighbors with those that work there.”

Still, he said, residents want the matter resolved. “Our constituents deserve answers that no one seems to want to provide,” he said.

A spokesman for the E.P.A. declined to comment on the case’s status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it “is committed to continuously enhancing its performance and environmental compliance.”

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. “Something made them slam on the brakes,” she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when

AMERICAN OVERSIGHT

inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found "the highest levels of ambient manganese concentrations in the United States," a complaint issued during the Obama administration said. Health officials warned that the situation represented "a public health hazard and should be mitigated as soon as possible to reduce harmful exposures."

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was

AMERICAN OVERSIGHT

waiting for the court to act. “It would not be appropriate to discuss the open enforcement matters,” the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

“It makes me feel like less of a mother,” said Ms. Pratt of the pollution problems. “You can’t protect your children.”

Fighting back tears, she added, “People say to me, ‘Why don’t you just pick up and move out of here?’ Well, I just don’t have the money to do that.”

Industry Gets a Sympathetic Ear

The memo was marked “Privileged/Confidential/Do Not Release” and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt’s top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

AMERICAN OVERSIGHT

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the

AMERICAN OVERSIGHT

tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases

AMERICAN OVERSIGHT

involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release

AMERICAN OVERSIGHT

sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay $2.5 million in civil penalties, some of which will go to Louisiana, and spend $300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

AMERICAN OVERSIGHT

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

AMERICAN OVERSIGHT

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa

Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

Reuters

AMERICAN OVERSIGHT

https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

AMERICAN OVERSIGHT

By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about $615,000. Getting $100 more in business income would force the lawyer to pay $105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first $100 of the spouse's

AMERICAN OVERSIGHT

wages would require $107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be

AMERICAN OVERSIGHT

unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below $500,000 for a married couple.

The deduction then phases out over $100,000 in income, according to a complex formula, disappearing entirely once income reaches $624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to $2,000 but phases it out beginning at $500,000 income for joint filers. The credit shrinks by $50 for every $1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

AMERICAN OVERSIGHT

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, $200,000, as opposed to $100,000, of income above $500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below $500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084

Americans Give Trump Higher Grades on Economy Than Overall

By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

AMERICAN OVERSIGHT

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in November.

"President Trump's bold economic vision continues to pay off," White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. "As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people."

The president expects to sign a final version of the GOP's $1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn't respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

AMERICAN OVERSIGHT

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump's way. Today's strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections,'' said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn't so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump's sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

"During the Clinton impeachment, people said, 'Look, the economy is doing fine.' They weren't in a mood to pursue impeachment," Mr. Hart said. "What's different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There's never enough of a lull for voters to get their breath and say, 'I'm comfortable.' And that's why Trump doesn't get the full political benefit of the economic growth."

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

AMERICAN OVERSIGHT

EPA News Highlights 12.11.17

Portland Tribune: EPA targeting Portland Superfund site for 'immediate, intense' attention

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention. The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like. "It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX: EPA names Butte and Anaconda as priority Superfund sites

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup. The sites on the list will be targeted for immediate and intense attention. For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit. At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years. The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

The New York Times: Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws. An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool. The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period

The Associated Press: Providence superfund site among 2 priority from EPA

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence. The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force. The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

National News Highlights 12.4.17

Reuters: One person in custody, several injured, in New York explosion

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people. Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority. A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now." Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway

AMERICAN OVERSIGHT

tunnel. New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

The Wall Street Journal: The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan. That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes. As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The Wall Street Journal: Americans Give Trump Higher Grades on Economy Than Overall

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy. With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October. That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high. The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

TRUMP TWEETS

Portland Tribune

http://portlandtribune.com/pt/9-news/380911-268495-epa-targeting-portland-superfund-site-for-immediate-intense-attention

EPA targeting Portland Superfund site for 'immediate, intense' attention

By Ericka Cruz Guevarra, 12/10/17

The Environmental Protection Agency says its targeting the Portland Harbor Superfund Site in the Willamette River for immediate attention.

The EPA announced Friday that the Portland Harbor Superfund Site is one of 21 sites it plans to target across the country. In a statement, EPA Administrator Scott Pruitt says he's asking Superfund Task Force staff to immediately develop plans for cleanup at the sites, though environmentalists say they want more information about what the cleanup process will look like.

"It would be a good thing to get this cleanup moving as quickly as possible and bring this harbor back to health," said Bob Sallinger, conservation director with the Audubon Society of Portland. "But that cannot mean cutting corners and letting polluters off the hook and lowering the cleanup standard."

KPAX

http://www.kpax.com/story/37036181/epa-names-butte-and-anaconda-as-priority-superfund-sites

EPA names Butte and Anaconda as priority Superfund sites

By MTN News, 12/10/17

The U.S. Environmental Protection Agency named the Silver Bow Creek/Butte area and the Anaconda Smelter Superfund sites as two of the 21 top priorities in the nation for cleanup.

AMERICAN OVERSIGHT

The sites on the list will be targeted for immediate and intense attention.

For the Silver Bow Creek/Butte area, the EPA has taken steps to accelerate negotiations and set a deadline for an agreement to ensure stormwater controls along Silver Bow and Blacktail creeks as well as review the water treatment plant for the Berkeley Pit.

At the Anaconda Smelter site, the EPA has directed Atlantic Richfield to complete lead and arsenic sampling and cleanup of commercial and residential properties including another 1,000 homes over the next three years.

The EPA also directed Atlantic Richfield to begin testing school grounds for lead and school interiors for lead and arsenic in the next few months.

Butte and Anaconda were the only two Montana sites to make the list. New Jersey was the only state with more sites on the priority list with three listed.

The New York Times

https://www.nytimes.com/2017/12/10/us/politics/pollution-epa-regulations.html

Under Trump, E.P.A. Has Slowed Actions Against Polluters, and Put Limits on Enforcement Officers

By Eric Lipton and Danielle Ivory, 12/10/17

The highway billboard at the entrance to town still displays a giant campaign photograph of President Trump, who handily won the election across industrial Ohio. But a revolt is brewing here in East Liverpool over Mr. Trump's move to slow down the federal government's policing of air and water pollution.

The City Council moved unanimously last month to send a protest letter to the Environmental Protection Agency about a hazardous waste incinerator near downtown. Since Mr. Trump took office, the E.P.A. has not moved to punish the plant's owner, even after extensive evidence was assembled during the Obama administration that the plant had repeatedly, and illegally, released harmful pollutants into the air.

"I don't know where we go," Councilman William Hogue, a retired social studies teacher, said in frustration to his fellow council members. "They haven't resolved anything."

Scott Pruitt, the E.P.A. administrator, has said the Trump administration's high-profile regulatory rollback does not mean a free pass for violators of environmental laws. But as the Trump administration moves from one attention-grabbing headline to the next, it has taken a significant but less-noticed turn in the enforcement of federal pollution laws.

An analysis of enforcement data by The New York Times shows that the administration has adopted a more lenient approach than the previous two administrations — Democratic and Republican — toward polluters like those in East Liverpool.

The Times built a database of civil cases filed at the E.P.A. during the Trump, Obama and Bush administrations. During the first nine months under Mr. Pruitt's leadership, the E.P.A. started about 1,900 cases, about one-third fewer than the number under President Barack Obama's first E.P.A. director and about one-quarter fewer than under President George W. Bush's over the same time period.

In addition, the agency sought civil penalties of about $50.4 million from polluters for cases initiated under Mr. Trump. Adjusted for inflation, that is about 39 percent of what the Obama administration sought and about 70 percent of what the Bush administration sought over the same time period.

The E.P.A., turning to one of its most powerful enforcement tools, also can force companies to retrofit their factories to

AMERICAN OVERSIGHT

cut pollution. Under Mr. Trump, those demands have dropped sharply. The agency has demanded about $1.2 billion worth of such fixes, known as injunctive relief, in cases initiated during the nine-month period, which, adjusted for inflation, is about 12 percent of what was sought under Mr. Obama and 48 percent under Mr. Bush.

Resolving complicated pollution cases can take time, and the E.P.A. said it remained committed to ensuring companies obeyed environmental laws.

"E.P.A. and states work together to find violators and bring them back into compliance, and to punish intentional polluters," the agency said in a statement. Officials said Mr. Pruitt was less fixated on seeking large penalties than some of his predecessors were.

"We focus more on bringing people back into compliance than bean counting," the statement said.

After this article was posted, the E.P.A. issued a statement criticizing the report, and saying that "Administrator Scott Pruitt is committed to enforcement," and that "there is no reduction in E.P.A.'s commitment to ensure compliance with our nation's environmental laws." (The full statement is here.)

Confidential internal E.P.A. documents show that the enforcement slowdown coincides with major policy changes ordered by Mr. Pruitt's team after pleas from oil and gas industry executives.

The documents, which were reviewed by The Times, indicate that E.P.A. enforcement officers across the country no longer have the authority to order certain air and water pollution tests, known as requests for information, without receiving permission from Washington. The tests are essential to building a case against polluters, the equivalent of the radar gun for state highway troopers.

At at least two of the agency's most aggressive regional offices, requests for information involving companies suspected of polluting have fallen significantly under Mr. Trump, according to internal E.P.A. data.

In the last two complete fiscal years of the Obama administration, the E.P.A.'s office in Chicago sent requests for testing that covered an average of 50 facilities per year, or about 4.2 each month. By comparison, after the policy changes, one such request for a single facility was made in the subsequent four-month period. There was a similar decline in the Denver regional office, according to the data.

The enforcement slowdown has been compounded by the departure of more than 700 employees at the E.P.A. since Mr. Trump's election, many of them via buyouts intended to reduce the agency's size, and high-level political vacancies at the E.P.A. and the Justice Department. The agency's top enforcement officer — Susan Bodine — was confirmed only late last week.

Separately, Mr. Pruitt's team has told officials and industry representatives in Missouri, North Dakota and other states that E.P.A. enforcement officers will stand down on some pollution cases, according to agency documents. The retrenchment is said to be part of a nationwide handoff of many enforcement duties to state authorities, an effort Mr. Pruitt calls cooperative federalism but critics say is an industry-friendly way to ease up on polluters.

Current and recently departed E.P.A. staff members said the new direction has left many employees feeling frozen in place, and demoralized, particularly in the regional offices, which have investigators who are especially knowledgeable of local pollution threats.

"Certain people who are polluting are doing it with impunity right now and I think it is horrible," said Nicole Cantello, an E.P.A. lawyer in the Chicago office, who has worked at the agency for 26 years.

Ms. Cantello agreed to speak to The Times because she is protected by her status as a union official. The E.P.A. did not

AMERICAN OVERSIGHT

authorize agency employees to speak.

The Times asked top E.P.A. enforcement officials from the Obama and Bush administrations to review The Times's data, analysis and methodology. (Read more about The Times's methodology here.) They said the slowdown signaled a sea change in enforcement under Mr. Trump.

"Those kinds of numbers are stark," said Granta Nakayama, a lawyer who served in the Bush administration as assistant administrator for the E.P.A.'s enforcement office and who now represents companies facing E.P.A. enforcement actions for the law firm King & Spalding, where he oversees the environmental practice.

"If you're not filing cases, the cop's not on the beat," he said. "Or has the cop been taken off the beat?"

Cynthia Giles, the former assistant administrator for the E.P.A.'s enforcement office during the Obama administration, also prepared a separate version of the data. She described as a "stunning decline" the reduced efforts under Mr. Trump to require companies to bring their facilities into compliance with pollution laws.

"The Pruitt E.P.A. is cratering on the enforcement work that matters most: holding the biggest polluters accountable," said Ms. Giles, now a director at the Energy & Environment Lab at the University of Chicago.

Some enforcement experts suggested that the E.P.A. under Mr. Pruitt might have filed fewer cases because it was going after larger penalties. But according to the Times analysis, most of the top penalties were smaller than those in the previous two administrations. And the nine-month window included the single largest civil case filed by the E.P.A., against Exxon Mobil.

On a midsummer afternoon in 2013, boiler ash and steam blasted through a breach at the Heritage Thermal Services hazardous waste incinerator, spewing hundreds of pounds of ash into a nearby neighborhood in East Liverpool and setting off a series of small fires at the plant.

Tests later showed that the ash, which looked like dirty clumps of cotton candy scattered across rooftops and lawns, contained toxic chemicals. In some samples, lead and arsenic were found at concentrations that "could pose a hazard to small children," according to an Ohio Department of Health report. Heritage Thermal went door to door offering to wash people's houses and replace vegetables in their gardens.

Sandra Estell, 64, who lives on a river bluff overlooking the plant, said the ash covered her brother's Chevy Blazer and blanketed the street where she grew up. Even when the plant operates normally, she said, she smells the incinerator from her home — with the odor changing from rotten eggs to an electrical fire to something difficult to place.

Truckloads of hazardous waste often sit in the parking lot outside the plant, awaiting disposal. On the day of the accident in 2013, the plant was burning through a load of waste sent from an oil refinery in Toledo.

"It really just scares me," Ms. Estell said of the incinerator.

The plant falls under the jurisdiction of the E.P.A. regional office in Chicago, which moved quickly to investigate the episode as a possible violation of the Clean Air Act, federal records show.

Investigators sent Heritage Thermal's general manager what is known as a Section 114(a) request for detailed information on the explosion. Failing to answer the questions, warned George T. Czerniak, who was then the E.P.A.'s Chicago-based director of the air and radiation division, could result in punishment.

Heritage Thermal complied within weeks, and also disclosed that the plant had faced a series of related problems when pressure inside the incinerator had climbed to dangerous levels. Mr. Czerniak asked for more information about those

AMERICAN OVERSIGHT

episodes, and by March 2015 he had signed a formal letter of complaint, alleging a series of Clean Air Act violations that would very likely result in fines, as well as possible civil or criminal action.

“We are offering you an opportunity to confer with us about the violations,” Mr. Czerniak wrote in the letter. “You may have an attorney represent you at this conference.”

More than two and a half years later, the matter remains unresolved, leading to the letter of complaint to the E.P.A. last month from the East Liverpool City Council. The body is dominated by Democrats, but it says its motivation in criticizing the E.P.A. is based on concerns about public safety and not partisan politics.

John Mercer, a City Council member, said taking on air pollution issues at Heritage Thermal has been a delicate matter because the area has lost thousands of jobs as steel and pottery manufacturing plants closed. “Heritage Thermal is one of the city’s largest employers,” he said. “We are all friends and neighbors with those that work there.”

Still, he said, residents want the matter resolved. “Our constituents deserve answers that no one seems to want to provide,” he said.

A spokesman for the E.P.A. declined to comment on the case’s status, as did Christopher T. Pherson, president of Heritage Thermal. The company said in a statement that it “is committed to continuously enhancing its performance and environmental compliance.”

Ms. Estell, who was critical of the plant even before it opened in the 1990s for being built near homes, blames the change in administrations in Washington for the inaction. “Something made them slam on the brakes,” she said.

Every administration runs into delays when investigating and enforcing environmental laws, and it is hard to pinpoint why any particular case might stall without access to confidential E.P.A. files. But the lack of action in East Liverpool mirrors a pattern of sluggish new enforcement activity under the Trump administration, as represented in data analyzed by The Times.

The Times identified more than a dozen companies or plants like Heritage Thermal that received notices of violation toward the end of the Obama administration, but as of late November had not faced E.P.A. penalties. The findings were based on agency files released through a Freedom of Information Act request to the Environmental Integrity Project, a nonprofit group run by a former E.P.A. enforcement chief.

Indiana Harbor Coke in East Chicago, Ind., has received at least three warning notices since 2015 for pollution violations, including hundreds of illegal emissions of lead, which can cause serious health problems, especially for children.

Other cases include TimkenSteel Corporation of Canton, Ohio, which was served with a notice in November 2015 for illegally emitting hazardous toxins, including mercury, which, when inhaled in large quantities, can cause pulmonary edema, respiratory failure and death.

In Waterford, Ohio, Globe Metallurgical was cited in June 2015 and December 2016 for air pollution violations. The E.P.A. collected evidence that it was emitting illegal amounts of sulfur dioxide, which can irritate the nose and throat and, at very high concentrations, cause life-threatening accumulation of fluid in the lungs.

And in East Liverpool, just down the street from the Heritage Thermal incinerator, S.H. Bell was cited for allowing toxic levels of dust with heavy metal chemical additives such as manganese to drift beyond its property line.

Tests conducted near S.H. Bell found “the highest levels of ambient manganese concentrations in the United States,” a complaint issued during the Obama administration said. Health officials warned that the situation represented “a public health hazard and should be mitigated as soon as possible to reduce harmful exposures.”

AMERICAN OVERSIGHT

Research led by the University of Cincinnati found in September that levels of manganese in the blood and hair of children in East Liverpool appeared to be related to lower I.Q. scores, a conclusion executives from S.H. Bell have disputed.

The E.P.A. moved in the final days of the Obama administration to resolve the S.H. Bell matter, proposing a consent decree in January that would require changes to reduce manganese dust levels and to improve monitoring.

Generally, a proposed consent decree is resolved within several months, but in March, the Trump administration asked a federal judge to delay the case so the E.P.A. could "brief incoming administration officials with decision-making responsibility" given that "many subordinate political positions at the agency remain unfilled." The Justice Department has since asked the court to move ahead, but the case remains open.

A spokeswoman for S.H. Bell said that the company had moved to comply with the requirements and that its operations had not harmed residents. The E.P.A. said in a statement that it was waiting for the court to act. "It would not be appropriate to discuss the open enforcement matters," the statement said.

Roberta Pratt, 49, a bartender who lives with her family on a block situated between Heritage Thermal and S.H. Bell, said she worries constantly about the delays in enforcement at the facilities. The side of her house, she said, is stained with a rusty color from heavy metals that float through the air.

"It makes me feel like less of a mother," said Ms. Pratt of the pollution problems. "You can't protect your children."

Fighting back tears, she added, "People say to me, 'Why don't you just pick up and move out of here?' Well, I just don't have the money to do that."

Industry Gets a Sympathetic Ear

The memo was marked "Privileged/Confidential/Do Not Release" and was signed by Susan Shinkman, the director of civil enforcement at the E.P.A. and one of Mr. Pruitt's top deputies in Washington at the time.

It arrived by email to agency employees across the country on May 31.

With four pages of detailed instructions, it directed E.P.A. investigators to seek authorization before asking companies to track their emissions with instruments that determine the type and amount of pollutants being released at their plants.

It also said investigators needed special authorization if they did not already have evidence that the company had quite likely violated the law, or if state authorities objected to the tests.

The scope was far-reaching, applying to possible violations of the Clean Air Act, the Clean Water Act and federal laws regulating hazardous waste plants.

The goal of these changes, the memo said, was to "ensure a more nationally consistent and complete accounting of federal compliance monitoring and enforcement activities." But the directive arrived like a thunderbolt, upending one of the agency's most effective methods in catching polluters, E.P.A. regional officials said, and one that was extremely unpopular with the oil and gas industry.

In the prior two years, investigators in the Chicago office had sent requests for information — which includes requests for testing — that covered 267 facilities in the six Midwest states it oversees, including in cases involving giant mountains of petcoke stored near residential neighborhoods in Chicago. A carbon and sulfur byproduct of refining oil, petcoke particles can become airborne and enter the lungs, causing serious health effects.

AMERICAN OVERSIGHT

Investigators in the regional office in Denver, which handles many oil and gas cases, also sent out a series of requests during the Obama administration based on hints that energy producers were letting vast quantities of hazardous air pollutants escape into the atmosphere. The pollutants included benzene, which is a carcinogen, and methane, which is a major contributor to climate change. The investigations escalated after four workers at energy facilities in North Dakota were overcome by fumes and died.

As the Obama administration came to a close, companies had grown increasingly unhappy with the tests and began to fight them by turning to allies in Washington.

Koch Carbon, a subsidiary of Koch Industries, which operated two petcoke storage facilities in Chicago, challenged the E.P.A.'s authority to require the tests in a formal filing with the agency, E.P.A. documents show, although it still provided the information the agency had requested. The test results showed that its petcoke piles were, in fact, threatening neighbors and led to their removal.

Republicans in Congress, including Senator James M. Inhofe of Oklahoma, took up the cause for the oil and gas industry. In public hearings, Mr. Inhofe interrogated E.P.A. officials about the tests and called them "a backdoor effort for the E.P.A. to cut greenhouse gas emissions."

When Mr. Trump was elected and named Mr. Pruitt, the former Oklahoma attorney general, to lead the E.P.A., the complaints got a fresh — and sympathetic — hearing. Ms. Shinkman, in an interview, said she was instructed to write the new policy memo after Mr. Pruitt received letters of complaint from oil industry executives in North Dakota and Colorado. Ms. Shinkman retired from the E.P.A. in September; in its statement to The Times, the E.P.A. did not say whether the oil and gas industry had been a factor in its decision.

Ron Ness, the president of the North Dakota Petroleum Council, wrote to Mr. Pruitt in March describing the tests as burdensome and costly. "Under the previous administration, the E.P.A. initiated sweeping Clean Air Act (CAA) Section 114 information requests and threatened company-ending sanctions." Mr. Ness wrote in a letter obtained by The Times.

In his response to Mr. Ness, Mr. Pruitt wrote that the E.P.A. would "develop best practices for the judicious use" of the requests, and also hand off much of the enforcement of air pollution laws to North Dakota officials, except on Indian lands where the federal government has jurisdiction.

"The E.P.A. acknowledges the critical role that the oil and gas industry plays in ensuring the nation's energy independence through domestic energy production," Mr. Pruitt wrote to Mr. Ness in July.

The change in North Dakota was part of a broader effort by the E.P.A. to give states more say in how to treat polluters.

In a letter to the Missouri Department of Natural Resources, Edward Chu, the deputy administrator of the E.P.A.'s regional office in Kansas, said the agency would back off some inspection and enforcement activity so the state could take the lead. "These shifts in direction do represent significant change," Mr. Chu wrote.

Officials in North Dakota said the new arrangement there is leading to faster resolution of cases involving the oil and gas industry.

"We are focused on compliance and fixes, not on big fines that are trumped up," said Jim Semerad, who leads the division of the North Dakota Department of Health that enforces air emissions rules.

But some critics question the sincerity of Mr. Pruitt's deference to state authorities, in part because it comes as the Trump administration has proposed cutting grants that help states pay for local enforcement. And the vigilance of some states in taking on the new responsibilities is also uncertain.

AMERICAN OVERSIGHT

An audit by the E.P.A. inspector general in 2011 described North Dakota as "a state philosophically opposed to taking enforcement action" against polluters.

The state's fines, moreover, are a tiny fraction of those imposed by the E.P.A. for the same violations, records obtained by The Times show, and some North Dakota settlements do not require the hiring of independent inspectors to ensure companies honor their promises.

In Ohio, a change in state law that was tucked into a budget bill this year cut funding for an inspector in East Liverpool, even as Ohio authorities found continued evidence of air pollution violations at the Heritage Thermal incinerator, according to state records obtained by The Times.

Ohio Environmental Services Industry, a trade group that represents Heritage Thermal and a handful of other hazardous waste companies, pushed for the change. The group said the facility would receive sufficient oversight without the dedicated state inspector.

The changes across the country, some lawyers suggest, are giving violators an upper hand in negotiating with the E.P.A.

Paul Calamita, who represents cities accused of violating the Clean Water Act when they release sewage and contaminated storm water into rivers and lakes, recommends that clients team up with state governments to push back against the E.P.A.

Under President Trump, Mr. Calamita said, the E.P.A. and the Department of Justice have been willing to compromise, withdrawing a six-figure penalty in one instance after refusing to do so in two previous rounds of negotiations during the Obama administration.

"States with new Republican governors are following the Trump approach — providing compliance assistance at the outset to avoid enforcement where the discharger is cooperative," he said in a presentation to utility executives from around the United States. "A state that pushes back on E.P.A. is likely to be successful."

A Muscular Office Loses Muscle

The E.P.A. under Mr. Pruitt has pursued some high-profile prosecutions of polluters and has talked tough about companies like Fiat Chrysler, which like Volkswagen has been accused of installing software on its vehicles meant to evade emissions standards.

The agency's biggest civil case filed since Mr. Trump took office involves Exxon Mobil, which was accused of not properly operating and monitoring industrial flares at its petrochemical facilities. Exxon agreed in October to pay $2.5 million in civil penalties, some of which will go to Louisiana, and spend $300 million to install new technology to reduce air pollution.

The agency on Friday also released a list of 21 Superfund sites contaminated with hazardous substances and pollutants that Mr. Pruitt has targeted for immediate and intense attention. One of the sites on the list, Tar Creek, a former lead and zinc mine, is in Oklahoma, where Mr. Pruitt once served as attorney general and state senator.

But more than a dozen current and former E.P.A. officials told The Times that the slowdown in enforcement is real on the ground, and that it is being directed from the top.

At the Ralph Metcalfe Federal Building in Chicago, which houses a regional office of the E.P.A., employees said it has become difficult to even start a new investigation. Because it covers states populated with Rust Belt industries, the Chicago office has traditionally been one of the busiest of the 10 regions.

AMERICAN OVERSIGHT

EXT-18-783-F-003389

ED_001863D_00000255-00009

An agency spokeswoman, in a statement, said "we have not rejected any requests for sampling, monitoring and testing" that were sent to headquarters as a result of the new policy. But agency staff said the memo made clear such requests were discouraged, and many fewer were being drafted.

Jeff Trevino, a lawyer in the Chicago office, who has worked for the agency for 27 years, said the new hurdles imposed by Mr. Pruitt had created "a Catch-22" because, with new policies effectively discouraging requests for information, investigators will have a harder time getting the data needed to detect and confirm violations.

Mr. Trevino, like other current E.P.A. employees, was not authorized by the agency to speak with The Times, and did so as a member of the labor union.

"We are the boots on the ground and we just are having a hard time now getting the information we need to do our job," said Felicia Chase, who has worked for nearly a decade as a water pollution enforcement officer in the Chicago office, which covers states from Minnesota to Ohio. She was also speaking in her capacity as a union member.

Ms. Chase sat glumly in the cafeteria just before Thanksgiving. On a television set on the wall, President Trump could be seen offering an official pardon to a turkey, joking that he could not reverse Mr. Obama's turkey pardons from the previous year.

Some workers said they would take the unusual step of asking members of Congress to protect funding for the work they do, while others said they held out hope that the new restrictions on information gathering would not be permanent. Ms. Shinkman, the retired author of the May memo, said she had hoped to avoid a sharp drop in requests for information, but she declined to elaborate how that would be possible.

Mr. Czerniak, who led the air pollution unit in Chicago until his retirement in 2016, said it was hard to watch the agency struggle through this new era.

"People at the agency are just being cautious, almost to the point of paralysis," he said. "They do not want to do anything for fear of being told they have done something wrong — something the new administrator won't like."

The Associated Press

http://www.providencejournal.com/news/20171210/providence-superfund-site-among-2-priority-from-epa

Providence superfund site among 2 priority from EPA

By Staff, 12/10/17

The U.S. Environmental Protection Agency says two sites in the Northeast are being prioritized for cleanup, including the Centredale Manor Restoration Project in North Providence.

The project, the site of a chemical manufacturer from the 1940s to the 1970s, was among 21 nationwide slated for speedier cleanup and redevelopment under the superfund program, which provides federal resources to deal with some of the nation's most contaminated locations. The list was one of the recommendations put forth this summer by a superfund task force.

The other site in the Northeast is the former Mohawk Tannery in Nashua, New Hampshire. Other sites on the list are in New Jersey, Montana, California, Missouri, Virginia, Kentucky, Mississippi, Indiana, Michigan, Nevada, Oklahoma, Texas, Iowa, Oregon and Washington.

AMERICAN OVERSIGHT

EXT-18-783-F-003390

ED_001863D_00000255-00010

Reuters

https://www.reuters.com/article/us-newyork-incident/one-person-in-custody-several-injured-in-new-york-explosion-idUSKBN1E51E9

One person in custody, several injured, in New York explosion

By Staff, 12/11/17

An explosion rocked New York's Port Authority, one of the city's busiest commuter hubs in midtown Manhattan, during Monday morning's rush hour, injuring several people.

Police confirmed one person is in custody but were not yet identifying the device used. Local news channel WABC cited police sources as saying a possible pipe bomb detonated in a passageway below ground at Port Authority.

A police officer near the scene said: "There was an explosion under Port Authority somewhere in the subway. That's all we've got for now."

Media reported several people were injured, and WPIX television reported, citing sources, that a man with a "possible second device" has been detained in the subway tunnel.

New York City Mayor Bill de Blasio and President Donald Trump have been briefed on the incident, according to local media and the White House.

"There was a stampede up the stairs to get out," said Diego Fernandez, one of the commuters at Port Authority. "Everybody was scared and running and shouting."

The Wall Street Journal

https://www.wsj.com/articles/the-taxman-cometh-senate-bills-marginal-rates-could-top-100-for-some-1512942118?mg=prod/accounts-wsj

The Taxman Cometh: Senate Bill's Marginal Rates Could Top 100% for Some

By Richard Rubin, 12/10/17

Some high-income business owners could face marginal tax rates exceeding 100% under the Senate's tax bill, far beyond the listed rates in the Republican plan.

That means a business owner's next $100 in earnings, under certain circumstances, would require paying more than $100 in additional federal and state taxes.

As lawmakers rush to write the final tax bill over the next week, they already are looking at changes to prevent this from happening. Broadly, House and Senate Republicans are trying to reconcile their bills, looking for ways to pay for eliminating the most contentious proposals. The formal House-Senate conference committee will meet on Wednesday, and GOP lawmakers may unveil an agreement by week's end.

The possible marginal tax rate of more than 100% results from the combination of tax policies designed to provide benefits to businesses and families but then deny them to the richest people. As income climbs and those breaks phase out, each dollar of income faces regular tax rates and a hidden marginal rate on top of that, in the form of vanishing tax breaks. That structure, if maintained in a final law, would create some of the disincentives to working and to earning business profit that Republicans have long complained about, while opening lucrative avenues for tax avoidance.

As a taxpayer's income gets much higher and moves out of those phaseout ranges, the marginal tax rates would go down.

Consider, for example, a married, self-employed New Jersey lawyer with three children and earnings of about $615,000.

AMERICAN OVERSIGHT

Getting $100 more in business income would force the lawyer to pay $105.45 in federal and state taxes, according to calculations by the conservative-leaning Tax Foundation. That is more than double the marginal tax rate that household faces today.

If the New Jersey lawyer's stay-at-home spouse wanted a job, the first $100 of the spouse's wages would require $107.79 in taxes. And the tax rates for similarly situated residents of California and New York City would be even higher, the Tax Foundation found. Analyses by the Tax Policy Center, which is run by a former Obama administration official, find similar results, with federal marginal rates as high as 85%, and those don't include items such as state taxes, self-employment taxes or the phase-out of child tax credits.

The bill as written would provide incentives for business owners to shift profit across calendar years, move personal expenses inside the business and engage in other economically unproductive maneuvers, said David Gamage, a tax-law professor at Indiana University.

"I would expect a huge tax-gaming response once people fully understand how it works," said Mr. Gamage, a former Treasury Department official, who said business owners have an easier time engaging in such tax avoidance than salaried employees do. "The payoff for gaming is huge, within the set of people who both face these rates and have flexible enough business structures."

The analyses "raise a valid concern" that lawmakers are examining, said Julia Lawless, a spokeswoman for the Senate Finance Committee.

"With any major reform, there will always be unusual hypotheticals delivering anomalous results," she said. "The goal of Congress's tax overhaul has been to lower taxes on the American people and by and large, according to a variety of analyses, we're achieving that."

Marginal tax rates are different from average tax rates. A marginal rate is the tax on the edge, or margin, of one's earnings, and so it reflects what would be the next dollar of income. The average rate is a way of measuring a taxpayer's total burden.

The Republican bills are trying to reduce both marginal and average tax rates, and for many taxpayers, they do. The marginal tax rates above 100% affect a small slice of households with very particular circumstances. Similar, though smaller, effects occur throughout the tax system.

"This is a big concern," said Scott Greenberg, a Tax Foundation analyst. "It would be unfortunate if Congress passed a tax bill that had the effect of making additional work and additional income not worthwhile for any subgroup of households."

Here's how that New Jersey lawyer's marginal rate adds up to more than 100%:

The household is paying the 35% marginal tax rate on their income range. Or, they are paying the alternative minimum tax, which operates at the same marginal rate in that income range.

The household is paying New Jersey's highest income-tax rate, which is 8.97%, and now has to pay all of that because the Republican tax plan wouldn't let such state or local taxes be deducted from federal income.

The household is also losing a deduction the Senate created for so-called pass-through businesses such as partnerships and S corporations. That 23% deduction is fully available to owners of service businesses like law firms, but only if income is below $500,000 for a married couple.

AMERICAN OVERSIGHT

The deduction then phases out over $100,000 in income, according to a complex formula, disappearing entirely once income reaches $624,000. Up to that point, each additional dollar of business income faces progressively steeper tax rates because the deduction and its benefit are shrinking rapidly as income goes up.

The provisions also interact with each other in ways that drive up marginal rates. "The central problem here is that there is a large benefit phasing out over a short range," Mr. Greenberg said.

The Republican bill doubles the child tax credit to $2,000 but phases it out beginning at $500,000 income for joint filers. The credit shrinks by $50 for every $1,000 in income above that, so a married couple with three children faces a higher marginal tax rate when they're in that phase-out range.

The analysis assumes that the New Jersey lawyer is paying a 3.8% tax on self-employment income.

Pushing marginal rates lower on these households wouldn't be easy and would require tradeoffs. Republicans could make the phaseout of the business deduction more gentle, spreading it over, say, $200,000, as opposed to $100,000, of income above $500,000. But that would make the tax cuts bigger, and Republicans are already looking for money to offset other changes they are planning.

They could lower the threshold for the child tax credit, but that would reduce tax cuts for households below $500,000.

Under current law, there are some high marginal tax rates for some lower-income households. Some families just above the poverty line can see their earned income tax credits and food stamps going down as their federal and state taxes go up. That combination can create marginal tax rates of around 75%, according to the Congressional Budget Office.

The Wall Street Journal

https://www.wsj.com/articles/americans-give-trump-higher-grades-on-economy-than-overall-1512925084

Americans Give Trump Higher Grades on Economy Than Overall

By Eli Stokols, 12/10/17

Although President Donald Trump's overall approval ratings have dropped to the lowest point of his presidency, he is getting significantly higher marks in one important area: his handling of the economy.

With the U.S. unemployment rate holding at a 17-year low, hiring strong and the stock market hitting regular records, Mr. Trump is getting stronger reviews from the public on the economy, with 42% approving and 37% disapproving, according to the most recent Wall Street Journal/NBC News survey, conducted in late October.

That stands in stark contrast to his overall approval rating, which dropped last week to 32%, the lowest point of his 11-month presidency, according to a Pew Research Center poll. His disapproval rating of 68% in the same survey was also a new high.

The WSJ poll showed the president with a 38% approval rating, his lowest to date in this poll, while 58% disapproved of his overall performance.

A Gallup survey from November showed the president's approval rating for his handling of the economy at 45%, eight points ahead of his overall approval number, which sagged to 37%.

"He's a political contortionist in that he has high economic numbers and very low personal approval ratings. That's almost impossible to do," said Peter Hart, a veteran Democratic pollster.

On Friday, the White House celebrated the December jobs report that showed the economy gaining 228,000 jobs in

AMERICAN OVERSIGHT

EXT-18-783-F-003393

ED_001863D_00000255-00013

November.

“President Trump’s bold economic vision continues to pay off,” White House Press Secretary Sarah Huckabee Sanders said in a statement that also referenced an increase in manufacturing jobs since the president took office. “As we continue to unleash the American economy from unnecessary regulation and taxes, we look forward to seeing more reports like this, showing a healthy and thriving jobs market for the American people.”

The president expects to sign a final version of the GOP’s $1.4 trillion tax overhaul before the end of the year. White House political director Bill Stepien, who didn’t respond to a request to comment, has expressed confidence in the past that strong economic numbers, especially in the states Mr. Trump won in the 2016 election, will be enough to help him overcome other political liabilities.

"The issues that drove the 2016 election—change Washington and fix the economy—continue to break President Trump’s way. Today’s strong economy is a bulwark for the party in power as it faces the electorate next year in congressional elections,’’ said Bill McInturff of the Republican polling firm Public Opinion Strategies. Mr. McInturff directs the Journal/NBC News poll with Democrat Fred Yang.

Mr. Hart isn’t so sure. He pointed to a recent focus group he conducted with North Carolina voters. He said they were less willing to forgive Mr. Trump’s sometimes controversial behavior amidst a strong economy than they were with President Bill Clinton two decades earlier.

“During the Clinton impeachment, people said, ’Look, the economy is doing fine.’ They weren’t in a mood to pursue impeachment,” Mr. Hart said. “What’s different now is the country is looking for an equilibrium and the president keeps the country constantly on edge. There’s never enough of a lull for voters to get their breath and say, ’I’m comfortable.’ And that’s why Trump doesn’t get the full political benefit of the economic growth.”

Some administration allies have been trying to impress upon the president and his communications team that he would be in a stronger political position if he created fewer distractions with his tweets, according to people familiar with those conversations.

TRUMP TWEETS

N/A

AMERICAN OVERSIGHT

EXT-18-783-F-003394

ED_001863D_00000255-00014

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Chancellor, Erin
Sent: Fri 6/22/2018 8:04:19 PM
Subject: RE: Touching base regarding Monday
Tar Creek Talkers.docx

Tar Creek talkers attached. I know it's 2 pages BUT the first section (highlights) is the main part for him. John Meyers know all about the site, too. If you need anything else, please let me know.

Thanks,

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

(202) 731-2835 (cell)

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>

AMERICAN OVERSIGHT

Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

Tar Creek (Ottawa County) Superfund Site – June 22, 2018

Highlights – Ongoing Work

- **OU2**: EPA is funding the Oklahoma Department of Environmental Quality (ODEQ) to continue to address lead in residential soils. Outreach efforts identify properties not previously addressed.
- **OU4**: EPA continues to work closely with the Quapaw Tribe of Oklahoma and the ODEQ on the implementation of the Site's remedy. EPA continues to award Cooperative Agreements to both the Quapaw Tribe and the ODEQ to carry out remedial actions at the Site.
    - Institutional controls (ICs): Need ICs on certain properties, which will require amending 25 Code of Federal Regulations (CFR). Region 6, the Quapaw Tribe, and the Bureau of Indian Affairs are all working together on this effort.
    - Rail spur acquisition: BNSF has offered to gift a rail spur to the cities of Miami and Commerce. The cities would like to use the rail spur to transport chat out of the Site.
- **OU5**: Regions 6 and 7 are working with 3 states (OK/MO/KS), 8 Tribes, and the community to characterize sediment and surface water throughout the Spring and Neosho River basins.

Cleanup History

- **OU 1**: Completed – Surface water/groundwater – ROD signed in 1984.
    - Addresses: Surface water degradation by the discharge of acid mine water and the threat of contamination of the Roubidoux Aquifer, the regional water supply, and the downward migration of acid mine water from the overlying Boone Aquifer through abandoned wells connecting the aquifers.
    - Final remedy: Included use of diking and diversion structures to reduce the inflow of surface water to 3 mine shafts at the Site and reduce the outflow of acid mine water from the subsurface to Tar Creek and plugging Roubidoux wells.
    - December 1986: Construction activities finished.
- **OU2**: Ongoing (ODEQ now lead) – Residential areas – ROD signed in 1997.
    - Addresses: Contaminated soil in residential areas. New properties that require sampling assessment and remediation are being addressed by ODEQ through a cooperative agreement with Region 6 (R6). The residential remediation and the education and outreach programs implemented by the Ottawa County Health Department are helping to protect children's health.
    - 1995: EPA began excavating contaminated soil at high-access areas (HAAs) & Site residences.
    - Through 2017: Nearly 3,000 residential properties and HAAs have been remediated.
- **OU3**: Completed – Eagle-Picher Office Complex/abandoned mining chemicals – removal action completed in 2000 – no further action necessary.
    - Addressed: 120 containers of chemicals were removed as part of the removal response action.
- **OU4**: Ongoing – Chat piles, other mine and mill waste, and smelter waste – ROD signed in 2008.
    - Addresses: The undeveloped rural and urban areas of the Site where mine residues, mill residues, and smelter wastes have been placed, deposited, stored, disposed of, or otherwise have come to be located due to mining, milling, smelting, or related operations.
    - Final remedy: Called for a phased approach to address the mining waste over a period of ~30 years, including a residential buyout that was managed by a Trust. The buyout was initiated

AMERICAN OVERSIGHT

in 2009 and completed in 2011. Included residents of Picher, OK, Cardin, OK, and Treece, KS. An April 2010 ESD documented the decision to relocate the residents.
    - 2009: Remedial action activities began. Activities include: Remediation of Non-OU2 rural residential yards; Remediation of source materials including a former lead smelter and chat piles/bases; Construction of the Central Mill Repository; Fine injection pilot study; Transition zone soil contamination; and Addressing contamination in water at rural residential wells.
    - Completed remedial activities: ~60 chat piles/bases remediated; 309,787 tons of chat sold; 3 residences provided city water after unsafe drinking water wells were plugged/abandoned; ~43,600 tons of chat injected into underground mine caverns during 3 chat disposal pilot projects; 40K tons of mine waste contained in innovative trench/road system; & ~58,065 tons of washed chat fines injected directly into mine caverns eliminating sediment/holding ponds.
- **OU5**: Ongoing – Surface water and sediments – ROD unsigned.
    - Addresses: Characterization of sediment and surface water throughout lower Spring/Neosho River basins, and understanding the potential risks associated with exposures to surface water and sediment through a Human Health Risk Assessment (HHRA) are being conducted.
    - Coordination: Effort is being coordinated with Region 7, 3 states, 8 Tribes, and the community. OU5 includes 7 watersheds covering approximately 437 square miles and 119 river miles.

Site Background

- **Location**: The Site has no clearly defined boundaries, but consists of areas within Ottawa County impacted by historical mining wastes. Site is part of the Tri-State Mining District (TSMD) that consists of historical lead and zinc mining areas comprised of 4 NPL Superfund sites across 3 states: (1) Cherokee County Site, Cherokee County, KS; (2) Orongo-Duenweg Site, Jasper County, MO; (3) Newton County Mine Tailings Site, Newton County, MO; and (4) Tar Creek Site.
- **1979**: Water began flowing to the surface near Commerce, OK from the underground mine working.
- **1980**: Oklahoma Governor established the Tar Creek Task Force, composed of various local, state, and federal agencies, to investigate the effects of mine drainage on the area's surface water.
- **July 1981**: EPA proposed to add the Site to the NPL.
- **September 8, 1983**: Site added to the NPL.

Mining History & Related Impacts

- **History**: Mining operations began in Ottawa County when ore was discovered near Peoria in 1891. Rapid expansion of mining activities occurred during the 1920s, and mining activities reached their peak around 1925. The last record of significant production from Ottawa County occurred in 1970.
- **Chat**: The mill tailings are locally known as chat and primarily consists of fine gravel-sized and coarse sand-sized rock fragments. After the excavated rock was processed and the metal ore extracted, the mining tailings that remained were deposited into piles that were up to 200 feet in height.
    - A 2005 inventory conducted for OU 4 (part of the RI) identified 83 chat piles over 767 acres (estimated volume of 31M cubic yards (CY)); and 243 chat bases/former piles over 2,079 acres (estimated volume of 6.7M CY).
- **Fine tailings ponds**: Ponds containing wastes produced from the flotation milling process and chat

AMERICAN OVERSIGHT

reprocessing operations. Most of the flotation ponds have since evaporated, leaving behind a very fine mining waste sediment that remains on the Site. Fine tailings are either flotation tailings (generated during the extraction or milling process) or washed fine tailings (generated as a byproduct of washing chat for commercial aggregate sale and from chat reprocessing through the mills). Fine tailings generated from milling and washing chat are currently found in 63 ponds over 820 acres, with an estimated volume of 9.1M million CY (washed fine tailings making up approximately 7.2M CY (78%) and floatation tailings making up approximately 1.9M CY (21.3%) (2005 RI inventory).

AMERICAN OVERSIGHT

EXT-18-783-F-003400

ED_001863D_00000257-00003

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: E&E News
Sent: Fri 1/19/2018 12:28:15 PM
Subject: January 19 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Fri., January 19, 2018

READ FULL EDITION

1.REGULATION:

FERC's McIntyre says tax cut issues on the table

Chairman Kevin McIntyre said yesterday that the Federal Energy Regulatory Commission is looking into what the agency could do to ensure that rates paid by consumers reflect the large decline in the federal corporate tax rate enacted late last year.

TOP STORIES

2.KEYSTONE XL:

TransCanada heralds 'successful' open season for customers

3.NATURAL GAS:

Report finds 'no silver bullet' to replace Calif.'s underground storage

ELECTRICITY

4.GRID:

Call for conservation helps alleviate crunch in MISO South

5.ELECTRICITY:

New England winters expose fuel security risk

6.FRANCE:

Government seeks to speed up activists' appeals of wind farms

7.RENEWABLES:

Facebook data center spurs wind, solar expansion in N.M.

OIL AND GAS

8.BLM:

Permitting backlog grew slightly last year

9.SUPERFUND:

Okla. AG opposes release of Tar Creek audit

10.MARKETS:

Oil field services could see renewed profits in 2018

11.VENEZUELA:

No sign of end to plummeting crude output — analysts

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

AMERICAN OVERSIGHT

Unsubscribe | Our Privacy Policy
E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Morning Energy
Sent: Thur 12/7/2017 3:03:56 PM
Subject: POLITICO's Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 10:00 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments - 10-11 a.m. and then 2 p.m. onwards - to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies - Vivint and SolarCity - received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

- California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

- Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

- The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

- Patagonia sues over Trump's monuments order. AP.

- Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

- Pipeline explodes in southeastern New Mexico oil patch. AP.

- Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

THAT'S ALL FOR ME!

To view online:
https://www.politico.com/newsletters/morning-energy/2017/12/07/pruitt-heads-to-house-grilling-today-043377

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bennett.tate@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]
From: Michelle Wynn
Sent: Fri 6/22/2018 4:39:23 PM
Subject: Fwd: Touching base regarding Monday

Tate -
Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn
DEQ - Legislative Liaison
405-702-7163 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney
Department of Environmental Quality
(405) 702-7167 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>

AMERICAN OVERSIGHT

Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

AMERICAN OVERSIGHT

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

AMERICAN OVERSIGHT

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: CQ Budget
Sent: Thur 8/24/2017 10:06:17 AM
Subject: Trump Threatens Shutdown, Again
Morning_Newsletter-46548.txt

By Jennifer Shutt, CQ

Thursday, Aug. 24, 2017

TOP LINES

1. Government Shutdown: President Donald Trump threatened to shut down the government if he doesn't get border wall money in a spending bill.

2. Democrats, Republicans Admonish Trump: A bipartisan group of lawmakers admonished the first-year president over his comments, saying a shutdown wouldn't be a wise choice.

3. McConnell Optimistic on Debt Limit: Senate Majority Leader Mitch McConnell says there is "zero chance" Congress will default on the debt by not raising the debt limit on time.

FULL BRIEFING

1. Trump Threatens Shutdown, Again

President Donald Trump signaled this week that he might veto any spending bill that doesn't include money for his border wall - even if that is the stopgap spending bill that will be needed to keep the government open when the new fiscal year begins on Oct. 1.

Earlier this year on Twitter, Trump threatened what he called a "good" shutdown in September, and he doubled down on those comments Tuesday evening in Arizona, saying, "If we have to close down our government, we're building that wall."

The first test of that will come in late September when Congress is expected to pass a continuing resolution to keep the government funded at current levels for the beginning of fiscal 2018. Using a CR to bridge the gap has been standard practice in recent years and would allow Congress and the White House more time to negotiate a bipartisan

AMERICAN OVERSIGHT

budget agreement that could increase the discretionary spending cap for fiscal 2018 as well as provide time to put together a bipartisan omnibus spending package.

If Trump were to veto the September CR, a partial government shutdown would begin on Oct. 1. But if the president signed the temporary funding measure, the wall funding is likely to be central to negotiations over both a bipartisan budget agreement setting new spending caps as well as the spending bills themselves.

If Democrats and Republicans cannot reach a budget agreement, like they did in 2013 and 2015, Congress would be forced to abide by the $1.065 trillion spending cap set out in 2011. The 2013 and 2015 agreements allowed lawmakers to increase the caps for two years.

Trump's comments Tuesday raise the prospect that even if he signs one CR without wall funds, he may be ready to veto a second CR, especially if it covered the entire fiscal year. The threat implies the potential for a partial government shutdown at some point later this year, most likely in December.

If the threatened veto does happen, Senate Majority Leader Mitch McConnell and House Speaker Paul D. Ryan would have to decide whether to let the government enter a partial shutdown during the first year of unified Republican government, or override Trump's veto. Both choices carry their own political and economic risks.

2. Democrats, Republicans Criticize Trump

Congressional Democrats and some Republicans on Wednesday sharply criticized Trump's shutdown threat.

Senate Democratic Leader Charles E. Schumer of New York said a partial government shutdown "won't accomplish anything;" House Democratic Leader Nancy Pelosi of California said, "Democrats will stand fast against the immoral, ineffective border wall;" and the top Democrat on the House Appropriations Committee, Nita M. Lowey of New York said Trump's comments were "the polar opposite of leadership."

House Speaker Paul D. Ryan, R-Wis., said during a conference

AMERICAN OVERSIGHT

Wednesday that he doesn't think a partial government shutdown is necessary. But he said a stopgap spending bill will be needed to keep the government open as Congress and the White House continue working on fiscal 2018 spending bills.

"I don't think a government shutdown is necessary and I don't think most people want to see a government shutdown, ourselves included," Ryan said, taking a milder tone than his Democratic colleagues.

"The fact is, though, given the time of year it is and the rest of the appropriations bills that we have to do, we are going to need more time to complete our appropriations process, particularly in the Senate," Ryan continued. "So that's something that I think we all recognize and understand -- that we are going to need some more time to complete our appropriations process. So, I don't think anyone is interested in having a shutdown."

Ryan went on to reinforce his support for "physical barriers" along the U.S. border with Mexico.

CQ's Kellie Mejdrich reports that Senate Appropriations Chairman Thad Cochran, R-Miss., "is on record as being critical of government shutdowns, which do not advance the good of the country," according to a Senate Appropriations Committee aide for the majority. Senior House appropriator Tom Cole, R-Okla., also criticized Trump's calls for a partial government shutdown. "No, I think it's always a mistake to shut down the government... I would strongly advise against any threat to shut down the government of the United States," Cole said on CNN.

3. Democrats Reject 'Dreamers' for Border Wall Proposal

The White House was already trying to get ahead of the border wall stalemate before Trump made another promise of a partial government shutdown.

Officials have been working to get Trump on board with a plan that would provide deportation relief and work permits for about 800,000 people enrolled in the 2012 Deferred Action for Childhood Arrivals program in exchange for border wall funding and a reduction in legal immigration, according to a McClatchy news service report.

AMERICAN OVERSIGHT

But the proposal has been rejected by numerous Democrats. CQ's Dean DeChiaro reports that Senate Minority Whip Richard J. Durbin of Illinois called the proposal a "nonstarter," Pelosi called it "reprehensible to treat children as bargaining chips," and a senior Democratic aide said Democrats would not support "anything resembling" the proposal.

4. McConnell, Mnuchin Optimistic on Debt Limit

Senate Majority Leader Mitch McConnell and Treasury Secretary Steven Mnuchin are both confident that Congress and the administration will reach an agreement on how to address the debt limit in September, before the country defaults.

"There is zero chance -- no chance -- we won't raise the debt ceiling. No chance. America is not going to default, and we'll get the job done in conjunction with the secretary of the Treasury," McConnell said at a business event with Mnuchin this week.

Mnuchin followed up, saying "This is about having a clean debt ceiling so that we can maintain the best credit, the reserve currency, and be focused on what we should be focusing on -- so many other really important issues for the economy."

Congressional Republicans are divided over whether to pass a clean bill, or to tie the must-pass legislation to changes in future spending. With the deadline quickly approaching and many other bills on the list for September, leaders from both parties will have to reach an agreement quickly if they want to avoid a serious economic problem.

In addition to reaching a bipartisan agreement on the debt limit, Congressional leaders will have to determine whether to move the debt ceiling bill on its own or put it in a package with the continuing resolution. McConnell and Mnuchin's comments came before Trump threatened to veto spending bills that did not include border wall money. Adding the debt limit bill to a package that may or may not get vetoed could be a risky maneuver.

5. Secret Service May Need Additional Funds

The Secret Service is asking Congress to lift the ceiling on how much its agents can be paid in a year to address the amount of overtime the agents have been working.

AMERICAN OVERSIGHT

The Secret Service is not yet asking Congress for additional funds for the current fiscal year or the upcoming fiscal year, but may need to do so. "To be clear, we are not asking Congress for more money," said Secret Service spokeswoman Catherine Milhoan. CQ's Gopal Ratnam reports "the agency is only asking lawmakers to lift the pay cap. She could not say, however, if the service will need additional funding to meet salary obligations."

The Trump family is large, in multiple locations and travels frequently - requiring more security than other first families. Trump also leaves the White House frequently to play golf in Virginia and visit his properties in New York, New Jersey and Florida.

The Secret Service made a similar request of Congress in 2016, when it was providing security for multiple presidential candidates during the primary and general election campaign.

6. McCaskill Writes Mattis About Improper Payments

Defense Secretary James Mattis needs to explain how the Pentagon is working to reduce the number of improper payments to contractors and individuals, according to a letter Sen. Claire McCaskill sent him this week.

"When it comes to defense spending, it's especially important that taxpayer dollars aren't being wasted and instead are being used to strengthen our national security as much as possible," said the Missouri senator, the top Democrat on the Homeland Security and Governmental Affairs Committee and a former state auditor, in a statement to CQ Roll Call. "The Department of Defense needs to lay out what they'll do to identify and reduce improper payments moving forward."

CQ's John M. Donnelly reports that "In May, the Pentagon's inspector general issued a report identifying shortfalls in compliance with five of the six reporting requirements of the Improper Payments Elimination and Recovery Act, or IPERA (PL 111-204), which requires agencies to find payment problems, devise solutions and report on progress."

McCaskill's letter ask that Mattis provide Congress with "an update on DoD's status of implementing OIG's recommendations to reform agency

AMERICAN OVERSIGHT

compliance with IPERA for FY 2017, including whether the stated deadlines in DoD's action plan have been met, are on track for completion, or have been adjusted."

SCHEDULE SHIFT

With Congress in recess for the rest of this month, your Budget Tracker doesn't want to clog your mailbox while you try to enjoy some time at the beach or your favorite summer vacation spot.

That's why your CQ Budget briefing will be published only twice weekly, on Mondays and Thursdays, during the recess. But you can be sure you will hear from us if urgent budget news develops. And your CQ Budget will resume regular daily publication when Congress reconvenes on Sept. 5.

PODCAST PAUSE

We're pretty sure you don't want to listen to a budget podcast from your beach blanket or mountaintop cabin.

So with Congress still in recess, your Budget Tracker Extra podcast will take a brief pause, returning on Sept. 5 with a new host: David Lerman, your faithful Budget Tracker editor. In the meantime, you can catch up on any old episodes -- or listen to your favorites one more time -- by checking iTunes, Stitcher, SoundCloud, or NPR One.

CHART CHECK

Check the status of any appropriations bill by using Budget Tracker's Bill Status Chart. We give you instant bill texts, votes and amendments at your fingertips!

TRACKER TALK

Send comments and questions to your CQ Budget Editor David Lerman. It's free of charge and so much fun!

E-mail: davidlerman@cqrollcall.com or budget@cq.com

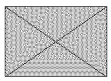
Special: Budget Drama

Check out CQ's special page featuring the latest on Congress' spending battles.

AMERICAN OVERSIGHT

CQ ON FACEBOOK

Check out CQ Now's Facebook page for daily intelligence, graphics and more!



© 2017 All Rights Reserved, CQ-Roll Call, Inc.

1625 Eye Street, Washington, DC 20006 | 202-650-6500

For feedback, please contact feedback@cqrollcall.com

You are subscribed as bennett.tate@epa.gov
To stop or change your subscription, forward this message to
unsubscribe@cqrollcall.com.
Issue-Id: 181511044:budgettracker:1284

AMERICAN OVERSIGHT

CQ BUDGET

By Jennifer Shutt, CQ

Thursday, Aug. 24, 2017

TOP LINES

1. Government Shutdown: President Donald Trump threatened to shut down the government if he doesn't get border wall money in a spending bill.

2. Democrats, Republicans Admonish Trump: A bipartisan group of lawmakers admonished the first-year president over his comments, saying a shutdown wouldn't be a wise choice.

3. McConnell Optimistic on Debt Limit: Senate Majority Leader Mitch McConnell says there is "zero chance" Congress will default on the debt by not raising the debt limit on time.

FULL BRIEFING

1. Trump Threatens Shutdown, Again

President Donald Trump signaled this week that he might veto any spending bill that doesn't include money for his border wall - even if that is the stopgap spending bill that will be needed to keep the government open when the new fiscal year begins on Oct. 1.

Earlier this year on Twitter, Trump threatened what he called a "good" shutdown in September, and he doubled down on those comments Tuesday evening in Arizona, saying, "If we have to close down our government, we're building that wall."

The first test of that will come in late September when Congress is expected to pass a continuing resolution to keep the government funded at current levels for the beginning of fiscal 2018. Using a CR to bridge the gap has been standard practice in recent years and would allow Congress and the White House more time to negotiate a bipartisan budget agreement that could increase the discretionary spending cap for fiscal 2018 as well as provide time to put together a bipartisan omnibus spending package.

If Trump were to veto the September CR, a partial government shutdown would begin on Oct. 1. But if the president signed the temporary funding measure, the wall funding is likely to be central to negotiations over both a bipartisan budget agreement setting new spending caps as well as the spending bills themselves.

If Democrats and Republicans cannot reach a budget agreement, like they did in 2013 and 2015, Congress would be forced to abide by the $1.065 trillion spending cap set out in 2011. The 2013 and 2015 agreements allowed lawmakers to increase the caps for two years.

Trump's comments Tuesday raise the prospect that even if he signs one CR without wall funds, he may be ready to veto a second CR, especially if it

AMERICAN OVERSIGHT

covered the entire fiscal year. The threat implies the potential for a partial government shutdown at some point later this year, most likely in December.

If the threatened veto does happen, Senate Majority Leader Mitch McConnell and House Speaker Paul D. Ryan would have to decide whether to let the government enter a partial shutdown during the first year of unified Republican government, or override Trump's veto. Both choices carry their own political and economic risks.

2. Democrats, Republicans Criticize Trump

Congressional Democrats and some Republicans on Wednesday sharply criticized Trump's shutdown threat.

Senate Democratic Leader Charles E. Schumer of New York said a partial government shutdown "won't accomplish anything;" House Democratic Leader Nancy Pelosi of California said, "Democrats will stand fast against the immoral, ineffective border wall;" and the top Democrat on the House Appropriations Committee, Nita M. Lowey of New York said Trump's comments were "the polar opposite of leadership."

House Speaker Paul D. Ryan, R-Wis., said during a conference Wednesday that he doesn't think a partial government shutdown is necessary. But he said a stopgap spending bill will be needed to keep the government open as Congress and the White House continue working on fiscal 2018 spending bills.

"I don't think a government shutdown is necessary and I don't think most people want to see a government shutdown, ourselves included," Ryan said, taking a milder tone than his Democratic colleagues.

"The fact is, though, given the time of year it is and the rest of the appropriations bills that we have to do, we are going to need more time to complete our appropriations process, particularly in the Senate," Ryan continued. "So that's something that I think we all recognize and understand -- that we are going to need some more time to complete our appropriations process. So, I don't think anyone is interested in having a shutdown."

Ryan went on to reinforce his support for "physical barriers" along the U.S. border with Mexico.

CQ's Kellie Mejdrich reports that Senate Appropriations Chairman Thad Cochran, R-Miss., "is on record as being critical of government shutdowns, which do not advance the good of the country," according to a Senate Appropriations Committee aide for the majority. Senior House appropriator Tom Cole, R-Okla., also criticized Trump's calls for a partial government shutdown. "No, I think it's always a mistake to shut down the government... I would strongly advise against any threat to shut down the government of the United States," Cole said on CNN.

AMERICAN OVERSIGHT

3. Democrats Reject 'Dreamers' for Border Wall Proposal

The White House was already trying to get ahead of the border wall stalemate before Trump made another promise of a partial government shutdown.

Officials have been working to get Trump on board with a plan that would provide deportation relief and work permits for about 800,000 people enrolled in the 2012 Deferred Action for Childhood Arrivals program in exchange for border wall funding and a reduction in legal immigration, according to a McClatchy news service report.

But the proposal has been rejected by numerous Democrats. CQ's Dean DeChiaro reports that Senate Minority Whip Richard J. Durbin of Illinois called the proposal a "nonstarter," Pelosi called it "reprehensible to treat children as bargaining chips," and a senior Democratic aide said Democrats would not support "anything resembling" the proposal.

4. McConnell, Mnuchin Optimistic on Debt Limit

Senate Majority Leader Mitch McConnell and Treasury Secretary Steven Mnuchin are both confident that Congress and the administration will reach an agreement on how to address the debt limit in September, before the country defaults.

"There is zero chance -- no chance -- we won't raise the debt ceiling. No chance. America is not going to default, and we'll get the job done in conjunction with the secretary of the Treasury," McConnell said at a business event with Mnuchin this week.

Mnuchin followed up, saying "This is about having a clean debt ceiling so that we can maintain the best credit, the reserve currency, and be focused on what we should be focusing on -- so many other really important issues for the economy."

Congressional Republicans are divided over whether to pass a clean bill, or to tie the must-pass legislation to changes in future spending. With the deadline quickly approaching and many other bills on the list for September, leaders from both parties will have to reach an agreement quickly if they want to avoid a serious economic problem.

In addition to reaching a bipartisan agreement on the debt limit, Congressional leaders will have to determine whether to move the debt ceiling bill on its own or put it in a package with the continuing resolution. McConnell and Mnuchin's comments came before Trump threatened to veto spending bills that did not include border wall money. Adding the debt limit bill to a package that may or may not get vetoed could be a risky maneuver.

5. Secret Service May Need Additional Funds

The Secret Service is asking Congress to lift the ceiling on how much its agents can be paid in a year to address the amount of overtime the agents have been working.

The Secret Service is not yet asking Congress for additional funds for the

AMERICAN OVERSIGHT

current fiscal year or the upcoming fiscal year, but may need to do so. "To be clear, we are not asking Congress for more money," said Secret Service spokeswoman Catherine Milhoan. CQ's Gopal Ratnam reports "the agency is only asking lawmakers to lift the pay cap. She could not say, however, if the service will need additional funding to meet salary obligations."

The Trump family is large, in multiple locations and travels frequently - requiring more security than other first families. Trump also leaves the White House frequently to play golf in Virginia and visit his properties in New York, New Jersey and Florida.

The Secret Service made a similar request of Congress in 2016, when it was providing security for multiple presidential candidates during the primary and general election campaign.

6. McCaskill Writes Mattis About Improper Payments

Defense Secretary James Mattis needs to explain how the Pentagon is working to reduce the number of improper payments to contractors and individuals, according to a letter Sen. Claire McCaskill sent him this week.

"When it comes to defense spending, it's especially important that taxpayer dollars aren't being wasted and instead are being used to strengthen our national security as much as possible," said the Missouri senator, the top Democrat on the Homeland Security and Governmental Affairs Committee and a former state auditor, in a statement to CQ Roll Call. "The Department of Defense needs to lay out what they'll do to identify and reduce improper payments moving forward."

CQ's John M. Donnelly reports that "In May, the Pentagon's inspector general issued a report identifying shortfalls in compliance with five of the six reporting requirements of the Improper Payments Elimination and Recovery Act, or IPERA (PL 111-204), which requires agencies to find payment problems, devise solutions and report on progress."

McCaskill's letter ask that Mattis provide Congress with "an update on DoD's status of implementing OIG's recommendations to reform agency compliance with IPERA for FY 2017, including whether the stated deadlines in DoD's action plan have been met, are on track for completion, or have been adjusted."

SCHEDULE SHIFT

With Congress in recess for the rest of this month, your Budget Tracker doesn't want to clog your mailbox while you try to enjoy some time at the beach or your favorite summer vacation spot.

That's why your CQ Budget briefing will be published only twice weekly, on Mondays and Thursdays, during the recess. But you can be sure you will hear from us if urgent budget news develops. And your CQ Budget will resume regular daily publication when Congress reconvenes on Sept. 5.

AMERICAN OVERSIGHT

PODCAST PAUSE

We're pretty sure you don't want to listen to a budget podcast from your beach blanket or mountaintop cabin.

So with Congress still in recess, your Budget Tracker Extra podcast will take a brief pause, returning on Sept. 5 with a new host: David Lerman, your faithful Budget Tracker editor. In the meantime, you can catch up on any old episodes -- or listen to your favorites one more time -- by checking iTunes, Stitcher, SoundCloud, or NPR One.

CHART CHECK

Check the status of any appropriations bill by using Budget Tracker's Bill Status Chart. We give you instant bill texts, votes and amendments at your fingertips!

TRACKER TALK

Send comments and questions to your CQ Budget Editor David Lerman. It's

AMERICAN OVERSIGHT

free of charge and so much fun!

E-mail: davidlerman@cqrollcall.com or budget@cq.com

Special: Budget Drama

Check out CQ's special page featuring the latest on Congress' spending battles.

CQ ON FACEBOOK

Check out CQ Now's Facebook page for daily intelligence, graphics and more!

More Coverage - http://www.cq.com/budgettracker

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]
From: Chancellor, Erin
Sent: Fri 6/22/2018 3:29:18 PM
Subject: RE: Touching base regarding Monday

Will do on Tar Creek!

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

(202) 731-2835 (cell)

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

AMERICAN OVERSIGHT

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

AMERICAN OVERSIGHT

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Nolan, Rich[RNolan@nma.org]
From: Bennett, Tate
Sent: Thur 12/7/2017 2:13:49 PM
Subject: Re: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

❤ ❤ ❤

On Dec 7, 2017, at 8:12 AM, Nolan, Rich <RNolan@nma.org> wrote:

Sending 5

On Dec 7, 2017, at 7:43 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:

Usual suspects

On Dec 7, 2017, at 7:40 AM, Nolan, Rich <RNolan@nma.org> wrote:

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's

AMERICAN OVERSIGHT

mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill

AMERICAN OVERSIGHT

Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports. Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey. "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1

AMERICAN OVERSIGHT

(115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of

AMERICAN OVERSIGHT

extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

AMERICAN OVERSIGHT

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike

AMERICAN OVERSIGHT

Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

AMERICAN OVERSIGHT

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

AMERICAN OVERSIGHT

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

AMERICAN OVERSIGHT

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

Back

AMERICAN OVERSIGHT

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

AMERICAN OVERSIGHT

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats

AMERICAN OVERSIGHT

cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

AMERICAN OVERSIGHT

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy

AMERICAN OVERSIGHT

bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the

AMERICAN OVERSIGHT

principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't

AMERICAN OVERSIGHT

compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to

AMERICAN OVERSIGHT

be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a

AMERICAN OVERSIGHT

Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

AMERICAN OVERSIGHT

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been

AMERICAN OVERSIGHT

ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to

AMERICAN OVERSIGHT

conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy.

AMERICAN OVERSIGHT

Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It

AMERICAN OVERSIGHT

included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

AMERICAN OVERSIGHT

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

AMERICAN OVERSIGHT

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

AMERICAN OVERSIGHT

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative

AMERICAN OVERSIGHT

federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

AMERICAN OVERSIGHT

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers

AMERICAN OVERSIGHT

was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

AMERICAN OVERSIGHT

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

AMERICAN OVERSIGHT

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

AMERICAN OVERSIGHT

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to rnolan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003462

ED_001863D_00000296-00034

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 4/26/2018 9:44:10 AM
Subject: Morning Energy: Pruitt steps up to the plate — Tester's 'great equalizer' — Bishop still talking NEPA

By Kelsey Tamborrino | 04/26/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT STEPS UP TO THE PLATE: Scott Pruitt makes his eagerly anticipated trip to the Hill this morning, and the stakes couldn't be higher for the embattled EPA administrator. His appearances before the House E&C Committee in the morning and Appropriations panel in the afternoon — ostensibly to defend the Trump administration's proposed cuts to EPA's budget — will give lawmakers their first opportunity to directly question Pruitt since the news broke about his heavy spending, sweetheart condo rental, VIP security and first-class flights. And while both Democrats and Republicans are expected to pull no punches as they weigh Pruitt's behavior, the real audience will be sitting in 1600 Pennsylvania Ave.

Check out this graphic breakdown of Pruitt's problems by POLITICO's Emily Holden, Alex Guillén and your ME host.

— **The administrator has kept a low profile** in the lead-up to today's events — even leaving press out of a Tuesday announcement on his plan to ban secret science — but expect the cameras to be out in force this morning. ME breaks down what to expect today as Pruitt heads for the batter's box. (ME is also taking suggestions for an appropriate walk-up song. One option here.)

THE GAME PLAN: Pruitt will point out he now flies coach when he travels, and shift the blame to staffers for the raises given to two of his close aides, according to a talking points document — dubbed "hot topics" — obtained by The New York Times. He will likely also say officials who were reassigned or demoted after challenging his spending all had performance issues.

— **EPA did not dispute the authenticity** of the Times document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels." You can read Pruitt's full opening statement for the E&C hearing here.

DEMOCRATS WILL SEARCH FOR ANSWERS: The afternoon session is expected to dive into Pruitt's proposed deep cuts to the agency's budget and his deregulatory actions, but that doesn't mean Democrats will ignore the ethics woes dogging the embattled chief. "Administrator Pruitt, you are letting the American people and your agency down," Rep. Betty McCollum, ranking member of the Appropriations subpanel, plans to say. Democrat Nita Lowey , the ranking House appropriator, will question Pruitt on the Antideficiency Act after the Government Accountability Office found EPA illegally failed to notify Congress about the cost of his secure phone booth. Meanwhile, E&C's top Democrat Frank Pallone wouldn't tip his hand: "I just hope

AMERICAN OVERSIGHT

he shows up," he said when ME asked for his plan of attack.

— **House Energy and Commerce Democrats** will hold a news conference at 9 a.m. to once again call for Pruitt's ouster. Kathy Castor and Paul Tonko will attend, alongside representatives from numerous green groups.

REPUBLICANS OFFER SOME ADVICE: "Answer the questions and stay calm," John Shimkus said. "And the time will eventually end." The Illinois Republican didn't let on about his line of questions to Pruitt, but added: "It's not going to all be addressing stewardship issues. There are going to be policy questions."

— **Fellow Oklahoman and member of the Approps committee** Tom Cole expects the "highly charged" hearing to contain some "pretty much straight budget questions" — at least from the Republican side. Cole said he recently spoke to Pruitt on the upcoming hearing and warned him it would be "rugged."

Keep in mind: None of the committee Republicans said they'd been in contact with the White House ahead of the session. Shimkus said the Republicans hadn't huddled ahead of time to develop a game plan as they sometimes do with high-profile hearings. And Democrats are expected to turn out in force — E&C members not on the Environment subpanel will "waive in" to the hearing. They don't need GOP permission to do so, but will have to wait until all subcommittee members participate before asking questions. ME would look here for especially fiery questions or any surprises.

STRIKE 3? Pruitt's critical audience, of course, will be President Donald Trump, who has so far stuck by him, but is expected to judge how Pruitt fares in front of the cameras, POLITICO's Anthony Adragna and Nancy Cook report . So far, Pruitt's support among Trump's conservative backers has kept him on solid ground, despite the growing resentment of a "high maintenance" EPA chief among White House officials. "The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

IN THE OUTFIELD: Environmental group Defend Our Future will hand out first-class boarding passes today at the Pruitt hearing, while Moms Clean Air Force will deliver these report cards. And the League of Conservation Voters and its state parners will launch television ads today urging Sens. Dean Heller and Cory Gardner to hold Pruitt accountable. Watch them here and here.

If you go: The E&C hearing will begin at 10 a.m. in 2323 Rayburn, and the Appropriations hearing at 2 p.m. in 2007 Rayburn. Watch the livestreams here and here.

IT'S THURSDAY! I'm your host Kelsey Tamborrino, and the American Petroleum Institute's Jeff Stein was the first to name Khartoum, Sudan — the capital city where the Blue and White Niles meet to form the Nile. For today: Name the state where the first officially designated

AMERICAN OVERSIGHT

Democratic floor leader hailed. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. **Sign up to keep up with your daily conference coverage.**

PUBLIC LANDS CRUCIAL FOR TESTER: Democratic Sen. Jon Tester 's bid for reelection could come down to how he handles public lands issues, Pro's Kevin Robillard reports. Close to one-third of the land in Tester's home state of Montana is under federal government ownership, and the Democratic senator hopes to use it to keep on board those who voted Trump — including hunters, hikers, snowmobilers and ranchers. "Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock told Kevin. "It doesn't matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize lands. Bullock emphasized it in his reelection bid in 2016 and New Mexico Sen. Martin Heinrich, who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior west. "There a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation. Read more.

DEMOCRATS CALL FOR SPECIAL COUNSEL: In a letter Wednesday to the U.S. Office of Special Counsel, Pallone and Oversight ranking member Elijah Cummings requested an investigation into whether there is a pattern of problematic personnel practices at EPA. The Democrats point to recent reports of agency officials being reassigned, demoted or requesting new roles, after voicing concerns on Pruitt. "The reassignment or dismissal of employees who questioned Administrator Pruitt's wasteful and potentially unlawful expenditures suggests a troubling pattern of retaliation against EPA employees that may be illegal," they write. Read the letter here.

BISHOP STILL TALKING NEPA: House Natural Resources Chairman Rob Bishop told ME he's been in contact with administration officials "over the last few weeks" about a series of modifications to NEPA that he says "run the gamut." His two overarching goals are to speed the permitting process and to enact categorical exclusions that will limit litigation to allow projects to advance more quickly. "It's one of the consistent problems they recognize," he said of the administration's engagement on NEPA.

Apples to oranges: Controversy over $139,000 spent on doors at Interior is not comparable to spending woes engulfing Pruitt, according to Bishop. "There are some real issues and there are some issues that we play around with," he said. "This is one I think people are playing with." Interior officials said previously that career facilities and security officials recommended the work and that Secretary Ryan Zinke was not aware of it.

AMERICAN OVERSIGHT

THAT DAM BILL: The House passed a heavily watched measure, H.R. 3144 (115), Wednesday that would override a court decision requiring changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon. The measure, from Washington Rep. Cathy McMorris Rodgers, passed by a nearly party-line vote of 225-189, and now heads to the Senate, where some of the region's Democratic senators have made known their opposition. Pro's Annie Snider breaks down more here.

REFINERY WORKERS HIT THE HILL: Close to 100 workers from refineries Monroe Energy, Philadelphia Energy Solutions and PBF Energy will rally for their jobs and Renewable Fuel Standard reform on the Hill today, the United Steelworkers said. The rally begins at 1 p.m. in the "Senate Swamp" — the grass across the drive from the east Senate steps. Texas Sen. Ted Cruz will participate in a press conference with the workers at the same time. Watch the livestream here.

OFF-SHORE UP SUPPORT: While it didn't have quite the same build-up as Pruitt's hearings this morning, the House Natural Resources energy and mineral resources subcommittee will hold a hearing today on offshore energy revenue sharing for Gulf-producing states, with a focus on the Gulf of Mexico Energy Security Act. Democrats intend to call out the oil and gas industry and demand they take responsibility for their role in causing the destruction of Louisiana wetlands, according to a release. Former Sen. Mary Landrieu (D-La.), now a senior policy adviser at Van Ness Feldman, and John Barry, former board member of the Southeast Louisiana Flood Protection Authority — East, will testify, among others. **If you go:** The hearing begins at 10 a.m. in 1324 Longworth.

GET YOUR COMMENTS IN: Comments are due today on EPA's proposed repeal of the Clean Power Plan. The Competitive Enterprise Institute, for one, will file a comment today in support of the proposed repeal, calling the CPP "unlawful." Close to 20 other individuals from free-market groups signed onto the joint comment. Google, meanwhile, submitted its own comment Wednesday "respectfully" urging EPA to forgo the repeal. "Google continues to believe that the Clean Power Plan aligns with overall electricity sector trends and the specific goals of our company," it says. The Natural Resources Defense Council and NRDC Action Fund said it generated 208,000 comments in support of keeping the CPP.

MAIL CALL! IN THE AIR TONIGHT: California Sen. Dianne Feinstein wrote to Transportation Secretary Elaine Chao Wednesday, calling on her to maintain national fuel economy standards set by California under the Clean Air Act. "I ask for your commitment to maintain the Corporate Average Fuel Economy standards at the maximum feasible level, as required by law, and to seek consensus with California so that we can continue to enjoy the success of a coordinated national program to improve fuel economy," Feinstein wrote. Read the letter here.

— **Eighty-seven lawmakers signed onto a letter Wednesday** that calls on Pruitt to reinstate the "once in, always in" policy to "safeguard" from harmful air pollutants. "This is a matter of critical human health and safety," the lawmakers write. Read it here.

GoT RENEWABLES? Rapper Kanye West tweeted about his connection to Trump and their

AMERICAN OVERSIGHT

"dragon energy" on Wednesday. "We are both dragon energy. He is my brother. I love everyone. I don't agree with everything anyone does." Spoiler: It's not an energy company we forgot to tell you about. Bloomberg breaks it down here, but earlier in the day, West described dragon energy as, "Natural born leaders Very instinctive Great foresight." The House Natural Resources account tweeted the exchange telling West to "have your people call our people."

QUICK HITS

— Behind the scenes of Pruitt's Nevada trip, E&E News.

— U.S. mine safety agency website 'hacked,' remains down, S&P Global.

— Exxon Mobil boosts quarterly dividend to 82 cents, Reuters.

— Climate change could make thousands of tropical islands "uninhabitable" in coming decades, new study says, The Washington Post.

— Memo: Park Police officers were forbidden from wearing body cameras, The Hill.

— Perry's son owns an energy investment company. Is that a problem? McClatchy.

HAPPENING TODAY

8:00 a.m. — Water Leaders summit on "Building an Innovative Future for Water Policy and Technology in America," 215 Capitol Visitors Center

8:30 a.m. — George Mason University's Center for Energy Science and Policy symposium on "Energy-Water Nexus," Fairfax, Va.

9:00 a.m. — Colorado State University hosts symposium on "Water in the West," Denver

10:00 a.m. — The U.S. Energy Association forum on "fostering the deployment of CCUS technologies," 1300 Pennsylvania Ave NW

10:00 a.m. — The House Energy and Commerce Committee hearing on EPA's budget request, 2323 Rayburn

10:00 a.m. — House Science Environment and Space subcommittees hearing on "Surveying the Space Weather Landscape," 2318 Rayburn

10:00 a.m. — House Natural Resources Oversight Subcommittee hearing on "Examining the Critical Importance of Offshore Energy Revenue Sharing for Gulf Producing States," 1324 Longworth

10:00 a.m. — The Center for Strategic and International Studies' Energy and National Security Program discussion on "Challenges to Ukrainian Energy Reform and European Energy

AMERICAN OVERSIGHT

Security," 1616 Rhode Island Avenue NW

11:30 a.m. — The Atlantic Council discussion on "From an Oil Company to an Energy Company," 1030 15th Street NW

1:00 p.m. — Monroe Energy, Philadelphia Energy Solutions and PBF Energy news conference on RINs prices under the Renewable Fuel Standard, Capitol.

1:30 p.m. — Information Technology and Innovation Foundation release on "Closing the Innovation Gap in Grid-Scale Energy Storage," 1101 K Street NW

2:00 p.m. — House Appropriations Interior, Environment, and Related Agencies Subcommittee hearing on EPA's fiscal 2019 budget, 2007 Rayburn

2:00 p.m. — House Natural Resources Committee hearing on H.R. 5317 (115) and H.R. 211 (115), 1324 Longworth

2:00 p.m. — Senate Appropriations Energy and Water Development Subcommittee hearing on the Nuclear Regulatory Commission's proposed budget for FY 2019, 430 Dirksen

2:30 p.m. — The Center for a New American Security discussion on "Geopolitical Risks and Opportunities of the Lower Oil Price Era," 1152 15th Street NW

3:00 p.m. — Rep. Nydia Velázquez discussion on "21st Century Energy Solutions for Puerto Rico," S-115

5:00 p.m. — The Atlantic Council discussion on "Investing in Iraq: Reconstruction and the Role of the Energy Sector," 1030 15th Street NW

6:30 p.m. — Wild & Scenic Film Festival with screenings of feature films that cover topics from climate change to environmental justice, and a panel discussion on women in the outdoors, 1307 L Street NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-steps-up-to-the-plate-183688

Stories from POLITICO Pro

Pruitt scales back EPA's use of science Back

By Emily Holden and Annie Snider | 04/24/2018 03:17 PM EDT

Environmental Protection Agency chief Scott Pruitt announced Tuesday he would seek to bar the

AMERICAN OVERSIGHT

agency from relying on studies that don't publicly disclose all their data, a major policy change that has long been sought by conservatives that will sharply reduce the research the agency can rely on when crafting new regulations.

The unveiling of the proposed rule delivers a win to Republicans like House Science Chairman Lamar Smith (R-Texas), who unsuccessfully pushed legislation to impose the same type of change. The move also demonstrates Pruitt's persistence in pursuing President Donald Trump's anti-regulation agenda just two days before the embattled EPA chief is due to face fierce questioning from lawmakers about his hefty spending, expanded security detail and cheap condominium rental from the wife of an energy lobbyist.

At an invitation-only meeting at EPA headquarters with Smith, Sen. Mike Rounds (R-S.D.) and other supporters of the policy, Pruitt said the proposed rule was critical in ensuring that the agency was transparent about how it is making decisions to justify costly new regulations. It is the latest step Pruitt has taken to fundamentally shift the agency's approach to science.

"It is a codification of an approach that says as we do our business at the agency the science that we use is going to be transparent, it's going to be reproducible, it's going to be able to be analyzed by those in the marketplace. And those who watch what we do can make informed decisions about whether we've drawn the proper conclusions or not," Pruitt said.

Text of the proposed rule was not immediately available.

The proposal, based on legislation pushed by Smith, is intensely controversial, and scientists and public health groups say it will prevent federal regulators from enacting health and safety protections. Nearly 1,000 scientists, including former EPA career staffers, signed a letter opposing the policy sent by the Union of Concerned Scientists to Pruitt on Monday.

Their primary concern was that many of the country's bedrock air and water quality regulations are based on research that cannot disclose raw data because it includes the personal health information.

But industry has its own version of the same problem. EPA often relies on industry studies that are considered by companies to be confidential business information when determining whether new pesticides and toxic chemicals are safe to use. Internal EPA emails obtained under the Freedom of Information Act show that EPA political officials, including Nancy Beck, who became the chief of the agency's chemical safety office last year after working for years at a chemical industry lobbying group, worried that the new policy would limit the agency's ability to consider industry data or would force companies to make this proprietary data public.

"We will need to thread this one real tight!" Richard Yamada, political official who led work on the new policy wrote to Beck after she raised the concerns.

It was not immediately clear if the new proposed rule included measures to address those concerns.

AMERICAN OVERSIGHT

Rush Holt, CEO of the American Association for the Advancement of Science, said Pruitt's changes could keep the agency from revising public health regulations as problems arise or new data comes to light.

"On the surface it sounds so innocuous or even beneficial. What could be wrong with transparency? Well it's clear to me that this is not based on an effort to be transparent. It is rather based on an effort to be just the opposite," he said.

"EPA is particularly important because when science is misused, people die," he added.

Pruitt has been discussing the new scientific policy publicly for weeks, but it only went to the White House for interagency review last week. Such swift review is very rare for the Office of Management and Budget, which often takes months to vet a new policy. At least one group, the Environmental Defense Fund, has requested a meeting with OMB officials to discuss the rule, but OMB's website shows that no meetings have been scheduled with interested groups.

Many public health studies can't be replicated without exposing people to contaminants, and environmental disasters such as the Deepwater Horizon oil spill cannot be recreated, the group said, raising intellectual property, proprietary and privacy concerns.

Pruitt's predecessor Gina McCarthy, and her air chief Janet McCabe, in an op-ed in The New York Times in March said concerns about studies are dealt with through the existing peer-review process, which ensures scientific integrity.

"[Pruitt] and some conservative members of Congress are setting up a nonexistent problem in order to prevent the E.P.A. from using the best available science," they said.

To view online click here.

Back

Report: Pruitt plans to shift blame for scandals Back

By Emily Holden | 04/25/2018 01:55 PM EDT

EPA chief Scott Pruitt will seek to shift the blame for some of his ethics controversies by blaming his staff when he testifies at two House hearings Thursday, according to an internal EPA document reviewed by The New York Times.

Pruitt is prepared to say that he now flies coach rather than first-class, that staffers were responsible for large raises given to close aides without White House sign-off and that officials who were reportedly sidelined for questioning his behavior had performance issues, according to the Times.

The defenses are in line with what Pruitt and EPA spokespeople have said in recent months.

AMERICAN OVERSIGHT

EPA did not dispute the authenticity of the document, but spokesman Jahan Wilcox said Pruitt would tout "the accomplishments of President [Donald] Trump's EPA," including "working to repeal Obama's Clean Power Plan and Waters of the United States, providing regulatory certainty, and declaring a war on lead — all while returning to Reagan-era staffing levels."

Pruitt is expected to face questions about his bargain condo rental from the wife of a lobbyist who has since resigned from his firm, his spending on a round-the-clock security detail and his previous refusal to fly coach. He is under investigation by three congressional committees, the EPA's inspector general and the GAO, among other oversight bodies. White House deputy press secretary Hogan Gidley told NPR today that Pruitt will have to answer questions about the potential ethics violations "in short order."

To view online click here.

Back

'It could be pretty painful' when Pruitt faces Congress Back

By Anthony Adragna and Nancy Cook | 04/25/2018 06:00 PM EDT

When Scott Pruitt returns to Capitol Hill on Thursday, he will find few friends ready to greet him — and an audience of one waiting to determine his fate.

Republicans say they aren't going to give the Environmental Protection Agency chief a free pass on accusations of lavish spending, a sweetheart condo lease and luxe air travel during a pair of high-stakes hearings. Since Pruitt's previous appearance on Capitol Hill in January, he has faced an avalanche of damaging headlines and investigations that have alienated much of the White House and raised questions about his future leading the agency.

President Donald Trump has so far stuck by Pruitt. But the biggest test for the media-obsessed president may be how Pruitt fares in front of the cameras — only three weeks after he drew poor reviews for a combative interview with Fox News' Ed Henry.

House Energy and Commerce Chairman Greg Walden (R-Ore.) said Pruitt will receive a "cordial reception, but he's got some tough questions to answer."

Rep. John Shimkus (R-Ill.), whose subcommittee will be Pruitt's first stop Thursday, said the administrator should expect a "cool" reception from Republicans — who still strongly support his work to pare back EPA rules.

"It could be pretty painful, but when you accept the position of a senior administrator in a federal agency you've got to expect [that]," Shimkus, who chairs the Energy and Commerce Environment Subcommittee, told Politico. "You've just to grin and bear it and get through it."

AMERICAN OVERSIGHT

Pruitt has few allies left in the White House, apart from the president himself. Senior administration aides characterized the hearings as potential make-or-break moments for Pruitt but said it's ultimately up to the president as to whether the White House wants to tolerate Pruitt's bad press.

Trump is largely keeping Pruitt around because he appreciates Pruitt's hard-charging agenda and because the White House does not want to go through another bruising confirmation battle over another Republican to lead EPA, according to senior administration officials and Republicans close to the White House. Already the White House expended great political energy this week on its pick for secretary of state, Mike Pompeo, a former congressman whom the White House views as eminently qualified but who is barely expected to squeak through the Senate confirmation process.

Most important, the president fears that dumping Pruitt would anger conservatives.

"The president is always nervous about offending his base, and Pruitt has real support in the base," said one Republican close to the White House. "If that base diminishes, he does not have a chance of being reelected. He generally likes what Pruitt is doing over there, but he has no relationship with Pruitt of any note. He could get someone else."

When asked at the White House briefing on Wednesday about Pruitt's spending and potential ethical violations, press secretary Sarah Huckabee Sanders would only say: "We are evaluating these concerns, and we expect the EPA administrator to answer for them."

Pruitt's waning support among White House aides has been months in the making. And at this point, many administration officials say they are tired of the terrible headlines and consider the allegations about Pruitt a nonstop swirl of distractions. It's not just Pruitt's handling of the questions that has irked White House officials but the facts themselves about the way he's led the EPA and run his own staff.

Over the past year, Pruitt has also alienated members of the communications team, National Economic Council, and Cabinet Affairs in various fights over policy like the Paris climate deal, messaging over policy rollouts, and spending decisions at the EPA. Another Republican close to the White House said Pruitt has earned a reputation among White House aides as "high maintenance."

The White House was not involved in helping to prepare Pruitt for the two Hill hearings on Thursday.

Shimkus predicted the toughest questions would come from the other side of the aisle.

"We need to make sure that we understand and recognize the valid, valid concerns that are out there on policy and administrative activity," he said. "But I don't think we'll be gouging his eyes out either — I think we'll have other folks that'll do that."

Some Pruitt supporters say he should be judged on his overall tenure.

AMERICAN OVERSIGHT

"It should be based on his past performance, not necessarily standing in front of a microphone," House Natural Resources Chairman Rob Bishop (R-Utah) said. Bishop's committee does not have jurisdiction over EPA, but he has been a strong supporter of Pruitt's policy goals.

In his opening statement released ahead of the hearing, Pruitt will sidestep any discussion of the latest controversies, instead focusing on policy goals like Superfund cleanups and working more closely with states. "I will focus on key objectives to improve air quality, provide for clean and safe water, revitalize land and prevent contamination, ensure the safety of chemicals in the marketplace, assure compliance with the law, and improve efficiency and effectiveness," Pruitt will say in his prepared remarks.

Democrats are expected to tie the scandals facing Pruitt to his aggressive deregulatory push and proposal to slash EPA's budget by more than a quarter — which they see as just as worrisome as his alleged ethical improprieties. Multiple aides said there's such strong interest in the session that committee Democrats not on the Environment Subcommittee plan to participate, which does not require signoff from the majority.

"There's a confluence of concerns here that I think the Democrats are going to want to get answers to," Rep. Paul Tonko of New York, top Democrat on the panel, told POLITICO. "We were concerned yesterday, we're concerned today and we'll be concerned tomorrow if he's there."

There will be no shortage of things to ask him about, including the more than $105,000 the agency has spent on his first-class flights, lavish spending on a $43,000 soundproof phone booth and round-the-clock security, a cushy $50-per-night condo lease from a Washington lobbyist who personally met with Pruitt to discuss the agency's Chesapeake Bay work, and a trip to Morocco in December on which he spent time promoting liquefied natural gas exports — a topic that isn't part of his agency's portfolio. Pruitt is also facing scrutiny over the significant pay raises the agency gave to a handful of his longtime aides from Oklahoma despite the White House's objections.

Federal watchdogs, the agency's inspector general, congressional investigators and the White House have launched more than a dozen investigations into various aspects of Pruitt's conduct.

But Rep. Joe Barton (R-Texas), the longest-serving member of Energy and Commerce, said Pruitt's ethics issues are "not the purpose of the hearing" and suggested many Republicans would come to the administrator's defense. However, he said the panel's GOP members have not met in advance to plot strategy.

"He's had a lot of death threats. I don't have a problem with his security costs," Barton said Wednesday. "I don't really have a major problem with his telecommunications setup. It's a difficult job to be the EPA administrator when you're a Republican."

Still, signs are increasing of weariness toward Pruitt among congressional Republicans. Three senior Senate Environment and Public Works Committee Republicans, including his staunch ally Sen. Jim Inhofe (R-Okla.), called for hearings into Pruitt's behavior earlier this week. Four

AMERICAN OVERSIGHT

House Republicans have called for his resignation. And EPW Chairman John Barrasso (R-Wyo.) said he has "serious questions" about Pruitt's spending and pledged to send additional oversight letters.

"He'll need to acquit himself well," Sen. John Thune, the No. 3 Republican in the Senate, said when asked about how important the sessions will be for Pruitt's future in the administration.

An aide to Rep. Betty McCollum of Minnesota, top Democrat on the House Appropriations Interior and Environment Subcommittee, where Pruitt will appear Thursday afternoon, told POLITICO their hearing would likely focus more on Pruitt's proposed cuts to nearly a quarter of the agency's budget and regulatory rollbacks.

"I expect the E&C hearing will have a greater focus on the ethical concerns surrounding Pruitt," the aide said.

Some Democrats on Energy and Commerce acknowledge Pruitt has in the past performed well in congressional hearings, which they said could allow him to respond to some of the charges.

"If Mr. Trump is going to look for a good performance, I bet he'll put up a great performance," said Rep. Scott Peters (D-Calif.), another member of the subpanel. "But if he doesn't address the substance of the ethical and environmental challenges, I hope that they would think about finding someone else."

Other Democrats think Pruitt's main goal will be to avoid a major gaffe but they don't see any way he will emerge from the hearing in a significantly strengthened position.

"One or two of these transgressions would be survivable but there are so many scandals that it's really hard for me to imagine that Republicans want to lower the bar this much," said Sen. Brian Schatz (D-Hawaii), an outspoken Pruitt critic. "It is actually beyond me why they're sticking by him."

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers,

AMERICAN OVERSIGHT

snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

AMERICAN OVERSIGHT

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Colorado-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

Interior spent $139K on Zinke office doors Back

By Anthony Adragna | 03/08/2018 05:58 PM EDT

The Interior Department is spending $139,000 for new doors for Secretary Ryan Zinke's office suite, according to records posted online.

The work was recommended by Interior career facilities and security officials, an agency spokeswoman said, not by Zinke.

"The secretary was not aware of this contract but agrees that this is a lot of money for demo, install, materials, and labor," Heather Swift, the spokeswoman, said in a statement.

The award to Maryland-based Conquest Solutions LLC was first reported by the Associated Press. The work involves replacing three sets of double doors, including two that open onto a balcony and leak during rain storms, the AP reported. An existing set of doors to Zinke's office

AMERICAN OVERSIGHT

from a hallway do not have a lock, so the security will be upgraded with the new doors.

Swift said the work is part of a "decade-long modernization of the historic FDR-era building."

"Between regulations that require historic preservation and outdated government procurement rules, the costs for everything from pencils to printing to doors is astronomical. This is a perfect example of why the Secretary believes we need to reform procurement processes."

Housing and Urban Development Secretary Ben Carson drew criticism recently over news that HUD would spend $31,000 on a dining set. That order was subsequently canceled.

To view online click here.

Back

House passes controversial dam bill Back

By Annie Snider | 04/25/2018 04:45 PM EDT

The House passed a controversial measure to override a court decision that required changes in the operations of major hydropower dams in the Pacific Northwest to help protect endangered salmon.

The measure, H.R. 3144 (115), from Rep. Cathy McMorris Rodgers (R-Wash.), was passed by a nearly party-line vote of 225-189.

The 9th Circuit Court of Appeals earlier this month upheld a lower court decision requiring that water be spilled over the tops of dams along the Columbia and Snake rivers, including the powerhouse Grand Coulee Dam, the largest power station in the U.S., during periods when young salmon and steelhead migrate to the ocean. The suit was brought by the state of Washington, tribes and conservation groups.

McMorris Rodgers and other Republicans in the region have fought the decision because it would reduce the dams' hydropower output. Their legislation would override the courts and require that dam operations continue as they have historically to maximize power production until an environmental review of the system can be completed.

The legislation is the latest front in a yearslong battle over the nearly 100-year-old hydropower system on the rivers. Conservation groups and tribes with treaty fishing rights want it altered and operated to benefit wildlife, including calling for the removal of four dams along the Snake River.

WHAT'S NEXT: The legislation moves to the Senate, where some of the region's Democratic senators have registered their opposition.

AMERICAN OVERSIGHT

To view online click here.

Back

EPA drops 'once in, always in' policy from key Clean Air Act requirements Back

By Alex Guillén | 01/25/2018 06:11 PM EDT

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				

AMERICAN OVERSIGHT

Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 12/7/2017 10:45:23 AM
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change, potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

AMERICAN OVERSIGHT

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

AMERICAN OVERSIGHT

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

AMERICAN OVERSIGHT

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

AMERICAN OVERSIGHT

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

AMERICAN OVERSIGHT

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

AMERICAN OVERSIGHT

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

AMERICAN OVERSIGHT

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

To view online click here.

AMERICAN OVERSIGHT

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

AMERICAN OVERSIGHT

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

AMERICAN OVERSIGHT

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association

AMERICAN OVERSIGHT

President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

AMERICAN OVERSIGHT

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring

AMERICAN OVERSIGHT

federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for

AMERICAN OVERSIGHT

indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now

AMERICAN OVERSIGHT

Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be

AMERICAN OVERSIGHT

commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

AMERICAN OVERSIGHT

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a

AMERICAN OVERSIGHT

dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 7/6/2018 9:44:33 AM
Subject: Morning Energy: Pruitt finally strikes out — EPA blocks formaldehyde warnings, sources say — Pruitt probe continues on

By Kelsey Tamborrino | 07/06/2018 05:42 AM EDT

With help from Emily Holden and Anthony Adragna

PRUITT FINALLY STRIKES OUT: Today marks Scott Pruitt's last day as EPA administrator after his resignation Thursday afternoon. Though he was only head of the EPA for 500 days, his tenure was marred by a seemingly endless stream of scandals into his ethics, finances and management. Pruitt's many issues have generated headlines for the past several months, and it was those "unrelenting attacks" on him and his family that he blamed in his resignation letter.

President Donald Trump announced Pruitt's exit in a tweet in which he commended the EPA chief for doing an "outstanding job" at EPA. Trump announced that Pruitt's deputy, Andrew Wheeler, will become acting administrator of the EPA until a permanent replacement can be found.

SO, WHAT HAPPENED? For weeks the White House has maintained it was concerned with the numerous allegations of wrongdoing by Pruitt, all the while affirming Trump still had faith in the administrator, particularly for his deregulatory zeal. But one Republican close to the White House said Thursday that Trump's support for Pruitt finally dropped when he realized Wheeler could easily carry out the same regulatory rollback — sans the scandals.

For Trump's part, he told reporters aboard Air Force One there was "no final straw," but said the decision had been in the works for "a couple of days." POLITICO's Anthony Adragna, Alex Guillén and Emily Holden report that among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of the few hold-outs left defending Pruitt.

The Washington Post reports Pruitt was also drawing scrutiny from the Office of Management and Budget. Officials told the Post OMB had determined that a $43,000 soundproof phone booth installed for Pruitt was a violation of federal law, though the report has not yet been published.

But the news still dismayed prominent GOP donor Doug Deason, who told POLITICO late Thursday that he was "so disappointed in the President's failure to support Scott against the angry attacks from the loony left." Deason added: "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

Inside the EPA, the general mood Thursday was one of joy, according to both career staffers and political appointees. "A lot of people are relieved it's going to stop," one EPA employee said. There were "a lot of jokes about, 'Like, what do we do with the tactical pants now?' A lot of sharing funny tweets we've seen out there. There was one that was like, 'For sale: Barely used secure phone booth. Very motivated seller.'"

AMERICAN OVERSIGHT

WHAT'S IT MEAN? The change-up at the EPA won't mark a large difference in the Trump administration's approach to environmental policy, and many of the investigations into Pruitt will continue on. But Wheeler, a longtime Washington lobbyist and former Hill staffer, is expected to steer the ship more smoothly. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment," said GOP Sen. Jim Inhofe , for whom Wheeler formerly worked. "What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source told Pro's Eric Wolff over email.

In contrast to Pruitt, Eric and Alex write: "Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued."

Career EPA staffers were enthused but wary of Wheeler, who is known around the agency as friendly and competent, a skilled lawyer who knows how to bulletproof regulatory rollbacks, while avoiding the kind of controversy that has propelled Pruitt into the limelight. Wheeler is also expected to engage more with career staffers, rather than relying solely on a tight circle of political appointees, as Pruitt did. "Will this be a turn for the better or more of the same? ... I'd say we're not optimistic for much better," one person said. "You can't fix stupid by replacing Pruitt."

"[T]he proverbial fox hasn't left the henhouse," said Denise M. Morrison, acting head of AFGE Council 238, which represents about 9,000 EPA workers across the country. "Pruitt's blatant disregard for regulations mustn't be the standard for his former coal lobbyist successor at EPA, Deputy Administrator Andrew Wheeler."

The president said Wheeler was "very much an early Trump supporter," although some were quick to point out that Wheeler called Trump a "bully" in a Facebook post during the presidential primaries. In a statement to ME, Wheeler said he made those comments during his time on the Marco Rubio campaign. But Wheeler said that when he attended a Trump speech in June 2016, Trump gave "the most comprehensive energy speech by a presidential candidate" he'd ever heard. "I then joined the Trump campaign and worked on environmental policy for him," Wheeler added.

WHAT COMES NEXT? If Trump were to soon nominate a permanent replacement for Pruitt, the nominee will certainly face an uphill battle in the Senate, where a contentious agenda is already heating up in the lead-up until midterm elections. Senators on both sides of the aisle have condemned Pruitt's actions, and issues like the Renewable Fuel Standard would be front-and-center in any eventual hearing.

And, even with Pruitt gone, EPA will continue to be forced to release public records detailing how he has managed his agency. One longtime EPA employee said Pruitt's resignation was overdue and hoped that a criminal investigation would take place — and that he would be indicted. "Congress has seriously abdicated any pretense of oversight," the source said. "How many Benghazi hearings?"

AMERICAN OVERSIGHT

Read up! POLITICO's profile on Wheeler here | The complete guide to Pruitt's scandals here | Pruitt's full resignation letter here | How Pruitt blew it here | Pruitt's EPA tenure, in photos | Wheeler's email to staff here

For fun: The Bird, a restaurant in Shaw, has been offering up drink specials whenever a member of the Trump administration is fired. So it should come as no surprise, the restaurant offered $4 happy hour drinks last night, including its "Pruitt Blew It" cocktail special, which features herbs and blueberries. See it here.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. Andeavor's Stephen Brown was first to correctly name the Marion Star, the newspaper for which Warren G. Harding was publisher before he was elected president. For today: Name the first sitting House speaker to lose reelection to his House seat. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.
Join POLITICO at 8:15 a.m. on July 11 at Washington Court Hotel for a dynamic conversation on the role of government and its implications for AI growth in national public safety, privacy and civil rights. RSVP here.

MORE FROM THE SUPPRESSED STUDY BEAT: A draft health assessment of one of the most commonly used chemicals in the country is being suppressed by the Trump administration's EPA, current and former agency officials told POLITICO. The assessment details that most Americans inhale enough formaldehyde vapor in the course of their daily lives to put them at risk of developing leukemia and other ailments, Pro's Annie Snider reports. EPA scientists completed the formaldehyde assessment just before Trump took office, the officials tell Annie, arguing that top Pruitt advisers are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals. "They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System.

Pruitt told a Senate hearing earlier this year that he believed the draft assessment was complete — but five months later, it has yet to see the light of day. Meanwhile, internal documents show , a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings. "As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, a representative of the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. Pruitt appointed White to EPA's influential Science Advisory Board last fall.

AMERICAN OVERSIGHT

And while Pruitt may be gone from the agency, his replacement also has a history with the chemical, Annie notes. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, Inhofe, sought to delay an earlier iteration of the formaldehyde assessment. Read the story here.

IN THE MEANTIME: Aides on the House Oversight Committee say they'll continue their investigation into Pruitt, despite his exit, with Committee Democrats releasing new transcripts from interviews with some of Pruitt's aides on Thursday. Three aides acknowledged removing many meetings from Pruitt's calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after his arrest on alleged sexual abuse charges. "I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," chief of staff Ryan Jackson told committee staff.

TRUMP HITS TESTER IN MONTANA: At a Montana rally for GOP Senate candidate Matt Rosendale, Trump took aim at Democratic Sen. Jon Tester, up for reelection in November in a state with particular interest in public lands and conservation policy. "It's time to retire liberal Democrat Jon Tester," Trump declared to the crowd. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters." POLITICO's Matt Nussbaum points out, however, Trump's attacks don't seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — an attempt to show the state's Trump-friendly voters that the senator can work with the president. Read more.

BUNDLED UP: It worked so well with the first so-called minibus, House Republicans are expected to bring another spending bundle to the floor this month, according to a notice posted Thursday by the Rules Committee. This time around the 2019 funding package will combine the Interior-Environment H.R. 6147 (115) and Financial Services H.R. 6258 (115) spending bills. Both bills "are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels," Pro Budget and Appropriations' Sarah Ferris reports. The package is slated for floor action the week of July 16.

STUDY LOOKS AT TRUMP COAL PLAN CONSEQUENCES: The Trump administration's plan to prop up economically struggling coal and nuclear power plants would result in 353 to 815 premature deaths in 2019-20 due to the additional emissions of sulfur dioxide and nitrogen oxides, according to a new study from Resources for the Future, an independent, nonprofit research institution in Washington. The paper also calculated that each year the policy is in effect would cause 1 death for the 2 to 4.5 coal-mine jobs that it supports. The administration's plan, which it says is being pursued in the interest of national security and is detailed in a draft DOE paper, would delay the retirement of plants that have announced they will close by the end of 2020. Such a policy would support 790 coal-mine jobs, the study found, "though it would be likely to reduce economy-wide employment." Read the report here.

EERE GETS ACTING ASSISTANT SECRETARY: While the president's permanent pick for DOE's energy efficiency and renewable energy office awaits confirmation, Pro's Darius Dixon

AMERICAN OVERSIGHT

reports Cathy Tripodi will take on the role of acting assistant secretary for EERE. Dan Simmons was nominated for the permanent role last month by the White House. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an adviser to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email.

Tripodi joined DOE in January 2017 and has been the director of the department's Lab Operations Board, which coordinates research and mission objectives between the agency headquarters and its far-flung national laboratories.

EU EXTENDS RUSSIA SANCTIONS: The EU extended sanctions against Russia for another six months on Thursday over Moscow's actions in Ukraine, POLITICO Europe's Magdaline Duncan reports. The sanctions target, in part, Russia's energy sector by limiting access to EU markets for three energy companies. EU leaders have said that the sanctions will be lifted once all sides in Ukraine commit to the cease-fire agreed in the Minsk accords.

PUERTO RICO GOVERNOR TAKES IT TO COURT: Puerto Rico Gov. Ricardo Rosselló announced Thursday his government would go to court to challenge the authority of the island territory's federal oversight board to impose policies on the commonwealth, Pro Financial Services' Colin Wilhelm reports. The oversight board in question was established by Congress to address Puerto Rico's debt and has mandated cuts to pensions and government spending in its most recent recovery plan.

— **Separately, the Puerto Rico Electric Power Authority said** this week that 99.9 percent of power has been restored in the aftermath of Hurricane Maria — 10 months after the hurricane destroyed Puerto Rico's grid.

QUICK HITS

— "Americans already living EPA rollbacks under Pruitt," The Associated Press.

— "Doubts grow Aramco IPO will ever happen," The Wall Street Journal.

— "PHMSA agrees to provide public notice of hearings," E&E News.

— "Iran to Trump: Oil will cost $100 per barrel, and it is your fault," Reuters.

HAPPENING TODAY

crickets

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/07/pruitt-finally-strikes-out-272028

AMERICAN OVERSIGHT

Stories from POLITICO Pro

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former

AMERICAN OVERSIGHT

treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his

AMERICAN OVERSIGHT

political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

AMERICAN OVERSIGHT

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic

AMERICAN OVERSIGHT

of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a

AMERICAN OVERSIGHT

dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

AMERICAN OVERSIGHT

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

AMERICAN OVERSIGHT

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican

AMERICAN OVERSIGHT

administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

AMERICAN OVERSIGHT

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Trump: Pruitt didn't want to be a 'distraction' Back

By Stephanie Murray | 07/05/2018 06:27 PM EDT

Environmental Protection Agency head Scott Pruitt abruptly left his Cabinet-level position in the administration because he didn't want to be a "distraction," President Donald Trump told reporters on Thursday afternoon.

"He'll go on to great things and he's going to have a wonderful life, I hope," Trump said on Air Force One, according to a pool report. "But he felt that he did not want to be a distraction for an administration that he has a lot of faith in."

Pruitt is the latest high-ranking official to exit the Trump administration. The former EPA chief had been embroiled in a laundry list of ethics scandals during his tenure. Among them: Pruitt allegedly asked staffers to carry out errands and find his wife a job, and he installed a $43,000 soundproof booth in his office and made other unusual security demands.

In his resignation letter, Pruitt praised the president and said "unrelenting attacks" have taken a toll on him and his family. Most recently, a woman confronted Pruitt in a restaurant and urged him to resign. The confrontation was caught on video and spread widely on the Internet.

AMERICAN OVERSIGHT

There was no final straw that triggered Pruitt's resignation, and the choice was "very much up to him," Trump said during the gaggle on Air Force One. According to the president, the resignation had been in the works for a couple of days.

"Scott Pruitt did an outstanding job inside of the EPA. We've gotten rid of record-breaking regulations, and it's been really good," Trump said. "His deputy has been with me actually a long time. He was very much an early Trump supporter. He was with us on the campaign. He is a very environmental person. He's a big believer, and he's going to do a fantastic job."

Pruitt initially supported former Florida Gov. Jeb Bush, a rival of Trump's during the 2016 campaign for the GOP presidential nomination. New acting EPA chief Andrew Wheeler, who has been serving as Pruitt's deputy and was previously a coal lobbyist, initially served as a volunteer consultant on the campaign of another rival, Sen. Marco Rubio (R-Fla.).

To view online click here.

Back

Pruitt resigns amid torrent of ethics woes Back

By Anthony Adragna, Alex Guillén and Emily Holden | 07/05/2018 03:49 PM EDT

Scott Pruitt resigned from his post as administrator of the EPA on Thursday, finally bowing to a torrent of spending, travel and secrecy scandals that ended his run as one of President Donald Trump's most aggressive anti-regulation enforcers.

Trump continued praising his embattled EPA leader even after the ax fell — and months after most of his White House aides, including chief of staff John Kelly, had soured on him because of the increasingly bizarre accusations concerning Pruitt's use of agency employees to obtain housing, lotion, used mattresses, dinner with a Vatican cardinal and a job for his wife.

But the news about Pruitt had also turned potentially more dangerous, including what congressional Democrats said Thursday was evidence that his top aides had altered his official EPA calendar to hide politically troublesome meetings. Meanwhile, the coming media maelstrom over Trump's soon-to-be-announced Supreme Court nomination should soon erase any momentary headlines over Pruitt's departure.

"Within the Agency Scott has done an outstanding job, and I will always be thankful to him for this. ... We have made tremendous progress and the future of the EPA is very bright!" Trump tweeted. He added that Andrew Wheeler, Pruitt's deputy, would become acting administrator.

Trump later told reporters that "no final straw" led to Pruitt's decision to step down.

"Look, Scott is a terrific guy," the president said. "And he came to me and he said, 'I have such

AMERICAN OVERSIGHT

great confidence in the administration. I don't want to be a distraction.' And I think Scott felt that he was a distraction."

Trump said the decision had been in the works for "a couple of days."

Pruitt's critics were mainly jubilant — though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda.

"Thank God he's gone," Sen. Tom Carper, the top Democrat on the Senate Environment and Public Works Committee, said of Pruitt. "This is a day to celebrate."

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

Thursday's move came just two days after POLITICO reported Pruitt installed the former treasurer of his super PAC to lead the office in charge of releasing his public records and after CNN reported Pruitt directly asked Trump to remove Attorney General Jeff Sessions and give the position to him. Those were only a couple of the latest damaging accusations about Pruitt just this week, following months of drip-drip-drip disclosures about a $50-a-night Capitol Hill condo rental from a lobbyist's wife, first-class travel, dramatic increase in spending on security and uncompensated personal work that he received from EPA aides. (See POLITICO's running summary of Pruitt's controversies here.)

In his resignation letter, Pruitt praised Trump, but said the litany of bad headlines had forced him to leave the job.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote. "However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us."

Even as more than a dozen investigations were initiated by EPA's inspector general, the House Oversight Committee, the White House, the GAO and the Oklahoma Bar Association, Trump continued to publicly back Pruitt, who was strongly supported by many conservatives. Since the spring, when his condo deal came to light, triggering a snowballing series of embarrassing stories about the EPA administrator, Pruitt managed to keep his head above water.

But some sources suggested Trump's support for Pruitt began to crumble after news emerged that Pruitt had pressed an aide to try to buy a used mattress from Trump's hotel, and that he had security staff chauffeur him around Washington to buy his favorite brand of skin lotion — raising concerns that more such stories would follow. The timing of the resignation announcement also appeared favorable, since the announcement of a new Supreme Court nominee Monday would likely overshadow the EPA news.

AMERICAN OVERSIGHT

One Republican close to the White House said that Trump's support for Pruitt dropped with the realization that Wheeler could easily carry out the same regulatory rollback — but without the scandalous headlines. Some Republicans had been making that argument for months, however.

"It became increasingly apparent to the president, from conversations with the Hill and people inside the administration, that everyone loves Andrew Wheeler, and that Trump could get the same results without the drama," the Republican said. "If they did not have an heir apparent, this would probably be a different situation."

Environmentalists were quick to take a victory lap over Pruitt's resignation.

"Scott Pruitt's corruption and coziness with industry lobbyists finally caught up with him," Erich Pica, president of Friends of the Earth, said in a statement. "This victory belongs to the hundreds of thousands of activists who fought to protect the Environmental Protection Agency from a corrupt crony set on destroying it from the inside."

But some conservatives lamented that Pruitt had finally fallen victim to pressure from his political opponents.

"Lesson to other Trump officials from Pruitt resignation: Give the left/media/organized greens any molehill and they will turn it into K2," wrote Kimberley Strassel, a Wall Street Journal columnist and member of its editorial board. "Most of the accusations were overwrought, but the barrage was overwhelming. Let's hope an equally reformist successor denies them a repeat."

Conservative pundit Hugh Hewitt defended Pruitt as a "good friend and a very good man, caricatured by [the] left" and the mainstream media.

"I hope he sets to work on a memoir ASAP and deals out a tenth of what he took," Hewitt wrote on Twitter. "He's a man of great faith and perseverance so he probably won't, but the attacks on his family were unconscionable."

A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer. And despite White House staffers' annoyance at his public stumbles, Pruitt reportedly enjoyed for months a chummy relationship with the president himself. The pair reportedly even gabbed on the phone regularly.

Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn.

With scrutiny intensifying, half a dozen aides close to Pruitt departed EPA within a few weeks of each other, including his top policy adviser, his chief of security and a longtime friend from Oklahoma whom Pruitt had placed in charge of the Superfund program.

Emails released following lawsuits and aides' testimony to House investigators revealed that

AMERICAN OVERSIGHT

Pruitt had used EPA staff to search for housing for him and to inquire about obtaining a Chick-fil-A franchise for his wife — potential violations of laws prohibiting tasking federal workers with personal matters. Further, it was shown that Pruitt had used his aides to seek other employment opportunities for his wife, including from major GOP donors — raising questions about whether Pruitt had used his official position to benefit his family.

For Pruitt's critics, these revelations moved beyond other Pruitt actions that were questionable but politically survivable.

"His actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison," wrote several House Democrats in a letter asking the FBI to open a criminal investigation.

On Thursday, Democrats on the House Oversight Committee released new transcripts from interviews with Pruitt's closest aides, backing up aspects of many of the recent allegations against him.

Three aides, including chief of staff Ryan Jackson, acknowledged removing many meetings from his calendars deemed "personal," including retroactively removing reference to a dinner with Cardinal George Pell after Pell's arrest on alleged sexual abuse charges.

"I did that because there were — and there have been since — just personal dinners or personal meetings which he has had that if it doesn't relate to EPA business, I don't think it's necessary to put it on the schedule," Jackson told Oversight Committee staff.

Another former aide, policy adviser Samantha Dravis, said she helped Marlyn Pruitt seek employment opportunities during work hours by tapping into her connections to conservative organizations. But she said Pruitt's push for his wife to land a $250,000-a-year post given her limited work experience was too much — even for the Federalist Society. Dravis said she ultimately refused to contact certain organizations and expressed concern doing would violate the Hatch Act.

"I was explicitly asked by Administrator Pruitt to assist Marlyn with obtaining this employment," Dravis said.

Dravis also said Pruitt originally hoped to become attorney general rather than Jeff Sessions and had "one or two" discussions with her about his ambitions for the post after he became head of the EPA. She said he "hinted" that there had been a discussion with Trump about the matter but didn't reveal further details.

Meanwhile, influential conservative voices began questioning whether Pruitt's antics were finally causing too much drag on the president's agenda.

Laura Ingraham, the conservative pundit known to be a favorite confidant of Trump, tweeted June 13 that Pruitt's bad judgment was hurting the president and meant he had "gotta go." The

AMERICAN OVERSIGHT

National Review called for his ouster, saying Pruitt had mistreated taxpayers. And Republican senators started saying Pruitt should be hauled in for a hearing, though they stopped short of calling for his resignation.

The president did not immediately name a nominee to serve as a permanent successor, as he did for similar high-profile departures in recent months. Senate Republicans have questioned whether another administrator could even be confirmed this year given the Senate's tight schedule and the GOP's razor-thin majority.

That leaves Pruitt's deputy, Wheeler, in charge at EPA in an acting capacity for the foreseeable future.

Wheeler previously worked as an attorney and lobbyist at Faegre Baker Daniels, where one of his clients was coal company Murray Energy, whose owner Robert Murray has pressed both the president and his Cabinet secretaries for generous policy actions to help coal.

He previously worked as a top aide to Sen. Jim Inhofe (R-Okla.), who prides himself as a skeptic of climate change.

Wheeler is a more traditional Washington conservative than Pruitt, familiar with the workings of both the town and Congress. But environmentalists see little practical difference between Wheeler and Pruitt, who arrived at the agency after suing it 14 times and with no background in environmental policy.

Wheeler, like Pruitt, is expected to continue his deregulatory agenda, rolling back Obama-era environmental regulations like the Clean Power Plan or the Waters of the U.S. rule. And the White House is likely to continue its quest to slash EPA's budget drastically, although Congress has twice rejected such cuts and some Republicans have questioned whether the agency can go any lower.

Nancy Cook and Daniel Strauss contributed to this report.

To view online click here.

Back

Ethanol producers hoping for better treatment from new EPA chief Back

By Eric Wolff | 07/05/2018 05:31 PM EDT

Ethanol producers hope Andrew Wheeler, who will be taking the reigns at EPA as of Friday night, will be more corn-friendly in his management of the the Renewable Fuel Standard than soon-to-depart Administrator Scott Pruitt.

"President Trump made the right decision," said Iowa Sen. Chuck Grassley, who had been

AMERICAN OVERSIGHT

infuriated by Pruitt's actions on the RFS, in a statement on Pruitt's resignation. "Fewer things are more important for government officials than maintaining public trust. Administrator Pruitt, through his own actions, lost that trust. I hope Acting Administrator Wheeler views this as an opportunity to restore this Administration's standing with farmers and the biofuels industry."

Pruitt antagonized ethanol producers and Midwestern farmers with repeated efforts to ease RFS requirements on refiners at what corn farmers perceived as their expense. Before joining EPA, Wheeler was a lobbyist whose clients included ethanol producer trade association Growth Energy.

"That sound you hear is a collective sigh of relief coming from the Midwest," said Bob Dinneen, CEO of the Renewable Fuels Association. "We look forward to working with Acting Administrator Andy Wheeler, whose long career focusing on policies that recognize economic growth and environmental protection are not mutually exclusive is not undermined by an unmistakable anti-ethanol, anti-farmer bias."

Wheeler has a reputation in D.C. as a smooth operator with deep relationships on the Hill.

"What changes is that Wheeler knows how to get things done at the agency and, in general, in Washington," a refining industry source said over email. "With Andy I think there will be less free-lancing and more a focus on working with career folks at EPA.... Quite frankly, less free lancing will serve the interests of all stakeholders."

To view online click here.

Back

Pruitt's replacement 'should scare anyone who breathes' Back

By Eric Wolff and Alex Guillén | 05/04/2018 05:49 PM EDT

The man taking the reins at the Environmental Protection Agency following the resignation of Scott Pruitt is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation. He is set to take the job Monday.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details

AMERICAN OVERSIGHT

and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump have pursued.

"I have no doubt that Andy will continue on with our great and lasting EPA agenda," Trump tweeted in announcing Pruitt's resignation. "We have made tremendous progress and the future of the EPA is very bright!"

Wheeler, who shares many of Pruitt's anti-regulatory views, is expected to "stay the course" with many of Pruitt's policies, according to one EPA source.

Republicans and other allies quickly praised Wheeler as a steady hand for an agency in turmoil.

Wheeler is the "perfect choice" for acting administrator, said Inhofe.

"Andrew worked for me for 14 years, has an impeccable reputation and has the experience to be a strong leader at the EPA," Inhofe added. "I have no doubt and complete confidence he will continue the important deregulatory work that Scott Pruitt started while being a good steward of the environment."

"I have confidence that Andrew Wheeler will be a good partner at #EPA, and I look forward to working with him on the" Renewable Fuel Standard, tweeted Sen. Joni Ernst (R-Iowa), who in recent months had expressed public anger over moves by Pruitt that upset the ethanol industry.

"Wheeler knows how to make the trains run on time at the agency and will be more inclined to work with career folks," said one refining industry source. "Andy also has strong relationships on the Hill from his work there, and that will work to the agency's benefit as well."

Environmentalists were glad to see Pruitt go, but many quickly acknowledged that Wheeler will be a formidable adversary to their agenda.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," Jeremy Symons, vice president for political affairs at the Environmental Defense Fund, said in May before Pruitt's resignation. "That should scare anyone who breathes."

"Andrew Wheeler is equally unqualified to serve as the nation's chief environmental steward," said Ana Unruh Cohen of the Natural Resources Defense Council. "Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's."

It is not clear how long Wheeler may be left leading EPA on an acting basis, as Senate Republicans have questioned whether any nominee could win confirmation this year amid the upcoming midterm elections and the GOP's razor-thin majority in the chamber.

AMERICAN OVERSIGHT

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, has been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

Wheeler, in contrast, came to the agency steeped in its work.

He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and former liberal Democrat Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's efforts to make changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt in May of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter

AMERICAN OVERSIGHT

adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's s agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA.

Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden, Anthony Adragna and Ben Lefebvre contributed to this report.

To view online click here.

Back

Environmentalists: Pruitt's replacement 'should scare anyone who breathes' Back

AMERICAN OVERSIGHT

By Eric Wolff | 05/05/2018 06:43 AM EDT

The man taking the reins at the Environmental Protection Agency after Scott Pruitt's downfall is a longtime Washington insider and coal lobbyist who is set to pursue the same anti-regulation agenda — only without all of Pruitt's baggage.

Andrew Wheeler, sworn in as EPA's deputy administrator in late April after a six-month confirmation battle, has spent decades in what President Donald Trump calls "the swamp," first as a top aide to Sen. Jim Inhofe (R-Okla.) at the Environment and Public Works Committee, then as an energy lobbyist for clients such as the politically active coal company Murray Energy.

On Thursday, Trump named Wheeler as EPA's acting administrator after accepting Pruitt's resignation.

In contrast to Pruitt, an Oklahoma conservative who alienated a growing number of fellow Trump-supporting Republicans, Wheeler is a smooth insider with a penchant for policy details and a reputation for working well with both friends and adversaries. But those who have dealt with him say he's on board with the broad deregulatory agenda that Pruitt and Trump are pursuing.

That presents a paradox for environmental groups, who would welcome Pruitt's departure but fear his replacement would be a much more formidable opponent.

"Wheeler is much smarter and will try to keep his efforts under the radar in implementing Trump's destructive agenda," said Jeremy Symons, vice president for political affairs at the Environmental Defense Fund. "That should scare anyone who breathes."

Symons noted that many of Pruitt's aggressive deregulatory efforts have run into trouble in federal courts.

"The problem with the Pruitt approach is it's like a sugar high," said Jeff Navin, a Democratic lobbyist and former Energy Department staffer who has shared lobbying clients with Wheeler. "It feels really, really good for a moment, but if you're not following rules and procedure, not laying down substance for the decision you're making, you're not going to last very long."

Another person who has worked with Wheeler said: "He's like Mike Pence is to Trump. ... He's behind the scenes. He'll get a lot done and doesn't need to be in the news."

With Pruitt out, Wheeler faces the task of managing a 14,000-employee agency where much of the career staff, and even many Republican political appointees, have been demoralized by the cascade of scandals.

Besides his personal troubles, Pruitt arrived at EPA as one of its most determined adversaries, having filed a series of lawsuits in concert with industry groups to overturn the agency's Obama-era climate and environmental regulations. Pruitt's security team also blocked most agency employees from entering rooms and corridors near his third-floor offices.

AMERICAN OVERSIGHT

Wheeler, in contrast, came to the agency steeped in its work. He spent four years working at EPA at the start of his career, before going on to work for Inhofe and the Senate environment committee. He helped create the federal ethanol mandate that remains a major source of friction for EPA, dividing Republicans in the Senate. He also represented coal magnate Bob Murray as a lobbyist through the battles over the Obama administration's climate regulations for power plants, and then later in trying to persuade the Energy Department to bail out financially ailing coal power plants.

Former Hill colleagues emphasize his ability to find common ground with political opponents, including former Sen. Jim Jeffords (I-Vt.), and liberal former Democratic Sen. Barbara Boxer of California, both of whom have chaired the environment committee. Matt Dempsey, who worked for Wheeler under Inhofe, said Wheeler's ability to find common cause was one factor in the Jeffords-Inhofe and Jeffords-Boxer relationships that led to passage of highway bills and other major legislation.

"A lot of that is due to Andrew," said Dempsey, now a managing director at FTI Consulting. "He has an ability to work across the aisle and get things done."

That ability to work the Hill could be critical at EPA, where Pruitt's work on making changes to the ethanol program divided oil-state and corn-state Senate Republicans. Those efforts have especially infuriated corn supporters led by Sen. Chuck Grassley (R-Iowa), who accused Pruitt this week of "screwing the family farmer."

Wheeler's former colleagues think he might be able to smooth those waters.

"He is someone who, generally on policy, though we might not always agree, is someone who will listen to the other side of the aisle on how we formulate policy," a Democratic aide who has worked with Wheeler told POLITICO, noting that trait could be especially important if the House or Senate flips after the midterms. "Being a product of the Senate and of the Congress, it will be much easier for those who are here to interact with him."

Among other things, the Democratic aide said, Wheeler respects Congress' role in the authorization and appropriations process and would be much more willing to appear at congressional hearings — unlike Pruitt, who was scarce on the Hill.

The aide also said they think Wheeler's reputation as a "rule-driven" staffer would ensure stricter adherence to ethics standards at the agency.

Wheeler may also be better able to repair the fractured relationship between the political appointees at the top of the agency and career staff, who have felt left out or ignored by Pruitt on key issues. Wheeler spent some of his first days back at the agency visiting the offices of career staff and making introductions, a marked change from his boss, according to an EPA official.

"The impression he creates is very personable, respectful, good listener," said another EPA employee. "He's very interested in being involved in the substantive issues. He's ready to get

AMERICAN OVERSIGHT

involved in our issues."

Still, most of the people interviewed agreed that Wheeler would advance Trump's and Pruitt's agenda of undoing major Obama-era regulations, including the power plant climate rule and a sweeping measure on streams and wetlands.

"I think that Andrew is well aware of the president's agenda, and the parts of the agenda that are the responsibility of the EPA," said Andy Ehrlich, now a partner at the lobbying and political consulting firm Total Spectrum, who recruited Wheeler from the Hill in 2009 to the law firm Faegre Baker Daniels and worked with him for years. "I would expect based on my experience with Andrew to do what he can to see that the president's agenda at the EPA is fulfilled in a methodical and thoughtful way."

Pruitt and Wheeler may have some small differences: The Democratic aide said Wheeler might offer more support to the agency's research, in contrast to Pruitt. But people who know Wheeler see him as a "true believer" in rolling back regulations who is comfortable in the weeds of policy.

That's the worry of environmental groups, which note the years Wheeler spent working with Inhofe, who calls human-caused global warming a "hoax," and Murray, a fierce opponent of EPA's climate regulations.

Wheeler's "entire professional career, most of it has been devoted to resisting attempts to improve the quality of our air and our water and the safety of our communities," said Sierra Club Executive Director Michael Brune. "He fought against safeguards to limit mercury poisoning. He fought against protections to limit the amount of ozone in our skies. He fought against air pollution from neighboring states. He's a climate denier. So, sadly, he fits in well with EPA leadership."

Environmental groups also believe Wheeler has his own ethics baggage, citing reports that he held fundraisers for political patrons in the months ahead of his official nomination to EPA. Brune held out one bit of hope — that Wheeler would face the same obstacles as Pruitt in turning back EPA's environmental protections.

"Any executive with EPA, administrator or deputy, will have a hard time trying to flout the findings of the scientific community and operate against the public will," Brune said. "I don't think Wheeler would be more effective at that than Pruitt has been."

Emily Holden and Anthony Adragna contributed to this report.

To view online click here.

Back

Full text: Pruitt's resignation letter Back

AMERICAN OVERSIGHT

07/05/2018 04:17 PM EDT

The full text of Scott Pruitt's resignation letter:

Mr. President, it has been an honor to serve you in the Cabinet as Administrator of the EPA. Truly, your confidence in me has blessed me personally and enabled me to advance your agenda beyond what anyone anticipated at the beginning of your Administration. Your courage, steadfastness and resolute commitment to get results for the American people, both with regard to improved environmental outcomes as well as historical regulatory reform, is in fact occurring at an unprecedented pace and I thank you for the opportunity to serve you and the American people in helping achieve those ends.

That is why is hard for me to advise you I am stepping down as Administrator of the EPA effective as of July 6. It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring. However, the unrelenting attacks on me personally, my family, are unprecedented and have taken a sizable toll on all of us.

My desire in service to you has always been to bless you as you make important decisions for the American people. I believe you are serving as President today because of God's providence. I believe that same providence brought me into your service. I pray as I have served you that I have blessed you and enabled you to effectively lead the American people. Thank you again Mr. President for the honor of serving you and I wish you Godspeed in all that you put your hand to.

Your Faithful Friend,
Scott Pruitt

To view online click here.

Back

How Scott Pruitt blew it Back

By Alex Guillén and Andrew Restuccia | 07/05/2018 05:50 PM EDT

Scott Pruitt's once bright political future is in freefall after his swift exit as head of the EPA, following an avalanche of revelations about his first-class flights, pricey security trappings, backdoor raises for proteges and cozy deals with lobbyists stretching back to his days as an Oklahoma lawmaker.

Some of the most outlandish news reports about Pruitt's leadership at EPA went viral in recent months because of the bizarre details, such as the accusations that he had used his bodyguards to search for a rare brand of lotion or had tasked an aide with trying to buy a used mattress from the Trump International Hotel.

AMERICAN OVERSIGHT

But beneath it all, according to ethics experts and Pruitt's critics, was the appearance that he had serially misused his Cabinet position, sometimes for simple vanity but occasionally — most consequentially — in ways that benefited himself and his family, drawing civil and potentially even criminal inquiries. And eventually, it was too much even for President Donald Trump, one of Pruitt's most outspoken fans.

Trump said the decision to resign was Pruitt's and that "no final straw" had precipitated the move, which has been in the works for a couple days. But in fact, Trump had begun to grow tired of the torrent of negative news stories about Pruitt and had come to believe they were a distraction that wouldn't go away, according to an administration official.

Among Trump's confidants, North Dakota billionaire oilman Harold Hamm was one of a dwindling number of people defending Pruitt, people close to Hamm and the White House told POLITICO.

"Scott is a terrific guy," Trump told reporters on Air Force One on Thursday after tweeting out the news of Pruitt's resignation. "And he came to me and he said I have such great confidence in the administration. I don't want to be a distraction. And I think Scott felt that he was a distraction."

The news dismayed prominent Republican donor Doug Deason, who told POLITICO late Thursday that he's flabbergasted Trump would send such a loyal foot soldier packing.

"I am just so disappointed in the President's failure to support Scott against the angry attacks from the loony left," said Deason, who had helped Pruitt pick new members of an influential EPA's science advisory board last year. "Nothing he did amounted to anything big. He was THE most effective cabinet member by far."

"Scott Pruitt is a sacrificial lamb and I have no idea why," he added.

Chief of staff John Kelly had been pushing Trump for months to fire Pruitt, and he ramped up his campaign in recent days, according to one person close to the White House. The person described removing Pruitt as one of Kelly's top priorities before leaving the administration, as he's expected to do sometime this summer.

But Kelly's frustration with Pruitt alone would never be enough to secure the EPA administrator's ouster.

At the White House, senior aides were increasingly convinced that Trump would soon push Pruitt out, but they didn't know exactly when and some were caught off guard by Thursday's announcement.

Pruitt, who believes he has a strong personal relationship with Trump, has told allies repeatedly in recent months that he wasn't worried about his job, insisting that the president had his back.

AMERICAN OVERSIGHT

But Pruitt nonetheless showed flashes of irritation over the wave of negative press attention that overtook him. He told aides recently that he believed the reports about him were unfair, adding that he simply didn't understand why people were making such a big deal about his decision to enlist an aide to help his wife secure a Chick-fil-A franchise, according to another person familiar with the matter.

White House staffers had long ago given up on Pruitt, rarely coming to his defense when negative news stories dominated the headlines. Aides were sick of answering questions about the EPA chief and spoke privately about their hope that the president got rid of him. Even Pruitt's own staff had begun to sour on him, with many worrying that their future career prospects would be damaged by their association with Pruitt's tenure.

Each scandal seemed more damning than the last.

Pruitt faced criticism last year for his extensive first-class travel on the taxpayer dime and security expenses including a $43,000 soundproof phone booth in his office. Then news this spring that Pruitt had secured a $50-a-night Capitol Hill condo lease from the wife of a lobbyist kicked off several months of damaging headlines on a nearly daily basis. His staff talked of getting him a $100,000-a-month private jet lease. Two aides who came with him from Oklahoma received massive raises Pruitt was later forced to reverse. He replaced the head of his security detail who wouldn't let him use lights and sirens to zip around the city like the president. And a top career official was dismissed after he questioned the security justifications for Pruitt's beefed up, multimillion-dollar protective detail.

Questions were raised about why Pruitt hired a longtime friend, whose bank over the years issued Pruitt multiple mortgages and helped him buy part ownership of a baseball team, and who was recently banned from the banking industry, to run EPA's Superfund program.

In recent weeks, former Pruitt aides told staffers on the House Oversight Committee about the administrator's search for a high-paying job for his wife and his use of EPA time and staff for personal matters. Although nascent, the new allegations raised questions of whether Pruitt had used his position to benefit his family or himself. Committee aides tell POLITICO their investigation will continue despite Pruitt's departure.

EPA's inspector general opened multiple overlapping probes into Pruitt's activities and spending. House Oversight Chairman Trey Gowdy (R-S.C.) turned heads when he launched his own investigation of Pruitt. Other inquiries are underway by the Government Accountability Office, the Oklahoma Bar Association and even the White House.

Pruitt's controversial activities led conservatives to call for his departure.

"Pruitt is the swamp. Drain it," Laura Ingraham, the conservative pundit known to have Trump's ear, tweeted on Tuesday.

Democrats and environmental groups quickly claimed victory with Pruitt's resignation.

AMERICAN OVERSIGHT

"He made swamp creatures blush with his shameless excesses. All tolerated because President Trump liked his zealotry," Rep. Gerry Connolly (D-Va.) said.

"Ethics matter. So does a commitment to EPA's central mission. Scott Pruitt failed miserably on both counts," said Rhea Suh, president of the Natural Resources Defense Council.

Within the White House, a less splashy headline also helped undermine Pruitt's standing with Trump's inner circle: The news, first reported in early January by POLITICO, that Pruitt was advocating quietly but firmly behind the scenes to replace Jeff Sessions as Trump's attorney general. That ambition was a turning point that soured Pruitt to key White House aides, if not the president himself, officials said in the intervening months. Pruitt grew bolder, eventually directly asking Trump for the DOJ job, CNN reported on Tuesday, just two days before Pruitt resigned.

Pruitt's troubles had been simmering for a long time as other Cabinet officials were picked off following their own scandals or tension with Trump, including HHS Secretary Tom Price, Veterans Affairs Secretary David Shulkin and Secretary of State Rex Tillerson.

His supporters noted that, unlike Price or Tillerson, Pruitt was viewed as an effective and loyal lieutenant to Trump.

"It is extremely difficult for me to cease serving you in this role first because I count it a blessing to be serving you in any capacity, but also, because of the transformative work that is occurring," Pruitt wrote in his resignation letter to Trump.

Pruitt rose to prominence as Oklahoma's attorney general, where he made his name suing the Obama EPA 14 times over what he called gross regulatory overreach. One of his greatest achievements was the Supreme Court's early 2016 decision to block the Clean Power Plan, a massive regulation that set the first-ever carbon dioxide limits on the power industry, while a lower court reviewed the rule — the first time the justices had ever done that.

He convinced Trump that such tenacity would prove useful in fulfilling his many campaign promises to undo almost all of former President Barack Obama's environmental agenda.

It didn't take long after Pruitt had arrived at EPA for him to halt and reverse key regulations Trump had vowed to roll back, including the power plant rule and Obama's Waters of the U.S. rule, which farmers and other industries decried as federal overreach.

But Pruitt went beyond the standard-issue Washington conservative environmental agenda that called for repealing those rules.

EPA is soon expected to propose a much more restricted version of the Clean Power Plan to satisfy legal requirements. But Pruitt has also kept open the option not to replace it at all, a position that most legal experts agree is untenable but which helps satisfy the right-wing groups that want EPA to stop regulating greenhouse gases altogether.

More recently, Pruitt made it clear he was willing to fight California over rolling back auto

AMERICAN OVERSIGHT

emissions standards. Carmakers who asked EPA for tweaks to the program instead found an administrator more than willing to torpedo the fragile national program if one of the most anti-Trump states didn't come to heel.

Pruitt proposed a new science policy that would exclude major public health studies while still accepting industry-backed research, a policy Republicans failed for years to pass out of Congress. He kicked academic researchers receiving funding from EPA off of key advisory boards, often replacing them with industry representatives. He made key policy changes to permitting rules and a key air quality program long sought by industry groups who said EPA was restricting their growth. He launched a review of how EPA calculates costs and benefits, a move that could make it harder to economically justify major regulations.

And he elevated climate change as a culture-war issue in a way that previous Republican administrators avoided.

Pruitt told POLITICO that he didn't even understand when critics called him a "climate denier" in an interview last summer. "What does it even mean? That's what I think about it. I deny the climate? Really? Wow, OK. That's crazy, in my view," he said.

As Hurricane Irma throttled Florida in 2017, the second of three major storms to devastate parts of the U.S. last year, Pruitt told CNN that it was "misplaced" to ask about climate change's effects on extreme weather during the disaster.

And Pruitt routinely criticized the "environmental left" for focusing too much on climate change to the detriment of other environmental problems like Superfund clean-ups and water infrastructure — although green groups said he failed to lead on those issues as well.

The climate change positioning helped Pruitt gain the ear of Trump, who had called the phenomenon a hoax created by the Chinese to disenfranchise U.S. manufacturing.

Pruitt outmaneuvered other top administration officials, including Tillerson and Trump economic adviser Gary Cohn, to convince Trump that the Paris agreement was a bad deal that put America second. Trump then made the U.S. the only nation on Earth to ditch the Paris climate agreement.

Unsurprisingly, Pruitt's rapid rise and strong conservative pedigree drew talk of future political runs.

Although Pruitt eschewed this year's Oklahoma gubernatorial race, many observers suspected he would be the top choice in 2020 to replace Sen. Jim Inhofe (R-Okla.), who has not said whether he will run again but will turn 86 that year. Rumor swirled that the Senate gig would groom Pruitt for a 2024 presidential run, and Pruitt held meetings with politically connected people who could one day be useful for such a campaign, including a company linked to GOP megadonor Sheldon Adelson and an Indiana coal executive-slash-Republican fundraiser.

But Pruitt's political ambitions and penchant for secrecy eventually came back to bite him.

AMERICAN OVERSIGHT

His behind-the-scenes lobbying for Sessions' job earlier this year alienated him to top White House officials, and the slow drip of negative headlines about his travel, spending and hiring irritated them further.

But in late March, the news about his lobbyist-connected condo deal opened the floodgates to a seemingly endless stream of reports about Pruitt's activities.

At first, the drip-drip of damaging stories was embarrassing but manageable.

Then, as part of a media tour that mostly consisted of friendly interviews with conservative outlets, Pruitt found himself forced into defense by a combative Fox News interview. Though the president was publicly supportive of Pruitt, the White House acknowledged it was reviewing his activities.

The investigation launched by Gowdy, the House Oversight chairman planning to retire after this year, showed the first cracks in Pruitt's support on the Hill. Weeks later, Senate Republicans started airing concerns, while Inhofe — a longtime friend of Pruitt's — said he was troubled by reports of Pruitt's past purchase of a large Oklahoma City home from a telecom lobbyist when he was a state senator.

Inhofe, who later said Pruitt had allayed his concerns, praised his fellow Oklahoman's work running EPA in a statement on Thursday.

"He was single minded at restoring the EPA to its proper statutory authority and ending the burdensome regulations that have stifled economic growth across the country," he said. "I was pleased to work with him on critical issues, like pulling out of the Paris Climate Agreement and prioritizing the cleanup of Superfund sites."

If Inhofe ultimately decides to retire but backs someone else to succeed him in 2020, Pruitt's once-clear path to the Senate — and potentially one day the presidency — could be significantly muddied.

Nancy Cook and Anthony Adragna contributed to this report.

To view online click here.

Back

Sources: EPA blocks warnings on cancer-causing chemical Back

By Annie Snider | 07/06/2018 05:02 AM EDT

The Trump administration is suppressing an EPA report that warns that most Americans inhale enough formaldehyde vapor in the course of daily life to put them at risk of developing leukemia and other ailments, a current and a former agency official told POLITICO.

AMERICAN OVERSIGHT

The warnings are contained in a draft health assessment EPA scientists completed just before Donald Trump became president, according to the officials. They said top advisers to departing Administrator Scott Pruitt are delaying its release as part of a larger campaign to undermine the agency's independent research into the health risks of toxic chemicals.

Andrew Wheeler, the No. 2 official at EPA who takes over for Pruitt on Monday, also has a history with the chemical. He was staff director for the Senate Environment and Public Works Committee in 2004, when his boss, then-Chairman Jim Inhofe (R-Okla.), sought to delay an earlier iteration of the formaldehyde assessment.

Formaldehyde is one of the most commonly used chemicals in the country. Americans are exposed to it through wood composites in cabinets and furniture, as well as air pollution from major refineries. The new assessment would give greater weight to warnings about the chemical's risks and could lead to stricter regulations from EPA or class-action lawsuits targeting its manufacturers, as frequently occurs after these types of studies are released.

"They're stonewalling every step of the way," the current official said, accusing political appointees of interfering with the formaldehyde assessment and other reports on toxic chemicals produced by EPA's Integrated Risk Information System. Industry has long faulted the IRIS program, the agency's only independent scientific division evaluating the health risks of toxic chemicals, whose assessments often form the basis for federal and state regulations.

The current official and former official requested anonymity out of fear for their jobs and the impact that speaking out could have on the IRIS program.

Interfering with the formaldehyde study is one of several steps Trump's EPA has taken to side with the businesses the agency is supposed to regulate and undermine the agency's approach to science, critics say. Public health advocates also expressed alarm after Pruitt replaced academic scientists with industry advocates on the agency's influential science advisory boards and sought to limit the types of human health research EPA can rely on in rulemakings.

The officials said Trump appointees have required that career officials receive their permission before beginning the required internal review of the formaldehyde study and have canceled key briefings that would have advanced it. That interference came after EPA career scientists revised the study once already last year to insulate it from political controversy, they said.

In a statement, EPA denied that the assessment was being held back.

"EPA continues to discuss this assessment with our Agency program partners and have no further updates to provide at this time," EPA spokeswoman Kelsi Daniell said. "Assessments of this type are often the result of needs for particular rulemakings and undergo an extensive intra-agency and interagency process."

But as far back as January, Pruitt told a Senate panel that he believed the draft assessment was complete.

AMERICAN OVERSIGHT

Five months later, it has yet to see the light of day. Meanwhile, internal documents show, a trade group representing businesses that could face new regulations and lawsuits if the study were released had frequent access to top EPA officials and pressed them to either keep it under wraps or change its findings.

"As stated in our meeting, a premature release of a draft assessment ... will cause irreparable harm to the companies represented by the Panel and to the many companies and jobs that depend on the broad use of the chemical," Kimberly Wise White, who leads the American Chemistry Council's Formaldehyde Panel, wrote in a Jan. 26 letter to top officials at EPA. The panel represents companies including Exxon Mobil and Koch Industries subsidiary Georgia-Pacific Chemicals LLC that could face higher costs from stricter regulations or lawsuits.

Nearly a million jobs "depend on the use of formaldehyde," White's letter argued.

The holdup is attracting attention on Capitol Hill, where Democrats have already expressed alarm, arguing that the Trump administration has allowed politics to interfere in EPA's scientific assessments of threats such as toxic pollution and climate change.

The agency must "move past politics and focus on its job of protecting human health" by releasing the formaldehyde study, Sen. Ed Markey (D-Mass.) said in a statement to POLITICO.

"Because formaldehyde can be found in everything from wood products to women's hair straighteners, the public health risks are substantial," Markey said. "Delaying the EPA's latest assessment of the health risks of formaldehyde only further endangers the health of Americans."

Public health advocates have similarly expressed fears that the Trump administration has allowed EPA to be captured by the industries it regulates. The revelations about the formaldehyde study come after Pruitt removed academic scientists from the agency's influential science advisory boards and in many cases replaced them with industry advocates, and after he proposed a policy to limit the agency's use of human health data while offering a carve-out for confidential industry studies.

"At every corner, you see the agency trying to either minimize the role of science or manipulate the role of science or just ignore the work of scientists in doing the critical work to ensure that human health and the environment is protected," said Jennifer McPartland, a senior scientist with the Environmental Defense Fund's health program.

POLITICO also reported in May that Trump administration officials, including EPA chief of staff Ryan Jackson, sought to delay an HHS study finding that nonstick chemicals pose health dangers at a lower level than EPA has said is safe.

Insiders anticipate few major policy changes under Wheeler, who is widely expected to continue Pruitt's deregulatory agenda and is well-versed in chemicals issues. He began his career in EPA's chemical safety office, and after leaving Inhofe's staff lobbied for a refrigerants manufacturer that was recently acquired by one of the country's major chemical manufacturers, Chemours Co.,

AMERICAN OVERSIGHT

a DuPont spin-off.

Decades' worth of research has linked formaldehyde to nose and throat cancer and respiratory problems, and newer research has suggested the connection to leukemia — controversial conclusions that would gain significant credence if EPA formally adopts them. The new assessment affirms those links to leukemia, nose and throat cancer and other ailments, according to the current and former officials familiar with its findings.

The new assessment could lead EPA to impose stricter regulations of chemicals refineries or wood products and could spur class-action lawsuits from cancer patients attempting to hold companies responsible for their illnesses.

The agency officials said the political aides blocking the assessment include Jackson and Richard Yamada, a former staffer for House Science Chairman Lamar Smith (R-Texas) who is now a top official in EPA's Office of Research and Development. And they said Nancy Beck, who criticized the IRIS program in her previous job as a top chemical industry expert, is now helping to stymie the program's assessments in her new post as head of EPA's chemical safety office. Jackson, Yamada and Beck did not respond to requests for comment.

The EPA spokeswoman disputed the accusations and said Yamada and Jackson have in fact requested briefings on the assessment.

The current EPA official told POLITICO that political appointees have managed to avoid creating written evidence of their interference with the formaldehyde assessment by refusing to send emails or create other records that could eventually become public, instead using what the official described as "a children's game of telephone."

By blocking the report at the first step of the IRIS review process, political appointees are keeping it from being reviewed by the National Academies of Sciences, an independent panel of the country's top scientists that must weigh in on all such risk assessments. EPA has already paid the academies $500,000 for that review, the highest level of scrutiny a scientific study can receive, but the work cannot start until Pruitt's aides send the study.

"If the administration was really keen on protecting public health, why wouldn't they send this to the National Academy and give it a really good review?" the former EPA official asked. "If it survives that review, then there's a public health problem that needs to be dealt with, and if it doesn't survive the review, then they can point the finger at IRIS and say, 'You're dead.'"

The former official said there would be only one reason not to ask the country's top experts whether they agree with the analysis: "You don't want the answer."

Public health advocates say the administration's attacks on science have had especially significant implications for the IRIS program. The small office of about 35 experts pores through the huge body of existing research on chemicals, including industry-backed studies aimed at proving the substances safe, to independently assess their risks. While purely scientific, the program's reviews are looked to by regulators not just at EPA, but also in the states and around

AMERICAN OVERSIGHT

the world, often paving the way for new or more stringent regulations.

But industry has long targeted the program, arguing it uses an opaque process to decide which studies to rely on and which research to give credence to when findings conflict.

The American Chemistry Council, Beck's former employer, spent more than $7 million last year lobbying EPA and Congress on issues including IRIS, formaldehyde and the policy to limit EPA's use of human health research. Chemicals manufacturers, including Hexion Inc., one of the country's largest manufacturers of formaldehyde, have also spent tens of thousands of dollars on lobbying related to the program this year.

A National Academies panel agreed with some of industry's criticisms of the IRIS program in a blistering review of an earlier iteration of the formaldehyde assessment that recommended major changes to how IRIS decides how much weight to give conflicting studies, although it did not attack the substance of its findings about the health effects of formaldehyde. Critics of the IRIS program have pointed to that review frequently as they have sought to kill it, including in an appropriations battle this spring. The EPA spokeswoman also pointed to that assessment in her statement. "The National Academy of Science and Congress in legislative reports have for years been highly critical of EPA's previous assessments involving formaldehyde," she said.

But EPA has overhauled the program since then, hiring a new director for IRIS and a new head of the National Center for Environmental Assessment, in which it is housed. The changes have received high marks from the National Academies in two more recent reviews, one in 2014 and one this past April. The latest formaldehyde assessment is expected to demonstrate further progress implementing the academies' recommendations, potentially undermining industry critiques of the overall IRIS program if it were to be released.

Although efforts to kill EPA's independent scientific arbiter have so far failed, EPA officials and public health advocates say the program has been significantly hobbled under an administration with close ties to the chemicals industry.

White, the top staffer for the American Chemistry Council's Formaldehyde Panel, wrote EPA three times between September 2017 and January 2018, urging the agency to incorporate industry-funded research that found no link between formaldehyde and leukemia, and arguing that the studies shifted the scientific consensus away from the conclusion that it does. In November, Pruitt appointed her to the agency's influential Science Advisory Board.

Less than a week after the council's Jan. 24 meeting with EPA, Pruitt himself confirmed that the report had been complete for months. During a Senate hearing at the end of January, Markey asked Pruitt for an update on the formaldehyde assessment, saying it was his understanding "that the EPA has finalized its conclusion that formaldehyde causes leukemia and other cancers and that [the] completed new assessment is ready to be released for public review, but is being held up."

"You know, my understanding is similar to yours," Pruitt replied, promising to follow up.

AMERICAN OVERSIGHT

Markey reminded Pruitt of the exchange in a May 17 letter. In a response Thursday, the agency's principal deputy assistant administrator for science, Jennifer Orme-Zavaleta, said EPA "continues to discuss the formaldehyde assessment internally and has no further updates to provide at this time."

To view online click here.

Back

Trump unleashes in Montana Back

By Matthew Nussbaum | 07/05/2018 07:53 PM EDT

President Donald Trump went on offense on Thursday at a campaign-style rally in Montana, deriding the state's Democratic senator but also launching attacks against the Justice Department, the media, Hillary Clinton, Sen. Elizabeth Warren, the "Me Too" movement and more.

He previewed themes he will highlight as he works to unseat Democratic senators in the midterm elections, while returning to many of his favorite 2016 attacks.

"It's time to retire liberal Democrat Jon Tester," Trump declared to a raucous crowd during the hourlong address in Great Falls, Montana. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi and the new leader of the Democrat Party Maxine Waters."

Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions.

"You wouldn't think he'd play very well out here. How did he get elected?" Trump wondered aloud. "You can right your wrong in November."

He also returned to scathing attacks on the news media just one week after a gunman killed five journalists at a Maryland newspaper.

He derided the press as "fake news," "bad people" and "so damn dishonest."

"They're fake," he said, pointing at the press area in the arena. "These are really bad people."

In a winding speech, Trump also accused the Justice Department of corruption, bragged about his 2016 election win, spoke about his upcoming meeting with Russian President Vladimir Putin and declared that Rep. Maxine Waters, a frequent Trump critic, has an IQ in the "60s."

He repeated, falsely, that he was the first Republican candidate to win Wisconsin since 1952 and repeated his unfounded conspiracy theory that there was extensive voter fraud during the 2016 election. He also mocked Warren at length, deriding Massachusetts Democratic senator as "Pocahontas" and saying he would get her to take a DNA test if she runs against him in 2020 —

AMERICAN OVERSIGHT

though he added derisively he would do it carefully because of the "Me Too era."

Warren hit back in a tweet, saying the Trump administration is "conducting DNA tests" on children separated from their families at the border.

The nearly hourlong address was the type of unscripted speech in which Trump delights, riling his base beneath banners reading "Promises Made, Promises Kept."

Trump carried the state by 20 points in 2016, but Republicans face a tough fight to unseat Tester in the state in 2018. Tester is facing off against Republican nominee Matt Rosendale, the state auditor and a former member of the Montana Legislature.

Tester, the top Democrat on the Senate Veterans Affairs Committee, has been on the receiving end of personal barbs from Trump after he played a crucial role in sinking Trump's nominee for Veterans Affairs secretary, White House physician Ronny Jackson.

Trump spoke at length about the Jackson debacle, accusing Tester of "shameful, dishonest attacks on a great man."

The attacks were similar to those Trump made against Tester in the midst of the controversy.

"Allegations made by Senator Jon Tester against Admiral/Doctor Ron Jackson are proving false," Trump tweeted in April as damaging reports about Jackson were emerging. "The Secret Service is unable to confirm (in fact they deny) any of the phony Democrat charges which have absolutely devastated the wonderful Jackson family. Tester should resign."

"Tester should lose race in Montana. Very dishonest and sick!" Trump added on Twitter.

The invective does not seem to have bothered Tester, who took out full-page newspaper ads in the state Thursday that read: "Welcome to Montana & Thank You President Trump," and listing "Jon's 16 bills signed into law by President Trump" — a clear attempt to show the state's Trump-friendly voters that the senator can work with the president.

Trump is scheduled to travel to his golf club in Bedminster, New Jersey, after the rally. He told reporters he will meet over the weekend with Vice President Mike Pence and staff ahead of Monday's planned announcement of his Supreme Court nominee to fill the seat vacated by Justice Anthony Kennedy.

To view online click here.

Back

House readies Financial Services, Interior-Environment spending bills for floor Back

By Sarah Ferris | 07/05/2018 02:41 PM EDT

AMERICAN OVERSIGHT

House GOP leaders are planning to bring another spending bundle to the floor this month, according to a notice posted today by the Rules Committee.

The House's next funding package will wrap together its fiscal 2019 Interior-Environment, H.R. 6147 (115), and Financial Services, H.R. 6258 (115), spending bills. It is slated for floor action the week of July 16, one week after Congress returns from its July Fourth recess.

It would be the House's second so-called minibus of the fiscal year, after approving a three-bill bundle, H.R. 5895 (115), last month, which included Energy-Water, Military Construction-VA and Legislative Branch. The House also passed a bipartisan Defense spending bill (H.R. 6157 (115)) just before leaving for recess.

Both the Interior-Environment and Financial Services bills are flat-funded compared to current spending levels, though not all agencies and programs would see the same levels. The Environmental Protection Agency, for instance, would be cut by $100 million, while the Internal Revenue Service would see an increase of $186 million.

Unlike the Senate's version of those two bills, the House bills include partisan riders, such as a full repeal of the Obama-era Waters of the United States rule.

If the second minibus succeeds, the House will have passed six out of 12 spending bills. The end of the fiscal year is Sept. 30.

To view online click here.

Back

Perry's 'national security' push for grid draws skepticism on the Hill Back

By Darius Dixon | 06/19/2018 04:21 PM EDT

The Trump administration is having a hard time winning over skeptics to its claim that the retirement of coal-fired and nuclear power plants poses a national security threat.

For more than a year, Energy Secretary Rick Perry has argued that letting those struggling generators shut down would threaten the power grid's ability to bounce back from an attack or severe storm. Although he's failed to persuade federal power regulators to prop up the plants, Perry is pushing that argument with the National Security Council in an effort to head off new closures.

Some congressional Republicans said though they are sensitive to the national security concerns and woes of the coal industry, they doubted the grid faces the dire situation that Perry has predicted, and they are wary of intervening in the energy markets.

AMERICAN OVERSIGHT

"I'm a Navy guy. I want our country secure," said Rep. Pete Olson (R-Texas). "But their arguments haven't been about security. It's been about propping up coal and nuclear power."

Olson authored the legislative language that was added to the 2015 FAST Act and expanded Perry's ability to intervene in grid operations during an emergency. But he said the Energy Department's arguments, contained in paper that leaked earlier this month, failed to convince him that shutting down money-losing plants presented a threat to national security.

"A crisis to me means the power is going out. But to support some jobs in some parts of the country, eh, that's not what the bill is designed to do," he said. "Our bill was just to deal with crisis, not to deal with this."

His comments echoed the sentiments of Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska), who told the committee last week she had "concerns" about DOE interfering in the power markets.

Coal-fired power plant closures slowed in 2017, but they are expected to accelerate next year with 12.5 gigawatts of capacity expected to shut down, according to Bloomberg New Energy Finance. That figure is near the record retirements of 15 GW set in 2015. Energy experts and even a Perry-directed DOE analysis last year put blame for the plants' demise on stagnant power demand and the rise of natural gas and renewables.

But the draft DOE paper that recently leaked showed that the agency has considered using its authority under the Federal Power Act's 202(c) provision to "temporarily delay retirement of fuel-secure electric generation resources" while threats to natural gas and electric infrastructure are assessed. And it also considered using the Defense Production Act to require power purchases from endangered plants in an effort to put off shutdowns for two years.

President Donald Trump has repeatedly told Perry to step in to help the plants, including earlier this month when he directed Perry to take "immediate steps" to staunch coal and nuclear plant retirements. He called on the former Texas governor to hold a news conference to announce a plan.

It's not the only issue where the Trump administration has invoked "national security" to defend a controversial action. Trump has threatened to use a trade law that leverages national security to impose tariffs on imported vehicles, the same law the administration used to to put tariffs on steel and aluminum.

"Let's face it, there's an awful lot of stuff being lumped into national security," former Obama Energy Secretary Ernest Moniz told POLITICO. "How this works out, I don't know. But I do know we need to ... do appropriate analyses when called for that do not have national security being used willy-nilly to accomplish all kinds of goals that are not necessarily the right ones."

Moniz acknowledged Perry had wide latitude under the law to declare a grid emergency, but he said that didn't absolve the administration from needing to prove there's a real crisis on the power grid.

AMERICAN OVERSIGHT

"Reliability and resilience are public goods. We just haven't seen any analysis that suggests that this is a pathway that's needed to address that," he said.

Jason Bordoff, who served as Obama's senior National Security Council aide for energy and climate, said he fears the current fight could drag the real threat of cybersecurity into the political fray.

"The bigger risk would be a very legitimate issue of the cyber vulnerability of the grid becomes politicized because it gets wrapped up in this policy objective to save the coal industry as well as nuclear," said Bordoff, who is now director for the Center on Global Energy Policy at Columbia University.

Even Rep. Joe Barton, a longtime stalwart Perry ally, said he was skeptical of DOE's insistence that the grid was facing a national security threat from the plant closures.

"They're scrounging around for a way to keep some of these nuclear plants and coal plants viable and they're using that particular argument," the Texas Republican said. "To me, it's not persuasive, but I understand what they're trying to do."

There are real national security threats against the electric grid from electromagnetic pulses, physical attacks and cyber intrusions, Barton said, adding that "in most cases, it's a mistake to use a national security argument to keep a plant in operation that normal market forces would probably close."

Other Perry allies weren't sure how effective the Trump administration's strategy would be. GOP lobbyist Mike McKenna, who helped run Trump's DOE transition team, said the agency laid out the "single best set of arguments for preserving coal and nuclear generation." Still, he said, the options laid out in the DOE document probably would not achieve the protection that coal and nuclear advocates are seeking. And the national security arguments didn't seem to be gaining much traction.

"The national security angle has its advantages and its limits — not the least of those is that not too many people can and do make the argument that national security is really impaired by the closure of coal power plants," he said in an email. "It would probably be better if advocates focused on the potential over-reliance on one source (natural gas) in both electricity generation, and, if utilities get their way, in transportation fuels."

FERC shot down a regulation from Perry aimed at protecting the coal and nuclear generators earlier this year, and FERC commissioners told a Senate hearing last week that the grid faced no imminent threat, drawing praise from industry groups.

Deputy Energy Secretary Dan Brouillette argued that national security has always been DOE's focus, and he said that the agency's critics aren't seeing the whole picture from their industry's silos. "That's what they get paid to do. But that's not what the secretary gets paid to do and we're going to approach this with a broader view," he told POLITICO.

AMERICAN OVERSIGHT

And he shrugged off comments from FERC commissioners that the electricity markets they oversee were operating efficiently and offered the best way to address security concerns.

"Is the market a factor here at the end of the day? Yes, it is. But we're not in this to have an economics classroom debate about theories of markets," he said. "The markets, in some respects, are not designed to produce a national security outcome."

Brouillette also said the White House had not given it a deadline, and there was no decision yet on whether to invoke any authorities.

"There has been no decision and we're [not] just working backwards," he said. "If we get to the point where there's a proposal or a proposed solution to a problem that we find, then perhaps Congress has a role. But at this point, we're nowhere near that stage."

For FERC and its supporters, countering the DOE claim that national security is at stake may take more than technical arguments. Sarah Ladislaw, who directs the Center for Strategic and International Studies' energy and national security program, said many of the rebuttals from FERC commissioners so far were akin to "bringing a spoon to a knife fight."

"The idea that market efficiency is supposed to trump national security is exactly the reason why national security provisions exist. They're there to protect things that may not make economic sense. ... I think it's an entirely different game from a legal perspective," Ladislaw said. "It's really hard to prove that a national security measure is bogus."

Oregon Sen. Ron Wyden said he would stick to the economic arguments and pointed out the high potential cost of DOE's proposal, even as the administration sought to change the conversation.

"Around here, if you can trod out national security for just about anything ... the leverage goes to you," he said. But, he added, "I'm pounding the ratepayer issue [because] that's the one issue that I think puts a stake right in the guts of their argument."

And other Democrats are fuming that the agency is even considering the use of its rarely tapped emergency authorities.

"It's about abuse of power. You can't just start claiming a national security justification that clearly has nothing to do with national security, and that's a very dangerous road to go down," said Sen. Martin Heinrich (D-N.M.).

To view online click here.

Back

DOE names Tripodi as acting EERE chief Back

AMERICAN OVERSIGHT

By Darius Dixon | 07/05/2018 03:24 PM EDT

Cathy Tripodi has been named the Energy Department's acting assistant secretary for energy efficiency and renewable energy while the Trump administration's permanent pick awaits confirmation, according to an email obtained by POLITICO.

Dan Simmons, who had been EERE's top political appointee for more than a year, was nominated last month by the White House to officially fill the job. "As the confirmation process moves forward, Daniel has moved to Environmental Management to serve as an advisor to their leadership team," Alex Fitzsimmons, who has been Simmons' chief of staff, wrote in an email to EERE staff today.

Tripodi joined DOE in January 2017 and has been the director of DOE's Lab Operations Board, which aims to coordinate research and mission objectives between the agency headquarters and its far-flung national laboratories. She has been named as principal deputy assistant secretary in EERE and will serve in the job temporarily, while also retaining her position as Lab Operations Board director.

After working as a policy adviser to then-FERC Chairman Pat Wood in the mid-2000s, she held a number of positions in state government, including business affairs director for North Carolina and energy director in Indiana.

Greenwire reported Tripodi's appointment earlier today.

WHAT'S NEXT: Simmons had a nomination hearing late last month before the Senate Energy and Natural Resources Committee, but no confirmation vote has been scheduled.

To view online click here.

Back

Puerto Rico governor to challenge federal board in court Back

By Colin Wilhelm | 07/05/2018 10:48 AM EDT

Puerto Rico Gov. Ricardo Rosselló said today his government will go to court to challenge the authority of the U.S. territory's federal oversight board to impose policies on the commonwealth.

The board, established by Congress to address Puerto Rico's debt, mandated cuts to pensions and government spending in its most recent recovery plan. Proposed changes to labor laws, in part to make it easier to hire and fire employees, have also become a hotly contested issue.

Rosselló said in a release that he would challenge the board's ability to do anything more than make recommendations.

AMERICAN OVERSIGHT

In a statement issued this morning, the board said it would "vigorously defend" its authority.

The lawsuit runs contrary to statements by the author of the debt-relief law that created the board. In an amicus brief submitted last Friday in a separate case, Rep. Rob Bishop (R-Utah) said Puerto Rico must comply with the plan laid out by the federal board.

In his release today, Rosselló said lawyers for his government would request an injunction to halt the board's actions, which he characterized as usurping the power of local elected officials, while the case plays out in court.

The governor has intermittently worked alongside and clashed with the board since he took office at the beginning of last year. His stance today is similar to one he took with the board in court over similar battle lines last year, only for the fight to be put on hold as hurricanes devastated the island.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: E&E News
Sent: Wed 4/11/2018 11:22:07 AM
Subject: April 11 -- Energywire is ready

Read today's Energywire on the web

AN E&E NEWS PUBLICATION

ENERGYWIRE — Wed., April 11, 2018

READ FULL EDITION

1.POLITICS:

Could oil taxes, striking teachers shift Okla.?

Lawmakers in Oklahoma are facing fallout from a tax hike and a teacher walkout. There could be more turmoil if EPA Administrator Scott Pruitt, who was the state attorney general until early 2017, decides to run for governor.

TOP STORIES

2.NEWSMAKER:

To Perry devotee, Texas market is 'experiment in freedom'

3.SECURITY:

White House departure creates another cyber vacancy

4.SUPERFUND:

Watchdog group sues again on Tar Creek, seeks Inhofe emails

ELECTRICITY

5.SECURITY:

DHS brews a 'Cyber Storm' for critical infrastructure

6.POWER MARKETS:

FirstEnergy's call for help gets little sympathy

7.PEOPLE:

Former oil and gas rep confirmed as Kan. utilities regulator

OIL AND GAS

8.GAS EXPORTS:

Cove Point LNG launches East Coast exports

9.BUSINESS:

Devon sheds 300 more jobs

10.PEOPLE:

Texas oil regulator taps its CFO as new leader

11.TECHNOLOGY:

Oil majors jostle for supercomputing edge

12.OFFSHORE DRILLING:

BP to tap two new blocks in North Sea

Get all of the stories in today's Energywire, plus an in-depth archive with thousands of articles on your issues, detailed Special Reports and much more at https://www.energywire.com.
Forgot your passcodes? Call us at 202-628-6500 now and we'll set you up instantly.

To send a press release, fax 202-737-5299 or email editorial@eenews.net.

ABOUT ENERGYWIRE – The Transformation of the Energy Sector

Energywire is written and produced by the staff of E&E News. Energywire is designed to bring readers deep, broad and insightful coverage of the transformation of the energy sector. Energywire focuses on the business, environmental and political issues surrounding the rapidly expanding unconventional energy industry and the numerous factors -- from expanding natural gas use to renewables and more -- that are altering the traditional electric utility industry. Energywire publishes daily at 9:00 a.m.

Unsubscribe | Our Privacy Policy

AMERICAN OVERSIGHT

E&E News
122 C Street NW 7th Floor Washington, DC 20001
Phone: 202-628-6500 Fax: 202-737-5299
www.eenews.net
All content is copyrighted and may not be reproduced or retransmitted without the express consent of Environment & Energy Publishing, LLC.
Prefer plain text? Click here.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/5/2018 12:38:31 PM
Subject: July 05 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 05, 2018 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Florida

WATER
Southwest Florida WMD/Guidance and Minimum Levels for Lakes
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop to consider amendments to regulations under FAC 40D-8 regarding proposed guidance and minimum levels for lakes Allen, Harvey, and Virginia in Hillsborough County. The workshop is scheduled for July 16, 2018, in Lutz. Contact: Donna Campbell; SWFWMD; 352-796-7211

—Florida Publication Date: 07/02/2018.

Regulatory Update

Michigan

OIL AND GAS INDUSTRY
Oil and Gas Operations/Injection Wells
Michigan OIL AND GAS INDUSTRY

Final rule of the Department of Environmental Quality, Oil, Gas, and Mineral Division, amends and adopts regulations under MAC 324 to establish requirements for protection of underground sources of drinking water for injection well drilling and operations. The rule also revises single well bond amounts to require companies to submit a financial assurance for any new well adequate to cover current anticipated plugging costs. In addition, the rule addresses minor surface location changes and permit extensions. The rule is issued in anticipation of the state receiving Class II primacy under the federal Safe Drinking Water Act, Section 1425. The rule is effective June 7, 2018. Contact: Adam Wygant; DEQ, Oil, Gas, and Minerals Division; 517-897-4828; wyganta@michigan.gov

AMERICAN OVERSIGHT

—Michigan Publication Date: 07/01/2018. Citations: R 324.103 (amended); R 324.201 (amended); R 324.206 (amended); R 324.208 (amended); R 324.212 (amended); R 324.703 (amended); R 324.704 (amended); R 324.801 (amended); R 324.802 (amended); R 324.803 (amended); R 324.804 (amended); R 324.805 (amended); R 324.806 (amended); R 324.807 (amended); R 324.808 (amended); R 324.809 (new); R 324.810 (new); R 324.811 (new); R 324.812 (new); R 324.813 (new); R 324.814 (new); R 324.815 (new); R 324.816 (new); R 324.1002 (amended)

Regulatory Update

WATER
Public Water Supplies/Lead Action Level
Michigan WATER

Final rule of the Department of Environmental Quality, Drinking Water and Municipal Assistance Division, amends regulations under MAC 325 to reduce the 90th percentile lead level exceedance standard to 0.012 milligram/liter, effective Jan. 1, 2025. The rule also requires water suppliers to examine customers' entire water systems to determine the source of lead if test results exceed 0.010 milligram/liter. In addition, the rule requires collection of two compliance samples per site, establishes deadlines for lead service line replacement based on the size of the population served, and increases water quality parameter monitoring. Finally, the rule requires community supplies serving a population of 50,000 or more to establish a water system advisory council, requires distribution system materials inventories to be updated and submitted to the department, and limits the ability of municipal water supplies to reduce monitoring. The rule is effective June 14, 2018. Contact: Suzann Ruch; DEQ; Drinking Water and Municipal Assistance Division; 517-284-6544; DEQ-LCR-Comments@michigan.gov

—Michigan Publication Date: 07/01/2018. Citations: R 325.10102 (amended); R 325.10105 (amended); R 325.10108 (amended); R 325.10401a (amended); R 325.10405 (amended); R 325.10410 (amended); R 325.10413 (amended); R 325.10420 (amended); R 325.10604f (amended); R 325.10710a (amended); R 325.10710b (amended); R 325.10710d (amended); R 325.11506 (amended); R 325.11604 (amended); R 325.11606 (amended)

Regulatory Update

Nevada

MINING
Mining Facilities and Operations/Permit Notification
Nevada MINING

Notice announces the intention of the State Environmental Commission to amend regulations under NAC 445A and 519A regarding notice of intent to issue permits for mining facilities and mining operations or exploration projects. The rule would update the process for public notification of permitting decisions to allow the agency to post application denial and permit notices online. A comment due date is not specified. Contact: Valerie King; SEC; 775-687-9374

—Nevada Publication Date: 07/01/2018. Citations: NAC 445A.402 (amended); NAC 519A.185 (amended)

Regulatory Update

AMERICAN OVERSIGHT

OCCUPATIONAL SAFETY AND HEALTH

Historic Power Boilers

Nevada OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Business and Industry, Division of Industrial Relations, to amend and adopt regulations under NAC 455C to define and establish requirements for design, testing, and operation of historic power boilers. The rule would require prior authorization from the Mechanical Compliance Section before operation of a historic power boiler and specify application requirements, including reports of the maximum allowable working pressure calculations and ultrasonic testing. The rule also would specify a process for determining whether publications adopted by reference should be updated following revision. In addition, the rule would specify the maximum allowable working pressure and the minimum safety factor calculations and require maintenance of an operational log. Finally, the rule would address inspections, repairs, and alterations. A comment due date is not specified. Contact: DIR, Mechanical Compliance Section; 775-688-3750

—Nevada Publication Date: 07/01/2018. Citations: NAC 455C (amended); NAC 455C.064 (amended); NAC 455C.156 (amended); NAC 455C.182 (amended); NAC 455C.184 (amended); NAC 455C.232 (amended); NAC 455C.234 (amended); NAC 455C.270 (amended); NAC 455C.278 (amended)

Regulatory Update

New Jersey

GENERAL ENVIRONMENT AND SAFETY

Department of Environmental Protection Practice and Procedure

New Jersey GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Protection readopts with amendments regulations under NJAC 7:1D to update provisions concerning general practice and procedure. The rule updates language for gender neutrality and corrects department addresses. The rule is effective July 2, 2018. Contact: DEP; 609-777-3373

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:1D-2.4 (amended); NJAC 7:1D-2.7 (amended)

Regulatory Update

SOLID WASTE

Electronic Waste Management

New Jersey SOLID WASTE

Notice of the Department of Environmental Protection, Office of Legal Affairs, announces action on a rulemaking petition to amend regulations under NJAC 7:26A-13 regarding electronic waste management to implement 2017 legislation. The petitioner, the Consumer Technology Association, requests that the department clarify how it will obtain, verify, and use data to

AMERICAN OVERSIGHT

calculate and enforce manufacturers' market share in weight obligations; provide criteria for any convenience requirements, such as the number of permanent collection sites required per county; and allow manufacturers or their designated organizations to audit recyclers and collectors to ensure the accuracy of data reported. The petitioner also requests that the department provide procedures and time frames for calculating market share in weight obligations for upcoming program years and determining compliance and to provide guidance on when manufacturers may apply additional covered electronic device collection and recycling pounds toward their market share in weight obligations. The department has determined to refer the petition for further deliberation. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:26A-13

Regulatory Update

TOXIC SUBSTANCES
Fireworks/Sparkling Devices and Novelties
New Jersey TOXIC SUBSTANCES

Proposed rule of the Department of Community Affairs, Division of Fire Safety, would amend regulations under NJAC 5:70 to update the definition of "fireworks" to exclude "sparkling devices and novelties" and define such devices separately. The rule also would set forth requirements for storage and retail sales to the public of sparkling devices and novelties in any temporary or permanent structure when the pyrotechnic content exceeds 125 pounds. Comments are due Aug. 31, 2018. Contact: Geraldine Callahan; DCA, Division of Fire Safety; 609-633-6106; Geraldine.Callahan@dca.nj.gov

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 5:70-2.7 (amended); NJAC 5:70-3.2 (amended)

Regulatory Update

WATER
List of Water Quality Limited Waters
New Jersey WATER

Notice of the Department of Environmental Protection, Division of Water Monitoring and Standards, requests water quality data and information to be considered in the development of the 2020 list of Section 303(d) water quality limited waters. The notice addresses data quality requirements and specifies repositories for data submission. The notice also includes the biennial deadlines for data submittal for lists through the 2030 list. Submissions are due Sept. 30, 2018. Contact: Jack Pflaumer; DEP, Bureau of Environmental Analysis, Restoration, and Standards; 609-633-1441; Jack.Pflaumer@dep.nj.gov

—New Jersey Publication Date: 07/02/2018.

Regulatory Update

WATER
Sale of Water from the Manasquan Reservoir Water Supply System
New Jersey WATER

AMERICAN OVERSIGHT

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Manasquan Reservoir water supply system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-4.3 (amended); NJAC 7:11-4.4 (amended); NJAC 7:11-4.5 (amended); NJAC 7:11-4.6 (amended)

Regulatory Update

WATER
Sale of Water from the Raritan Basin System
New Jersey WATER

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Raritan Basin system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-2.3 (amended); NJAC 7:11-2.4 (new); NJAC 7:11-2.5 (new); NJAC 7:11-2.6 (new)

Regulatory Update

North Carolina

WATER
Water Treatment Facility Operators/Applicants, Facility Classification
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Water Treatment Facility Operators Certification Board, would amend regulations under 15A NCAC 18D to update provisions concerning qualifications of applicants and classification of public water systems. The rule would require owners of public water facilities to notify the board of vacancies that result in noncompliance with public water systems provisions within 10 days and make editorial and technical revisions. A hearing is scheduled for Aug. 7, 2018, in Raleigh. Comments are due Aug. 31, 2018. Contact: Jay Frick; DEQ; 919-707-9102

—North Carolina Publication Date: 07/02/2018. Citations: 15A NCAC 18D .0206 (amended)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT

AMERICAN OVERSIGHT

HAZARDOUS WASTE MANAGEMENT
Hazardous Recyclable Materials/Contaminated Wipes and Apparel
Ohio HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Ohio EPA would amend regulations under OAC 3745-51 to revise hazardous recyclable materials requirements by conditionally excluding certain contaminated wipes and apparel from state and federal standards. The rule would exclude rags, mops, drop cloths, and apparel made of certain materials that are laundered and intended for reuse and are not already excluded under the Solvent Wipes Rule. The rule also would update and clarify storage and transportation requirements for such materials and update citations to federal standards. A hearing is scheduled for July 31, 2018, in Columbus. Comments are due July 31, 2018. Contact: Jacquelyn Keller; Ohio EPA, Division of Hazardous Waste; 614-644-2924; Jacquelyn.Keller@epa.ohio.gov

—Ohio Publication Date: 07/02/2018. Citations: OAC 3745-51-06 (amended)

Regulatory Update

Oregon

OCCUPATIONAL SAFETY AND HEALTH
Outdoor Production Pesticide Applications
Oregon OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Consumer and Business Services, Occupational Safety and Health Division, adopts regulations under OAR 437-004 to establish restrictions associated with outdoor production pesticide applications for workers or others who are adjacent to pesticides being applied in outdoor production areas. The rule specifies that if drift makes contact with labor housing areas, including enclosed agricultural structures within an application exclusion zone, employers must ensure that it is cleaned up with a minimum of employee or housing occupant exposure. The rule is effective Jan. 1, 2019. Contact: Heather Case; DCBS, Occupational Safety and Health Division; 503-947-7449; heather.case@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 437-004-6405 (new); OAR 437-004-6406 (new)

Regulatory Update

WATER
Nonmotorized In-Stream Placer Mining Authorizations
Oregon WATER

Final rule of the Department of State Lands adopts regulations under OAR 141-089 to specify that nonmotorized in-stream placer mining authorizations within indigenous anadromous salmonid habitat will expire on Dec. 31 of each calendar year. The rule also specifies that such authorizations are nontransferrable. The rule is effective July 1, 2018. Contact: Anne Friend; DSL; 503-986-5245; anne.m.friend@state.or.us

AMERICAN OVERSIGHT

—Oregon Publication Date: 07/01/2018. Citations: OAR 141-089-0827 (new)

Regulatory Update

WATER
Watershed Enhancement Technical Assistance Grants
Oregon WATER

Final rule of the Watershed Enhancement Board adopts and repeals regulations under OAR 695-030 to revise administrative rules for technical assistance grants. The rule establishes eligibility and application requirements and specifies evaluation criteria for technical design and engineering, resource assessment and planning, and organizational technical assistance grant applications. The rule also establishes procedures for technical review, funding decisions, and staff funding recommendations for grant applications that require the board to make a funding decision and grant applications seeking grant funds that have been delegated by the board to the executive director. In addition, the rule addresses the waiver and periodic review of rules and grant agreement conditions. The rule is effective June 28, 2018. Contact: Eric Hartstein; WEB; 503-986-0029; eric.hartstein@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 695-030-0005 (new); OAR 695-030-0015 (new); OAR 695-030-0025 (new); OAR 695-030-0035 (new); OAR 695-030-0045 (new); OAR 695-030-0050 (repealed); OAR 695-030-0055 (new); OAR 695-030-0060 (repealed); OAR 695-030-0065 (new); OAR 695-030-0075 (new); OAR 695-030-0085 (new); OAR 695-030-0095 (new); OAR 695-030-0100 (repealed)

Regulatory Update

Rhode Island

OCCUPATIONAL SAFETY AND HEALTH
Boilers and Pressure Vessel Inspection
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Training would amend regulations under 260-RICR-30-10-2 to incorporate by reference the 2017 American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors. The rule also would revise fee requirements for certificate inspection by the state inspector, existing power boilers, and GR-1 inspection of boilers and pressure vessels. A hearing is scheduled for July 20, 2018, in Cranston. Comments are due July 30, 2018. Contact: Sean Fontes; DLT; 401-462-8890; sean.fontes@dlt.ri.gov

—Rhode Island Publication Date: 07/01/2018. Citations: 260-RICR-30-10-2 (amended)

Regulatory Update

Utah

AMERICAN OVERSIGHT

AIR
Definitions/PM-2.5 Precursors
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise regulations under R307-101 to update the definition of PM-2.5 precursor to reflect federal standards. The rule would add ammonia as a precursor to fine particulate matter (PM-2.5), except where a demonstration satisfying 40 CFR 51.1006(a)(3) has determined otherwise. The rule also would specify that ammonia is exempted in the Logan PM-2.5 nonattainment area. The changes clarify that ammonia precursor exemptions are exempt upon EPA approval. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-101-2 (amended)

Regulatory Update

AIR
Nonattainment Area New Source Review
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise the nonattainment new source review (NNSR) permitting program to allow for control of fine particulate matter (PM-2.5). The rule would clarify lowest achievable emission rate requirements and applicable offset requirements and update definitions. The rule also would exempt ammonia as a PM-2.5 precursor in the Logan nonattainment area where a demonstration supporting that conclusion has been submitted to the EPA. The changes specify which portion of the rule supplements permitting requirements; clarify the EPA's role in approving demonstrations; and address potential increases of nitrogen oxides, sulfur dioxide, and PM-2.5 precursors. The changes also require that emission offsets be surplus, permanent, quantifiable, and federally enforceable; clarify that offsets may not be traded between pollutants except under specified conditions; and clarify one-to-one ratio requirements. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-403

Regulatory Update

AIR
State Implementation Plan/Control Measures Area and Point Sources
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, would amend regulations under R307-110 regarding Section IX, Part H, of the state implementation plan (SIP) concerning control measures for area and point sources and emission limits and operating practices. The rule would change the amendment date to Sept. 5, 2018, to match the anticipated Air Quality Board approval date of amendments to that portion of the SIP. Comments are due Aug. 15, 2018. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-110-17 (amended)

AMERICAN OVERSIGHT

Regulatory Update

Washington

AIR
Agricultural Burning
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-430 to update agricultural burning standards. The rule would address inadequacies that were raised in an October 2016 letter by the State Auditor's Office and relocate provisions under the agricultural burning fee schedule and permit fee distribution standards. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-430 (amended)

Regulatory Update

AIR
Kraft Pulping Mills, Sulfite Pulping Mills, and Primary Aluminum Plants
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-405, -410, and -415 to update air quality standards for kraft pulping mills, sulfite pulping mills, and primary aluminum plants. The rule would conform with revisions to general air pollution source requirements under WAC 173-400 that were made in response to the EPA's June 12, 2015, startup, shutdown, or malfunction state implementation plan call final rule. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-410 (amended); WAC 173-415 (amended); WAC 173-405 (amended)

Regulatory Update

AIR
Southwest Clean Air Agency/Asbestos Standards
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 476-040 through · 80 to update requirements for asbestos surveys, notification, emission control, and disposal. The rule clarifies and updates inspection and sampling procedures, adds an alternative procedure, and adds inspection reporting requirements. The rule also reduces the notification period for asbestos removal and demolition to 10 calendar days, adds procedures for abandoned asbestos-

AMERICAN OVERSIGHT

containing materials, and adds state of emergency procedures for public disasters. In addition, the rule requires asbestos-containing materials to be stored in leak tight containers, adds waste tracking requirements, and increases the notification period for fire training burns to 10 calendar days. The rule is effective July 14, 2018. Contact: Gerald Strawn; SWCAA; 360-574-3058; gerry@swclearnair.org

—Washington Publication Date: 07/04/2018. Citations: Uncodified

Regulatory Update

OIL AND GAS INDUSTRY
Utilities and Transportation Commission
Washington OIL AND GAS INDUSTRY

Final rule of the Utilities and Transportation Commission amends regulations under WAC 480-14 through -120 (nonconsecutive) to revise standards for solid waste and refuse collection companies, hazardous liquids pipelines, and gas companies. The rule updates the incorporation by reference of federal standards and other adopted publications. The rule is effective July 20, 2018. Contact: Gregory Kopta; UTC; 360-664-1355

—Washington Publication Date: 07/04/2018. Citations: WAC 480-14-999 (amended); WAC 480-15-999 (amended); WAC 480-30-999 (amended); WAC 480-31-999 (amended); WAC 480-70-201 (amended); WAC 480-70-999 (amended); WAC 480-73-999 (amended); WAC 480-75-999 (amended); WAC 480-90-999 (amended); WAC 480-93-999 (amended); WAC 480-100-999 (amended); WAC 480-108-999 (amended); WAC 480-109-999 (amended); WAC 480-120-999 (amended)

Regulatory Update

West Virginia

GENERAL ENVIRONMENT AND SAFETY
Exchange of Information Agreement/Tax and Environmental Protection Departments
West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would repeal regulations under 110 WVCSR 50A to remove obsolete provisions concerning the exchange of information agreement between the Tax Department and the Department of Environmental Protection. The provisions would be consolidated under 110 WVCSR 50C in a concurrent proposed rule. Comments are due July 27, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50A-1 (repealed); 110-50A-2 (repealed); 110-50A-3 (repealed)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Interagency Exchange of Information Agreement

AMERICAN OVERSIGHT

West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would adopt regulations under 110 WVCSR 50C to authorize the exchange of certain information under a written interagency agreement between the Tax Department and other state agencies. The rule would address the sharing of confidential taxpayer information for purposes of premium collection, tax collection, or licensure requirements. The rule also would consolidate existing provisions for such agreements with individual agencies, including the Department of Environmental Protection under 110 WVCSR 50A, which is proposed for repeal concurrently. Comments are due July 26, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50C-1 (new); 110-50C-2 (new); 110-50C-3 (new); 110-50C-4 (new); 110-50C-5 (new)

Regulatory Update

Privacy Policy | Terms of Service | Manage Your Email | Contact Us

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. .
EHS State Regulatory Alert

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/15/2018 8:13:53 PM
Subject: Afternoon Energy, presented by the National Rural Electric Cooperative Association: Top ethics office eyes Pruitt action — EPA in waiting — Democrats tell Interior to stop rushing ANWR review

By Garrett Ross and David Beavers | 06/15/2018 04:12 PM EDT

TOP ETHICS OFFICE EYES PRUITT ACTION: The federal government's top ethics official suggested today he is considering a "formal corrective action proceeding" regarding allegations of improper behavior by EPA Administrator Scott Pruitt, and he urged EPA's in-house watchdog to expand its ongoing investigations to review the latest allegations about Pruitt, including that he used EPA resources to find a job for his wife.

The Office of Government Ethics will look into the findings of that probe to decide how to proceed, acting Director David Apol wrote in a letter to EPA Inspector General Arthur Elkins. "We ask you to complete your report, as soon as possible, so that we can decide whether to begin a formal corrective action proceeding in order to make a formal recommendation to the President," Apol wrote.

President Donald Trump said earlier today that he was "not happy about certain things" with his embattled administrator, although he praised the "fantastic job" Pruitt is doing at EPA. Trump did not elaborate on what made him unhappy.

PRUITT'S SCANDALS DU JOUR: Tickets to the Rose Bowl are among college football's hottest every season. Finding them at a reasonable price can be even tougher. Third-party sites can be a slog and the tickets hugely expensive. But according to Rep. Elijah Cummings (D-Md.), Pruitt bypassed the hassles by enlisting an aide to contact an Oklahoma energy consultant to hook him up with tickets at face value.

Cummings, ranking member of the House Oversight Committee, in a letter Friday alleged that Renzi Stone — the founder of marketing and communications firm Saxum, which represents clients in the oil and gas industry — helped Pruitt land some prime seats just days before the game through his role as a member of the University of Oklahoma Board of Regents.

Stone took to Twitter and acknowledged helping Pruitt: "Each year mid-Dec people call for OU bowl tickets. Scott Pruitt, my friend since 2001, asked through an aide if he could buy Rose Bowl tix. I made connection to OU ticket office. He bought them. That's it. I'll respond to Rep. Cummings ... we don't do any work for clients at EPA."

EPA spokesman Jahan Wilcox defended the arrangement in a statement: "It seems Representative Cummings is misconstruing the facts. Renzi Stone, a friend of Administrator Pruitt and regent to the University of Oklahoma, simply connected Pruitt to the athletic department. Pruitt purchased the tickets at face value from the OU athletic department. To report otherwise, is false." Read more here.

— Pruitt also sought to carve out opportunities for his daughter, McKenna, asking aides to

AMERICAN OVERSIGHT

help her land a White House internship, according to The New York Times. The request was one of many that former top aide Kevin Chmielewski said got dumped on EPA staffers that had nothing to do with the actual agency's work. Read more here.

Welcome to Afternoon Energy! We're your hosts Garrett Ross and David Beavers. Send suggestions, news and tips to gross@politico.com, dbeavers@politico.com, mdaily@politico.com and njuliano@politico.com, and keep up with us on Twitter at @garrett_ross, @davidabeavers, @dailym1, @nickjuliano, @Morning_Energy and @POLITICOPro.

POLITICO will be reporting from inside the World Gas Conference June 25-29. Sign up now for our pop-up conference newsletter to receive on-the-ground insights and information every afternoon from POLITICO Pro Energy Editor Matt Daily.

** **A message from the National Rural Electric Cooperative Association:** America's electric cooperatives directly employ 71,000 workers and create thousands of other jobs in their communities. For example, every 20 electric cooperative jobs in Arkansas generate an additional 35 indirect or induced jobs in the state. Learn more: https://bit.ly/2kLKp7Z **

WE'RE WAITING ON YOU: EPA is waiting for word from the White House before making any concrete moves on increasing sales of E15 fuel and reallocating small refiners' biofuel volumes, an agency official told POLITICO's Eric Wolff today. "Until we get direction from the White House with regard to all of those issues or any one of those issues, we are on hold as far as progressing them through the regulatory process because we're not going to get out front of the White House on an issue that they've weighed in so heavily," the official said.

The comment comes after Pruitt's rocky tour of the Midwest this week to quell concerns with farmers that he is keeping Trump's campaign promise to protect ethanol, an effort the official said was successful. "It was very tense when we walked in the door," the official said. "In the two meetings, we met with an number of farmers, one in Kansas, one in South Dakota. The lingering feeling was that of great appreciation for the administrators attention and willingness to talk to farmers."

During the tour, Pruitt sought to highlight his plan to rewrite the Obama administration's Waters of the U.S. rule, which has long been criticized by agricultural interests as massive expansion of federal regulatory power. EPA sent that proposed rule to the White House for interagency review on Friday. Read more from Eric here.

DEMOCRATS TO INTERIOR: STOP RUSHING ANWR REVIEW: Sen. Maria Cantwell (D-Wash.), the Energy and Natural Resources Committee's top Democrat, and 29 colleagues sent a letter to Interior Secretary Ryan Zinke complaining the department was rushing its review of oil and gas drilling in the Arctic, Pro's Ben Lefebvre reports. "Given the long history of the efforts to recognize the international importance of the Refuge and to protect its unique wildlife and wilderness values, we are concerned that the Department of the Interior will now seek to expedite the planning and environmental review process for an oil and gas program in the Refuge," the senators wrote.

AMERICAN OVERSIGHT

The letter adds to complaints that Interior is minimizing the extent to which it is minimizing public input. Interior scheduled the latest public meeting on the drilling proposal for a Friday evening and said it would only allow public comment from speakers drawn by a random lottery — a break from past practices of allowing everyone a turn to speak. The review is expected to be completed by early next year, and the comment period closes July 19. Read more here.

— **Sen. Lisa Murkowski penned an op-ed** in The Seattle Times in response to an earlier piece from former President Barack Obama's Interior Secretary Sally Jewell, touting the potential for safe drilling in the Arctic National Wildlife Refuge, a major priority for the Alaska Republican. "Alaskans are committed to developing our resources responsibly," Murkowski writes. "We have shown the world how to do that." Murkowski successfully pushed for inclusion of language in the GOP tax bill negotiations last fall to open up ANWR for oil and gas exploration. Read the op-ed here.

— **Meanwhile, in Washington**, indigenous leaders and environmental groups are protesting at 4 p.m. outside the final public hearing on the environmental impact review process for ANWR exploration, Kelsey Tamborrino reported in today's ME.

WOTUS REWRITE: In a statement this morning, EPA announced the agency and the Army Corps of Engineers will send their proposed rewrite of the Obama-era Waters of the U.S. rule to the White House for interagency review, Pro's Annie Snider reports. The proposed rule is expected to define a much narrower set of waters and wetlands for protection under the Clean Water Act, following a directive from Trump for the agency to shape its rewrite off an opinion by the late, conservative Supreme Court Justice Antonin Scalia. Once it receives the rule, OMB will coordinate interagency review, although it is unclear how long that process will take. Pruitt has said he intends to have the full repeal and rewrite process completed this year. Read more from Annie here.

SOLAR TARIFFS UPHELD: A federal court today rejected a request from several Canadian solar equipment manufacturers to strike down the Trump administration's 30 percent tariff on solar panels, Eric reports. "We conclude that the President's actions here were lawful and that accordingly, appellants have not established a probability of success on the merits as required for a preliminary injunction," the U.S. Court of Appeals for the Federal Circuit said in its ruling. The Solar Energy Industries Association has said the tariffs have cost thousands of jobs in the industry, though installations continue to keep pace with previous years.

AT&T GOES GREEN: While breaking ground today on a wind energy center with NextEra Energy Resources, AT&T announced it would expand its renewable energy program. The telecommunications giant has agreed to a new power purchase agreement with a subsidiary of NextEra to deliver 300 megawatts of renewable energy from two wind farm projects in Texas, bringing the company's total investments in wind power to 820 MW.

OP-ED CORNER: More bad press on the opinion pages for Pruitt today, including from the conservative National Review.

AMERICAN OVERSIGHT

— **"We advised federal officials on ethics for years. Scott Pruitt shocks us."** by Virginia Canter and Norman Eisen in The Washington Post. Canter and Eisen directly advised two presidents and worked in the Obama, George W. Bush and Clinton administrations. "This conduct flagrantly violates the prohibitions on using public office for private gain. Pruitt long ago exceeded the seriousness of the travel transgressions that led to the ouster of Tom Price at the Department of Health and Services or David Shulkin at the Department of Veterans Affairs." Read it here.

— **"Pruitt, Carson Trapped by the Trappings of Power"** by Jonah Goldberg in the National Review. "But Pruitt has also behaved like a jackass, abusing his authority in petty and silly ways, as if to prove that he's a really big deal." Read it here.

LOBBYING WATCH: Novelis, an Atlanta-based aluminum products manufacturer, hired Energy Department veteran Sarah Blackwood, now with an eponymous government relations firm, to lobby on Corporate Average Fuel Economy standards and trade issues, per a disclosure filing.

— **In a separate filing**, Broward County, Fla., hired a pair at Thorn Run Partners, as subcontractors to Van Scoyoc Associates, to lobby on a slew of issues including hurricane recovery, National Flood Insurance Program reauthorization, the Water Resources Development Act and conservation, per a filing.

QUICK HITS:

— Two rare cargoes of Venezuela Santa Barbara crude oil imported into U.S. Gulf Coast in June, Platts.

— Exxon doubles down on oil, Bloomberg.

— The most depressing energy chart of the year, Vox.

— Samsung targets 100 percent renewable energy use by 2020, Engadget.

WIDE WORLD OF POLITICS:

— Trump amps up China trade war with tariffs on high-tech imports

— Shrinking map boosts Democrats in battle for the Senate

— Trump crushes hopes for compromise DACA plan

** **A message from the National Rural Electric Cooperative Association:** America's electric cooperatives provide 71,000 direct jobs and invest $12 billion annually in local economies. Electric co-ops work directly with business and community leaders to create thousands of new jobs and couple investment from other sources to support hospitals, libraries and public safety. Learn more: https://bit.ly/2kLKp7Z **

AMERICAN OVERSIGHT

To view online:
https://subscriber.politicopro.com/newsletters/afternoon-energy/2018/06/top-ethics-office-eyes-pruitt-action-253020

Stories from POLITICO Pro

Trump: Pruitt has done 'fantastic job,' but 'I'm not happy about certain things' Back

By Anthony Adragna | 06/15/2018 09:36 AM EDT

President Donald Trump offered a mix of praise and frustration for his embattled EPA administrator Friday amid new questions over whether Scott Pruitt misused his office.

"I'm looking at Scott and Scott's done a fantastic job at EPA, but ... I'm not happy about certain things, I'll be honest," Trump told reporters during impromptu remarks on the White House lawn Friday morning. "I'm not happy about certain things, but he's done a fantastic job running the EPA, which is very overriding."

Trump did not specify what about Pruitt was making him unhappy. The administrator is facing at least a dozen investigations over his travel expenses, sweetheart condo deal and allegations that he used EPA aides to conduct personal business for him.

The latest allegation came earlier Friday in a letter from Rep. Elijah Cummings (D-Md.), ranking member of the House Oversight Committee: Pruitt asked an aide to contact an Oklahoma energy consultant to help him get tickets to last year's sold-out Rose Bowl game.

Renzi Stone, the founder of marketing and communications firm Saxum, which represents clients in the oil and gas industry, helped Pruitt in his role as a member of the University of Oklahoma Board of Regents. He said Friday that he and Pruitt have been friends for 17 years, and that he does not lobby EPA. Millan Hupp, Pruitt's former scheduler at EPA, told Oversight committee staff that Pruitt had sought Stone's help, according to a partial interview transcript reproduced in his letter.

Cummings asked Stone for copies of communications with Pruitt related to his purchase of the Rose Bowl tickets. Pruitt was able to purchase the seats under a special allotment from the University of Oklahoma at face value just five days before the sold-out game. Around that time, tickets on the resale market were going for as much as seven times what Pruitt paid, the New York Times reported Friday.

"Federal ethics rules prohibit government employees from accepting gifts, such as tickets to sporting events, unless they pay 'market value,'" Cummings wrote. "Moreover, a government employee may not accept a gift provided 'because of the employee's official position.'"

Stone acknowledged helping Pruitt.

AMERICAN OVERSIGHT

"Each year mid-Dec people call for OU bowl tickets. Scott Pruitt, my friend since 2001, asked through an aide if he could buy Rose Bowl tix. I made connection to OU ticket office," Stone wrote on Twitter. "He bought them. That's it. I'll respond to Rep. Cummings...we don't do any work for clients at EPA."

EPA spokesman Jahan Wilcox defended the arrangement.

"It seems Representative Cummings is misconstruing the facts," Wilcox said in a statement. "Renzi Stone, a friend of Administrator Pruitt and regent to the University of Oklahoma, simply connected Pruitt to the athletic department. Pruitt purchased the tickets at face value from the OU athletic department. To report otherwise, is false."

The Times also reported Friday that Pruitt had multiple aides help secure his daughter a White House internship last summer and leaned on the former speaker of the Virginia House of Delegates, William Howell, for a letter of recommendation for his daughter to law school in that commonwealth.

The Office of Special Counsel has launched a new investigation into how Pruitt handled his aides and whether he used his office for political reasons, according to the Times. That independent investigative agency did not respond to request for comment.

To view online click here.

Back

EPA official: No move on E15, small refinery waivers without White House OK Back

By Eric Wolff | 06/15/2018 01:38 PM EDT

EPA won't seek to increase sales of E15 fuel or reallocate small refiners' biofuel volumes without the go-ahead from the White House, according to an agency official.

"Until we get direction from the White House with regard to all of those issues or any one of those issues, we are on hold as far as progressing them through the regulatory process because we're not going to get out front of the White House on an issue that they've weighed in so heavily," the official told POLITICO on Friday.

EPA Administrator Scott Pruitt toured the Midwest this week, drawing a protest and holding tense conversations with farmers, who have complained he was not living up to President Donald Trump's campaign promises to protect ethanol. The White House has also held several meetings on the biofuel program that has caused a sharp rift between refiners, who say the cost of complying with the Renewable Fuel Standard is too high, and the ethanol industry, which contends EPA as undercutting the law.

Trump has promised to increase sales of E15 fuel, but he blocked a deal last week that would

AMERICAN OVERSIGHT

have altered the RFS after agricultural interests complained it would hurt ethanol makers.

Iowa Sen. Chuck Grassley has been pushing EPA to reallocate the ethanol requirements that EPA has waived through Pruitt's aggressive issuing of exemptions to small refiners for previous years' blending mandates. But the official said pushing the responsibility for blending that ethanol to other larger refiners now would be impossible.

"You cannot retroactively reallocate through regulatory action — that's general administrative law — without some direction from Congress," the official said.

However, the agency, which is working to issue its renewable volume obligations for the 2019 compliance year by a November deadline, is considering ways to process exemptions and reallocations going forward.

"Prospectively going forward, to ensure the final decision on petitions are made prior to final decision on RVO rule — that is the very element of the regulatory actions we're considering," the official said.

The official also pushed back on the idea that Pruitt is "some rogue actor" when it comes to issuing the exemptions, noting that the Department of Energy has a statutory role in in the decisions, and the White House and USDA have been involved in the discussions on altering the program.

The official said Pruitt managed to assuage farmers' anger over the RFS on his tour of the Midwest this week.

"It was very tense when we walked in the door," the official said. "In the two meetings, we met with an number of farmers, one in Kansas, one in South Dakota. The lingering feeling was that of great appreciation for the administrators attention and willingness to talk to farmers."

During the tour, Pruitt sought to highlight his plan to rewrite of the Obama administration's Waters of the U.S. rule, which has long been criticized by agricultural interests as massive expansion of federal regulatory power. EPA sent that proposed rule to the White House for interagency review on Friday.

Dusty Johnson, who is the Republican nominee for South Dakota's lone House seat, said farmers appreciate some of Pruitt's actions, including his decision to freeze the Obama WOTUS rule, but he said he expected more from EPA.

"I don't think anything has changed," Johnson said. "There were lots of comments to me from producers after the meaning. They said, 'Well, show me. All of the rhetoric is good. We need to see progress.' I think there is a decided sense that until EPA starts doing he right things, corn country is not going to be satisfied with Administrator Pruitt."

To view online click here.

AMERICAN OVERSIGHT

Back

Democrats tell Interior to not rush ANWR drilling review Back

By Ben Lefebvre | 06/15/2018 01:30 PM EDT

Sen. Maria Cantwell, the top Democrat on the Energy and Natural Resources Committee, and 29 colleagues sent a letter to Interior Secretary Ryan Zinke complaining the department was rushing its review of oil and gas drilling in the Arctic.

The letter adds to complaints that the department is minimizing the extent to which the public can comment on the review. Interior scheduled the latest public meeting on the drilling proposal for a Friday evening and said it would only allow public comment from speakers drawn by a random lottery — a break from past practices of allowing everyone a turn to speak.

"Given the long history of the efforts to recognize the international importance of the Refuge and to protect its unique wildlife and wilderness values, we are concerned that the Department of the Interior will now seek to expedite the planning and environmental review process for an oil and gas program in the Refuge," the senators wrote. The letter was signed by all Democrats and Sen. Bernie Sanders (I-Vt.).

Congress "did not waive or supersede any of the environmental laws that apply to the Coastal Plain" when it opened part of the Arctic National Wilderness Refuge to drilling, the senators wrote, referring to language included in last year's tax cut law.

Interior expects to finish its environmental review early next year.

WHAT'S NEXT: The BLM hearing begins at 4:30 p.m. today, and the public comment period for Interior's plan ends July 19.

To view online click here.

Back

EPA, Army send WOTUS rewrite to White House Back

By Annie Snider | 06/15/2018 10:01 AM EDT

EPA and the Army will today send their proposed rewrite of the Obama administration's Waters of the U.S. rule to the White House for interagency review, the agency said in a statement.

The proposed rule is expected to define a much narrower set of waters and wetlands for protection under the Clean Water Act than has historically been the case. President Donald Trump signed an executive order in February 2017 directing the agencies to base their rewrite on

AMERICAN OVERSIGHT

the late Supreme Court Justice Antonin Scalia's opinion in a key case in which the justices split 4-1-4.

"Today, we are taking an important step toward issuing a new WOTUS definition and answering President Trump's call to ensure that our waters are kept free from pollution, while promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of the federal government and the states under the statutory framework of the Clean Water Act," EPA Administrator Scott Pruitt said in a statement.

EPA has put separate rules in place to keep the Obama-era regulation on hold while it proceeds with efforts to repeal and rewrite it, and the ultimate outcome will likely be decided by the courts.

WHAT'S NEXT: OMB will coordinate interagency review of the proposed new definition of waters protected under the Clean Water Act, although it is unclear how long that process will take. A supplement to the proposed repeal rule has been sitting at the White House for review since April 11. Pruitt has said he intends to have the full repeal and rewrite process wrapped up by the end of the year.

To view online click here.

Back

Appeals Court: Trump's solar tariffs 'lawful' Back

By Eric Wolff | 06/15/2018 10:54 AM EDT

The U.S. Court of Appeals for the Federal Circuit today slapped down a request from Canadian solar equipment manufacturers to block the Trump administration's tariffs on solar panels.

"We conclude that the President's actions here were lawful and that accordingly, appellants have not established a probability of success on the merits as required for a preliminary injunction," the court said in its ruling.

The U.S. Court of International Trade had earlier ruled against an injunction request from Silfab Solar Inc., Heliene Inc., Canadian Solar (USA) Inc. and Canadian Solar Solutions Inc. to halt the 30-percent solar tariff the Trump administration imposed on nearly all foreign imports of solar panels.

The Solar Energy Industries Association, a trade group, has said the tariffs have cost thousands of jobs in the industry, but solar installations have proceeded so far at near the same rate as last year. The industry added 2.5 GW of new capacity in the first quarter of this year, according to GTM Research.

To view online click here.

AMERICAN OVERSIGHT

Back

Trump amps up China trade war with tariffs on high-tech imports Back

By Megan Cassella | 06/15/2018 08:21 AM EDT

President Donald Trump took another aggressive step in his trade war with China on Friday, announcing that 25 percent tariffs will start taking effect in July on Chinese technology imports.

The penalties on $50 billion in goods — primarily targeting products containing "industrially significant technologies," like aerospace, robotics and automobiles — drew a swift rebuke from the Chinese government. Beijing promised that retaliation in equal measure against U.S. goods would take effect on the same day the U.S. duties kick in and called for other nations to take part.

"We call on all countries to take joint actions, resolutely put an end to this outdated and regressive behavior and firmly defend the common interests of humankind," the Chinese commerce ministry said, according to a translated statement.

The White House said the tariffs, the first of which are set to begin on July 6, are aimed at cracking down on Chinese policies that force U.S. companies to hand over valuable technology and data to operate in the Chinese market. But the move also marks a significant escalation of tensions between the world's two largest economies and threatens to derail ongoing talks between the two countries, including plans for Beijing to purchase more U.S. agricultural and energy products.

The Chinese commerce ministry on Friday declared invalid any previous trade agreements reached during negotiations.

Trump said Friday that while Chinese President Xi Jinping is his "friend," the actions were necessary to "straighten out" the U.S.-China trade relationship and protect U.S. intellectual property and technology industries.

"We're going to protect those secrets," he said on "Fox and Friends." "You know those are the crown jewels of our country. ... We have the great brain power right in this country."

The new penalties will fall on more than 800 products worth roughly $34 billion on sectors including industrial machinery and information and communications technology, the Office of the U.S. Trade Representative said in a separate statement Friday. That list includes industrial products but avoided commonly purchased goods, like cellphones and televisions, in what USTR said was an effort to minimize direct effects on U.S. consumers.

The administration also highlighted an additional 284 products worth roughly $16 billion that were not on an original list of items proposed for tariffs, which was released in April. Those new

AMERICAN OVERSIGHT

items will have to undergo a public comment and review process before facing tariffs.

The U.S. also said it will pursue additional duties if China engages in retaliatory measures.

Beijing made clear that it will retaliate dollar-for-dollar against the United States as soon as tariffs take effect. To that end, nearly 550 U.S. exports to China, totaling $34 billion, will be hit with 25 percent tariffs on July 6, the Chinese Ministry of Finance said in a statement released on Friday afternoon, East Coast time — or early Saturday morning in Beijing. Those products will come primarily from the agricultural, automobile and aquatic industries, the statement said.

It also compiled its own $16 billion list of 114 products — including chemicals, energy and medical equipment — that will be imposed at a later date, likely after Trump makes a final decision to move forward on the second set of U.S duties.

U.S. Trade Representative Robert Lighthizer characterized the move Friday as something "that's been in train for a while."

"It's thorough, it's moderate, it's appropriate," he said in an interview on Fox Business. "Our hope is it doesn't lead to a rash reaction from China. We're just trying to get back to even."

He added that the U.S. hopes the action leads to further negotiations with China and "to China changing its policies, at least with respect to us, and opening up their market."

Beijing first said weeks ago that it was likely to target agricultural products like soybeans — a crop crucial to Trump's political base in the U.S. heartland — as well as cars and aircraft.

U.S. farm groups quickly voiced concerns that Trump's move against China on Friday could deeply harm an industry that has struggled in recent years amid stubbornly low commodity prices.

"For American farmers this isn't theoretical anymore, it's downright scary," Brian Kuehl, executive director of the advocacy group Farmers for Free Trade, said in a statement Friday. "It's no longer a negotiating tactic, it's a tax on their livelihoods."

Some lawmakers and business groups added their voices to the chorus of opposition, warning that while China's intellectual property practices need to be addressed, tariffs are not the right approach.

"Tariffs will harm American and Chinese businesses and consumers, and will put economic growth in both countries at risk," Senate Finance Chairman Orrin Hatch (R-Utah) said in a statement. "Ill-conceived trade actions that weaken the American economy, alienate allies, and invite retaliation against American businesses, farmers and ranchers, undermine our nation's ability to successfully confront China's unfair trade policies."

But Senate Minority Leader Chuck Schumer backed Trump's strategy. "The president's actions on China are on the money," the New York Democrat said in a statement. "China is our real

AMERICAN OVERSIGHT

trade enemy, and their theft of intellectual property and their refusal to let our companies compete fairly threatens millions of future American jobs."

Sen. Marco Rubio (R-Fla.) also strongly supported the tariffs, calling them an "EXCELLENT move."

The White House had previously paused its rollout of the duties as the two countries pursued trade talks, but Trump appeared to lose patience last month and ordered his administration to finalize the list of targeted goods. The action appeared to be a clear statement that he wasn't happy about the direction of talks with Beijing.

The Trump administration is planning still more trade actions against China, including a set of investment restrictions and export controls that are also aimed at curbing Chinese acquisition of "industrially significant" technology.

The White House has said those restrictions will be announced by June 30. Lighthizer said Friday the goal is to stop China from forcing U.S. companies to hand over valuable technology and data, calling technology America's "biggest advantage."

Victoria Guida, Sabrina Rodriguez and Doug Palmer contributed to this report.

To view online click here.

Back

Shrinking map boosts Democrats in battle for the Senate Back

By Burgess Everett and James Arkin | 06/15/2018 05:03 AM EDT

The Senate battleground map has shrunk dramatically in recent weeks — a net plus for Democrats but not enough to change their status as heavy underdogs to win the chamber in November.

Democratic incumbents look increasingly safe in four Rust Belt states President Trump carried in 2016 — Ohio, Michigan, Pennsylvania and Wisconsin, where Republicans are locked in a bitter primary until August. Both parties agree a core universe of states are truly in play: Republicans are targeting Democratic incumbents in Missouri, Indiana, Florida and North Dakota, while Democrats are contesting GOP-held seats in Nevada, Arizona and Tennessee. There is disagreement on how competitive West Virginia and Montana are.

Democrats headed into the election cycle facing a nightmarish map, with 10 incumbents trying to hang on in states that Trump won. While the party is still mostly on defense, the narrower field improves an otherwise grim outlook. Winning the Senate remains a long shot, but is possible if everything breaks Democrats' way: They need to net two seats to take back the majority, which means protecting essentially all of their incumbents.

AMERICAN OVERSIGHT

"If you look at it ... from 30,000 feet up, you'd say, 'Oh they don't have a chance.' When we started there were 10 states we looked at to hold," Senate Minority Leader Chuck Schumer (D-N.Y.) said in a recent interview. Now, he said, "there are only four that are really close."

Opportunities to snag GOP-held seats are so scarce that Democrats could easily see multiple incumbents lose if the Trump backlash turns out to be weak. But for now, Senate Majority Leader Mitch McConnell (R-Ky.) agrees the Senate is in play and has not been bullish on knocking off senators like Sherrod Brown (D-Ohio) and Bob Casey (D-Pa.), who have both opened up double-digit leads, according to polls released this week. So far, there are no suggestions Sen. Debbie Stabenow (D-Mich.) faces any kind of trouble.

One big clue on which states are truly in play came this week when the Democratic Senate Majority PAC placed fall ad reservations in Florida, West Virginia, Montana, Missouri, Indiana, North Dakota, Tennessee, Nevada and Arizona. For now, the group decided Brown, Casey, Stabenow and Sen. Tammy Baldwin (D-Wis.) don't need extra help.

Steven Law, who runs the McConnell-aligned Senate Leadership Fund, said that Democrats' "target list is a lot like ours."

"There were a few states they left off that we think could be competitive," said Law, whose group has not yet placed its reservations. "But right now, we think the field of battle is already probably about 80 percent defined, and I think both sides see the battle lines as they are."

Law also called Democrats' $80 million reservation "pretty formidable" and said he remains concerned about the party's fundraising disparity; Democratic incumbents have significantly outraised their challengers. "If Democrats stay ahead in the fundraising war, there's a very real possibility they could gain the majority in the Senate," the NRSC wrote in a fundraising email this week.

Yet Republicans say things are far less rosy than Schumer makes it seem and are looking to add to their paper-thin majority ahead of a brutal 2020 map. They are laboring to target Sens. Joe Manchin (D-W.Va.) and Jon Tester (D-Mont.); Manchin is polling well and Tester faces an opponent Democrats view as weak in state Auditor Matt Rosendale.

"Chuck Schumer wants this to be a narrow map. They want to make it about just a handful of states when the reality is, it's a very big map," said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.).

Republicans point to improvements in the generic ballot and a strong economy as signs that they may face a better political environment than was expected months ago, particularly in states where Trump's approval rating remains much higher than it is nationally.

But Democrats scoff at that optimism.

"We take nothing for granted," said Democratic Senatorial Campaign Committee Chairman

AMERICAN OVERSIGHT

Chris Van Hollen (D-Md.). "But we believe that we have narrowed the number of states from 10 to a lower number."

Both DSCC and NRSC have held off on placing their fall reservations, though the NRSC placed a small buy in North Dakota starting in August and running through Election Day, according to data from Advertising Analytics. With no presidential campaign to crowd out the airwaves, both parties are waiting as long as possible before planting their battle flags.

"Are there enough resources to go around? And what's the environment going to be like? Because in some of those states you need a decent environment," said Sen. John Thune (R-S.D.), a member of GOP leadership. "There's a lot of things that have to come together."

Florida could end up being a boondoggle for Democrats, and Republicans point to Florida Gov. Rick Scott's deep pockets as critical to opening up the rest of the map. Scott's campaign has spent more than $10 million on ads since his April launch, and groups supporting his bid have spent millions more. Senate Majority PAC responded by spending $2.2 million late last month, but Republicans hope to force Democrats to invest enough in Florida to stretch them thin elsewhere. It can cost as much as $2 million to run ads in the states pricey media markets.

"My own prediction is that, come mid-September, national Democrats are going to hand Bill Nelson a canteen and a pistol and leave him for dead," Law said.

J.B. Poersch, executive director of the Democratic Senate Majority PAC, said that Scott carries "political baggage" and that for national Republicans, "the thing they like most about Scott is his money."

"2018 is going to be a much better year in Florida than 2010 or 2014. If Rick Scott thinks he can buy the election, it ain't happening," Schumer said.

In Tennessee, Democrats are upbeat about former Gov. Phil Bredesen, who won every county in the state when he last ran in 2006 and remains popular. Republicans argue Bredesen will go the way of other Democratic retreads, like Ted Strickland and Evan Bayh in 2016, both of whom lost by sizable margins. Trump visited Tennessee late last month to boost Rep. Marsha Blackburn and attack Bredesen, though Republicans acknowledge they will need a more sustained effort to drag down Bredesen's favorability.

Some Republicans say the party should be more focused on winning seats in the heartland, and Wisconsin may be their best bet after Sen. Ron Johnson's (R-Wis.) surprise win in 2016. Johnson is urging state Sen. Leah Vukmir or Kevin Nicholson to drop out of the August primary once polls show who is stronger against Baldwin, to avoid a protracted primary that would hobble the ultimate victor going into the general election.

The state party has run radio ads for Vukmir after she won its endorsement last month, and several internal polls show momentum in her favor.

"We need to settle on a candidate. There may be movement here that makes it so obvious,"

AMERICAN OVERSIGHT

Johnson said. "If there's an accumulation of information, I would hope some candidate would say: It's not my time and withdraw and then move forward."

There's less chatter about prioritizing beating Stabenow, Casey or Brown. Thune called those "sleeper" races.

Republicans are more intensely focused on states that Trump won handily, as well as protecting Sen. Dean Heller (R-Nev.), whom Schumer says is in "huge amounts of trouble." And Democrats share Republicans' belief that Nelson and Sens. Claire McCaskill of Missouri, Joe Donnelly of Indiana and Heidi Heitkamp of North Dakota remain vulnerable.

Heitkamp said she is "doing well" but views herself as an underdog against Rep. Kevin Cramer (R-N.D.).

"Anything other than an uphill climb is wrong. This is a state that identifies pretty heavily Republican," Heitkamp said.

Republicans still think West Virginia and Montana can turn in their favor despite favorable numbers and dynamics for Manchin and Tester.

If two Democratic incumbents lose, the party essentially loses its path to the majority. But since Democrats started out the cycle with Republicans eyeing a filibuster-proof majority in 2019, they are feeling better than they have in months.

"We're in the fight," said Sen. Elizabeth Warren (D-Mass.). "We've got a real chance of taking back the Senate."

To view online click here.

Back

Trump crushes hopes for compromise DACA plan Back

By Rachael Bade and Nolan D. McCaskill | 06/15/2018 09:22 AM EDT

President Donald Trump on Friday said he would not sign a carefully crafted GOP bill addressing the predicament of Dreamers, news that caught House Republicans by surprise and left the legislation on life support.

Ironically, the proposal — the product of weeks of negotiations between centrist Republicans and conservatives — mirrored Trump's own framework to increase security, curb legal immigration and shield Dreamers from deportation.

Not only that, top White House officials, including immigration hawk Stephen Miller, were working behind the scenes to whip support for the document. And the White House had drafted a

AMERICAN OVERSIGHT

policy statement saying the president would sign the bill.

But Trump heard conservative criticism of the proposal on TV, according to senior Republicans, and swatted the proposal down.

"I'm looking at both of them," Trump told "Fox & Friends" in an interview Friday morning from the White House lawn. "I certainly wouldn't sign the more moderate one."

Hours later, the president added to the confusion with a tweet that demanded provisions that the compromise bill seemingly includes. "Any Immigration Bill MUST HAVE full funding for the Wall, end Catch & Release, Visa Lottery and Chain, and go to Merit Based Immigration. Go for it!" he wrote.

In another headspinning turn, House Republicans on Friday afternoon began circulating a draft statement of administration policy that said the president would sign the compromise bill.

"The Border Security and Immigration Reform Act of 2018 would support the Administration's goal of securing the border, closing legal loopholes, moving to a system of merit-based immigration, and protecting those who were illegally brought to the United States as children," read the statement obtained by POLITICO. "If the bill were presented to the president, his advisors would recommend that he sign it into law."

The upshot, at least as of Friday afternoon, was that the president dealt a potentially fatal blow to the bill. House Majority Whip Steve Scalise even threatened to withdraw his support for the package. His office told Breitbart that the Louisiana Republican, who wants to be speaker someday, would not whip support for any immigration bill the president opposed.

After the morning interview, GOP leaders and White House aides scrambled to get Trump back on message. Senior Republicans were predicting that Trump would not only walk back his comments but fully endorse the compromise bill. His comments on TV, they said, left him enough wiggle room to say he was dissing a Democratic proposal that did not include his wall or an immigration crackdown — not the GOP DACA bill.

But as the day wore on, that definitive statement never came, and conservatives applauded the president's position. Some senior Republicans began speculating whether they could have a vote on the bill at all if Trump didn't overtly embrace the legislation.

"He's correctly judging the American people's opinion on this subject; we're not there yet," said Rep. Scott Perry (R-Pa.). Asked what more he needed in the compromise bill, Perry seemed aghast: "Enforcement! Enforcement! We can't keep on having these half-measures that don't fix the problem."

To be sure, the GOP bill released Thursday was already facing an uphill battle. Democrats oppose the measure, saying it's too tailored to the wishes of immigration hard-liners. But now, Trump has given a group of conservatives who were already wary of the compromise a powerful reason to vote "no": He simply doesn't like it.

AMERICAN OVERSIGHT

The comments come after Ryan and other members of the House leadership team told reporters that they'd described their bill to the president and he was "excited" about it. Ryan has stressed to reporters that he has been working "hand in glove" with the administration in writing the bill.

Indeed, senior White House policy adviser Miller came to Capitol Hill earlier this week to encourage wary conservatives fearful of backlash from the base to support the plan. And GOP leaders in meetings talked about the possibility of Trump as well as the White House helping them whip support.

"I spoke with the president yesterday about the details of the bill, and clearly Stephen Miller and others in the administration have been directly involved with the discussion we've been having and they like what's in the bill," House Majority Whip Steve Scalise (R-La.) told reporters on Thursday. "The president really likes the fact that it fully funds the wall."

Instead, Trump has put GOP leaders in a corner where they'll have to ask Republicans to vote against their own president to back a controversial bill on the topic that divides the party most.

That's why Scalise's whip team decided against counting votes on Friday, as they'd planned. They knew Republicans weren't going to say "yes" given Trump's recent remarks.

Many Republicans said Friday they were seeking more information.

"We're waiting for some clarification on what that really means," said Rep. Tom Cole (R-Okla.). "We don't know."

Rep. Mario Diaz-Balart (R-Fla.), who helped craft the compromise bill, said he was told that Trump "will sign it."

"I think once he has a chance to digest it, he will sign it," Diaz-Balart said, though he declined to say who told him that, and cautioned that it would have to be verified with the White House. Diaz-Balart admitted Republicans "have a big problem" if Congress backs a compromise package and he vetoes it. "We need the president to look at it, and look at in detail... But I am hoping we can get his support."

Trump's remarks are a rebuke to Ryan and his team, who've spent hours huddled in the speaker's office trying to hash out an immigration bill that moderate Republicans from districts with big Latino populations and conservatives could back. Both sides have given ground in the talks: Moderates begrudgingly accepted strict enforcement measures, while conservatives for the first time were open to providing citizenship for Dreamers.

What's more, the GOP plan reflected Trump's own "four pillars" proposal that includes a pathway to citizenship, an end to the diversity visa lottery program, curbs on family migration and $25 billion for the border wall. It would also increase border security and interior enforcement.

AMERICAN OVERSIGHT

House Freedom Caucus Chairman Mark Meadows (R-N.C.) warned of this scenario as recently as Thursday, arguing that nobody speaks for the president except the president himself. And the president, he said, has not weighed in.

Meadows on Friday rejected other theories that Trump didn't know what he was talking about, arguing it is "not accurate" to say Trump was referring to a Democratic bill.

"Really right now we're trying to make sure that whatever immigration bill that gets passed deals with the DACA issue and secures the border," Meadows said. "Those conversations will continue."

The news is a huge blow to moderate Republicans who this spring forced the immigration matter to the forefront. Banding with Democrats, they threatened to take over the floor, circumvent their own party and pass legislation to shield Dreamers from deportation — unless Republicans could agree on their own plan to address the Obama-era Deferred Action for Childhood Arrivals program.

That set off the intense negotiating sessions that led to the compromise bill released Thursday.

The 293-page proposal also includes a provision that would keep families together at the U.S.-Mexico border. The Trump administration has been under fire for a controversial policy separating migrant children, including babies, from their parents. Though his administration controls the policy, Trump has tried to blame Democrats and use it as a bargaining chip to get his border wall from progressives.

"That's the law, and that's what the Democrats gave us," Trump said. "And we're willing to change it today if they wanna get in and negotiate. But they just don't wanna negotiate. They're afraid of security for our country. They're afraid of a wall."

As for the compromise bill, he added: "I need a bill that gives this country tremendous border security. I have to have that. We have to have the wall. We don't have the wall, there's no bill."

It's unclear whether Trump was aware that the House bill includes tens of billions of dollars for the wall.

John Bresnahan contributed to this report.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

AMERICAN OVERSIGHT

You received this POLITICO Pro content because your customized settings include: Afternoon Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: EPA Press Office
Sent: Fri 3/23/2018 3:30:02 PM
Subject: EPA's Weekly Report for 3/23/18

EPA Administrator Scott Pruitt continues to advance President Trump's environmental agenda

No Images? Click here

EPA'S WEEKLY REPORT

This week Environmental Protection Agency (EPA) Administrator Scott Pruitt sat down with more than a dozen reporters across all mediums to discuss the important work the Agency is doing to ensure regulatory certainty for America's farmers, ranchers, and businesses during National Agriculture Week. Pruitt also advanced the Trump Administration's infrastructure agenda with a push to eradicate lead from drinking water and convene a national leadership summit on PFAS to update America's crumbling water infrastructure.

NATIONAL NEWS ...

In an exclusive interview with the Daily Caller, EPA Administrator Scott Pruitt laid out his plans to end the use of "secret science" to craft Agency regulations. "Pruitt will reverse long-standing EPA policy allowing regulators to rely on non-public scientific data in crafting rules. Such studies have been used to justify tens of billions of dollars worth of regulations. EPA regulators would only be allowed to consider scientific studies that make their data available for public scrutiny under Pruitt's new policy. Also, EPA-funded studies would need to make all their data public."

EPA Administrator Pruitt sat down with AgDay to talk about issues impacting farmers and ranchers including EPA's efforts to provide certainty by redefining "Waters of the U.S." According to Pruitt, a substitute or replacement definition will be issued sometime this year, a definition that will recognize private property ownership and the roles of states, and will answer the question of what exactly is a water of the United States. 'We're going to get that right going forward, and the definition is going to provide clarity, objective measurements by which we know where federal jurisdiction begins and ends,' he said."

OP-ED ...

In the Washington Times, EPA Administrator Pruitt outlined the Agency's efforts to overhaul the permitting process to "rebuild and revitalize our nation's crumbling infrastructure." "The president's ambitious proposal calls for the U.S. Environmental Protection Agency to play a leading role in the administration's efforts ... America's infrastructure was once the envy of the world. The president's proposal will restore our roads, bridges and waterways to greatness and create a safer, stronger America. Through regulatory reforms and targeted investments, EPA will spearhead the much-needed repairs to infrastructure in a way that provides tangible environmental benefits to all Americans."

AMERICAN OVERSIGHT

REGIONAL NEWS ...

The Detroit News reported that eradicating lead from drinking water is one of EPA Administrator Pruitt's top priorities. "'I do think that what happened in Flint is something that could happen elsewhere. We just simply need to take steps to do all that we can to address it prospectively and proactively,' Pruitt said. Pruitt said President Donald Trump's $1.5 trillion plan to bolster the nation's infrastructure over the next decade would include investments in aging water infrastructure."

While speaking with the New York Post, Pruitt called for a local, state, and federal response to the lead crisis in New York City and across the country. "EPA Administrator Scott Pruitt called for a 'coordinated' response between New York State and City officials to address the ongoing lead crisis."

In an interview with Newark Star-Ledger, Pruitt discussed efforts to make cleaning up Superfund sites a priority to advance the Agency's core mission. "The Environmental Protection Agency plans to step up efforts to get companies who dumped toxic waste at New Jersey's Superfund sites to pay to clean them up, Administrator Scott Pruitt said. Pruitt on Monday blamed a lack of urgency... New Jersey has 114 designated Superfund sites, the most in the nation, included three of Pruitt's 21 highest-priority locations."

Pruitt reiterated his commitment to prioritizing the Superfund program to clean up America's most contaminated sites, including Tar Creek, in an interview with the Tulsa World. "Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to the Tar Creek area, for decades one of the oldest, largest and most complex toxic sites in the nation. 'It is really unacceptable,' Pruitt said as he recalled the history of the Tar Creek area in far northeastern Oklahoma, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there."

At this week's regional roundtable, the Albuquerque Journal reported on progress the Trump Administration is making on claim stemming from the 2015 Gold King Mine spill. "Environmental Protection Agency Administrator Scott Pruitt said Monday that the federal government is close to finishing its assessment of roughly 400 claims for financial damages stemming from the 2015 Gold King Mine spill, which dumped toxic chemicals into waters in New Mexico, Colorado and Utah, and final recommendations could be ready by the end of the month."

RADIO ...

This week, Administrator Pruitt joined WZFG 1100 AM The Flag – North Dakota to talk about his first year accomplishments, including repeal and replacement of both "Waters of the U.S." rule and Clean Power Plan.

Administrator Pruitt also joined the Lars Larson Show, based in Portland, Ore., and discussed how he's working to get the EPA back to basics and provide regulatory certainty for all Americans.

On the St. Louis, Missouri's own Mark Reardon Show, Administrator Pruitt talked a little

AMERICAN OVERSIGHT

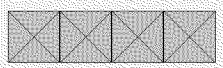
about baseball and a lot about the good work the Agency is doing to improve environmental outcomes across the country.

Scott Voorhees on 1110 KFAF–Omaha had Administrator Pruitt on his show Wednesday to talk about what's to come at the EPA this year, including a continued focused on Superfund clean-up and regulatory transparency.

TWEETS ...

FRONT PAGES ...

Visit The EPA's Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

- Latest
- Travel
- Share
- Personal

Unsubscribe

.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/2/2018 9:44:17 AM
Subject: Morning Energy: Pruitt probe heats up — When FERC met PJM — Biofuels group challenges EPA small refiner waiver

By Kelsey Tamborrino | 05/02/2018 05:43 AM EDT

With help from Alex Guillén, Tim Starks and Eric Wolff

EPA Administrator Scott Pruitt is trying to keep a low profile since last week's double dose of congressional hearings, where he blamed his staff for some of the swirling critiques he's confronting. EPA doesn't release Pruitt's public calendar ahead of time — or even where he is currently — so his wherabouts are a bit of a mystery. But Playbook reported this weekend the administrator took an early flight Saturday toward Charlotte — notably, not in first class. But that doesn't mean Washington has stopped thinking about his travels and travails.

The hits keep coming: Hours after news emerged that two close Pruitt aides were departing, the New York Times reported that Pruitt is seeking to establish a legal defense fund, which he is expected to operate privately, with no EPA affiliation. And the Times reported more on the lobbying done by J. Steven Hart, whose wife rented the infamous $50-a-night condo to Pruitt. An email provided by congressional investigators detailed how Hart asked Pruitt for help getting "three people recommended by the lobbying firm's client, Smithfield Foods, appointed to the E.P.A.'s prestigious Science Advisory Board."

The Smotkin gun: On top of that, The Washington Post reported that Pruitt's controversial LNG-promoting trip to Morocco last year was planned partly by former Comcast lobbyist and Pruitt friend, Richard Smotkin, who accompanied the administrator and his entourage at multiple stops. As he aided the EPA chief's visit, Smotkin was on the verge of securing a $40,000 monthly contract with the Moroccan government. As the Post notes in the story , federal laws "prohibit public officials from using government resources to financially benefit friends, relatives or other people with whom they have personal connections." Late Tuesday, two Democratic members of the Senate EPW Committee called on their Republican colleagues to invite Pruitt back before the panel to answer questions on the trip. "Enough is enough," Sens. Tom Carper and Sheldon Whitehouse said in a statement. "Administrator Pruitt needs to explain this trip, as well as the flood of scandal he has brought to the EPA."

Hometown glory: And it seems that Pruitt explored establishing an EPA office is his hometown of Tulsa, Okla., Democrats alleged in a new letter that surfaced Tuesday, Pro's Alex Guillén reports. House Science ranking member Eddie Bernice Johnson, Don Beyer and Suzanne Bonamici sent letters to EPA and the General Services Administration , where they laid out how Pruitt requested a conference room, secure parking space and a Secure Compartmented Information Facility for a Tulsa office. Keep in mind: Oklahoma is part of EPA's Region 6, which has headquarters in Dallas, about 240 miles from Tulsa. In a statement to ME, EPA spokesman Jahan Wilcox said that since 2012, there's been an EPA office in Tulsa for two employees for when they need to work remotely. "This location is not practical or usable for Administrator Pruitt's business and he has never used this office," Wilcox said. Read more from

AMERICAN OVERSIGHT

Pro's Alex here.

Oversight foresight: Democrats' allegation comes as House Oversight Committee staff meets with Pasquale "Nino" Perrotta, the former head of Pruitt's security team, today. Perrotta and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, both made for the EPA exit on Tuesday. A notable detail about that: Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe, Alex and Anthony Adragna report. An IG spokeswoman declined to comment how that would affect the inquiry or whether the investigators had yet spoken to him.

IT'S WEDNESDAY, MAY 2! I'm your host Kelsey Tamborrino. Congrats to Entergy's Rob Hall, who was first to identify Ulysses S. Grant as the president who first brought a *professional* baseball team to the White House — the Cincinnati Red Stockings in 1869. However, as some of you pointed out, Andrew Jackson welcomed the Washington Nationals and Brooklyn Atlantics, two amateur clubs, in 1865. Today's question is for ME geography fans: Name the eight countries that 0 degrees longitude passes through. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

POLITICO's Ben White is bringing Morning Money to the Milken Institute Global Conference to provide coverage of the day's events and evening happenings. The newsletter will run April 29 - May 2. Sign up to keep up with your daily conference coverage.

WHEN FERC MET PJM: FERC Commissioner Robert Powelson will deliver a keynote address today on energy and environmental developments in the PJM region, during a workshop hosted by the Great Plains Institute and Duke University's Nicholas Institute for Environmental Policy Solutions. PJM will follow up the workshop with its own meeting Thursday of state energy and environmental regulators focusing again on policy developments in PJM wholesale markets. The meeting is especially timely as the regional transmission organization is as much in the news lately as an opponent of DOE's plans to subsidize coal and nuclear plants in danger of retirement, and more recently for a plan to reward power plants who provide fuel security in the form of fuel on site.

— **After Powelson's keynote this morning,** Adam Keech, the executive director of PJM market operations will present on recent developments at the RTO. A panel of state leaders will follow with reactions to PJM proposals on state-level developments and an industry panel will explore trends in the electricity industry. Lastly, a third panel today will look into "timely environmental issues," like the new tax credit for carbon capture and storage projects and Virginia's move to join the Regional Greenhouse Gas Initiative. **If you go:** Today's workshop begins at 9 a.m. at 1000 H Street NW.

TODAY: NEW INDUSTRIAL THREATS: The firm Tenable is revealing today that it discovered a major vulnerability in multinational energy giant Schneider Electric's applications that are widely used in manufacturing facilities, power production plants and public utilities. "If exploited, the vulnerability could give cybercriminals complete control of the underlying

AMERICAN OVERSIGHT

system," according to the company. "In a worst case scenario, attackers could use the vulnerability to disrupt or even cripple plant operations." Tenable said Schneider Electric issued a patch earlier this month. The discovery comes after technicians earlier this year found frightening industrial malware on Schneider Electric software. The announcement follows recent warnings from Homeland Security and the FBI about Russians targeting U.S. critical infrastructure.

WARREN, SANDERS: PICK A BETTER ADVISER: A pair of senators want President Donald Trump to select a new Homeland Security adviser who believes in the science of climate change, knocking the previous adviser for his comments on the science. In a letter, Sens. Elizabeth Warren and Bernie Sanders highlighted last year's devastation caused by Hurricanes Harvey, Maria and Irma, arguing that whoever takes over the role would be responsible for overseeing the White House's response to natural disasters.

"Unfortunately, catastrophic hurricanes like Harvey, Maria, and Irma are likely to become more common as climate change causes hurricanes to become more intense, carry more rain, and cause worse flooding due to sea level rise and warmer water temperatures," they write, highlighting how the White House's previous adviser Tom Bossert, who resigned in April, hedged on the science after last year's historic hurricane season. At the time, Bossert said the administration does "continue to take seriously the climate change — not the cause of it, but the things we observe." Warren and Sanders write that it's "critical" the president selects an adviser who takes "seriously both the causes and observable results of human-induced climate change." Read it here.

A QUOTA SYSTEM? Every country given an exemption to Trump's contentious steel and aluminum tariffs will face an import quota and other restrictions, White House trade adviser Peter Navarro said Tuesday during a meeting of steel industry executives. The tariffs have been hit with widespread backlash among the business community — including oil and natural gas pipeline organizations. Read more from POLITICO's Megan Cassella.

BIOFUELS GROUP CHALLENGES EPA SMALL REFINER WAIVERS: The Advanced Biofuels Association, which represents advanced biofuels makers, is suing EPA for allowing several small refiners to duck their obligations under the Renewable Fuel Standard, Michael McAdams, head of the association, tells ME. Ethanol producers of all stripes are furious with EPA for its expanded use of the waiver, which the producers say is reducing ethanol blending and violates Trump's promises to corn states to protect the program. Reuters first reported the lawsuit.

Refiners already playing defense: The petitioner's statement in the case appears to reflect "a fundamental misunderstanding of the hardship exemption. EPA's current actions are fully consistent with the Clean Air Act," said Scott Segal, an attorney with the firm of Bracewell who works with refiners. "The small refinery exemption provision is well established."

BLANKENSHIP DOUBLES DOWN: West Virginia GOP Senate hopeful Don Blankenship's campaign seemingly responded to outcry concerning its recent ad that called Senate Majority Leader Mitch McConnell "Cocaine Mitch." ME told you about the ad, which was taken down ,

AMERICAN OVERSIGHT

Tuesday morning. But it later reappeared on Blankenship's Facebook page, with a lengthy explanation for the phrase. McConnell's father-in-law "founded and owns a large Chinese shipping company" that "was implicated recently in smuggling cocaine from Colombia to Europe, hidden aboard a company ship carrying foreign coal was $7 million dollars of cocaine and that is why we've deemed him 'Cocaine Mitch,'" the description reads. Read it here.

— **Fox News hosted a nationally televised debate on Tuesday** for the top three West Virginia Republican candidates: Blankenship, state Attorney General Patrick Morrisey and Rep. Evan Jenkins. During the debate, Jenkins touted his Trump endorsement and Blankenship defended his actions tied to the 2010 Upper Big Branch mine disaster that killed 29 people. The former Massey Energy CEO was also asked if he accepted responsibility for the deaths of the miners: "I am accepting the responsibility to do everything I can to keep it from happening again," he said. Read the recap from Fox here.

THE MORE YOU KNOW: CNN White House reporter Betsy Klein tweeted on Tuesday that she participated in a tour of the underground basement of the Lincoln Memorial, led by none other than Interior Secretary Ryan Zinke. "The Secretary is the only person who can give a tour here, & does so a couple times a [week]," Klein tweeted. See the pictures here.

MR. BIG SKY STATE: Amid a swirling presidential feud with vulnerable Montana Sen. Jon Tester, White House legislative affairs director Marc Short called into a local talk radio station, where he noted Trump could head to the state "very soon." Trump "is very excited," Short said on "Montana Talks" on Tuesday. "We were just having a meeting about that earlier this morning, about trying to find a time ... but I hope that your listeners will look forward to seeing him sometime very soon." Home to Zinke, ME readers will recall that close to one-third of the land in Montana is under federal government ownership. That could become a key sticking point in Tester's race for reelection, especially while he fends off escalating attacks from the president.

MAIL CALL! Carper, the top Democrat on the EPW Committee, sent a letter to Transportation Secretary Elaine Chao and Pruitt, calling on them to stop their effort to undo emissions standards — the subject of a lawsuit Tuesday by California and other entities. "I urge you to immediately disavow this proposal and instead work to negotiate a 'win-win' solution on federal fuel economy and tailpipe emissions standards that can be supported by both the automobile industry and the State of California," Carper writes. Read it here.

PERRY'S IN ALASKA: Energy Secretary Rick Perry shared a video on Twitter of him arriving in Alaska on Tuesday. "Excited to tour Alaska's energy infrastructure with Sen. @LisaMurkowski. Can't wait to see #NewEnergyRealism at work," he wrote, referring to a term he recently discussed at CERAWeek in Houston.

MT. TRUMPMORE: The Hill reports Tuesday on "Project Trumpmore" — an effort by a Finnish climate group to raise $500,000 to carve Trump's face into an arctic iceberg. It's an attempt by the group, which is called the Melting Ice Association, to prove global warming exists by carving a 115-foot ice sculpture of Trump's face. "We want to build the monument for all of us, so we can see how long the sculpture lasts before melting. Often people only believe something when they see it with their own eyes," said Nicolas Prieto, the group's chairman, in a

AMERICAN OVERSIGHT

statement.

MOVER, SHAKER: Alaska's congressional delegation announced Tuesday that John Torgerson will become interim federal co-chair of the Denali Commission. Joel Neimeyer left the vacancy earlier in April, prompting the delegation to send a letter to Commerce Secretary Wilbur Ross requesting an interim federal co-chair as the administration vets a replacement.

SPOTTED: House Natural Resources Chairman Rob Bishop was hiking Utah's National Zion Park, when he posed for a pic with a group of third graders. See it here.

VIRGINIA STANDS FIRM ON COAL ASH: Virginia went on record Tuesday to declare it would not change its program for regulating coal ash, regardless of any changes made by the EPA to the federal rule. Democratic Gov. Ralph Northam said in a statement that Virginia's Department of Environmental Quality will instead "maintain its stringent program" for the waste after EPA announced in March that it was redoing the rules. The commonwealth also submitted comments to EPA on the proposal here.

QUICK HITS

— Dominion's long-term plan includes more solar, natural gas, Associated Press.

— Statoil about to become Equinor with growing renewable focus, Chron.

— West Virginia reaches $2.65M settlement with Volkswagen, Associated Press.

— Tesla feels the weight of solar panels, The Wall Street Journal.

— U.S. to fund batteries that store power for days, not hours, Bloomberg.

HAPPENING TODAY

9 a.m. — Great Plains Institute & Nicholas Institute for Environmental Policy Solutions workshop on "Energy and Environmental Developments in the PJM Region," 1000 H Street

10 a.m. — The Atlantic Council discussion on Russia's energy strategy, 1030 15th Street NW

Noon — Johns Hopkins University School of Advanced International Studies discussion on China's environmental policy, 1740 Massachusetts Ave NW

1 p.m. — The National Academy of Science's Committee public meeting on the disposal of surplus plutonium in the Waste Isolation Pilot Plant in New Mexico, 500 Fifth Street NW

CORRECTION: The May 1 edition Morning Energy misspelled the name of the director of the Solar Energy Technologies Office. It is Charlie Gay.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/pruitt-probe-heats-up-199683

Stories from POLITICO Pro

Pruitt's security, Superfund chief leave as probe heats up Back

By Alex Guillén and Anthony Adragna | 05/01/2018 10:53 AM EDT

Two top aides to Environmental Protection Agency leader Scott Pruitt have decided to leave the EPA as congressional scrutiny of his spending, secrecy and lobbyist ties intensifies.

The departures of Pasquale "Nino" Perrotta, a career EPA employee who headed Pruitt's security team, and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, come days after Pruitt dismayed much of his staff by blaming aides for furors involving his massive spending on bodyguards, first-class flights, a $43,000 soundproof phone booth and a biometric door lock.

Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe. An IG spokeswoman declined to comment Tuesday on how Perrotta's departure would affect the inquiry or whether the investigators had yet spoken to him.

And Perrotta appears poised to add to Pruitt's problems: Staff of the House Oversight Committee plans to interview Perrotta on Wednesday, a committee aide told POLITICO.

Perrotta, who could not immediately be reached for comment, told ABC News he had resigned from the agency on Monday.

Separately, EPA confirmed to POLITICO that Kelly is leaving the agency after attracting controversy over his past, including being banned for life from the banking industry by the FDIC. Agency staff did not provide details on the timing of his departure.

"Kell Kelly's service at EPA will be sorely missed," Pruitt said in a statement. Axios first reported Kelly's departure.

Kelly, a longtime friend of the administrator's, was previously the head of Tulsa-based SpiritBank, which gave Pruitt multiple home mortgages over the years. It also lent him the money to purchase a stake in a minor league baseball team that Pruitt ran before being elected Oklahoma attorney general.

Kelly was also barred from ever working again in the banking industry as part of a settlement last year with the Federal Deposit Insurance Corp. over unspecified alleged loan law violations. Kelly last month defended the loan in question, saying there was "nothing untoward about it."

AMERICAN OVERSIGHT

Pruitt has said Kelly's banking problems are unrelated to his EPA work, but told lawmakers last week that he would "encourage" Kelly to share details of the FDIC deal with Congress.

Democrats last week asked EPA's inspector general to review Kelly's hiring at EPA, as well as the Superfund Task Force he ran — and one of those Democrats, Virginia Rep. Don Beyer, said Tuesday that "Scott Pruitt should be the next to go."

"The exodus of Pruitt's closest aides shows just how toxic his reign at EPA has become," Beyer said in a statement. He added, "Albert Kelly was never qualified to run Superfund, his banking ban was a huge red flag, and his resignation is a positive development."

Pruitt has so far held onto President Donald Trump's public support, despite the multitude of investigations he faces in the executive branch and on Capitol Hill. He also continues to face a steady drip-drip-drip of new revelations about his running of the agency, including a Washington Post story Tuesday reporting that a former Comcast lobbyist, Richard Smotkin, helped arrange key parts of a multi-day trip that Pruitt took to Morocco late last year.

House Democrats also tossed a new allegation into the pile Tuesday, alleging in a letter that Pruitt — who supports Trump's calls for sharp cuts in the agency's budget — has floated the "financially unjustified" idea of putting a regional EPA office in his hometown of Tulsa, Okla.

Meanwhile, the House Oversight Committee is in the process of scheduling other interviews with senior EPA officials, the committee aide said. The agency provided more than 1,000 pages of documents Friday. "At this point, EPA is complying with our requests," the aide said.

Besides being involved in issues such as Pruitt's security spending, Perrotta also might be able to shed light on still-unexplained details about the EPA chief's controversial $50-a-night Capitol Hill condo rental from the wife of a prominent energy lobbyist. In one reported incident last year, Pruitt's bodyguards had to break down the condo's door one afternoon because they feared he was unconscious. EPA has said Pruitt was resting after feeling ill.

Perrotta told ABC he resigned for personal reasons. "All of this press is taking a toll on my family. I decided to move on and it's been an honor to serve," he told ABC. Perrotta said he will "fully cooperate and answer any and all questions" from Congress.

Perrotta, a former Secret Service agent who worked in various capacities at EPA since 2004, is connected to several allegations made against Pruitt in recent months, including that he steered a bug-sweeping contract to a colleague at an outside security firm he founded. There is "no truth" to that accusation, he said.

In the interview with ABC, Perrotta also denied allegations made by former EPA scheduling staffer Kevin Chmielewski that he threatened to come to his home and take his EPA parking pass after Chmielewski was dismissed earlier this year.

Multiple sources told POLITICO last month that Perrotta has been a driving force behind the

AMERICAN OVERSIGHT

rapidly increased security spending for Pruitt.

Perrotta did not answer phone calls from POLITICO on Tuesday morning, and EPA spokespeople did not immediately respond to questions about his resignation.

At last week's House hearings, Pruitt said his security detail had made decisions about some of the controversies besetting him, including the use of first-class flights to stay away from passengers who could pose a threat. For example, Pruitt said, he had asked his staff for "access to secure communication," and "out of that came a $43,000 expenditure that I did not approve."

Despite all the torrents of bad news, Pruitt got at least grudging support Tuesday from one Republican critic — Iowa Sen. Chuck Grassley, who accuses the EPA administrator of undermining a federal ethanol program vital to Midwestern corn growers.

Pruitt still shouldn't resign, Grassley said, citing his support for President Donald Trump's deregulatory agenda.

"Even though I think he's screwing the family farmer ... I still think almost everything else he's done as EPA director is the right thing to do," Grassley said. And he added, "with the Democrats filibustering everything, we don't have time, with all the legislation and judges we have to get through, we don't have time to get through another confirmation in the United States Senate."

To view online click here.

Back

Democrats say Pruitt asked for new EPA office in Oklahoma hometown Back

By Alex Guillén | 05/01/2018 05:33 PM EDT

Three House Democrats today said EPA Administrator Scott Pruitt floated the idea of putting a new regional agency office in his hometown of Tulsa, Okla., last year.

In a letter to Pruitt, Rep. Eddie Bernice Johnson (D-Texas), the House Science Committee's ranking member, along with Reps. Suzanne Bonamici (D-Ore.) and Don Beyer (D-Va.) wrote that Ryan Jackson, Pruitt's chief of staff, asked EPA to look into opening a Tulsa office on Jan. 31, 2017, weeks before Pruitt was confirmed by the Senate. Jackson at the time was still staff director for the Senate Environment and Public Works Committee, and he used his Senate email account, according to the letter.

"Establishing a new EPA office in Tulsa may be personally convenient for you, but it seems ethically questionable, professionally unnecessary and financially unjustified," the three lawmakers wrote.

EPA did not immediately replay to a request for comment.

AMERICAN OVERSIGHT

Oklahoma is part of EPA's Region 6, which has headquarters in Dallas, about 240 miles from Tulsa. Approximately 700 people work in Region 6, though not all are based in Dallas.

Jackson's email said the office space would need to include a conference room, secure parking, round-the-clock security and a room for secure communications, according to the lawmakers' letter. EPA staff passed the request to the General Service Administration, although no Tulsa office was ever established.

The Democrats also wrote to GSA Administrator Emily Murphy.

WHAT'S NEXT: The lawmakers asked EPA to turn over documents and communications regarding the Tulsa office proposal by May 16.

To view online click here.

Back

Pruitt's security, Superfund chief leave as probe heats up Back

By Alex Guillén and Anthony Adragna | 05/01/2018 10:48 AM EDT

Two top aides to Environmental Protection Agency leader Scott Pruitt have decided to leave the EPA as congressional scrutiny of his spending, secrecy and lobbyist ties intensifies.

The departures of Pasquale "Nino" Perrotta, a career EPA employee who headed Pruitt's security team, and Albert "Kell" Kelly, a former banker and longtime friend who ran the agency's Superfund task force, come days after Pruitt dismayed much of his staff by blaming aides for furors involving his massive spending on bodyguards, first-class flights, a $43,000 soundproof phone booth and a biometric door lock.

Perrotta's departure means that EPA's inspector general, who has been investigating the security spending, can no longer compel him to cooperate with the probe. An IG spokeswoman declined to comment Tuesday on how Perrotta's departure would affect the inquiry or whether the investigators had yet spoken to him.

But Perrotta appears poised to add to Pruitt's problems: Staff of the House Oversight Committee plans to interview Perrotta on Wednesday, a committee aide told POLITICO.

Perrotta, who could not immediately be reached for comment, told ABC News he had resigned from the agency on Monday.

Separately, EPA confirmed to POLITICO that Kelly is leaving the agency after attracting controversy over his past, including being banned for life from the banking industry by the FDIC. Agency staff did not provide details on the timing of his departure.

AMERICAN OVERSIGHT

"Kell Kelly's service at EPA will be sorely missed," Pruitt said in a statement. Axios first reported Kelly's departure.

Kelly, a longtime friend of the administrator's, was previously the head of Tulsa-based SpiritBank, which gave Pruitt multiple home mortgages over the years. It also lent him the money to purchase a stake in a minor league baseball team that Pruitt ran before being elected Oklahoma attorney general.

Kelly was also barred from ever working again in the banking industry as part of a settlement last year with the Federal Deposit Insurance Corp. over unspecified alleged loan law violations. Kelly last month defended the loan in question, saying there was "nothing untoward about it."

Pruitt has said Kelly's banking problems are unrelated to his EPA work, but told lawmakers last week that he would "encourage" Kelly to share details of the FDIC deal with Congress.

Democrats last week asked EPA's inspector general to review Kelly's hiring at EPA, as well as the Superfund Task Force he ran — and one of those Democrats, Virginia Rep. Don Beyer, said Tuesday that "Scott Pruitt should be the next to go."

"The exodus of Pruitt's closest aides shows just how toxic his reign at EPA has become," Beyer said in a statement. He added, "Albert Kelly was never qualified to run Superfund, his banking ban was a huge red flag, and his resignation is a positive development."

Pruitt has so far held onto President Donald Trump's public support, despite the multitude of investigations he faces in the executive branch and on Capitol Hill. He also continues to face a steady drip-drip-drip of new revelations about his running of the agency, including a Washington Post story Tuesday reporting that a former Comcast lobbyist, Richard Smotkin, helped arrange key parts of a multi-day trip that Pruitt took to Morocco late last year.

House Democrats also tossed a new allegation into the pile Tuesday, alleging in a letter that Pruitt — who supports Trump's calls for sharp cuts in the agency's budget — has floated the "financially unjustified" idea of putting a regional EPA office in his hometown of Tulsa, Okla.

Meanwhile, the House Oversight Committee is in the process of scheduling other interviews with senior EPA officials, the committee aide said. The agency provided more than 1,000 pages of documents Friday. "At this point, EPA is complying with our requests," the aide said.

Besides being involved in issues such as Pruitt's security spending, Perrotta also might be able to shed light on still-unexplained details about the EPA chief's controversial $50-a-night Capitol Hill condo rental from the wife of a prominent energy lobbyist. In one reported incident last year, Pruitt's bodyguards had to break down the condo's door one afternoon because they feared he was unconscious. EPA has said Pruitt was resting after feeling ill.

Perrotta told ABC he resigned for personal reasons. "All of this press is taking a toll on my family. I decided to move on and it's been an honor to serve," he told ABC. Perrotta said he will

AMERICAN OVERSIGHT

"fully cooperate and answer any and all questions" from Congress.

Perrotta, a former Secret Service agent who worked in various capacities at EPA since 2004, is connected to several allegations made against Pruitt in recent months, including that he steered a bug-sweeping contract to a colleague at an outside security firm he founded. There is "no truth" to that accusation, he said.

In the interview with ABC, Perrotta also denied allegations made by former EPA scheduling staffer Kevin Chmielewski that he threatened to come to his home and take his EPA parking pass after Chmielewski was dismissed earlier this year.

Multiple sources told POLITICO last month that Perrotta has been a driving force behind the rapidly increased security spending for Pruitt.

Perrotta did not answer phone calls from POLITICO on Tuesday morning, and EPA spokespeople did not immediately respond to questions about his resignation.

At last week's House hearings, Pruitt said his security detail had made decisions about some of the controversies besetting him, including the use of first-class flights to stay away from passengers who could pose a threat. For example, Pruitt said, he had asked his staff for "access to secure communication," and "out of that came a $43,000 expenditure that I did not approve."

Despite all the torrents of bad news, Pruitt got at least grudging support Tuesday from one Republican critic — Iowa Sen. Chuck Grassley, who accuses the EPA administrator of undermining a federal ethanol program vital to Midwestern corn growers.

Pruitt still shouldn't resign, Grassley said, citing his support for Trump's deregulatory agenda.

"Even though I think he's screwing the family farmer ... I still think almost everything else he's done as EPA director is the right thing to do," Grassley said. And he added, "with the Democrats filibustering everything, we don't have time, with all the legislation and judges we have to get through, we don't have time to get through another confirmation in the United States Senate."

To view online click here.

Back

U.S. pins yet another cyberattack on Russia Back

By Tim Starks | 04/16/2018 01:01 PM EDT

The U.S. on Monday accused Russia of yet another global cyberattack, pinning a mounting assault on networks on the Kremlin.

The announcement, made jointly with the United Kingdom, is the latest in a growing string of

AMERICAN OVERSIGHT

cases where Western governments have pointed a finger at Moscow for high-profile digital malfeasance — a significant shift in digital deterrence strategy. For years, governments withheld from publicly blaming other nation-states for online attacks, fearful of misidentifying the perpetrator and of having their own digital behavior exposed in retaliation.

But Monday's move is the fifth time in recent years that the U.S. government has called out the Kremlin for its digital behavior, either through agency statements or criminal indictments.

Ciaran Martin, head of the British National Cyber Security Centre, called the joint accusation evidence of "a significant moment in the transatlantic fight back against Russian aggression in cyberspace," during a call with reporters.

The newly disclosed attacks targeted "network infrastructure devices" — routers, switches and firewalls, officials said. They are meant to gain access to government and critical infrastructure targets, they added.

"It is a tremendous weapon in the hands of an adversary," said Rob Joyce, White House cybersecurity coordinator, during the call.

U.S. and U.K. officials briefing reporters said the attacks could be used for espionage or intellectual property theft or for laying the groundwork for destructive attacks should tensions escalate. But they said they had no insight into the scope of how successful the attacks have been.

"Once you own the router, you own the traffic that's traversing the router," said Jeanette Manfra, the Homeland Security Department's assistant secretary for cybersecurity and communications.

One of the way the attackers are hijacking routers is via a recently revealed flaw in networking software made by the tech conglomerate Cisco, Manfra explained.

Cisco researchers had said they believed Russian government hackers might be using the vulnerability to try and access critical infrastructure.

The flaw was also exploited in an attack that targeted Iranian networks, leaving behind the image of a U.S. flag and a warning: "Don't mess with our elections." Researchers have suggested the assault was a false flag operation designed to make it look like the U.S. was responsible.

Monday's action adds to a growing list of cyber campaigns the U.S. government has pinned on Russia.

In its waning days, the Obama administration publicly blamed Russia for hacking Democratic targets during the 2016 election, and for using social media platforms to spread misinformation meant to sow discontent during the presidential race.

And despite President Donald Trump's regular equivocation about Russia's involvement in the election hacking, his administration has continued blaming Moscow for other major

AMERICAN OVERSIGHT

cyberattacks.

In March of 2017, the Justice Department took the landmark step of indicting two Russian spies for hacking into tech giant Yahoo and stealing data on 500 million users.

In February, the U.S. joined with its intelligence allies to blame the Kremlin for orchestrating the 2017 NotPetya malware outbreak, which disrupted operations at Ukraine's central bank, the main airport in Kiev and the Chernobyl nuclear power plant. The White House called it "the most destructive and costly cyberattack in history."

And just last month, the U.S. issued a detailed report, describing a wide-reaching Russian campaign to infiltrate networks operating critical infrastructure around the world, including U.S. and European nuclear power plants and the electricity grid.

Joyce said the White House got involved in the latest joint alert "to give it the gravitas and attention of the whole of U.S. government."

He added the U.S. response could include a range of activities, such as a report published Monday afternoon detailing how to defend against the attack, a new round of sanctions, indictments or offensive cyber retaliation.

The Trump administration has already sanctioned Russia for its ongoing digital actions, including the election hacking and the NotPetya attack, issuing a new round of penalties in March targeting 24 Russian entities and individuals.

To view online click here.

Back

Trump's homeland security adviser resigns, raising questions on Bolton's second day Back

By Eric Geller | 04/10/2018 10:45 AM EDT

White House homeland security adviser Tom Bossert resigned on Tuesday, depriving the Trump administration of a key voice on counterterrorism and cybersecurity just one day into John Bolton's regime.

Bolton, the former Bush-era diplomat known for his hawkish stances, was installed Monday as President Donald Trump's national security adviser. By Tuesday, the White House said Bossert would be leaving his position.

According to one senior administration official, Bossert resigned at Bolton's behest, although others cautioned that Bolton was not the driving force behind Bossert's exit.

"The president is grateful for Tom's commitment to the safety and security of our great country,"

AMERICAN OVERSIGHT

press secretary Sarah Huckabee Sanders said in a statement.

The move may rankle Bolton's critics, who have expressed concerns about his aggressive views on various issues, from cyberwar to the ongoing conflicts in the Middle East.

Bossert has long been seen — particularly in the cybersecurity world — as an even-keeled voice within the administration that commanded respect among both digital security experts and industry leaders. Before joining the Trump White House, Bossert was a cyber-focused fellow for the Atlantic Council, a think tank.

"Bossert brought a deep understanding on cyber to a role that has typically been filled by someone who was new to the issue," said Rob Knake, an Obama-era director of cyber policy at the National Security Council and now a cyber fellow at the Council on Foreign Relations.

"Definitely a loss if his replacement is drawn from the pool of talent that is exclusively focused on terrorism," he added.

The White House said Rob Joyce, the White House's top cyber adviser, will temporarily take over as homeland security adviser in an acting capacity. Joyce is also currently acting as deputy homeland security adviser.

Since Inauguration Day, Bossert has served as the public face of the administration's response to several notable incidents.

Following the devastating storms in Texas, Puerto Rico and Florida last year, Bossert frequently briefed reporters on the status of the administration's recovery efforts.

He also oversaw the cybersecurity unit at the NSC, helping to develop Trump's cyber executive order, issued in May of last year, that vowed a new focus on protecting government networks and strengthening international and private-sector partnerships.

In that capacity, Bossert also announced that the U.S. had determined that the North Korean government was behind last year's massively disruptive WannaCry malware attack, which seized networks in over 150 countries.

In a Q&A Sunday night at the Cipher Brief Annual Threat Conference at Sea Island, Ga., Bossert also highlighted an increase in global airline security "by a factor of five" as a major accomplishment of his tenure.

"Tom led the White House's efforts to protect the homeland from terrorist threats, strengthen our cyber defenses, and respond to an unprecedented series of natural disasters," Sanders said.

DHS Secretary Kirstjen Nielsen, who also served in the Trump White House as chief of staff John Kelly's deputy, praised Bossert for providing "wise counsel to the President on Homeland security issues."

AMERICAN OVERSIGHT

Bossert's departure is the second in recent days for the NSC. The committee's spokesman, Michael Anton, said on Sunday he plans to leave the administration. Anton had regularly served as one of the president's earliest and sharpest defenders of his "America First" foreign policy.

The ongoing churn on the national security staff — Bolton is Trump's third national security adviser — "will likely further slow current work as the remaining staff go through the transition," said Michael Daniel, former President Barack Obama's top cyber adviser.

Bossert himself has pushed back against the narrative that the regular staff turnover is creating a chaotic White House.

"You won't believe this, but this White House seems to function just about the same as every other White House," said Bossert, who also served in the George W. Bush White House, during his Sunday night talk. "At the end of the day, the only thing that creates instability or the perception of it is, A, the coverage, and B, the turnover."

But Bossert's exit may especially sting for cyber policy specialists.

Many cyberwar experts have been wary that Bolton will push a more aggressive stance in the digital realm, advocating for more retaliatory online strikes.

While it's long been agreed that the U.S. government needs a more clearly articulated policy governing online attacks, the government has hesitated to dive headlong into what Bolton calls "a retaliatory cyber campaign," concerned about blowback on American businesses and infrastructure, the lack of global rules for online warfare and the debatable effectiveness of digital assaults in the first place.

Tuesday's revelation may exacerbate that fear, depending on whom Bolton chooses to replace Bossert, who has hinted at a more assertive offensive cyberspace policy, but in much less bellicose terms than Bolton.

"To the extent that Bolton views our cyber capabilities as [a] tool with no limitations and no downside risk, that would be very problematic," said a former senior White House national security official, who spoke anonymously to candidly share thoughts. "We still don't understand how a lot of concepts from the physical world operate in cyberspace."

Bossert also departs at a key moment in the administration's fight against the Islamic State in Iraq and Syria, particularly as Trump has pressed his military leaders to pull out of Syria.

Bossert warned on Sunday that ISIS was morphing into "ISIS 2.0," becoming a long-term insurgency "that's spreading itself, coordinating itself, and not seeking the 'demand a caliphate now' mentality."

Eliana Johnson and Josh Meyer contributed to this report.

To view online click here.

AMERICAN OVERSIGHT

Back

Trump trade adviser: All countries exempted from steel tariffs will face quotas Back

By Megan Cassella | 05/01/2018 06:02 PM EDT

Every country granted an exemption from President Donald Trump's tariffs on steel and aluminum imports will face an import quota and other restrictions, White House trade adviser Peter Navarro said Tuesday.

"The guiding principle of this administration, from the president down to his team, is that any country or entity like the European Union, which is exempt from the tariffs, will have a quota and other restrictions," he said at a meeting of steel industry executives hosted by the American Iron and Steel Institute and the Steel Manufacturers Association.

Navarro added such measures "are necessary to defend the aluminum and steel industries from imports in defense of our national security."

The line earned Navarro applause from the steel executives and manufacturers, who support Trump's steps to restrict the imports under a little-used trade law known as Section 232. Just hours before, Trump had decided to grant Canada, Mexico and the European Union an additional 30 days to work out deals to avoid the penalties — a move that John Ferriola, the CEO of Nucor Corp., earlier labeled "disappointing."

But the continued focus on quotas and other restrictions is unlikely to be well-received by Canada, Mexico and the EU, which have repeatedly stated that they expect a full exemption from the duties.

Without an extension from Trump, those nations and others that have worked out preliminary deals with the administration would have been hit with tariffs of 25 percent on steel exports to the U.S. and 10 percent on aluminum at midnight.

"Frankly, we're disappointed," Ferriola, who also serves as chairman of AISI, said at a press conference before Navarro's remarks. "We were hoping for the actions to be taken yesterday."

The additional 30-day delay, he added, "is giving these countries that have been dumping into our country another month to get their steel into our country before their tariffs or quotas go into effect."

Still, he and Navarro both noted that this extension is the last, and agreements must be worked out by the new deadline of June 1, or the tariffs will go into effect.

For Canada, Mexico and the EU, Navarro's emphasis that any country escaping the tariffs would face quotas and other restrictions — a line he repeated twice and that he said was the reason he

AMERICAN OVERSIGHT

allowed media access — signals the administration's intention to telegraph its hardball approach.

But Canada and Mexico, which each send more than half their steel production each year into the United States, have repeatedly said that they expect a full exemption from the duties and will not pay a tariff or agree to a quota.

Ferriola said it's possible that Canada and Mexico could make adequate changes via the updated NAFTA agreement, which is currently being negotiated, in a manner that would "serve the same purpose" as the tariffs.

For the EU, however, no such negotiations are underway, and it remains unclear what can be worked out in the next 30 days. The 28 nations that make up the bloc serve as the largest single supplier of steel to the U.S., sending $6.2 billion across the Atlantic last year.

The European Commission has already criticized Trump for simply delaying the duties, rather than canceling them outright.

"The U.S. decision prolongs market uncertainty, which is already affecting business decisions," the Commission said in a statement.

The White House on Tuesday defended the president's decision to provide more time, saying the negotiations had been extended because "we've seen some progress."

"I'm not going to get ahead of what that may look like, but we have 30 days to continue in those negotiations, and hopeful that we can get something that works for everybody," White House press secretary Sarah Huckabee Sanders said at a briefing.

To view online click here.

Back

Trump targets Sen. Jon Tester on immigration Back

By Brent D. Griffiths | 04/30/2018 07:49 PM EDT

President Donald Trump continued his attacks against Sen. Jon Tester on Monday, accusing the Montana Democrat of being soft on immigration as news reports indicate that a group of immigrants has been stalled from entering the U.S. along the border with Mexico.

"The migrant 'caravan' that is openly defying our border shows how weak & ineffective U.S. immigration laws are," the president wrote on Twitter on Monday evening. "Yet Democrats like Jon Tester continue to support the open borders agenda — Tester even voted to protect Sanctuary Cities."

Trump has slammed reports throughout April about a group of Central American immigrants

AMERICAN OVERSIGHT

seeking asylum in the U.S. The Washington Post reported on Monday that 220 migrants were stuck waiting outside a U.S. border crossing as officials told them there was not enough available space to process them.

As for Tester, the president has fumed over the senator's role in derailing White House physician Ronny Jackson from becoming Veterans Affairs secretary. Some Republicans were hesitant about Jackson's nomination because of his lack of experience, but Tester and Senate Democrats brought to light new allegations about Jackson's conduct, including whether he was too liberal with prescribing medicine to White House staff and whether or not he crashed a government vehicle while intoxicated.

Montana's U.S. Senate race is viewed a key opportunity for Republicans this fall. Trump has called on Tester, the ranking Democrat on the Veterans' Affairs Committee, to resign and has vowed that Montanans would not look kindly on their senior senator's actions in publicizing questions about Jackson. A spokeswoman for Tester did not immediately respond to a request for comment about the president's Monday tweet.

After running for president on a strict platform against illegal immigration, Trump has sought to portray Democrats as weak on the issue. He and many in the GOP have tried to restrict state and local governments from passing so-called sanctuary laws. During a broader immigration debate in February, Tester and 44 other senators in the Democratic Caucus voted against a proposal to punish states that pass such laws.

"We need lawmakers who will put America First," Trump concluded in his Monday tweet.

To view online click here.

Back

Tester leans on public lands as key reelection issue Back

By Kevin Robillard | 04/26/2018 05:05 AM EDT

HELENA, Mont. — The issue that could prove key to Democratic Sen. Jon Tester's reelection bid is under the radar in Washington politics but practically ever-present in Montana life.

Nearly a third of the land in Montana is under federal government ownership, and Tester wants to keep it that way. It's a way the Democratic senator, who is running for a third term, hopes to keep voters who pulled the lever for President Donald Trump — including hunters, hikers, snowmobilers and ranchers — on his side in 2018.

"Public lands is one of the great equalizers. It's part of who we are," Democratic Gov. Steve Bullock said in a phone interview. "It doesn't what matter what our political beliefs are, it's a core part of our lives."

AMERICAN OVERSIGHT

Tester's strategy is part of a larger effort by Democrats in the West to emphasize the issue. Bullock emphasized it in his reelection bid in 2016 as he defeated Republican Greg Gianforte (now Montana's congressman) by 4 percentage points after hammering the Republican billionaire over stream access. New Mexico Sen. Martin Heinrich , who is expected to easily win reelection in 2018, started his reelection bid with a video focused heavily on public lands issues. And Democratic strategists think it can help them in states throughout the interior West.

"There are a lot of people here who are single-issue voters, and that issue is public lands," said Nick Gevock, the conservation director at the Montana Wildlife Federation.

Outdoor recreation is now Montana's largest industry, surpassing agriculture, and contributes $7 billion and 71,000 jobs to the state's economy.

"They like to go hunting, they like to go fishing, they like to go hiking, they just like to get in the mountains where their cellphone doesn't work," Tester said in an interview. "I want to make sure there's not a mine put at the head of the Yellowstone River, or at the borders of Glacier Park."

A Montana Republican on the national stage is also raising the profile of the issue in-state. Conservationists had high hopes for Interior Secretary Ryan Zinke when he was first named to the job, but his decision to shrink the size of two national monuments has left them dismayed and disappointed.

"We were hopeful that, being a Montanan, he was going to live Montana values and be the Teddy Roosevelt conservationist he said he was," Gevock said, but noting Zinke's Interior Department was "putting the oil and gas industry above every other use."

Tester introduced Zinke at his confirmation hearing and had similar hopes, but is heavily critical of him today.

"It was because I thought he understood conversation. I haven't seen that over the last 14 months," Tester said, adding: "He has time to redeem himself."

The strategy is a proven vote-winner in Montana. Throughout the 2016 gubernatorial campaign, and in his earlier bids for governor and attorney general, Bullock emphasized stream access laws for fishermen. And he hammered Gianforte for fighting stream access laws in multiple television ads last cycle.

The state and national GOP platforms both support selling federal public lands to the states, where many environmentalists feel they would be exposed to oil and gas interests. Tester's opponents don't endorse those views.

"The people of Montana do not want the public lands transferred," state Auditor Matt Rosendale said in an interview, echoing the views of businessman Troy Downing and former judge Russ Fagg. (Rosendale supported selling the land during a 2014 bid for Congress but has changed his position.)

AMERICAN OVERSIGHT

All three said they would like localities to have more say in how lands are managed and how federal authorities balance multiple uses. Rosendale, for instance, criticized the Forest Service for shutting down too many roads in the state.

But while Democrats in Montana have aggressively used the issue, public lands haven't become a top-tier issue in Colorado, Arizona or elsewhere in the interior West, which some Democratic strategists believe is a missed opportunity.

The Western Values Project, a Whitefish, Mont.-based nonprofit, ran ads late last year pressuring three potentially vulnerable Republicans — Arizona Rep. Martha McSally, who is now running for Senate, along with Oregon Rep. Greg Walden and Washington Rep. Jaime Herrera Beutler — over their support for Zinke's decision to shrink the national monuments.

And the attacks had an impact: In Arizona, McSally held a 3-point lead against a generic Democrat in her congressional district in a poll conducted by Global Strategy Group. But when "asked to consider a scenario where she votes to reduce the size of the Bears Ears and Grand Staircase-Escalante national monuments," her support dropped to 38 percent, with a generic Democrat winning 50 percent of the vote.

To view online click here.

Back

'Disgraceful': Trump super PAC unloads on Tester in new ad Back

By Alex Isenstadt | 05/01/2018 07:51 PM EDT

President Donald Trump's political operation is intensifying its offensive against Sen. Jon Tester (D-Mont.), launching a new TV ad labeling him "disgraceful" and "dishonest" for his role in taking down a Trump Cabinet pick.

"In Montana, we value integrity and support our president," says the ad from the pro-Trump America First Action super PAC. "But Jon Tester spread false information about a respected Navy admiral, helping D.C. Democrats derail President Trump's Veterans Affairs nominee."

The spot goes on to say that Tester, one of the most vulnerable Democratic incumbents up for re-election in 2018, "betrayed our trust, our veterans and our president," concluding that "it's time for him to go."

Trump has vowed to exact revenge on Tester for helping to sink Rear Adm. Ronny Jackson, who'd been Trump's choice to run the Veterans Affairs Department. The president, eager to go after a Democratic incumbent confronting a treacherous re-election bid, has accused Tester of spreading false information about Jackson's background in an effort to destroy the nomination.

During an interview with "Fox and Friends" last week, the president said Tester should "have a

AMERICAN OVERSIGHT

big price to pay" with voters in his conservative state.

"I watch what Jon Tester, of Montana — a state that I won by, like, over 20 points, you know, really, they love me and I love them," Trump added. "And I want to tell you that Jon Tester, I think this is going to cause him a lot of problems in his state."

Later, during a campaign-style rally in Michigan on Saturday evening, the president went after Tester again, saying that he knew of damaging information about him.

"I know things about Tester that I could say, too," Trump told the crowd. "And if I said them, he'd never be elected again."

America First Action, which is the principal pro-Trump super PAC, is spending around $344,000 to air the commercial on Fox News and broadcast stations throughout the state.

To view online click here.

Back

California and other states sue EPA over auto emissions rollbacks Back

By Alex Guillén and Anthony Adragna | 05/01/2018 01:53 PM EDT

California and more than a dozen other states are suing EPA over Administrator Scott Pruitt's recent decision to roll back greenhouse gas emissions standards for cars.

"My message to the EPA and Administrator Pruitt is simple: Do your job. Regulate carbon pollution from vehicles," California Attorney General Xavier Becerra said at a press conference Tuesday. "We are not looking to pick a fight with the Trump administration, but we are ready for one."

The lawsuit comes just days after sources said the Department of Transportation is planning to propose freezing fuel economy standards at model year 2020 levels. That could pave the way to a lower EPA greenhouse gas standard as well as an effort to block California from enforcing its own more stringent greenhouse gas standards.

"This move by Pruitt with the help and encouragement of Trump is not going to make America great. It's going to make America second-rate," said California Gov. Jerry Brown. "This is a science-based attack that we make on these characters in Washington."

Pruitt told lawmakers last week that he did not plan to go after California's ability to enforce its standards, and said he was looking to work with the state on the program. Democratic lawmakers are now calling those statements into question.

The lawsuit was filed in the U.S. Court of Appeals for the District of Columbia Circuit by

AMERICAN OVERSIGHT

California, Connecticut, Delaware, Illinois, Iowa, Maine, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, Washington, Massachusetts, Pennsylvania and Virginia, as well as the District of Columbia.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Fri 6/15/2018 8:08:57 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov.*

Highlights

Leading the News

Trump Pick for Environment Council Faces Easier Confirmation Path
By *Abby Smith*
Democratic senators and environmentalists agree that President Donald Trump's new pick to chair the White House environment shop is a step in a better—or at least more tolerable—direction.

EPA's Pruitt Got Rose Bowl Tickets. Democrats Want to Know How (1)
By Terrence Dopp (Bloomberg) and Jennifer A. Dlouhy (Bloomberg)
Environmental Protection Agency Administrator Scott Pruitt obtained tickets to the Rose Bowl with the help of a firm that does public affairs and communications work for energy companies—and a top congressional Democrat wants to know the details.

Trump Happy With Pruitt's Performance, But Not His Scandals (1)
By *Jennifer A. Dlouhy*
President Donald Trump says Scott Pruitt's done "a fantastic job" but that he's "not happy" about some of the EPA administrator's actions, amid numerous ethics probes that have cast doubt on Pruitt's continued tenure at the agency.

Stormy Sailing Expected When Marine Fuel Standard Changes

AMERICAN OVERSIGHT

By *Alan Kovski*

A surge in demand is coming for diesel and related fuels as shipping companies close in on a deadline to reduce sulfur emissions.

AMERICAN OVERSIGHT

Today's News

Trump Solar Tariffs Shine on After Court Challenge

By *Brian Flood*

A group of Canadian manufacturers lost their bid to temporarily escape the blanket "safeguard" tariffs the Trump administration imposed on imported solar power products.

Trump's Tariffs Are a 'Glancing Blow' for Wind Power, Batteries

By *Brian Eckhouse* and *Jim Efstathiou Jr.*

President Donald Trump's tariffs on $50 billion in Chinese imports include duties on components for wind turbines, nuclear reactors and batteries—but they are unlikely to cripple any of those industries.

Conservatives May Withhold Support in Farm Bill Revote

By *Teaganne Finn*

Conservative lawmakers remain non-committal a week before the deadline to revive the House farm bill after its May defeat over an unrelated immigration bill and tighter eligibility rules for federal food assistance.

U.S. 'Hashing Out' Details of Coal-Nuclear Rescue Plan: Perry

By *Alex Nussbaum* and *Jonathan Gilbert*

The Energy Department is still working on a proposed Trump administration plan to stem closures of U.S. coal and nuclear plants, Energy Secretary Rick Perry said from the Group of 20 summit in Bariloche, Argentina.

Sensient Colors Strikes Deal With EPA to Clean Up St. Louis Site (1)

By *Sylvia Carignan*

Sensient Colors LLC, a food and cosmetic dye company, is agreeing to clean up contamination and pay penalties for environmental violations stemming from its Missouri operations.

EPA Calls for Cleanups at 26 Sites Near Colorado's Gold King Mine

By *Tripp Baltz*

AMERICAN OVERSIGHT

Cleanup actions costing nearly $10 million have been proposed by the EPA for 26 sites in the Colorado Superfund district where Gold King Mine—the source of a large wastewater release in 2015—is located.

AMERICAN OVERSIGHT

Smelly Hog Farm Lawsuit Limits Unite Critics on Left, Right in N.C.

By *Andrew M. Ballard*

North Carolina lawmakers are looking to further restrict damage awards stemming from lawsuits against smelly hog farms.

AMERICAN OVERSIGHT

Another Problem for Pruitt: Deadline in Tar Creek Audit Suit

By *Peter Hayes*

The EPA faces a June 19 deadline to tell a federal court if it will release information about Administrator Scott Pruitt's refusal to release the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund.

New York Chemical Disclosure Rule Vexes Companies, May Fail Public

By *Pat Rizzuto*

New York state's regulation requiring cleaning product manufacturers to publicly disclose the chemicals in their products could fail to achieve its goals, said a senior director at Seventh Generation Inc.

Northeast Carbon Allowance Prices Up Slightly at Latest Auction

By *Gerald B. Silverman*

The cost for electric power companies to comply with the Northeast's carbon trading program rose by 6 percent in the latest auction of carbon allowances by the Regional Greenhouse Gas Initiative.

Shut Spigot at Foxconn's Flat Screen Plant Could Challenge Operation

By *Stephen Joyce*

Foxconn's proposed $10 billion manufacturing facility in southern Wisconsin could be in jeopardy after a state agency granted an environmental group's request for a hearing about a state-approved water permit.

Exxon Doubles Down on Oil

By Kevin Crowley

In the late 19th century, inventors including Thomas Edison created electric lighting that all but ended demand for kerosene, then the biggest product made from petroleum. Oil magnate John D. Rockefeller, the forefather of Exxon Mobil Corp., was unmoved, seeing any price dip as a chance to buy up competitors.

Ontario Premier-Elect to End Carbon Plan in Challenge to Trudeau

By Greg Quinn

Ontario's Progressive Conservatives will scrap the province's cap-and-trade program and pull out of the carbon-trading market with Quebec and California in

AMERICAN OVERSIGHT

its first act of government.

Ontario Scraps Carbon-Reduction Plan as It Expands Elsewhere

AMERICAN OVERSIGHT

By *Greg Quinn* and *Jim Efstathiou Jr.*

Ontario will scrap its cap-and-trade program and pull out of the carbon-trading market with Quebec and California, even as pollution pricing expands in other regions of the world.

AMERICAN OVERSIGHT

Cambridge University Sees Need for Yield From Fossil-Fuel Assets

By Mathew Carr and Anna Hirtenstein

Cambridge University can't immediately divest from fossil-fuel assets held by the school's 3 billion-pound ($4 billion) endowment because it needs the yield to finance its academic program.

AMERICAN OVERSIGHT

Sweden Seeking EU-wide Ban on Chemical Paraffins

By *Marcus Hoy*

A chemical commonly used in electrical cable insulation as a plasticizer and flame retardant would be banned across the European Union if regulators agree to a proposal by Sweden.

China's Silk Road to Back $3.9 Billion Solar Project, ACWA Says

By Anna Hirtenstein and Vinicy Chan

China's Silk Road Fund Co Ltd. is investing in the world's largest solar thermal plant that's under development in Dubai, an executive at the company promoting the project said.

Coping With Eskom's Cuts: South Africans Brace for Power Outages

By *Marcia Klein* (Bloomberg Environment), *Ntando Thukwana* (Bloomberg), and *Paul Burkhardt* (Bloomberg)

What happens when a country's largest utility can't pay its bills? That's what South Africans are finding out as state-owned utility, Eskom, struggles to keep power stations running while workers protesting over stagnant wages hamper block access to its facilities.

Eskom Says Implementation of Stage 1 Power Cuts Lifted

By Hilton Shone

South Africa's state-owned power utility has halted rolling power cuts announced June 15.

Wellington Pushes ESG 2.0 Focusing on Alpha More Than Altruism

By Charles Stein

About 30 analysts and portfolio managers at Wellington Management get together every couple of weeks to discuss climate change.

Thursday Night Wrapup

Daniel Simmons Tapped to Head Energy Department Renewables Office

By *Rebecca Kern*

Daniel Simmons, current acting head of the Energy Department's Energy

AMERICAN OVERSIGHT

Efficiency and Renewable Energy Office, was tapped by the White House to become assistant secretary for solar and wind development.

Farmworkers Get Updated Pesticide Training With New EPA Guidance

AMERICAN OVERSIGHT

By *Ayanna Alexander*

Farmworkers will get updated training on handling pesticides after the EPA June 14 released long-sought updates to the requirements.

AMERICAN OVERSIGHT

EPA Adopting New Policies for Lead Paint After Whistleblower Case

By *Adam Allington*

The Environmental Protection Agency released new guidelines designed to help prevent exposing children and pregnant women to lead dust during repairs or renovations of older housing.

Climate Impacts Need to be Considered in Oil, Gas Lease: Court

By *Alan Kovski*

Federal agencies leasing properties for oil and gas drilling must analyze the foreseeable impacts of greenhouse gases—not only from the lease sites but from downstream activities such as automotive fuel combustion and from cumulative emissions of any sources, a court ruled.

Avangrid Confident on Approval of New England Hydropower Project (1)

By *Adrianne Appel*

Avangrid Inc. says it is confident it can overcome environmentalists' opposition and receive Massachusetts' approval early next year for a project that would deliver hydropower to Bay State residents for about 20 years.

Heavy-Duty Vehicle Rules in Canada Target Next Decade's Emissions

By *James Munson*

Buses, trucks, and vans will have to be sleeker, smarter, and more efficient to meet new carbon emissions rules in Canada.

Canada Court Dismisses Ciba Appeal Over Mine Waste Patent

By *James Munson*

Canada's top court decided not to hear a patent case involving two global wastewater treatment companies June 14, depriving one of the firms of its last chance to reinstate a patent used in mining.

Industry Voices Concern as Norway Adopts EU Ship Recycling Rule

By *Marcus Hoy*

The Norwegian shipping industry objected to some elements of the European Union's approach to ship recycling after the government announced it will adopt the EU Ship Recycling Regulation.

AMERICAN OVERSIGHT

Blowback Over Japanese Plan to Reuse Tainted Soil From Fukushima

By *Brian Yap*

Japan's plan to reuse soil contaminated with radiation from the Fukushima-

AMERICAN OVERSIGHT

Daiichi nuclear power plant accident for agriculture is sparking something of its own nuclear reaction.

AMERICAN OVERSIGHT

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/6/2018 9:43:21 AM
Subject: Morning Energy: Pruitt watch: What comes next? — IG requests abound — GAO tells Congress to ban coal self-bonding

By Kelsey Tamborrino | 04/06/2018 05:41 AM EDT

With help from Alex Guillén and Daniel Lippman

WHAT COMES NEXT? EPA Administrator Scott Pruitt fared seemingly well Thursday, at least comparatively — appearing in no contentious interviews and receiving a fuller backing from the president. Of course, that could all change today. White House officials, conscious of how quickly Trump's mind can change about defending top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job, POLITICO's Eliana Johnson and Andrew Restuccia report.

RENT'S DUE: Eliana and Andrew also report the administrator was sometimes slow to pay the rent on his $50-per-night lease in Capitol Hill, according to two people with knowledge of the situation. Pruitt's lobbyist-turned-landlord had to pester him for payment, although it appears he eventually paid his back rent. More here.

STRONG FEELINGS: President Donald Trump praised Pruitt multiple times throughout Thursday, although he acknowledged that he would "have to look at" all of the reports on the EPA administrator. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job," Trump said of Pruitt. The president was returning from an event in West Virginia, where "they love Scott Pruitt," he said.

Meanwhile, Pruitt kept a low profile Thursday: The EPA chief headed to Kentucky, where he addressed members of the Association of Air Pollution Control Agencies on the agency's National Ambient Air Quality Standards attainment goal and the Trump administration's efforts to speed up the environmental permitting process. "EPA is making tremendous progress working with states and our co-regulators to improve air quality and provide regulatory certainty for local communities," Pruitt said in a statement released after the event.

And he may stay out of sight today too: Plans for a public event with Pruitt at the White House to announce changes to the air quality standards program today have apparently been shelved, but Trump still intends to sign an executive order on the subject, The Washington Post reports. Pruitt had said earlier this week that an announcement on the new policy was in the works, but EPA did not respond to ME's questions Thursday night.

DRIP, DRIP, DRIP: More Pruitt stories emerged Thursday, culminating in an explosive report from The New York Times that detailed how at least five EPA officials were reassigned or demoted, or requested new jobs, after raising concerns about Pruitt's spending habits and ability to manage. Pruitt at one point requested the use of emergency sirens to get him and his security detail through D.C. traffic, including at least one trip to French restaurant Le Diplomate, according to the Times. Read the full report here.

AMERICAN OVERSIGHT

Other Thursday headlines include:

— **Pruitt endorsed raises for two of his aides,** The Washington Post reports, though he left it to others to actually carry out the pay increases. Two EPA officials and one from the White House told the Post that Pruitt told subordinates to give the raises to senior counsel Sarah Greenwalt and Millan Hupp, his director of scheduling and advance, both of whom had worked for him in Oklahoma.

— **Even with the continued spray of scandals,** CNN reported Trump floated replacing Attorney General Jeff Sessions with Pruitt as recently as this week. "He was 100 percent still trying to protect Pruitt because Pruitt is his fill-in for Sessions," one source familiar with Trump's thinking told CNN.

— **The Department of Consumer and Regulatory Affairs** issued a citation to the owner of Pruitt's condo, due to lack of proper licensing to rent the unit. A NBC 4 Washington reporter tweeted the fine could hit $2,034.

THE $16,000 SEAT: That's about how much it cost for Pruitt to fly to Morocco last year, according to a new letter from the top Democrat on the House Oversight Committee, citing documents the panel received from EPA. Rep. Elijah Cummings said the documents showed "that Mr. Pruitt's seat cost $16,164," but were insufficient to determine the full costs for Pruitt and his aides on that and other trips. He asked Oversight Chairman Trey Gowdy to issue a subpoena for more. Read that letter here.

WHERE THE GOP STANDS: Republicans aren't going to give up a fight for Pruitt's permanence any time soon. A leadership aide tells POLITICO's Burgess Everett that the Senate won't be able to confirm a conservative EPA administrator if Pruitt is canned. That may contribute to the choir of GOP voices who are still standing firmly in the embattled EPA administrator's corner. Conservatives like Sens. Rand Paul and Ted Cruz vocalized their support on Twitter Thursday. "He's been an effective member of the President's team," Sen. Jim Inhofe said in a statement.

Still, a third Republican joined in calling on Pruitt to resign Thursday. "I fundamentally disagree with how Pruitt has handled the EPA," Rep. Elise Stefanik said at a town hall meeting.

HART WEIGHS IN: Energy lobbyist Steven Hart, whose wife Vicki co-owned the condo rented to Pruitt, expressed regret in a statement released to POLITICO. Hart said he was taking the matter "very seriously" and apologized to his wife, "whose fantastic career is being maligned unnecessarily." Hart also reiterated that the condo was not owned by his firm Williams & Jensen, its partners or any other employees of the firm. "[A]ny suggestion that Administrator Pruitt's short-term rental of one of its bedrooms in 2017 resulted in undue influence for the firm or its clients with business before the EPA is simply false," Hart said. "I am confident in these facts, and certain that all fair and impartial assessments of the matter will conclude accordingly."

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. The Natural Resources

AMERICAN OVERSIGHT

Defense Council's Ed Chen was first to guess the first president to receive a Ph.D. was Woodrow Wilson, who got a one in political science from Johns Hopkins University. Another presidential question for today: Which president started his career as a male model, landing a spot on the cover of Cosmopolitan? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Pro subscribers: Are you getting all the content you want? Make sure your keywords are up to date and customized via your settings page at http://politico.pro/1iDALk9.

POLITICO Space is our new, free weekly briefing on the policies and personalities shaping the second space age in Washington and beyond. **Sign up today to start receiving the newsletter right at launch on April 6.** *Presented by Boeing.*

IG REQUESTS ABOUND: Democratic Sens. Tom Carper and Sheldon Whitehouse asked EPA's inspector general to expand an existing investigation into Pruitt's alleged use of a special hiring authority to give raises to two aides, Pro's Alex Guillén reports. Alex also confirmed earlier Wednesday that the IG is reviewing requests to investigate Pruitt's $50-a-night lease agreement — the first step before determining whether to launch a formal probe. Opposition research group American Bridge 21st Century added itself to the list Thursday, sending a letter to the IG requesting an investigation into Pruitt's rental.

— **Another new letter to the IG emerged Thursday** from Carper, who raised questions last week — before Pruitt's scandal saga hit fever-pitch — about Samantha Dravis' prior work experience. Specifically, Carper wrote he had been informed that Dravis "did not attend work or preform her duties for much if not all of the months of November 2017 - January 2018." Read it here.

AD-ING IT UP: American Bridge is also launching new digital ads focused on Pruitt's "corrupt spending." The ads will run on Twitter and will target those tweeting about Pruitt, directing them to their petition page.

202 AND YOU: The president promised a crowd in West Virginia Thursday he'd review the use of emergency authority to prop up coal and nuclear power plants, a provision referred to as Section 202c of the Federal Power Act. "We'll be looking at that 202. You know what a 202 is? We'll be looking at that," Trump said. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back." The use of the provision has resurfaced after Ohio-based FirstEnergy Solutions submitted an unusual request to the Energy Department just before it filed for bankruptcy protection, asking that department to use its authority to provide four-year contracts to many coal and nuclear power plants in the PJM Interconnection. Read more here from Pro's Eric Wolff.

WIND POWERS ZINKE REMARKS: Interior Secretary Ryan Zinke will speak at noon today about U.S. offshore wind initiatives at the International Offshore Wind Partnering

AMERICAN OVERSIGHT

Forum in Princeton, N.J. Bureau of Ocean Energy Management's program manager of offshore renewable energy, James Bennett will speak at the forum earlier in the day about the agency's thoughts on offshore wind in the Atlantic. "We want the federal government to be our partners, and we are ready to work with Secretary Zinke, who recognizes offshore wind has become more valuable in terms of both environmental and economic benefits," said Liz Burdock, executive director of the Business Network for Offshore Wind, earlier this week.

GAO TELLS CONGRESS TO BAN COAL SELF-BONDING: Congress should pass a law barring coal companies from using "self-bonding" to ensure they will clean up old mine sites, according to a new report from the Government Accountability Office. Most coal-related financial assurances are done through surety bonds secured from other companies or by putting up collateral. But 12 percent of assurances in 2017, representing $1.2 billion, were done via self-bonding, in which a coal company essentially promises it has the money to cover clean-up costs, according to GAO's report.

Recent high-profile coal bankruptcies "have highlighted risks" that the Interior Department and the states face to be left holding the bag if coal companies go under without remediating their mines, GAO concluded. It's "a risk that may be greater today than when self-bonding was first authorized under" the Surface Mining Control and Reclamation Act of 1977, the agency added. Hardrock miners, the agency noted, were barred from self-bonding back in 2001.

MAIL CALL! Senate Energy and Natural Resources ranking member Maria Cantwell sent a letter Thursday to Zinke requesting he withdraw his park fee increase proposal. "I am unable to see how doubling or tripling a park entrance fee is anything other than an effort to exclude many Americans from enjoying their national parks," Cantwell wrote. The Associated Press reported earlier this week that the department was walking back the proposal after public outcry. Read Cantwell's letter here.

COME FOR THE CHERRY BLOSSOMS, STAY FOR THE OIL INFRASTRUCTURE? A 10-foot oil derrick and construction crew will be strategically placed on the National Mall today, to draw attention to potential drilling on public lands. The display comes via The Wilderness Society's "Too Wild to Drill" campaign. **If you go:** The display will be up on the Mall between 14th and 15th Streets from 10 a.m. to 4 p.m.

CfA SUES FOR TAR CREEK DOCS: The Campaign for Accountability filed a lawsuit against EPA on Thursday to force the agency to comply to a Freedom of Information Act request about a northeastern Oklahoma Superfund site. The lawsuit requests documents between officials at EPA and news organizations, including POLITICO, regarding the Tar Creek Superfund cleanup site. The site was the subject of a recent feature in POLITICO Magazine. Read the suit here.

— **The Renewable Fuels Association submitted FOIA requests** to EPA and DOE regarding waivers issued for small refineries from complying with the Renewable Fuel Standard. Read it here.

AMERICAN OVERSIGHT

QUICK HITS

— U.S. companies on edge over tariff threat to supply chains, Financial Times.

— Quietly, Trump officials and California seek a deal on car emissions, The New York Times.

— Conservative allies rally in bid to save embattled EPA head, Bloomberg.

— Documents show Shell grappled with climate change years ago, E&E News.

— How Lisa Murkowski mastered Trump's Washington, The New York Times Magazine.

— This Texas school that inspired "Friday Night Lights" is overcrowded amid oil boom, The Texas Tribune.

HAPPENING TODAY

8:00 a.m. — The Business Network for Offshore Wind holds International Offshore Wind Partnering Forum, Princeton, N.J.

9:00 a.m. — The Henry L. Stimson Center seminar on "Solving the Unsolvable: Nuclear Waste Solutions for the New Millennium," 1211 Connecticut Avenue NW

9:30 a.m. — The National Capital Region Water Resources Symposium on water management in urban environments, 4340 Connecticut Ave NW

10:00 a.m. — The Millennium Challenge Corporation discussion on work in the water, sanitation and irrigation sector, 1099 14th Street NW

12:30 p.m. — Young Professionals in Energy DC afternoon tour of Covanta's Energy-from-Waste facility, Alexandria, Va.

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitt-watch-what-comes-next-160332

Stories from POLITICO Pro

Pruitt fell behind on payments for his $50-a-night condo rental Back

By Eliana Johnson and Andrew Restuccia | 04/05/2018 05:21 PM EDT

AMERICAN OVERSIGHT

Environmental Protection Agency chief Scott Pruitt was at times slow to pay the rent on his $50-per-night lease in a Capitol Hill condo, according to two people with knowledge of the situation — forcing his lobbyist landlord to pester him for payment.

Pruitt's living arrangement is the latest ethical issue to come under scrutiny by the EPA's inspector general's office, which said Thursday it's considering opening an investigation into Pruitt's lease arrangement — a move that would add to reviews of Pruitt's taxpayer-funded first-class travel, his use of special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The EPA head was renting the condo from health care lobbyist Vicki Hart, whose husband, J. Steven Hart, is an energy lobbyist.

The cavalcade of problems has raised questions about Pruitt's future in the Trump administration.

Though President Donald Trump told reporters "I do, I do," when asked Thursday whether he had confidence in Pruitt, an administration official said the president has begun asking friends and advisers what he should do about the EPA chief.

On his way back from an event in West Virginia, Trump said he was considering how to respond to reports about Pruitt's activities. "I have to look at them," Trump said. "I'll make that determination."

But the president said repeatedly that he thinks Pruitt has done "a fantastic job."

"I think he's a fantastic person," Trump added. "I just left coal and energy country. They love Scott Pruitt. They feel very strongly about Scott Pruitt, and they love Scott Pruitt."

Trump's conservative outside advisers have been mounting a defense of the EPA chief, urging the president not to succumb to what they argue is an unfair pile-on by the media.

White House officials, conscious of how quickly the president's mind can change about defending or dismissing top advisers, have avoided publicly making any definitive statements about how long Pruitt will remain in his job. "I can't speak to the future of Scott Pruitt," White House spokesman Hogan Gidley said Thursday. "If the president has confidence in somebody, they stay."

But behind the scenes, White House officials are frustrated with the way Pruitt has handled the crisis. While in many cases, the president has unilaterally dismissed Cabinet members and senior advisers against the advice of his top aides, Pruitt's situation is a rare instance in which the president has remained loyal longer than other members of the White House staff, who are eager to see Pruitt gone.

West Wing frustration with Pruitt spiked after a Fox News interview on Wednesday that one White House official called a "disaster."

AMERICAN OVERSIGHT

Trump, who watched the interview, was said to be unhappy with Pruitt's performance, the aide said, adding that the EPA chief appeared to be unprepared for tough questions from Fox News correspondent Ed Henry.

Pruitt, for his part, has gotten conflicting messages from the White House.

During a phone call on Monday, Trump encouraged Pruitt to defend himself after the EPA chief complained that the press was out to get him, according to a person familiar with the conversation — which Pruitt interpreted as a green light from Trump to do a series of media interviews in a bid to tamp down the scandals engulfing him.

But Kelly and other White House officials have found Pruitt's efforts at a response to be lackluster and counterproductive. Kelly called Pruitt after Wednesday's Fox News interview to discourage him from doing more press.

In a separate phone call on Tuesday, Kelly pressed Pruitt about whether more damaging revelations were coming, the White House official confirmed. The Daily Beast first reported Kelly's comments. It is unclear how Pruitt responded, but the next day, The Atlantic broke the news that Pruitt circumvented the White House to grant raises to two employees.

And late Thursday, Pruitt faced a new batch of damaging reports, including one from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Pruitt's lease agreement, first reported last week by Bloomberg News, has become a point of contention because political appointees sign an ethics pledge prohibiting them from accepting gifts from lobbyists — which would cover cut-rate lodging.

A lease agreement covering February through April 2017 indicated Pruitt's rent was "payable on the 1st day of each month, in installments of $500 on March 1, 2017 and any remaining balance on April 1, 2017 based on days of actual occupancy," according to a memo obtained by the Campaign Legal Center.

Had Pruitt stayed in the condo every night in a given month, he would have owed $1,500 — but canceled checks reviewed by Bloomberg show Pruitt made a payment of $1,700 on Sept. 1, suggesting he eventually paid his back rent.

A spokesman for Pruitt declined to comment.

The uncertainty about Pruitt's fate comes in the wake of Trump's successive dismissals last month of Secretary of State Rex Tillerson, national security adviser H.R. McMaster and Veterans Affairs secretary David Shulkin.

His situation may more closely resemble that of former "Apprentice" contestant Omarosa Manigault, who was fired in December of last year despite the president's initial objections after

AMERICAN OVERSIGHT

Kelly convinced him that her abuse of a White House car service, among other things, was a scandal in the making.

Pruitt was among a handful of Cabinet-level officials slapped on the wrist last month by Kelly, who called him into the White House to drill home the notion that — legality aside — "optics matter." CNN first reported on the meeting.

Pruitt has made clear he wants to keep fighting. He pushed back on allegations in the interview with Fox News on Wednesday. In the interview, Pruitt described his housing arrangement as "an Airbnb situation" and said EPA ethics officials had signed off on it.

An EPA ethics official clarified later Wednesday that he had concluded only that the $50-per-night lease did not constitute an improper gift but did not investigate whether Pruitt's arrangement ran afoul of other ethics rules.

Asked by Fox whether renting a room from a Washington lobbyist was inconsistent with Trump's promise to drain the swamp, Pruitt replied: "I don't even think that that's even remotely fair to ask that question."

To view online click here.

Back

Trump: Pruitt's 'done an incredible job' Back

By Kelsey Tamborrino | 04/05/2018 05:17 PM EDT

President Donald Trump today praised Scott Pruitt but said he would look into reports of ethics questions that have been raised about the EPA administrator.

"I think he's done an incredible job," Trump said of Pruitt, according to a pool report. "He's been very courageous. It hasn't been easy, but I think he's done a fantastic job."

Pruitt has come under scrutiny for a slew of reports concerning a $50-per-night condo he rented from a lobbyist last year, as well as previous questions surrounding his travel costs and security spending. When asked about the reports today, Trump suggested he had not read all the details.

"I have to look at them," Trump told reporters aboard Air Force One. "I'll make that determination. But he's a good man."

The president was returning from an event in White Sulphur Springs, W.Va., on the recent tax cuts, where he said the residents were in support of Pruitt.

"You know, I just left coal and energy country," Trump said. "They love Scott Pruitt. They feel very strongly about Scott Pruitt."

AMERICAN OVERSIGHT

To view online click here.

Back

Third Republican calls on Pruitt to resign Back

By Alex Guillén | 04/05/2018 03:34 PM EDT

Rep. Elise Stefanik (R-N.Y.) today called on EPA Administrator Scott Pruitt to resign, becoming at least the third Republican to do so even as more conservative lawmakers come to Pruitt's defense.

"I'm going to make news today," Stefanik said at a town hall meeting in South Glens Falls, about 45 miles north of Albany, according to The Saratogian. "I think Scott Pruitt should resign. I fundamentally disagree with how Pruitt has handled the EPA."

Reps. Carlos Curbelo and Ileana Ros-Lehtinen, both Florida Republicans, earlier this week called for Pruitt's ouster, as have a number of Democrats. Pruitt is facing increased scrutiny for ethics issues including the $50-per-night rent he paid to rent space in a condo from a lobbyist last year.

Meanwhile, conservative Republicans like Sens. Rand Paul (R-Ky.) and Ted Cruz (R-Texas) have come to Pruitt's defense today.

"Why do Obama and his media cronies want so badly to drive @EPAScottPruitt out of office?" tweeted Cruz.

Pruitt "is likely the bravest and most conservative member of Trump's cabinet," tweeted Paul. "We need him to help @realDonaldTrump drain the regulatory swamp."

To view online click here.

Back

Democrats ask EPA IG to expand probe into hiring authority to cover aides' raises Back

By Alex Guillén | 04/05/2018 05:10 PM EDT

Two Senate Democrats today asked EPA's inspector general to expand an existing investigation into Administrator Scott Pruitt's use of a special hiring authority to look into allegations that two aides brought with him from Oklahoma received large raises via that authority.

The Atlantic first reported this week that Sarah Greenwalt and Millan Hupp were both denied

AMERICAN OVERSIGHT

large raises by the White House, but that they later received them via special authority that allows Pruitt to make hires via the Safe Drinking Water Act.

Pruitt said Wednesday on Fox News that he had no knowledge of the raises, and was looking into the matter.

In a letter to EPA's IG, Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.) write that if Pruitt's statement to Fox News is accurate, then one or more EPA officials acted without his knowledge. "This could indicate a serious breakdown of internal controls on the appropriate use of this authority," they wrote. "If Pruitt's statements were false, then the SDWA hiring authority may have been intentionally abused under the direction of the Administrator to award large raises to favored aides."

EPA's IG in January announced an investigation into whether Pruitt used the SDWA hiring authority to shield political appointees from the Trump administration's ethics pledge.

To view online click here.

Back

EPA inspector general reviewing allegations around Pruitt rental Back

By Alex Guillén | 04/05/2018 09:04 AM EDT

EPA's inspector general is reviewing requests to investigate Administrator Scott Pruitt's $50-a-night lease agreement, a spokesman confirmed today — an initial step before determining whether to launch a formal probe.

Democrats from the House and Senate this week called on the IG to review Pruitt's rental of a room in a condo co-owned by the wife of a lobbyist with energy clients.

There are already three other IG investigations underway into Pruitt's specific activities at EPA. The IG is also investigating his travel, his use of a special Safe Drinking Water Act hiring authority and his spending on a soundproof phone booth for his office.

WHAT'S NEXT: It is unclear how long the IG will review the allegations before determining whether to open an investigation into the apartment lease. IG probes often take months to complete.

To view online click here.

Back

Top Pruitt policy aide Samantha Dravis resigns Back

AMERICAN OVERSIGHT

By Emily Holden and Daniel Lippman | 04/05/2018 09:05 AM EDT

Samantha Dravis, senior counsel and associate administrator of EPA's Office of Policy, submitted her resignation early last week, according to a source familiar with her plans.

People close to the situation said she had been planning to leave for some time, and that her decision is not because of a series of recent negative headlines for Administrator Scott Pruitt, including news that he rented a $50-a-night condo from a lobbyist and clarification from an ethics official late last night that he didn't have all the facts when he suggested the deal might not violate rules.

Dravis is one of Pruitt's top aides and she had been tasked with numerous new responsibilities, including a regulatory reform task force, and the offices for environmental reviews and environmental justice.

Dravis, who previously was policy director and general counsel of the Republican Attorneys General Association, will pursue opportunities in the private sector.

To view online click here.

Back

Trump in West Virginia promises review of emergency authority for power plants Back

By Eric Wolff | 04/05/2018 03:30 PM EDT

President Donald Trump told a crowd in West Virginia today that he'd review the use of emergency authority to prop up coal and nuclear power plants.

Trump said he would review the use of Section 202c of the Federal Power Act, a provision that can be used to keep power plants running that are in danger of retiring. The president was at an event in White Sulphur Springs, W. Va., promoting last year's tax cuts.

"We'll be looking at that 202. You know what a 202 is? We'll be looking at that," he told the crowd. "We're trying. Nine of your people just came up to me outside, 'Could you talk about 202?' We'll be looking at that as soon as we get back."

FirstEnergy Solutions, an Ohio utility company, submitted an unusual request to the Department of Energy last week — days before the company filed for bankruptcy protection — asking that DOE use its authority to provide four-year contracts to as many as 85 coal and nuclear power plants in the PJM Interconnection, a power market consisting of 13 mid-Atlantic and rust belt states.

DOE rejected a request from FES, a subsidiary of the regulated utility FirstEnergy Corp., to use

AMERICAN OVERSIGHT

that authority last year, and FERC rejected a rule proposed by Energy Secretary Rick Perry that would have benefited FES in January.

Alex Guillén contributed to this report

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering up anything, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was

AMERICAN OVERSIGHT

important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in the interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

AMERICAN OVERSIGHT

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has

AMERICAN OVERSIGHT

been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-led study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation

AMERICAN OVERSIGHT

of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of

AMERICAN OVERSIGHT

former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother

AMERICAN OVERSIGHT

collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits. In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that

AMERICAN OVERSIGHT

we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, which offered the most expensive of all four bids. At $2.1 million, Stone's bid was nearly four times that of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract

AMERICAN OVERSIGHT

remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, whose bid was also the least expensive of the three received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said David Blatt of

AMERICAN OVERSIGHT

the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In the interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term "grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at

AMERICAN OVERSIGHT

the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the former president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

AMERICAN OVERSIGHT

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan

AMERICAN OVERSIGHT

Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Joplin Globe columnist Wally Kennedy, who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

AMERICAN OVERSIGHT

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003668

ED_001863D_00001360-00016

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/29/2018 9:44:16 AM
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas

AMERICAN OVERSIGHT

infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California, as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal

AMERICAN OVERSIGHT

expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote. Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like

AMERICAN OVERSIGHT

future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved

AMERICAN OVERSIGHT

Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

AMERICAN OVERSIGHT

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national

AMERICAN OVERSIGHT

emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the

AMERICAN OVERSIGHT

commission had nothing to do with his frequent objections to one of the Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that

AMERICAN OVERSIGHT

few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

AMERICAN OVERSIGHT

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

AMERICAN OVERSIGHT

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer

AMERICAN OVERSIGHT

or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided

AMERICAN OVERSIGHT

aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under

AMERICAN OVERSIGHT

the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of

AMERICAN OVERSIGHT

staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

AMERICAN OVERSIGHT

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm

AMERICAN OVERSIGHT

elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

AMERICAN OVERSIGHT

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of

AMERICAN OVERSIGHT

course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the

AMERICAN OVERSIGHT

farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003688

ED_001863D_00001361-00020

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Thur 6/28/2018 9:44:23 AM
Subject: Morning Energy, presented by ExxonMobil: Musical chairs: SCOTUS edition — Gas industry against 'transition fuel' description — Perry's back

By Kelsey Tamborrino | 06/28/2018 05:42 AM EDT

With help from Alex Guillén, Annie Snider, Eric Wolff, Anthony Adragna and Emily Holden

MUSICAL CHAIRS, SCOTUS EDITION: Supreme Court Justice Anthony Kennedy announced his retirement Wednesday — setting the stage for President Donald Trump to install a pick that will likely shift the court to the right for a generation to come. Talk of who will replace Kennedy kicked off about 1.4 seconds after he announced his retirement. The president said he will pick from his list of contenders from last year (so say goodbye to the idea of Justice Scott Pruitt). It's early, but here are a few names ME is keeping an eye on:

— **Brett Kavanaugh**, 53, judge on the D.C. Circuit Court of Appeals since 2006. Kavanaugh — already reportedly a front-runner — has been on Republican SCOTUS short lists since he joined the D.C. Circuit 12 years ago. Thanks to his seat there, Kavanaugh has had his fingers in numerous environmental cases over the years, and is widely seen as critical of many Obama-era EPA rules. (In a tweet , E&E News' Robin Bravender pointed out Kavanaugh's conservative credentials. "A source told me a few years back: 'I would think him a judge that is more open to second-guessing the EPA than nearly anyone.'")

— **Patrick Wyrick**, 37, Oklahoma Supreme Court justice, nominee to the U.S. District Court for the Western District of Oklahoma. Aside from his youth, Wyrick's other claim to fame is a close connection to EPA chief Pruitt. Wyrick's nomination to a federal district court cleared committee earlier this month on a party-line vote, but he drew fire from liberal groups such as the Alliance for Justice and the League of Conservation Voters for his work as Oklahoma's solicitor general while Pruitt was fighting federal regulations as attorney general. Pruitt previously called him "a superb lawyer" and "a dear friend and trusted counselor."

— **Sen. Mike Lee** (R-Utah), 47. Lee chairs the Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining and the Republican Steering Committee. A former clerk for Samuel Alito when he was on the 3rd Circuit Court of Appeals, Lee in recent years made headlines for holding up federal aid to Flint, Mich., saying the state should pay for its lead crisis. Lee also praised the president last year for significantly reducing the size of two national monuments in Utah.

ICYMI: Environmental issues are certainly not left out of the wide-ranging implications of Kennedy's departure, as Pro's Alex Guillén and Annie Snider report. Kennedy for more than a decade has dictated by his votes which streams and wetlands should be protected under the Clean Water Act, and he cast the deciding vote that in 2007 opened the door to EPA climate regulations.

WELCOME TO THURSDAY! I'm your host, Kelsey Tamborrino. Bracewell's Frank Maisano

AMERICAN OVERSIGHT

knew President Richard Nixon was the first to see a triple play while attending a baseball game. It was a 1969 game between the Senators and Tigers, where the Tigers got the play, but still ended up losing 7-3. For today: Three current governors were born in Pennsylvania — more than any other state. Name them. Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. New speakers include: Seema Verma, administrator of the Centers for Medicare & Medicaid Services; Scott Gottlieb, commissioner of the Food and Drug Administration; and others. Register today.

CROSS THAT BRIDGE FUEL: Industry leaders are trying to make one simple message clear at this week's World Gas Conference: They're nobody's transition fuel. As natural gas has been touted by some as a cleaner-than-coal bridge fuel to hold things over until renewable sources take over, gas executives this week argued that renewables can't keep up with growing energy demand, Pro's Eric Wolff reports . "Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become de-carbonized itself, gas needs to become green if it wants to be part of a de-carbonized future in Europe."

Others said the vast scale of the power grid would require a fuel like gas for decades, while highlighting how wind and solar can only provide less than 8 percent of the U.S. power supply. Still, executives said they see coal as their chief competition, not renewables. "Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

HE'S BAAACK: Energy Secretary Rick Perry returns to Day Four of the conference for a discussion this afternoon on the role of gas in an integrated Americas. Ahead of his appearance, Perry will join Ray Washburne, president and CEO of the Overseas Private Investment Corporation, to announce a joint initiative for energy investment in the Americas. And when Perry takes the stage, he'll be joined by private-sector representatives and Javier Iguacel, the energy minister of Argentina, where Perry attended the G-20 earlier this month.

Perfect timing: DOE released an updated primer on Natural Gas Liquids on Wednesday, with a renewed focus on NGL's potential in the Appalachian region. The primer, updated with new data from EIA, includes a new section on R&D opportunities related to natural gas and NGL production, conversion and storage. Read it here.

What else? Alaska Sen. Lisa Murkowski will deliver keynote remarks at the conference this morning on "access to sustainable energy in developing economies." Ohio Rep. Bill Johnson will

AMERICAN OVERSIGHT

discuss the small- to mid-scale LNG movement.

ZINKE RESPONDS: Interior Secretary Ryan Zinke spoke out publicly for the first time Wednesday about a POLITICO report exposing a Montana real estate deal involving a nonprofit he launched and developers backed by Halliburton Chairman Dave Lesar. On talk radio program Voices of Montana, Zinke attacked the reports but did not dispute any specific details, as POLITICO's Ben Lefebvre notes . The secretary acknowledged meeting with Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier.

NOT SO FAST: Senate Judiciary Chairman Chuck Grassley's first ever invocation of his chairmanship in response to EPA's Renewable Fuel Standard announcement on Tuesday didn't escape the notice of EPW Chairman John Barrasso. Though noting he didn't want to "get into a thing," Barrasso said, "in terms of the RFS, that's in the jurisdiction of EPW." He added, "I have a great deal of respect for Chairman Grassley. He knows the institution, the committees, jurisdiction probably better than anybody."

DIVIDED PANEL UPHOLDS MURRAY PUNISHMENT OVER BONUS PLANS: An evenly divided federal panel has effectively upheld a judgment against coal producer Murray Energy for a bonus program that an administrative law judge said undermined worker safety. The bonus plans offered miners up to $250 a shift if the crew met certain production quotas, but an ALJ at the Federal Mine Safety and Health Review Commission in 2016 said that motivated miners to avoid reporting safety violations or injuries. She fined Murray $150,000, even more than the Obama administration had asked for. The matter was appealed to the four sitting FMSHRC commissioners, with two saying the ALJ's decision should be upheld and two saying it should be reversed — creating a tie that in effect upheld the ALJ's decision. "We will immediately appeal this split decision and we will prevail," Murray said in a statement.

FIRSTENERGY LOOKING TO DUMP MURRAY CONTRACTS: FirstEnergy Solutions wants a bankruptcy judge to reject a contract the company has with the McElroy mine, owned by Murray Energy. The company has been trying to unload nuclear fuel and coal supply contracts throughout its bankruptcy, but Wednesday's filing was the first time it tried to get out of a Murray contract. The company says a January fire at its Bruce Mansfield coal plant has reduced its need for coal, and it wants out of $35 million worth contracts. Murray and FirstEnergy Corp. CEO Chuck Jones have both lead the charge for a federal bailout of coal and nuclear plants

MOVING AHEAD: Count Sen. Lamar Alexander, who oversees the Appropriations subpanel responsible for the energy and water spending title, in favor of moving ahead quickly with a conference between the House and Senate. "We'll move quickly as soon as the conferees are appointed," he told ME. "There's always issues, but we have a good history of working together." Alexander said he'd already had an informal chat with his House counterpart, Rep. Mike Simpson, and expected the House would name conferees later this week.

FOR YOUR RADAR: FERC Commissioner Neil Chatterjee will discuss "securing America's energy infrastructure" during a discussion at the Bipartisan Policy Center's conference today on

AMERICAN OVERSIGHT

the electric grid. Separately, Eric Lightner, director of DOE's Smart Grid Task Force, will participate in a discussion on "nourishing the research."

DEMOCRATS: BRING BACK THE ICR: Democrats are rallying around a return of an EPA information collection request in the aftermath of reports last week that oil and gas methane emissions are much greater than previously thought. A group of Democrats sent a letter to Pruitt on Wednesday calling on him to reinstate a formal ICR — which would require companies to report detailed technical information about methane emissions from their operations — after he withdrew the Final Methane ICR in March 2017. "With new science showing that emissions are likely considerably higher than previously thought, there is no excuse for delaying or rescinding methane emission controls, or for failing to collect data from methane emitters," the Democrats wrote.

MAIL CALL! CENTER'S REBUTTAL: The Center for Biological Diversity fired back at House Natural Resources Republicans, who last week questioned its relationship with the Japanese government. Defending its moves to protect the Okinawa dugong, an imperiled marine mammal, the center said it collaborated with U.S. and international partners but did not take direction from anyone but its board and executive director. "Neither its dugong campaign, nor any of its conservation work, is controlled in any manner by any other domestic or foreign interest. Nor does the Center formally represent the interest of any party other than itself and the species and places it seeks to protect," the Center's Kierán Suckling writes. If Republicans are "confused ... it is perhaps because they abuse their positions of power so regularly, and are so deeply influenced by powerful corporate donors, that they are unable to conceive of people being motivated by empathy, public interest and respect for the rule of law and democracy." Read the letter here.

ABOUT THAT 'RULE OF LAW': The top Democrats in the House and Senate overseeing the Clean Water Act are worried that Pruitt is not enforcing all violations of the 1972 law. The administrator has recently moved to consolidate key decisions with top political appointees, and last month an EPA staffer publicly acknowledged that the agency is dropping or slow-walking cases where Clean Water Act coverage is not a "slam dunk." In a letter to Pruitt yesterday, House Transportation ranking member Peter DeFazio and Senate Environment and Public Works Committee ranking member Tom Carper raised their concerns, arguing that the moves "call into question this administration's commitment to the rule of law," and asking for key details about enforcement actions currently underway.

REPORT: GHG EMISSIONS TO MISS PARIS TARGET: U.S. greenhouse gas emissions are estimated to drop 12 percent to 20 percent below 2005 levels by 2025 — far lower than the 26 percent to 28 percent that the Obama administration promised in the Paris agreement, according to a new assessment by Rhodium Group. The findings are based on current policies, although the outlook could change with state and local efforts and based on future elections, Rhodium noted. The power sector accounts for most emissions reductions.

Natural gas and renewable power will continue to displace coal, but they also will push nuclear plants into retirement after 2025, meaning there could be an emissions rebound. Transportation is the largest source of greenhouse gases, which could decline as electric vehicles

AMERICAN OVERSIGHT

become more affordable. But "there is little downward pressure on economy-wide emissions post-2025," Rhodium said. Forest and land use remain a "wild card" for U.S. emissions, the group added.

CEQ RELEASES NEUMAYR DISCLOSURE: The Council on Environmental Quality has released its updated financial disclosure for Mary Neumayr, the new nominee to run the White House Council on Environmental Quality. Her disclosure doesn't show any direct energy-related holdings. Neumayr, who has been acting head of CEQ for more than a year, previously his jobs on the Hill and in the Bush administration.

QUICK HITS

— "He lobbied for coal. Now he's In the Trump administration, and watching his words," Bloomberg.

— "OPEC run by unanimous decision, not Saudi Arabia, says Kazempour," S&P Global.

— "Ford beats its own carbon emission reduction goals 7 years early," CNET.

— "Company plans to finish Louisiana oil pipeline by October," Associated Press

— "Interior Department plans to let people kill endangered red wolves," The Washington Post

HAPPENING TODAY

9 a.m. — The Inter-American Dialogue discussion on "Energy Policy in Brazil: What's Next for Upstream, Refining and LNG?" 1155 15th St NW.

10 a.m. — Plug In America and the Senate Auto Caucus host electric vehicle "ride and drive," 1st and C Streets NE.

10 a.m. — United States Energy Association discussion on fossil energy in a sustainable energy future, 1300 Pennsylvania Ave NW.

1:15 p.m. — Bipartisan Policy Center conference on advancing the electrical grid, 529 14th St NW.

4 p.m. — USAID Adaptation Community meeting on managing for climate risk, 1717 H St NW.

6 p.m. — The Competitive Enterprise Institute's annual dinner and reception, 901 Massachusetts Ave NW.

7 p.m. — Sen. Ed Markey holds a "Climate Crisis Action Summit," Belmont, Mass.

THAT'S ALL FOR ME!

AMERICAN OVERSIGHT

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/musical-chairs-scotus-edition-266214

Stories from POLITICO Pro

Anthony Kennedy retiring, giving Trump opening to reshape Supreme Court Back

By Josh Gerstein and Louis Nelson | 06/27/2018 02:06 PM EDT

Supreme Court Justice Anthony Kennedy announced on Wednesday that he will retire, unleashing an epic political battle to replace him that could allow President Donald Trump to shift the court to the right for a generation to come.

The departure of the 81-year-old Kennedy from his post after more than three decades has the potential to radically reshape the court on issues such as abortion, affirmative action and gay rights, where Kennedy has served as a swing vote.

"It has been the greatest honor and privilege to serve our nation in the federal judiciary for 43 years, 30 of those years on the Supreme Court," Kennedy said in a statement. He said that he wanted to spend more time with his family and that his decision would be effective July 31.

His exit is expected to create a furious fight in the Senate over his replacement, and it could thrust the often overlooked issue of judicial selection to the forefront in close Senate races in this year's midterms.

Trump told reporters Wednesday that Kennedy, whom he said has "been a great justice of the Supreme Court," had come to the White House earlier in the day to inform him of his retirement plans. Trump said he asked Kennedy for recommendations as to his replacement but did not say how the retiring justice responded.

The president pledged that his pick for Kennedy's successor would come from lists of potential nominees he already circulated, starting during the 2016 election, when he campaigned on a promise to fill the seat formerly held by Justice Antonin Scalia with another conservative judge. The replacement process will "begin immediately," Trump said, adding, "hopefully, we will pick someone who is just as outstanding."

Senate Majority Leader Mitch McConnell (R-Ky.) — who in 2016 refused to allow a vote on then-President Barack Obama's nominee to fill Scalia's seat, saying voters should get a say at the ballot box — said Wednesday that the Senate would vote this fall on Kennedy's replacement,

AMERICAN OVERSIGHT

before lawmakers elected in November's midterms are sworn in.

Senate Republicans lined up in support of filling Kennedy's seat quickly. Sen. Ben Sasse (R-Neb.), a frequent critic of the president who sits on the Senate Judiciary Committee, said in a statement that "the Senate ought to spend August and September confirming the next Justice."

Democrats, though, called McConnell a hypocrite for changing his stance from 2016. Sen. Chris Murphy (D-Conn.) called the majority leader's move "absolute hypocrisy," and Sens. Elizabeth Warren (D-Mass.), Kamala Harris (D-Calif.) and Ed Markey (D-Mass.) all expressed similar sentiments.

"Our Republican colleagues in the Senate should follow the rule they set in 2016, not to consider a Supreme Court justice in an election year," Senate Minority Leader Chuck Schumer (D-N.Y.) said on the Senate floor. "Anything but that would be the absolute height of hypocrisy."

Nominated to the court by President Ronald Reagan after the Senate rejected the more conservative Robert Bork, Kennedy grew to become the swing vote on the court, voting with its more liberal wing on landmark cases that upheld abortion rights and authoring the court's decisions in multiple cases on gay rights, including 2015's Obergefell v. Hodges, in which the court ruled that same-sex couples have the Constitutional right to marry.

He famously sided with the majority in *Planned Parenthood v. Casey*, a 1992 ruling that affirmed the constitutional right to abortion established in *Roe v. Wade*. Trump, like many conservatives, has voiced a desire to see *Roe* overturned.

But Kennedy has also swung key cases toward the conservatives as well, including notably in Citizens United v. FEC, a 5-4 decision in which the court ruled that government limits on political spending by individuals and organizations constituted a violation of the right to free speech. Of the 17 5-4 decisions handed down by the court in its most recent term, 14 were split along ideological lines, according to Mother Jones. In all 14, Kennedy sided with the court's conservative wing.

Still, Kennedy's retirement came as a blow to many Democrats, and cries of "Oh" and "Oh, my God" punctuated a call between members of the Democratic National Committee's rules and bylaws panel as the news broke Wednesday.

Abortion is likely to loom large in the debate over replacing Kennedy. With just a 51-49 GOP majority in the Senate, Republicans can afford to lose only one vote in a confirmation fight. Two Republican senators, Lisa Murkowski of Alaska and Susan Collins of Maine, are both supporters of abortion rights.

"Because President Trump will nominate the next Supreme Court Justice, a woman's constitutional right to access legal abortion is in dire, immediate danger—along with the fundamental rights of all Americans," said NARAL Pro-Choice America President Ilyse Hogue in a statement on Wednesday.

AMERICAN OVERSIGHT

Kennedy's decision, announced on the court's final day of releasing decisions for the current term, followed a quiet campaign by the Trump White House and its allies to convince Kennedy that it was a suitable time for him to retire and that his replacement would be an esteemed and reputable jurist.

Many court-watchers saw that motivation in Trump's selection last year of Neil Gorsuch, a former Kennedy clerk, to fill the vacancy created by Scalia's death in 2016.

At Trump's maiden speech to Congress last year, he took a moment to stop and chat with Kennedy. Kennedy's son Justin knows Donald Trump Jr. through work in New York real estate. Kennedy's other son, Gregory, worked briefly last year on the Trump transition team, handling financial issues related to NASA.

One Republican with knowledge of the White House's deliberations said two leading contenders to fill the vacancy were former Kennedy clerks Brett Kavanaugh, now a D.C. Circuit Court judge, and Raymond Kethledge, who sits on the U.S. Court of Appeals for the 6th Circuit.

White House legislative affairs director Marc Short said last month that Trump could consider nominating someone he has not yet named publicly if a vacancy arose. The president might pick someone seen as less stridently conservative for Kennedy's seat, since moderate Republican senators are likely to face pressure from the left not to confirm anyone viewed as too polarizing.

Other people mentioned as possible replacements for Kennedy include those who were interviewed by Trump for the seat Gorsuch eventually filled, 3rd Circuit Judge Thomas Hardiman, 11th Circuit Judge William Pryor and 6th Circuit Judge Amul Thapar.

Trump included on previous lists of potential Supreme Court nominees 7th Circuit Judge Amy Barrett, Supreme Court Justice Britt Grant, 11th Circuit Judge Kevin Newsom and Oklahoma Supreme Court Justice Patrick Wyrick. And conservative court-watchers have speculated that former George W. Bush solicitor General Paul Clement, who is the right's go-to litigator at the high court but was not on Trump's latest list, and Sen. Mike Lee of Utah could be candidates for the spot.

Sen. Ted Cruz (R-Texas), speaking Wednesday to Fox News, said he would like to see Lee be the nominee. Asked by a CBS News reporter if he would be interested in an appointment to the Supreme Court, Lee responded, "Of course."

David Siders, Matthew Nussbaum and Eliana Johnson contributed to this report.

To view online click here.

Back

Kennedy retirement tilts court right on climate, water Back

AMERICAN OVERSIGHT

By Annie Snider and Alex Guillén | 06/27/2018 04:08 PM EDT

Justice Anthony Kennedy's retirement will add the environment to the areas on which the Supreme Court will likely shift rightward at a time when major legal battles are wending their way to the justices.

For more than a decade, it has been Kennedy's sole view of which streams and wetlands should be protected under the country's foremost water law that reigned, shaping the cost of new housing developments, the location of coal mines and the health of the nation's waters.

And Kennedy cast the deciding vote in a landmark 2007 case that opened the door for EPA to regulate greenhouse gases. Both rules are among the most contentious actions of the Obama era that the Trump administration is working hard to undo or restrict.

Environmentalists, developers and farmers have been battling over the scope of the Clean Water Act since it was signed into law in 1972. In the turning point 2006 case *Rapanos v. United States,* the court's four conservative justices, led by the late Justice Antonin Scalia, took a limited view of which waterways should be federally protected, saying only that waterways that regularly flow into major rivers, and the wetlands directly next to them, should be covered. The court's liberal wing took an expansive interpretation, and Kennedy found himself in the middle.

Kennedy's stand-alone opinion in *Rapanos,* which argued that any creek, bog or marsh that has a "significant nexus" to downstream navigable waters warranted federal protection, has been broadly viewed by lower courts as the one to follow.

In 2008, the George W. Bush administration's EPA issued guidance hinged to Kennedy's "significant nexus" test, and when the Obama administration issued its 2015 Waters of the United States rule meant to clarify the reach of the 1972 law, it too was pegged to Kennedy's opinion. Expecting that challenges to the rule were likely to reach the Supreme Court, Obama's EPA used the phrase "significant nexus" more than 500 times in the Waters of the U.S. rule.

Even as court battles are raging in district courts over the legality of the Obama-era rule, the Trump administration has begun the process of repealing it and drafting its own, much narrower interpretation of the law pegged to Scalia's opinion. A draft of the proposal was sent to the White House for interagency review two weeks ago.

Legal experts generally considered the Trump administration's rewrite project to be a vanity project, likely to fall flat if it reached the Supreme Court for a review while Kennedy was still on the bench. Now, all bets are off.

Vermont Law School professor Patrick Parenteau said Kennedy was notable among the court's conservatives for the interest he took in learning about the science and complexity of the environmental problems before him.

"Nowhere was this more evident than in his concurring opinion in *Rapanos,* which has become the controlling test for evaluating what waters are protected under the [Clean Water Act],"

AMERICAN OVERSIGHT

Parenteau said by email. "His leaving will doubtless have a major bearing on the outcome of the litigation over the Waters of the U.S. rule."

With many environmental cases often narrowly splitting the court, Kennedy frequently played a key role in the blockbuster environmental cases of recent decades.

Most importantly, Kennedy cast the crucial fifth vote in *Massachusetts v. EPA*, the 2007 case that set the stage for the last decade of political battles over climate change.

He joined the court's four liberal justices to rule that the Clean Air Act gave EPA the authority to regulate greenhouse gases, including carbon dioxide. The Obama administration used that ruling to justify sweeping new rules on cars and later power plants that the Trump administration is now working to undo.

Kennedy, along with Chief Justice John Roberts, also sided with the court's liberal wing in 2014 to uphold EPA's Cross-State Air Pollution Rule, which a lower court had thrown out. The rule, which limits pollution that hurts air quality in downwind states, helped drive utilities to shutter a number of older, dirtier coal-fired power plants rather than pay for new pollution controls.

But Kennedy did not always side with environmental interests. In 2015, he and the four more conservative justices ruled that EPA had wrongly failed to consider the cost of regulating when first deciding to limit mercury emissions from coal plants. Although that ruling did not completely derail the mercury rule, it opened the door for an ongoing effort at EPA to change how costs and benefits are calculated, a move critics argue will make it easier to justify not regulating pollution.

Kennedy also cast the fifth vote in 2016 to block the Clean Power Plan before the D.C. Circuit had even reviewed it, an unprecedented step. Neither the court nor Kennedy ever explained the decision.

Looking forward, the Supreme Court has two environmental cases on its docket this fall, with potentially more on the way: The court has agreed to weigh when habitat can be designated as critical under the Endangered Species Act. The justices will also decide whether Virginia's 36-year-old uranium ban is pre-empted by federal law.

In addition, the Supreme Court will decide whether an American Indian-owned fuel business is exempt from the state of Washington's gas tax.

To view online click here.

Back

Gas industry: We're a destination fuel, not a transition Back

By Eric Wolff | 06/28/2018 05:00 AM EDT

AMERICAN OVERSIGHT

Gas industry officials at the World Gas Conference have a message for renewable energy advocates: We're not your transition fuel.

Natural gas has long been touted as an energy source that can displace coal around the world and serve as a bridge fuel until cleaner power systems that run on renewables like wind and solar can take over. But gas industry executives said renewables alone won't be able to meet global energy needs, and they'll need gas to run power plants when sunlight and wind aren't available.

"I like the expression of gas as a destination fuel and not a transition (fuel)," Patrick Pouyanné, CEO of Total S.A. told the conference this week.

Gas executives argued that renewables can't keep up with growing energy demand, and natural gas will be needed for decades to come. Even European Union countries that have agreed to sharp cuts in greenhouse gas emissions are hoping to build new pipelines and LNG terminals that will keep gas flowing in for several decades, a trend will require capturing and sequestering the carbon dioxide it produces.

"Yes, renewable electricity will be grown massively, but it needs a partner," said Klaus Schäfer, CEO of German energy company Uniper SE. "Obviously gas need to become decarbonized itself, gas needs become green if it wants to be part of a decarbonized future in Europe."

Other energy executives said the vast scale of the power grid would require a fuel like gas for decades. Even with their fast growth in recent years, wind and solar only provide less than 8 percent of the U.S. power supply.

"We have to get to a point of not talking about 100 percent renewables, it just cannot happen," Barry Perry, CEO of Fortis, a gas and power company with operations in the U.S. and Canada, told POLITICO. "When we talk about the big grid, you need that base generation to make it all work. ... We can do more renewables over time, but the grid is going to need some of the base generation for a very long time into the future."

Gas executives acknowledged that renewables will continue their fast growth, and they said gas turbines will provide critical ramping services on the power grid as well as keeping the lights on when the wind and solar can't. And with recent studies by the Energy Information Administration, the International Energy Agency, and others suggesting the world energy demand is likely to jump as developing nations electrify, gas will still be required.

"This is a challenge on a scale not faced before by humanity," De la Rey Venter, executive vice president for Shell's Integrated Gas Ventures, told an audience on Tuesday. "Renewable energy will play a major role in meeting this challenge. But renewables alone cannot transform the power sector. Today gas is ideal to handle to variability of the solar and wind."

Executives like Perry and Didier Holleaux, executive vice president for French utility Engie, said they doubted whether renewables could to handle the enormous projected energy demand needed as Asian countries expand their electricity networks and vehicles shrink their dependence on oil-

AMERICAN OVERSIGHT

based fuels. And despite some recent successes of renewables-plus-storage projects in the U.S., they don't believe batteries can compete with natural gas to supply the amount of energy that will be needed.

"In comparison batteries will always be an order of magnitude in cost — 1,000 times more expensive, today it's 2,000 times more expensive," Holleaux said. "Even if you think the cost will decrease, the cost of storing energy in gas is far cheaper."

Gas executives still see coal as their chief competition, not renewables.

"Outside the developed world, the whole point is to get energy in increasing amount," said Laurent Vivier, president for gas for Total. "There is a choice that is very obvious to them: there is coal on the one side and gas on the other."

"America has 100 years of gas of proven reserves, Canada has 200 years," he added. "It's an amazingly abundant resource, it is a foundational fuel, not a transitional fuel."

To view online click here.

Back

Exclusive: Zinke linked to real estate deal with Halliburton chairman Back

By Ben Lefebvre and Nick Juliano | 06/19/2018 05:05 AM EDT

WHITEFISH, Mont. — A foundation established by Interior Secretary Ryan Zinke and headed by his wife is playing a key role in a real-estate deal backed by the chairman of Halliburton, the oil-services giant that stands to benefit from any of the Interior Department's decisions to open public lands for oil exploration or change standards for drilling.

A group funded by David Lesar, the Halliburton chairman, is planning a large commercial development on a former industrial site near the center of the Zinkes' hometown of Whitefish, a resort area that has grown increasingly popular with wealthy tourists. The development would include a hotel and retail shops. There also would be a microbrewery — a business first proposed in 2012 by Ryan Zinke and for which he lobbied town officials for half a decade.

The Whitefish city planner, David Taylor, said in an interview that the project's developer suggested to him that the microbrewery would be set aside for Ryan and Lola Zinke to own and operate, though the developer told POLITICO that no final decisions have been made.

Meanwhile, a foundation created by Ryan Zinke is providing crucial assistance. Lola Zinke pledged in writing to allow the Lesar-backed developer to build a parking lot for the project on land that was donated to the foundation to create a Veterans Peace Park for citizens of Whitefish. The 14-acre plot, which has not been significantly developed as a park, is still owned by the foundation. Lola Zinke is its president, a role her husband gave up when he became interior

AMERICAN OVERSIGHT

secretary.

The Zinkes stand to benefit from the project in another way: They own land on the other side of the development, and have long sparred with neighbors about their various plans for it. If the new hotel, retail stores and microbrewery go through, real estate agents say, the Zinke-owned land next door would stand to increase substantially in value.

Lesar, who also served as Halliburton's chief executive until last year, is providing money to back the hotel and retail development, according to business records and officials at Whitefish city government and Halliburton. He also has a longstanding relationship with the Zinkes. In 2014, he and his wife, Sheryl, gave $10,400, the maximum allowed by law, to Zinke's first House campaign. His only other federal contributions that year were to Halliburton's PAC and the campaign of Rep. Liz Cheney, whose father, Dick, ran the company before becoming George W. Bush's vice president.

Ryan Zinke did not respond to a list of specific questions but said in a statement that he "resigned as president and board member" of the foundation "upon becoming secretary."

The foundation's 2018 annual report to the state of Montana, however, lists Ryan Zinke as an officer, with Lola Zinke as president and their daughter as treasurer. Zinke said the report was in error and he would seek to amend it.

In his statement, Zinke declared: "The mission remains to provide a children's sledding park and community open space in a setting that recognizes the contributions of the railroad and the veterans to the community. ... The subject LLC you mention has been in contact with Lola with the intent of expanding their parking requirements on park property. I understand a concept was provided but no formal proposal or documents have been submitted or agreed upon. I also understand by reading the paper is their proposal is supported by the City Council."

He did not respond to questions about the microbrewery, the involvement of Lesar or Lesar's status as chairman of Halliburton.

Lola Zinke did not respond to questions left on her Facebook page or messages left at the family's Montana home. Neither Jennifer Detlefsen, the Zinkes' daughter and the foundation's treasurer, nor the foundation's law firm of Frampton Purdy Law, responded to questions.

In Whitefish, the plan to use land that was donated to the Zinkes' foundation as a public park to further a private development strikes residents as a surprise.

"I've never been clear exactly what his intentions are for the place," said Steve Thompson, who lives near the park and supported Zinke early in his career but has since grown disillusioned with him. He described the current state of the land as "sort of a big puddle, a mudhole puddle."

The involvement of the interior secretary's family in a multimillion-dollar project funded by the chairman of an energy-services giant — revealed here for the first time — is rife with conflicts of interest, ethics experts say, especially since Zinke's job as interior secretary makes him the

AMERICAN OVERSIGHT

custodian of more than 500 million acres of public land and head of a department that sets technical and safety standards for pipelines and drilling.

Halliburton is the largest American oil-services company, drilling wells and building rigs. It stands to benefit from any new oil and gas exploration on public land or offshore — something the Trump administration has promised to promote — and the company has frequent dealings with the Interior Department in its regulatory capacity.

For example, federal disclosures show that Halliburton's in-house lobbyist met repeatedly with Interior officials to discuss the department's policies on hydraulic fracturing, the oil extraction procedure that some studies have linked to groundwater contamination and earthquakes. Under Zinke, the department last year rescinded Obama-era rules that restricted fracking on federal land, a decision that directly benefited Halliburton, one of the world's leading fracking companies.

Marilyn Glynn, who was acting director of the Office of Government Ethics under former President George W. Bush, said the foundation's involvement in a deal backed by the chairman of Halliburton is clearly inappropriate and, at minimum, should force Zinke to recuse himself from any policy decisions affecting Halliburton.

"That Halliburton's chairman would almost be a business partner of Zinke or his wife, he would have to recuse himself from anything involving Halliburton," said Glynn, adding that the relationship clearly crosses ethical lines.

She suggested the Trump administration should set a higher ethical standard.

"In a previous administration, whether Bush or Obama, you'd never run across something like this," she said. "Nobody would be engaging in business deals" with executives whose companies they regulate.

Amy Myers Jaffe, a longtime energy analyst now working at the Council on Foreign Relations, said the Interior Department, in setting specifications for rig equipment and how much methane can leak from pipelines, has the power to make Halliburton's business more or less profitable.

"They spend a tremendous amount on R&D to comply" with government regulations, Jaffe said of oil-service companies. "You wouldn't want Interior to change specifications and make that equipment no longer commercially viable."

She added that Zinke's conflicts could extend to investigations of accidents involving Halliburton's equipment.

"One thing that is most concerning is if Interior would be called upon to investigate the procedures of a service company offshore" in case of an accident, said Jaffe. "A tight relationship [between the interior secretary and the company] would be problematic."

Executive branch officials such as Zinke are subject to conflict-of-interest rules requiring that

AMERICAN OVERSIGHT

they recuse themselves from government decisions involving people with whom they or their close relatives have a financial relationship.

Craig Holman, a specialist in federal ethics laws for the advocacy group Public Citizen, said Lola Zinke's efforts to help the development backed by Lesar would amount to a financial relationship.

"Entering this type of business relationship could very clearly open the doors [of government] to business interests that have stakes before the office holder," Holman said. "Clearly, any substantial development project next to the vacant lot owned by Zinke's foundation would significantly boost the value of the lot. The conflict-of-interest statute would be invoked if even the nonprofit on which Zinke or his spouse serves as an officer, as either paid or unpaid officers, derives a financial benefit."

***

After 23 years as a Navy SEAL, Ryan Zinke retired from the military in 2008 and returned to Whitefish, the mountain city of roughly 6,000 people where he grew up and where his father and grandfather ran a plumbing business.

It was, however, a changed community, increasingly popular with tourists and second homeowners for its pristine isolation and proximity to Glacier National Park.

A city that began as a stopping place for freight trains carrying lumber from the state's thriving timber industry was fast becoming an upscale resort. In 2009, the year after Zinke's retirement, about 17 percent of households were making more than $100,000 a year, according to the U.S. Census Bureau. By 2016, 23 percent of Whitefish households were making that much, adjusted for inflation.

Whitefish is a particular magnet for California tech entrepreneurs and oil barons from Canada and Texas who have built homes valued at more than $1 million each. Lesar is one of them. He currently has a home behind a gate on a private road looping up one of the nearby mountains.

As the then 46-year-old Zinke planned his future, he began laying the groundwork for business and political careers more or less simultaneously, and sometimes on parallel tracks. Launching a nonprofit foundation to build a park in Whitefish was one of the first things he did to reintroduce himself to the community, which helped bolster his credentials for office.

The foundation's first big donation was from BNSF Railway, the nation's largest freight railroad, with more than 32,500 miles of track. The railway is one of the state's biggest landowners, with extensive business before the state government.

Zinke proudly announced that the donated land would be used for what he dubbed "the Great Northern Veterans Peace Park." In announcing the gift, he touted his own career in uniform and described the park as a gift to Whitefish. His intent was to combine the railway land and an adjacent city-owned hill into "a children's winter sledding park in a setting that recognizes the

AMERICAN OVERSIGHT

contributions of the veterans and the railroad to the local community," according to the nonprofit's publicly available IRS forms.

"The theme of this park is to celebrate life — why veterans fight," Zinke told a local newspaper in February 2008.

That same year, he filed paperwork to run for the state Senate.

He won the race and, shortly after taking office, cast the deciding committee vote on a bill that strongly benefited BNSF. The bill would have pumped millions of taxpayer dollars into railroad construction through a publicly funded Montana Rail Authority.

Jeff Mangan, Montana's commissioner of political practices, said the vote, coming so soon after Zinke accepted a donation of land from the railway, would have violated the Legislature's code of conduct if he did not disclose the relationship. "If there's an appearance of conflict of interest, they have a duty to disclose that conflict before a vote," Mangan said. But enforcement of that requirement can be "fairly laid back," he said.

There is no record of Zinke making a formal disclosure of his relationship with BNSF before the vote, and Zinke did not respond to questions on the matter.

Ultimately, then-Gov. Brian Schweitzer vetoed the legislation for the Montana Rail Authority, saying he was concerned "that public money will be targeted to build infrastructure that should be rightly financed by the private sector."

BNSF continued to donate more land to the Veterans Peace Park with adjoining parcels being given to Zinke's foundation in 2010 and 2013.

BNSF spokesman Ross Lane said in an interview, "We would firmly reject that there is any quid pro quo on the donations" for the Veterans Peace Park.

The land remains mostly in a natural state, and is only lightly utilized, except when local children use it for sledding, as they had before Zinke's foundation acquired the land. On a recent spring day, the only inhabitants were a pair of Bufflehead ducks sharing a retaining pond that dominates the property with a discarded inner tube.

Nonetheless, even in an undeveloped state, the land is now valued at more than $500,000, according to the group's 2016 tax returns, the most recent publicly available. The tax returns also show monetary gifts to the foundation, which increased as Zinke's political career advanced.

In 2012, when Zinke launched an unsuccessful bid for lieutenant governor, the foundation took in $30,000, according to tax records. In 2014, when Zinke ran for the House, the foundation again received $30,000 in contributions and saw its cash holdings grow from $118 to $23,743 over the course of the year. The foundation raised $36,000 in 2015, before seeing its contributions fall to $5,000 the following year, the last before he became interior secretary.

AMERICAN OVERSIGHT

The Zinkes reported that they gave the foundation $10,000 in 2012, but the source of the rest of the contributions is undisclosed. That lack of transparency is a common concern when politicians control their own charities, said Melanie Sloan, a senior adviser at government ethics watchdog group American Oversight.

"The main concern is it's another way for donors and corporations to curry favor with politicians," Sloan said. "If he's doing something to benefit those making donations, it's invisible to us. It undermines the whole interest of transparency."

Even as the park continued to lie fallow, Ryan and Lola Zinke turned their attention to pieces of land that they own through various LLCs. In December 2012, while Ryan was preparing to leave the state Senate, the Zinkes announced that they wanted to turn his childhood home into a B&B called the Snowfrog Inn, and also to build a microbrewery on their development land across the street. They planned to call the brewery "Double Tap," which is a Navy SEAL term for two gunshots.

Both proposals required public approvals, which put Zinke — one of the state's rising political stars — in a position of arguing before local politicians. He was steadfast in calling for more commercial development in the face of neighbors' complaints about traffic and noise.

The City Council appointed Zinke to a special steering committee of local residents to explore ways to develop the area where the Zinkes' land was located. The committee included 13 residents of Whitefish, just two of whom lived in the neighborhood, Zinke and one other.

The committee recommended opening the area for greater commercial development. The City Council and mayor endorsed the plan.

While the larger planning process was playing out, Zinke won approval in 2013 for the B&B without a microbrewery across the street, as he had initially proposed. The Snowfrog Inn website states that it is still under construction.

By 2015, Zinke was back before the City Council, this time in his first term as Montana's sole representative in the U.S. House, arguing passionately for the committee plan to expand development, according to a video of the meeting. He cited his microbrewery proposal as the impetus for the changes to the planning process.

"In regards to a brewery, I've asked for a brewery because that's what started this whole process," Zinke declared at a contentious May 4, 2015, council meeting, referring to the changes to the city's planning rules that he had helped orchestrate.

Neighborhood activists continued to raise objections, insisting that Zinke had done little in the 29 months since announcing his microbrewery proposal to assuage their concerns about noise and traffic. But Zinke told them they were outnumbered.

"The same people are going to be against it tomorrow as was at the beginning, but most of the strong majority of the steering committee, which represented every bit of the neighborhoods ...

AMERICAN OVERSIGHT

all came to the same conclusion, that this [planning change] should stand," Zinke said, according to a video of the meeting.

The changes to the planning process did not lead to approval of the microbrewery on the Zinkes' own development parcel, but they opened the doors to a new proposal for a multiuse development on a much larger plot — a former timber-company lot — between the Zinkes' land and the veterans' peace park that they controlled.

The project, known as 95 Karrow, named for the avenue on which the land sits, was launched in September of last year. Two days after the partnership backing the development was established, Lola Zinke, in her capacity as president of the foundation controlling the peace park, signed an official letter of intent to allow the construction of a parking lot for customers of the microbrewery and other businesses on the parkland, which the developers included in their proposal. The letter said the specific terms of the agreement would be worked out by the parties.

Taylor, the Whitefish city planner, told POLITICO that the developers "certainly implied that they were working with [Zinke] to find a place for his microbrewery as well as a shared use agreement for parking on the peace park."

At least two project maps submitted to the city mark off space specifically for a microbrewery adjacent to the parking lot. The letter Lola Zinke signed and submitted to Whitefish City Council states "it is the intent of the GNVPP Foundation to concur with the general design of the parking, micro-brewery, multiple use path, fence and other supporting elements" of the redevelopment project. Attached to that letter is a map with a handwritten notation indicating a "border adjustment" that would appear to carve out the microbrewery site from the rest of the property.

The parking lot is also meant to serve the park if the foundation ever does anything with the rest of the 14-acre parcel it owns.

The developers of the hotel, microbrewery and retail shops are a partnership known as 95 Karrow LLC, which itself is controlled by two individuals and three other entities, according to business registration records filed with Montana's secretary of state. The two individuals are John and Katie Lesar, who are the son and daughter-in-law of Halliburton's chairman, according to a biography his wife, Sheryl, wrote for a local nonprofit, where she serves as a board member.

Two of the other entities, BADF LLC and KCM Enterprises Inc., are linked to Bruce Boody, a local architect who worked with the Zinkes on their B&B proposal, and a local developer named Casey Malmquist, according to Montana business records. The third, Greenstream Resources LLC, lists a Texas address but does not disclose any owners in records filed there. However, the P.O. Box it uses matches the address of another business, First Floor Properties LLC, that lists David Lesar as its "general partner" and other family members among its management.

Both Malmquist and a Halliburton official confirmed that David Lesar is a member of the Greenstream Resources LLC, which is expected to provide a significant portion of the financing for the 95 Karrow project.

AMERICAN OVERSIGHT

Halliburton spokeswoman Emily Mir said the company had no comment on Lesar's involvement in the project, calling it a private investment that Lesar was making outside his role in the company.

Malmquist, who is leading the development project, said that talk of Zinke owning a brewery on the site was premature, as no final decisions have been made on what type of businesses the redevelopment will contain.

"If and when we get to that point, Ryan Zinke, or anyone else that is interested, can purchase a parcel of property, properly located on the development by use and per zoning, and develop a project that is permitted from the standpoint of zoning designations that determine the permitted uses on the development parcel, as well as following the [covenants, conditions, and restrictions] that are yet to be developed for the property," Malmquist said in an email.

***

The Zinkes' mixing of their nonprofit role as stewards of the Great Northern Veterans Peace Park Foundation with their role as landowner and developer echoes other ethical concerns raised about the couple.

In 2012, Ryan Zinke formed a super PAC called Special Operations for America, through which he raised money from donors to attack then-President Barack Obama's reelection campaign for taking credit for the death of Osama bin Laden. Over the following year, the group paid nearly $40,000 to an LLC established by Ryan and Lola Zinke called Continental Divide International for "strategy consulting" and "fundraising consulting" and to reimburse travel expenses.

Only $7,000 of the more than $180,000 the group raised in 2012 went to efforts to influence the election, according to the group's FEC filings.

The super PAC was Zinke's foray into a world of political fundraising that would carry through to his time in the Trump administration. Less than a month after being sworn in as interior secretary, he appeared at a fundraiser in the Virgin Islands for another PAC that has been criticized for spending vastly more on administrative expenses than on campaign activities.

The Virgin Islands GOP PAC has raised $5.7 million since its inception in February 2015. It has spent $76,000 — just 1.3 percent — on congressional candidates, including $3,500 to Zinke's campaign and SEAL PAC, a subsequent group he launched after his election to the House.

Meanwhile, two of Zinke's top aides at Interior, chief of staff Scott Homell and counselor Vincent DeVito, were previously on the payrolls of Special Operations for America and SEAL PAC, respectively.

Earlier this year, the Interior Department's internal watchdog criticized Zinke for obscuring his personal interest in some ostensibly official duties — an incident that involved another Whitefish resident, Fidelity National Financial Chairman Bill Foley, who was one of Zinke's biggest political donors.

AMERICAN OVERSIGHT

Zinke charged taxpayers more than $12,000 last June for a late-night charter flight from Las Vegas, where he had spoken to a National Hockey League team Foley owns, to Whitefish for meetings at the Western Governors Association that were being held there the following day.

Speaking to the Las Vegas Golden Knights was a favor to a friend and donor. He "first mentioned during his initial ethics briefing in March 2017 that he wanted to speak to a friend's hockey team," according to a report from the IG. He did not mention any specific aspects of his job as interior secretary during the speech, which focused on his time as a Navy SEAL. After Zinke and his staff made plans for the speech, the Interior Department started to schedule an event for him to announce Payment In Lieu of Taxation grants, routine business that is typically handled with a news release.

The IG's investigation found that the charter flight could have been avoided with better scheduling, and that Zinke's prior relationship with Foley should have been disclosed in advance to ethics officials who had reviewed the trip.

Foley, a West Point graduate who grew up in the Texas panhandle, has been a major presence in Whitefish since buying a home there in 2005. That same year, he purchased a majority share in Winter Sports, the company that runs the Whitefish Mountain Resort in the town. He soon bought Glacier Jet Center, a private airport about 20 minutes outside the city.

Foley's development projects, like David Lesar's and the Zinkes', are signs of just how far Whitefish has come since Zinke's childhood. The Pastime Pool Hall and Bar, which Zinke fondly remembered in his autobiography as where his grandfather used to socialize, has been renamed "The Bulldog," although not much else about it has changed. But the city also boasts a crepiere, an artisanal olive oil shop and a camping store that sells "overnight yurts." A new yoga studio stands about a minute's walk down the block from Zinke's boyhood home.

"It's gone from a dirty ski town to pretty bougie," said Cale Knox, a Whitefish native and employee at the Red Caboose coffee shop downtown. In a sign of the times, tech venture capitalist Michael Goguen recently bought the Red Caboose, and there is rumor that it will become a wine bar.

Only a mile away is the open land that Zinke dubbed his Veterans Peace Park. Ten years after the railroad donated the first piece of land, locals are as flummoxed as ever about what will happen to it. The situation has left some residents worried that what was pitched as an attempt to provide a green space dedicated to children and veterans was instead used to build Zinke's political profile.

"It was something to put on his résumé," Whitefish City Council member Richard Hildner said of the park during a visit there. "Now, it just sits here."

To view online click here.

AMERICAN OVERSIGHT

Back

Zinke seeks to explain meeting with Halliburton chairman Back

By Ben Lefebvre | 06/27/2018 04:40 PM EDT

Interior Secretary Ryan Zinke sought Wednesday to explain his role in a real estate deal involving a nonprofit he launched and developers backed by the chairman of Halliburton, a major energy company with extensive business before his department.

In his first public comments on the deal since it was first reported by POLITICO last week, Zinke acknowledged meeting with Halliburton Chairman Dave Lesar and other developers in his Interior Department office, but said his involvement was limited to providing them background on the nonprofit and the land it owned, which had been donated by BNSF Railway years earlier. The developers all live in or near Whitefish, Mont., the secretary's hometown where the development would be built.

"And then Dave Lesar and his son, who is developing a piece of property next door, they don't understand, when they had the property, actually, the Veterans Peace Park owns the lot next door. So they come and say, 'Hey, what's the background?'" Zinke said on Voices of Montana, a talk radio program broadcast throughout the state, referring to the August 2017 meeting. He added, "We go out to dinner. We talk about the background of the park. What are the neighbors like. What was the vision of the park. Where the boundaries are. Where the water table is, because the water table has changed over time. What the railroad is. So they have the background."

About a month after that meeting, Lola Zinke, the secretary's wife and now president of the foundation, signed a letter of intent to allow the developers to build a parking lot on its land in Whitefish, a move that could increase property values for parcels the Zinkes own nearby and that a city planner said could result in Zinke running a microbrewery on the site. Zinke did not address the microbrewery or his other real estate holdings in Whitefish on the radio program Wednesday.

House Democrats are calling for Interior's inspector general to investigate whether the deal may have violated conflict of interest rules. Zinke's role at Interior places him as one of the chief regulators overseeing oil and gas drilling activities, including those performed by Halliburton, one of the world's largest fracking and offshore drilling services companies. The inspector general's office is looking into the lawmakers' request before determining whether to launch a full investigation, a spokesperson for the internal watchdog told POLITICO Wednesday.

Zinke launched the Great Northern Veterans Peace Park Foundation after receiving his first donation of railroad land from BNSF in 2008. The land remains largely undeveloped, but Zinke told the Montana radio host Wednesday that his foundation has "added 27,000 tons of material. We've redone roads. We groom it."

In the interview, Zinke said he resigned from the park foundation board after joining Interior. He

AMERICAN OVERSIGHT

told POLITICO earlier that he had no involvement in the park's business, though one of the developers in question, Casey Malmquist, said he visited Zinke in Washington, D.C., in August to discuss the development plans. Malmquist also emailed project development maps to Zinke, according to Interior emails.

Zinke attacked reports on the project without disputing any particular details.

"Clearly, I'm not on the board anymore. My wife runs the board. And they make a letter of intent for my wife that, you know what, the community is for this project, the city approves it, it's a good project for Whitefish, we'll share some parking lots with you. That's it. And this nefarious reporter comes to Whitefish — my hometown — lies to the city on record, lies to the developer on record, takes pictures of an inner tube in the park, and promulgates this story that somehow it's about Interior and Halliburton. This is exactly what's wrong with the press, and the president has it right. It's fake news. It's knowing, it's willing, to willingly promulgate fake news."

An Interior spokesperson did not immediately reply to questions. Interior spokeswoman Heather Swift has said in the past that the matter was not a department issue.

POLITICO stands by its reporting.

To view online click here.

Back

EPA pulls methane information request Back

By Alex Guillén | 03/02/2017 04:36 PM EDT

EPA says more than 15,000 oil and gas companies no longer have to report detailed technical information about methane emissions from their operations.

The move was announced via a Federal Register notice that will be published on March 7 but will take immediate effect.

It is the agency's first step away from an Obama-era plan to regulate methane emissions from existing oil and gas operations. EPA in November directed oil and gas operators to respond to an "information collection request" on the topic that the agency estimated would cost companies, which are required by law to respond, about $42 million in total.

"By taking this step, EPA is signaling that we take these concerns seriously and are committed to strengthening our partnership with the states," EPA Administrator Scott Pruitt said in a release. "Today's action will reduce burdens on businesses while we take a closer look at the need for additional information from this industry."

EPA also noted it received a letter on Wednesday from eleven state attorneys general or

AMERICAN OVERSIGHT

governors, including new Oklahoma Attorney General Mike Hunter, asking EPA to drop the "onerous" request.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Wed 6/20/2018 8:00:15 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov.*

Highlights

Leading the News

CDC Finds Fluorochemicals May Pose Risk at Levels Lower than EPA

By *Pat Rizzuto*

Exposure to two fluorochemicals increasingly detected in drinking water across the U.S. may pose health risks at exposure levels lower than those recommended by the EPA, according to information the Centers for Disease Control and Prevention released.

Trump's Superfund Nominee Makes Climate Pledge

By *Sylvia Carignan*

Plans to clean up some of the most contaminated sites in the U.S. will be more sensitive to severe weather risks and the effects of climate change, the White House's nominee to lead the EPA's Superfund cleanups promised senators June 20.

Pruitt's Ethics Allegations Dog Nominees for EPA Posts at Hearing

By *Sylvia Carignan*

Members of a Senate panel pressed two nominees for EPA posts, including Superfund program chief, for assurances they wouldn't fall prey to unethical behavior.

AMERICAN OVERSIGHT

Puerto Rican Grid Upgrades, Response Plan Urged by Energy Agency

By *Rebecca Kern*

An Energy Department report recommends updating the agency's response plans for future electricity-grid emergencies and replacing transmission towers with updated equipment as ways to make Puerto Rico's grid more resilient.

AMERICAN OVERSIGHT

Today's News

Taxpayer Groups Warm to Coolant Deal, Splitting Conservatives (Corrected)

By *Abby Smith*

A global deal to limit climate-warming coolants has its newest backers: a team of conservative taxpayer advocacy groups.

Low-Income Residents Forgotten in Climate Resilience Plans: Study

By *Ayanna Alexander*

Growing threats from climate change are putting city dwellers—particularly in low-income areas—at a higher risk of being affected.

Exxon Still Isn't Complying With Climate Subpoenas, N.Y. Says

By *Erik Larson*

Exxon Mobil Corp. is refusing to turn over documents crucial to New York's investigation into whether the oil giant's public statements about climate change misled investors, the state's top lawyer said.

Senate GOP Ally of Pruitt's Says Concerns Allayed After Meeting (1)

By *Ari Natter*

EPA Administrator Scott Pruitt's longtime friend and political ally on Capitol Hill is walking back his criticism of the embattled agency leader after the two met June 19 evening.

EPA Is Said to Propose Redistributing Waived Biofuel Quotas

By Mario Parker

The EPA is set to propose reallocating waived biofuel requirements from exempted refineries as part of a slate of renewable fuel quotas, according to a person briefed on the plans who asked not to be named before a formal announcement.

Syngenta Eyes 'A World With Less Pesticides'

By *Stephen Gardner*

AMERICAN OVERSIGHT

Pesticide giant Syngenta AG has a vision to improve the efficiency of farming to a degree that some agricultural land can be handed back to nature, a company official told Bloomberg Environment.

AMERICAN OVERSIGHT

Puerto Rico Signs Law to Overhaul Storm-Battered Energy Utility

By Yalixa Rivera

Puerto Rico Gov. Ricardo Rossello signed into law June 20 a bill that clears the way for the partial privatization of the island's bankrupt electric company, which has been plagued by aging infrastructure and mismanagement that left millions in the dark after Hurricane Maria.

AMERICAN OVERSIGHT

TransCanada Keystone XL May Be One Oil Pipeline Too Many

By *Robert Tuttle*

TransCanada Corp.'s Keystone XL may be one pipeline too many for Canada, at least for now.

Solar Prices Nosedive After China Pullback Floods Global Market

By *Christopher Martin*

Solar panels were already getting cheaper this year, and then China pulled the plug this month on about 20 gigawatts of domestic installations. The result was a glut of global inventories, and now prices are plunging even faster.

OPEC Told by Climate Czar to Pivot from Oil or Prepare to Suffer

By *Jonathan Tirone*

The world's biggest crude exporters need to support the transition away from oil or prepare for growing climate-induced destabilization that could wreck their markets, the United Nation's top environment official said.

Protectionism to Incentivize Countries to Adopt Carbon Pricing

By Mathew Carr

Protectionist politics is increasing the likelihood that more nations will adopt carbon pricing to help safeguard their industry from regions with limited climate policies, according to Equinor ASA's chief economist.

Oil and Gas Environmental Analysis Trimmed in Bill Panel OKs

By *Alan Kovski*

Federal obligations for environmental impact analyses in oil and gas fields would be reduced in some circumstances by a bill approved by the House Natural Resources Committee, the occasion for another round of argument over the National Environmental Policy Act.

Occidental Gets a $350 Million Edge as Permian Pipelines Fill Up

By *Ryan Collins* and *Kevin Crowley*

As many of its rivals struggle to move oil from the Permian Basin to the Gulf Coast in search of higher prices, Occidental Petroleum Corp. is sitting pretty at a time when pipeline space is at a premium.

AMERICAN OVERSIGHT

Carmakers Seen Wasting Billions on Electric, Autonomous Cars

By David Welch

Automakers are in a pickle. If they don't invest in electric cars and self-driving technology, investors shun them. If they do, they risk burning billions of dollars on cars that won't make money, according to a new study from consulting firm AlixPartners.

Petrobras Recovery Clouded by Candidates Attacking Fuel Prices

By *Vinicius Andrade* and *Sabrina Valle*

The political backlash to rising fuel prices in Brazil has wiped out nearly half of Petrobras' market value and delivered investors a harsh reminder of the perils facing government-controlled oil companies in an election year.

EPA: No Decision Yet on Tar Creek Audit Suit

By *Peter Hayes*

The EPA hasn't decided whether to release information about Administrator Scott Pruitt's refusal to make the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund public.

Daimler Faces German Shareholder Suit Over Diesel Emissions

By *Stephanie Bodoni*

Daimler AG was sued by a shareholder over whether the carmaker misled investors about the severity of the diesel emissions scandal that has enveloped most of the German auto industry.

Copperbelt Energy of Zambia Eyes $250 Million Power Investment

By *Kamlesh Bhuckory*

Copperbelt Energy Corp.—the Zambian electricity supplier with customers including Glencore Plc's copper mines—may invest as much as $250 million in solar projects and transmission lines in the neighboring Democratic Republic of Congo, Chief Executive Officer Owen Silavwe said.

Anglo American Gets Authorization to Prospect for Copper in Amazon

By *Michael Kepp*

Anglo American PLC received authorization to prospect for copper in two

AMERICAN OVERSIGHT

Amazon states in northern Brazil along rivers that flow through nearby Indian lands.

Icahn Expected to Speed Push for Sandridge Sale After Board Win

AMERICAN OVERSIGHT

By *Scott Deveau* and *Alex Nussbaum*

Carl Icahn's takeover of SandRidge Energy Inc.'s board means the shale gas explorer's days are likely numbered.

AMERICAN OVERSIGHT

Mobile Phone Apps Emerge as Latest Threat to Electric Utilities

By *Rachel Morison*

Utilities need to be more like technology companies to survive.

AMERICAN OVERSIGHT

Engie Gets $139 Million Tax Bill as EU Bans Luxembourg Pact

By *Stephanie Bodoni*

French energy utility Engie SA faces a 120 million-euro ($139 million) tax bill after the European Union said it benefited from an unfair fiscal arrangement with Luxembourg.

Shale Giant Says Permian Oil Faces Shut Ins on Pipe Shortage

By *Javier Blas*

The biggest U.S. shale region will have to shut wells within four months because there aren't enough pipelines to get the oil to customers, the head of one of the industry's largest producers said.

Tuesday Night Wrapup

Nova Chemicals Makes Plea to Reduce Patent Charge Lost to Dow

By *James Munson*

A global petrochemical company owned by the emirate of Abu Dhabi made a pitch to reduce a C$645 million ($485.5 million) patent charge by more than half in a Canadian court.

Exelon, First Solar Bankroll Campaign to Push a U.S. Carbon Tax

By Jennifer A. Dlouhy

Major energy companies, including the largest U.S. nuclear power generator, are putting millions of dollars into a new political campaign to push for a tax on carbon dioxide emissions—a measure President Donald Trump has said he opposes.

Natural Gas Export Boom Brings Challenges for Top Energy Regulator

By *Stephen Cunningham*

The top U.S. energy regulator is hiring private contractors for the first time to help clear a growing backlog of LNG export applications.

EPA Stands Pat on Chemical Spill Regulations, Despite Suit

By *David Schultz*

AMERICAN OVERSIGHT

The status quo will likely remain for companies that store chemicals in above-ground tanks.

AMERICAN OVERSIGHT

Japan's New Ivory Trade Rules Lack Adequate Teeth, Critics Say (Corrected)

By Brian Yap

Japanese businesses that sell ivory products, such as print-stamp seals used in contract work, will have stricter registration requirements and other obligations under new regulations, but loopholes weaken the revised ivory trade rule, critics say.

AMERICAN OVERSIGHT

House GOP Budget Plan Calls for More Strategic Oil Reserve Sales

By *Ari Natter*

House Republicans are calling for an additional sale of 100 million barrels of oil from the Strategic Petroleum Reserve.

One Amendment Could Help a Vulnerable Republican's Re-election

By *Katherine Scott*

A House Republican facing a tough re-election contest has a lot on the line as Senate leaders consider when to schedule a vote on a bill that would order the Army Corps of Engineers to expedite $78 million worth of work in one Iowa district.

EPA Sued For Permitting More Air Pollution Near National Parks

By *Amena H. Saiyid*

The EPA is facing a lawsuit for allowing factories and power plants that are expanding or constructing new facilities near national parks and wilderness areas to emit more pollution.

White House Weighs Long-Sought Environmental Review Changes

By *Alan Kovski*

The White House Council on Environmental Quality is ready to consider fundamental revisions to the implementing regulations of the National Environmental Policy Act, a law that has been the centerpiece of countless legal fights.

GOP Chairman Bows to Pressure, Will Hold Hearing on EPA's Pruitt (1)

By *Dean Scott*

The chairman of the Senate environment panel bowed to pressure from Democratic and Republican critics alike June 19, agreeing to hold a hearing in August on embattled EPA head Scott Pruitt.

1801 South Bell Street, Arlington, VA 22202

AMERICAN OVERSIGHT

Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: EPA Press Office
Sent: Tue 3/20/2018 8:05:00 PM
Subject: Pruitt Says New Push On Superfund Sites Can Bring Accountability To Tar Creek Cleanup

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to Tar Creek, for decades one of the oldest, largest and most complex toxic sites in the nation.

No Images? Click here

Tulsa World

Pruitt Says New Push On Superfund Sites Can Bring Accountability To Tar Creek Cleanup

Jim Meyers
March 20, 2018
http://www.tulsaworld.com/homepagelatest/pruitt-says-new-push-on-superfund-sites-can-bring-accountability/article_4a3e4982-569e-5023-8141-392ebe629a65.html

Administrator Scott Pruitt of the U.S. Environmental Protection Agency said his new push on the nation's Superfund program finally can provide clarity and accountability to Tar Creek, for decades one of the oldest, largest and most complex toxic sites in the nation.

"It is really unacceptable," Pruitt said as he recalled the history of the Tar Creek, whose Superfund legacy dates back to 1983, as well as the amount of money and time deployed there.

"You don't list a site in the mid-1980s and you don't take the kind of steps we have taken historically and still have issues today in 2018."

He blamed inconsistency, even within EPA's 10 regions, as well as a lack of attention and focus for slowing outcomes.

"It is one of the things that seemed to be languishing as we arrived," Pruitt said, making it clear the lack of urgency was something he found "palpable" at Superfund sites across the country.

"When it takes you 27, 28 years to make a decision — make a decision, not clean it up, not remediate, but make a decision on how you are going to remediate — that is unacceptable."

...

Pruitt's emphasis on Tar Creek and the other Superfund sites across the country grew out of a task force he created in 2017, just months after being sworn in as administrator.

Members of the Superfund Task Force came back with a list of specific recommendations under major goals ranging from expediting cleanup and remediation to promoting redevelopment and community revitalization.

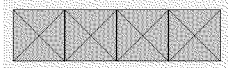
AMERICAN OVERSIGHT

As part of that process, Tar Creek landed on a list Pruitt says he will use going forward to keep the emphasis on the program.

“To me there are some very fundamental, significant things we can do to provide clarity to citizens there. I think it has started to take root over the last several months,” he said, adding that some of those steps could come “in the near term.”

To Read The Full Article Click Here

Visit The EPA's Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004
Unsubscribe

.

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered " reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill . He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bolen, Brittany[bolen.brittany@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 4/13/2018 9:44:45 AM
Subject: Morning Energy, presented by the American Petroleum Institute: Pruitt's security blanket — EPA gets its second-in-command — National park fees less than expected

By Kelsey Tamborrino | 04/13/2018 05:42 AM EDT

With help from Anthony Adragna

PRUITT'S SECURITY BLANKET: EPA Administrator Scott Pruitt has come under fire for his various ethics scandals — but current and former agency officials say he wasn't alone in some of the decisions. Instead, they say, Pruitt was goaded by his security guard, a colorful figure who has laid out his own questionable ethics in a self-published autobiography. Pasquale "Nino" Perrotta, a former Secret Service agent, who also played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, has been running Pruitt's security shop, often egging him on when others raised questions about his decisions, Pro's Emily Holden and Alex Guillén report.

Agency spokesman Jahan Wilcox defended EPA's moves on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." But Perrotta's forceful personality and Pruitt's expectations are both likely driving EPA's security spending, several sources tell Emily and Alex. Perrotta has accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources. And one career official who recently retired, Ron Slotkin, said Perrotta repeatedly railed against any restrictions, including longstanding federal limits on spending and conduct. "They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now, Perrotta has come under increased scrutiny from Congress — just like his boss. Former Trump EPA political appointee Kevin Chmielewski — the subject of letter released Thursday by Democrats — met with House Oversight Committee staff to discuss allegations against Pruitt, particularly of mismanagement and ethical lapses, a spokeswoman confirmed to Pro's Anthony Adragna on Thursday. Chmielewski also told Democratic lawmakers that Perrotta played a role and threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call. Read more.

IT'S FRIDAY THE 13TH! I'm your host Kelsey Tamborrino and I had a calculation error in Thursday's trivia question. Far more than five former presidents were also teachers: John Quincy Adams, Millard Fillmore, James Garfield, Chester Alan Arthur, Grover Cleveland, William Howard Taft, Woodrow Wilson and Lyndon Johnson, to name a few. But Entergy's Rob Hall gets the win today — he was the quickest to identify at least five. For today: Who were the only (I promise) father and son to serve in the Senate at the same time? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

EPA GETS ITS SECOND-IN-COMMAND: The Senate confirmed former coal lobbyist Andrew Wheeler as EPA deputy administrator on Thursday, instilling a crucial No. 2 official at the agency as Pruitt's future comes into question. Wheeler, a long-time former Senate aide, cleared the chamber by a vote of 53-45, with Democrats Joe Manchin, Heidi Heitkamp and Joe Donnelly joining the Republicans in the majority, Pro's Anthony Adragna reports. Pruitt welcomed Wheeler in a tweet: "Andrew has spent his entire career advancing sound environmental policies & I look forward to working with him to implement President Trump's environmental agenda."

THERE'S NO GRAND PLAN: But 10 Republican and Democratic lawmakers ME spoke to don't expect Wheeler's confirmation to have any impact on whether President Donald Trump removes Pruitt. "I don't think the president is looking for an incentive to get rid of Administrator Pruitt," Rep. Kevin Cramer told ME. "I don't think he's thinking about how this could give him more options, if you will. I think he's got the best option in the country in the job right now." Democrats arrived in the same place, albeit with different reasoning. "I don't think the president is that nuanced in his thinking," Sen. Chris Murphy said.

Some Democrats and other Washington insiders have floated the theory in recent days that Trump could have been waiting for the Senate to OK Wheeler before making a break with Pruitt. "If Wheeler is in place and approved, then it may well be that he just decides to let Pruitt go," Sen. Tom Udall told ME. "If they have a deputy that's Senate approved, then he can serve. So, that puts them in a much better position."

But most lawmakers simply said Wheeler's ascension at EPA should be viewed as the administration filling an important slot that's been vacant for too long. "Obviously having a No. 2 there is pretty important if anything should happen," said Sen. John Thune, a member of Republican leadership. Others said they thought Wheeler, a long-time Washington fixture, could help the Trump administration stabilize the ship at EPA. "You certainly have a familiarity with the legislative process, which I think is helpful," Sen. Lisa Murkowski, who oversees EPA's budget on an Appropriations subcommittee, told ME. "Administrator Pruitt — as much as he brings to the office with the credentials he acquired in Oklahoma as an attorney general — it's a different process. The legislative process is just different. And I think that's one of the assets that Wheeler brings to the job."

Sen. Jim Inhofe, Wheeler's former employer and a close ally of Pruitt, said he'd spoken with the embattled EPA chief earlier this week and told him "help is on the way" in the form of Wheeler. "The real beneficiary is [chief of staff] Ryan Jackson because he's had to do everything himself," he said. "No one knows the job better than Andrew. So he's going to be a godsend."

PAY (ONLY A LITTLE MORE) TO PLAY: The National Park Service announced changes Thursday to entrance fees at national parks, increasing existing fares by $5 per vehicle in most instances — a figure far under the $70 vehicle fee Interior Secretary Ryan Zinke had previously suggested, to public outcry. The agency said most seven-day vehicle passes would be affected by the $5 increase, beginning at many parks on June 1. The agency stipulated that more than two-thirds of national parks will remain free to enter. "I want to thank the American people who made their voices heard through the public comment process on the original fee proposal," Zinke

AMERICAN OVERSIGHT

said in a statement, adding that the revenue gathered from the fare would go toward fixing the agency's maintenance backlog.

The announcement garnered a collective sigh of relief from many conservationists and Democrats, but still left a poor taste in the mouths of some. Senate Energy ranking member Maria Cantwell said in a statement the plan "once again lacks any transparency, public input, or full analysis of the impact new fee increases will have on park visitation and local economies." Udall said he'd ask Zinke to provide a more detailed explanation of the decision in writing.

House Natural Resources Chairman Rob Bishop is supportive of the move to raise money for park maintenance, but thinks the move should go through Congress first. "There's no way an agency of government should be able to raise fees on people just by their own fiat. It's just wrong," Bishop told ME, though he admitted that Zinke does have the authority.

SPEAKER-IN-WAITING? Some have rumbled that Bishop could be a so-called caretaker speaker once Paul Ryan departments, but he didn't take the bait when ME asked if he'd be interested. "The body has to be dead first. [Ryan] has eight more months," he quipped.

**** A message from the American Petroleum Institute:** Safe energy exploration and development in the Outer Continental Shelf could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation, as well as strengthen our national security. Recently released studies highlight the potential economic benefits here: http://bit.ly/2FPgybN **

BIG SPENDER: Pruitt showed a penchant for spending during his time as attorney general of Oklahoma, according to a report in The Intercept. In particular, spending at the AG's office in 2014 came in at $27.7 million higher than his predecessor Drew Edmondson, according to a state audit published in 2016. Almost $23 million of Pruitt's total budget fell into a category called "administrative expenses."

Pruitt also upgraded the AG office's vehicles. According to numbers provided by Oklahoma's Office of Management and Enterprise Services. When Pruitt left for EPA, "his state agency had 303 cars and trucks, up from 277 when Edmondson left office in 2011," the Intercept reports. The EPA chief also rode in a nicer car than his predecessor, state auditor Gary Jones told the Intercept. "He went and got himself a big, black SUV just like the governor's," said Jones, who noted that Edmondson had made do with a Ford Crown Victoria. Read the story.

SOMETHING NICE TO SAY: Oregon Gov. Kate Brown visited the offices of media company Willamette Week, where she offered kind words for Pruitt's Superfund efforts, when asked where she agreed with the Trump administration. "The one thing that I am actually pleased that we are working together on is with the administrator of the EPA, and that is cleaning up the Portland Harbor," she said. "He's absolutely committed to making this happen, as am I. It's a job creator." Read more.

ETHANOL INDUSTRY GETS A WIN: The president Thursday pledged support for year-round sales of 15 percent ethanol blends in gasoline, marking a win for the ethanol industry.

AMERICAN OVERSIGHT

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters in response to questions about the biofuel, adding that "makes a lot of farmers very happy." Pro's Eric Wolff reports Trump's remarks mark a policy change long-sought by ethanol producers and their farm-state allies to win year-round sales of higher blends of ethanol in all states.

TRUMP AIMS TO CUT RED TAPE: Trump also issued a memorandum Thursday ordering EPA to abate some of its procedures regulating six key air pollutants under the Clean Air Act, Eric reports, including a requirement for the agency to consider rescinding all of its past rules, guidance, and orders from the NAAQS program. Read more.

MAIL CALL! FROM GRIJALVA'S PEN: In response to the Interior Department's inspector general report this week, which could not determine why more than two dozen senior executives were reassigned in 2017, House Natural Resources ranking member Raúl Grijalva called on Bishop to hold an oversight hearing. Specifically, Grijalva is seeking further information from Deputy Secretary David Bernhardt and Associate Deputy Secretary James Cason. Read the letter here.

— **Separately, Grijalva wrote to Zinke Thursday** asking for "a detailed description of the vetting process at DOI for acting and permanent political appointees, including any review of relevant qualifications, background, and ethical considerations." Grijalva expressed concern with agency officials who are reported to have made conspiratorial or racist remarks. He mentioned Kevin Sabo, acting chief of the Office of Congressional and Legislative Affairs at the Bureau of Reclamation, who compared students who survived the Parkland school shooting to Nazis and promoted conspiracy theories on his personal Facebook page. Interior spokeswoman Heather Swift called the premise of the letter "factually incorrect," and pointed out that "neither individual identified or cited was in a high-ranking leadership position." Swift said Sabo isn't a political appointee and was brought on by the previous administration. Read the letter.

MARCH FOR SCIENCE KICKS OFF: The annual March for Science will convene this Saturday across the globe, and will feature more than 230 satellite events, according to maps of those registered to participate. The march, which is meant to amplify the role of science and evidence-based policy, will feature events ranging "from science expos and festivals to rallies and large-scale marches."

In Washington D.C., festivities begin at 9 a.m. at the National Mall with teach-in and expo tents. From 12:30 p.m. until 3:30 p.m. a host of speakers will take the stage including Vinton Cerf, vice president and Chief Internet Evangelist for Google and Mari Copeny, known as "Little Miss Flint." Gulf coast soul band The Suffers will also perform. The march portion of the day will kick into gear around 3:30 p.m.

HIGH-OCTANE LOVE: Renewable Fuels Association President Bob Dinneen sent a lengthy letter to House Energy and Commerce subcommittee Chairman John Shimkus and ranking member Paul Tonko on the role of ethanol in the future of high-octane low carbon fuels. The subcommittee will hold a hearing today on challenges and opportunities in high octane fuels and high efficiency vehicles. **If you go:** It begins at 9 a.m. in 2123 Rayburn.

AMERICAN OVERSIGHT

QUICK HITS

— Pruitt's lobbyist landlord being pressured to leave his firm, The Daily Beast.

— A bird's fate sharpens focus on ESA — and on key official, E&E News.

— Pruitt borrowed a few paintings from the Smithsonian. Here they are, The New Republic.

— The climate stakes of nuclear plant retirements, Axios.

— Chevron, Exxon seek 'small refinery' waivers from U.S. biofuels law, Reuters.

— Mining company fights 'bad actor' polluter label in Montana, Associated Press.

HAPPENING TODAY

8:00 a.m. — The Johns Hopkins University Paul H. Nitze School of Advanced International Studies discussion on "Canadian Natural Gas Energy Frontiers: How Canadian Firms and Governments are Responding," 1619 Massachusetts Avenue NW

9:00 a.m. — House Energy and Commerce Environment Subcommittee hearing on "High Octane Fuels and High Efficiency Vehicles: Challenges and Opportunities," 2123 Rayburn

9:00 a.m. — The University of Chicago's Booth School of Business holds Energy Forward conference, Chicago

11:00 a.m. — House Appropriations Homeland Security Subcommittee hearing on the FY 2019 budget for FEMA, 2359 Rayburn

1:00 p.m. — The National Audubon Society teleconference on the Migratory Bird Treaty Act

CORRECTION: The April 12 edition of Morning Energy misidentified the rank of a Democrat on the Foreign Relations Committee. Sen. Ben Cardin is a senior Democrat on the panel.

THAT'S ALL FOR ME!

** **A message from the American Petroleum Institute:** The oil and natural gas industry supports over 10 million jobs and almost 8 percent of the U.S. GDP. We support common-sense energy policies that promote safe energy development that will advance America's energy and economic future, while strengthening our national security. Recent studies find that opening up the Outer Continental Shelf (OCS) for U.S. energy exploration and development could bring significant jobs, investments, and state revenue for public education and infrastructure to coastal states and across the nation. Natural gas and oil non-station jobs pay an average salary of $101,000 with many not requiring college degrees. The Atlantic OCS alone could support 265,000 new jobs, an additional $20 billion per year in new private investment, and contribute $22 billion per year to the U.S. economy. Studies on the Eastern Gulf of Mexico, Pacific, and

AMERICAN OVERSIGHT

Alaska found similar benefits to opening up the OCS for offshore development. Read the highlights of the economic impact studies: http://bit.ly/2FPgybN **

To view online:
https://www.politicopro.com/newsletters/morning-energy/2018/04/pruitts-security-blanket-168376

Stories from POLITICO Pro

Former staffer: EPA fired him for refusing to OK first-class flight Back

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel "because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

AMERICAN OVERSIGHT

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Exclusive: EPA removes staffer who OK'd report on Pruitt's security Back

By Emily Holden | 04/10/2018 12:45 PM EDT

EPA removed a career staffer Tuesday who approved an internal report that undermined

AMERICAN OVERSIGHT

Administrator Scott Pruitt's claims that he needed around-the-clock bodyguards and other expensive security protection, according to two former agency employees familiar with the situation.

Mario Caraballo was the deputy associate administrator of EPA's Office of Homeland Security, which in February concluded that an earlier assessment failed to identify credible direct threats against the administrator that would justify his heavy security spending.

Sens. Tom Carper (D-Del.), the ranking member on the Environment and Public Works Committee, and Sheldon Whitehouse (D-R.I.) wrote to Chairman John Barrasso (R-Wyo.) on Tuesday requesting oversight hearings and quoting the report, making public its doubts about the need for the heightened security.

One source with direct knowledge of Caraballo's dismissal said the agency claimed he was let go because of a personnel issue from a previous military job nearly a decade ago that had been resolved then and already been reviewed by EPA several years ago. That source said senior officials also were not happy with the report from Caraballo's office.

"They're trying right now to just keep pressure on the wound," the source said. "They're trying to find out where these leaks are coming from ... They're in full panic mode right now."

EPA Principal Deputy Assistant Administrator Donna Vizian said the agency would not comment on personnel matters. But she added that today's action "was based on a recommendation by the Office of Administration and Resources Management. I am not aware of any connection between the personnel matter and the document mentioned in media reports."

A career EPA staffer who has worked with Caraballo described him as a "standout manager," and a "veteran and dedicated public servant and intelligence official to boot."

The source predicted Caraballo's dismissal would stiffen the resolve of Pruitt's critics within the agency.

"This isn't going to frighten staff, this is going to embolden us to leak more to get these criminals out," the employee said Tuesday. "They need to know we're not intimidated and we're going to blow the whistle on anything even borderline questionable."

In their letter to Barrasso, the two Senate Democrats said the records from the EPA, Secret Service and a terrorism task force fail to justify Pruitt's use of the multimillion-dollar security detail.

Instead, according to the internal EPA memo, the "threats" include protesters attempting to disrupt one of Pruitt's closed-door speeches, a letter from a prisoner, and a postcard that included the greeting: "CLIMATE CHANGE IS REAL!!! We are watching you," Carper and Whitehouse wrote to Environment and Public Works Chairman John Barrasso (R-Wyo.).

The two Democrats demanded oversight hearings into Pruitt's security spending, citing an

AMERICAN OVERSIGHT

internal EPA review, Secret Service threat assessments and a Joint Terrorism Task Force report.

But Barrasso rejected their request, while bashing the two Democrats for releasing "sensitive information."

"I am deeply troubled that members of the committee would publicly release law enforcement sensitive information regarding the safety and security of a cabinet member and his family," Barrasso said in a statement. "This letter selectively quotes non-public documents."

Barrasso added that "any reasonable reading" of those documents supported a conclusion that Pruitt faced a "variety of direct death threats."

To the contrary, Carper and Whitehouse said the Secret Service identified no "reports of behaviors of interest" against Pruitt, and internal EPA reviews dispute "the administrator's claims that the nature of the threats against him justify his expenditures."

Pruitt has drawn widespread scrutiny for demanding a round-the-clock security detail, flying first-class to limit contact with threatening passengers, and having a soundproof booth installed in his office, among other steps — all of which offered far greater protection and privacy than his predecessors received. The Associated Press, citing an unnamed EPA official, said last week Pruitt's "total security costs approached $3 million when pay is added to travel expenses."

EPA has said Pruitt has experienced a sharp increase in threats compared with his immediate predecessor, Obama-era Administrator Gina McCarthy. Among specific incidents, the agency said one person had approached Pruitt in the Atlanta airport while yelling, "Scott Pruitt, you're f---ing up the environment."

In one of the nonpublic documents Carper and Whitehouse cited, the EPA Office of Homeland Security's intelligence team concluded that an earlier threat assessment prepared by Pruitt's security team "***DOES NOT*** employ sound analysis or articulate relevant 'threat specific' information appropriate to draw any resource or level of threat conclusions regarding the protection posture for the administrator," according to a section of the Feb. 14 memo reproduced in the senators' letter (emphasis included). The memo concluded that EPA intelligence officials had "not identified any specific credible direct threat to the EPA administrator," according to the letter.

None of the incidents listed concern air travel, according to the letter.

The senators said the records don't match public statements from EPA and President Donald Trump, who tweeted Saturday that Pruitt's expenses are justified.

One view is "that certain factions within EPA have justified the exorbitant taxpayer spending incurred by the administrator's first-class travel and large entourage of security personnel through unsubstantiated claims about threats to his security, either at the direction of the administrator himself or others in the agency," the senators said.

AMERICAN OVERSIGHT

EPA spokesman Jahan Wilcox said Tuesday that "Scott Pruitt has faced an unprecedented amount of death threats against him and these threat assessments are conducted within [Office of Enforcement and Compliance Assurance] using information collected from the [Protective Service Detail], EPA's Office of Homeland Security, and Inspector General." He pointed to interviews with EPA's inspector general office discussing an increase in threats compared to the previous administrator's tenure.

Alex Guillen contributed to this report.

To view online click here.

Back

Lobbyist couple had to change the locks on Pruitt Back

By Eliana Johnson | 04/06/2018 03:13 PM EDT

Scott Pruitt was only supposed to be living in the Capitol Hill condominium that has become a focal point of his latest ethics controversy for six weeks last year while he got settled in Washington - but the new Environmental Protection Agency administrator didn't leave when his lease ended.

Instead, he asked the lobbyist couple who became his disgruntled landlords to revise his lease several times, according to two people with knowledge of the situation.

The couple, Vicki and Steve Hart, became so frustrated by their lingering tenant that they eventually pushed him out and changed their locks. After trying to nudge Pruitt out of their home over the course of several months, the Harts finally told Pruitt in July that they had plans to rent his room to another tenant.

"The original arrangement was that he would be there living out of a suitcase ... and it just kept going and going," said one of the people with knowledge of the arrangement.

The condo, in which Pruitt rented a bedroom for $50 a night, has attracted the attention of the EPA's inspector general, which said Thursday it was considering opening an investigation. The agency is already reviewing Pruitt's taxpayer-funded first-class travel, his use of a special hiring authority to grant raises to aides and his spending on a soundproof phone booth for his office.

The president has dismissed two Cabinet secretaries in recent weeks — his former secretary of state, Rex Tillerson, and his former secretary of Veterans Affairs, David Shulkin — as well as a senior White House aide, national security adviser H.R. McMaster, making Pruitt the latest in a series of top Trump officials to risk losing their job.

The president denied in a tweet Friday that he had plans to get rid of him: "Do you believe that the Fake News Media is pushing hard on a story that I am going to replace A.G. Jeff Sessions

AMERICAN OVERSIGHT

with EPA Chief Scott Pruitt, who is doing a great job but is TOTALLY under siege? Do people really believe this stuff? So much of the media is dishonest and corrupt!"

The former Oklahoma attorney general, who has played an integral role in Trump's efforts to slash federal regulations, is a favorite of some of Trump's conservative backers. They have encouraged the president to keep him, while chief of staff John Kelly has encouraged Trump to let him go.

Pruitt has been the target of a number of damaging media reports this week, including one Thursday from The New York Times that detailed how at least five EPA officials were pushed out of their jobs or resigned after questioning the EPA chief's expensive spending habits.

Both people familiar with the condo arrangement described Pruitt as a difficult tenant who, intoxicated by his newfound power, paid little attention to the headaches he was causing others.

Prior to Pruitt's arrival in Washington, Steve Hart — an energy lobbyist who, like Pruitt, is a native Oklahoman — had been a friend and supporter of the EPA administrator. He and his wife, a health care lobbyist, viewed the six-week living arrangement as a favor for a friend.

They drew up a lease running from February through April 1, 2017, said the people familiar with it, in order to make sure neither they nor Pruitt ran afoul of ethics rules, which prohibit political appointees from accepting gifts from lobbyists. Under the terms of that lease, Pruitt paid a cut rate of $50 per night to stay in the condominium.

That favor turned into a headache for the couple when Pruitt repeatedly asked to extend his lease. "There were gentle questions regarding, OK, when are you going to leave and what have you ... and they even started sending him ads of places close by that he could rent," said the first person.

"Scott Pruitt is the Kato Kaelin of Capitol Hill. He is the long-term house guest who takes advantage of his hosts and refuses to take a hint about when it's time to leave," the second person said.

A spokesman for Pruitt did not immediately reply to a request for comment.

The Harts eventually told Pruitt, who had to be reminded repeatedly to pay his rent, that they had plans to rent the room to somebody else — and that he needed to find another place to live, according to the people familiar with events. They also informed him in early August that they were changing the locks on their door.

To view online click here.

Back

Former staffer: EPA fired him for refusing to OK first-class flight Back

AMERICAN OVERSIGHT

By Alex Guillén | 04/12/2018 11:42 AM EDT

A former top EPA staffer has told Democratic lawmakers that the agency fired him after he refused to retroactively approve the first-class travel of one of Administrator Scott Pruitt's closest aides, according to letters made public Thursday.

The dismissed political appointee, Kevin Chmielewski, also alleged that Pruitt flouted price limits on hotel stays and office decor, put an aide to work house-hunting for him, arranged taxpayer-funded trips to his native Oklahoma and other destinations just because he wanted to travel there and lied last week when he denied knowing about backdoor raises the agency had granted to two of his top aides, the lawmakers said Thursday in a letter to the agency.

In addition, Chmielewski detailed allegations of lavish spending on Pruitt's personal security and a possible conflict of interest involving his top bodyguard, as well a $100,000-per-month private jet rental that he says EPA looked into at Pruitt's direction. He also said, as POLITICO reported last week, that Pruitt was frequently late in paying the $50-a-night rent on his lobbyist-owned Capitol Hill condo last year.

The lawmakers, including Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), separately wrote to President Donald Trump and urged him to rethink his public support for the embattled EPA chief.

"... [I]t appears you may not have received all the facts surrounding Administrator Pruitt's spending, security arrangements, travel, living arrangements, and personnel actions, among other things," they wrote.

Carper and Sen. Jeff Merkley (D-Ore.) separately asked EPA's inspector general on Thursday to look into Pruitt's alleged use of four different email accounts at EPA, and whether federal record-keeping laws were followed.

EPA spokesman Jahan Wilcox declined to specifically dispute the allegations from Chmielewski outlined in the letter, saying the agency would respond to the lawmakers "through the proper channel." When Chmielewski's dismissal was first reported last week, Wilcox called him one of "a group of disgruntled employees who have either been dismissed or reassigned."

Chmielewski, a former Trump campaign staffer, was EPA's deputy chief of staff for operations and handled many of Pruitt's travel and logistics coordination. He has emerged as the best-known internal agency critic of Pruitt's lavish spending and other practices, which have led lawmakers of both parties — and key White House aides — to push for the administrator's firing.

Among his specific charges, Chmielewski told the lawmakers this week that Pruitt had requested that his aide Samantha Dravis, the head of EPA's Office of Policy, join him in first class on a return flight from Morocco in December, where Pruitt had gone to promote U.S. natural gas.

Chmielewski told the lawmakers he refused to sign paperwork justifying Dravis' first-class travel

AMERICAN OVERSIGHT

"because it violated federal travel regulations," the Democrats wrote. He said another EPA staffer eventually signed off on the travel retroactively.

Chmielewski said his refusal to bless Dravis' upgraded travel "appears to him to have been the final straw that caused you to remove him," the lawmakers wrote to Pruitt. Ryan Jackson, Pruitt's chief of staff, subsequently informed Chmielewski that Pruitt "wished to fire or reassign him," they wrote.

Dravis disputed Chmielewski's allegations, telling POLITICO that she never spoke with him about the upgrade approval, that she did not request the upgrade and that it was not approved retroactively. Dravis said she flew coach for three of the four legs of the trip, and was upgraded to business class for one of them in keeping with federal regulations about travel exceeding 14 hours.

Democrats and environmental groups have questioned the entire purpose of the Morocco trip, noting that EPA's mission doesn't include promoting U.S. natural gas exports. Energy Secretary Rick Perry declined to weigh in on that issue at a House Energy and Commerce Committee hearing Thursday, saying it would be "a little inappropriate for me to be making a public or private observation" about whether Pruitt's trip was justified.

Chmielewski also disputed Pruitt's statement last week to Fox News that he did not know about raises that two of his aides, who had accompanied him to EPA from Oklahoma, received despite the White House's disapproval. Pruitt told Fox that the raises were entirely carried out by unidentified staffers, and that he was correcting the matter after learning of it.

But Chmielewski said the raises were "100% Pruitt himself," according to a quote included in the Democrats' letter.

Chmielewski told the lawmakers that his dismissal came in February when the head of Pruitt's security detail, Nino Perrotta, asked him to give up his government credentials when he returned to the agency after an unrelated overseas trip with Vice President Mike Pence.

According to the letter, Jackson told Chmielewski that Pruitt wanted him removed and one of the Oklahoma aides, Millan Hupp, promoted to his job and pay scale. Chmielewski said the White House would not approve of that arrangement, but that he later was removed and Hupp received the promotion and pay raise via special hiring authority in the Safe Drinking Water Act.

Other allegations made by Chmielewski, according to the letters, include:

— Pruitt's security detail has purchased bulletproof vests, weapons and biometric locks and new SUVs to transport Pruitt, as opposed to getting vehicles via the General Services Administration. Chmielewski also alleges EPA has awarded security contracts to at least one person who works at the private security firm run by Perrotta.

— Pruitt had Hupp search for housing during work hours.

AMERICAN OVERSIGHT

— Pruitt spent more than the $5,000 legal limit to redecorate his office.

— EPA staff, at Pruitt's direction, considered a $100,000-per month private jet rental for the administrator. Chmielewski "claimed he successfully prevented this from occurring, as it would have been far in excess of the total travel budget of the office," the Democrats wrote.

— Pruitt allegedly sought to travel to certain destinations and would ask EPA staff to find official business there to justify the taxpayer-funded trips. Chmielewski also says Pruitt told staff to find official reasons for him to be in or near Oklahoma to spend long weekends at home there.

— Pruitt "frequently" stayed in pricey hotels that exceeded allowable per diem spending, and that while Pruitt was reimbursed even when costs went over a 300 percent cap for exceptional circumstances, his bodyguards sometimes were not.

— Pruitt declined to plan to stay at hotels recommended by U.S. embassies during two planned international trips, choosing instead "more expensive hotels with fewer standard security resources."

"The new information provided by Mr. Chmielewski, if accurate, leaves us certain that your leadership at EPA has been fraught with numerous and repeated unethical and potentially illegal actions on a wide range of consequential matters that you and some members of your staff directed," the lawmakers wrote to Pruitt in asking for more documents.

Besides Carper and Whitehouse, the letters were signed by Reps. Elijah Cummings (D-Md.), Gerry Connolly (D-Va.) and Don Beyer (D-Va.).

To view online click here.

Back

Former Trump EPA official met Oversight Republican staff today Back

By Anthony Adragna | 04/12/2018 04:06 PM EDT

A former Trump EPA political appointee, Kevin Chmielewski, met with House Oversight Committee staff today to discuss his allegations of mismanagement and ethical lapses by Administrator Scott Pruitt, a spokeswoman confirmed.

That comes on the same day as congressional Democrats released a letter after meeting with Chmielewski detailing lavish spending habits, retaliation against aides who questioned Pruitt's actions and other ethically dubious behavior. Chmielewski, formerly EPA's deputy chief of staff for operations who handled many of Pruitt's travel and logistics coordination, told them he was fired after refusing to sign off on first-class travel for one of Pruitt's closest aides.

Oversight Chairman Trey Gowdy (R-S.C.) has been looking into Pruitt's behavior. He sent a

AMERICAN OVERSIGHT

letter Wednesday demanding additional records on the administrator's first-class travel arrangements and Capitol Hill condo agreement with a Washington lobbyist couple.

To view online click here.

Back

Pruitt's security chief goaded spending, employees say Back

By Emily Holden and Alex Guillén | 04/12/2018 08:13 PM EDT

Environmental Protection Agency Administrator Scott Pruitt has had a willing partner in pushing for his massive spending on bodyguards and first-class flights, current and former EPA officials say — the Secret Service veteran who heads his security detail.

Pasquale "Nino" Perrotta played a key role in the investigation into mobster John "Junior" Gotti in the 1990s, and he's boasted of his exploits with women, firearms and luxury watches in a self-published autobiography. Now he's running security for the nation's top environmental regulator like a lavishly funded SWAT team, according to interviews with seven people who have worked with him under both the Trump and Obama administrations.

The current and former staffers say that rather than acting as a restraint on Pruitt, who came into the agency a year ago demanding round-the-clock bodyguards, Perrotta has instead egged him on — indulging his requests for a 19-person security detail, high-performance SUV, $43,000 soundproof booth and bug-sweep of his offices, as well as first-class flights to limit his exposure to potential threats from fellow passengers. Perrotta has even barred all but a select group of agency employees from entering rooms and corridors near Pruitt's offices, according to Ron Slotkin, a career official who recently retired as director of the EPA's multimedia office.

Perrotta has also accompanied Pruitt on flights and offered him advice on environmental policy and other agency matters, according to two of the sources.

Slotkin said Perrotta and others around Pruitt strained repeatedly against any restrictions on their activity, including longstanding federal limits on spending and conduct.

"They would object to anything when we said, 'No, you can't do that' or 'That would be wrong,'" Slotkin said. He added: "We'd say, 'It's not a matter of legality, it's ethics, it's the way things look.' But they went out of their way to do something different."

Now Perrotta's own ethics are drawing scrutiny from members of Congress looking into Pruitt's actions. Five Democratic lawmakers alleged in a letter sent to President Donald Trump on Thursday that EPA issued at least one contract to an employee of Perrotta's private security firm, and that other contracts may have gone to Perrotta's "friends or associates," based on allegations from former agency deputy chief of staff Kevin Chmielewski.

AMERICAN OVERSIGHT

Chmielewski, a former Trump campaign aide, has told lawmakers EPA fired him after he refused to retroactively approve first-class travel for one of Pruitt's closest aides, former agency policy chief Samantha Dravis, according to the letter from Democrats including Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island. He also told the lawmakers that Perrotta threatened to go to his home to seize his EPA parking pass — adding that he "didn't give a f---" who might be listening to their phone call.

Perrotta did not respond to multiple requests for comment.

Agency spokesman Jahan Wilcox defended EPA's decisions on Pruitt's security arrangements, calling them "similar to security protocol across the federal government." He added that the agency had done similar security sweeps for former President Barack Obama's two EPA administrators, Lisa Jackson and Gina McCarthy.

"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and security decisions are made by EPA's Protective Service Detail," Wilcox said in a statement. "Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."

Pruitt's spending, relationships with industry lobbyists and reputation for excessive secrecy have generated calls for his firing from Democratic lawmakers, some Republicans and even White House staff. But he still has at least a public champion in Trump, who tweeted last weekend that "Scott is doing a great job!"

To the contrary, the current and former agency employees say Pruitt has fostered an atmosphere of chaos, mistrust and disregard for optics — and that Perrotta has been a crucial part of it.

Several said Perrotta's personality and Pruitt's expectations are both probably driving EPA's security spending, adding that other key aides have signed off on the administrator's expenses either willingly or begrudgingly.

"He'll do anything to satisfy his boss," said one departed career staffer.

Perrotta was born to Italian immigrants in New York and has spent his life in law enforcement, including in the Secret Service, where he said he protected presidents and dignitaries and investigated financial and organized crimes, according to "Dual Mission," the autobiography he self-published in 2016.

In the book, he calls himself "completely misunderstood by most," including family, friends and coworkers, in large part because of his "high level of energy." Former and current colleagues have described Perrotta as rigidly loyal but also enthusiastic to push boundaries to get what he wants — an impression his book supports.

He recalls "creatively" finding ways to show probable cause to get warrants, providing financial incentives to police, and making sources of female "friends," "showering them with gifts that I was easily able to afford."

AMERICAN OVERSIGHT

Perrotta said he also let women hold his government-issued firearm in romantic situations. "It was, in some ways, like a dangerous, forbidden sex toy to some, and I played right along," he recalled.

He said he liked the finer things, including a Rolex Submariner watch that he wore in his youth. When working for the Secret Service in Bulgaria, he wrote, he dressed "more like a gangster than law enforcement," clad in square-toed, black biker boots and a black, Italian-made turtleneck sweater with a ".380 Sig" gun tucked underneath.

He joined EPA in 2004. That eventually brought him into Pruitt's orbit.

Pruitt, a former Oklahoma attorney general, had built a reputation in conservative Republican circles for his frequent lawsuits against the EPA's Obama-era regulations, putting him at odds with much of the agency's workforce. And his penchant for lavish spending was documented even before he arrived in Washington: An audit in Oklahoma showed that expenses at the attorney general's office surged during his tenure compared with his predecessor's, The Intercept reported Thursday.

When Pruitt arrived at EPA after his confirmation in February 2017, his transition team had already made it clear that he expected around-the-clock security, a former agency employee who was there at the time said.

A week after Pruitt's first day at the agency, top staffers had a meeting on "24/7 security," according to calendars obtained by the watchdog group American Oversight. Chief of staff Ryan Jackson met for half an hour with security officials including Henry Barnet, the director of the criminal enforcement office where Pruitt's security detail is housed.

Perrotta was soon promoted to replace a career staffer who had pushed back on the administrator's desire to use sirens to navigate D.C. traffic. He quickly developed a close relationship with Pruitt.

As head of Pruitt's security detail, Perrotta has been instrumental in decisions for him to fly only first-class, upgrade to a souped-up SUV and have his office swept for bugs, a former Trump administration official said. Perrotta has also overseen Pruitt's 19-person crew of bodyguards, which is three times the size of the team that protected McCarthy — and offers 24/7 protection that exceeds what most Cabinet members receive.

"Mr. Pruitt thinks he's the president of the United States," said the first former career staffer. "He's big on image."

The office sweep for listening devices — which was conducted by a company linked to Perrotta — rankled some career staffers and led to a scuffle between Perrotta and a member of the agency's homeland security office at a meeting last summer, The New York Times reported Thursday.

Despite EPA's argument that Pruitt has received a record number of death threats, an internal

AMERICAN OVERSIGHT

report from the agency's Office of Homeland Security suggests that the threats mainly consist of letters and criticism on social media that don't warrant such blanket protection. (On Tuesday, the agency dismissed a staffer who had signed off on the memo and argued with Perrotta, for what it insists were issues dating back several years.)

But several current and former EPA staffers say they also consider the security fears overblown.

"We never saw any threat, never heard any threat," said Slotkin, the former multimedia director. "If anything, it came from Pruitt, we would hear him speak about it. But there was no evidence that anybody could even get near him."

That included many EPA employees: Slotkin said Perrotta cordoned off Pruitt's suite of offices inside EPA's headquarters at Federal Triangle, posting security guards to keep out anyone who wasn't on an approved list. One restricted area was a chandelier-decorated conference room named after environmentalist Rachel Carson where agency employees had previously been allowed to hold events, Slotkin said.

"He didn't want anybody near him," Slotkin said.

Soon Perrotta was flying with Pruitt and discussing matters that went beyond security, two former employees said.

"It wasn't uncommon that given travel and Nino's proximity, he would always weigh in on matters beyond his scope as security, leveraging his institutional knowledge," one said. "He often would say what he recalled prior administrators doing."

By the spring of last year, Perrotta was regularly attending travel planning meetings with top political staff, including a March 30 international scheduling discussion and an April 10 talk on international travel, according to EPA records.

He and other security agents were closely involved in planning in May for a trip the following month to Italy, where Pruitt visited the Vatican and then attended G-7 environment meetings in Bologna. Perrotta had lived for two years in Rome on Secret Service assignment, where he made many connections, according to his book.

Wilcox said the security arrangements on the Italy trip were not novel. "EPA's Protective Service Detail tried to replicate the same security measures taken when EPA Administrator Gina McCarthy traveled to Italy in 2015," he wrote.

Thursday's congressional letter offered a new detail about Perrotta: The Democratic senators said Chmielewski reported that Perrotta entered into a $30,000 contract with private Italian security personnel for that trip. Records have revealed that expense but did not disclose whether it was for a private detail.

One of the former EPA staffers said Perrotta was friends with those guards. That source described Pruitt's protection while in Italy as extensive, with security agents from EPA and the

AMERICAN OVERSIGHT

U.S. Embassy, in addition to a large group of local agents.

News reports have revealed Pruitt also had a soundproof booth constructed for his office and considered having bulletproof desks installed.

And the spending isn't over. EPA also appears to be planning to purchase bulletproof vests specially designed to blend in underneath regular clothing for his security detail, according to a solicitation issued on Friday. The solicitation calls for 16 white-colored vests of varying sizes manufactured by Velocity Systems, along with corresponding armor made of "special threat enhanced steel" and cummerbunds that provide enhanced protection.

The armor requested is just over a quarter-inch thick and can protect against the type of bullets shot from AK-47 rifles and some AR-15 semi-automatics, according to Velocity Systems' website.

EPA would not confirm to POLITICO whether the armor is for Pruitt's protective detail or for other agents, saying only that all agents in EPA's criminal enforcement division, which includes Pruitt's detail, "are assigned bulletproof vests" and that the effectiveness of the vests expires every five years. But a source familiar with EPA's security operations said the vests are likely for Pruitt's bodyguards because of their unusual specifications and the number requested. Other enforcement agents wouldn't need their vests to be concealed, that source said.

To view online click here.

Back

Senate confirms Wheeler as EPA deputy Back

By Anthony Adragna | 04/12/2018 04:32 PM EDT

The Senate today confirmed lobbyist Andrew Wheeler to be deputy EPA administrator, sending the beleaguered agency a second-in-command as Administrator Scott Pruitt faces an uncertain future amid a torrent of ethics scandals.

Wheeler, a long-time former Senate aide, cleared the chamber by a vote 53-45. Democrats Joe Manchin of West Virginia, Heidi Heitkamp of North Dakota and Joe Donnelly of Indiana supported him, as did every Republican who voted.

Democrats and the environmental community rallied hard against the nomination, pointing to Wheeler's work as a coal lobbyist and his time working as an aide to the climate change-denying Sen. Jim Inhofe (R-Okla.). And they argued he hasn't undergone sufficient scrutiny in the event he must step in to run the agency indefinitely should the Senate have to launch the uphill battle to confirm a replacement for Pruitt.

Wheeler has worked at the law firm Faegre Baker Daniels since 2009, where his past lobbying

AMERICAN OVERSIGHT

clients included coal producer Murray Energy, Xcel Energy, Bear Head LNG and Energy Fuels Resources. He provided advice and counsel, but not lobbying work, to International Paper, Archer Daniels Midland and General Mills.

WHAT'S NEXT: Wheeler will be sworn in at EPA, where he would be next in line to run the agency in the event of a vacancy.

To view online click here.

Back

Trump pledges to expand ethanol sales Back

By Eric Wolff | 04/12/2018 12:37 PM EDT

President Donald Trump said today the administration would allow year-round sales of 15 percent ethanol blends in gasoline, handing the ethanol industry a big victory.

"We're going to raise it up to 15 percent and raise it to a 12-month period," Trump told reporters said in response to questions about the biofuel today, adding that "makes a lot of farmers very happy."

Trump's statement endorses a policy change long-sought by ethanol producers and their farm-state allies in Congress to win year-round sales of higher blends of ethanol in all states. The Clean Air Act restricts when the ethanol blends above 10 percent can be sold to exclude the summer months in order to reduce air pollution.

EPA has already begun the groundwork that could lead to a proposed rule for a waiver for the higher ethanol blends. USDA has been pushing for such a waiver in light of news that EPA has been granting exemptions from the Renewable Fuel Standard for at least 25 small refineries, at least twice as many as in previous years.

Granting such a waiver will be vigorously opposed by oil companies, who are expected to challenge change in court.

To view online click here.

Back

Trump orders EPA to review Clean Air Act orders and speed permits Back

By Eric Wolff | 04/12/2018 02:55 PM EDT

President Donald Trump issued an executive order today ordering EPA to ease some of its

AMERICAN OVERSIGHT

procedures around the regulating of six key air pollutants under the Clean Air Act.

"These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy," the order says.

Highlights from the order include:

— EPA must complete reviews of state plans to reduce pollution within 18 months.
— It must complete reviews of project pre-construction permits within a year.
— Review the federal plans imposed on some states under the regional haze program to see if they can be replaced with state plans.
— When considering emissions levels, EPA must take into account pollution from other countries, even in states that are not on U.S. borders. It also must consider whether states have reduced pollution to "background levels."
— Allow states to engage in trading of pollution offsets.

The order also requires EPA to consider rescinding all of its past rules, guidance, and orders from the NAAQS program.

"This memorandum helps ensure that EPA carries out its core mission, while reducing regulatory burdens for domestic manufacturing," EPA Administrator Scott Pruitt said in a statement.

The Clean Air Act requires EPA to conduct reviews every five years of acceptable pollution levels for lead, carbon monoxide, nitrogen oxides, sulfur oxide, particulates and ground-level ozone.

To view online click here.

Back

Interior watchdog: Personnel moves were not properly documented Back

By Ben Lefebvre | 04/11/2018 02:46 PM EDT

The Interior Department's internal watchdog on Wednesday said it could not determine why more than two dozen senior executives were reassigned last year, but a substantial share of the employees forced into new jobs blamed the moves on politics or clashes with agency leadership.

The Inspector General's report shows Interior officials kept no documentation of why the senior executive service employees were reassigned, preventing investigators from reaching a conclusion on whether the personnel moves complied with federal law. Investigators interviewed members of an Executive Resources Board Interior Secretary Ryan Zinke established last year and 31 employees who received reassignment notices but came away with little more than broad

AMERICAN OVERSIGHT

justifications for the reassignments.

"When we asked the ERB members who in the Department leadership ordered the reassignment of senior executives, no one could provide an answer," the IG report stated.

Furthermore, investigators "found no documented evidence — nor were we provided a methodology or record of discussion — that the ERB reviewed the senior executives' qualifications before proposing reassignments."

One of the major purposes of the broader reorganization was to move more staff members out of D.C. and into field offices, Zinke has said.

But of the senior executive staff members originally marked for reassignment, four received proposed reassignments to put them out of the Washington, D.C., area while the same number were supposed to move from a field office to Washington, D.C., "effectively negating the ERB's stated reason to move senior executives to field offices," the report states.

The lack of record-keeping went against recommendations the OMB issued in September 2009, the inspector's report said.

Interior Deputy Secretary David Bernhardt blamed the Obama administration and Senate Democrats for the department's failure to comply with those guidelines.

"While I cannot begin to guess why the recommendation to adopt the guidelines was either rejected or simply ignored between September 9, 2009 and January 20, 2017, I do believe delays in confirming key presidentially nominated, Senate confirmed officers ... means that there are fewer principal officers to carefully evaluate existing practices and drive improvements within the Department," Bernhardt wrote in a reply to the IG's office included with the report.

Joel Clement, a climate scientist who was reassigned to work as an accountant for oil and gas royalties and has since become a top Zinke critic, blasted the report and called for the secretary to step down.

"This report sends up a red flag that indicates a deeper investigation is necessary. I hope that Congress will seek more information from the ERB members at Interior, and consider how and when Interior should do right by the executives who were impacted by discrimination or retaliation," Clement said in a statement. "In the meantime, Secretary Zinke, the only Senate-confirmed employee at Interior when these reassignments took place, should resign."

Interior sent reassignment notices to 35 employees and ultimately moved 27 of them into new jobs between June and October of last year. The IG's office interviewed 31 of those who had received the notices.

Twelve of the senior executives reassigned last year believed their moves may have been related to their prior work assignments, including climate change, energy or conservation, according to the report. Ten blamed political or punitive reasons, and eight cited conflict with department

AMERICAN OVERSIGHT

leadership. Some employees listed more than one reason, and eight others said they had positive feelings about being moved to a new job.

In most of the cases, Interior leadership did not notify an employee's supervisor, the acting bureau director or the assistant secretary the person would be reassigned "until hours before the ERB sent the reassignment notifications," the report states. At least one employee who was told he was being considered for a move was then not notified that the move would be canceled, according to the report.

"He negotiated a lease breakage option on his new lease because of uncertainty after he received notification for a geographic reassignment that the ERB ultimately canceled" the inspector general wrote in its report.

The Inspector General is expected to release the results of its separate investigation into Zinke's use of official travel to attend campaign and fundraising events within the next week.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to bolen.brittany@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 7/6/2018 2:04:40 PM
Subject: POLITICO's Morning Score, presented by AARP: Four takeaways from Trump's Montana rally — Hawley attacks McCaskill over SCOTUS — FEC goes five years without a general counsel

By Zach Montellaro | 07/06/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today.

PRESIDENT DONALD TRUMP WAS BACK doing his favorite activity Thursday night: rallying in front of his supporters. He made the trek to Great Falls, Mont., where he promoted the Republican Senate nominee, state auditor Matt Rosendale, and bashed Democratic incumbent Jon Tester. And while the rally hit all the marks you'd expect a Trump rally to hit — attacking the media ("fake news, bad people!") and Hillary Clinton (inspiring a "lock her up" chant), mocking criticism of his foreign policy and jabbing at potential 2020 candidates — there are four important takeaways for the race in Montana:

— **The main line of attack on Tester** will be that he doesn't represent the values of Montana and doesn't adequately support the president. "So Jon Tester says one thing when he's in Montana — I will tell you, I'm testament to it — he does the exact opposite when he goes to Washington," Trump said during the rally. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi, and the new leader of the Democrat[ic] Party, Maxine Waters!" He also complained that Tester says "such nice things about me" but never votes to support him, citing issues like the Affordable Care Act, estate tax, abortion rights, immigration and Supreme Court Justice Neil Gorsuch's confirmation. "We need Matt Rosendale in the Senate to continue our fight," the president said. "This November, I need you to get your friends, get your colleagues, get your neighbors and get your ass out to vote!"

— **For Trump, the Montana Senate race is somewhat personal.** He's publicly fumed at Tester after the senator helped sink the nomination of Ronny Jackson, the former White House doctor, to lead the Department of Veterans Affairs. Trump said he felt "guilty" about bringing Jackson into the world of politics, and blamed Tester for things that "were horrible and were untrue." Trump admitted in an aside that Tester's role was "probably why I'm here" rallying Thursday. "I won Montana by so many points I don't have to come here," he said.

— **The broad GOP midterm messaging will revolve around security,** if the president has his way. "If you want to protect your family, and your community then you have no choice," he said. "You have to vote for Matt. You have to vote for Republicans." And while Trump also touted how strong the economy was, the crowd (and Trump himself) seemed most animated when talking about protecting ICE and the administration's immigration policy, inspiring another "build the wall" chant.

— **Expect to see more of Donald Trump Jr.** on the campaign trail, both in Montana and across the map. The president's eldest child served as the warm up act for his father, saying that as a

AMERICAN OVERSIGHT

hunter and an outdoorsman he has fallen in love with the state. "I get asked to do a lot of the political events, but when they ask, 'Will you go out to Montana,' how do you say no?" he said at the beginning of the rally. Read my colleagues James Arkin and Maggie Severns' story on Don Jr.'s expanded political role from a couple of weeks ago.

For his part, Tester largely conceded the spotlight. He greeted Trump Thursday morning with a full page ad in several Montana newspapers "thanking him for signing 16 bills the Democrat sponsored or co-sponsored," per The Associated Press. His camp also pointed out that the president praised two pieces of legislation spearheaded by Tester: the VA Accountability and Whistleblower Protection Act, which he called "landmark" legislation, and the VA MISSION Act. Here's how the Great Falls Tribune covered the rally.

Happy Friday! As always, you can email me at zmontellaro@politico.com or DM me at @ZachMontellaro.

You can email the rest of the great Campaign Pro team at sbland@politico.com, jarkin@politico.com, mseverns@politico.com, eschneider@politico.com and dstrauss@politico.com. Follow us on Twitter: @PoliticoScott, @JamesArkin, @MaggieSeverns, @ec_schneider and @DanielStrauss4.

Days until the 2018 election: 123.

Upcoming election dates — July 17: Alabama primary runoffs. — **July 24:** Georgia primary runoffs.

Upcoming primary filing deadlines — **Delaware:** July 10. — **Louisiana:** July 20.

SCOTUS ON THE BALLOT — Josh Hawley, Missouri attorney general and the GOP's Senate nominee, is preparing to attack Sen. Claire McCaskill (D-Mo.) over the Supreme Court. From POLITICO's Burgess Everett in Marshfield, Mo.: "'She's been wrong on every single court nominee since she has been running for the Senate or in the Senate. So I'm not surprised in the least,' Josh Hawley, Missouri's attorney general, said in an interview, sitting in a pick-up truck with the AC blasting after marching in a July 4 parade. 'It is,' he added, 'the defining issue of this campaign.'

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year. Unlike a trio of other red-state Democrats on the ballot ... McCaskill opposed Neil Gorsuch last year."

FUNDRAISING FORCE — Alexandria Ocasio-Cortez has already become a bonafide fundraiser for other progressives. An interesting nugget from POLITICO New York's Laura Nahmias' piece on Ocasio-Cortez crashing the Democratic primaries: "In Kansas, where Ocasio-Cortez and Bernie Sanders endorsed Brent Welder in a crowded Democratic primary, the campaign saw an 'unprecedented level of interest...from national and local press,' Welder's campaign manager Shawn Borich told POLITICO. In addition to gaining more volunteers, the

AMERICAN OVERSIGHT

Welder campaign raised $50,000 online from 2000 donations in the week since Ocasio-Cortez tweeted her support — nearly double what it raised the week before in Welder's bid to take on GOP Rep. Kevin Yoder."

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

NOT WORRIED! — A lot of Democratic incumbents who are facing an insurgent challenger got a second look. Rep. Richard Neal (D-Mass.), who's facing attorney Tahirah Amatul-Wadud in September for Massachusetts' 1st District, insists that he's not worried. From the Springfield Republican's Shannon Young: "Neal told The Republican this week that he believes it's hard to glean a prediction of the Massachusetts primary's outcome from the New York results given the differences between the two districts. 'When you look at what happened in that congressional district there were a lot of moving parts,' Neal said following a Monday event in Wilbraham. 'Every congressional district in America is different, and I think that needs to be acknowledged.'"

— **And to further pump the brakes,** Democrats are saying that the moderate wing has (largely) been winning out over progressives. From NPR's Kelsey Snell and Scott Detrow: "In interviews with more than a dozen Democrats running in Pennsylvania, Illinois, Texas, California, Nebraska and Washington State, as well as party strategists, campaign managers and elected Democrats, NPR found that pragmatism is winning out over progressivism in the key races that will decide control of Congress."

ANYONE HOME? — The FEC has now gone five years without a "duly appointed" general counsel. The Center for Public Integrity's Dave Levinthal and Suhauna Hussain dig in on why the job remains unfilled and how it's been hurting the agency: "[Thursday] marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts -- a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling. ...

"It's a situation, several former leading FEC lawyers contend, that continues to keep the ideologically divided and oft-gridlocked agency from fully executing is mission. Notably, it 'hurts the morale of the staff and the credibility of the agency,' said Larry Noble, a former FEC general counsel from 1987 to 2000."

FIRST IN SCORE — 2020 WATCH — Sen. Tammy Baldwin (D-Wis.) and Sen. Bernie Sanders (I-Vt.) will jointly host a rally in Eau Claire, Wis., on July 14.

ALL ABOUT THE MONEY — POLITICO California's Carla Marinucci and Jeremy White: "California Republicans are banking on a ballot measure this fall that the embattled state party believes can stave off a Democratic wave in November — and perhaps even spark a GOP revival

AMERICAN OVERSIGHT

in the run-up to 2020. Carl DeMaio, a former San Diego city council member, announced this week he's raised more than $1.1 million online for his campaign to repeal the 12-cent-a-gallon gas tax backed by Gov. Jerry Brown — and polls suggest it may be heading for a November victory. ...

"The repeal effort — known as Proposition 6 on the November ballot — has also attracted backing from state and national Republican leaders, including House Speaker Paul Ryan and Majority Leader Kevin McCarthy. They are counting on it to energize enough voters to save a handful of endangered California GOP House members — which could prevent the House from flipping [to Democrats]."

MORE EARLY FUNDRAISING NUMBERS — CA-39: Democrat Gil Cisneros announced he raised $479,000 and has $715,000 on hand.

IL-06: Democrat Sean Casten announced that he raised just under $790,000 earlier this week.

— OH-01: Democrat Aftab Pureval raised $885,000 and has more than $1 million cash on hand, via the Cincinnati Enquirer.

ON THE AIRWAVES — Ads from Demand Justice, a Democratic group working against President Donald Trump's eventual Supreme Court nominee, are out, via CNN's Dan Merica. The ads say a vote for Trump's pick is a vote against abortion rights. POLITICO's Burgess Everett reported earlier this week that the group planned to spend $5 million.

— In Ohio's 12th District, Democrat Danny O'Connor released a new television ad about a Trump voter who backs him in the special election. "I voted for John Kasich the last 3 times, I voted for Trump because I didn't like the way things were going in Washington, and now I'm supporting Danny O'Connor," says voter Shannon Ward in the ad. "John Kasich and Danny O'Connor both don't worry about the labels of Democrat or Republican, they're going to get things done either way."

— Democrats have now outspent Republicans on Obamacare for the first time. HuffPost's Amanda Terkel: "Affordable Care Act supporters have spent $13,950,400 on pro-Obamacare ads this cycle (through June 30), just more than the $13,441,570 spent on anti-Obamacare ads. It's the first time total spending on pro-Obamacare ads has surpassed anti-Obamacare ads in an election cycle."

LABOR PROBLEMS — A right-to-work group is threatening states that are still collecting union dues from non-union public employees in the wake of *Janus v. AFSCME*. The Cleveland Plain Dealer's Jeremy Pelzer : "A 'right-to-work' advocacy group has threatened to launch a class-action suit against Ohio and 19 other states if they don't immediately stop deducting union dues from non-union public employees' paychecks following a recent U.S. Supreme Court ruling. ... In a July 2 letter to Ohio Treasurer Josh Mandel, National Right to Work Legal Defense Foundation Vice President Raymond LaJeunesse stated that unless there's an 'immediate cessation' of union-due collections from state workers who aren't [union members], the group will file a civil-rights lawsuit on behalf of any non-union workers who request the group's help."

AMERICAN OVERSIGHT

Ohio's largest public employee union said it will make sure non-members aren't paying dues.

CODA — "Do you know what Rapini means in Italian? Broccoli rabe. When you Google my name, you get recipes for broccoli rabe." -- Connecticut GOP Senate candidate Dominic Rapini to the Connecticut Post.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/07/06/four-takeaways-from-trumps-montana-rally-272418

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 7/6/2018 2:04:40 PM
Subject: POLITICO's Morning Score, presented by AARP: Four takeaways from Trump's Montana rally — Hawley attacks McCaskill over SCOTUS — FEC goes five years without a general counsel

By Zach Montellaro | 07/06/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today.

PRESIDENT DONALD TRUMP WAS BACK doing his favorite activity Thursday night: rallying in front of his supporters. He made the trek to Great Falls, Mont., where he promoted the Republican Senate nominee, state auditor Matt Rosendale, and bashed Democratic incumbent Jon Tester. And while the rally hit all the marks you'd expect a Trump rally to hit — attacking the media ("fake news, bad people!") and Hillary Clinton (inspiring a "lock her up" chant), mocking criticism of his foreign policy and jabbing at potential 2020 candidates — there are four important takeaways for the race in Montana:

— **The main line of attack on Tester** will be that he doesn't represent the values of Montana and doesn't adequately support the president. "So Jon Tester says one thing when he's in Montana — I will tell you, I'm testament to it — he does the exact opposite when he goes to Washington," Trump said during the rally. "A vote for Jon Tester is a vote for Chuck Schumer, Nancy Pelosi, and the new leader of the Democrat[ic] Party, Maxine Waters!" He also complained that Tester says "such nice things about me" but never votes to support him, citing issues like the Affordable Care Act, estate tax, abortion rights, immigration and Supreme Court Justice Neil Gorsuch's confirmation. "We need Matt Rosendale in the Senate to continue our fight," the president said. "This November, I need you to get your friends, get your colleagues, get your neighbors and get your ass out to vote!"

— **For Trump, the Montana Senate race is somewhat personal.** He's publicly fumed at Tester after the senator helped sink the nomination of Ronny Jackson, the former White House doctor, to lead the Department of Veterans Affairs. Trump said he felt "guilty" about bringing Jackson into the world of politics, and blamed Tester for things that "were horrible and were untrue." Trump admitted in an aside that Tester's role was "probably why I'm here" rallying Thursday. "I won Montana by so many points I don't have to come here," he said.

— **The broad GOP midterm messaging will revolve around security,** if the president has his way. "If you want to protect your family, and your community then you have no choice," he said. "You have to vote for Matt. You have to vote for Republicans." And while Trump also touted how strong the economy was, the crowd (and Trump himself) seemed most animated when talking about protecting ICE and the administration's immigration policy, inspiring another "build the wall" chant.

— **Expect to see more of Donald Trump Jr.** on the campaign trail, both in Montana and across the map. The president's eldest child served as the warm up act for his father, saying that as a

AMERICAN OVERSIGHT

hunter and an outdoorsman he has fallen in love with the state. "I get asked to do a lot of the political events, but when they ask, 'Will you go out to Montana,' how do you say no?" he said at the beginning of the rally. Read my colleagues James Arkin and Maggie Severns' story on Don Jr.'s expanded political role from a couple of weeks ago.

For his part, Tester largely conceded the spotlight. He greeted Trump Thursday morning with a full page ad in several Montana newspapers "thanking him for signing 16 bills the Democrat sponsored or co-sponsored," per The Associated Press. His camp also pointed out that the president praised two pieces of legislation spearheaded by Tester: the VA Accountability and Whistleblower Protection Act, which he called "landmark" legislation, and the VA MISSION Act. Here's how the Great Falls Tribune covered the rally.

Happy Friday! As always, you can email me at zmontellaro@politico.com or DM me at @ZachMontellaro.

You can email the rest of the great Campaign Pro team at sbland@politico.com, jarkin@politico.com, mseverns@politico.com, eschneider@politico.com and dstrauss@politico.com. Follow us on Twitter: @PoliticoScott, @JamesArkin, @MaggieSeverns, @ec_schneider and @DanielStrauss4.

Days until the 2018 election: 123.

Upcoming election dates — July 17: Alabama primary runoffs. — **July 24:** Georgia primary runoffs.

Upcoming primary filing deadlines — **Delaware:** July 10. — **Louisiana:** July 20.

SCOTUS ON THE BALLOT — Josh Hawley, Missouri attorney general and the GOP's Senate nominee, is preparing to attack Sen. Claire McCaskill (D-Mo.) over the Supreme Court. From POLITICO's Burgess Everett in Marshfield, Mo.: "'She's been wrong on every single court nominee since she has been running for the Senate or in the Senate. So I'm not surprised in the least,' Josh Hawley, Missouri's attorney general, said in an interview, sitting in a pick-up truck with the AC blasting after marching in a July 4 parade. 'It is,' he added, 'the defining issue of this campaign.'

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year. Unlike a trio of other red-state Democrats on the ballot ... McCaskill opposed Neil Gorsuch last year."

FUNDRAISING FORCE — Alexandria Ocasio-Cortez has already become a bonafide fundraiser for other progressives. An interesting nugget from POLITICO New York's Laura Nahmias' piece on Ocasio-Cortez crashing the Democratic primaries: "In Kansas, where Ocasio-Cortez and Bernie Sanders endorsed Brent Welder in a crowded Democratic primary, the campaign saw an 'unprecedented level of interest...from national and local press,' Welder's campaign manager Shawn Borich told POLITICO. In addition to gaining more volunteers, the

AMERICAN OVERSIGHT

Welder campaign raised $50,000 online from 2000 donations in the week since Ocasio-Cortez tweeted her support — nearly double what it raised the week before in Welder's bid to take on GOP Rep. Kevin Yoder."

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

NOT WORRIED! — A lot of Democratic incumbents who are facing an insurgent challenger got a second look. Rep. Richard Neal (D-Mass.), who's facing attorney Tahirah Amatul-Wadud in September for Massachusetts' 1st District, insists that he's not worried. From the Springfield Republican's Shannon Young: "Neal told The Republican this week that he believes it's hard to glean a prediction of the Massachusetts primary's outcome from the New York results given the differences between the two districts. 'When you look at what happened in that congressional district there were a lot of moving parts,' Neal said following a Monday event in Wilbraham. 'Every congressional district in America is different, and I think that needs to be acknowledged.'"

— **And to further pump the brakes,** Democrats are saying that the moderate wing has (largely) been winning out over progressives. From NPR's Kelsey Snell and Scott Detrow: "In interviews with more than a dozen Democrats running in Pennsylvania, Illinois, Texas, California, Nebraska and Washington State, as well as party strategists, campaign managers and elected Democrats, NPR found that pragmatism is winning out over progressivism in the key races that will decide control of Congress."

ANYONE HOME? — The FEC has now gone five years without a "duly appointed" general counsel. The Center for Public Integrity's Dave Levinthal and Suhauna Hussain dig in on why the job remains unfilled and how it's been hurting the agency: "[Thursday] marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts -- a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling. ...

"It's a situation, several former leading FEC lawyers contend, that continues to keep the ideologically divided and oft-gridlocked agency from fully executing is mission. Notably, it 'hurts the morale of the staff and the credibility of the agency,' said Larry Noble, a former FEC general counsel from 1987 to 2000."

FIRST IN SCORE — 2020 WATCH — Sen. Tammy Baldwin (D-Wis.) and Sen. Bernie Sanders (I-Vt.) will jointly host a rally in Eau Claire, Wis., on July 14.

ALL ABOUT THE MONEY — POLITICO California's Carla Marinucci and Jeremy White: "California Republicans are banking on a ballot measure this fall that the embattled state party believes can stave off a Democratic wave in November — and perhaps even spark a GOP revival

AMERICAN OVERSIGHT

in the run-up to 2020. Carl DeMaio, a former San Diego city council member, announced this week he's raised more than $1.1 million online for his campaign to repeal the 12-cent-a-gallon gas tax backed by Gov. Jerry Brown — and polls suggest it may be heading for a November victory. ...

"The repeal effort — known as Proposition 6 on the November ballot — has also attracted backing from state and national Republican leaders, including House Speaker Paul Ryan and Majority Leader Kevin McCarthy. They are counting on it to energize enough voters to save a handful of endangered California GOP House members — which could prevent the House from flipping [to Democrats]."

MORE EARLY FUNDRAISING NUMBERS — CA-39: Democrat Gil Cisneros announced he raised $479,000 and has $715,000 on hand.

IL-06: Democrat Sean Casten announced that he raised just under $790,000 earlier this week.

— OH-01: Democrat Aftab Pureval raised $885,000 and has more than $1 million cash on hand, via the Cincinnati Enquirer.

ON THE AIRWAVES — Ads from Demand Justice, a Democratic group working against President Donald Trump's eventual Supreme Court nominee, are out, via CNN's Dan Merica. The ads say a vote for Trump's pick is a vote against abortion rights. POLITICO's Burgess Everett reported earlier this week that the group planned to spend $5 million.

— In Ohio's 12th District, Democrat Danny O'Connor released a new television ad about a Trump voter who backs him in the special election. "I voted for John Kasich the last 3 times, I voted for Trump because I didn't like the way things were going in Washington, and now I'm supporting Danny O'Connor," says voter Shannon Ward in the ad. "John Kasich and Danny O'Connor both don't worry about the labels of Democrat or Republican, they're going to get things done either way."

— Democrats have now outspent Republicans on Obamacare for the first time. HuffPost's Amanda Terkel: "Affordable Care Act supporters have spent $13,950,400 on pro-Obamacare ads this cycle (through June 30), just more than the $13,441,570 spent on anti-Obamacare ads. It's the first time total spending on pro-Obamacare ads has surpassed anti-Obamacare ads in an election cycle."

LABOR PROBLEMS — A right-to-work group is threatening states that are still collecting union dues from non-union public employees in the wake of *Janus v. AFSCME*. The Cleveland Plain Dealer's Jeremy Pelzer : "A 'right-to-work' advocacy group has threatened to launch a class-action suit against Ohio and 19 other states if they don't immediately stop deducting union dues from non-union public employees' paychecks following a recent U.S. Supreme Court ruling. ... In a July 2 letter to Ohio Treasurer Josh Mandel, National Right to Work Legal Defense Foundation Vice President Raymond LaJeunesse stated that unless there's an 'immediate cessation' of union-due collections from state workers who aren't [union members], the group will file a civil-rights lawsuit on behalf of any non-union workers who request the group's help."

AMERICAN OVERSIGHT

Ohio's largest public employee union said it will make sure non-members aren't paying dues.

CODA — "Do you know what Rapini means in Italian? Broccoli rabe. When you Google my name, you get recipes for broccoli rabe." -- Connecticut GOP Senate candidate Dominic Rapini to the Connecticut Post.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/07/06/four-takeaways-from-trumps-montana-rally-272418

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: The Washington Post
Sent: Fri 7/6/2018 12:29:12 PM
Subject: The Health 202: Here are the key health-care questions I'll be watching in the months ahead

VIEW ON WEB >

Analysis on Washington's health-care debate. Not on the list? Sign up here.

Your health policy appointment

Share Share Tips/Feedback

Here are the key health-care questions I'll be watching in the months ahead

BY PAIGE WINFIELD CUNNINGHAM
with Paulina Firozi and Colby Itkowitz

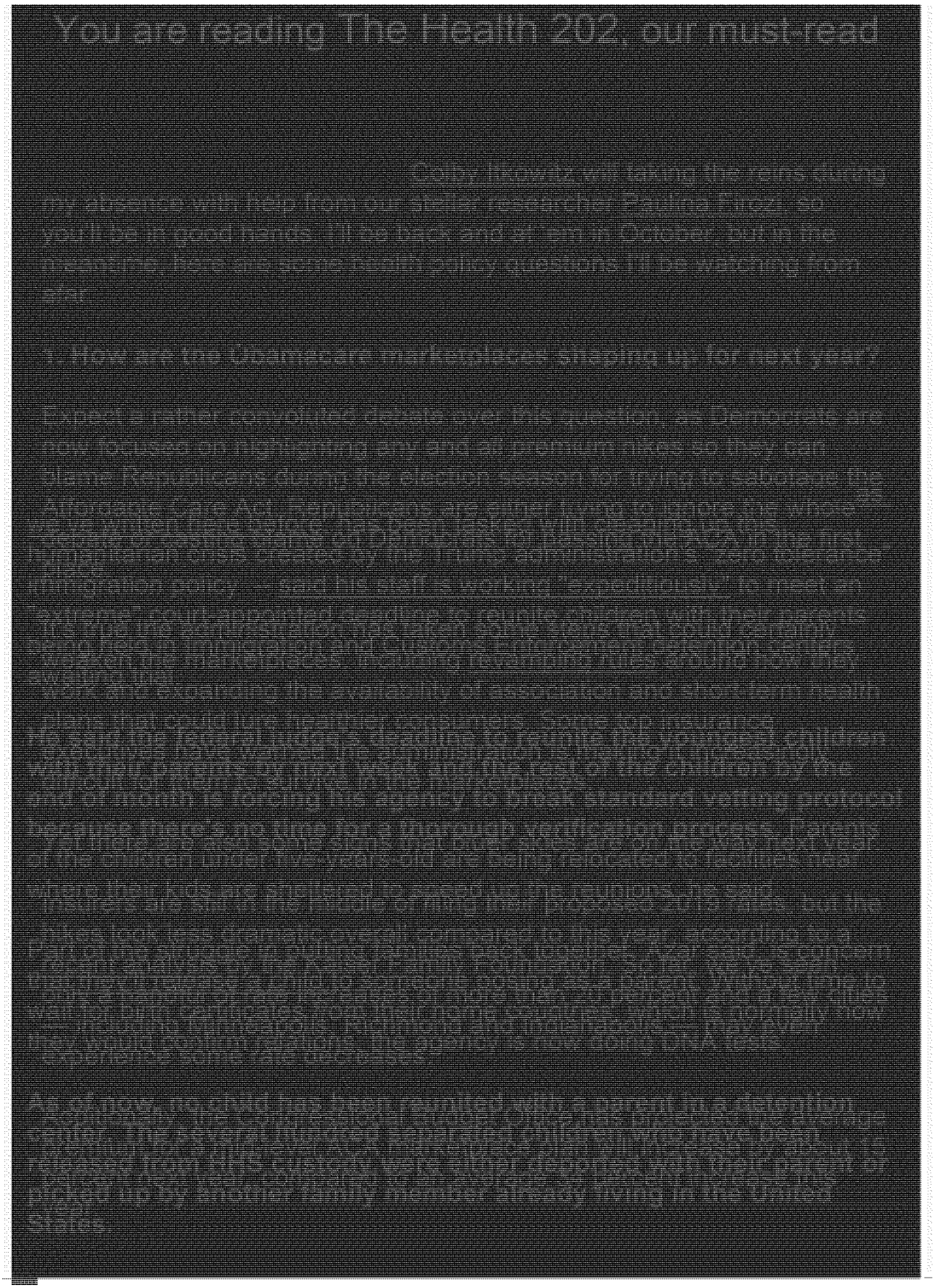
THE PROGNOSIS

(iStock)

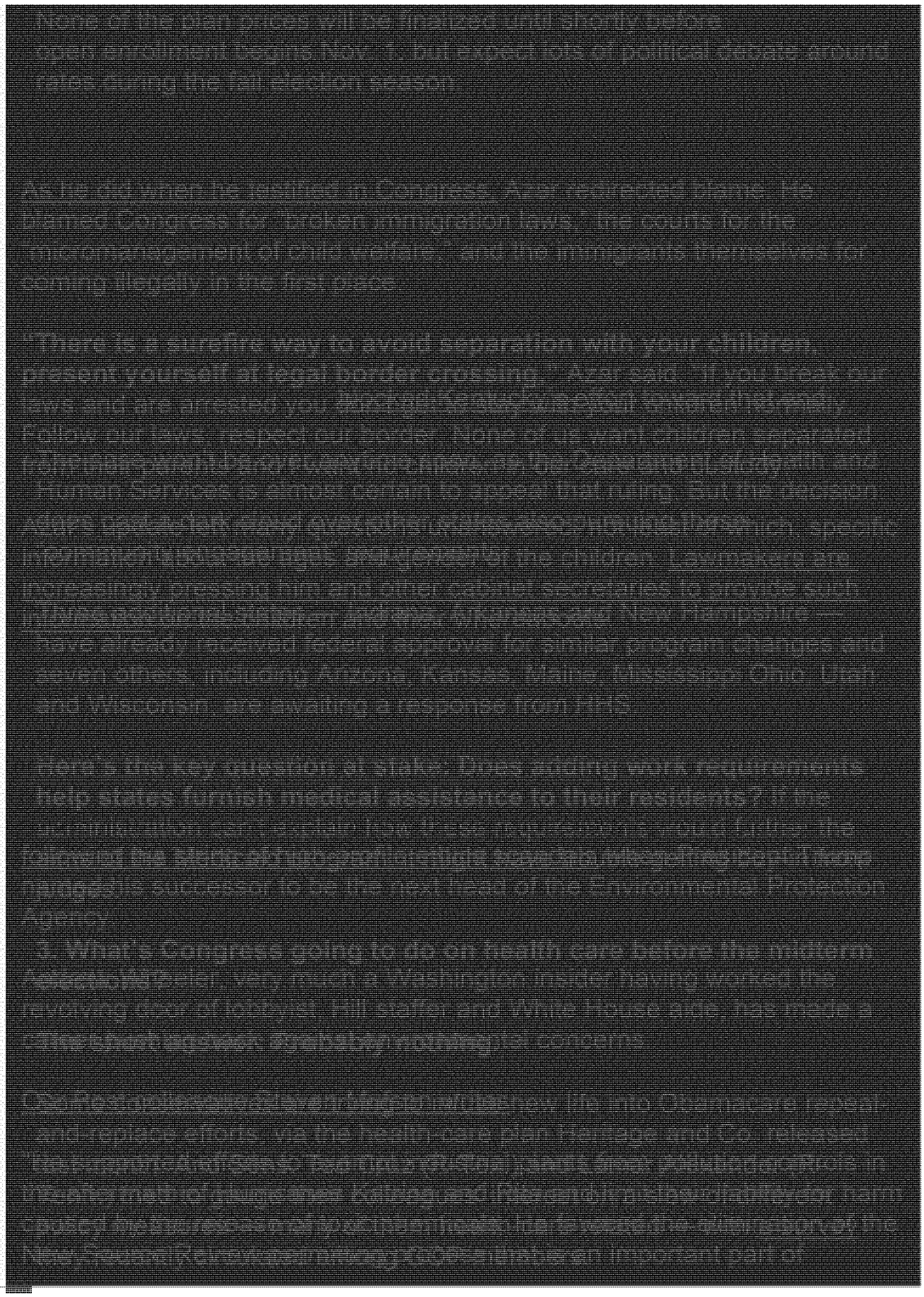
A year and a half into the Trump presidency, Republicans haven't managed to dramatically remake the U.S. health-care system as they promised. That said, there's a whole bucket of smaller ways their rule is reshaping the way government health-care programs work and the coverage and care that is available to Americans.

We've covered many of these efforts in The Health 202 — from all the drama over cost-sharing subsidies to Medicaid work requirements to the

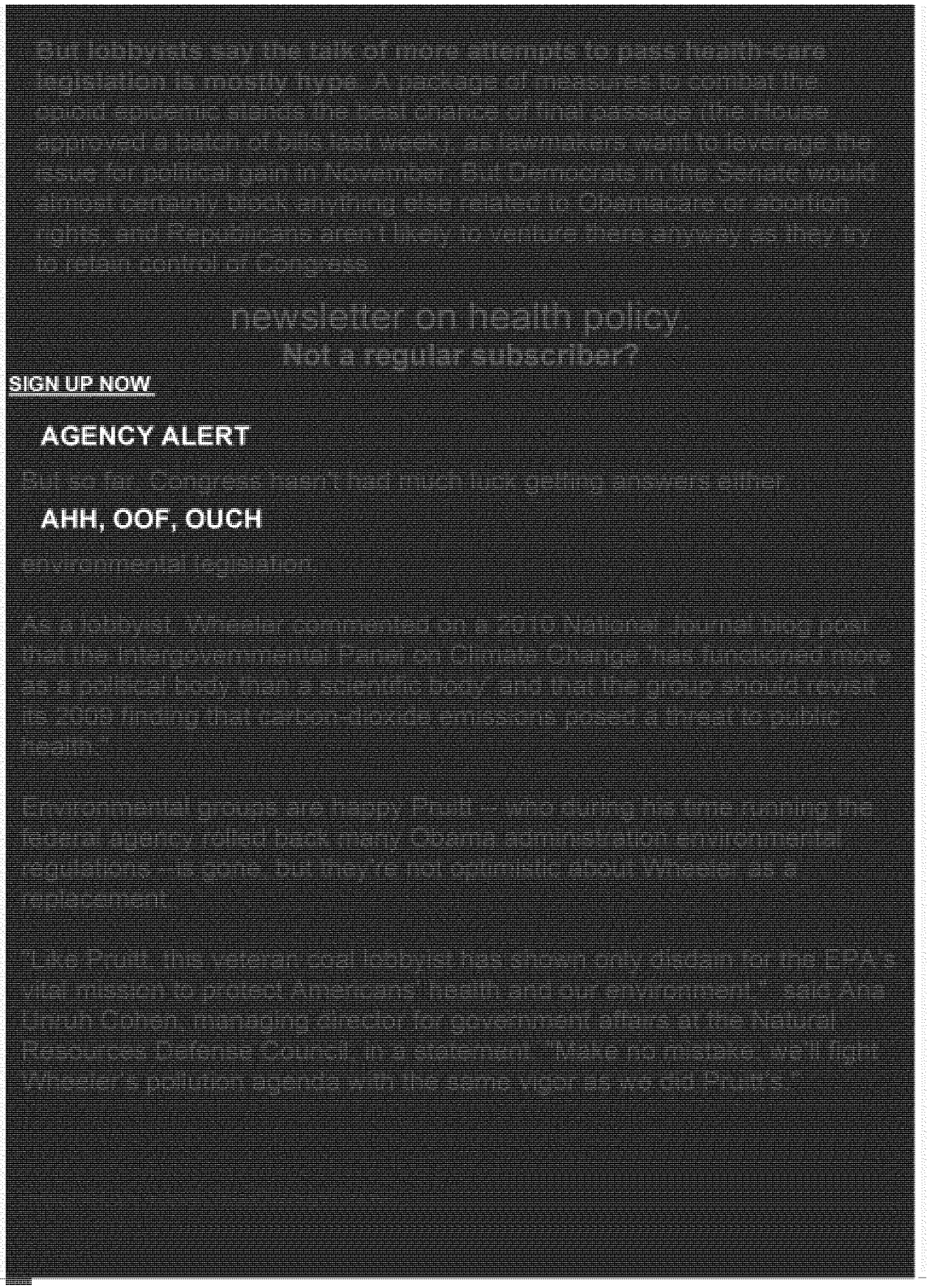
AMERICAN OVERSIGHT



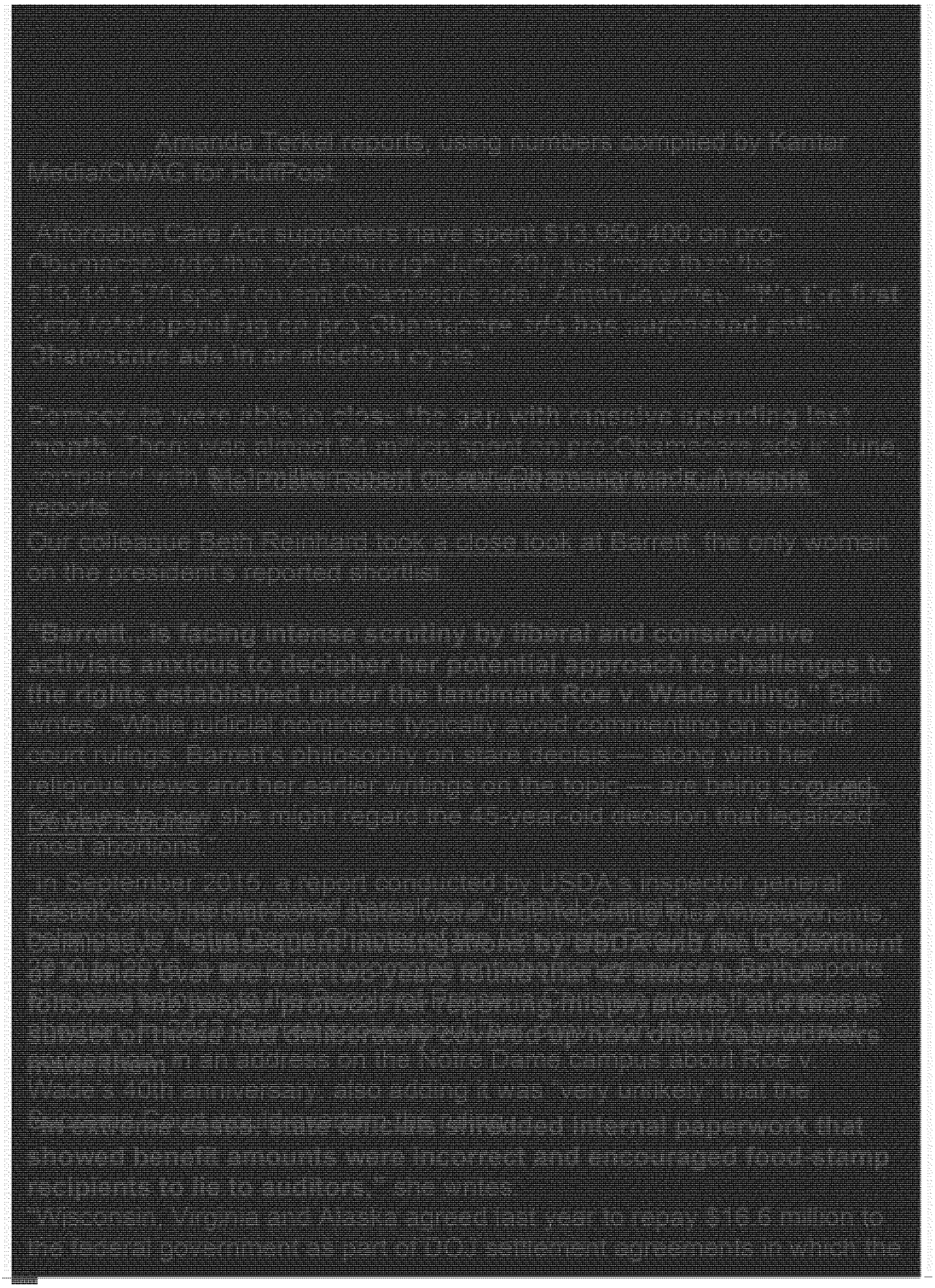
AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

[redacted]

TRUMP TEMPERATURE

[redacted]

HEALTH ON THE HILL

[redacted]

AMERICAN OVERSIGHT

[redacted]

AMERICAN OVERSIGHT

In an interview earlier this week, Sen. Rand Paul (R-Ky.) and his wife told local ABC affiliate WKYT about being attacked by his neighbor in November and the eight months since the incident. "Somebody needs to be certainly shamed," Paul's wife, Kelley, said. "And we never knew what we were dealing with and how to react to it."

Paul said he doesn't remember much of the attack from an assailant he said is usually a calm person.

He was among six Republican lawmakers on the practice field when a gunman opened fire, hitting Rep. Steve Scalise (R-La.) before being killed by police. Paul said he began to feel pressure around his ribs. Then, the lights went out and he passed out. When he came to, he was in the hospital.

Paul said he hopes for a longer sentence for neighbor Rene Boucher, whose sentence of 30 days in prison has been suspended to only 21 months of home confinement. Boucher pleaded guilty to one count of assault causing bodily harm.

"There are other people who are out there that are really angry and I never, never would have thought that there are assassins," he told WKYT.

OPIOID OPTICS

Addiction specialists say the epidemic has taken on a life of its own, with communities struggling to keep up with the demand for treatment.

Many Americans suffering as a result of the opioid epidemic are exploited by illicit actors seeking to make a profit from addiction. Police said in a statement that Bullwinkle's staff has been "committed and involved in illicit opioid homes and back referrals," remains committed to processing this unprecedented issue that has left no part of the state

AMERICAN OVERSIGHT

[redacted]

[redacted]

[redacted]

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

MEDICAL MISSIVES

Johns Hopkins Hospital sites evacuated after possible tuberculosis exposure

Read more »

Texas Clinics Busting Traditional Silos Of Mental And Physical Health Care

AMERICAN OVERSIGHT

Read more »

STATE SCAN

Suozzi Signs Bill For Year Supply of Birth Control Pills

New Hampshire Gov. Chris Sununu has signed a bill into law to give women a full year's supply of birth control pills, which is longer than the current limit for most women, and to combat opioid overdoses among Medicaid recipients.

Read more »

Nebraska Voters Will Get To Decide On Medicaid Expansion At The Ballot Box

Nearly 90,000 Nebraskans would be eligible for health coverage if the measure passes in November.

Read more »

BRAINWAVES

America is a nation of narcissists, according to two new studies

In a study of adolescents, narcissism, whether adaptive or maladaptive, can be a powerful force with both benefits and drawbacks.

Read more »

DAYBOOK

Expert on The Affordable Care Act to testify before House Committee on Education and Labor Subcommittee on July 9.

The Subcommittee on Early Childhood, Elementary, and Secondary Education will hold a hearing on "Opportunities to Improve the Student Data Privacy Framework" on July 11.

The Brookings Institution's Henry Aaron will speak on "Destabilizing the ACA's Individual Market" on July 13.

AMERICAN OVERSIGHT

EXT-18-783-F-003796

ED_001863D_00001889-00011

Watch Trump's Montana rally in 3 minutes

-

Trump's Montana rally in 3 minutes

At his Montana rally, Trump joked about Sen. Elizabeth Warren (D-Mass.) and the #MeToo movement:

-

Trump jokes about Sen. Warren and the #MeToo movement

A giant blimp depicting Trump in a diaper is will greet Trump when he visits London:

-

British protesters inflate mocking Trump blimp

Share The Health 202: Twitter Facebook
Trouble reading? Click here to view in your browser
You received this email because you signed up for The Health 202 or because it is included in your subscription.
Manage my email newsletters and alerts | Unsubscribe from The Health 202
Privacy Policy | Help
©2018 The Washington Post | 1301 K St NW, Washington DC 20071
Democracy Dies in Darkness

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Fri 7/6/2018 12:04:23 PM
Subject: POLITICO Huddle, presented by Wells Fargo: DEMS CHEER PRUITT'S EXIT -- Court fight seizes McCaskill's Senate race -- SCHUMER'S SCOTUS STRUGGLE -- More OSU wrestlers contradict Jim Jordan

07/06/2018 08:01 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

CABINET TURNOVER ADDS TO SENATE WORKLOAD -- The Senate can add yet another high-profile confirmation battle to its to-do list. With EPA Administrator Scott Pruitt's resignation, the chamber will eventually have to confirm his replacement, in addition to VA secretary nominee Robert Wilkie and President Donald Trump's soon-to-be-announced replacement for retiring Supreme Court Justice Anthony Kennedy. Trump announced Pruitt's months-in-the-making exit via Twitter, praising the embattled EPA chief for doing "an outstanding job," despite the unprecedented series of scandals and investigations surrounding his run atop the agency. Deputy EPA Administrator Andrew Wheeler, who was confirmed by the Senate 53-45 in April, will lead the agency in an acting capacity beginning Monday.

"Pruitt's critics were mainly jubilant -- though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda," Anthony Adragna, Alex Guillén and Emily Holden report. Sen. Bernie Sanders (I-Vt.) responded to the news by calling Pruitt "the worst EPA administrator in the history of the agency." Even Sen. Tom Carper (D-Del.), the top Democrat on the Environment and Public Works Committee, cheered Pruitt's exit. "Thank God he's gone," Carper said. "This is a day to celebrate." Unless you're a Senate Republican.

"A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer," they write. "Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn." Much more: https://politi.co/2KP2vEH

Related: Full text of Pruitt's resignation letter: https://politi.co/2zdSM6l; "How Scott Pruitt blew it," by Alex Guillén and Andrew Restuccia: https://politi.co/2IWMuI4; and "Environmentalists: Pruitt's replacement 'should scare anyone who breathes,'" from Eric Wolff: https://politi.co/2KAsCQK

FLASHBACK -- Burgess and Anthony Adragna reported in April that confirming a new EPA chief might be, well, impossible. "There's no question that GOP senators are growing tired of defending Pruitt," they wrote at the time. "But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations." From April 9: https://politi.co/2GQ2Cuu

AMERICAN OVERSIGHT

SCHUMER'S SCOTUS CHALLENGE -- With the president set to announce his second Supreme Court nominee on Monday, Senate Minority Leader Chuck Schumer (D-N.Y.) has a seemingly impossible task ahead of him: keeping his caucus united. Sens. Joe Manchin (D-W.Va.), Heidi Heitkamp (D-N.D.) and Joe Donnelly (D-Ind.) are most likely to defect. The trio of red-state senators is up for reelection this year and supported the president's first Supreme Court pick, Neil Gorsuch. "Keeping them in the Democratic fold -- in the face of withering pressure from a liberal base that expects nothing less -- amounts to the biggest challenge of Schumer's 18-month tenure as Democratic leader," Elana reports.

With 24 Democratic seats up this year, including 10 in states Trump won in 2016, the caucus is rarely unified on an issue. No Democrat voted for Republicans' tax cuts in December, but Obamacare repeal is the last issue Senate Democrats stuck together through in an all-consuming fight. Schumer "has preferred to take a hands-off approach to his moderate members, rather than twisting arms on big votes," Elana notes. "Yet it's far from clear that will work this time. ... After taking some heat from the left during this year's bruising immigration and CIA confirmation battles, Schumer is emphasizing unity to his party's agitated activists." More: https://politi.co/2IWiIDe

Schumer and Trump spoke briefly by phone Tuesday. He urged the president to tap Merrick Garland, President Barack Obama's nominee, to unite the country and warned that nominating a jurist hostile to Roe v. Wade and Obamacare would be "cataclysmic." Senate Majority Leader Mitch McConnell's (R-Ky.) team found that laughable, as evidenced by a gif it posted on Twitter of Michael Jordan laughing. From the Washington Post: https://wapo.st/2IYkjs5

Related reads: "Trump pushing for another reality-show reveal of Supreme Court pick," via Andrew Restuccia: https://politi.co/2zg8ttU; "Kethledge gets 11th hour push as potential consensus pick for Supreme Court," per Christopher Cadelago, Eliana Johnson and Josh Gerstein: https://politi.co/2NteLcN; and "Brett Kavanaugh, Supreme Court Front-Runner, Once Argued Broad Grounds for Impeachment," by The New York Times' Mark Landler and Matt Apuzzo: https://nyti.ms/2u96d1G

HAPPY FRIDAY! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this July 6.

** **A message from Wells Fargo:** Buying a home for the first time can be both exciting and overwhelming. For Homeownership Month this June, Wells Fargo Home Mortgage leader Liz Bryant shares a few ways to simplify the process: https://stories.wf.com/ **

THURSDAY'S MOST CLICKED: Rachael and Bres' interview with Rep. Jim Jordan (R-Ohio), who rejected claims from former Ohio State University wrestlers that he knew about ongoing sexual abuse from the team doctor when he coached there, was the winner.

TWO MORE WRESTLERS CLAIM JORDAN KNEW OF ABUSE -- A fourth former Ohio State University wrestler told NBC News that Jordan participated in conversations about team doctor Richard Strauss' sexual abuse. Shawn Dailey said he was groped a half-dozen times by

AMERICAN OVERSIGHT

Strauss in the mid-1990s when Jordan was an assistant coach. He said he was too embarrassed to report it directly to Jordan but maintains he was aware at the time. "Dailey spoke out two days after NBC News reported that three former wrestlers who were coached by Jordan ... accused the GOP congressman of turning a blind eye to Strauss' alleged abuse and then lying about it," Corky Siemaszko reports. "Jordan denied knowing anything about the abuse and continues to do so." More: https://nbcnews.to/2NsfH0N

A fifth former wrestler, former UFC world champion Mark Coleman, told The Wall Street Journal that Jordan knew of the abuse but didn't respond to allegations. "There's no way unless he's got dementia or something that he's got no recollection of what was going on at Ohio State," Coleman said. A spokesman for House Speaker Paul Ryan (R-Wis.) said the allegations are "serious" but that Ryan would let the investigation play out. Trump told reporters he didn't believe the former wrestlers "at all." "I believe Jim Jordan 100 percent," Trump added. More: https://on.wsj.com/2tZ8GN0

SCOTUS TAKES CENTER STAGE IN MISSOURI -- Sen. Claire McCaskill (D-Mo.) will likely oppose the president's Supreme Court pick. And her GOP opponent for reelection is unsurprised. "She's been wrong on every single court nominee since she has been running for the Senate or in the Senate," said Josh Hawley, the state attorney general and former constitutional lawyer who once clerked for Chief Justice John Roberts. The high court, Hawley insists, "is the defining issue of this campaign."

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year," Burgess reports from Marshfield. McCaskill voted against Neil Gorsuch, and Republicans and Democrats expect the same result this time around. A "no" vote, however, would play right into the hands of Hawley, who wants to paint her as a member of the "resistance." "The timing of Justice Anthony Kennedy's retirement could not have worked out better for Hawley, who is being vastly outraised and outspent by McCaskill and her Democratic allies," Burgess adds. "Missouri has morphed ... into a reliable Republican vote at the presidential level, though its Senate contests are often competitive." More: https://politi.co/2KEtRhu

TRUMP ATTACKS TESTER, ET AL. -- Sen. Jon Tester's (D-Mont.) welcome wagon didn't insulate himself from sharp attacks during the president's rally in Great Falls. Tester welcomed Trump to the state by purchasing a full-page ad in a dozen-plus newspapers thanking him for signing bills he sponsored or co-sponsored. The president's response? "It's time to retire liberal Democrat Jon Tester," he told the crowd at a rally to boost state Auditor Matt Rosendale. "Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions," Matthew Nussbaum reports.

"How did he get elected?" Trump wondered aloud. "You can right your wrong in November." In a campaign-style speech that included attacks on President George H.W. Bush and Sen. John McCain (R-Ariz.), the president also made time to go after Rep. Maxine Waters (D-Calif.) and Sen. Elizabeth Warren (D-Mass.). He claimed Waters' IQ is in the "60s" and suggested he would

AMERICAN OVERSIGHT

get ancestry kit for "Pocahontas," his derisive nickname for Warren, while sarcastically invoking the #MeToo era. Warren advised Trump to "focus on fixing the lives you're destroying" by separating migrant families at the southern border. More: https://politi.co/2zhFCoU

Speaking of migrant families, HHS says under 3,000 children are still separated from their parents at the border. Dan Diamond's report: https://politi.co/2tYUVxI

RYAN TO CAMPAIGN FOR WISCONSIN SENATE CANDIDATE -- House Speaker Paul Ryan will appear at a rally for Republican Wisconsin Senate candidate Leah Vukmir today. Ryan endorsed Vukmir, a state senator, last week. "Vukmir is among five Republicans seeking a spot on the November ballot, but analysts consider Marine Corps veteran Kevin Nicholson her most formidable GOP opponent," the Washington Examiner's Susan Ferrechio reports. "Nicholson has the backing of the conservative group Club for Growth as well as Sen. Ted Cruz, R-Texas. Either candidate will have a difficult time winning in November. The Cook Political Report rates Sen. Tammy Baldwin's (D-Wis.) seat "likely Democrat." More: https://washex.am/2tYhoeb

TODAY IN CONGRESS -- The House and Senate are out.

THURSDAY'S TRIVIA WINNER -- Casey Burgat was first to correctly guess that there were 59 members at the beginning of the 1st Congress in 1789.

TODAY'S TRIVIA -- From Casey: Harvard has famously produced the most presidents, with five future commanders in chief receiving undergraduate degrees and three others earning advanced degrees from the college. But who was the first future president to graduate from a non-private school, and what was the college? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

** **A message from Wells Fargo:** Retired U.S. Army veteran Dominic Perrotte and his family of Hampton, Virginia, were recently awarded the deed to their mortgage-free home at the White House Correspondents' Association Brunch by Wells Fargo and the Military Warriors Support Foundation. Wells Fargo is proud to support the foundation's Homes4WoundedHeroes program by donating homes for veterans, with more than 350 homes donated to veterans in all 50 states and more than $100 million donated to military community causes since 2012.
A Pittsburgh native, Dominic served in Afghanistan and Iraq and received a Purple Heart after being injured in combat. The foundation also provided Dominic and his family with three years of family and financial mentoring to help them prepare for long-term homeownership.
Learn more about Wells Fargo's work to support the military community: https://stories.wf.com/
**

To view online:
https://www.politico.com/newsletters/huddle/2018/07/06/dems-cheer-pruitts-exit-court-fight-seizes-mccaskills-senate-race-schumers-scotus-struggle-more-osu-wrestlers-contradict-jim-jordan-283765

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Fri 7/6/2018 12:04:23 PM
Subject: POLITICO Huddle, presented by Wells Fargo: DEMS CHEER PRUITT'S EXIT -- Court fight seizes McCaskill's Senate race -- SCHUMER'S SCOTUS STRUGGLE -- More OSU wrestlers contradict Jim Jordan

07/06/2018 08:01 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

CABINET TURNOVER ADDS TO SENATE WORKLOAD -- The Senate can add yet another high-profile confirmation battle to its to-do list. With EPA Administrator Scott Pruitt's resignation, the chamber will eventually have to confirm his replacement, in addition to VA secretary nominee Robert Wilkie and President Donald Trump's soon-to-be-announced replacement for retiring Supreme Court Justice Anthony Kennedy. Trump announced Pruitt's months-in-the-making exit via Twitter, praising the embattled EPA chief for doing "an outstanding job," despite the unprecedented series of scandals and investigations surrounding his run atop the agency. Deputy EPA Administrator Andrew Wheeler, who was confirmed by the Senate 53-45 in April, will lead the agency in an acting capacity beginning Monday.

"Pruitt's critics were mainly jubilant -- though deeply suspicious of Wheeler, a former coal lobbyist who is widely expected to pursue the same agenda of undoing former President Barack Obama's climate change agenda," Anthony Adragna, Alex Guillén and Emily Holden report. Sen. Bernie Sanders (I-Vt.) responded to the news by calling Pruitt "the worst EPA administrator in the history of the agency." Even Sen. Tom Carper (D-Del.), the top Democrat on the Environment and Public Works Committee, cheered Pruitt's exit. "Thank God he's gone," Carper said. "This is a day to celebrate." Unless you're a Senate Republican.

"A handful of moderate Republican lawmakers called for Pruitt to be ousted early on, but congressional leaders supportive of his deregulatory agenda prevented the hot water Pruitt was in from increasing beyond a gentle simmer," they write. "Pruitt's support among Republicans began to wane after emails and testimony from close aides showed that Pruitt on multiple occasions had used EPA resources and personnel to carry out errands and search for a job for his wife, Marlyn." Much more: https://politi.co/2KP2vEH

Related: Full text of Pruitt's resignation letter: https://politi.co/2zdSM6l; "How Scott Pruitt blew it," by Alex Guillén and Andrew Restuccia: https://politi.co/2IWMuI4; and "Environmentalists: Pruitt's replacement 'should scare anyone who breathes,'" from Eric Wolff: https://politi.co/2KAsCQK

FLASHBACK -- Burgess and Anthony Adragna reported in April that confirming a new EPA chief might be, well, impossible. "There's no question that GOP senators are growing tired of defending Pruitt," they wrote at the time. "But turning on him would likely backfire, as the shrunken Republican majority would struggle to confirm any EPA administrator, let alone another one as conservative and driven to overturn former President Barack Obama's environmental rules and regulations." From April 9: https://politi.co/2GQ2Cuu

AMERICAN OVERSIGHT

SCHUMER'S SCOTUS CHALLENGE -- With the president set to announce his second Supreme Court nominee on Monday, Senate Minority Leader Chuck Schumer (D-N.Y.) has a seemingly impossible task ahead of him: keeping his caucus united. Sens. Joe Manchin (D-W.Va.), Heidi Heitkamp (D-N.D.) and Joe Donnelly (D-Ind.) are most likely to defect. The trio of red-state senators is up for reelection this year and supported the president's first Supreme Court pick, Neil Gorsuch. "Keeping them in the Democratic fold -- in the face of withering pressure from a liberal base that expects nothing less -- amounts to the biggest challenge of Schumer's 18-month tenure as Democratic leader," Elana reports.

With 24 Democratic seats up this year, including 10 in states Trump won in 2016, the caucus is rarely unified on an issue. No Democrat voted for Republicans' tax cuts in December, but Obamacare repeal is the last issue Senate Democrats stuck together through in an all-consuming fight. Schumer "has preferred to take a hands-off approach to his moderate members, rather than twisting arms on big votes," Elana notes. "Yet it's far from clear that will work this time. ... After taking some heat from the left during this year's bruising immigration and CIA confirmation battles, Schumer is emphasizing unity to his party's agitated activists." More: https://politi.co/2IWiIDe

Schumer and Trump spoke briefly by phone Tuesday. He urged the president to tap Merrick Garland, President Barack Obama's nominee, to unite the country and warned that nominating a jurist hostile to Roe v. Wade and Obamacare would be "cataclysmic." Senate Majority Leader Mitch McConnell's (R-Ky.) team found that laughable, as evidenced by a gif it posted on Twitter of Michael Jordan laughing. From the Washington Post: https://wapo.st/2IYkjs5

Related reads: "Trump pushing for another reality-show reveal of Supreme Court pick," via Andrew Restuccia: https://politi.co/2zg8ttU; "Kethledge gets 11th hour push as potential consensus pick for Supreme Court," per Christopher Cadelago, Eliana Johnson and Josh Gerstein: https://politi.co/2NteLcN; and "Brett Kavanaugh, Supreme Court Front-Runner, Once Argued Broad Grounds for Impeachment," by The New York Times' Mark Landler and Matt Apuzzo: https://nyti.ms/2u96d1G

HAPPY FRIDAY! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this July 6.

** **A message from Wells Fargo:** Buying a home for the first time can be both exciting and overwhelming. For Homeownership Month this June, Wells Fargo Home Mortgage leader Liz Bryant shares a few ways to simplify the process: https://stories.wf.com/ **

THURSDAY'S MOST CLICKED: Rachael and Bres' interview with Rep. Jim Jordan (R-Ohio), who rejected claims from former Ohio State University wrestlers that he knew about ongoing sexual abuse from the team doctor when he coached there, was the winner.

TWO MORE WRESTLERS CLAIM JORDAN KNEW OF ABUSE -- A fourth former Ohio State University wrestler told NBC News that Jordan participated in conversations about team doctor Richard Strauss' sexual abuse. Shawn Dailey said he was groped a half-dozen times by

AMERICAN OVERSIGHT

Strauss in the mid-1990s when Jordan was an assistant coach. He said he was too embarrassed to report it directly to Jordan but maintains he was aware at the time. "Dailey spoke out two days after NBC News reported that three former wrestlers who were coached by Jordan ... accused the GOP congressman of turning a blind eye to Strauss' alleged abuse and then lying about it," Corky Siemaszko reports. "Jordan denied knowing anything about the abuse and continues to do so." More: https://nbcnews.to/2NsfH0N

A fifth former wrestler, former UFC world champion Mark Coleman, told The Wall Street Journal that Jordan knew of the abuse but didn't respond to allegations. "There's no way unless he's got dementia or something that he's got no recollection of what was going on at Ohio State," Coleman said. A spokesman for House Speaker Paul Ryan (R-Wis.) said the allegations are "serious" but that Ryan would let the investigation play out. Trump told reporters he didn't believe the former wrestlers "at all." "I believe Jim Jordan 100 percent," Trump added. More: https://on.wsj.com/2tZ8GN0

SCOTUS TAKES CENTER STAGE IN MISSOURI -- Sen. Claire McCaskill (D-Mo.) will likely oppose the president's Supreme Court pick. And her GOP opponent for reelection is unsurprised. "She's been wrong on every single court nominee since she has been running for the Senate or in the Senate," said Josh Hawley, the state attorney general and former constitutional lawyer who once clerked for Chief Justice John Roberts. The high court, Hawley insists, "is the defining issue of this campaign."

"If the pre-nomination clash between McCaskill and Hawley is any sign, the Supreme Court confirmation battle over Trump's high court nominee will reverberate in Missouri more than any other Senate battleground this year," Burgess reports from Marshfield. McCaskill voted against Neil Gorsuch, and Republicans and Democrats expect the same result this time around. A "no" vote, however, would play right into the hands of Hawley, who wants to paint her as a member of the "resistance." "The timing of Justice Anthony Kennedy's retirement could not have worked out better for Hawley, who is being vastly outraised and outspent by McCaskill and her Democratic allies," Burgess adds. "Missouri has morphed ... into a reliable Republican vote at the presidential level, though its Senate contests are often competitive." More: https://politi.co/2KEtRhu

TRUMP ATTACKS TESTER, ET AL. -- Sen. Jon Tester's (D-Mont.) welcome wagon didn't insulate himself from sharp attacks during the president's rally in Great Falls. Tester welcomed Trump to the state by purchasing a full-page ad in a dozen-plus newspapers thanking him for signing bills he sponsored or co-sponsored. The president's response? "It's time to retire liberal Democrat Jon Tester," he told the crowd at a rally to boost state Auditor Matt Rosendale. "Trump slammed Tester for voting against the repeal of the Affordable Care Act, voting against a major tax cuts bill and for voting no on legislation to ban late-term abortions," Matthew Nussbaum reports.

"How did he get elected?" Trump wondered aloud. "You can right your wrong in November." In a campaign-style speech that included attacks on President George H.W. Bush and Sen. John McCain (R-Ariz.), the president also made time to go after Rep. Maxine Waters (D-Calif.) and Sen. Elizabeth Warren (D-Mass.). He claimed Waters' IQ is in the "60s" and suggested he would

AMERICAN OVERSIGHT

get ancestry kit for "Pocahontas," his derisive nickname for Warren, while sarcastically invoking the #MeToo era. Warren advised Trump to "focus on fixing the lives you're destroying" by separating migrant families at the southern border. More: https://politi.co/2zhFCoU

Speaking of migrant families, HHS says under 3,000 children are still separated from their parents at the border. Dan Diamond's report: https://politi.co/2tYUVxI

RYAN TO CAMPAIGN FOR WISCONSIN SENATE CANDIDATE -- House Speaker Paul Ryan will appear at a rally for Republican Wisconsin Senate candidate Leah Vukmir today. Ryan endorsed Vukmir, a state senator, last week. "Vukmir is among five Republicans seeking a spot on the November ballot, but analysts consider Marine Corps veteran Kevin Nicholson her most formidable GOP opponent," the Washington Examiner's Susan Ferrechio reports. "Nicholson has the backing of the conservative group Club for Growth as well as Sen. Ted Cruz, R-Texas. Either candidate will have a difficult time winning in November. The Cook Political Report rates Sen. Tammy Baldwin's (D-Wis.) seat "likely Democrat." More: https://washex.am/2tYhoeb

TODAY IN CONGRESS -- The House and Senate are out.

THURSDAY'S TRIVIA WINNER -- Casey Burgat was first to correctly guess that there were 59 members at the beginning of the 1st Congress in 1789.

TODAY'S TRIVIA -- From Casey: Harvard has famously produced the most presidents, with five future commanders in chief receiving undergraduate degrees and three others earning advanced degrees from the college. But who was the first future president to graduate from a non-private school, and what was the college? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

** **A message from Wells Fargo:** Retired U.S. Army veteran Dominic Perrotte and his family of Hampton, Virginia, were recently awarded the deed to their mortgage-free home at the White House Correspondents' Association Brunch by Wells Fargo and the Military Warriors Support Foundation. Wells Fargo is proud to support the foundation's Homes4WoundedHeroes program by donating homes for veterans, with more than 350 homes donated to veterans in all 50 states and more than $100 million donated to military community causes since 2012.
A Pittsburgh native, Dominic served in Afghanistan and Iraq and received a Purple Heart after being injured in combat. The foundation also provided Dominic and his family with three years of family and financial mentoring to help them prepare for long-term homeownership.
Learn more about Wells Fargo's work to support the military community: https://stories.wf.com/
**

To view online:
https://www.politico.com/newsletters/huddle/2018/07/06/dems-cheer-pruitts-exit-court-fight-seizes-mccaskills-senate-race-schumers-scotus-struggle-more-osu-wrestlers-contradict-jim-jordan-283765

AMERICAN OVERSIGHT

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/5/2018 4:23:05 PM
Subject: Playbook Power Briefing, presented by the U.S. Chamber of Commerce: Trade wars escalate as duties on some Chinese goods take effect at midnight

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the U.S. Chamber of Commerce

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and AKELA LACY (alacy@politico.com; @akela_lacy)

TRADE WARS -- DOUG PALMER: "New duties on Chinese goods take effect at midnight": "An additional 25 percent tariff on about $34 billion worth of Chinese goods will be imposed as of midnight, the Office of the U.S. Trade Representative confirmed Thursday.

"A USTR spokeswoman said U.S. Customs and Border Protection has been instructed to begin collecting the duties, which President Donald Trump ordered earlier this year after a USTR Section 301 investigation blamed China for the loss of U.S. valuable intellectual property, either through forced technology transfers or outright theft. ...

"The Trump administration is also preparing to hit another $16 billion worth of Chinese exports with additional duties once it completes a public comment period. That could be as early as August. Beijing has also prepared a list of another $16 billion worth of U.S. goods that it will hit with duties in response to that." https://politi.co/2ze2xBx

-- SABRINA RODRIGUEZ: "Mexico imposes retaliatory tariffs on dozens of U.S. goods": "Mexico on Thursday began imposing its second stage of retaliatory tariffs on dozens of U.S. goods in response to President Donald Trump's duties on Mexican steel and aluminum exports to the United States. The tariffs complete Mexico's two-part retaliation on almost $3 billion worth of U.S. products. The Mexican government, which first announced its retaliation list last month, started the action on June 5 by eliminating preferential tariffs established under NAFTA on a number of products, including pork, potatoes and whiskey. The Mexican government confirmed on Thursday that the increased tariffs are going into effect.

"Most of Mexico's retaliatory tariffs will be imposed on U.S. agricultural exports, such as apples, cranberries and various cheeses. Mexico is also targeting a number of American steel products. The majority of products on the list will face tariffs between 15 and 25 percent." https://politi.co/2Nu9hP1

-- SCMP'S AMANDA LEE: "China tries to ease retaliation fears with pledges to

AMERICAN OVERSIGHT

help foreign businesses weather trade war": "Asked on Thursday whether China would target U.S.-funded businesses in China to counter U.S. restrictions on Chinese products, Chinese Ministry of Commerce spokesman Gao Feng said it was not part of Beijing's plan and, instead, China might compensate foreign businesses for losses from a trade war. ...

"The comments come a day before Washington and Beijing plan to implement tariffs against each others' goods in an escalating trade conflict that has rippled out to financial markets.

"Gao said China would not bow to threats or blackmail and would have to fight back if the U.S. went ahead and imposed the tariffs. ... Gao also said U.S. business interests would suffer from the first set of tariffs, with about $20 billion of the targeted goods, or 59 percent, produced by foreign firms, including U.S. ones." https://politi.co/2IUU9Xk

SUPREME COURT REPORT -- NBC'S PETER ALEXANDER and **DARTUNORRO CLARK: "Trump narrows Supreme Court short list, top 3 contenders emerge":** "President Donald Trump has narrowed his list of contenders to replace retiring Supreme Court Justice Anthony Kennedy to three serious candidates, a source familiar with the selection process told NBC News on Thursday.

"Those candidates are appeals court judges Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett, the source, who was not authorized to speak publicly, said. Kavanaugh, 53, and Kethledge, 51, are both former law clerks to Kennedy, as was Neil Gorsuch, Trump's first Supreme Court nominee, who succeeded Antonin Scalia. Kavanaugh, also a veteran of George W. Bush's White House, currently serves on the U.S. Court of Appeals for the District of Columbia." https://nbcnews.to/2u8jqaV ... ***Roger Meyers in National Review on Kethledge's views on immigration law*** http://bit.ly/2tYs38T

****** **A message from the U.S. Chamber of Commerce:** There are no winners in a global trade war. Here's a breakdown of the states and industries hardest hit by retaliatory tariffs on American exports. www.TheWrongApproach.com. ******

Good Thursday afternoon. WHAT'S ON THE PRESIDENT'S MIND -- @realDonaldTrump at 10:08 a.m.: 'Congress must pass smart, fast and reasonable Immigration Laws now. Law Enforcement at the Border is doing a great job, but the laws they are forced to work with are insane. When people, with or without children, enter our Country, they must be told to leave without our....."

... at 10:16 a.m.: ".....Country being forced to endure a long and costly trial. Tell the people 'OUT,' and they must leave, just as they would if they were standing on your front lawn. Hiring thousands of 'judges' does not work and is not acceptable -- only Country in the World that does this!"

... at 10:17 a.m.: "Congress - FIX OUR INSANE IMMIGRATION LAWS NOW!"

AMERICAN OVERSIGHT

2018 WATCH -- **"Montana Sen. Tester 'welcomes' Trump by touting passed bills,"** by AP's Matt Voltz: "U.S. Sen. Jon Tester gave President Donald Trump a tongue-in-cheek welcome to Montana Thursday by taking out a full-page ad in more than a dozen newspapers thanking him for signing 16 bills the Democrat sponsored or co-sponsored.

"Trump was scheduled to hold a rally in Great Falls on Thursday to campaign for Tester's Republican challenger, State Auditor Matt Rosendale. The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his Veterans Affairs nominee, White House physician Ronny Jackson.

"[Tester's ad] ran in the Great Falls Tribune and in newspapers across rural northern and eastern Montana ... 'Welcome to Montana, and thank you President Trump for supporting Jon's legislation to help veterans and first responders, hold the VA accountable, and get rid of waste, fraud and abuse in the federal government,' the ad read." https://bit.ly/2J0pJTo

THE INVESTIGATIONS ...

-- "Inside the Online Campaign to Whitewash the History of Donald Trump's Russian Business Associates," by The Daily Beast's Lachlan Markay and Dean Sterling Jones: "Spokespeople for online reputation management companies in the two countries confirmed that they had been paid to write articles attempting to whitewash Trump's ties to Felix Sater, a Russian-born businessman who, with former Russian trade minister Tevfik Arif, collaborated with the Trump Organization on numerous real estate deals from New York to the former Soviet Union.

"The campaign appears designed to influence Google search results pertaining to Trump's relationship with Sater, Arif, and the Bayrock Group, a New York real estate firm that collaborated with Trump on a series of real estate deals, and recruited Russian investors for potential Trump deals in Moscow. ...

"Sater—who once had an office at New York's Trump Tower, Trump Organization business cards, and claims to have worked as a senior adviser to Trump—has recently emerged as a key figure in the federal investigation led by special counsel Robert Mueller into Russian meddling in the 2016 presidential election." https://thebea.st/2ITih3g

-- AP'S GARANCE BURKE and **STEPHEN BRAUN: "Sanctioned Russian oligarch linked to Cohen has vast U.S. ties":** "Working closely with an American cousin who heads the New York investment management firm Columbus Nova, [Viktor] Vekselberg backed a $1.6 million lobbying campaign to aid Russian interests in Washington. ...His cousin Andrew Intrater served as CEO of a Vekselberg company on that project, and the two men have collaborated on numerous other investments involving Vekselberg's extensive holdings.

AMERICAN OVERSIGHT

"Now, Intrater's investment firm is wrestling with the fallout from financial sanctions the U.S. Treasury Department lodged in April against Vekselberg, one of a group of oligarchs tied to Russian President Vladimir Putin. ... Vekselberg also has cemented tech deals using a Kremlin-funded foundation — raising national security concerns years before special counsel Robert Mueller began probing contacts between Donald Trump's presidential campaign and Russian intermediaries. His opaque corporate structure, which includes an array of hard-to-trace shell companies, has fallen under Mueller's scrutiny, according to several media reports.

"Vekselberg hired Trump's lawyer Michael Cohen as a consultant in January 2017, just months after Cohen paid off the adult film actress known as Stormy Daniels, who has alleged she had an affair with Trump." https://bit.ly/2zeRfgq

ON THE WORLD STAGE -- "Saudis Lower Most Oil Pricing as Iran Taunts Trump on Tweets," by Bloomberg's Anthony DiPaola: "Saudi Arabia cut pricing for most of its oil grades as the world's biggest crude exporter is increasing production to assure buyers there is sufficient supply following U.S. President Donald Trump's demands that OPEC do more to stabilize oil markets. ...

"Iran's OPEC governor, Hossein Kazempour Ardebili, had earlier on Thursday urged Trump to stop tweeting about oil, saying his missives were backfiring and driving prices higher." https://bloom.bg/2tX37yC

FOR YOUR RADAR -- "Five years ago, the FEC's top lawyer resigned. No permanent replacement has yet been named." by The Center for Public Integrity's Dave Levinthal and Suhauna Hussain: "[T]oday marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts — a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling." https://bit.ly/2KUMdas

THURSDAY LISTEN -- "Does the city of the future know too much about you?" by Ben White: "In this week's POLITICO Money podcast, POLITICO's Nancy Scola takes you on a virtual tour of Quayside, the futuristic smart neighborhood that Google plans to build in Toronto." https://apple.co/2nUA2Dc ... ***Nancy's magazine story*** https://politi.co/2KmclZP

COMING ATTRACTIONS - "Hillary Clinton joins star-studded lineup for Ozy Fest in Central Park," by N.Y. Daily News' Spencer Dukoff: "Clinton will be interviewed by Laurene Powell Jobs, president and founder of the Emerson Collective, a nonprofit organization that advocates for progressive causes. ... [She] joins a lineup that already includes newsmakers like comedians Michelle Wolf and Chelsea Handler, actress Laverne Cox, Sen. Kirsten Gillibrand, writer Malcolm Gladwell, sportscaster Jemele Hill, billionaire Tom Steyer, author Salman Rushdie and more." https://nydn.us/2KC3bhF

AFTERNOON READ -- "Instead of a Ban, Transgender Military Recruits Hit

AMERICAN OVERSIGHT

Endless Red Tape," by NYT's Dave Philipps: "Nicholas Bade showed up at an Air Force recruiting office on an icy morning in January, determined to be one of the first transgender recruits to enlist in the military. ... [H]e expected to be called for basic training in a month, maybe two at the most.

"Six months later, he's still waiting. And so are nearly all other transgender recruits who have tried to join up since a federal court ordered the Trump administration not to ban them from the military. ... Since then, scores have applied — but it appears almost none are being accepted. ... The applicants are being stalled or turned away at a time when some branches of the military face a shortage of recruits, and when recruiters have been ordered to work Saturdays to try to make up the shortfall.

"[Transgender groups] initially hailed the court injunctions last fall as victories. But their optimism has melted as months have passed with so few recruits actually being allowed to enlist. ... [S]ome are beginning to question whether the delays are evidence of a concerted effort to keep transgender recruits out, despite the court rulings." https://nyti.ms/2Ntdwu8

MEDIAWATCH -- Megan Heckerman is heading to the New York Times as a talent and inclusion partner for its newsroom. She most recently was an HR business partner at Politico.

TRANSITIONS -- Elisa Massimino is now a senior fellow at the Carr Center for Human Rights Policy at the Kennedy School of Government. She previously was president of Human Rights First. ... **Caleb Hull** is heading to Targeted Victory as director of content. He most recently was senior editor at IJR.

ENGAGED - Cogan Schneier, social media editor at NRECA and a Politico alum, got engaged to **Mike Rooney,** an account manager at software company Tableau. "He proposed on the beach yesterday at my family home in Cape Cod after a round of golf. Friends and family were waiting back at the house with a surprise party." ***Instapics*** http://bit.ly/2KLz1ry

WEEKEND WEDDING -- Lissette Flores, a supervisory community development specialist at HUD and a CBPP alum, married **Amilcar Guzman,** director of data and evaluation at Casa de Maryland and national president of the alumni association of the Congressional Hispanic Caucus Institute. ***Wedding pics*** http://bit.ly/2tUabvG ... http://bit.ly/2z6vBuU ... ***NYT announcement*** https://nyti.ms/2IPY3aH

WELCOME TO THE WORLD - KERRY ALUMNI: Jamesine Rogers Gibson, Western states senior climate analyst at the Union of Concerned Scientists and a John Kerry and EPA alum, and **Bennett Gibson,** senior recruiter at Google and an Apple and Yahoo alum, welcomed Emma Gibson.

****** **A message from the U.S. Chamber of Commerce:** Trade works. Tariffs don't. See how hard your state will be hit by retaliatory tariffs on American exports at

AMERICAN OVERSIGHT

www.TheWrongApproach.com. ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Anna Palmer Jake Sherman Daniel Lippman
Sent: Thur 7/5/2018 4:23:05 PM
Subject: Playbook Power Briefing, presented by the U.S. Chamber of Commerce: Trade wars escalate as duties on some Chinese goods take effect at midnight

View online version | Add politicoplaybook@politico.com to your address book.

Today's Playbook Power Briefing presented by the U.S. Chamber of Commerce

By JAKE SHERMAN (sherman@politico.com; @JakeSherman), ANNA PALMER (anna@politico.com; @apalmerdc), DANIEL LIPPMAN (daniel@politico.com; @dlippman) and AKELA LACY (alacy@politico.com; @akela_lacy)

TRADE WARS -- DOUG PALMER: "New duties on Chinese goods take effect at midnight": "An additional 25 percent tariff on about $34 billion worth of Chinese goods will be imposed as of midnight, the Office of the U.S. Trade Representative confirmed Thursday.

"A USTR spokeswoman said U.S. Customs and Border Protection has been instructed to begin collecting the duties, which President Donald Trump ordered earlier this year after a USTR Section 301 investigation blamed China for the loss of U.S. valuable intellectual property, either through forced technology transfers or outright theft. ...

"The Trump administration is also preparing to hit another $16 billion worth of Chinese exports with additional duties once it completes a public comment period. That could be as early as August. Beijing has also prepared a list of another $16 billion worth of U.S. goods that it will hit with duties in response to that." https://politi.co/2ze2xBx

-- SABRINA RODRIGUEZ: "Mexico imposes retaliatory tariffs on dozens of U.S. goods": "Mexico on Thursday began imposing its second stage of retaliatory tariffs on dozens of U.S. goods in response to President Donald Trump's duties on Mexican steel and aluminum exports to the United States. The tariffs complete Mexico's two-part retaliation on almost $3 billion worth of U.S. products. The Mexican government, which first announced its retaliation list last month, started the action on June 5 by eliminating preferential tariffs established under NAFTA on a number of products, including pork, potatoes and whiskey. The Mexican government confirmed on Thursday that the increased tariffs are going into effect.

"Most of Mexico's retaliatory tariffs will be imposed on U.S. agricultural exports, such as apples, cranberries and various cheeses. Mexico is also targeting a number of American steel products. The majority of products on the list will face tariffs between 15 and 25 percent." https://politi.co/2Nu9hP1

-- SCMP'S AMANDA LEE: "China tries to ease retaliation fears with pledges to

AMERICAN OVERSIGHT

help foreign businesses weather trade war": "Asked on Thursday whether China would target U.S.-funded businesses in China to counter U.S. restrictions on Chinese products, Chinese Ministry of Commerce spokesman Gao Feng said it was not part of Beijing's plan and, instead, China might compensate foreign businesses for losses from a trade war. ...

"The comments come a day before Washington and Beijing plan to implement tariffs against each others' goods in an escalating trade conflict that has rippled out to financial markets.

"Gao said China would not bow to threats or blackmail and would have to fight back if the U.S. went ahead and imposed the tariffs. ... Gao also said U.S. business interests would suffer from the first set of tariffs, with about $20 billion of the targeted goods, or 59 percent, produced by foreign firms, including U.S. ones." https://politi.co/2IUU9Xk

SUPREME COURT REPORT -- NBC'S PETER ALEXANDER and **DARTUNORRO CLARK: "Trump narrows Supreme Court short list, top 3 contenders emerge":** "President Donald Trump has narrowed his list of contenders to replace retiring Supreme Court Justice Anthony Kennedy to three serious candidates, a source familiar with the selection process told NBC News on Thursday.

"Those candidates are appeals court judges Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett, the source, who was not authorized to speak publicly, said. Kavanaugh, 53, and Kethledge, 51, are both former law clerks to Kennedy, as was Neil Gorsuch, Trump's first Supreme Court nominee, who succeeded Antonin Scalia. Kavanaugh, also a veteran of George W. Bush's White House, currently serves on the U.S. Court of Appeals for the District of Columbia." https://nbcnews.to/2u8jqaV ... ***Roger Meyers in National Review on Kethledge's views on immigration law*** http://bit.ly/2tYs38T

****** **A message from the U.S. Chamber of Commerce:** There are no winners in a global trade war. Here's a breakdown of the states and industries hardest hit by retaliatory tariffs on American exports. www.TheWrongApproach.com. ******

Good Thursday afternoon. WHAT'S ON THE PRESIDENT'S MIND -- @realDonaldTrump at 10:08 a.m.: 'Congress must pass smart, fast and reasonable Immigration Laws now. Law Enforcement at the Border is doing a great job, but the laws they are forced to work with are insane. When people, with or without children, enter our Country, they must be told to leave without our....."

... at 10:16 a.m.: "....Country being forced to endure a long and costly trial. Tell the people 'OUT,' and they must leave, just as they would if they were standing on your front lawn. Hiring thousands of 'judges' does not work and is not acceptable -- only Country in the World that does this!"

... at 10:17 a.m.: "Congress - FIX OUR INSANE IMMIGRATION LAWS NOW!"

AMERICAN OVERSIGHT

2018 WATCH -- **"Montana Sen. Tester 'welcomes' Trump by touting passed bills,"** by AP's Matt Voltz: "U.S. Sen. Jon Tester gave President Donald Trump a tongue-in-cheek welcome to Montana Thursday by taking out a full-page ad in more than a dozen newspapers thanking him for signing 16 bills the Democrat sponsored or co-sponsored.

"Trump was scheduled to hold a rally in Great Falls on Thursday to campaign for Tester's Republican challenger, State Auditor Matt Rosendale. The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his Veterans Affairs nominee, White House physician Ronny Jackson.

"[Tester's ad] ran in the Great Falls Tribune and in newspapers across rural northern and eastern Montana ... 'Welcome to Montana, and thank you President Trump for supporting Jon's legislation to help veterans and first responders, hold the VA accountable, and get rid of waste, fraud and abuse in the federal government,' the ad read." https://bit.ly/2J0pJTo

THE INVESTIGATIONS ...

-- "Inside the Online Campaign to Whitewash the History of Donald Trump's Russian Business Associates," by The Daily Beast's Lachlan Markay and Dean Sterling Jones: "Spokespeople for online reputation management companies in the two countries confirmed that they had been paid to write articles attempting to whitewash Trump's ties to Felix Sater, a Russian-born businessman who, with former Russian trade minister Tevfik Arif, collaborated with the Trump Organization on numerous real estate deals from New York to the former Soviet Union.

"The campaign appears designed to influence Google search results pertaining to Trump's relationship with Sater, Arif, and the Bayrock Group, a New York real estate firm that collaborated with Trump on a series of real estate deals, and recruited Russian investors for potential Trump deals in Moscow. ...

"Sater—who once had an office at New York's Trump Tower, Trump Organization business cards, and claims to have worked as a senior adviser to Trump—has recently emerged as a key figure in the federal investigation led by special counsel Robert Mueller into Russian meddling in the 2016 presidential election." https://thebea.st/2ITih3g

-- AP'S GARANCE BURKE and **STEPHEN BRAUN: "Sanctioned Russian oligarch linked to Cohen has vast U.S. ties":** "Working closely with an American cousin who heads the New York investment management firm Columbus Nova, [Viktor] Vekselberg backed a $1.6 million lobbying campaign to aid Russian interests in Washington. ...His cousin Andrew Intrater served as CEO of a Vekselberg company on that project, and the two men have collaborated on numerous other investments involving Vekselberg's extensive holdings.

AMERICAN OVERSIGHT

"Now, Intrater's investment firm is wrestling with the fallout from financial sanctions the U.S. Treasury Department lodged in April against Vekselberg, one of a group of oligarchs tied to Russian President Vladimir Putin. ... Vekselberg also has cemented tech deals using a Kremlin-funded foundation — raising national security concerns years before special counsel Robert Mueller began probing contacts between Donald Trump's presidential campaign and Russian intermediaries. His opaque corporate structure, which includes an array of hard-to-trace shell companies, has fallen under Mueller's scrutiny, according to several media reports.

"Vekselberg hired Trump's lawyer Michael Cohen as a consultant in January 2017, just months after Cohen paid off the adult film actress known as Stormy Daniels, who has alleged she had an affair with Trump." https://bit.ly/2zeRfgq

ON THE WORLD STAGE -- "Saudis Lower Most Oil Pricing as Iran Taunts Trump on Tweets," by Bloomberg's Anthony DiPaola: "Saudi Arabia cut pricing for most of its oil grades as the world's biggest crude exporter is increasing production to assure buyers there is sufficient supply following U.S. President Donald Trump's demands that OPEC do more to stabilize oil markets. ...

"Iran's OPEC governor, Hossein Kazempour Ardebili, had earlier on Thursday urged Trump to stop tweeting about oil, saying his missives were backfiring and driving prices higher." https://bloom.bg/2tX37yC

FOR YOUR RADAR -- "Five years ago, the FEC's top lawyer resigned. No permanent replacement has yet been named." by The Center for Public Integrity's Dave Levinthal and Suhauna Hussain: "[T]oday marks five years since the FEC employed a bona fide, duly appointed general counsel to oversee its attorneys and orchestrate the agency's legal efforts — a void that is a 'reflection of the dysfunction at the FEC,' says the last man to hold the job, Tony Herman, now senior counsel at Washington, D.C.-based law firm Covington & Burling." https://bit.ly/2KUMdas

THURSDAY LISTEN -- "Does the city of the future know too much about you?" by Ben White: "In this week's POLITICO Money podcast, POLITICO's Nancy Scola takes you on a virtual tour of Quayside, the futuristic smart neighborhood that Google plans to build in Toronto." https://apple.co/2nUA2Dc ... ***Nancy's magazine story*** https://politi.co/2KmclZP

COMING ATTRACTIONS - "Hillary Clinton joins star-studded lineup for Ozy Fest in Central Park," by N.Y. Daily News' Spencer Dukoff: "Clinton will be interviewed by Laurene Powell Jobs, president and founder of the Emerson Collective, a nonprofit organization that advocates for progressive causes. ... [She] joins a lineup that already includes newsmakers like comedians Michelle Wolf and Chelsea Handler, actress Laverne Cox, Sen. Kirsten Gillibrand, writer Malcolm Gladwell, sportscaster Jemele Hill, billionaire Tom Steyer, author Salman Rushdie and more." https://nydn.us/2KC3bhF

AFTERNOON READ -- "Instead of a Ban, Transgender Military Recruits Hit

AMERICAN OVERSIGHT

Endless Red Tape," by NYT's Dave Philipps: "Nicholas Bade showed up at an Air Force recruiting office on an icy morning in January, determined to be one of the first transgender recruits to enlist in the military. ... [H]e expected to be called for basic training in a month, maybe two at the most.

"Six months later, he's still waiting. And so are nearly all other transgender recruits who have tried to join up since a federal court ordered the Trump administration not to ban them from the military. ... Since then, scores have applied — but it appears almost none are being accepted. ... The applicants are being stalled or turned away at a time when some branches of the military face a shortage of recruits, and when recruiters have been ordered to work Saturdays to try to make up the shortfall.

"[Transgender groups] initially hailed the court injunctions last fall as victories. But their optimism has melted as months have passed with so few recruits actually being allowed to enlist. ... [S]ome are beginning to question whether the delays are evidence of a concerted effort to keep transgender recruits out, despite the court rulings." https://nyti.ms/2Ntdwu8

MEDIAWATCH -- Megan Heckerman is heading to the New York Times as a talent and inclusion partner for its newsroom. She most recently was an HR business partner at Politico.

TRANSITIONS -- Elisa Massimino is now a senior fellow at the Carr Center for Human Rights Policy at the Kennedy School of Government. She previously was president of Human Rights First. ... **Caleb Hull** is heading to Targeted Victory as director of content. He most recently was senior editor at IJR.

ENGAGED - Cogan Schneier, social media editor at NRECA and a Politico alum, got engaged to **Mike Rooney,** an account manager at software company Tableau. "He proposed on the beach yesterday at my family home in Cape Cod after a round of golf. Friends and family were waiting back at the house with a surprise party." ***Instapics*** http://bit.ly/2KLz1ry

WEEKEND WEDDING -- Lissette Flores, a supervisory community development specialist at HUD and a CBPP alum, married **Amilcar Guzman,** director of data and evaluation at Casa de Maryland and national president of the alumni association of the Congressional Hispanic Caucus Institute. ***Wedding pics*** http://bit.ly/2tUabvG ... http://bit.ly/2z6vBuU ... ***NYT announcement*** https://nyti.ms/2IPY3aH

WELCOME TO THE WORLD - KERRY ALUMNI: Jamesine Rogers Gibson, Western states senior climate analyst at the Union of Concerned Scientists and a John Kerry and EPA alum, and **Bennett Gibson,** senior recruiter at Google and an Apple and Yahoo alum, welcomed Emma Gibson.

****** **A message from the U.S. Chamber of Commerce:** Trade works. Tariffs don't. See how hard your state will be hit by retaliatory tariffs on American exports at

AMERICAN OVERSIGHT

www.TheWrongApproach.com. ******

SUBSCRIBE to the Playbook family: **POLITICO Playbook** http://politi.co/2lQswbh ... **Playbook Power Briefing** http://politi.co/2xuOiqh ... **New York Playbook** http://politi.co/1ON8bqW ... **Florida Playbook** http://politi.co/1OypFe9 ... **New Jersey Playbook** http://politi.co/1HLKltF ... **Massachusetts Playbook** http://politi.co/1Nhtq5v ... **Illinois Playbook** http://politi.co/1N7u5sb ... **California Playbook** http://politi.co/2bLvcPl ... **London Playbook** http://politi.co/2xfDPuK ... **Brussels Playbook** http://politi.co/1FZeLcw ... **All our political and policy tipsheets** http://politi.co/1M75UbX
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg BNA
Sent: Thur 7/5/2018 12:37:56 PM
Subject: July 05 -- EHS State Regulatory Alert

EHS State Regulatory Alert

July 05, 2018 - Number 129

You can create a report customized by topic, jurisdiction, and date range by using the Regulatory Summaries Report Tool. The report can be generated in Excel, Word, or PDF.

Florida

WATER
Southwest Florida WMD/Guidance and Minimum Levels for Lakes
Florida WATER

Notice of the Southwest Florida Water Management District announces a workshop to consider amendments to regulations under FAC 40D-8 regarding proposed guidance and minimum levels for lakes Allen, Harvey, and Virginia in Hillsborough County. The workshop is scheduled for July 16, 2018, in Lutz. Contact: Donna Campbell; SWFWMD; 352-796-7211

—Florida Publication Date: 07/02/2018.

Regulatory Update

Michigan

OIL AND GAS INDUSTRY
Oil and Gas Operations/Injection Wells
Michigan OIL AND GAS INDUSTRY

Final rule of the Department of Environmental Quality, Oil, Gas, and Mineral Division, amends and adopts regulations under MAC 324 to establish requirements for protection of underground sources of drinking water for injection well drilling and operations. The rule also revises single well bond amounts to require companies to submit a financial assurance for any new well adequate to cover current anticipated plugging costs. In addition, the rule addresses minor surface location changes and permit extensions. The rule is issued in anticipation of the state receiving Class II primacy under the federal Safe Drinking Water Act, Section 1425. The rule is effective June 7, 2018. Contact: Adam Wygant; DEQ, Oil, Gas, and Minerals Division; 517-897-4828; wyganta@michigan.gov

AMERICAN OVERSIGHT

—Michigan Publication Date: 07/01/2018. Citations: R 324.103 (amended); R 324.201 (amended); R 324.206 (amended); R 324.208 (amended); R 324.212 (amended); R 324.703 (amended); R 324.704 (amended); R 324.801 (amended); R 324.802 (amended); R 324.803 (amended); R 324.804 (amended); R 324.805 (amended); R 324.806 (amended); R 324.807 (amended); R 324.808 (amended); R 324.809 (new); R 324.810 (new); R 324.811 (new); R 324.812 (new); R 324.813 (new); R 324.814 (new); R 324.815 (new); R 324.816 (new); R 324.1002 (amended)

Regulatory Update

WATER
Public Water Supplies/Lead Action Level
Michigan WATER

Final rule of the Department of Environmental Quality, Drinking Water and Municipal Assistance Division, amends regulations under MAC 325 to reduce the 90th percentile lead level exceedance standard to 0.012 milligram/liter, effective Jan. 1, 2025. The rule also requires water suppliers to examine customers' entire water systems to determine the source of lead if test results exceed 0.010 milligram/liter. In addition, the rule requires collection of two compliance samples per site, establishes deadlines for lead service line replacement based on the size of the population served, and increases water quality parameter monitoring. Finally, the rule requires community supplies serving a population of 50,000 or more to establish a water system advisory council, requires distribution system materials inventories to be updated and submitted to the department, and limits the ability of municipal water supplies to reduce monitoring. The rule is effective June 14, 2018. Contact: Suzann Ruch; DEQ; Drinking Water and Municipal Assistance Division; 517-284-6544; DEQ-LCR-Comments@michigan.gov

—Michigan Publication Date: 07/01/2018. Citations: R 325.10102 (amended); R 325.10105 (amended); R 325.10108 (amended); R 325.10401a (amended); R 325.10405 (amended); R 325.10410 (amended); R 325.10413 (amended); R 325.10420 (amended); R 325.10604f (amended); R 325.10710a (amended); R 325.10710b (amended); R 325.10710d (amended); R 325.11506 (amended); R 325.11604 (amended); R 325.11606 (amended)

Regulatory Update

Nevada

MINING
Mining Facilities and Operations/Permit Notification
Nevada MINING

Notice announces the intention of the State Environmental Commission to amend regulations under NAC 445A and 519A regarding notice of intent to issue permits for mining facilities and mining operations or exploration projects. The rule would update the process for public notification of permitting decisions to allow the agency to post application denial and permit notices online. A comment due date is not specified. Contact: Valerie King; SEC; 775-687-9374

—Nevada Publication Date: 07/01/2018. Citations: NAC 445A.402 (amended); NAC 519A.185 (amended)

Regulatory Update

AMERICAN OVERSIGHT

OCCUPATIONAL SAFETY AND HEALTH

Historic Power Boilers

Nevada OCCUPATIONAL SAFETY AND HEALTH

Notice announces the intention of the Department of Business and Industry, Division of Industrial Relations, to amend and adopt regulations under NAC 455C to define and establish requirements for design, testing, and operation of historic power boilers. The rule would require prior authorization from the Mechanical Compliance Section before operation of a historic power boiler and specify application requirements, including reports of the maximum allowable working pressure calculations and ultrasonic testing. The rule also would specify a process for determining whether publications adopted by reference should be updated following revision. In addition, the rule would specify the maximum allowable working pressure and the minimum safety factor calculations and require maintenance of an operational log. Finally, the rule would address inspections, repairs, and alterations. A comment due date is not specified. Contact: DIR, Mechanical Compliance Section; 775-688-3750

—Nevada Publication Date: 07/01/2018. Citations: NAC 455C (amended); NAC 455C.064 (amended); NAC 455C.156 (amended); NAC 455C.182 (amended); NAC 455C.184 (amended); NAC 455C.232 (amended); NAC 455C.234 (amended); NAC 455C.270 (amended); NAC 455C.278 (amended)

Regulatory Update

New Jersey

GENERAL ENVIRONMENT AND SAFETY

Department of Environmental Protection Practice and Procedure

New Jersey GENERAL ENVIRONMENT AND SAFETY

Final rule of the Department of Environmental Protection readopts with amendments regulations under NJAC 7:1D to update provisions concerning general practice and procedure. The rule updates language for gender neutrality and corrects department addresses. The rule is effective July 2, 2018. Contact: DEP; 609-777-3373

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:1D-2.4 (amended); NJAC 7:1D-2.7 (amended)

Regulatory Update

SOLID WASTE

Electronic Waste Management

New Jersey SOLID WASTE

Notice of the Department of Environmental Protection, Office of Legal Affairs, announces action on a rulemaking petition to amend regulations under NJAC 7:26A-13 regarding electronic waste management to implement 2017 legislation. The petitioner, the Consumer Technology Association, requests that the department clarify how it will obtain, verify, and use data to

AMERICAN OVERSIGHT

calculate and enforce manufacturers' market share in weight obligations; provide criteria for any convenience requirements, such as the number of permanent collection sites required per county; and allow manufacturers or their designated organizations to audit recyclers and collectors to ensure the accuracy of data reported. The petitioner also requests that the department provide procedures and time frames for calculating market share in weight obligations for upcoming program years and determining compliance and to provide guidance on when manufacturers may apply additional covered electronic device collection and recycling pounds toward their market share in weight obligations. The department has determined to refer the petition for further deliberation. Contact: DEP, Office of Legal Affairs; 609-292-0716

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:26A-13

Regulatory Update

TOXIC SUBSTANCES
Fireworks/Sparkling Devices and Novelties
New Jersey TOXIC SUBSTANCES

Proposed rule of the Department of Community Affairs, Division of Fire Safety, would amend regulations under NJAC 5:70 to update the definition of "fireworks" to exclude "sparkling devices and novelties" and define such devices separately. The rule also would set forth requirements for storage and retail sales to the public of sparkling devices and novelties in any temporary or permanent structure when the pyrotechnic content exceeds 125 pounds. Comments are due Aug. 31, 2018. Contact: Geraldine Callahan; DCA, Division of Fire Safety; 609-633-6106; Geraldine.Callahan@dca.nj.gov

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 5:70-2.7 (amended); NJAC 5:70-3.2 (amended)

Regulatory Update

WATER
List of Water Quality Limited Waters
New Jersey WATER

Notice of the Department of Environmental Protection, Division of Water Monitoring and Standards, requests water quality data and information to be considered in the development of the 2020 list of Section 303(d) water quality limited waters. The notice addresses data quality requirements and specifies repositories for data submission. The notice also includes the biennial deadlines for data submittal for lists through the 2030 list. Submissions are due Sept. 30, 2018. Contact: Jack Pflaumer; DEP, Bureau of Environmental Analysis, Restoration, and Standards; 609-633-1441; Jack.Pflaumer@dep.nj.gov

—New Jersey Publication Date: 07/02/2018.

Regulatory Update

WATER
Sale of Water from the Manasquan Reservoir Water Supply System
New Jersey WATER

AMERICAN OVERSIGHT

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Manasquan Reservoir water supply system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-4.3 (amended); NJAC 7:11-4.4 (amended); NJAC 7:11-4.5 (amended); NJAC 7:11-4.6 (amended)

Regulatory Update

WATER
Sale of Water from the Raritan Basin System
New Jersey WATER

Final rule of the Department of Environmental Protection, Water Supply Authority, amends regulations under NJAC 7:11 to update references to the fiscal year in the schedule of rates, charges, and debt service assessments for the sale of water from the Raritan Basin system. The rule replaces references to FY 2018 with FY 2019 but does not change rates. The rule is effective July 2, 2018. Contact: Beth Gates; DEP, Water Supply Authority; 908-638-6121; info@njwsa.org

—New Jersey Publication Date: 07/02/2018. Citations: NJAC 7:11-2.3 (amended); NJAC 7:11-2.4 (new); NJAC 7:11-2.5 (new); NJAC 7:11-2.6 (new)

Regulatory Update

North Carolina

WATER
Water Treatment Facility Operators/Applicants, Facility Classification
North Carolina WATER

Proposed rule of the Department of Environmental Quality, Water Treatment Facility Operators Certification Board, would amend regulations under 15A NCAC 18D to update provisions concerning qualifications of applicants and classification of public water systems. The rule would require owners of public water facilities to notify the board of vacancies that result in noncompliance with public water systems provisions within 10 days and make editorial and technical revisions. A hearing is scheduled for Aug. 7, 2018, in Raleigh. Comments are due Aug. 31, 2018. Contact: Jay Frick; DEQ; 919-707-9102

—North Carolina Publication Date: 07/02/2018. Citations: 15A NCAC 18D .0206 (amended)

Regulatory Update

Ohio

HAZARDOUS WASTE MANAGEMENT

AMERICAN OVERSIGHT

HAZARDOUS WASTE MANAGEMENT
Hazardous Recyclable Materials/Contaminated Wipes and Apparel
Ohio HAZARDOUS WASTE MANAGEMENT

Proposed rule of the Ohio EPA would amend regulations under OAC 3745-51 to revise hazardous recyclable materials requirements by conditionally excluding certain contaminated wipes and apparel from state and federal standards. The rule would exclude rags, mops, drop cloths, and apparel made of certain materials that are laundered and intended for reuse and are not already excluded under the Solvent Wipes Rule. The rule also would update and clarify storage and transportation requirements for such materials and update citations to federal standards. A hearing is scheduled for July 31, 2018, in Columbus. Comments are due July 31, 2018. Contact: Jacquelyn Keller; Ohio EPA, Division of Hazardous Waste; 614-644-2924; Jacquelyn.Keller@epa.ohio.gov

—Ohio Publication Date: 07/02/2018. Citations: OAC 3745-51-06 (amended)

Regulatory Update

Oregon

OCCUPATIONAL SAFETY AND HEALTH
Outdoor Production Pesticide Applications
Oregon OCCUPATIONAL SAFETY AND HEALTH

Final rule of the Department of Consumer and Business Services, Occupational Safety and Health Division, adopts regulations under OAR 437-004 to establish restrictions associated with outdoor production pesticide applications for workers or others who are adjacent to pesticides being applied in outdoor production areas. The rule specifies that if drift makes contact with labor housing areas, including enclosed agricultural structures within an application exclusion zone, employers must ensure that it is cleaned up with a minimum of employee or housing occupant exposure. The rule is effective Jan. 1, 2019. Contact: Heather Case; DCBS, Occupational Safety and Health Division; 503-947-7449; heather.case@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 437-004-6405 (new); OAR 437-004-6406 (new)

Regulatory Update

WATER
Nonmotorized In-Stream Placer Mining Authorizations
Oregon WATER

Final rule of the Department of State Lands adopts regulations under OAR 141-089 to specify that nonmotorized in-stream placer mining authorizations within indigenous anadromous salmonid habitat will expire on Dec. 31 of each calendar year. The rule also specifies that such authorizations are nontransferrable. The rule is effective July 1, 2018. Contact: Anne Friend; DSL; 503-986-5245; anne.m.friend@state.or.us

AMERICAN OVERSIGHT

—Oregon Publication Date: 07/01/2018. Citations: OAR 141-089-0827 (new)

Regulatory Update

WATER
Watershed Enhancement Technical Assistance Grants
Oregon WATER

Final rule of the Watershed Enhancement Board adopts and repeals regulations under OAR 695-030 to revise administrative rules for technical assistance grants. The rule establishes eligibility and application requirements and specifies evaluation criteria for technical design and engineering, resource assessment and planning, and organizational technical assistance grant applications. The rule also establishes procedures for technical review, funding decisions, and staff funding recommendations for grant applications that require the board to make a funding decision and grant applications seeking grant funds that have been delegated by the board to the executive director. In addition, the rule addresses the waiver and periodic review of rules and grant agreement conditions. The rule is effective June 28, 2018. Contact: Eric Hartstein; WEB; 503-986-0029; eric.hartstein@oregon.gov

—Oregon Publication Date: 07/01/2018. Citations: OAR 695-030-0005 (new); OAR 695-030-0015 (new); OAR 695-030-0025 (new); OAR 695-030-0035 (new); OAR 695-030-0045 (new); OAR 695-030-0050 (repealed); OAR 695-030-0055 (new); OAR 695-030-0060 (repealed); OAR 695-030-0065 (new); OAR 695-030-0075 (new); OAR 695-030-0085 (new); OAR 695-030-0095 (new); OAR 695-030-0100 (repealed)

Regulatory Update

Rhode Island

OCCUPATIONAL SAFETY AND HEALTH
Boilers and Pressure Vessel Inspection
Rhode Island OCCUPATIONAL SAFETY AND HEALTH

Proposed rule of the Department of Labor and Training would amend regulations under 260-RICR-30-10-2 to incorporate by reference the 2017 American Society of Mechanical Engineers and the National Board of Boiler and Pressure Vessel Inspectors. The rule also would revise fee requirements for certificate inspection by the state inspector, existing power boilers, and GR-1 inspection of boilers and pressure vessels. A hearing is scheduled for July 20, 2018, in Cranston. Comments are due July 30, 2018. Contact: Sean Fontes; DLT; 401-462-8890; sean.fontes@dlt.ri.gov

—Rhode Island Publication Date: 07/01/2018. Citations: 260-RICR-30-10-2 (amended)

Regulatory Update

Utah

AMERICAN OVERSIGHT

AIR
Definitions/PM-2.5 Precursors
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise regulations under R307-101 to update the definition of PM-2.5 precursor to reflect federal standards. The rule would add ammonia as a precursor to fine particulate matter (PM-2.5), except where a demonstration satisfying 40 CFR 51.1006(a)(3) has determined otherwise. The rule also would specify that ammonia is exempted in the Logan PM-2.5 nonattainment area. The changes clarify that ammonia precursor exemptions are exempt upon EPA approval. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-101-2 (amended)

Regulatory Update

AIR
Nonattainment Area New Source Review
Utah AIR

Notice of the Department of Environmental Quality, Division of Air Quality, announces changes to an April 1, 2018, proposed rule to revise the nonattainment new source review (NNSR) permitting program to allow for control of fine particulate matter (PM-2.5). The rule would clarify lowest achievable emission rate requirements and applicable offset requirements and update definitions. The rule also would exempt ammonia as a PM-2.5 precursor in the Logan nonattainment area where a demonstration supporting that conclusion has been submitted to the EPA. The changes specify which portion of the rule supplements permitting requirements; clarify the EPA's role in approving demonstrations; and address potential increases of nitrogen oxides, sulfur dioxide, and PM-2.5 precursors. The changes also require that emission offsets be surplus, permanent, quantifiable, and federally enforceable; clarify that offsets may not be traded between pollutants except under specified conditions; and clarify one-to-one ratio requirements. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-403

Regulatory Update

AIR
State Implementation Plan/Control Measures Area and Point Sources
Utah AIR

Proposed rule of the Department of Environmental Quality, Division of Air Quality, would amend regulations under R307-110 regarding Section IX, Part H, of the state implementation plan (SIP) concerning control measures for area and point sources and emission limits and operating practices. The rule would change the amendment date to Sept. 5, 2018, to match the anticipated Air Quality Board approval date of amendments to that portion of the SIP. Comments are due Aug. 15, 2018. Contact: Thomas Gunter; DEQ, Division of Air Quality; 801-536-4419; thomasgunter@utah.gov

—Utah Publication Date: 07/01/2018. Citations: R307-110-17 (amended)

AMERICAN OVERSIGHT

Regulatory Update

Washington

AIR
Agricultural Burning
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-430 to update agricultural burning standards. The rule would address inadequacies that were raised in an October 2016 letter by the State Auditor's Office and relocate provisions under the agricultural burning fee schedule and permit fee distribution standards. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-430 (amended)

Regulatory Update

AIR
Kraft Pulping Mills, Sulfite Pulping Mills, and Primary Aluminum Plants
Washington AIR

Notice announces the intention of the Department of Ecology to amend regulations under WAC 173-405, -410, and -415 to update air quality standards for kraft pulping mills, sulfite pulping mills, and primary aluminum plants. The rule would conform with revisions to general air pollution source requirements under WAC 173-400 that were made in response to the EPA's June 12, 2015, startup, shutdown, or malfunction state implementation plan call final rule. The rule also would update and clarify provisions. Comments are requested, but a due date is not specified. Contact: Caroline Sun; Department of Ecology, Air Quality Program; 360-407-7528; Caroline.Sun@ecy.wa.gov

—Washington Publication Date: 07/04/2018. Citations: WAC 173-410 (amended); WAC 173-415 (amended); WAC 173-405 (amended)

Regulatory Update

AIR
Southwest Clean Air Agency/Asbestos Standards
Washington AIR

Final rule of the Southwest Clean Air Agency amends regulations under SWCAA 476-040 through · 80 to update requirements for asbestos surveys, notification, emission control, and disposal. The rule clarifies and updates inspection and sampling procedures, adds an alternative procedure, and adds inspection reporting requirements. The rule also reduces the notification period for asbestos removal and demolition to 10 calendar days, adds procedures for abandoned asbestos-

AMERICAN OVERSIGHT

containing materials, and adds state of emergency procedures for public disasters. In addition, the rule requires asbestos-containing materials to be stored in leak tight containers, adds waste tracking requirements, and increases the notification period for fire training burns to 10 calendar days. The rule is effective July 14, 2018. Contact: Gerald Strawn; SWCAA; 360-574-3058; gerry@swclearnair.org

—Washington Publication Date: 07/04/2018. Citations: Uncodified

Regulatory Update

OIL AND GAS INDUSTRY
Utilities and Transportation Commission
Washington OIL AND GAS INDUSTRY

Final rule of the Utilities and Transportation Commission amends regulations under WAC 480-14 through -120 (nonconsecutive) to revise standards for solid waste and refuse collection companies, hazardous liquids pipelines, and gas companies. The rule updates the incorporation by reference of federal standards and other adopted publications. The rule is effective July 20, 2018. Contact: Gregory Kopta; UTC; 360-664-1355

—Washington Publication Date: 07/04/2018. Citations: WAC 480-14-999 (amended); WAC 480-15-999 (amended); WAC 480-30-999 (amended); WAC 480-31-999 (amended); WAC 480-70-201 (amended); WAC 480-70-999 (amended); WAC 480-73-999 (amended); WAC 480-75-999 (amended); WAC 480-90-999 (amended); WAC 480-93-999 (amended); WAC 480-100-999 (amended); WAC 480-108-999 (amended); WAC 480-109-999 (amended); WAC 480-120-999 (amended)

Regulatory Update

West Virginia

GENERAL ENVIRONMENT AND SAFETY
Exchange of Information Agreement/Tax and Environmental Protection Departments
West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would repeal regulations under 110 WVCSR 50A to remove obsolete provisions concerning the exchange of information agreement between the Tax Department and the Department of Environmental Protection. The provisions would be consolidated under 110 WVCSR 50C in a concurrent proposed rule. Comments are due July 27, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50A-1 (repealed); 110-50A-2 (repealed); 110-50A-3 (repealed)

Regulatory Update

GENERAL ENVIRONMENT AND SAFETY
Interagency Exchange of Information Agreement

AMERICAN OVERSIGHT

West Virginia GENERAL ENVIRONMENT AND SAFETY

Proposed rule of the Tax Department would adopt regulations under 110 WVCSR 50C to authorize the exchange of certain information under a written interagency agreement between the Tax Department and other state agencies. The rule would address the sharing of confidential taxpayer information for purposes of premium collection, tax collection, or licensure requirements. The rule also would consolidate existing provisions for such agreements with individual agencies, including the Department of Environmental Protection under 110 WVCSR 50A, which is proposed for repeal concurrently. Comments are due July 26, 2018. Contact: Mark Morton; Tax Department; 304-558-5330; taxlegal@wv.gov

—West Virginia Publication Date: 06/29/2018. Citations: 110-50C-1 (new); 110-50C-2 (new); 110-50C-3 (new); 110-50C-4 (new); 110-50C-5 (new)

Regulatory Update

Privacy Policy | Terms of Service | Manage Your Email | Contact Us

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. .
EHS State Regulatory Alert

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Thur 7/5/2018 11:57:07 AM
Subject: POLITICO Huddle: JIM JORDAN SPEAKS -- Trump narrows SCOTUS shortlist -- OCASIO-CORTEZ PLAYS KINGMAKER -- K Street eyes Dem staffers

07/05/2018 07:55 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

JIM JORDAN RESPONDS TO EXPLOSIVE REPORT -- House Freedom Caucus co-founder Jim Jordan (R-Ohio) is denying allegations that he ignored sexual abuse when he coached wrestling at Ohio State University. "I never knew about any type of abuse," he told POLITICO in an interview. "If I did, I would have done something about it. And look, if there are people who are abused, then that's terrible and we want justice to happen." The allegations could threaten the political career of one of the most powerful House Republicans. As Rachael and Bres report, Jordan "commands the loyalty of several dozen conservative Republicans who often band together to demand concessions for their votes, bending leadership to their will." Jordan has also considered a run to succeed Paul Ryan (R-Wis.) as speaker. More: https://politi.co/2lWN7bv

The backstory: Ohio State began investigating accusations in April that team doctor Richard Strauss, who died in 2005, molested student-athletes. "Three former wrestlers told NBC News that it was common knowledge that Strauss showered regularly with the students and inappropriately touched them during appointments, and said it would have been impossible for Jordan to be unaware," Corky Siemaszko reports. Mike DiSabato, a former wrestler, accused Jordan of lying. Dunyasha Yetts, another former wrestler, says he and others told Jordan and then-head coach Russ Hellickson about the doctor several times. NBC News' original report: https://nbcnews.to/2MRaQFn

DiSabato has emailed Jordan's office about the issue. But a source in Jordan's office tells CNN the messages were vaguely threatening and received no response from the congressman because he felt he was being bullied. The source says the office will contact Capitol Hill police about the emails. "The investigative team looking into the allegations of sexual abuse said Tuesday they had reached out to Jordan by email and phone asking for interviews," CNN's Sunlen Serfaty and Clare Foran report. "Jordan's office said Wednesday it has still not found any communications from the investigators. The chief of staff reached out to investigators Tuesday to clarify whether there were any but has yet to hear back." More: https://cnn.it/2u6S30T

AND THEN THERE WERE THREE -- President Donald Trump's shortlist of potential Supreme Court nominees to replace Justice Anthony Kennedy is down to three, The Wall Street Journal reports: Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett. "Mr. Trump ... has been taking advice from lawmakers and trusted confidants as he settles on a nominee who could set a new direction for a high court split between conservative and liberal factions that have dueled for years," The Wall Street Journal's Peter Nicholas and Louise Radnofsky report. "Since Justice Kennedy was often a swing vote, Mr. Trump's selection could tip the balance when it comes to some of the most divisive issues the court faces: abortion rights, health care

AMERICAN OVERSIGHT

and the limits of executive power, among them."

Trump interviewed the three finalists and Amul Thapar on Monday. He also interviewed Sen. Mike Lee (R-Utah), a longshot, to say the least, by phone for the post on Monday and Thomas Hardiman and Joan Larsen by phone on Tuesday. An aide to Sen. Tom Cotton (R-Ark.) says the senator spoke to the president earlier this week to give a candid assessment of the candidates' strengths and drawbacks. The aide says Cotton didn't promote any particular person. Trump could make his decision as soon as today but isn't expected to announce it until Monday. More: https://on.wsj.com/2KHkYTR

Grass-roots groups on the left are ready to oppose the nominee as soon as it's named. "The campaign promises to replicate some of the headline-grabbing demonstration tactics that helped defeat the GOP's Obamacare repeal effort last year, sending protesters to in-state Senate offices starting on Monday after Trump taps his nominee for the high court," Elana reports. "Its focus is outside Washington, part of an effort to ramp up local media and public attention on swing-vote senators in the Supreme Court fight." More on how the left plans to respond to the president's pick: https://politi.co/2KJTVaq

Related: "'It looks all-American': Trump wants the whole package in Supreme Court nominee," by Annie Karni and Eliana Johnson: https://politi.co/2MPUGMF; "Trump's Supreme Court search unleashes fierce politicking," from Eliana Johnson: https://politi.co/2lT53DL; and "Two Judges Exemplify the Choice Trump Faces in a Supreme Court Pick," via The New York Times' Adam Liptak: https://nyti.ms/2KQZUqL

GOOD MORNING! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this Thursday, July 5.

TUESDAY'S MOST CLICKED: Heather and Burgess' profile of Rep. Kyrsten Sinema, the Democratic Arizona Senate candidate who says she won't vote for Chuck Schumer (D-N.Y.) as Senate Democratic leader, if elected, was the winner.

SENATE INTEL BACKS IC ON RUSSIAN MEDDLING -- The Senate Intelligence Committee agrees with the intelligence community's assessment that Russia interfered in the 2016 presidential election to boost Donald Trump over Hillary Clinton. "An unclassified report that reveals Russia meddled in far more extensive ways than previously known is yet another strong rebuke to Trump and many of his allies who continue to cast doubt on findings from the intelligence community that Moscow carried out an operation to help his candidacy and hurt Hillary Clinton," Martin Matishak writes. "[T]he Senate describes activity that goes far beyond the intelligence community's initial January 2017 assessments of Russian elements' attempts to divide Americans."

Committee leaders Richard Burr (R-N.C.) and Mark Warner (D-Va.) released the panel's findings Tuesday, ahead of the president's planned meeting with Russian President Vladimir Putin on July 16 in Helsinki, Finland. "Even though Trump has said he believes Putin's assurances that Moscow didn't interfere with the vote, Trump has said he'll bring up election meddling during the meeting," Matishak adds. Much more: https://politi.co/2KNu1iF; and the

AMERICAN OVERSIGHT

report: http://bit.ly/2tTZhq4

TESTER WELCOMES TRUMP TO MONTANA -- Sen. Jon Tester (D-Mont.) is welcoming the president to his state with a full-page ad in more than a dozen newspapers thanking him for signing 16 bills he either sponsored or co-sponsored. Trump will campaign tonight in Great Falls to boost State Auditor Matt Rosendale. "The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his first Veterans Affairs nominee, White House physician Ronny Jackson," The Associated Press reports. "Tester's ad ... [seeks] to undermine the president's efforts to boost Rosendale by pointing out that he and the president agree on several issues." More: https://abcn.ws/2MPd7Ru

HOYER HOSPITALIZED -- House Minority Whip Steny Hoyer (D-Md.) was admitted Tuesday to the George Washington University Hospital, where he was diagnosed with pneumonia. "He is being treated with antibiotics and resting, and is expected to make a full recovery quickly," Hoyer spokeswoman Katie Grant said in a statement Wednesday. "Before checking into the hospital, Hoyer was coming off an extensive weekend of campaigning with Democratic incumbents and swing-district candidates in Wisconsin and Illinois," Heather reports. "Hoyer also squeezed in a few policy events, including visiting a community health center in Chicago." His office says the 79-year-old has taken 25 campaign trips this cycle. More: https://politi.co/2lTcFWN

FROM LONGSHOT TO KINGMAKER? -- A month ago, Alexandria Ocasio-Cortez was widely viewed as a longshot progressive challenger to House Democratic Caucus Chairman Joe Crowley (D-N.Y.). Now she's a political sensation and international phenomenon. "Almost as soon as she was declared the winner ... Ocasio-Cortez made clear her ambition isn't limited to the confines of the Queens and Bronx-based House district she's almost certain to win in November," Laura Nahmias reports. "She's used her sudden fame as a platform to endorse and promote fellow insurgents across the country in their primary challenges against Democratic incumbents. And in the process, she's building a national following that stands to make her an influential House progressive the moment she is sworn in."

Most political newcomers would focus on the general election or ingratiate themselves with elected officials. But the 28-year-old first-time candidate "has chosen an almost unheard-of path by spending her political capital on raising the profiles of other progressive Democrats in New York and elsewhere who face long odds in their own primary and general election races," Nahmias adds. "It's a risky strategy for someone who hasn't even won her own seat yet -- and an approach that's guaranteed to alienate many in her own party." Much more: https://politi.co/2NqY812

Related read: "Alexandria Ocasio-Cortez Is Driving New Energy And Money To Progressive Candidates," by HuffPost's Daniel Marans and Kevin Robillard: http://bit.ly/2NqHsXC

BLACK WOMEN PAN PELOSI, SCHUMER -- Nearly 200 black women and allies expressed their "profound indignation and deep disappointment" with what they contend is House Minority Leader Nancy Pelosi (D-Calif.) and Senate Minority Leader Chuck Schumer's (D-N.Y.) "recent failure to protect" Rep. Maxine Waters (D-Calif.) "from unwarranted attacks

AMERICAN OVERSIGHT

from the Trump Administration and others in the GOP." The leaders' criticisms, they say, "mischaracterizes her call to action for peaceful democratic assembly and the exercise of her constitutional rights to free speech in support of defenseless immigrant children and their families."

"Waters last month urged opponents of President Donald Trump to protest members of his Cabinet wherever they encounter them," Rebecca Morin writes. "Pelosi and Schumer have distanced themselves from the comments." In a statement Wednesday, Pelosi's office called Waters "a valued leader whose passionate call for family reunification should be heard without any threats to her safety." As for Trump, her office accused him of sullying "the bully pulpit with reckless disregard" and urged him to stop attacking Waters, other lawmakers and the media. Trump has tweeted that Waters is "crazy," has an "extraordinarily low IQ" and is the co-face of the Democratic Party with Pelosi. More: https://politi.co/2u904m4

Related: Another Democratic candidate says she won't support Pelosi for speaker: http://bit.ly/2IW9XZP

PENCE TO FUNDRAISE FOR YODER -- Vice President Mike Pence will head to the Kansas City area next week to raise money for Rep. Kevin Yoder (R-Kan.), who won't attend Wednesday's fundraiser. His campaign says he'll be in Washington for House Appropriations Committee work. "Yoder ... faces a tough re-election fight in Kansas' 3rd District, which Democrat Hillary Clinton narrowly won in 2016," The Kansas City Star's Bryan Lowry and Lindsay Wise report. "Keeping the seat could help determine whether Republicans can maintain control of the House next year." According to a copy of the invitation, cost to attend the luncheon with Pence is $1,000, and for $5,400, couples can take a picture with the VP. More: http://bit.ly/2Ky8miH

K STREET SEES DEM SUCCESS IN MIDTERMS -- On K Street, Democrats are in demand again. "Corporate America couldn't hire Republican lobbyists fast enough after President Donald Trump's election gave the GOP unified control of Washington," Theodoric Meyer reports. But with Democrats projected to make gains in the House this November, including potentially regaining a majority in the chamber, companies and trade groups are trying to get a head start on hiring congressional staffers with influential Democrats. "Lobbyists are helping their clients meet with the Democrats who would become committee chairs if the party does win back the chamber," Meyer continues. "And trade groups are talking to members about what to expect from a Democratic takeover." Much more: https://politi.co/2KwIYtm

LAWMAKERS WIN DEMOCRACY AWARDS -- The Congressional Management Foundation has announced the winners of its inaugural Democracy Awards recognizing non-legislative achievement in operations and constituent service. Winners include Sen. John Boozman (R-Ark.) and Rep. Raúl Grijalva (D-Ariz.) for constituent service, Sen. Ron Wyden (D-Ore.) and Rep. Cathy McMorris Rodgers (R-Wash.) for innovation, Reps. Dave Reichert (R-Wash.) and Susan Davis (D-Calif.) for workplace environment and Reps. Rob Wittman (R-Va.) and Seth Moulton for transparency and accountability. "Each of these individuals has made and upheld a significant commitment as a public servant to do what is best for their constituents," said Bradford Fitch, president and CEO of CMF.

AMERICAN OVERSIGHT

CMF also honored Rep. Steny Hoyer (D-Md.) and Sen. Rob Portman (R-Ohio) with Lifetime Achievement Awards. "There was remarkable consensus among the reviewers that these two Members of Congress demonstrate outstanding values and a commitment to the institution of Congress," Fitch said. Finalists for the Lifetime Achievement Award for congressional staffers included Theresa Gullo, assistant director for budget analysis at the CBO; Chuck Kleeschulte, a senior professional member of the Senate Energy and Natural Resources Committee; Janet Qureshi, director of case management for Rep. Kevin Brady (R-Texas); and Tracee Sutton, legislative director for Sen. Heidi Heitkamp (D-N.D.). The winner, however, is Judy Schneider, a 42-year veteran of the Congressional Research Service. All finalists and winners will be honored at an awards ceremony in Washington, D.C., next Friday. The news release: https://politi.co/2KBN1Ve

TODAY IN CONGRESS -- The House and Senate are out.

TUESDAY'S TRIVIA WINNER -- Harry Kazenoff was first to correctly guess that Calvin Coolidge is the president who was born on the Fourth of July, and John Adams, Thomas Jefferson and James Monroe are the presidents who died on it.

TODAY'S TRIVIA -- From Harry: The number of House members was capped in 1913 to 435. How many members were there at the beginning of the 1st Congress in 1789? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

To view online:
https://www.politico.com/newsletters/huddle/2018/07/05/jim-jordan-speaks-trump-narrows-scotus-shortlist-ocasio-cortez-plays-kingmaker-k-street-eyes-dem-staffers-283176

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-003835

ED_001863D_00001895-00005

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Thur 7/5/2018 11:57:07 AM
Subject: POLITICO Huddle: JIM JORDAN SPEAKS -- Trump narrows SCOTUS shortlist -- OCASIO-CORTEZ PLAYS KINGMAKER -- K Street eyes Dem staffers

07/05/2018 07:55 AM EDT

By Nolan D. McCaskill (nmccaskill@politico.com or @NolanDMcCaskill)

JIM JORDAN RESPONDS TO EXPLOSIVE REPORT -- House Freedom Caucus co-founder Jim Jordan (R-Ohio) is denying allegations that he ignored sexual abuse when he coached wrestling at Ohio State University. "I never knew about any type of abuse," he told POLITICO in an interview. "If I did, I would have done something about it. And look, if there are people who are abused, then that's terrible and we want justice to happen." The allegations could threaten the political career of one of the most powerful House Republicans. As Rachael and Bres report, Jordan "commands the loyalty of several dozen conservative Republicans who often band together to demand concessions for their votes, bending leadership to their will." Jordan has also considered a run to succeed Paul Ryan (R-Wis.) as speaker. More: https://politi.co/2lWN7bv

The backstory: Ohio State began investigating accusations in April that team doctor Richard Strauss, who died in 2005, molested student-athletes. "Three former wrestlers told NBC News that it was common knowledge that Strauss showered regularly with the students and inappropriately touched them during appointments, and said it would have been impossible for Jordan to be unaware," Corky Siemaszko reports. Mike DiSabato, a former wrestler, accused Jordan of lying. Dunyasha Yetts, another former wrestler, says he and others told Jordan and then-head coach Russ Hellickson about the doctor several times. NBC News' original report: https://nbcnews.to/2MRaQFn

DiSabato has emailed Jordan's office about the issue. But a source in Jordan's office tells CNN the messages were vaguely threatening and received no response from the congressman because he felt he was being bullied. The source says the office will contact Capitol Hill police about the emails. "The investigative team looking into the allegations of sexual abuse said Tuesday they had reached out to Jordan by email and phone asking for interviews," CNN's Sunlen Serfaty and Clare Foran report. "Jordan's office said Wednesday it has still not found any communications from the investigators. The chief of staff reached out to investigators Tuesday to clarify whether there were any but has yet to hear back." More: https://cnn.it/2u6S30T

AND THEN THERE WERE THREE -- President Donald Trump's shortlist of potential Supreme Court nominees to replace Justice Anthony Kennedy is down to three, The Wall Street Journal reports: Brett Kavanaugh, Raymond Kethledge and Amy Coney Barrett. "Mr. Trump ... has been taking advice from lawmakers and trusted confidants as he settles on a nominee who could set a new direction for a high court split between conservative and liberal factions that have dueled for years," The Wall Street Journal's Peter Nicholas and Louise Radnofsky report. "Since Justice Kennedy was often a swing vote, Mr. Trump's selection could tip the balance when it comes to some of the most divisive issues the court faces: abortion rights, health care

AMERICAN OVERSIGHT

and the limits of executive power, among them."

Trump interviewed the three finalists and Amul Thapar on Monday. He also interviewed Sen. Mike Lee (R-Utah), a longshot, to say the least, by phone for the post on Monday and Thomas Hardiman and Joan Larsen by phone on Tuesday. An aide to Sen. Tom Cotton (R-Ark.) says the senator spoke to the president earlier this week to give a candid assessment of the candidates' strengths and drawbacks. The aide says Cotton didn't promote any particular person. Trump could make his decision as soon as today but isn't expected to announce it until Monday. More: https://on.wsj.com/2KHkYTR

Grass-roots groups on the left are ready to oppose the nominee as soon as it's named. "The campaign promises to replicate some of the headline-grabbing demonstration tactics that helped defeat the GOP's Obamacare repeal effort last year, sending protesters to in-state Senate offices starting on Monday after Trump taps his nominee for the high court," Elana reports. "Its focus is outside Washington, part of an effort to ramp up local media and public attention on swing-vote senators in the Supreme Court fight." More on how the left plans to respond to the president's pick: https://politi.co/2KJTVaq

Related: "'It looks all-American': Trump wants the whole package in Supreme Court nominee," by Annie Karni and Eliana Johnson: https://politi.co/2MPUGMF; "Trump's Supreme Court search unleashes fierce politicking," from Eliana Johnson: https://politi.co/2lT53DL; and "Two Judges Exemplify the Choice Trump Faces in a Supreme Court Pick," via The New York Times' Adam Liptak: https://nyti.ms/2KQZUqL

GOOD MORNING! Thanks for reading Huddle, the play-by-play guide to all things Capitol Hill, on this Thursday, July 5.

TUESDAY'S MOST CLICKED: Heather and Burgess' profile of Rep. Kyrsten Sinema, the Democratic Arizona Senate candidate who says she won't vote for Chuck Schumer (D-N.Y.) as Senate Democratic leader, if elected, was the winner.

SENATE INTEL BACKS IC ON RUSSIAN MEDDLING -- The Senate Intelligence Committee agrees with the intelligence community's assessment that Russia interfered in the 2016 presidential election to boost Donald Trump over Hillary Clinton. "An unclassified report that reveals Russia meddled in far more extensive ways than previously known is yet another strong rebuke to Trump and many of his allies who continue to cast doubt on findings from the intelligence community that Moscow carried out an operation to help his candidacy and hurt Hillary Clinton," Martin Matishak writes. "[T]he Senate describes activity that goes far beyond the intelligence community's initial January 2017 assessments of Russian elements' attempts to divide Americans."

Committee leaders Richard Burr (R-N.C.) and Mark Warner (D-Va.) released the panel's findings Tuesday, ahead of the president's planned meeting with Russian President Vladimir Putin on July 16 in Helsinki, Finland. "Even though Trump has said he believes Putin's assurances that Moscow didn't interfere with the vote, Trump has said he'll bring up election meddling during the meeting," Matishak adds. Much more: https://politi.co/2KNu1iF; and the

AMERICAN OVERSIGHT

report: http://bit.ly/2tTZhq4

TESTER WELCOMES TRUMP TO MONTANA -- Sen. Jon Tester (D-Mont.) is welcoming the president to his state with a full-page ad in more than a dozen newspapers thanking him for signing 16 bills he either sponsored or co-sponsored. Trump will campaign tonight in Great Falls to boost State Auditor Matt Rosendale. "The president has made the Montana Senate race a priority after he blamed Tester for derailing the nomination of his first Veterans Affairs nominee, White House physician Ronny Jackson," The Associated Press reports. "Tester's ad ... [seeks] to undermine the president's efforts to boost Rosendale by pointing out that he and the president agree on several issues." More: https://abcn.ws/2MPd7Ru

HOYER HOSPITALIZED -- House Minority Whip Steny Hoyer (D-Md.) was admitted Tuesday to the George Washington University Hospital, where he was diagnosed with pneumonia. "He is being treated with antibiotics and resting, and is expected to make a full recovery quickly," Hoyer spokeswoman Katie Grant said in a statement Wednesday. "Before checking into the hospital, Hoyer was coming off an extensive weekend of campaigning with Democratic incumbents and swing-district candidates in Wisconsin and Illinois," Heather reports. "Hoyer also squeezed in a few policy events, including visiting a community health center in Chicago." His office says the 79-year-old has taken 25 campaign trips this cycle. More: https://politi.co/2lTcFWN

FROM LONGSHOT TO KINGMAKER? -- A month ago, Alexandria Ocasio-Cortez was widely viewed as a longshot progressive challenger to House Democratic Caucus Chairman Joe Crowley (D-N.Y.). Now she's a political sensation and international phenomenon. "Almost as soon as she was declared the winner ... Ocasio-Cortez made clear her ambition isn't limited to the confines of the Queens and Bronx-based House district she's almost certain to win in November," Laura Nahmias reports. "She's used her sudden fame as a platform to endorse and promote fellow insurgents across the country in their primary challenges against Democratic incumbents. And in the process, she's building a national following that stands to make her an influential House progressive the moment she is sworn in."

Most political newcomers would focus on the general election or ingratiate themselves with elected officials. But the 28-year-old first-time candidate "has chosen an almost unheard-of path by spending her political capital on raising the profiles of other progressive Democrats in New York and elsewhere who face long odds in their own primary and general election races," Nahmias adds. "It's a risky strategy for someone who hasn't even won her own seat yet -- and an approach that's guaranteed to alienate many in her own party." Much more: https://politi.co/2NqY812

Related read: "Alexandria Ocasio-Cortez Is Driving New Energy And Money To Progressive Candidates," by HuffPost's Daniel Marans and Kevin Robillard: http://bit.ly/2NqHsXC

BLACK WOMEN PAN PELOSI, SCHUMER -- Nearly 200 black women and allies expressed their "profound indignation and deep disappointment" with what they contend is House Minority Leader Nancy Pelosi (D-Calif.) and Senate Minority Leader Chuck Schumer's (D-N.Y.) "recent failure to protect" Rep. Maxine Waters (D-Calif.) "from unwarranted attacks

AMERICAN OVERSIGHT

from the Trump Administration and others in the GOP." The leaders' criticisms, they say, "mischaracterizes her call to action for peaceful democratic assembly and the exercise of her constitutional rights to free speech in support of defenseless immigrant children and their families."

"Waters last month urged opponents of President Donald Trump to protest members of his Cabinet wherever they encounter them," Rebecca Morin writes. "Pelosi and Schumer have distanced themselves from the comments." In a statement Wednesday, Pelosi's office called Waters "a valued leader whose passionate call for family reunification should be heard without any threats to her safety." As for Trump, her office accused him of sullying "the bully pulpit with reckless disregard" and urged him to stop attacking Waters, other lawmakers and the media. Trump has tweeted that Waters is "crazy," has an "extraordinarily low IQ" and is the co-face of the Democratic Party with Pelosi. More: https://politi.co/2u904m4

Related: Another Democratic candidate says she won't support Pelosi for speaker: http://bit.ly/2IW9XZP

PENCE TO FUNDRAISE FOR YODER -- Vice President Mike Pence will head to the Kansas City area next week to raise money for Rep. Kevin Yoder (R-Kan.), who won't attend Wednesday's fundraiser. His campaign says he'll be in Washington for House Appropriations Committee work. "Yoder ... faces a tough re-election fight in Kansas' 3rd District, which Democrat Hillary Clinton narrowly won in 2016," The Kansas City Star's Bryan Lowry and Lindsay Wise report. "Keeping the seat could help determine whether Republicans can maintain control of the House next year." According to a copy of the invitation, cost to attend the luncheon with Pence is $1,000, and for $5,400, couples can take a picture with the VP. More: http://bit.ly/2Ky8miH

K STREET SEES DEM SUCCESS IN MIDTERMS -- On K Street, Democrats are in demand again. "Corporate America couldn't hire Republican lobbyists fast enough after President Donald Trump's election gave the GOP unified control of Washington," Theodoric Meyer reports. But with Democrats projected to make gains in the House this November, including potentially regaining a majority in the chamber, companies and trade groups are trying to get a head start on hiring congressional staffers with influential Democrats. "Lobbyists are helping their clients meet with the Democrats who would become committee chairs if the party does win back the chamber," Meyer continues. "And trade groups are talking to members about what to expect from a Democratic takeover." Much more: https://politi.co/2KwIYtm

LAWMAKERS WIN DEMOCRACY AWARDS -- The Congressional Management Foundation has announced the winners of its inaugural Democracy Awards recognizing non-legislative achievement in operations and constituent service. Winners include Sen. John Boozman (R-Ark.) and Rep. Raúl Grijalva (D-Ariz.) for constituent service, Sen. Ron Wyden (D-Ore.) and Rep. Cathy McMorris Rodgers (R-Wash.) for innovation, Reps. Dave Reichert (R-Wash.) and Susan Davis (D-Calif.) for workplace environment and Reps. Rob Wittman (R-Va.) and Seth Moulton for transparency and accountability. "Each of these individuals has made and upheld a significant commitment as a public servant to do what is best for their constituents," said Bradford Fitch, president and CEO of CMF.

AMERICAN OVERSIGHT

CMF also honored Rep. Steny Hoyer (D-Md.) and Sen. Rob Portman (R-Ohio) with Lifetime Achievement Awards. "There was remarkable consensus among the reviewers that these two Members of Congress demonstrate outstanding values and a commitment to the institution of Congress," Fitch said. Finalists for the Lifetime Achievement Award for congressional staffers included Theresa Gullo, assistant director for budget analysis at the CBO; Chuck Kleeschulte, a senior professional member of the Senate Energy and Natural Resources Committee; Janet Qureshi, director of case management for Rep. Kevin Brady (R-Texas); and Tracee Sutton, legislative director for Sen. Heidi Heitkamp (D-N.D.). The winner, however, is Judy Schneider, a 42-year veteran of the Congressional Research Service. All finalists and winners will be honored at an awards ceremony in Washington, D.C., next Friday. The news release: https://politi.co/2KBN1Ve

TODAY IN CONGRESS -- The House and Senate are out.

TUESDAY'S TRIVIA WINNER -- Harry Kazenoff was first to correctly guess that Calvin Coolidge is the president who was born on the Fourth of July, and John Adams, Thomas Jefferson and James Monroe are the presidents who died on it.

TODAY'S TRIVIA -- From Harry: The number of House members was capped in 1913 to 435. How many members were there at the beginning of the 1st Congress in 1789? The first person to correctly guess gets a mention in the next edition of Huddle. Send your best guess my way: nmccaskill@politico.com.

GET HUDDLE emailed to your phone each morning.

To view online:
https://www.politico.com/newsletters/huddle/2018/07/05/jim-jordan-speaks-trump-narrows-scotus-shortlist-ocasio-cortez-plays-kingmaker-k-street-eyes-dem-staffers-283176

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-003840

ED_001863D_00001896-00005

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Matt Murray, WSJ
Sent: Thur 7/5/2018 11:32:22 AM
Subject: The 10-Point: A Guide to the Day's Top News

A guided tour to the best scoops and stories every day in The Wall Street Journal

Trouble viewing this email? View in web browser ›

Today's guide to the WSJ
Good Morning. Welcome to your daily guide to the news from the editors of The Wall Street Journal.

— Matt Murray, Editor in Chief

1.

Tariff Fight: Stocks in Europe and U.S. futures rose Thursday as investors shrugged off a looming deadline for the implementation of trade restrictions between the U.S. and China. Beijing is expected to counter with corresponding tariffs on U.S. imports immediately after U.S. tariffs take effect. The U.S. plans to roll out tariffs of 25% on $50 billion of Chinese products in two steps:

$34 billion

The amount of Chinese imports on which the U.S. is set to impose tariffs Friday in its first round against Beijing. Another round, on $16 billion of Chinese goods, will get industry comment at a public hearing July 24.

U.S. exports of sport-utility vehicles, as well as soybeans and other cash crops, are among the goods that will be hit by the Chinese tariffs. The trade war is melting profits for American cheese overseas. About $1 billion in U.S. dairy products are threatened by tariffs from China and Mexico.

AMERICAN OVERSIGHT

Follow the story: Subscribe to our Markets newsletter, and visit WSJ.com today for updates.

LEAVE THIS BOX EMPTY

2.

Trump Winnows List of Potential Court Picks: President Trump's search for a Supreme Court justice to succeed Anthony Kennedy is focusing on a trio of federal judges:

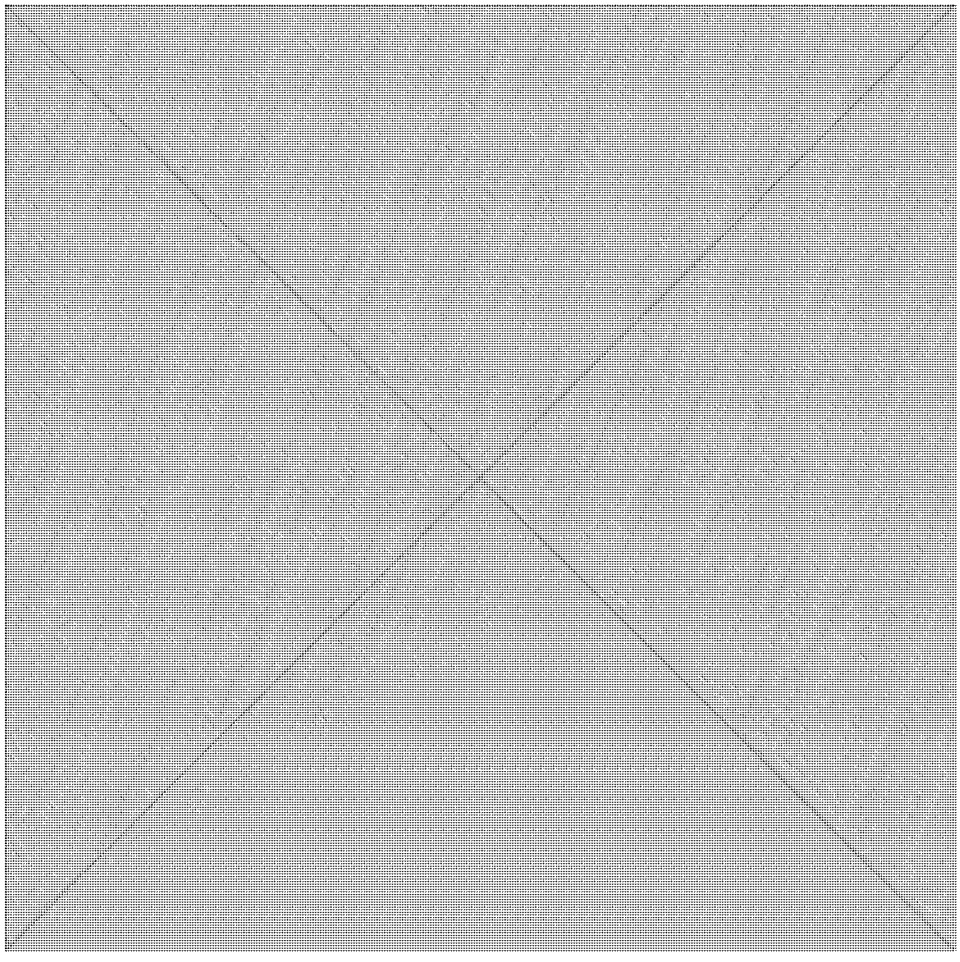
- Brett Kavanaugh of Maryland, of the D.C. Circuit
- Raymond Kethledge of Michigan, of the Sixth Circuit
- Amy Coney Barrett of Indiana, of the Seventh Circuit

A decision is expected this week in anticipation of an announcement on Monday, the Journal reports. Some want to see the president follow the model used in picking Neil Gorsuch for the court in 2017, a process that leaned heavily on judicial writings in the belief that is the best way to predict a judge's behavior on the bench.

3.

In This Economy, Quitters Are Winning

AMERICAN OVERSIGHT



A strong U.S. economy is spurring more to job-hop. Workers are choosing to leave their jobs at the **fastest rate since the internet boom 17 years ago and getting rewarded for it with bigger paychecks and/or more satisfying work, Journal reporters David Harrison and Eric Morath write. Having a job opening to fill is one thing. Convincing someone to fill it is quite another, Heard on the Street columnist Justin Lahart says.**

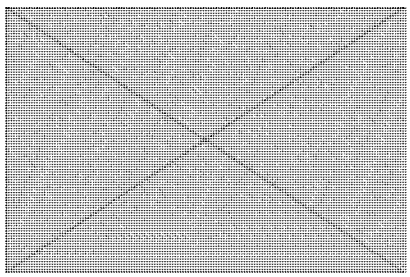
From David Harrison:

More and more Americans are quitting their jobs looking for better opportunities and that's good news for the economy.

david.harrison@wsj.com

AMERICAN OVERSIGHT

4.



Some investors are bolting from hedge-fund manager David Einhorn. Investors called him King David, and didn't mind the all-nighters in Vegas and on the New York City club scene—until Mr. Einhorn's Greenlight Capital fell into a slump. It lost billions, and is now losing investors, The Journal's Gregory Zuckerman writes.

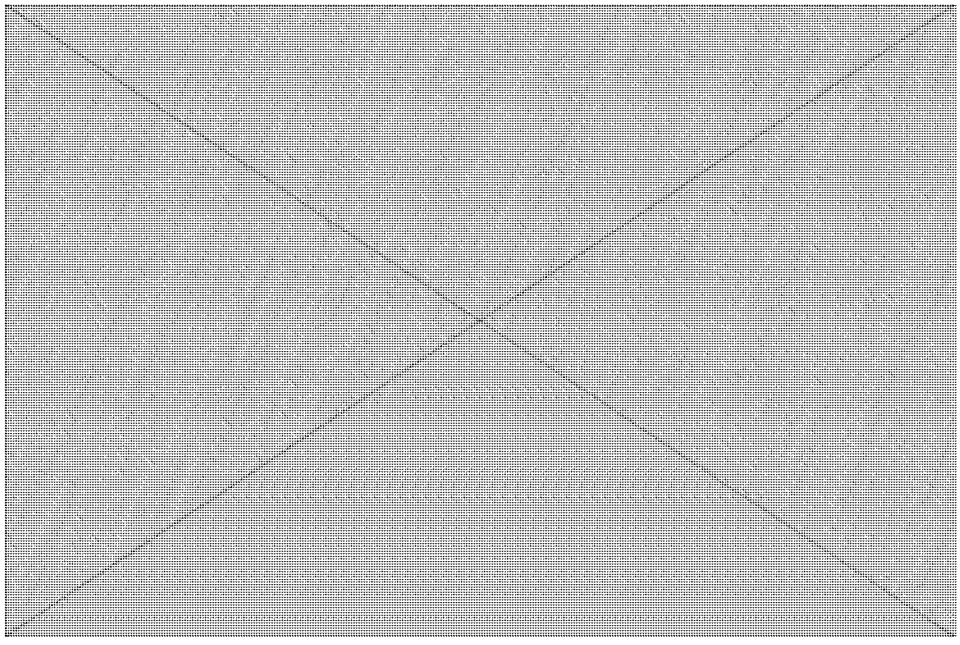
Share this email with a friend.
Forward

Forwarded this email by a friend?
Sign Up Here

5.

Rescuers in Thailand Race to Free Youth Soccer Team

AMERICAN OVERSIGHT



It's a drama that is keeping the world on edge. Twelve boys and their soccer coach were found alive Monday after spending 10 days underground in a flooded cave complex in Thailand. Rescuers are racing to drain an escape route ahead of worsening weather. A Thai government spokesman called for caution over time pressures to extract the boys. Others involved in the operation suggested an extraction could be imminent.

6.

Defiance in Poland After Supreme Court Overhaul. Malgorzata Gersdorf, the head of the country's Supreme Court, defied a judicial overhaul on Wednesday, showing up to work despite a government order calling for the retirement of 27 of the court's 82 judges, herself included. The overhaul has put the nationalist government on a collision course with the European Union.

7.

What We're Following

Pompeo Visits North Korea: Secretary of State Mike Pompeo will leave Thursday for North Korea to engage in the first high-level talks on eliminating Pyongyang's nuclear weapons and programs since the Singapore summit in June, U.S. officials said.

AMERICAN OVERSIGHT

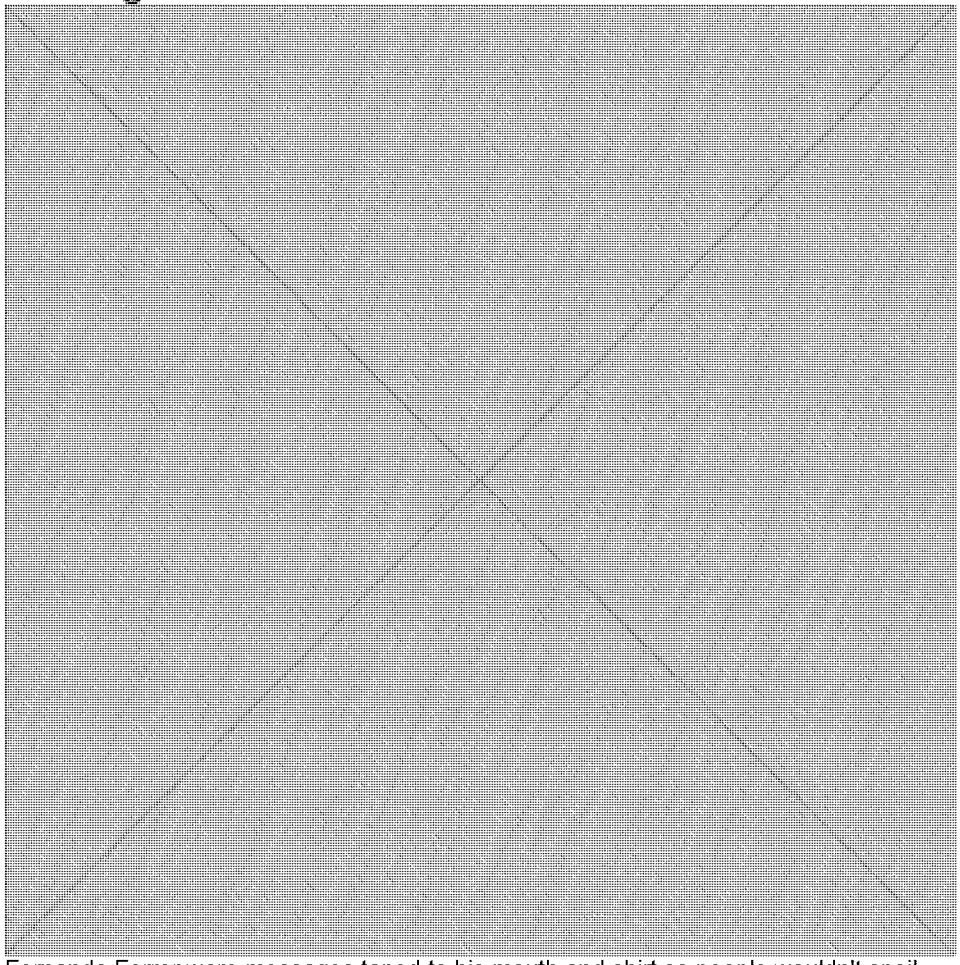
China's ZTE Replaces Executives: The telecom giant named a slate of new top executives, including a **new chief executive, as it presses ahead with its U.S.-mandated leadership purge.**

Fed Minutes: More details of **policy makers' outlook for the second half of the year are on tap later today when the Federal Reserve releases the minutes of its June meeting, ahead of the Labor Department's monthly employment report Friday.**

Trump Heads to Montana: The president will **host a campaign rally in Big Sky Country today in an effort to corral his supporters behind Matt Rosendale, the Republican state auditor who hopes to quash Democratic Sen. Jon Tester's hopes for a third term.**

8.

Trending Stories at WSJ.com



Fernando Ferrer wore messages taped to his mouth and shirt so people wouldn't spoil World Cup results before he could see the matches. PHOTO: FERNANDO FERRER

AMERICAN OVERSIGHT

- A lot of soccer fans end up finding out who wins in the World Cup before they can watch the games. Fans are going to extreme lengths to avoid spoilers. (Read)

- **An email inbox is a vault of secrets. In recent years, millions of users have been giving out the combination. (Read)**

- **Remember when phone calls meant people wanted to talk to you? When your phone rings these days, it's often a robocall. Here's how to get fewer of them. (Read)**

9.

What Else We're Reading

- China National Petroleum Corp. plans to help complete a refinery in Rio de Janeiro that already cost Brazil's state-controlled oil company Petrobras $14 billion before it was halted amid a widespread graft investigation. (Bloomberg)
- **Long before Viktor Vekselberg was tied to a scandal over the president and a porn star, the Russian oligarch had been positioning himself to extend his influence in the U.S. (AP)**

10.

Today's Question and Answer

Responding to Tuesday's question on how you planned to spend the Fourth of July, and whether you would **play Wiffle ball**, **Dave Whisner** of Arizona wrote: "Almost. I'll be playing pickleball, which some say is America's fastest growing sport....The game has been described as like playing ping-pong while standing on the table." **Christen Varley** of Ohio shared: "My daughter and I planned to finally rescue our badminton net from my brother's garage where it has been for 5 years. He has informed me he got rid of it a couple years ago. So Independence Day is ruined....I still have the rackets and shuttlecocks!" And **Tony and Mary Beth Mediavilla** of Florida said: "My wife and I will spend Fourth of July the same as any other Wednesday—as volunteers at our local Sarasota Medical Hospital!"

Question for tomorrow's 10-Point: Going back to **our story**

AMERICAN OVERSIGHT

above, are you finding it easier to job-hop? Why or why not? Email us your comments, which we may edit before publication, to 10point@wsj.com, and make sure to include your name and location.

The 10-Point was the name given to the news column that runs on the front page of The Wall Street Journal.

Today's 10-Point was compiled and edited by Jessica Menton (@JessicaMenton; jessica.menton@wsj.com) in New York.

Access WSJ.com and our mobile apps. Subscribe

LEAVE THIS BOX EMPTY

Unsubscribe | Newsletters & Alerts | Contact Us | Privacy Policy | Cookie Policy

Dow Jones & Company, Inc. 4300 U.S. Route 1 North Monmouth Junction, NJ 08852

You are currently subscribed as bowman.liz@epa.gov. For further assistance, please contact Customer Service at support@wsj.com or 1-877-891-2182.

Copyright 2018 Dow Jones & Company, Inc. | All Rights Reserved.

Unsubscribe

AMERICAN OVERSIGHT

EXT-18-783-F-003848

ED_001863D_00001898-00008

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Wed 6/20/2018 8:00:08 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov.*

Highlights

Leading the News

CDC Finds Fluorochemicals May Pose Risk at Levels Lower than EPA

By *Pat Rizzuto*

Exposure to two fluorochemicals increasingly detected in drinking water across the U.S. may pose health risks at exposure levels lower than those recommended by the EPA, according to information the Centers for Disease Control and Prevention released.

Trump's Superfund Nominee Makes Climate Pledge

By *Sylvia Carignan*

Plans to clean up some of the most contaminated sites in the U.S. will be more sensitive to severe weather risks and the effects of climate change, the White House's nominee to lead the EPA's Superfund cleanups promised senators June 20.

Pruitt's Ethics Allegations Dog Nominees for EPA Posts at Hearing

By *Sylvia Carignan*

Members of a Senate panel pressed two nominees for EPA posts, including Superfund program chief, for assurances they wouldn't fall prey to unethical behavior.

AMERICAN OVERSIGHT

Puerto Rican Grid Upgrades, Response Plan Urged by Energy Agency

By *Rebecca Kern*

An Energy Department report recommends updating the agency's response plans for future electricity-grid emergencies and replacing transmission towers with updated equipment as ways to make Puerto Rico's grid more resilient.

AMERICAN OVERSIGHT

Today's News

Taxpayer Groups Warm to Coolant Deal, Splitting Conservatives (Corrected)

By *Abby Smith*

A global deal to limit climate-warming coolants has its newest backers: a team of conservative taxpayer advocacy groups.

Low-Income Residents Forgotten in Climate Resilience Plans: Study

By *Ayanna Alexander*

Growing threats from climate change are putting city dwellers—particularly in low-income areas—at a higher risk of being affected.

Exxon Still Isn't Complying With Climate Subpoenas, N.Y. Says

By *Erik Larson*

Exxon Mobil Corp. is refusing to turn over documents crucial to New York's investigation into whether the oil giant's public statements about climate change misled investors, the state's top lawyer said.

Senate GOP Ally of Pruitt's Says Concerns Allayed After Meeting (1)

By *Ari Natter*

EPA Administrator Scott Pruitt's longtime friend and political ally on Capitol Hill is walking back his criticism of the embattled agency leader after the two met June 19 evening.

EPA Is Said to Propose Redistributing Waived Biofuel Quotas

By Mario Parker

The EPA is set to propose reallocating waived biofuel requirements from exempted refineries as part of a slate of renewable fuel quotas, according to a person briefed on the plans who asked not to be named before a formal announcement.

Syngenta Eyes 'A World With Less Pesticides'

By *Stephen Gardner*

AMERICAN OVERSIGHT

Pesticide giant Syngenta AG has a vision to improve the efficiency of farming to a degree that some agricultural land can be handed back to nature, a company official told Bloomberg Environment.

AMERICAN OVERSIGHT

Puerto Rico Signs Law to Overhaul Storm-Battered Energy Utility

By Yalixa Rivera

Puerto Rico Gov. Ricardo Rossello signed into law June 20 a bill that clears the way for the partial privatization of the island's bankrupt electric company, which has been plagued by aging infrastructure and mismanagement that left millions in the dark after Hurricane Maria.

AMERICAN OVERSIGHT

TransCanada Keystone XL May Be One Oil Pipeline Too Many

By *Robert Tuttle*

TransCanada Corp.'s Keystone XL may be one pipeline too many for Canada, at least for now.

Solar Prices Nosedive After China Pullback Floods Global Market

By *Christopher Martin*

Solar panels were already getting cheaper this year, and then China pulled the plug this month on about 20 gigawatts of domestic installations. The result was a glut of global inventories, and now prices are plunging even faster.

OPEC Told by Climate Czar to Pivot from Oil or Prepare to Suffer

By *Jonathan Tirone*

The world's biggest crude exporters need to support the transition away from oil or prepare for growing climate-induced destabilization that could wreck their markets, the United Nation's top environment official said.

Protectionism to Incentivize Countries to Adopt Carbon Pricing

By Mathew Carr

Protectionist politics is increasing the likelihood that more nations will adopt carbon pricing to help safeguard their industry from regions with limited climate policies, according to Equinor ASA's chief economist.

Oil and Gas Environmental Analysis Trimmed in Bill Panel OKs

By *Alan Kovski*

Federal obligations for environmental impact analyses in oil and gas fields would be reduced in some circumstances by a bill approved by the House Natural Resources Committee, the occasion for another round of argument over the National Environmental Policy Act.

Occidental Gets a $350 Million Edge as Permian Pipelines Fill Up

By *Ryan Collins* and *Kevin Crowley*

As many of its rivals struggle to move oil from the Permian Basin to the Gulf Coast in search of higher prices, Occidental Petroleum Corp. is sitting pretty at a time when pipeline space is at a premium.

AMERICAN OVERSIGHT

Carmakers Seen Wasting Billions on Electric, Autonomous Cars

By David Welch

Automakers are in a pickle. If they don't invest in electric cars and self-driving technology, investors shun them. If they do, they risk burning billions of dollars on cars that won't make money, according to a new study from consulting firm AlixPartners.

Petrobras Recovery Clouded by Candidates Attacking Fuel Prices

By *Vinicius Andrade* and *Sabrina Valle*

The political backlash to rising fuel prices in Brazil has wiped out nearly half of Petrobras' market value and delivered investors a harsh reminder of the perils facing government-controlled oil companies in an election year.

EPA: No Decision Yet on Tar Creek Audit Suit

By *Peter Hayes*

The EPA hasn't decided whether to release information about Administrator Scott Pruitt's refusal to make the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund public.

Daimler Faces German Shareholder Suit Over Diesel Emissions

By *Stephanie Bodoni*

Daimler AG was sued by a shareholder over whether the carmaker misled investors about the severity of the diesel emissions scandal that has enveloped most of the German auto industry.

Copperbelt Energy of Zambia Eyes $250 Million Power Investment

By *Kamlesh Bhuckory*

Copperbelt Energy Corp.—the Zambian electricity supplier with customers including Glencore Plc's copper mines—may invest as much as $250 million in solar projects and transmission lines in the neighboring Democratic Republic of Congo, Chief Executive Officer Owen Silavwe said.

Anglo American Gets Authorization to Prospect for Copper in Amazon

By *Michael Kepp*

Anglo American PLC received authorization to prospect for copper in two

AMERICAN OVERSIGHT

Amazon states in northern Brazil along rivers that flow through nearby Indian lands.

Icahn Expected to Speed Push for Sandridge Sale After Board Win

AMERICAN OVERSIGHT

By *Scott Deveau* and *Alex Nussbaum*

Carl Icahn's takeover of SandRidge Energy Inc.'s board means the shale gas explorer's days are likely numbered.

AMERICAN OVERSIGHT

Mobile Phone Apps Emerge as Latest Threat to Electric Utilities

By *Rachel Morison*

Utilities need to be more like technology companies to survive.

AMERICAN OVERSIGHT

Engie Gets $139 Million Tax Bill as EU Bans Luxembourg Pact

By *Stephanie Bodoni*

French energy utility Engie SA faces a 120 million-euro ($139 million) tax bill after the European Union said it benefited from an unfair fiscal arrangement with Luxembourg.

Shale Giant Says Permian Oil Faces Shut Ins on Pipe Shortage

By *Javier Blas*

The biggest U.S. shale region will have to shut wells within four months because there aren't enough pipelines to get the oil to customers, the head of one of the industry's largest producers said.

Tuesday Night Wrapup

Nova Chemicals Makes Plea to Reduce Patent Charge Lost to Dow

By *James Munson*

A global petrochemical company owned by the emirate of Abu Dhabi made a pitch to reduce a C$645 million ($485.5 million) patent charge by more than half in a Canadian court.

Exelon, First Solar Bankroll Campaign to Push a U.S. Carbon Tax

By Jennifer A. Dlouhy

Major energy companies, including the largest U.S. nuclear power generator, are putting millions of dollars into a new political campaign to push for a tax on carbon dioxide emissions—a measure President Donald Trump has said he opposes.

Natural Gas Export Boom Brings Challenges for Top Energy Regulator

By *Stephen Cunningham*

The top U.S. energy regulator is hiring private contractors for the first time to help clear a growing backlog of LNG export applications.

EPA Stands Pat on Chemical Spill Regulations, Despite Suit

By *David Schultz*

AMERICAN OVERSIGHT

The status quo will likely remain for companies that store chemicals in above-ground tanks.

AMERICAN OVERSIGHT

Japan's New Ivory Trade Rules Lack Adequate Teeth, Critics Say (Corrected)

By Brian Yap

Japanese businesses that sell ivory products, such as print-stamp seals used in contract work, will have stricter registration requirements and other obligations under new regulations, but loopholes weaken the revised ivory trade rule, critics say.

AMERICAN OVERSIGHT

House GOP Budget Plan Calls for More Strategic Oil Reserve Sales

By *Ari Natter*

House Republicans are calling for an additional sale of 100 million barrels of oil from the Strategic Petroleum Reserve.

One Amendment Could Help a Vulnerable Republican's Re-election

By *Katherine Scott*

A House Republican facing a tough re-election contest has a lot on the line as Senate leaders consider when to schedule a vote on a bill that would order the Army Corps of Engineers to expedite $78 million worth of work in one Iowa district.

EPA Sued For Permitting More Air Pollution Near National Parks

By *Amena H. Saiyid*

The EPA is facing a lawsuit for allowing factories and power plants that are expanding or constructing new facilities near national parks and wilderness areas to emit more pollution.

White House Weighs Long-Sought Environmental Review Changes

By *Alan Kovski*

The White House Council on Environmental Quality is ready to consider fundamental revisions to the implementing regulations of the National Environmental Policy Act, a law that has been the centerpiece of countless legal fights.

GOP Chairman Bows to Pressure, Will Hold Hearing on EPA's Pruitt (1)

By *Dean Scott*

The chairman of the Senate environment panel bowed to pressure from Democratic and Republican critics alike June 19, agreeing to hold a hearing in August on embattled EPA head Scott Pruitt.

AMERICAN OVERSIGHT

Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/18/2018 2:12:27 PM
Subject: POLITICO's Morning Score, presented by AARP: Trump takes center stage in North Dakota Senate race — U.S. Chamber boosts Donovan in NY-11 TV ad — Elsewhere on the whistlestop tour

By Zach Montellaro | 06/18/2018 10:00 AM EDT

With Daniel Strauss

THE WHITE HOUSE IS TRYING TO HEAL a wound opened up with Rep. Kevin Cramer (R-N.D.), one of the GOP's best hopes at picking off an endangered Democrat in the Senate.

Cramer tweeted that the president will host a campaign rally with him in Fargo on June 27. The announcement came on Friday, the same day Cramer visited the White House for a meeting between Secretary of Commerce Wilbur Ross and a group of North Dakota farmers.

The plans came after a week of unusual public sniping between the White House and a Senate nominee in a top target state. Cramer expressed frustration that the president is being too kind to his opponent, incumbent Sen. Heidi Heitkamp (D-N.D.), telling The Washington Post last week that because she's a woman the president might not "want to be that aggressive." He has also lashed out at White House legislative affairs director Marc Short (who, by the way, told colleagues he plans to leave the White House soon, via POLITICO's Nancy Cook).

But if Cramer is frustrated, he may have Heitkamp to blame more than Trump. The president did make an initial tweet endorsing Cramer, but Heitkamp has given the tweetstorm-friendly Trump relatively few targets compared to some of her fellow Senate Democrats. She has voted with the president more than 50 percent of the time, according to a tracker from FiveThirtyEight. This includes major votes in contested confirmation battles, like for Supreme Court Justice Neil Gorsuch and CIA Director Gina Haspel.

And until the attacks on Heitkamp ramp up (and we're sure they will at the rally — bets on nicknames, anyone?), North Dakota Democrats have been all too happy to rub it in Cramer's nose. Heitkamp's campaign released an ad touting her voting record last week. "I voted over half the time with President Trump," she said in the ad. "And that made a lot of people in Washington mad, but when I agree with him, I vote with him." The state Democratic Party has also sent out videos mocking Cramer while highlighting the president praising Heitkamp.

FIRST IN SCORE — U.S. Chamber boosts Donovan in NY-11 TV ad: The U.S. Chamber of Commerce is out with a TV ad supporting Rep. Dan Donovan in his GOP primary bid against former Rep. Michael Grimm. "Why did President Donald Trump endorse Dan Donovan? Because Dan Donovan is a true conservative," the TV ad's narrator says, flashing a picture of the pair. "He's the ally President Trump needs in Washington." **Watch the ad here.**

Good Monday morning. I'm Zach Montellaro, and I'm very excited to be your new, permanent host for Morning Score. Email me your tips, musings and introductions to zmontellaro@politico.com, and follow me on Twitter at @ZachMontellaro**.** Today I had help

AMERICAN OVERSIGHT

from Daniel Strauss (dstrauss@politico.com; @DanielStrauss4).

You can email the rest of the great Campaign Pro team at sbland@politico.com, eschneider@politico.com,, mseverns@politico.com and jarkin@politico.com. Follow us on Twitter: @PoliticoScott, @ec_schneider, @MaggieSeverns and @JamesArkin.

Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman and Playbook Florida author Marc Caputo for a special Playbook Elections event in the battleground state of Florida to discuss the 2018 midterm cycle and issues shaping the races. Part of the POLITICO-AARP Deciders series, this event will feature exclusive interviews with Debbie Mucarsel-Powell, David Richardson and Donna Shalala about their candidacies and campaign efforts to address the issues that matter most to voters. The event will take place Friday, June 29 at InterContinental Miami. Doors will open at 8 a.m. RSVP here.

Days until the 2018 election: 141.

Upcoming election dates — June 26: Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — New Hampshire: June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

ELSEWHERE ON THE WHISTLESTOP TOUR — The president will headline a fundraiser on behalf of Sen. Dean Heller (R-Nev.) on Saturday in Las Vegas, CNN's Rebecca Berg reports: "Tickets start at $15,000 per couple for a photo reception with the President, according to an invite obtained by CNN from a state Republican source, while donors of at least $50,000 can attend a "private roundtable" with the President. Trump is also slated to address the Nevada State Republican Convention, the source said."

— ClearPath Action Fund announced it is planning to spend $500,000 to support Heller. The support will include a new digital buy praising Heller as a "clean energy champion."

— The NRSC launched a new digital ad praising Heller's work with veterans. The buy backing it is five figures.

FROM THE BADGER STATE — Wisconsin Democrats are flush with cash and hoping to stage a comeback in the state this year to pave the way for 2020. POLITICO's David Siders reports from Oshkosh, Wisc.: "[T]wo years after [Trump's] stunning victory in the state, shell-shocked Democrats are beginning to pick up the pieces, pouring money and resources into the state in a test run for a rematch with Trump in 2020. Interviews with nearly two dozen local

AMERICAN OVERSIGHT

party officials, candidates and operatives here describe an ongoing effort marked by unprecedented organizing and millions of dollars from out-of-state donors — a reflection of the party's urgency in reshaping the 2020 landscape in the upper Midwest, a Democratic bulwark that Trump toppled in 2016. ...

"Already, more than $7 million has been committed this year toward efforts to reclaim Wisconsin. In recent months, billionaire Democrat Tom Steyer's NextGen America has designated $2.5 million to register and turn out young voters. Eric Holder's National Democratic Redistricting Committee has spent $675,000 on the midterm elections so far. The Democratic Governors Association has reserved about $4 million in air time in preparation for a top-of-the-ticket brawl with Gov. Scott Walker in the fall."

EXPANDING THE BATTLEFIELD — The DCCC named 10 more candidates to its "Red to Blue" program, the top targets across the country. The program now has 53 candidates. **The new 10:** Josh Harder (CA-10), Katie Hill (CA-25), Katie Porter (CA-45), Mike Levin (CA-49), Cindy Axne (IA-03), Scott Wallace (PA-01), Susan Wild (PA-07), Abigail Spanberger (VA-07), Jennifer Wexton (VA-10) and Dan Kohl (WI-06). All but Kohl have already won their primaries, and he's running unopposed.

— **The Congressional Progressive Caucus PAC** also endorsed five more candidates: Hill, Gil Cisneros (CA-39), Porter, Deb Haaland (NM-01) and Madeleine Dean (PA-04).

COMING TO AN AD NEAR YOU — If you live in a Republican-held swing district, chances are you'll see an ad from your incumbent representative touting their leadership on the opioid crisis. POLITICO's Brianna Ehley and Jennifer Haberkorn : "House leadership will bring more than 70 such bills to the floor by the end of the month, many sponsored by the most vulnerable members of the GOP conference. The schedule allows lawmakers to show they're trying to combat a public health emergency that claims 115 lives per day and is a top concern of midterm voters. But it's a cumbersome, piecemeal approach involving hours of votes on narrow bills that Democrats complain don't go far enough and are being rushed through the legislative mill."

FUNDRAISING CIRCUIT — Donald Trump Jr. will headline a fundraiser in Montana for Republican Senate nominee Matt Rosendale, Campaign Pro's James Arkin reports: "The fundraiser is hosted by Rosendale, Montana's state auditor, along with Sen. Steve Daines and Rep. Greg Gianforte , according to the invitation. The event will benefit Rosendale's joint fundraising committee with the state Republican Party. Immediately following the June 22 fundraiser, Trump Jr. will give the keynote speech at the Montana Republican Party's platform convention dinner, where Rosendale, Daines and Gianforte will all be speaking." The invitation.

NEW INTERNAL IN MO-SEN — A fresh internal poll from Senate Majority PAC has Sen. Claire McCaskill (D-Mo.) leading Republican state Attorney General Josh Hawley 47 percent to 41 percent. The poll was conducted by Global Strategy Group. It was a live telephone poll of likely midterm voters and was in the field June 11-13. An April survey from SMP had her lead at 2 percent, while an internal from Hawley's camp at the end of April had him up one.

AMERICAN OVERSIGHT

— **FIRST IN SCORE:** Missouri Rising Action is up with a new digital ad bashing McCaskill over her use of a private plane (which was reported last week) featuring late night host Seth Meyers cracking a joke at her expense. See the ad.

WORTH NOTING — The president will meet with House Republicans Tuesday evening to talk about where he stands on legislation that would protect DREAMers, POLITICO's Rachel Bade reports.

2020 ALREADY? — The DNC announced that it will hold its 2020 national convention July 13-16, ahead of that year's summer Olympics. The announcement from the committee notes the move will allow "the nominee more time to use general election funds and travel across the country." CNN's Dan Merica (who broke the news) notes that it comes about two weeks earlier in the calendar than the 2016 convention and that it will be the earliest held by either party in more than two decades. Campaign Pro's own Daniel Strauss reported that cities including Atlanta, Birmingham, Denver, Houston, Miami Beach, Milwaukee, New York and San Francisco are in the mix to host.

— **One of the Dems that could be on that stage?** New Jersey Sen. Cory Booker. CNN's Eric Bradner interviewed the junior senator from the Garden State (while they were riding the Acela) and Booker was fairly candid: "I'm not going to play coy. I'm sure after the midterm elections, I'll give it a look. ... But to me, my momentum, my energy, my focus is 2018 and making sure I get re-elected in 2020." He also reflected on the stain of a his political career — "of all the titles that I sincerely seek in my life, more than anything else is ... to be a husband, and a father. And I've made tremendous sacrifices" — and how his party can return from the political wilderness: "My party has got to focus on not being anti-Trump. It's not about what you're against in life. It's what you're for."

— **Plus, Cambridge Analytica is still kicking** in Trumpworld, and has begun doing early 2020 work. The AP's Jeff Horowitz reports that a new firm called Data Propria, which is run by ex-Cambridge staffers, has quietly been working on the president's reelection efforts. Matt Oczkowski, the Cambridge exec who is leading the new company, "denied a link to the Trump campaign, but acknowledged that his new firm has agreed to do 2018 campaign work for the Republican National Committee. ...

"The AP learned of Data Propria's role in Trump's re-election effort as a result of conversations held with political contacts and prospective clients in recent weeks by Oczkowski. In one such conversation, which took place in a public place and was overheard by two AP reporters, Oczkowski said he and Trump's 2020 campaign manager, Brad Parscale, were 'doing the president's work for 2020.'" Oczkowski told that AP that whatever was overheard about 2020 was speculative, but the AP reported that a source has confirmed that 2020 work has already begun.

STAFFING UP — Dayton press secretary joins Ellison campaign for MN attorney general: Sam Fettig, who has served as press secretary and senior communications adviser to Minnesota Gov. Mark Dayton, is joining Rep. Keith Ellison's campaign for attorney general as communications director.

AMERICAN OVERSIGHT

CODA — QUOTE OF THE DAY: "It's sort of a weird experience. I wrote to one of my sons - I said the good part of a funeral is you get the eulogies," Rep. Mark Sanford (R-S.C.) on talking to his colleagues after losing his primary, to Rolling Stone.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/18/trump-takes-center-stage-in-north-dakota-senate-race-257310

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/18/2018 2:12:19 PM
Subject: POLITICO's Morning Score, presented by AARP: Trump takes center stage in North Dakota Senate race — U.S. Chamber boosts Donovan in NY-11 TV ad — Elsewhere on the whistlestop tour

By Zach Montellaro | 06/18/2018 10:00 AM EDT

With Daniel Strauss

THE WHITE HOUSE IS TRYING TO HEAL a wound opened up with Rep. Kevin Cramer (R-N.D.), one of the GOP's best hopes at picking off an endangered Democrat in the Senate.

Cramer tweeted that the president will host a campaign rally with him in Fargo on June 27. The announcement came on Friday, the same day Cramer visited the White House for a meeting between Secretary of Commerce Wilbur Ross and a group of North Dakota farmers.

The plans came after a week of unusual public sniping between the White House and a Senate nominee in a top target state. Cramer expressed frustration that the president is being too kind to his opponent, incumbent Sen. Heidi Heitkamp (D-N.D.), telling The Washington Post last week that because she's a woman the president might not "want to be that aggressive." He has also lashed out at White House legislative affairs director Marc Short (who, by the way, told colleagues he plans to leave the White House soon, via POLITICO's Nancy Cook).

But if Cramer is frustrated, he may have Heitkamp to blame more than Trump. The president did make an initial tweet endorsing Cramer, but Heitkamp has given the tweetstorm-friendly Trump relatively few targets compared to some of her fellow Senate Democrats. She has voted with the president more than 50 percent of the time, according to a tracker from FiveThirtyEight. This includes major votes in contested confirmation battles, like for Supreme Court Justice Neil Gorsuch and CIA Director Gina Haspel.

And until the attacks on Heitkamp ramp up (and we're sure they will at the rally — bets on nicknames, anyone?), North Dakota Democrats have been all too happy to rub it in Cramer's nose. Heitkamp's campaign released an ad touting her voting record last week. "I voted over half the time with President Trump," she said in the ad. "And that made a lot of people in Washington mad, but when I agree with him, I vote with him." The state Democratic Party has also sent out videos mocking Cramer while highlighting the president praising Heitkamp.

FIRST IN SCORE — U.S. Chamber boosts Donovan in NY-11 TV ad: The U.S. Chamber of Commerce is out with a TV ad supporting Rep. Dan Donovan in his GOP primary bid against former Rep. Michael Grimm. "Why did President Donald Trump endorse Dan Donovan? Because Dan Donovan is a true conservative," the TV ad's narrator says, flashing a picture of the pair. "He's the ally President Trump needs in Washington." **Watch the ad here.**

Good Monday morning. I'm Zach Montellaro, and I'm very excited to be your new, permanent host for Morning Score. Email me your tips, musings and introductions to zmontellaro@politico.com, and follow me on Twitter at @ZachMontellaro**.** Today I had help

AMERICAN OVERSIGHT

from Daniel Strauss (dstrauss@politico.com; @DanielStrauss4).

You can email the rest of the great Campaign Pro team at sbland@politico.com, eschneider@politico.com,, mseverns@politico.com and jarkin@politico.com. Follow us on Twitter: @PoliticoScott, @ec_schneider, @MaggieSeverns and @JamesArkin.

Join POLITICO Playbook co-authors Anna Palmer and Jake Sherman and Playbook Florida author Marc Caputo for a special Playbook Elections event in the battleground state of Florida to discuss the 2018 midterm cycle and issues shaping the races. Part of the POLITICO-AARP Deciders series, this event will feature exclusive interviews with Debbie Mucarsel-Powell, David Richardson and Donna Shalala about their candidacies and campaign efforts to address the issues that matter most to voters. The event will take place Friday, June 29 at InterContinental Miami. Doors will open at 8 a.m. RSVP here.

Days until the 2018 election: 141.

Upcoming election dates — June 26: Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — New Hampshire: June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

** **Presented by AARP:** There's only one true deciding factor in this year's elections: 50-plus voters. They won't be ignored and their votes are up for grabs. Medicare, Social Security, support for family caregivers, and prescription drug costs are all on the line—so you can be sure they'll be voting in record numbers.
aarp.org/vote **

ELSEWHERE ON THE WHISTLESTOP TOUR — The president will headline a fundraiser on behalf of Sen. Dean Heller (R-Nev.) on Saturday in Las Vegas, CNN's Rebecca Berg reports: "Tickets start at $15,000 per couple for a photo reception with the President, according to an invite obtained by CNN from a state Republican source, while donors of at least $50,000 can attend a "private roundtable" with the President. Trump is also slated to address the Nevada State Republican Convention, the source said."

— ClearPath Action Fund announced it is planning to spend $500,000 to support Heller. The support will include a new digital buy praising Heller as a "clean energy champion."

— The NRSC launched a new digital ad praising Heller's work with veterans. The buy backing it is five figures.

FROM THE BADGER STATE — Wisconsin Democrats are flush with cash and hoping to stage a comeback in the state this year to pave the way for 2020. POLITICO's David Siders reports from Oshkosh, Wisc.: "[T]wo years after [Trump's] stunning victory in the state, shell-shocked Democrats are beginning to pick up the pieces, pouring money and resources into the state in a test run for a rematch with Trump in 2020. Interviews with nearly two dozen local

AMERICAN OVERSIGHT

party officials, candidates and operatives here describe an ongoing effort marked by unprecedented organizing and millions of dollars from out-of-state donors — a reflection of the party's urgency in reshaping the 2020 landscape in the upper Midwest, a Democratic bulwark that Trump toppled in 2016. ...

"Already, more than $7 million has been committed this year toward efforts to reclaim Wisconsin. In recent months, billionaire Democrat Tom Steyer's NextGen America has designated $2.5 million to register and turn out young voters. Eric Holder's National Democratic Redistricting Committee has spent $675,000 on the midterm elections so far. The Democratic Governors Association has reserved about $4 million in air time in preparation for a top-of-the-ticket brawl with Gov. Scott Walker in the fall."

EXPANDING THE BATTLEFIELD — The DCCC named 10 more candidates to its "Red to Blue" program, the top targets across the country. The program now has 53 candidates. **The new 10:** Josh Harder (CA-10), Katie Hill (CA-25), Katie Porter (CA-45), Mike Levin (CA-49), Cindy Axne (IA-03), Scott Wallace (PA-01), Susan Wild (PA-07), Abigail Spanberger (VA-07), Jennifer Wexton (VA-10) and Dan Kohl (WI-06). All but Kohl have already won their primaries, and he's running unopposed.

— **The Congressional Progressive Caucus PAC** also endorsed five more candidates: Hill, Gil Cisneros (CA-39), Porter, Deb Haaland (NM-01) and Madeleine Dean (PA-04).

COMING TO AN AD NEAR YOU — If you live in a Republican-held swing district, chances are you'll see an ad from your incumbent representative touting their leadership on the opioid crisis. POLITICO's Brianna Ehley and Jennifer Haberkorn : "House leadership will bring more than 70 such bills to the floor by the end of the month, many sponsored by the most vulnerable members of the GOP conference. The schedule allows lawmakers to show they're trying to combat a public health emergency that claims 115 lives per day and is a top concern of midterm voters. But it's a cumbersome, piecemeal approach involving hours of votes on narrow bills that Democrats complain don't go far enough and are being rushed through the legislative mill."

FUNDRAISING CIRCUIT — Donald Trump Jr. will headline a fundraiser in Montana for Republican Senate nominee Matt Rosendale, Campaign Pro's James Arkin reports: "The fundraiser is hosted by Rosendale, Montana's state auditor, along with Sen. Steve Daines and Rep. Greg Gianforte , according to the invitation. The event will benefit Rosendale's joint fundraising committee with the state Republican Party. Immediately following the June 22 fundraiser, Trump Jr. will give the keynote speech at the Montana Republican Party's platform convention dinner, where Rosendale, Daines and Gianforte will all be speaking." The invitation.

NEW INTERNAL IN MO-SEN — A fresh internal poll from Senate Majority PAC has Sen. Claire McCaskill (D-Mo.) leading Republican state Attorney General Josh Hawley 47 percent to 41 percent. The poll was conducted by Global Strategy Group. It was a live telephone poll of likely midterm voters and was in the field June 11-13. An April survey from SMP had her lead at 2 percent, while an internal from Hawley's camp at the end of April had him up one.

AMERICAN OVERSIGHT

— **FIRST IN SCORE:** Missouri Rising Action is up with a new digital ad bashing McCaskill over her use of a private plane (which was reported last week) featuring late night host Seth Meyers cracking a joke at her expense. See the ad.

WORTH NOTING — The president will meet with House Republicans Tuesday evening to talk about where he stands on legislation that would protect DREAMers, POLITICO's Rachel Bade reports.

2020 ALREADY? — The DNC announced that it will hold its 2020 national convention July 13-16, ahead of that year's summer Olympics. The announcement from the committee notes the move will allow "the nominee more time to use general election funds and travel across the country." CNN's Dan Merica (who broke the news) notes that it comes about two weeks earlier in the calendar than the 2016 convention and that it will be the earliest held by either party in more than two decades. Campaign Pro's own Daniel Strauss reported that cities including Atlanta, Birmingham, Denver, Houston, Miami Beach, Milwaukee, New York and San Francisco are in the mix to host.

— **One of the Dems that could be on that stage?** New Jersey Sen. Cory Booker. CNN's Eric Bradner interviewed the junior senator from the Garden State (while they were riding the Acela) and Booker was fairly candid: "I'm not going to play coy. I'm sure after the midterm elections, I'll give it a look. ... But to me, my momentum, my energy, my focus is 2018 and making sure I get re-elected in 2020." He also reflected on the stain of a his political career — "of all the titles that I sincerely seek in my life, more than anything else is ... to be a husband, and a father. And I've made tremendous sacrifices" — and how his party can return from the political wilderness: "My party has got to focus on not being anti-Trump. It's not about what you're against in life. It's what you're for."

— **Plus, Cambridge Analytica is still kicking** in Trumpworld, and has begun doing early 2020 work. The AP's Jeff Horowitz reports that a new firm called Data Propria, which is run by ex-Cambridge staffers, has quietly been working on the president's reelection efforts. Matt Oczkowski, the Cambridge exec who is leading the new company, "denied a link to the Trump campaign, but acknowledged that his new firm has agreed to do 2018 campaign work for the Republican National Committee. ...

"The AP learned of Data Propria's role in Trump's re-election effort as a result of conversations held with political contacts and prospective clients in recent weeks by Oczkowski. In one such conversation, which took place in a public place and was overheard by two AP reporters, Oczkowski said he and Trump's 2020 campaign manager, Brad Parscale, were 'doing the president's work for 2020.'" Oczkowski told that AP that whatever was overheard about 2020 was speculative, but the AP reported that a source has confirmed that 2020 work has already begun.

STAFFING UP — Dayton press secretary joins Ellison campaign for MN attorney general: Sam Fettig, who has served as press secretary and senior communications adviser to Minnesota Gov. Mark Dayton, is joining Rep. Keith Ellison's campaign for attorney general as communications director.

AMERICAN OVERSIGHT

CODA — QUOTE OF THE DAY: "It's sort of a weird experience. I wrote to one of my sons - I said the good part of a funeral is you get the eulogies," Rep. Mark Sanford (R-S.C.) on talking to his colleagues after losing his primary, to Rolling Stone.

** **Presented by AARP:** Americans 50 and over are the nation's most powerful voting bloc. In fact, more than 60 million of them voted in 2016—and this year, they're more motivated than ever to making sure that their voices are heard in Washington.
They're frustrated with broken government. And they're fed up with politicians who'd rather get into fights than get results. The issues they care about most including Medicare, Social Security, support for family caregivers and prescription drug costs, are all on the line. America's 50-plus voters have put the candidates on notice. Anyone who ignores them will feel it on Election Day. aarp.org/vote **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/18/trump-takes-center-stage-in-north-dakota-senate-race-257310

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Bloomberg Environment - Environment & Energy Report
Sent: Fri 6/15/2018 8:08:58 PM
Subject: Environment & Energy Report Highlights

Environment & Energy Report

The Environment & Energy Report is brought to you by the EPA National Library Network. Please note, these materials may be copyrighted and should not be forwarded outside of the U.S. EPA. If you have any questions or no longer wish to receive these messages, please email *epalibrarynetwork@epa.gov.*

Highlights

Leading the News

Trump Pick for Environment Council Faces Easier Confirmation Path
By *Abby Smith*
Democratic senators and environmentalists agree that President Donald Trump's new pick to chair the White House environment shop is a step in a better—or at least more tolerable—direction.

EPA's Pruitt Got Rose Bowl Tickets. Democrats Want to Know How (1)
By Terrence Dopp (Bloomberg) and Jennifer A. Dlouhy (Bloomberg)
Environmental Protection Agency Administrator Scott Pruitt obtained tickets to the Rose Bowl with the help of a firm that does public affairs and communications work for energy companies—and a top congressional Democrat wants to know the details.

Trump Happy With Pruitt's Performance, But Not His Scandals (1)
By *Jennifer A. Dlouhy*
President Donald Trump says Scott Pruitt's done "a fantastic job" but that he's "not happy" about some of the EPA administrator's actions, amid numerous ethics probes that have cast doubt on Pruitt's continued tenure at the agency.

Stormy Sailing Expected When Marine Fuel Standard Changes

AMERICAN OVERSIGHT

By *Alan Kovski*

A surge in demand is coming for diesel and related fuels as shipping companies close in on a deadline to reduce sulfur emissions.

AMERICAN OVERSIGHT

Today's News

Trump Solar Tariffs Shine on After Court Challenge

By *Brian Flood*

A group of Canadian manufacturers lost their bid to temporarily escape the blanket "safeguard" tariffs the Trump administration imposed on imported solar power products.

Trump's Tariffs Are a 'Glancing Blow' for Wind Power, Batteries

By *Brian Eckhouse* and *Jim Efstathiou Jr.*

President Donald Trump's tariffs on $50 billion in Chinese imports include duties on components for wind turbines, nuclear reactors and batteries—but they are unlikely to cripple any of those industries.

Conservatives May Withhold Support in Farm Bill Revote

By *Teaganne Finn*

Conservative lawmakers remain non-committal a week before the deadline to revive the House farm bill after its May defeat over an unrelated immigration bill and tighter eligibility rules for federal food assistance.

U.S. 'Hashing Out' Details of Coal-Nuclear Rescue Plan: Perry

By *Alex Nussbaum* and *Jonathan Gilbert*

The Energy Department is still working on a proposed Trump administration plan to stem closures of U.S. coal and nuclear plants, Energy Secretary Rick Perry said from the Group of 20 summit in Bariloche, Argentina.

Sensient Colors Strikes Deal With EPA to Clean Up St. Louis Site (1)

By *Sylvia Carignan*

Sensient Colors LLC, a food and cosmetic dye company, is agreeing to clean up contamination and pay penalties for environmental violations stemming from its Missouri operations.

EPA Calls for Cleanups at 26 Sites Near Colorado's Gold King Mine

By *Tripp Baltz*

AMERICAN OVERSIGHT

Cleanup actions costing nearly $10 million have been proposed by the EPA for 26 sites in the Colorado Superfund district where Gold King Mine—the source of a large wastewater release in 2015—is located.

AMERICAN OVERSIGHT

Smelly Hog Farm Lawsuit Limits Unite Critics on Left, Right in N.C.

By *Andrew M. Ballard*

North Carolina lawmakers are looking to further restrict damage awards stemming from lawsuits against smelly hog farms.

AMERICAN OVERSIGHT

Another Problem for Pruitt: Deadline in Tar Creek Audit Suit

By *Peter Hayes*

The EPA faces a June 19 deadline to tell a federal court if it will release information about Administrator Scott Pruitt's refusal to release the results of audits finding potentially criminal conduct in the operation of a hazardous waste fund.

New York Chemical Disclosure Rule Vexes Companies, May Fail Public

By *Pat Rizzuto*

New York state's regulation requiring cleaning product manufacturers to publicly disclose the chemicals in their products could fail to achieve its goals, said a senior director at Seventh Generation Inc.

Northeast Carbon Allowance Prices Up Slightly at Latest Auction

By *Gerald B. Silverman*

The cost for electric power companies to comply with the Northeast's carbon trading program rose by 6 percent in the latest auction of carbon allowances by the Regional Greenhouse Gas Initiative.

Shut Spigot at Foxconn's Flat Screen Plant Could Challenge Operation

By *Stephen Joyce*

Foxconn's proposed $10 billion manufacturing facility in southern Wisconsin could be in jeopardy after a state agency granted an environmental group's request for a hearing about a state-approved water permit.

Exxon Doubles Down on Oil

By Kevin Crowley

In the late 19th century, inventors including Thomas Edison created electric lighting that all but ended demand for kerosene, then the biggest product made from petroleum. Oil magnate John D. Rockefeller, the forefather of Exxon Mobil Corp., was unmoved, seeing any price dip as a chance to buy up competitors.

Ontario Premier-Elect to End Carbon Plan in Challenge to Trudeau

By Greg Quinn

Ontario's Progressive Conservatives will scrap the province's cap-and-trade program and pull out of the carbon-trading market with Quebec and California in

AMERICAN OVERSIGHT

its first act of government.

Ontario Scraps Carbon-Reduction Plan as It Expands Elsewhere

AMERICAN OVERSIGHT

By *Greg Quinn* and *Jim Efstathiou Jr.*

Ontario will scrap its cap-and-trade program and pull out of the carbon-trading market with Quebec and California, even as pollution pricing expands in other regions of the world.

AMERICAN OVERSIGHT

Cambridge University Sees Need for Yield From Fossil-Fuel Assets

By Mathew Carr and Anna Hirtenstein

Cambridge University can't immediately divest from fossil-fuel assets held by the school's 3 billion-pound ($4 billion) endowment because it needs the yield to finance its academic program.

AMERICAN OVERSIGHT

Sweden Seeking EU-wide Ban on Chemical Paraffins

By *Marcus Hoy*

A chemical commonly used in electrical cable insulation as a plasticizer and flame retardant would be banned across the European Union if regulators agree to a proposal by Sweden.

China's Silk Road to Back $3.9 Billion Solar Project, ACWA Says

By Anna Hirtenstein and Vinicy Chan

China's Silk Road Fund Co Ltd. is investing in the world's largest solar thermal plant that's under development in Dubai, an executive at the company promoting the project said.

Coping With Eskom's Cuts: South Africans Brace for Power Outages

By *Marcia Klein* (Bloomberg Environment), *Ntando Thukwana* (Bloomberg), and *Paul Burkhardt* (Bloomberg)

What happens when a country's largest utility can't pay its bills? That's what South Africans are finding out as state-owned utility, Eskom, struggles to keep power stations running while workers protesting over stagnant wages hamper block access to its facilities.

Eskom Says Implementation of Stage 1 Power Cuts Lifted

By Hilton Shone

South Africa's state-owned power utility has halted rolling power cuts announced June 15.

Wellington Pushes ESG 2.0 Focusing on Alpha More Than Altruism

By Charles Stein

About 30 analysts and portfolio managers at Wellington Management get together every couple of weeks to discuss climate change.

Thursday Night Wrapup

Daniel Simmons Tapped to Head Energy Department Renewables Office

By *Rebecca Kern*

Daniel Simmons, current acting head of the Energy Department's Energy

AMERICAN OVERSIGHT

Efficiency and Renewable Energy Office, was tapped by the White House to become assistant secretary for solar and wind development.

Farmworkers Get Updated Pesticide Training With New EPA Guidance

AMERICAN OVERSIGHT

By *Ayanna Alexander*

Farmworkers will get updated training on handling pesticides after the EPA June 14 released long-sought updates to the requirements.

AMERICAN OVERSIGHT

EPA Adopting New Policies for Lead Paint After Whistleblower Case

By *Adam Allington*

The Environmental Protection Agency released new guidelines designed to help prevent exposing children and pregnant women to lead dust during repairs or renovations of older housing.

Climate Impacts Need to be Considered in Oil, Gas Lease: Court

By *Alan Kovski*

Federal agencies leasing properties for oil and gas drilling must analyze the foreseeable impacts of greenhouse gases—not only from the lease sites but from downstream activities such as automotive fuel combustion and from cumulative emissions of any sources, a court ruled.

Avangrid Confident on Approval of New England Hydropower Project (1)

By *Adrianne Appel*

Avangrid Inc. says it is confident it can overcome environmentalists' opposition and receive Massachusetts' approval early next year for a project that would deliver hydropower to Bay State residents for about 20 years.

Heavy-Duty Vehicle Rules in Canada Target Next Decade's Emissions

By *James Munson*

Buses, trucks, and vans will have to be sleeker, smarter, and more efficient to meet new carbon emissions rules in Canada.

Canada Court Dismisses Ciba Appeal Over Mine Waste Patent

By *James Munson*

Canada's top court decided not to hear a patent case involving two global wastewater treatment companies June 14, depriving one of the firms of its last chance to reinstate a patent used in mining.

Industry Voices Concern as Norway Adopts EU Ship Recycling Rule

By *Marcus Hoy*

The Norwegian shipping industry objected to some elements of the European Union's approach to ship recycling after the government announced it will adopt the EU Ship Recycling Regulation.

AMERICAN OVERSIGHT

Blowback Over Japanese Plan to Reuse Tainted Soil From Fukushima

By *Brian Yap*

Japan's plan to reuse soil contaminated with radiation from the Fukushima-

AMERICAN OVERSIGHT

Daiichi nuclear power plant accident for agriculture is sparking something of its own nuclear reaction.

AMERICAN OVERSIGHT

1801 South Bell Street, Arlington, VA 22202
Copyright © 2018 The Bureau of National Affairs, Inc. and Bloomberg LP

Manage Your Subscriptions
Unsubscribe
Web Version
Contact Us

Privacy Policy
Terms of Service .

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Thur 6/14/2018 2:07:17 PM
Subject: POLITICO's Morning Score: Anti-Trump candidates retreat — NDRC affiliate supports challenges in three districts — Senate GOP shuns Stewart

By Daniel Strauss | 06/14/2018 10:00 AM EDT

With Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

LAST STAND — "This is the new Republican Party" by POLITICO's Edward-Isaac Dovere: "Put a blond combover on the elephant. Take down the pictures of Abraham Lincoln and Ronald Reagan. It's over. It's Donald Trump's GOP. The anti-Trump candidates are fleeing, and the ones who stick around are getting trampled.

"The chill has gone out among whoever's left: there's no more speaking up, and if there is, it's just for the sake of a speech, a protest quote that quickly disappears. They chalk it up to party loyalty, or staying unified for the midterms. They say they still believe in the principles, but they don't tend to do more than say the words. Then, when the microphones are off, they confide. They complain. They nurse fantasies that there's a reckoning coming, that maybe this will all end with the Republican Party nominating someone like Eisenhower. Or at least like Paul Ryan.

"And each time they watch another of their own go down, they wince, try to move on. Don't look back. Try to forget. 'This business is a lot like being a professional fighter: Over the course of it, you get a lot of shots to the head, and sooner or later, you're knocked out,' said Rep. Tom Cole (R-Okla.), mourning fellow Rep. Mark Sanford's loss in Tuesday's primary." **Full story.**

THE CAVALRY — "Cole: GOP members 'racing' to help Roby in primary" by Campaign Pro's Scott Bland and Jennifer Scholtes: "Rep. Tom Cole (R-Okla.) said in an interview that House Republicans are marshaling behind Rep. Martha Roby (R-Ala.) ahead of her primary runoff against ex-Rep. Bobby Bright, the Democrat-turned-Republican Roby defeated in 2010. 'It was announced today at the Republican political conference ... that a fundraiser was being done for her, members are being encouraged to participate, and so a lot of members are racing to her defense,' Cole said, noting that he had donated to Roby. 'If you know Martha Roby, you like Martha Roby.'" **Full story.**

NDRC GETS IN — "NDRC affiliate challenges House districts in 3 states" by Campaign Pro's Maggie Severns: "The National Redistricting Foundation, a 501(c)(3) group affiliated with the National Democratic Redistricting Committee, is supporting challenges to congressional maps in Alabama, Georgia and Louisiana, seeking to create additional majority-minority congressional districts for African-American voters in each state. The suits, filed by groups of citizens in each state, challenge redistricting bills that passed in each state in 2011. They allege

AMERICAN OVERSIGHT

the laws violate Section 2 of the Voting Rights Act. ... Read the complaints for Alabama, Georgia and Louisiana." **Full story.**

MCCONNELL GROUPS ACTIVATED — "McConnell-aligned groups launching ads in three states" by Campaign Pro's James Arkin: "Republican outside groups allied with Majority Leader Mitch McConnell are launching new ads in three top Senate races, according to Advertising Analytics. One Nation, a nonprofit organization, is airing ads in Missouri and Arizona starting Thursday, while Senate Leadership Fund, an affiliated super PAC, is launching its first ad of the cycle in Indiana.

"In Arizona, One Nation is putting at least $505,000 behind ads, according to data from Advertising Analytics. It is the first spending there this cycle from a group allied with Senate GOP leadership. The advertising will address border security, according to contracts filed with local TV stations, though it's not clear which candidate it will be about. ... In Missouri, One Nation has previously spent $1.4 million on an ad praising Republican Attorney General Josh Hawley but has booked new ad reservations starting Thursday that take the group's total spending over $2 million, per Advertising Analytics." **Full story.**

PERSONNEL NEWS — Morning Score is getting a new author: Zach Montellaro, who has been on the POLITICO Playbook team for over a year, is taking over your favorite morning newsletter next week! Send him tips and ideas — or just commiserate about the struggling New York Mets — at zmontellaro@politico.com. And you can follow him on Twitter at @zachmontellaro.

Days until the 2018 election: 145

Upcoming election dates — **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — **New Hampshire:** June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

FIRST IN SCORE — EMILY's List backs Bush in CO-03: EMILY's List announced Thursday that it's endorsing state Rep. Diane Mitsch Bush in her primary bid to take on GOP Rep. Scott Tipton, per a statement from the group.

NEW THIS MORNING — WEB WARS — CLF attacks Pelosi in new digital ad: The Congressional Leadership Fund released a new digital ad attacking Nancy Pelosi as "Negative Nancy," using her comments about the economy. "Hip hip hurray, unemployment is down," the

AMERICAN OVERSIGHT

clip says. **Watch the ad here.**

NO LOVE LOST — "Senate GOP shuns Stewart in Virginia" by POLITICO's Burgess Everett: "President Donald Trump may be excited about Corey Stewart's primary win in the Virginia Senate race, but Senate Republicans certainly aren't. The Senate GOP's campaign arm hasn't endorsed Stewart, who has made defending Confederate monuments a central plank of his political career. And its chairman said that the committee has 'no plans' to spend any money on Stewart in his race against Democratic Sen. Tim Kaine (D-Va.).

"'At the senatorial committee we're focusing on Missouri, Indiana, North Dakota, Montana, West Virginia and Florida. There are great races around the country. [Virginia] is not the map,' said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.). 'We have a big map this year, and what I've laid out in races that I've talked about, Virginia's not on it.' Other Republicans expressed ignorance of Stewart. 'No idea who he is. Not at all,' added Sen. Tim Scott (R-S.C.).

"The feeling is mutual. Stewart held a press conference outside the NRSC in May to rail against party leaders for not supporting his campaign." **Full story.**

BIG SPENDING — "RAGA reserves $4.7M of TV time in three battleground states" by Campaign Pro's Daniel Strauss: "The Republican Attorneys General Association is reserving $4.7 million in TV advertising time in a trio of battleground states for the general election. RAGA, the umbrella organization for Republican attorneys general, is reserving advertising in Arizona, Nevada and Ohio. The organization is investing $1.4 million each in Ohio and Nevada each and $1.9 million in Arizona. They are the group's first fall TV reservations of 2018. ...

"The $1.9 million in Arizona is meant to boost Attorney General Mark Brnovich. In Ohio, RAGA is spending in support of state Auditor Dave Yost, the attorney general nominee there. And in Nevada, the group is spending to boost Wes Duncan, who won the GOP nomination on Tuesday and will compete against Democratic state Sen. Aaron Ford." **Full story.**

POLL NUMBERS — "Ohio Quinnipiac poll: Brown comfortably ahead, Cordray locked in tight race with DeWine" by Daniel and James: "A new Quinnipiac University poll of Ohio found Democratic Sen. Sherrod Brown with a comfortable lead for reelection but former Consumer Financial Protection Bureau Director Richard Cordray and Ohio Attorney General Mike DeWine locked in a much tighter race. Brown leads Rep. Jim Renacci 51 percent to 34 percent in the Senate race, according to the poll, including a sizable 21-point advantage among independent voters. ...

"Cordray, the Democratic nominee, had 42 percent to DeWine's 40 percent in the governor's race. Thirty-two percent of those surveyed said they had a favorable opinion of Cordray while 15 percent said they had an unfavorable opinion. Another 51 percent said they hadn't heard enough about him. Meanwhile, 39 percent said they had a favorable opinion of DeWine while 31 percent said they had an unfavorable view of him. Another 27 percent said they hadn't heard of the Ohio attorney general and Republican nominee for governor." **Full story.**

AMERICAN OVERSIGHT

— **"Cuomo ahead of Nixon by 35 points in latest Siena poll" by Politico New York's Bill Mahoney:** "Gov. Andrew Cuomo is much more popular among New York Democrats than his celebrated primary challenger Cynthia Nixon, according to a Siena College Research Institute poll released Wednesday. Cuomo led Nixon 61-26 overall in the poll, and he came out on top in each of the 23 demographic categories broken out in the poll." **Full story.**

FIRST IN SCORE: ON THE AIRWAVES — Senate Majority PAC is launching a new ad in Montana attacking state Auditor Matt Rosendale: The 30-second ad goes after Rosendale for his Maryland roots and attempts to paint him as a carpetbagger. "Matt Rosendale likes to dress up as a Montanan, but he's really an East Coast millionaire developer," a narrator says. SMP is spending $600,000 on the ad. Watch it here.

— **Rep. Jacky Rosen releases Spanish-language ad ahead of World Cup:** The new 30-second Spanish-language TV ad will run on Telemundo in Las Vegas starting Thursday, the first day of the 2018 FIFA World Cup. "This is our moment of pride, when our teams leave everything on the field," a narrator says, speaking in Spanish. "And here in Nevada, we will do the same. Jacky Rosen is the Democratic Congresswoman who is not afraid to stand up to Trump. Fighting for a path for Dreamers toward a secure future. And against Trump's dirty game of separating mothers from their children." Watch the ad here.

CODA — QUOTE OF THE DAY: "It's becoming a cultish thing, isn't it?" — Sen. Bob Corker on the Republican Party's loyalty to President Donald Trump, according to The Washington Post.

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/14/anti-trump-candidates-retreat-250774

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-003893

ED_001863D_00001903-00004

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Thur 6/14/2018 2:07:17 PM
Subject: POLITICO's Morning Score: Anti-Trump candidates retreat — NDRC affiliate supports challenges in three districts — Senate GOP shuns Stewart

By Daniel Strauss | 06/14/2018 10:00 AM EDT

With Zach Montellaro

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

LAST STAND — "This is the new Republican Party" by POLITICO's Edward-Isaac Dovere: "Put a blond combover on the elephant. Take down the pictures of Abraham Lincoln and Ronald Reagan. It's over. It's Donald Trump's GOP. The anti-Trump candidates are fleeing, and the ones who stick around are getting trampled.

"The chill has gone out among whoever's left: there's no more speaking up, and if there is, it's just for the sake of a speech, a protest quote that quickly disappears. They chalk it up to party loyalty, or staying unified for the midterms. They say they still believe in the principles, but they don't tend to do more than say the words. Then, when the microphones are off, they confide. They complain. They nurse fantasies that there's a reckoning coming, that maybe this will all end with the Republican Party nominating someone like Eisenhower. Or at least like Paul Ryan.

"And each time they watch another of their own go down, they wince, try to move on. Don't look back. Try to forget. 'This business is a lot like being a professional fighter: Over the course of it, you get a lot of shots to the head, and sooner or later, you're knocked out,' said Rep. Tom Cole (R-Okla.), mourning fellow Rep. Mark Sanford's loss in Tuesday's primary." **Full story.**

THE CAVALRY — "Cole: GOP members 'racing' to help Roby in primary" by Campaign Pro's Scott Bland and Jennifer Scholtes: "Rep. Tom Cole (R-Okla.) said in an interview that House Republicans are marshaling behind Rep. Martha Roby (R-Ala.) ahead of her primary runoff against ex-Rep. Bobby Bright, the Democrat-turned-Republican Roby defeated in 2010. 'It was announced today at the Republican political conference ... that a fundraiser was being done for her, members are being encouraged to participate, and so a lot of members are racing to her defense,' Cole said, noting that he had donated to Roby. 'If you know Martha Roby, you like Martha Roby.'" **Full story.**

NDRC GETS IN — "NDRC affiliate challenges House districts in 3 states" by Campaign Pro's Maggie Severns: "The National Redistricting Foundation, a 501(c)(3) group affiliated with the National Democratic Redistricting Committee, is supporting challenges to congressional maps in Alabama, Georgia and Louisiana, seeking to create additional majority-minority congressional districts for African-American voters in each state. The suits, filed by groups of citizens in each state, challenge redistricting bills that passed in each state in 2011. They allege

AMERICAN OVERSIGHT

the laws violate Section 2 of the Voting Rights Act. ... Read the complaints for Alabama, Georgia and Louisiana." **Full story.**

MCCONNELL GROUPS ACTIVATED — "McConnell-aligned groups launching ads in three states" by Campaign Pro's James Arkin: "Republican outside groups allied with Majority Leader Mitch McConnell are launching new ads in three top Senate races, according to Advertising Analytics. One Nation, a nonprofit organization, is airing ads in Missouri and Arizona starting Thursday, while Senate Leadership Fund, an affiliated super PAC, is launching its first ad of the cycle in Indiana.

"In Arizona, One Nation is putting at least $505,000 behind ads, according to data from Advertising Analytics. It is the first spending there this cycle from a group allied with Senate GOP leadership. The advertising will address border security, according to contracts filed with local TV stations, though it's not clear which candidate it will be about. ... In Missouri, One Nation has previously spent $1.4 million on an ad praising Republican Attorney General Josh Hawley but has booked new ad reservations starting Thursday that take the group's total spending over $2 million, per Advertising Analytics." **Full story.**

PERSONNEL NEWS — Morning Score is getting a new author: Zach Montellaro, who has been on the POLITICO Playbook team for over a year, is taking over your favorite morning newsletter next week! Send him tips and ideas — or just commiserate about the struggling New York Mets — at zmontellaro@politico.com. And you can follow him on Twitter at @zachmontellaro.

Days until the 2018 election: 145

Upcoming election dates — **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — **New Hampshire:** June 15. — **Rhode Island:** June 27. — **Delaware:** July 10.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

FIRST IN SCORE — EMILY's List backs Bush in CO-03: EMILY's List announced Thursday that it's endorsing state Rep. Diane Mitsch Bush in her primary bid to take on GOP Rep. Scott Tipton, per a statement from the group.

NEW THIS MORNING — WEB WARS — CLF attacks Pelosi in new digital ad: The Congressional Leadership Fund released a new digital ad attacking Nancy Pelosi as "Negative Nancy," using her comments about the economy. "Hip hip hurray, unemployment is down," the

AMERICAN OVERSIGHT

clip says. **Watch the ad here.**

NO LOVE LOST — "Senate GOP shuns Stewart in Virginia" by POLITICO's Burgess Everett: "President Donald Trump may be excited about Corey Stewart's primary win in the Virginia Senate race, but Senate Republicans certainly aren't. The Senate GOP's campaign arm hasn't endorsed Stewart, who has made defending Confederate monuments a central plank of his political career. And its chairman said that the committee has 'no plans' to spend any money on Stewart in his race against Democratic Sen. Tim Kaine (D-Va.).

"'At the senatorial committee we're focusing on Missouri, Indiana, North Dakota, Montana, West Virginia and Florida. There are great races around the country. [Virginia] is not the map,' said National Republican Senatorial Committee Chairman Cory Gardner (R-Colo.). 'We have a big map this year, and what I've laid out in races that I've talked about, Virginia's not on it.' Other Republicans expressed ignorance of Stewart. 'No idea who he is. Not at all,' added Sen. Tim Scott (R-S.C.).

"The feeling is mutual. Stewart held a press conference outside the NRSC in May to rail against party leaders for not supporting his campaign." **Full story.**

BIG SPENDING — "RAGA reserves $4.7M of TV time in three battleground states" by Campaign Pro's Daniel Strauss: "The Republican Attorneys General Association is reserving $4.7 million in TV advertising time in a trio of battleground states for the general election. RAGA, the umbrella organization for Republican attorneys general, is reserving advertising in Arizona, Nevada and Ohio. The organization is investing $1.4 million each in Ohio and Nevada each and $1.9 million in Arizona. They are the group's first fall TV reservations of 2018. ...

"The $1.9 million in Arizona is meant to boost Attorney General Mark Brnovich. In Ohio, RAGA is spending in support of state Auditor Dave Yost, the attorney general nominee there. And in Nevada, the group is spending to boost Wes Duncan, who won the GOP nomination on Tuesday and will compete against Democratic state Sen. Aaron Ford." **Full story.**

POLL NUMBERS — "Ohio Quinnipiac poll: Brown comfortably ahead, Cordray locked in tight race with DeWine" by Daniel and James: "A new Quinnipiac University poll of Ohio found Democratic Sen. Sherrod Brown with a comfortable lead for reelection but former Consumer Financial Protection Bureau Director Richard Cordray and Ohio Attorney General Mike DeWine locked in a much tighter race. Brown leads Rep. Jim Renacci 51 percent to 34 percent in the Senate race, according to the poll, including a sizable 21-point advantage among independent voters. ...

"Cordray, the Democratic nominee, had 42 percent to DeWine's 40 percent in the governor's race. Thirty-two percent of those surveyed said they had a favorable opinion of Cordray while 15 percent said they had an unfavorable opinion. Another 51 percent said they hadn't heard enough about him. Meanwhile, 39 percent said they had a favorable opinion of DeWine while 31 percent said they had an unfavorable view of him. Another 27 percent said they hadn't heard of the Ohio attorney general and Republican nominee for governor." **Full story.**

AMERICAN OVERSIGHT

— "Cuomo ahead of Nixon by 35 points in latest Siena poll" by Politico New York's Bill Mahoney: "Gov. Andrew Cuomo is much more popular among New York Democrats than his celebrated primary challenger Cynthia Nixon, according to a Siena College Research Institute poll released Wednesday. Cuomo led Nixon 61-26 overall in the poll, and he came out on top in each of the 23 demographic categories broken out in the poll." **Full story.**

FIRST IN SCORE: ON THE AIRWAVES — Senate Majority PAC is launching a new ad in Montana attacking state Auditor Matt Rosendale: The 30-second ad goes after Rosendale for his Maryland roots and attempts to paint him as a carpetbagger. "Matt Rosendale likes to dress up as a Montanan, but he's really an East Coast millionaire developer," a narrator says. SMP is spending $600,000 on the ad. Watch it here.

— Rep. Jacky Rosen releases Spanish-language ad ahead of World Cup: The new 30-second Spanish-language TV ad will run on Telemundo in Las Vegas starting Thursday, the first day of the 2018 FIFA World Cup. "This is our moment of pride, when our teams leave everything on the field," a narrator says, speaking in Spanish. "And here in Nevada, we will do the same. Jacky Rosen is the Democratic Congresswoman who is not afraid to stand up to Trump. Fighting for a path for Dreamers toward a secure future. And against Trump's dirty game of separating mothers from their children." Watch the ad here.

CODA — QUOTE OF THE DAY: "It's becoming a cultish thing, isn't it?" — Sen. Bob Corker on the Republican Party's loyalty to President Donald Trump, according to The Washington Post.

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/14/anti-trump-candidates-retreat-250774

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 6/8/2018 2:06:29 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Donald Trump's megadonor road show — Consultants urge candidates to avoid using 'single payer' in ads — CLF releases TV ads in OH-12 special

By Elena Schneider | 06/08/2018 10:00 AM EDT

With Zach Montellaro, James Arkin and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

2020 WATCH — "Donald Trump's megadonor road show," by Campaign Pro's Maggie Severns: "[Paul] Singer amicably chatted with the president and a dozen other high-dollar donors during a fundraiser for Trump's reelection campaign, according to a person in the room. And he gave $300,000 — the maximum amount an individual can give — to the Republican Party this spring shortly before the event. It was a sign of success for a months-long charm offensive by the president and his allies toward establishment Republicans who were wary of him during the 2016 campaign.

— **"The president** — who claimed in 2016 that he was self-funding his campaign so he couldn't be 'controlled' by donors, even though he ultimately raised most of his funds from outsiders — has developed a new ease with the donor class and is spending significant time away from the White House fundraising from them. Trump has attended eight events for the political groups supporting him in 2018, an uptick from the five he attended the previous year, and he has crisscrossed the country to Los Angeles, Dallas and Columbus, Ohio." **Full story.**

MESSAGING MANTRA —"The 2 words you can't say in a Democratic ad: 'Single payer,'" by POLITICO's Jennifer Haberkorn: "Democratic voters want single payer health care. But don't expect to hear Democratic candidates talk about it — at least not in those words. To avoid divisive intraparty fights that drive candidates left — only to be attacked by Republicans for favoring socialized medicine — the Democratic Congressional Campaign Committee warned aspirants last year about the political liabilities of endorsing 'single payer,' according to sources familiar with the advice. An influential progressive group even urged candidates to discard the often-misunderstood phrase and embrace 'Medicare for all' to draw strong connections with the popular seniors' health program. A third of the way through the 2018 primaries, Democrats have largely prevented the Bernie Sanders-led groundswell of single payer support from swamping the contests." **Full story.**

RACE CALLED — CA-49: Democrat Mike Levin advanced to the general election, after The Associated Press called the race Thursday night. Levin will face Republican Diane Harkey in the open race to replace GOP Rep. Darrell Issa in Southern California.

AMERICAN OVERSIGHT

NEW THIS MORNING — ON THE AIRWAVES — CLF releases TV ads in OH-12 special: The Congressional Leadership Fund launched two TV ads in the House special election in Ohio, part of an initial $250,000 buy that will run simultaneously on broadcast and cable. The first ad focuses on Republican Troy Balderson's support for the "middle class tax cuts," and attacks Democrat Danny O'Connor for "standing with" Nancy Pelosi . The second ad centers on the opioid crisis. CLF is also launching a field program to boost Balderson, opening an office in Franklin County and planning to knock on 500,000 doors by August 7. **Watch the first ad here. Watch the second ad here.**

— Tester attacks Rosendale in new TV ad: "Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics. The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican 'Maryland Matt' — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002." **View the ad here. Full story.**

— Republican Braun releases first general election ad in Indiana Senate race: "Republican Mike Braun's campaign released its first general election ad today, a biography spot highlighting his business record and outsider message." **You can view it here. Full story.**

Days until the 2018 election: 151.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In

AMERICAN OVERSIGHT

addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

How can Washington help the financial well-being of future American retirees? POLITICO convened leading thinkers and policymakers to identify some solutions. Read the full report. *Presented by Prudential*

AWKWARD — "Why hasn't Bernie Sanders endorsed his son's run for Congress?" by The Boston Globe's James Pindell and Matt Viser: "[W]hile he's busy endorsing politicians across the country who share his liberal values, closer to home Sanders is taking a noncommittal stand when it comes to his own flesh and blood. Sanders has refrained from endorsing Levi Sanders in his only son's campaign for the Democratic nomination for a New Hampshire congressional seat. ... It is especially strange because Levi has been a constant presence in his father's political life, from sitting on his lap as a 2-year-old during Sanders' first run for public office, to following him around the country during the senator's 2016 presidential campaign." **Full story.**

POST MORTEM — "House Majority PAC details anti-lockout effort in California," by Campaign Pro's Scott Bland: "A new memo from House Majority PAC, the Democratic super PAC, outlines the steps the group took to help Democrats avoid top-two lockouts in congressional districts carried by Hillary Clinton in 2016 during this week's California primaries." **Read the memo here. Full story.**

WEB WARS — Kelli Ward releases digital attack ad against McSally in Arizona primary: "Former Arizona state Sen. Kelli Ward released a new digital ad Thursday calling retiring Sen. Jeff Flake an 'embarrassment' and saying Rep. Martha McSally is 'even worse.'" **See the ad here. Full story.**

AGREE TO DISAGREE — "Campaign committee chairmen spar over Trump effect, use of hacked materials in midterms," by Campaign Pro's James Arkin: "The four lawmakers running the House and Senate campaign committees took diverging views at an event hosted by NBC and The Wall Street Journal on the effect President Donald Trump would have in their battleground races this November." **Full story.**

ICYMI — "Michigan Democrat Bets Governor's Race on Universal Health Care" by Bloomberg's Sahil Kapur: "A Democrat running for governor in Michigan is supporting a tax increase to pay for a statewide government-run health-care system, going further than his party's candidates in other parts of the country who are also calling for expanded coverage. Abdul El-Sayed, a physician and former Detroit health director running in a three-candidate Aug. 7 primary, said he'll unveil a detailed plan Wednesday that seeks to place residents with private

AMERICAN OVERSIGHT

health insurance or Medicaid into a single-payer system run by Michigan." **Full story.**

POLLING PROBLEMS — "More than 53 percent of adults live in wireless-only households," by POLITICO's Steven Shepard: "A new government report out today shows the share of Americans living in wireless-only households continued to increase in the second half of last year. The share of U.S. adults living in households where the only telephone is wireless rose to 53.3 percent from July to December 2017, according to the report from the National Center for Health Statistics, a branch of the Centers for Disease Control and Prevention. That is up from 52 percent in the first half of 2017, and an increase from 50.5 percent in the second half of 2016." **Full story.**

GETTING THE NOD — JStreetPAC endorses 6 House candidates: JStreetPAC, a pro-Israel liberal group, announced that it endorsed 6 Democratic challengers, including Ammar Campa-Najjar (CA-50), Gil Cisneros (CA-39), Abby Finkenauer (IA-1), Katie Hill (CA-25), Katie Porter (CA-45) and Susan Wild (PA-7).

CODA — QUOTE OF THE DAY: "[Steve] Bannon has blown up and is no longer a factor, but post facto, Uihlein is the answer." — Dan K. Eberhart, a major Republican donor, told The New York Times about the Uihleins, another conservative mega-giving pair. (Flashback!) Severns profiled them in March for POLITICO.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/08/donald-trumps-megadonor-road-show-246294

To change your alert settings, please go to https://secure.politico.com/settings

---

AMERICAN OVERSIGHT

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Fri 6/8/2018 2:06:24 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Donald Trump's megadonor road show — Consultants urge candidates to avoid using 'single payer' in ads — CLF releases TV ads in OH-12 special

By Elena Schneider | 06/08/2018 10:00 AM EDT

With Zach Montellaro, James Arkin and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

2020 WATCH — "Donald Trump's megadonor road show," by Campaign Pro's Maggie Severns: "[Paul] Singer amicably chatted with the president and a dozen other high-dollar donors during a fundraiser for Trump's reelection campaign, according to a person in the room. And he gave $300,000 — the maximum amount an individual can give — to the Republican Party this spring shortly before the event. It was a sign of success for a months-long charm offensive by the president and his allies toward establishment Republicans who were wary of him during the 2016 campaign.

— **"The president** — who claimed in 2016 that he was self-funding his campaign so he couldn't be 'controlled' by donors, even though he ultimately raised most of his funds from outsiders — has developed a new ease with the donor class and is spending significant time away from the White House fundraising from them. Trump has attended eight events for the political groups supporting him in 2018, an uptick from the five he attended the previous year, and he has crisscrossed the country to Los Angeles, Dallas and Columbus, Ohio." **Full story.**

MESSAGING MANTRA —"The 2 words you can't say in a Democratic ad: 'Single payer,'" by POLITICO's Jennifer Haberkorn: "Democratic voters want single payer health care. But don't expect to hear Democratic candidates talk about it — at least not in those words. To avoid divisive intraparty fights that drive candidates left — only to be attacked by Republicans for favoring socialized medicine — the Democratic Congressional Campaign Committee warned aspirants last year about the political liabilities of endorsing 'single payer,' according to sources familiar with the advice. An influential progressive group even urged candidates to discard the often-misunderstood phrase and embrace 'Medicare for all' to draw strong connections with the popular seniors' health program. A third of the way through the 2018 primaries, Democrats have largely prevented the Bernie Sanders-led groundswell of single payer support from swamping the contests." **Full story.**

RACE CALLED — CA-49: Democrat Mike Levin advanced to the general election, after The Associated Press called the race Thursday night. Levin will face Republican Diane Harkey in the open race to replace GOP Rep. Darrell Issa in Southern California.

AMERICAN OVERSIGHT

NEW THIS MORNING — ON THE AIRWAVES — CLF releases TV ads in OH-12 special: The Congressional Leadership Fund launched two TV ads in the House special election in Ohio, part of an initial $250,000 buy that will run simultaneously on broadcast and cable. The first ad focuses on Republican Troy Balderson's support for the "middle class tax cuts," and attacks Democrat Danny O'Connor for "standing with" Nancy Pelosi . The second ad centers on the opioid crisis. CLF is also launching a field program to boost Balderson, opening an office in Franklin County and planning to knock on 500,000 doors by August 7. **Watch the first ad here. Watch the second ad here.**

— Tester attacks Rosendale in new TV ad: "Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics. The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican 'Maryland Matt' — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002." **View the ad here. Full story.**

— Republican Braun releases first general election ad in Indiana Senate race: "Republican Mike Braun's campaign released its first general election ad today, a biography spot highlighting his business record and outsider message." **You can view it here. Full story.**

Days until the 2018 election: 151.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In

AMERICAN OVERSIGHT

addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

How can Washington help the financial well-being of future American retirees? POLITICO convened leading thinkers and policymakers to identify some solutions. Read the full report. *Presented by Prudential*

AWKWARD — "Why hasn't Bernie Sanders endorsed his son's run for Congress?" by The Boston Globe's James Pindell and Matt Viser: "[W]hile he's busy endorsing politicians across the country who share his liberal values, closer to home Sanders is taking a noncommittal stand when it comes to his own flesh and blood. Sanders has refrained from endorsing Levi Sanders in his only son's campaign for the Democratic nomination for a New Hampshire congressional seat. ... It is especially strange because Levi has been a constant presence in his father's political life, from sitting on his lap as a 2-year-old during Sanders' first run for public office, to following him around the country during the senator's 2016 presidential campaign." **Full story.**

POST MORTEM — "House Majority PAC details anti-lockout effort in California," by Campaign Pro's Scott Bland: "A new memo from House Majority PAC, the Democratic super PAC, outlines the steps the group took to help Democrats avoid top-two lockouts in congressional districts carried by Hillary Clinton in 2016 during this week's California primaries." **Read the memo here. Full story.**

WEB WARS — Kelli Ward releases digital attack ad against McSally in Arizona primary: "Former Arizona state Sen. Kelli Ward released a new digital ad Thursday calling retiring Sen. Jeff Flake an 'embarrassment' and saying Rep. Martha McSally is 'even worse.'" **See the ad here. Full story.**

AGREE TO DISAGREE — "Campaign committee chairmen spar over Trump effect, use of hacked materials in midterms," by Campaign Pro's James Arkin: "The four lawmakers running the House and Senate campaign committees took diverging views at an event hosted by NBC and The Wall Street Journal on the effect President Donald Trump would have in their battleground races this November." **Full story.**

ICYMI — "Michigan Democrat Bets Governor's Race on Universal Health Care" by Bloomberg's Sahil Kapur: "A Democrat running for governor in Michigan is supporting a tax increase to pay for a statewide government-run health-care system, going further than his party's candidates in other parts of the country who are also calling for expanded coverage. Abdul El-Sayed, a physician and former Detroit health director running in a three-candidate Aug. 7 primary, said he'll unveil a detailed plan Wednesday that seeks to place residents with private

AMERICAN OVERSIGHT

health insurance or Medicaid into a single-payer system run by Michigan." **Full story.**

POLLING PROBLEMS — "More than 53 percent of adults live in wireless-only households," by POLITICO's Steven Shepard: "A new government report out today shows the share of Americans living in wireless-only households continued to increase in the second half of last year. The share of U.S. adults living in households where the only telephone is wireless rose to 53.3 percent from July to December 2017, according to the report from the National Center for Health Statistics, a branch of the Centers for Disease Control and Prevention. That is up from 52 percent in the first half of 2017, and an increase from 50.5 percent in the second half of 2016." **Full story.**

GETTING THE NOD — JStreetPAC endorses 6 House candidates: JStreetPAC, a pro-Israel liberal group, announced that it endorsed 6 Democratic challengers, including Ammar Campa-Najjar (CA-50), Gil Cisneros (CA-39), Abby Finkenauer (IA-1), Katie Hill (CA-25), Katie Porter (CA-45) and Susan Wild (PA-7).

CODA — QUOTE OF THE DAY: "[Steve] Bannon has blown up and is no longer a factor, but post facto, Uihlein is the answer." — Dan K. Eberhart, a major Republican donor, told The New York Times about the Uihleins, another conservative mega-giving pair. (Flashback!) Severns profiled them in March for POLITICO.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/08/donald-trumps-megadonor-road-show-246294

To change your alert settings, please go to https://secure.politico.com/settings

---

AMERICAN OVERSIGHT

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro Energy
Sent: Fri 6/8/2018 9:44:29 AM
Subject: Morning Energy: Dam fight tests states' infrastructure projects — Pruitt to speak today — Don't block the MOX

By Kelsey Tamborrino | 06/08/2018 05:42 AM EDT

With help from Anthony Adragna, Ben Lefebvre, Darius Dixon and Annie Snider

THE DAM THING: A brawl is brewing between Maryland's Republican governor, Larry Hogan, and Exelon Corp. over one of the country's largest privately owned dams, Pro's Annie Snider reports — and it could determine how assertive states can be when regulating major infrastructure projects.

Hogan's administration is trying to force the utility to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, which is located just upstream of the Chesapeake Bay, as a condition of renewing its operating license for another 50 years. Exelon says it may shut down the dam rather than pay to fix a problem it did not cause. But first, it's heading to court.

The Supreme Court has given states broad leeway to set environmental requirements for infrastructure through authority granted by the Clean Water Act. And Maryland says it is stepping in because the Conowingo facility would raise pollution levels in violation of state water quality standards. But Exelon retorts the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

The ensuing fight is a perfect example of what critics say is some states using the water law to block projects they oppose for other reasons. "If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" Sen. Jim Inhofe said during an infrastructure hearing last month. Read more here.

WE MADE IT TO FRIDAY! I'm your host Kelsey Tamborrino. No one was able to guess that the 95th Congress had the largest number of veterans. Between 1977 and 1978, and just after the draft ended in 1973, the 95th Congress had 412 veterans. For today: Before President Donald Trump, who was the last president to propose a rescissions package? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy, and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Speakers include: Rep. Joe Crowley (D-N.Y.), Chairman, House Democratic Caucus, Kevin McAleenan, Commissioner, U.S. Customs and Border Patrol, and others. Register today.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the

AMERICAN OVERSIGHT

GPAC weekly newsletter, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

PRUITT SPEAKS: EPA Administrator Scott Pruitt is scheduled to deliver remarks this morning at the Faith and Freedom Coalition "Road to Majority" conference, an annual event where proverbial conservative activists take the stage to discuss issues of faith and the "pro-family majority" in Washington. The conference kicked off Thursday, and Vice President Mike Pence will speak Saturday.

ON TAP TODAY: The House late Thursday made it through the energy and water spending amendments to the chamber's "minibus" appropriations package. A final vote on the overall bill, which also includes legislative branch and military construction-VA spending, is expected today. Here's a look at how some of the amendments did:

— **The Trump administration's** proposal to sell off electric transmission assets owned by the Tennessee Valley Authority and DOE's power marketing administration got the bipartisan boot Thursday. Nineteen lawmakers ranging from Oregon Rep. Earl Blumenauer to Texas Rep. Louie Gohmert secured an unopposed amendment to block any sale.

— **Yucca Mountain opponents still overwhelmed.** Nevada's three Democratic representatives were defeated on two amendments seeking to block the long-stalled nuclear waste project and didn't bother seeking to put them up for a vote.

— **Lawmakers shot down** an effort to punish Western Area Power Administration chief Mark Gabriel by slashing his salary to $1.

— **GOP lawmakers squelched efforts** by Democrats to strip hot-button policy riders, including one blocking the Army Corps of Engineers from requiring a permit for wetlands damage in certain agricultural areas.

THE CHICKEN OR THE IG: Three Democratic senators asked EPA's inspector general Thursday to review whether Pruitt used his office to seek out business opportunities benefiting his wife, citing recent reports that the embattled administrator had an aide contact Chick-fil-A executives to explore whether his wife could open a franchise. Sens. Tom Udall, Tom Carper and Sheldon Whitehouse also pointed to his wife's work for the New York nonprofit Concordia, which paid her $2,000 to help set up a conference last year at which Pruitt spoke. Pro's Alex Guillén has more here.

Following news this week that coal magnate Bob Murray delivered drafts of six executive orders to the president at the beginning of his administration, Whitehouse and Carper separately asked the EPA IG to investigate whether EPA withheld documents, or misrepresented to Congress, the influence of Murray and others. Read that letter here.

POPE MEETS BIG OIL: Pope Francis and Vatican officials plan to meet today and Saturday

AMERICAN OVERSIGHT

with leading oil executives, in what is expected to be an attempt to persuade them to take action on global warming. Vatican spokesman Greg Burke previously told the AP today's meeting is a follow-up to the pope's encyclical three years ago calling for action to address climate change. Cardinal Peter Turkson, who spearheaded the encyclical, set up today's conference with the executives. The pope himself will speak to the leaders on the second day of the summit, Burke said. Officials haven't confirmed today's line-up, but BP previously confirmed to AP that its CEO Robert Dudley plans to attend, as well as Exxon Mobil CEO Darren Woods.

MURKOWSKI'S THOUGHTS ON PRUITT: GOP Sen. Lisa Murkowski said she hadn't seen the most recent allegations concerning used mattresses and Chick-fil-A, but called the unending stream of revelations distracting. "What I'd really like to know is how we coming on our small and remote incinerators rule? What are we doing with the fish waste grinding regs?" she told ME, referring to regulations of particular importance to her state of Alaska. "When you're distracted, how do you make sure that the expectations that we all have about what's coming out the agency are met?" At a budget hearing last month, Murkowski warned Pruitt's deregulatory efforts were being "overshadowed" due to "legitimate questions that need to be answered" related to his management of the agency.

G-7 BEGINS WITH FRUSTRATION: The G-7 summit kicks off today in Quebec — and already Trump's positions on climate have become a sticking point. French President Emmanuel Macron told Bloomberg this week he wants to make progress in discussions on tariffs , the Paris climate agreement and the Iran nuclear deal before signing the usual joint statement, which details a range of policy issues.

Trump — who will depart early and skip some sessions focused on climate change — is so far out of step with his fellow leaders that one official involved in the drafting of the leaders' declaration said there was concern that the U.S. would object to any use of the phrase "climate change," our European colleague David Herszenhorn reports.

DON'T BLOCK THE MOX: A district judge in South Carolina granted the state a preliminary injunction Thursday preventing the Energy Department from winding down the long-troubled MOX nuclear project in the Palmetto State. "Without a preliminary injunction, the State will suffer irreparable harm," District Judge J. Michelle Childs wrote in the 36-page order , noting how DOE intended to issue a full stop work order to start winding down MOX and terminating employees at the Savannah River Site early next week. Terminating the project is one of the few big decisions where the Trump and Obama administrations are in agreement. The judge vacated a partial stop work order DOE issued in May, blocked any full stop order and were ordered to "maintain the status quo by continuing the MOX Project" until the state's lawsuit to protect the effort runs its course.

MAKING WALKER TIP TOE: The Energy Department's top electricity policy official was put on the spot Thursday when he was asked to square the Trump administration's push to use federal emergency powers to help struggling coal and nuclear plants with his own comments that suggested his skepticism. In February, Bruce Walker, who has spent his whole career in the electricity sector and quickly won the respect of staff in his office, told reporters that his office "would never use a 202 to stave [off] an economic issue. ... It's not designed for that."

AMERICAN OVERSIGHT

Since then, however, FirstEnergy has filed an emergency request for power plants and DOE drafted a document suggesting that Energy Secretary Rick Perry invoke the so-called 202(c) authorities to keep them running. And when Rep. Don Beyer asked Walker at a House Science Committee hearing if his earlier comments implied that he wouldn't authorize a 202, Walker would only say that FirstEnergy's application was under review and otherwise gave the Virginia Democratic terse responses.

WAR OF WORDS: The Interstate Natural Gas Association of America said it was "deeply troubled" by the administration's proposed coal-and-nuclear bailout on Thursday, accusing the administration of attempting to punish gas. "There is absolutely no justification for the extreme intervention in energy markets suggested in the draft National Security Council memo," INGAA President and CEO Don Santa said. "Such a move would be bad public policy, costly to American consumers and the economy, and legally questionable."

In a response, DOE spokeswoman Shaylyn Hynes said that the "assertion that this Administration is attempting to 'punish' natural gas is absurd." She added that DOE "views natural gas as a vital part of our energy mix" and that it also "recognizes that there are serious threats and vulnerabilities to critical infrastructure nationwide, including pipelines." Hynes said all of which is why the department is "undergoing a review of all of the nation's defense critical energy infrastructure under the FAST Act of 2015," adding that resilience of the electric grid "is influenced by everything from cyber threats to the availability of solar power and the retirement of fuel secure units."

WHERE'S PERRY? The Energy secretary is scheduled to tour the Oak Ridge National Laboratory in Tennessee today, where he'll meet with employees and deliver remarks.

PHSMA INVESTIGATING PIPELINE EXPLOSION: PHMSA has started its investigation into yesterday's explosion at TransCanada's Leach Xpress pipeline in West Virginia and "will determine the cause of the incident and compliance with Federal pipeline safety regulations," an agency spokesman told ME. The accident occurred on a relatively new piece of state-of-the-art pipeline TransCanada had added to its Columbia Gas Transmission system. FERC signed off on construction of the $1.5 billion, 160-mile project in February 2017, agency documents show, and TransCanada only started shipments along it just shy of a year later, calling it at the time a "best-in-class pipeline." TransCanada, the company behind the planned Keystone XL pipeline, told ME it is cooperating with the investigation.

NPS SUPERINTENDENT SAYS HE WAS FORCED OUT: After more than four decades with the National Park Service, Yellowstone National Park's superintendent told the Associated Press he's being forced out as a "punitive action" following disagreements he had with Secretary Ryan Zinke over how many bison the park can sustain. "I feel this is a punitive action but I don't know for sure," Dan Wenk said. Wenk last week announced he would retire March 30, 2019, after being offered a transfer he didn't want to take. He was then informed this week by NPS Acting Director Dan Smith that a new superintendent will be in place in August and that he would be gone by then, Wenk said. Read more.

AMERICAN OVERSIGHT

HEARTLAND LENDS PRUITT A HELPING HAND: In response to a federal judge who ordered EPA to search for records to a FOIA request related to Pruitt's March 2017 interview, where he said carbon dioxide is not a "primary contributor" to global warming, the Heartland Institute — a group that lobbies against climate action — said it sent copies of "Climate Change Reconsidered " reports to Pruitt. In a letter from the group's president, Tim Huelskamp, he urges Pruitt to use the more than 3,000 pages to provide support to the conclusion that human activity is not the largest factor driving global climate change. Read the letter here.

NEW LAWYER IN BLANKENSHIP CASE: The administration has once again changed lawyers in former Massey Energy CEO Don Blankenship's effort to have his criminal mine safety conviction thrown out, the Charleston Gazette-Mail reports via court records. Assistant U.S. Attorney for the Southern District of Ohio Douglas Squires filed a formal notice that he would be handling the case, which is still pending before U.S. District Judge Irene C. Berger, the outlet reports. That's the second time in as many weeks that the Trump administration has changed lawyers. Read more.

MAIL CALL! BAILOUT 'FALSE': More than 30 Democratic lawmakers are calling it a "false narrative" that the president needs to bail out economically struggling coal and nuclear power plants in the interest of electrical grid resilience. The lawmakers call on Perry to stop such rhetoric and "to cease attempting to use emergency authorities to intervene in planned power plant retirements." Read the letter here.

— **The League of Conservation Voters** sent this letter to lawmakers, urging them to vote against the "minibus" bill on the floor today.

— **More than 20 state manufacturing groups**, led by National Association of Manufacturers, sent a letter Thursday to the the U.S. Conference of Mayors, calling on them to stop undermining job creators. "Mayors are signing their names to lawsuits that will do more to undermine the resurgence of the manufacturing sector than to address the issues they intend to solve through the courts," they write.

— **Twelve environmental organizations** signed a letter in opposition to H.R. 3 (115) — the president's rescissions package. Read that here.

TESTER ON THE ATTACK: Montana Sen. Jon Tester began airing attack ads against newly minted GOP nominee Matt Rosendale in the race for his seat, according to Advertising Analytics. The ad labels the Republican "Maryland Matt" and hits him for being a real estate developer, who "pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands." See it.

QUICK HITS

— Billions in U.S. solar projects shelved after Trump panel tariff, Reuters.

— Pruitt enlisted security detail in picking up dry cleaning, moisturizing lotion, The Washington

AMERICAN OVERSIGHT

Post.

— The chemical industry scores a big win at the EPA, The New York Times.

— Truck emissions study aimed at EPA limits all along, records show, Bloomberg BNA.

— Pruitt made public servants fetch his protein bars and Greek yogurt, The Daily Beast.

— Record oil exports help cut U.S. trade gap, The Wall Street Journal.

HAPPENING TODAY

9:00 a.m. — U.S. Energy Association hosts Kenyan energy minister, 1300 Pennsylvania Ave NW

12:00 p.m. — Atlantic Council conversation with Vincent DeVito, counselor to the secretary for energy policy at Interior, 1030 15th Street

12:00 p.m. — The Lexington Institute forum on "Cybersecurity of the Electric Grid," CVC-201

12:00 p.m. — The Environmental and Energy Study Institute briefing on "The State of Germany's Energy Transition," G-50 Dirksen

12:00 p.m. — NCAC luncheon on "So, you want to be a renewable energy entrepreneur?" 618 H St NW

THAT'S ALL FOR ME!

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/dam-fight-tests-states-infrastructure-projects-246240

Stories from POLITICO Pro

Dam fight tests states' ability to set requirements for infrastructure projects Back

By Annie Snider | 06/08/2018 05:01 AM EDT

A brawl between a Republican governor and a major utility company over one of the country's largest privately owned dams could determine how aggressively states can regulate major infrastructure projects.

Maryland Gov. Larry Hogan's administration is trying to force Exelon Corp. to pay up to $7 billion to reduce pollution flowing through its Conowingo dam, located just upstream of the Chesapeake Bay, as a condition of allowing the company to renew its operating license for another 50 years. The company says it may shut down the dam rather than pay to fix a problem it

AMERICAN OVERSIGHT

did not cause. First, though, it is taking Maryland to court to try to reverse its proposal.

The fight over the Conowingo dam isn't just a fight about one dam, as utilities seek to extend the operation of massive hydroelectric dams that will for the first time face requirements of modern environmental laws. And Exelon's lawsuit is one flank of a larger political fight over states' rights that could have major implications for pipelines, nuclear power plants and other major pieces of infrastructure that the Trump administration wants to promote.

The Supreme Court has given states broad leeway to set environmental requirements for major infrastructure projects through authority granted by the Clean Water Act.

"As long as the state is imposing conditions that are reasonably related to those water quality standards, they have the authority to do that," said Pat Parenteau, a professor at Vermont Law School.

Maryland says it is stepping in because the Conowingo facility would raise pollution levels above the state water quality standards it is empowered to protect. But Exelon says the state's approach exceeds the boundaries of the federal water law, setting up a key test that will be closely watched around the country.

Critics say some states use the water law to block projects they oppose for other reasons. For example, New York, which has resisted the fracking boom, is using the same authority to block pipelines that would carry natural gas from shale fields in Pennsylvania. It's a nascent issue that Congress may address in the coming years.

"If there's a state who just doesn't like something, an application that's been made, they can stall it for the year and then they hold the applicant over a barrel by saying, 'We'll either deny it or you withdraw it,'" said Sen. Jim Inhofe (R-Okla.), a senior member of the Senate Environment and Public Works Committee, during an infrastructure hearing last month.

Exelon has asked the Federal Energy Regulatory Commission to put its consideration of the Conowingo relicensing on hold while the litigation and administrative process play out in Maryland. The state's demands could have "widespread economic consequences for the hydroelectric industry" if they set a precedent that is applied elsewhere, Exelon warned in a May 25 letter to FERC. Environmentalists say the company's fears are overblown.

The Conowingo dam has been in operation along the Susquehanna River since 1928, providing enough power to serve nearly 200,000 homes. Exelon has pointed out that it provides 55 percent of Maryland's renewable power, contributing to the state's climate change goals.

The Chesapeake Bay is just 10 miles downstream, and for decades the dam has played a key role in catching nutrient pollution that has washed off farm fields in New York, Pennsylvania and Maryland that would otherwise flow into the already overburdened estuary.

State and federal officials had counted on the dam to continue keeping that fertilizer runoff and other pollution out of the bay when they signed on to a landmark cleanup plan in 2010. But the

AMERICAN OVERSIGHT

reservoir behind Conowingo has already reached its capacity, years ahead of schedule. That means not only that the dam has lost its ability to trap pollution, but that during major storms, more of it can be released, washing downstream and overwhelming the bay all at once. Climate change is expected to make these problems worse, and the bay cleanup effort is already woefully behind schedule, according to an analysis released by the Chesapeake Bay Foundation last week.

The federal-state bay cleanup partnership estimates that roughly 6 million additional pounds of nitrogen and 260,000 additional pounds of phosphorus will reach the bay each year because of the dam's lost trapping capacity — that's about 5 percent of all the pollution flowing into the waterway.

The Hogan administration has long argued that the company must bear some of the burden for cleaning up the pollution washing through its facility in order for Maryland to grant the water quality certification it needs for relicensing.

This spring, with Maryland and Exelon still miles apart after months of closed-door negotiations, Maryland ordered Exelon to offset the additional pollution that is estimated to be coming from the dam if it is to progress with relicensing.

The 59-page water quality certification issued by the state gives the company three options for doing that: by dredging the reservoir so it could regain its trapping capacity; by planting trees, restoring wetlands and implementing other best management practices upstream; or by paying the state as much as $172 million annually to do that conservation work itself, a tab that would add up to more than $7 billion over the 50-year license.

Ben Grumbles, secretary of Maryland's Department of Natural Resources, said the certification is "detailed, science-based and also flexible," and that its adaptive management approach "will help launch a restoration economy in the Susquehanna watershed."

But Exelon says the certification is unfair because the pollution originates with farmers and cities upstream, and argues the state's demands would make Conowingo too expensive to operate.

"The Dam does not produce any pollution. Rather, the science clearly shows that the pollutants that travel down the Susquehanna River, from New York and Pennsylvania, are the source of the nutrients and sediment that flows into the Bay," the company said in a statement.

At the end of May, Exelon sued Hogan's administration in state and federal court, contending that the certification and its requirements are violations of the law.

Green groups are dubious that Exelon would truly consider abandoning the dam. They expect the cost of offsetting the pollution would come in well below Maryland's $172 million-a-year cap and that the company can afford it. A December 2017 economic analysis commissioned by environmental groups concluded that the Conowingo dam is bringing in $115 million to $121 million annually in revenues.

Moreover, if Exelon decided not to pursue relicensing, the company would face a complex

AMERICAN OVERSIGHT

decommissioning process, which would bring its own financial liabilities. Removing the dam altogether is likely not an option, since it is part of an interconnected engineering system on the river that helps keep water levels in check for a number of purposes, including an upstream nuclear power plant and another hydropower dam owned by Exelon.

The outcome of the fight is likely to affect other states, which are contemplating major new environmental requirements for decades-old dams, ranging from pollution reduction to fish passage to flow and temperature requirements. In some cases, the cost of such upgrades is so much that the operator opts to close the facility, leading to a wave of dam removals across the country.

But the courts have largely sided with states in these fights so far.

A 1994 Supreme Court decision upheld restrictions Washington state placed on a hydroelectric dam to protect salmon and steelhead, and in 2016 the high court upheld New York's denial of a water quality certification for the proposed Constitution Pipeline, which would carry natural gas from Pennsylvania.

In a recent closely watched case, FERC and New York took different interpretations of how long the state had to act on a certification for the Millennium Pipeline Co., and FERC gave the project the green light before state regulators had finished their review. The U.S. Court of Appeals for the 2nd Circuit upheld FERC's actions in March, but the case hinged on procedural issues rather than an interpretation of the state's underlying authority to use water quality certifications to stymie development.

To view online click here.

Back

Democrats ask EPA IG to review Pruitt's Chick-fil-A, Concordia connections Back

By Alex Guillén | 06/07/2018 03:52 PM EDT

Three Senate Democrats today asked EPA's inspector general to review whether Administrator Scott Pruitt used his office to seek out business opportunities benefiting his wife.

The lawmakers cite recent reports that Pruitt had an aide contact Chick-fil-A executives to explore the possibility of his wife, Marlyn, opening a franchise of the chicken eatery. They also cited her work for the New York nonprofit Concordia. It paid Pruitt's wife $2,000 to help set up a conference last year at which Pruitt spoke.

The IG should review whether Pruitt "used his position — acting in his own capacity or through his official staff — to pursue private business opportunities to enrich himself or any members of his family regarding these two cases and any other financial opportunities for Administrator Pruitt's family," wrote Sens. Tom Udall (N.M.), Tom Carper (Del.) and Sheldon Whitehouse

AMERICAN OVERSIGHT

(R.I.).

They also raised the question of whether Pruitt had any "other, as yet unknown, business pursuits as well."

To view online click here.

Back

Murray delivered executive orders on coal rules to Trump administration Back

By Darius Dixon | 06/06/2018 07:05 PM EDT

Coal magnate Bob Murray delivered six draft executive orders ready for President Donald Trump to sign to roll back Obama-era environmental regulations in the early weeks of the administration, according to newly released Energy Department documents.

The documents released Wednesday after a Freedom of Information Act request include a letter to Energy Secretary Rick Perry from Murray praising Trump's March 2017 energy independence executive order, which largely aimed to help the coal industry. And to bolster that effort, Murray wrote, "we have developed the enclosed materials for your review and consideration, consisting of: six (6) Executive Orders further rescinding anti-coal regulations of the Obama administration; and one (1) memorandum outlining the legal rationale for each of these action, and others."

Those executive orders were also sent to EPA Administrator Scott Pruitt, whose agency had jurisdiction over most of the issues they involved, such as ozone rules and regulations on coal ash.

Trump has not signed executive orders resembling Murray's, but the administration has moved to enact the policies, such as pulling U.S. out of the Paris climate agreement. The documents, which were sent to DOE the day Trump signed his energy independence order and one day before Murray met with Perry and DOE chief of staff Brian McCormack, also included concepts about grid security and "resiliency" that Perry later touted as part of his push to stop coal power plants from closing.

"The Department of Energy ("DOE") must issue an emergency directive to have an immediate study done of the security and resiliency of our electric power grids," the document states. "DOE will direct that no power plants having an available fuel supply of at least forty-five (45) days be closed during the study period, or a minimum of two (2) years."

Perry later ordered his staff to write a study about the electric grid that was eventually tied to a regulatory proposal that FERC create financial rewards for power plants with a 90-day supply of fuel on-site. That condition would have overwhelming benefited coal and nuclear generators, but it was shot down by FERC in January.

AMERICAN OVERSIGHT

Critics have said Murray would be the biggest beneficiary of Trump's efforts, since his company supplies coal to many of the power plants at risk of closing because of stiff competition from cheap natural gas and renewable power as well as lagging electricity demand from consumers.

Murray spokesman Gary Broadbent confirmed the company had submitted the documents to Perry "to assist in the reversal of the illegal, job-killing, anti-coal regulations of the Obama Administration."

"Mr. Murray has always sought to secure reliable, low-cost electricity for all Americans, as well as to preserve and protect the jobs and family livelihoods of thousands of coal mining families," he said in a statement. "We applaud the actions taken by President Trump's Administration, to date, to protect these jobs and to advance the energy security of the United States."

Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal, and he blasted the FERC commissioners who opposed the on-site fuel proposal.

On Tuesday, a top DOE official said the agency is still formulating a plan to keep struggling coal and nuclear power plants from closing, and it had no deadline to meet Trump's demand to rescue them.

"We are evaluating options," Energy Undersecretary Mark Menezes told reporters. Last week, Trump called on DOE to take "immediate steps" to stop a wave of coal and nuclear power plant retirements, and like Perry, he cast the shutdowns as a threat to national security.

To view online click here.

Back

Senator to Pruitt: EPA meddling in health study 'unconscionable' Back

By Annie Snider, Alex Guillén and Anthony Adragna | 05/16/2018 10:10 AM EDT

Senate Democrats tore into Scott Pruitt on Wednesday, blasting the Environmental Protection Agency's meddling in a report on toxic chemicals as "unconscionable" and calling the EPA administrator's mounting ethics controversies an embarrassment to the agency.

"You're trailing a string of ethical lapses and controversies, they're an embarrassment to the agency, an embarrassment to Republicans and Democrats alike," Sen. Pat Leahy (D-Vt.) told Pruitt at a Senate hearing. "Forget about your own ego and your first class travel and your special phone booths and all these things that just make you a laughingstock and your agency a laughingstock."

Pruitt has faced a wave of scandals over the past few months, with scrutiny focused on his

AMERICAN OVERSIGHT

expensive flights, round-the-clock security detail, privacy phone booth, and below-market condo rental from an energy lobbyist. With news this week that EPA's Inspector General would look into Pruitt's use of multiple email accounts, he is now facing more than a dozen probes and investigations from Congress, the White House and his agency's internal watchdog.

And earlier this week, POLITICO reported that EPA helped to bury a federal study that would have increased warnings about toxic chemicals found in hundreds of water supplies across the country. That report showed Pruitt's senior aides intervened in the release of the Health and Human Services Department assessment into PFOA and PFOS after the White House warned of a "public relations nightmare."

Leahy said efforts by the White House and political officials at EPA to block the chemicals assessment "unconscionable," and he pointed to a community in his state that is grappling with chemical contamination.

"It's incomprehensible to the people in Bennington and in Vermont why an agency that works for them — their tax dollars are paying for it — whose charge it is to protect their health, turns their back on them and tries to hide health dangers," Leahy said in his opening statement.

West Virginia Republican Sen. Shelley Moore Capito also pressed Pruitt on his agency's intervention on the study, prompting him to deny that he had a hand in it.

"I was not aware that there had been some holding back of the report. I think it is important to have all information in the marketplace," Pruitt said.

Capito encouraged Pruitt to get that study released before an EPA summit on the chemicals next week. "I appreciate the fact that you are trying to reach the scientific limit that would impact any kind of health impacts in our areas, regardless of who has to remediate and what the remediation costs are going to be," she said, alluding to the fact that cleanup requirements would create major costs for the Defense Department and chemicals manufacturers.

Leahy also mocked Pruitt's security concerns as a justification for flying first class for more than a year. "Nobody even knows who you are," he said, adding later, "it's ego run amok."

Much like appearance last month in front of two House panels, Pruitt shifted the blame for many of the recent scandals, blaming "processes" at the agency not being followed for some of his ongoing spending and ethical issues, and he told Senate Appropriators he had taken steps to avoid similar issues going forward.

"There have been decisions over the last 16 or so months, that as I look back, I would not make those same decisions again," Pruitt said. But he stopped short of apologizing, and blamed critics of his deregulation agenda for the negative publicity.

"I want to rectify those going forward," Pruitt continued. "I also want to highlight for you that some of the criticism is unfounded and I think exaggerated. And I think it feeds this division that we've seen around very important issues affecting the environment."

AMERICAN OVERSIGHT

Pruitt also confirmed media reports that he had established a legal defense fund amid the spate of federal investigations. Donations to the fund would be made public pursuant to disclosure requirements and Pruitt said he would not solicit money from lobbyists or corporations with business before the agency. He later noted he would not personally seek contributions himself "since that's done by attorneys and others."

The EPA chief said his attorney "who's done this for a number of years" has worked with Government Accountability Office "to make sure it's done properly."

Despite criticism from lawmakers from both parties and frustration from White House aides, Pruitt has continued to receive the support of President Donald Trump, who's praised the former Oklahoma attorney general for rolling back many of the Obama administration's environmental policies.

Sen. Tom Udall (D-N.M.) pressed Pruitt on his requests that his security detail use his vehicle's lights and sirens to beat Washington traffic and get to a restaurant.

"I don't recall that happening," Pruitt answered. But Udall shot back by referencing an email from Pruitt's former security chief, Pasquale "Nino" Perrotta, that said "Administrator Pruitt encourages the use" of those lights and sirens. POLITICO has reported that Perrotta goaded and encouraged such behavior on security matters.

Udall later accused Pruitt of violating federal law by having an aide search for apartment rentals for him on personal time without being paid. The aide, Millan Hupp, an EPA scheduler and advance staffer who has worked for Pruitt since he was Oklahoma attorney general, is "a long-time friend of my wife and myself," Pruitt said, and she took those actions entirely "on personal time."

"It doesn't cut it that they're a friend or that kind of thing," Udall replied, since federal law requires that any subordinate — even if they volunteer — be paid fair market value for their work or it's considered a gift.

"That's in violation of federal law," Udall said.

Even Sen. Lisa Murkowski, chairwoman of the Appropriations panel hosting Pruitt, said at the start of the hearing she saw "legitimate questions that need to be answered" about the ethics scandals plaguing Administrator Scott Pruitt.

"Unfortunately, I am concerned that many of the important policy efforts that you are engaged in are being overshadowed because of a series of issues related to you and your management of the agency," Murkowski said at the opening the budget hearing.

Udall also peppered Pruitt about his contacts with conservative political commentator Hugh Hewitt over a polluted California site. POLITICO first reported that EPA added the Orange County North Basin site to Pruitt's list of sites targeted for "immediate and intense" action just

AMERICAN OVERSIGHT

weeks after Hewitt arranged a meeting with Pruitt and his law firm.

But Pruitt said the agency had been discussing potential action on the Superfund site "well before" Hewitt arranged a meeting on the issue. "I'm not entirely sure why there would be criticism around us taking concerted action to address Superfund sites and get accountability — whomever brings that to our attention," he said.

That didn't placate Udall.

"The idea is that here's been scientific analysis and through analysis on the list, and then special friends get to get on the list that's been created by the agency," Udall said. "Looks a little bit fishy to me."

Udall, who called on Pruitt to resign because of the recent controversies, said Pruitt was unfit to lead the agency because he didn't believe in its mission to protect human health and the environment.

"It needs to be said that your tenure at the EPA is a betrayal of the American people," he said, criticizing not just the ethics scandals, but also his regulatory rollbacks.

"This isn't cooperative federalism, it's flat-out abandonment," he said.

To view online click here.

Back

Trump tariffs stir up angst ahead of G-7 summit Back

By Andrew Restuccia, Megan Cassella and Lorraine Woellert | 06/05/2018 07:17 PM EDT

Foreign diplomats and U.S. officials are looking ahead to this week's G-7 summit with a sense of dread amid growing international tensions with President Donald Trump and little hope of reaching consensus.

With just three days until Trump arrives in Canada for the annual meeting with America's closest foreign allies, member countries are fuming over the president's decision to impose steep tariffs on steel and aluminum imports, a move that could have dire economic consequences for every other member of the Group of Seven major industrial nations.

Canada, Japan and key European Union nations have long sought to win over the U.S. president by playing nice on the world stage. But after nearly a year and a half, the G-7 countries' frustrations are bursting into public view.

Prime Minister Justin Trudeau of Canada, who is hosting the summit, excoriated Trump's recent tariff decision, responding with dollar-for-dollar tariffs of his own and calling the president's

AMERICAN OVERSIGHT

decision "insulting" and "totally unacceptable."

Japan has grown increasingly concerned that it is being pushed to the side as Trump prepares to meet with North Korea's dictator, Kim Jong Un. And France, whose president, Emmanuel Macron, had worked hard to build rapport with Trump, is reeling from a "terrible" phone call with the American president that went south after Macron bluntly criticized U.S. tariffs.

Trump is expected to get an earful from his foreign counterparts during the meeting, which starts on Friday. U.S. officials acknowledged privately that the gathering could be rife with awkward moments, with one official predicting that it will be a "mess."

"I think they will be ganging up on him," said Bill Reinsch, a trade expert at the Center for Strategic and International Studies. "But in addition to the immediate issue of the tariffs, there is an underlying debate that is going to go on ... and that is a growing concern that the entire rules-based international system and the institutions that underlie it are increasingly at risk."

G-7 negotiators remain deeply divided over the joint statement that countries usually release at the end of the annual event. The statement is meant to project unity among the world's biggest economies, detailing a range of policy issues on which they can all agree.

"The G-7 traditionally, for 20-plus years, has been a group of like-minded developed countries that sit together and figure out what do we do to address key global problems," said Robert Fisher, a consultant with Hills & Company and a former U.S. trade official who helped negotiate NAFTA. "Now trade has become, perhaps more than anything, the major dividing line between the G-6 and the one. And we are the one."

Another U.S. official told POLITICO that he thought there was no chance the U.S. and the other G-7 members could reach common ground on crucial issues like trade and climate change, adding that it was increasingly likely there wouldn't be a joint statement at all at the end of the meeting. Multiple U.S. officials have complained privately that early drafts of the statement were far too liberal, arguing that there was little the administration could latch on to.

Some foreign officials, meanwhile, have begun wondering whether it's better for Trump to skip the G-7 altogether rather than risk his making a spectacle at the event.

"If the president were not to go, that would be a major snub," Fisher said. "I would see that as a further escalation in tensions between the U.S. and, normally, our allies."

Trade is expected to be a central topic of discussion throughout the summit, and G-7 leaders will sit down for a session on "economic growth, the future of work and trade" as one of their first meetings, according to a background document released by the Council of the EU, which represents the executive governments of European Union member states.

A senior EU official sought to moderate expectations that any progress would be made with Trump over the tariffs, saying the potential for progress was "extremely low."

AMERICAN OVERSIGHT

"We do not expect any breakthrough on the trade dispute with the U.S," the official told reporters. He added that "the tariffs imposed ... last week have significantly increased tensions" between the U.S. and its G-7 partners, which are "united" in their ambition to retaliate against the Trump tariffs.

A summit this past weekend among the G-7 finance ministers offered a preview of what could be in store for Trump, after leaders faced off over unprecedented divisions on policy and failed to reach consensus on a joint concluding statement.

In a rare show of disunity, a chair's summary written by Canada and released at the close of the event highlighted concerns over "tariffs imposed by the United States on its friends and allies" that "undermine open trade and confidence in the global economy." The summary said ministers of the six other countries — all of which are now paying tariffs on their steel and aluminum exports to the U.S. — requested that Treasury Secretary Steven Mnuchin, who represented the U.S. at the finance meeting, communicate to Trump their "unanimous concern and disappointment."

"I've been to these meetings for a long time," the Japanese finance minister, Taro Aso, told reporters, according to Reuters. "But this is a very rare case where opposition against the United States was unanimous."

Trump, for his part, is already looking past the G-7, focusing much of his attention on the summit next week with Kim, according to administration officials. The president is scheduled to depart for Singapore, the summit site, from Canada at the end of the G-7 gathering.

Trump administration officials have publicly sought to tamp down concerns that tariff blowback will dominate and derail the summit agenda, even as anxiety builds across the Atlantic that the two-day event will ultimately produce nothing at all.

Larry Kudlow, director of the National Economic Council, rejected the idea earlier Tuesday that the steel and aluminum tariffs had any damaging effects and praised Trump's trade policies generally, calling the president a "trade reformer." He also lauded the strength of the U.S. economy and said officials would "take that story to the G-7 meeting."

"I hope it's a G-7 meeting," he added in an interview on Fox News. "I hope it's not a G-1-plus-six meeting, and I hope we can make some sense out of the whole story."

Michael Crowley and Hans von der Burchard contributed to this report.

To view online click here.

Back

Trump to depart G-7 summit early Back

AMERICAN OVERSIGHT

By Brent D. Griffiths | 06/07/2018 08:36 PM EDT

President Donald Trump will leave the G-7 summit before its conclusion, the White House announced on Thursday night, following a day of back-and-forth with fellow world leaders that foreshadowed confrontations during the meeting of the world's largest advanced economies.

Trump will be depart the summit in Quebec at 10:30 a.m. Saturday and head directly to Singapore, the site of his June 12 meeting with the North Korean leader, Kim Jong Un, White House press secretary Sarah Huckabee Sanders said in a statement. The G-7 summit is scheduled to wrap up later on Saturday.

Before the announcement, President Emmanuel Macron of France and Prime Minister Justin Trudeau of Canada both promised to confront Trump over his recent decision to impose tariffs on U.S. allies.

Trump, in response, laid into the two leaders on Thursday evening over those plans.

"Please tell Prime Minister Trudeau and President Macron that they are charging the U.S. massive tariffs and create non-monetary barriers," Trump wrote on Twitter. "The EU trade surplus with the U.S. is $151 Billion, and Canada keeps our farmers and others out. Look forward to seeing them tomorrow."

By pulling out early, Trump will skip sessions focused on climate change, the oceans and clean energy. He will also miss the traditional group-photo opportunity among fellow heads of state. The president may also miss the opportunity to host a summit-ending news conference, something world leaders traditionally do. The leader of the host nation, in this case Trudeau, also takes questions and gives closing remarks. Trump chose not to hold a news conference last year, becoming the only G-7 leader not to do so before leaving Italy, according to The Hill . He opted instead for a speech at a nearby naval air station.

The summit traditionally concludes with a joint statement spelling out the areas of agreement on the wide range of policy issues discussed. But before Trump's announcement, Macron urged the other five nations to hold strong and not let potential U.S. opposition water down their communiqué.

The 2017 statement, for example was notable for its explicit mention that the U.S. did not share its allies' support of the Paris Climate Accord. Less than a week later, Trump announced in the White House Rose Garden that the U.S. would be exiting the climate agreement.

"Maybe the American president doesn't care about being isolated today, but we don't mind being six, if needs be," Macron said, part of his plea to confront Trump head-on.

Trump later upped the ante, accusing Trudeau of being "so indignant" on the topic. The U.S. and its allies have been at loggerheads in recent days as the EU, Canada and Mexico continue to bristle over the president's decision to levy 10 percent tariffs on aluminum imports and 25 percent tariffs on steel imports from the two countries and Europe. The move, which reportedly

AMERICAN OVERSIGHT

came with little warning, has also caused Republicans on Capitol Hill to consider reining in Trump's trade powers.

Suggesting that the world powers could continue on without the U.S. is a stark departure from the chummy relationship Macron and Trump had during the French president's state visit to Washington in April.

For his part, Trudeau continued to call the tariffs "ridiculous." Last week, he repeatedly invoked the fact that Canadians fought alongside U.S. soldiers in Afghanistan in characterizing Trump's decision as a slap in the face.

The thought of allies ganging up on him has reportedly left Trump uneasy about attending the summit. But for now, Trudeau says that he expects his American counterpart to show up.

"We know that President Trump likes to be unpredictable," the Canadian leader said on Thursday, "but everything suggests that he will be there for the G7 summit, including his tweets this morning."

To view online click here.

Back

DOE official: Agency would 'never' use must-run order for economic reasons Back

By Darius Dixon | 02/20/2018 02:52 PM EDT

The Energy Department's top electricity official says the agency would not exercise its emergency authority to keep a power plant operating just because it might be losing money.

"A 202(c) has some very specific rules and a process," Bruce Walker, DOE's assistant secretary for the Office of Electricity Delivery and Energy Reliability, told reporters, referring to the section of the Federal Power Act that gives Energy Secretary Rick Perry authority to keep plants running.

"The economic rules are what they are today. We would never use a 202 to stave [off] an economic issue," he said, adding, "it's not designed for that."

President Donald Trump backer and coal magnate Bob Murray has repeatedly called on DOE to issue must-run orders for FirstEnergy power plants that consume his coal. He reiterated that call after FERC's January rejection of Perry's proposal to prop up coal-fired and nuclear plants that were losing money in the power markets. Just last week, FirstEnergy announced that will close its 1,300-megawatt Pleasants coal-fired power plant — a large Murray customer — by Jan. 1.

"Since I would be the one writing it, I can tell you it's never come to my attention," said Walker, a former executive at Consolidated Edison, noting that he regularly has meetings with Perry and

AMERICAN OVERSIGHT

other top DOE officials. "Nobody has talked about it. Nobody in my department is doing anything with it. It doesn't exist."

To view online click here.

Back

Trump calls for coal, nuclear power plant bailout Back

By Eric Wolff | 06/01/2018 05:17 PM EDT

President Donald Trump pressed for a quick regulatory bailout for struggling coal power plants on Friday — a move that would buoy a mining industry that offered him crucial support in 2016, but is riling other energy companies and even some free-market conservatives.

The White House called on Energy Secretary Rick Perry to take immediate steps to keep both coal and nuclear power plants running, backing Perry's claim that plant closures threaten national security. An administration strategy to do that laid out in a memo to the National Security Council circulated widely among industry groups on Friday, but it was not clear that intervention could survive the inevitable political and legal challenges.

It was the latest step in more than a year of efforts by the administration to compel power companies to keep operating the money-losing plants that are suffering from the rise of competing energy sources like natural gas. Those proposals have drawn opposition from most utilities, along with environmentalists, gas producers, power grid operators and conservatives who say it would be an unwarranted intrusion to the energy markets.

The White House statement calling for action came after days of Trump making similarly aggressive moves on international trade, slapping tariffs on the European Union, Canada and Mexico to protect U.S. industries like aluminum and steel. In this case, the president is acting on behalf of what he likes to call "beautiful, clean coal," a once-dominant fuel that still plays a major role in his stump speeches.

Trump "has directed Secretary of Energy Rick Perry to prepare immediate steps to stop the loss of these resources," White House press secretary Sarah Huckabee Sanders said in a statement Friday, referring to coal and nuclear plants.

She added that Trump believes "keeping America's energy grid and infrastructure strong and secure protects our national security... Unfortunately, impending retirements of fuel-secure power facilities are leading to a rapid depletion of a critical part of our nation's energy mix, and impacting the resilience of our power grid."

The statement came five months after federal energy regulators rejected Perry's call that they adopt his proposal to keep the struggling coal and nuclear power plants operating. That proposal would have overwhelmingly benefited mining magnate Bob Murray, an outspoken Trump

AMERICAN OVERSIGHT

supporter whose operations supply coal to several endangered plants in the Midwest and Northeast, according to a POLITICO analysis.

Trump's National Security Council gathered Friday to discuss the draft memo that lays out arguments why the administration should use federal authority to keep the money-losing power plants open — despite the assurances from some of the nation's grid operators that no such emergency exists.

"Any federal intervention in the market to order customers to buy electricity from specific power plants would be damaging to the markets and therefore costly to consumers," said the PJM Interconnection, which operates the nation's largest power grid and stretches from the Midwest the Atlantic Coast, in a statement. "There is no need for any such drastic action."

A broad swath of trade associations representing oil and gas, wind and solar power, consumer groups and advanced energy technologies slammed the plan, and they were joined by some congressional Democrats.

"This would be an egregious abuse of power," Sen. Ron Wyden (D-Ore.) said in a statement. "I fought this proposal before, and I will continue to fight this corrupt scheme to prop up the coal industry at the expense of American consumers."

That new 41-page memo, first revealed by Bloomberg News on Thursday evening, says that under the 2015 highway and transit bill known as the FAST Act, DOE must identify critical energy infrastructure, a process the agency is undertaking now with the help of its national labs. But because that is likely to take two years, DOE in the meantime should use the 1950 Defense Production Act and the Federal Power Act to require the plants to keep operating, the memo says.

Power sector experts have said using the two laws to keep specific plants operating would stretch both those measures, and would certainly trigger a major legal fight. Critics of the administration's strategy said the memo appears to signal that the White House is preparing for a fight.

"One way to view the release of this draft is that it is a trial balloon to see how fierce and fast the opposition will be," said Dena Wiggins, CEO of the industry lobby group Natural Gas Supply Association, which opposes the DOE plan. "We've known for some time that all of these federal authorities ... were in play, so the fact that we've now seen it in writing doesn't really change anything. It does, however, underscore how hard it is to cobble together a sound legal rationale to bail out otherwise uneconomic coal and nuclear plants."

And critics say the push to bail out the plants is simply Trump's effort to reward backers like Murray, the coal baron, and live up to his campaign promise to revive coal country. Perry first began work on the power plant issue in March 2017, when he met with Murray at DOE, and Trump himself personally directed Perry to take action on the issue since last summer.

Murray's coal mines have been a major supplier for power plants owned by FirstEnergy

AMERICAN OVERSIGHT

Solutions, a unit of Ohio-based utility giant FirstEnergy that sank into bankruptcy this spring. FirstEnergy Solutions has said it plans to close or sell five of its money-losing coal and nuclear power plants.

But the Federal Energy Regulatory Commission and the grid operator have said that even with the planned closures, the region has ample power to supply the market's needs. Stagnant power consumption growth, coupled with the rise of natural gas and renewable power sources like wind, has displaced many of the older coal and nuclear facilities in the markets.

The memo also calls for establishing a new requirement for the electric grid based on "resilience," a term Perry injected into the regulatory conversation last fall with a proposed rule that would have rewarded plants that could keep 90 days of fuel on site. FERC rejected that rule, but it also created a new proceeding to try to define "resilience," which some in the industry say pertains to the grid's ability to withstand and recover from a physical or cyberattack.

The memo largely focuses on the issue of resilience, which it says would suffer if coal and nuclear power plants retire. It specifically targets natural gas as a weakness, because the plants that burn the fuel rely on pipelines that could be disrupted, while coal and nuclear power plants can keep months' worth of fuel on site.

"Natural gas pipelines are increasingly vulnerable to cyber and physical attacks," the memo says. "The incapacitation of certain pipelines through the United States would have severe effects on electric generation necessary to supply critical infrastructure facilities."

To view online click here.

Back

Judge blasts EPA for 'hyperbolic' refusal to back up Pruitt's climate stance Back

By Alex Guillén | 06/01/2018 05:18 PM EDT

A federal judge today blasted EPA for refusing to search for any records related to Administrator Scott Pruitt's televised statement that carbon dioxide is not a "primary contributor" to global warming, a break from the scientific consensus and his own agency's position.

Chief Judge Beryl Howell of the U.S. District Court for D.C. gave the agency until next month to search for records in response to the Freedom of Information Act request filed by the group Public Employees for Environmental Responsibility after Pruitt's March 2017 interview.

EPA had argued that PEER's request was both too broad and too burdensome, arguing it would require considering everything Pruitt has ever read on climate change. But the judge was not convinced.

"This hyperbolic objection strays far afield from the actual text" of the FOIA requests, Howell

AMERICAN OVERSIGHT

concluded.

PEER's request provided an appropriate target for specific documents, Howell wrote. And she rejected the agency's argument that it would be impossible to determine the evidence that led Pruitt to make his claim.

"EPA's strained attempt to raise an epistemological smokescreen will not work here to evade its obligations under the FOIA," she wrote.

Howell also ordered EPA to respond to PEER's request for any agency records that concluded human-caused CO2 emissions are not causing climate change.

"EPA has failed to demonstrate a viable legal basis for its refusal to conduct any search whatsoever in response to the plaintiff's straightforward FOIA request," Howell concluded.

WHAT'S NEXT: Howell ordered EPA to finish its records search by July 2 and hand over any responsive documents to PEER "promptly" on a rolling basis. She also ordered EPA to say by July 11 whether any records are being withheld in full or in part.

To view online click here.

Back

Tester attacks Rosendale in new TV ad Back

By James Arkin | 06/07/2018 05:32 PM EDT

Sen. Jon Tester's (D-Mont.) campaign began airing an attack ad against newly minted GOP nominee Matt Rosendale today, according to Advertising Analytics.

The service captured the ad running on broadcast TV two days after Rosendale, the state auditor, won the Republican primary to face Tester in the general election. The ad labels the Republican "Maryland Matt" — picking up on attacks from Rosendale's former Republican primary rivals, who hammered him as a carpetbagger because he moved to Montana from Maryland in 2002. All three of Rosendale's former opponents endorsed his campaign today.

"Meet Maryland Matt Rosendale," the Tester ad's narrator says. "A millionaire real estate developer from Maryland where he made a lot of money turning farmland into developments. Now he's in Montana to develop real estate here, too. He pushed to transfer our public lands knowing our state would have to sell them off so developers like himself can buy them and cash in while restricting our access to our public lands. Defend Montana from Maryland Matt before it's too late."

View the ad here.

AMERICAN OVERSIGHT

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-003930

ED_001863D_00001907-00023

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pulse
Sent: Wed 6/6/2018 2:07:06 PM
Subject: POLITICO Pulse, presented by PhRMA: Alex Azar faces House committee to discuss HHS policies, strategy — Immigration officials change tune on visas for foreign doctors — Why is Medicare's trust fund running out of money faster than before?

View online version

06/06/2018 10:00 AM EDT

By DAN DIAMOND (ddiamond@politico.com; @ddiamond)

Results from last night's primaries are still arriving this morning, and immigration officials will accede to medical groups' requests after young doctors' visas were stalled.

But first: The HHS secretary is sitting down to explain his strategy to Congress.

ALEX AZAR ON THE HILL — The HHS secretary is testifying in front of the House Committee on Education and the Workforce this morning, in a hearing on his agency's policies and priorities.

What Republicans want to discuss. Chairwoman Virginia Foxx will use her opening statement to address antipoverty initiatives and the opioid epidemic, according to remarks shared with PULSE. She'll also ask about the Trump administration's push to encourage short-term health plans and other alternatives to ACA coverage.

"[W]e hope Secretary Azar can provide some update today on the status of his Department's efforts to reverse the damage of Obamacare and improve access to healthcare for millions of working families," Foxx will say.

Where Democrats will seek to take the conversation. According to plans shared with PULSE, they'll ask Azar:

— About efforts to "sabotage" the ACA through repealing the individual mandate and other moves

— Why the president has repeatedly sought cuts to Medicare and Medicaid after promising to protect the programs during his 2016 campaign

— If the administration is trying to undermine access to care for vulnerable populations, such as rolling back LGBT-friendly policies and making changes to the Title X family planning program

Advocates say they want answers on HHS immigration policies. The agency's Office of Refugee Resettlement will likely also be scrutinized this morning. The administration has separated undocumented children from their parents at the border, a

AMERICAN OVERSIGHT

policy that's drawn widespread news coverage and raised comment and concern.

The agency "has refused to answer basic questions [like]... how will HHS work to reunite children with their parents as quickly as possible?" Equity Forward's Mary Alice Carter writes in a new memo.

It will be a shorter hearing than usual. Democrats are grumbling that Azar only agreed to appear for two hours, which means members will have three minutes for questions and not their usual five minutes.

It also will be the first time that Azar — or any HHS official in the Trump administration — appears in front of the committee, which has less health care jurisdiction than House Energy and Commerce or Ways and Means.

HHS Secretary Alex Azar faces the House Education & Workforce committee today. | AP Photo

WITH JUST WEEKS TO SPARE, IMMIGRATION OFFICIALS CHANGE TUNE ON VISAS FOR FOREIGN DOCTORS — U.S. Citizenship and Immigration Services will process stalled or denied H-1B visa applications from international medical graduates, sources with knowledge of the decision tell PULSE. The agency is expected to soon announce a formal fix.

Physician groups had raised concerns that USCIS had been slow-walking or denying visa applications from foreign doctors over technical questions related to wage data. "We are hoping this is just in time to prevent significant delays in medical residents and fellows starting programs in July," Matthew Shick of the Association of American Medical Colleges told PULSE.

About 3,000 medical residents and fellows train in the United States on H-1B visas, and AAMC estimates that about 1,000 were affected by the wage index questions.

... The news was cheered by Ohio Sen. Rob Portman, one of the lawmakers pressuring USCIS to find a fix.

"Senator Portman heard from various medical colleges in Ohio about the burden this was putting on them regarding filling critical specialty positions, and he is pleased that USCIS has made the common-sense decision to start processing applications," spokesperson Kevin Smith told PULSE.

**** A message from PhRMA: New analysis from IHS Markit shows providing access to discounted medicine prices at the pharmacy could save seniors with diabetes more than $350 annually.** Sharing negotiated rebates could also save Medicare nearly $1,000 annually for every senior taking diabetes medication, reducing total health care spending by approximately $20B over the next 10 years. https://letstalkaboutmedicare.org/ **

DEMS: SENATE SHOULD DO HEALTH LEGISLATION IN AUGUST — Senate Democratic leaders on Tuesday said they're happy to stay in town in August — to enact legislation reduce health care costs and prescription drug prices, POLITICO's Jennifer Haberkorn reports.

"We Democrats welcome this additional time because It gives us the opportunity to address an issue that's on the top of the mind of so many of the American people and one that Republicans have badly mishandled up to this point: health care," Minority Leader Chuck Schumer said Tuesday. He promised to ask for votes to "require our Republican colleagues to do something about it." It feeds into Democrats' broader narrative that Republicans are responsible for rising health care premiums.

Specifically, Democrats want to: allow people to buy into Medicare at age 55; increase ACA tax credits; create a national reinsurance program; "ensure people with pre-existing conditions don't get denied [care] due to the expansion of junk insurance plans"; and lower prescription drug costs.

WELCOME TO A SUPER-SIZED WEDNESDAY PULSE — Where we're still reeling from yesterday's big news: IHOP is changing its name , and the new one (IHOb) doesn't appear to be pancake-related. So what could it be possibly b? Give your b-b-b-best guess to ddiamond@politico.com.

With help from Rachana Pradhan (@RachanaDixit), Paul Demko (@PaulDemko), Victoria Colliver (@vcolliver), David Pittman (@David_Pittman) and Jennifer Haberkorn (@JenHab).

WHAT WE LEARNED FROM LAST NIGHT'S PRIMARIES

Health care is likely to be on the ballot this fall in the Montana Senate race and California governor's contest, after last night's primaries resulted in candidates with health care backgrounds.

CALIFORNIA — The front runner for the state's gubernatorial runoff will be a single-payer supporter. As expected, Lt. Gov. Gavin Newsom secured enough votes to assure him one of two spots on the November ballot. The former mayor of San Francisco helped implement the city's near-universal coverage ordinance, but the Democrat has cautioned that statewide single-payer make take years to enact.

Republican businessman John Cox, who was backed by President Trump and opposes single-payer health care, took the second slot. Cox's second-place finish could make Newsom a shoe-in in November.

Many of the state's contested House primaries were too close to call this morning. We're watching the California 45th, where a Democratic field is vying to take on GOP Rep. Mimi Walters. The front runner is Katie Porter, who has strongly embraced single payer and has the backing of national progressive groups.

AMERICAN OVERSIGHT

MONTANA — State auditor and insurance commissioner Matt Rosendale will take on Democratic Sen. Jon Tester in November. Rosendale, an ardent opponent of Obamacare, is hoping to make the health law a point of contrast with Tester. He was responsible for approving rate hikes and welcomed a health sharing ministry into the state during his tenure — points that Democrats could use to neutralize rising health care premiums under Obamacare.

NEW MEXICO — Rep. Michelle Lujan Grisham clinched the Democratic nomination for governor after she faced criticism from rivals over how she profited from New Mexico's high-risk pool, one of the few programs for the seriously ill that remains open even after Obamacare made such programs virtually obsolete. Lujan Grisham was co-owner of the company that operates the high-risk pool -- the Delta Consulting Group -- until last June. She will go on to face GOP Rep. Steve Pearce in the general election.

IOWA — Bernie Sanders-backed Pete D'Alessandro, an advocate for single-payer health care, placed third in the Democratic race to take on GOP Rep. David Young in the Iowa 3rd. More.

ON THE HILL

Senate Finance Committee opioid markup may slide to next week. The panel, which originally planned to mark up its opioid bills this week, is now expected to take up the measures next week, sources tell POLITICO's Brianna Ehley. A date has not been set.

Business groups urge support of bipartisan HSA bill. Ahead of today's Ways and Means Health Subcommittee hearing, a coalition of business groups urged members to embrace the Bipartisan HSA Improvement Act (H.R. 5138), which would make a bunch of largely technical changes aimed at improving coverage and expanding availability. For example, it would make it easier for HSAs to cover services related to chronic disease prevention.

"As the workplace transforms to meet new trends and HSAs grow in the marketplace, we urge you to support legislation that can pass this year and begin helping Americans with HSAs," reads the letter, which was signed by the U.S. Chamber of Commerce, the Business Roundtable, the ERISA Industry Committee and the American Benefits Council, among others. Read the letter.

Among the witnesses due to testify are America's Health Insurance Plans CEO Matt Eyles and New York University's Sherry Glied, who was an HHS assistant secretary in the Obama administration.

Drama teed up around health care cybersecurity today. An HHS initiative to protect

AMERICAN OVERSIGHT

the nation from health care cyberattacks will get attention on the Hill today, as the House Energy and Commerce Health subcommittee will look at the reauthorization of the Pandemic and All-Hazards Act. The act includes a section on the Healthcare Cybersecurity and Communications Integration Center designating it the lead with the department for cybersecurity incidents.

However, the center's been under scrutiny since last year, with HCCIC facing allegations of ethical improprieties by its former leadership, plus broad turnover of cybersecurity leadership in the department.

INSIDE THE HUMPHREY BUILDING

CMS says Obama-era safety efforts averted deaths, avoided costs. Hospital safety efforts begun under the Obama administration helped save 8,000 lives and almost $3 billion in health costs between 2014 and 2016, according to federal data released yesterday.

CMS in 2011 launched the Partnership for Patients campaign to improve care at the bedside, disseminate best practices and support initiatives like the agency's Hospital Improvement Innovation Networks. Meanwhile, the Affordable Care Act put in place penalties for hospital-acquired conditions, and private insurers and hospital systems also have ramped up quality improvement efforts in recent years.

Combined with previous studies, researchers concluded that hospitals saved nearly $23 billion in costs, avoided nearly 2.5 million hospital-acquired conditions and averted 95,000 deaths by improving patient safety between 2010 and 2016.

"Today's results show that this is a tremendous accomplishment by America's hospitals in delivering high-quality, affordable healthcare," CMS Administrator Seema Verma said in a statement. More for Pros.

Why is Medicare's trust fund running out of money faster than before? The program's trustees on Tuesday afternoon said that Medicare will run out of money in 2026, three years earlier than previously projected.

The trustees cited a decline in revenues from payroll and Social Security taxes and higher payments than expected to hospitals and private Medicare plans last year. But lawmakers had their own — widely ranging — perspectives on what the report revealed.

— Republicans: This is evidence that entitlement reforms are necessary. "Medicare has long needed reforms to ensure a strong fiscal future," House E&C Chairman Greg Walden and health subcommittee chairman Michael Burgess said in a joint statement. "It is important Congress works together, and we stand ready to find ways to put the program on more fiscally sound footing."

AMERICAN OVERSIGHT

— Democrats: Blame Trump's tax cuts for Medicare's weaker position. "This deterioration in Medicare's finances is a direct result of President Trump and Congressional Republicans selling America's seniors down the river so that they could shower tax cuts on the ultra-rich and big corporations," ranking E&C member Frank Pallone said in a statement.

AROUND THE NATION

San Francisco: Flavored tobacco ban headed to victory. The tobacco industry vastly outspent its opponents in trying overturn the city's ban on flavored tobacco, but San Franciscans were siding with public health advocates in passing the most restrictive ordinance on these products in the country. The ban would extend not only to nicotine vaping liquids with such flavors as chicken-and-waffles and cotton candy, but to menthol cigarettes and even flavored hookah tobacco. More for Pros.

"There's a reason Big Tobacco panicked, pouring millions into fighting to keep flavored tobacco on store shelves in San Francisco," said Jim Knox, managing director of the American Cancer Society Cancer Action Network California. "As a national public health leader, what happens in San Francisco—often doesn't stay in San Francisco. This could start a trend that will make a big dent in the tobacco industry's profits while keeping kids from a lifetime addiction."

California: Legislators' health agenda focuses on undocumented coverage, more premium help. The state's most controversial health legislation of the year — a plan to set rates for hospitals, doctors and insurers — failed to advance before a key legislative deadline, but the legislature is pressing ahead with bills extending Medicaid coverage to undocumented immigrants and boosting premium subsidies, among other issues, POLITICO's Victoria Colliver reports.

Many of the remaining high-profile health care bills share a common theme: They would push back against the Trump administration's efforts to curtail Obamacare coverage. More for Pros.

Most states don't have laws to address kids being left in hot cars. That's according to a new National Safety Council report, which notes that only eight states consider felony charges for a parent or caregiver who intentionally leaves a child in a hot car. The council also is introducing model legislation. See the report.

More than 37 children per year die from heatstroke after being left in a vehicle, according to the council.

AROUND TOWN

AMERICAN OVERSIGHT

NIHCM to rename most prestigious award in honor of Uwe Reinhardt. The Uwe E. Reinhardt Outstanding Leadership Award will honor the famed economist and Princeton professor, who served as a NIHCM adviser for 21 years before passing away last fall, NIHCM's Nancy Chockley announced last night.

The award has only been given out three times — to Dartmouth's Jack Wennberg, WellPoint founder Leonard Schaeffer and Reinhardt himself in 2013. A fourth honoree will be named in November at NIHCM's 25th anniversary dinner, NIHCM's Katie McDonald told PULSE.

WHAT WE'RE READING

By Victoria Colliver

Rural hospitals are in trouble, and some entrepreneurs are pitching a legally murky strategy to save them, Barbara Feder Ostrov writes for KHN/The Atlantic. More.

In a story also co-published with The Atlantic, ProPublica Illinois' Duaa Eldeib investigates how hundreds of children in Illinois languished in psychiatric hospitals even after they were cleared for release. More.

A physician whose young daughter is diagnosed with rare, degenerative disorder describes his frustrations with a drug company's compassionate use policy and concerns about the federal right-to-try process in STAT. More.

In NEJM, Michael Millenson explores the responsibilities and possibilities of "big data" in health care. More.

NPR's Richard Harris went to the American Society of Clinical Oncology meeting in Chicago and found oncologists focusing less on the newest treatments, and more on all the therapies that aren't working for patients. More.

A possible change to the "public charge" rules could harm access to care for safety-net immigrants, Billy Wynne and Dawn Joyce write at CHCF's blog. More.

** **A message from PhRMA:** For more than 10 years, Medicare has provided prescription drug coverage for seniors. Competition continues to keep premiums low, but seniors are facing higher out-of-pocket spending. Insurers negotiate significant discounts for medicines in Part D. Giving seniors 80% of those discounts at the pharmacy counter could save a senior with diabetes more than $350 per year on their health care costs. The change could also save Medicare nearly $1,000 per year for every senior taking diabetes medication. How? By helping patients afford the drugs they

AMERICAN OVERSIGHT

need to stay healthy and stay out of the hospital. **Seniors share the cost. They should share the savings.** https://letstalkaboutmedicare.org/ **
View online

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Wed 6/6/2018 2:03:56 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: California House races still uncalled, but Democrats positioned to avoid lockouts — Roby to runoff in AL-02 — Rosendale wins GOP nod to take on Tester

By Elena Schneider and Scott Bland | 06/06/2018 10:00 AM EDT

With Zach Montellaro and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

CALIFORNIA — As of (very) early Wednesday morning, Democrats were in position to avoid lockouts in key House races — but only just, in some cases, and there are still plenty of votes to count. (None of them have been called by the Associated Press yet.) **See live results here.**

— **CA-10:** Democrat Josh Harder is in position to take on GOP Rep. Jeff Denham, with about 1.5 points between Harder and another Republican challenging for the second-place spot.

— **CA-25:** Democrat Katie Hill is just ahead of Democrat Bryan Caforio in the race to take on GOP Rep. Steve Knight.

— **CA-39:** Republican Young Kim has advanced to November and appears set to face Democrat Gil Cisneros, who has a cushion in second place.

— **CA-45:** Democrat Katie Porter leads Democrat Dave Min for the second general election slot against GOP Rep. Mimi Walters.

— **CA-48:** Democrats Harley Rouda and Hans Keirstead are neck and neck for the second slot behind GOP Rep. Dana Rohrabacher, with Republican Scott Baugh about a point behind the two Democrats.

— **CA-49:** Democrat Mike Levin is currently in second, with two Democrats behind him, and Republican Diane Harkey has advanced to the general election.

— BEHIND THE SCENES — "Republican super PAC secretly promoted candidates in California," by POLITICO's Alex Isenstadt and Elena Schneider: "A House GOP leadership-backed super PAC secretly picked favorites in three high-profile California primaries to be decided Tuesday that could help to decide control of the chamber. Republican leadership typically stays out of contested primaries where incumbents are not seeking reelection. But in April, Congressional Leadership Fund, a group closely aligned with House Speaker Paul Ryan, funneled about $1.5 million to American Future Fund, an Iowa-based outside Republican

AMERICAN OVERSIGHT

organization, according to a CLF official." **Full story.**

ROBY TO RUNOFF — "Republican primary voters in Alabama will have to decide which is worse: a vote against Donald Trump, or a vote for Nancy Pelosi," Campaign Pro's Elena Schneider and Daniel Strauss report. "That will be the key question in a July primary runoff involving GOP Rep. Martha Roby ... She will face former Rep. Bobby Bright, an ex-Democrat, in a head-to-head race for the Republican nomination in July. Roby spurned Trump in 2016, promising not to vote for him and calling for him to quit the presidential race after the Access Hollywood tape ... Roby's rejection of the president hurt, siphoning votes to a write-in candidate in the 2016 general election and drawing four Republican opponents into this year's primary. ... But Bright has his own baggage: a vote for Pelosi as speaker of the House from 2009, at the beginning of Bright's one and only term in Congress as a Democrat. Roby attacked Bright over the vote when she beat him in a general election eight years ago, and the charge can only be more potent in a Republican primary." **Full story.**

ROSENDALE TO FACE TESTER — Montana state Auditor Matt Rosendale took about 34 percent of the primary vote on his way to the GOP nomination to face Democratic Sen. Jon Tester in the fall. **James Arkin has a preview of the race.**

MENENDEZ GETS A MESSAGE — Democratic primary voters served Sen. Robert Menendez a showing of political weakness Tuesday night, giving him just 62 percent of the primary vote ahead of his bid for another term. **More here from POLITICO New Jersey's Matt Friedman.**

GUV RACES — Alabama Gov. Kay Ivey navigated her Republican primary and avoided a runoff with 56 percent of the vote, and will face Democrat Walt Maddox in November. **In California**, Democratic Lt. Gov. Gavin Newsom will face GOP businessman John Cox, as Antonio Villaraigosa failed to make it a top-two Democratic battle. **Iowa** Democratic businessman Fred Hubbell won the nomination to take on GOP Gov. Kim Reynolds, and congressional colleagues Michelle Lujan Grisham (D) and Steve Pearce (R) will go head to head for the governorship **in New Mexico**. Another colleague, Rep. Kristi Noem, convincingly won the Republican nomination for governor of **South Dakota**.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

MORE HOUSE BATTLEGROUNDS — Democratic women ran away with the battleground nominations in Iowa, with state Rep. Abby Finkenauer getting the nod in IA-01 against GOP Rep. Rod Blum and businesswoman Cindy Axne winning in GOP Rep. David Young's IA-03.

— **In New Jersey**, Democratic state Sen. Jeff Van Drew will face Republican Seth Grossman for open NJ-02, while Democrat Mikie Sherrill will go up against Republican Jay Webber in open

AMERICAN OVERSIGHT

NJ-11. Former Obama State Department official Tom Malinowski won the Democratic primary in GOP Rep. Leonard Lance's NJ-07.

See all the June 5 election results here: ALABAMA | CALIFORNIA | IOWA | MISSISSIPPI | MONTANA | NEW JERSEY | NEW MEXICO | SOUTH DAKOTA

Days until the 2018 election: 153.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12. — **New Hampshire:** June 15. — **Rhode Island:** June 27.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

BIG MONEY ALERT — "David Koch leaving business, political network," by Campaign Pro's Maggie Severns: "Billionaire David Koch is retiring from his family's business and political network, citing health issues. Koch's departure was announced in a letter sent by his brother, Charles Koch, to Koch Industries employees on Tuesday. ... David Koch is leaving both Koch Industries and his role as chairman of the Americans for Prosperity Foundation, the charity arm of the sprawling Koch network." **Full story.**

— **"PAC readies pro-Whitmer ads in Michigan," by Campaign Pro's Daniel Strauss:** "A Democratic 527 group supporting Democrat Gretchen Whitmer in the Michigan gubernatorial race is planning to start airing ads in the next few weeks, according to multiple Democrats with knowledge of the group's plans.

AMERICAN OVERSIGHT

The outside group, Build A Better Michigan, was set up by Mark Burton, a longtime top aide to Whitmer. The aim of the TV ad blitz is to also increase Whitmer's name recognition ahead of the August primary, when Whitmer will face opponents including entrepreneur Shri Thanedar and physician Abdul El-Sayed.". **Full story.**

— **"Vice President Pence expected at mid-June Schuette fundraiser," by the Detroit News' Jonathan Oosting:** "Pence is set to attend the June 15 event at the Townsend Hotel in Birmingham, Schuette strategist John Sellek confirmed Tuesday. The fundraiser will start at noon.The vice president first backed Schuette for Michigan governor in November, when his new political action committee announced it would donate the maximum $6,800 to the Midland Republican's campaign." **Full story.**

MINNESOTA SHAKEUP — "Ellison launches bid for Minnesota attorney general," by POLITICO's Isaac Dovere: "Democratic Rep. Keith Ellison jumped into the race for Minnesota attorney general today, the final day candidates were allowed to file. Ellison won't leave Congress immediately, but he will not run for reelection. He will also remain deputy chairman of the DNC during his campaign." **Full story.**

ON THE AIRWAVES — DGA knocks Pearce: The Democratic Governors Association is releasing a new 30-second ad dinging Rep. Steve Pearce in the New Mexico governor's race. The DGA is promoting the ad online digitally. **Watch the ad here**.

POLLING DATA — "Pro-Vukmir PAC poll shows her leading Wisconsin GOP primary," via Campaign Pro's James Arkin: "A new internal poll from a super PAC backing state Sen. Leah Vukmir shows her leading Marine veteran and businessman Kevin Nicholson in the Wisconsin GOP Senate primary. The Tarrance Group survey on behalf of Wisconsin Next PAC, an outside group backing Vukmir, had Vukmir at 36 percent support among primary voters, compared to 29 percent for Nicholson, with 35 percent undecided." **Full story.**

GETTING THE NOD — AFP backs Freitas in Virginia GOP Senate primary: "Americans for Prosperity, the main arm of the Koch brothers' outside group network, is backing state Del. Nick Freitas in next week's Virginia Senate GOP primary. Freitas, a veteran and second-term delegate, is running in the primary against two conservative firebrands: Corey Stewart, a former member of the Prince William Board of County Supervisors who lost the GOP gubernatorial primary last year, and minister E.W. Jackson, who was the party's lieutenant governor nominee in 2013." **Full story.**

— **Blue Dog PAC endorse 5 House challengers:** The Democratic Blue Dog Coalition added five House challengers to its roster of endorsed Democratic candidates, including Mel Hall (IN-02), Chris Hunter (FL-12), Kathy Manning (NC-13), Matt Reel (TN-07) and Clarke Tucker (AR-02).

CODA — QUOTE OF THE DAY: "My name was left off the polling registry today on Los Angeles." — A tweet from actor Henry Winkler, who was one of over 118,000 voters who were accidentally left off the voting rolls in Los Angeles on Tuesday, sparking concern during

AMERICAN OVERSIGHT

California's primaries.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/06/california-house-races-still-uncalled-but-democrats-positioned-to-avoid-lockouts-243676

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Wed 6/6/2018 2:03:56 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: California House races still uncalled, but Democrats positioned to avoid lockouts — Roby to runoff in AL-02 — Rosendale wins GOP nod to take on Tester

By Elena Schneider and Scott Bland | 06/06/2018 10:00 AM EDT

With Zach Montellaro and Daniel Strauss

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

CALIFORNIA — As of (very) early Wednesday morning, Democrats were in position to avoid lockouts in key House races — but only just, in some cases, and there are still plenty of votes to count. (None of them have been called by the Associated Press yet.) **See live results here.**

— **CA-10:** Democrat Josh Harder is in position to take on GOP Rep. Jeff Denham, with about 1.5 points between Harder and another Republican challenging for the second-place spot.

— **CA-25:** Democrat Katie Hill is just ahead of Democrat Bryan Caforio in the race to take on GOP Rep. Steve Knight.

— **CA-39:** Republican Young Kim has advanced to November and appears set to face Democrat Gil Cisneros, who has a cushion in second place.

— **CA-45:** Democrat Katie Porter leads Democrat Dave Min for the second general election slot against GOP Rep. Mimi Walters.

— **CA-48:** Democrats Harley Rouda and Hans Keirstead are neck and neck for the second slot behind GOP Rep. Dana Rohrabacher, with Republican Scott Baugh about a point behind the two Democrats.

— **CA-49:** Democrat Mike Levin is currently in second, with two Democrats behind him, and Republican Diane Harkey has advanced to the general election.

— BEHIND THE SCENES — "Republican super PAC secretly promoted candidates in California," by POLITICO's Alex Isenstadt and Elena Schneider: "A House GOP leadership-backed super PAC secretly picked favorites in three high-profile California primaries to be decided Tuesday that could help to decide control of the chamber. Republican leadership typically stays out of contested primaries where incumbents are not seeking reelection. But in April, Congressional Leadership Fund, a group closely aligned with House Speaker Paul Ryan, funneled about $1.5 million to American Future Fund, an Iowa-based outside Republican

AMERICAN OVERSIGHT

organization, according to a CLF official." **Full story.**

ROBY TO RUNOFF — "Republican primary voters in Alabama will have to decide which is worse: a vote against Donald Trump, or a vote for Nancy Pelosi," Campaign Pro's Elena Schneider and Daniel Strauss report. "That will be the key question in a July primary runoff involving GOP Rep. Martha Roby ... She will face former Rep. Bobby Bright, an ex-Democrat, in a head-to-head race for the Republican nomination in July. Roby spurned Trump in 2016, promising not to vote for him and calling for him to quit the presidential race after the Access Hollywood tape ... Roby's rejection of the president hurt, siphoning votes to a write-in candidate in the 2016 general election and drawing four Republican opponents into this year's primary. ... But Bright has his own baggage: a vote for Pelosi as speaker of the House from 2009, at the beginning of Bright's one and only term in Congress as a Democrat. Roby attacked Bright over the vote when she beat him in a general election eight years ago, and the charge can only be more potent in a Republican primary." **Full story.**

ROSENDALE TO FACE TESTER — Montana state Auditor Matt Rosendale took about 34 percent of the primary vote on his way to the GOP nomination to face Democratic Sen. Jon Tester in the fall. **James Arkin has a preview of the race.**

MENENDEZ GETS A MESSAGE — Democratic primary voters served Sen. Robert Menendez a showing of political weakness Tuesday night, giving him just 62 percent of the primary vote ahead of his bid for another term. **More here from POLITICO New Jersey's Matt Friedman.**

GUV RACES — Alabama Gov. Kay Ivey navigated her Republican primary and avoided a runoff with 56 percent of the vote, and will face Democrat Walt Maddox in November. **In California**, Democratic Lt. Gov. Gavin Newsom will face GOP businessman John Cox, as Antonio Villaraigosa failed to make it a top-two Democratic battle. **Iowa** Democratic businessman Fred Hubbell won the nomination to take on GOP Gov. Kim Reynolds, and congressional colleagues Michelle Lujan Grisham (D) and Steve Pearce (R) will go head to head for the governorship **in New Mexico**. Another colleague, Rep. Kristi Noem, convincingly won the Republican nomination for governor of **South Dakota**.

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

MORE HOUSE BATTLEGROUNDS — Democratic women ran away with the battleground nominations in Iowa, with state Rep. Abby Finkenauer getting the nod in IA-01 against GOP Rep. Rod Blum and businesswoman Cindy Axne winning in GOP Rep. David Young's IA-03.

— **In New Jersey**, Democratic state Sen. Jeff Van Drew will face Republican Seth Grossman for open NJ-02, while Democrat Mikie Sherrill will go up against Republican Jay Webber in open

AMERICAN OVERSIGHT

NJ-11. Former Obama State Department official Tom Malinowski won the Democratic primary in GOP Rep. Leonard Lance's NJ-07.

See all the June 5 election results here: ALABAMA | CALIFORNIA | IOWA | MISSISSIPPI | MONTANA | NEW JERSEY | NEW MEXICO | SOUTH DAKOTA

Days until the 2018 election: 153.

Upcoming election dates — June 12: Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Connecticut: June 12. — **New Hampshire:** June 15. — **Rhode Island:** June 27.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join the **Global Public Affairs Club**, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

BIG MONEY ALERT — "David Koch leaving business, political network," by Campaign Pro's Maggie Severns: "Billionaire David Koch is retiring from his family's business and political network, citing health issues. Koch's departure was announced in a letter sent by his brother, Charles Koch, to Koch Industries employees on Tuesday. ... David Koch is leaving both Koch Industries and his role as chairman of the Americans for Prosperity Foundation, the charity arm of the sprawling Koch network." **Full story.**

— **"PAC readies pro-Whitmer ads in Michigan," by Campaign Pro's Daniel Strauss:** "A Democratic 527 group supporting Democrat Gretchen Whitmer in the Michigan gubernatorial race is planning to start airing ads in the next few weeks, according to multiple Democrats with knowledge of the group's plans.

AMERICAN OVERSIGHT

The outside group, Build A Better Michigan, was set up by Mark Burton, a longtime top aide to Whitmer. The aim of the TV ad blitz is to also increase Whitmer's name recognition ahead of the August primary, when Whitmer will face opponents including entrepreneur Shri Thanedar and physician Abdul El-Sayed.". **Full story.**

— **"Vice President Pence expected at mid-June Schuette fundraiser," by the Detroit News' Jonathan Oosting:** "Pence is set to attend the June 15 event at the Townsend Hotel in Birmingham, Schuette strategist John Sellek confirmed Tuesday. The fundraiser will start at noon.The vice president first backed Schuette for Michigan governor in November, when his new political action committee announced it would donate the maximum $6,800 to the Midland Republican's campaign." **Full story.**

MINNESOTA SHAKEUP — "Ellison launches bid for Minnesota attorney general," by POLITICO's Isaac Dovere: "Democratic Rep. Keith Ellison jumped into the race for Minnesota attorney general today, the final day candidates were allowed to file. Ellison won't leave Congress immediately, but he will not run for reelection. He will also remain deputy chairman of the DNC during his campaign." **Full story.**

ON THE AIRWAVES — DGA knocks Pearce: The Democratic Governors Association is releasing a new 30-second ad dinging Rep. Steve Pearce in the New Mexico governor's race. The DGA is promoting the ad online digitally. **Watch the ad here**.

POLLING DATA — "Pro-Vukmir PAC poll shows her leading Wisconsin GOP primary," via Campaign Pro's James Arkin: "A new internal poll from a super PAC backing state Sen. Leah Vukmir shows her leading Marine veteran and businessman Kevin Nicholson in the Wisconsin GOP Senate primary. The Tarrance Group survey on behalf of Wisconsin Next PAC, an outside group backing Vukmir, had Vukmir at 36 percent support among primary voters, compared to 29 percent for Nicholson, with 35 percent undecided." **Full story.**

GETTING THE NOD — AFP backs Freitas in Virginia GOP Senate primary: "Americans for Prosperity, the main arm of the Koch brothers' outside group network, is backing state Del. Nick Freitas in next week's Virginia Senate GOP primary. Freitas, a veteran and second-term delegate, is running in the primary against two conservative firebrands: Corey Stewart, a former member of the Prince William Board of County Supervisors who lost the GOP gubernatorial primary last year, and minister E.W. Jackson, who was the party's lieutenant governor nominee in 2013." **Full story.**

— **Blue Dog PAC endorse 5 House challengers:** The Democratic Blue Dog Coalition added five House challengers to its roster of endorsed Democratic candidates, including Mel Hall (IN-02), Chris Hunter (FL-12), Kathy Manning (NC-13), Matt Reel (TN-07) and Clarke Tucker (AR-02).

CODA — QUOTE OF THE DAY: "My name was left off the polling registry today on Los Angeles." — A tweet from actor Henry Winkler, who was one of over 118,000 voters who were accidentally left off the voting rolls in Los Angeles on Tuesday, sparking concern during

AMERICAN OVERSIGHT

California's primaries.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/06/california-house-races-still-uncalled-but-democrats-positioned-to-avoid-lockouts-243676

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-003948

ED_001863D_00001910-00005

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Wed 6/6/2018 11:54:20 AM
Subject: POLITICO Huddle, presented by the American Clinical Laboratory Association: DEMS DODGE LOCKOUT IN CALIFORNIA — Manchin embraces MAGA — GOP SCRAMBLES FOR DACA DEAL — Minibus hits roadblock in the House

06/06/2018 07:52 AM EDT

By Heather Caygle (hcaygle@politico.com and @heatherscope)

DEMS DON'T WHIFF IN GOLDEN STATE — After weeks of hand wringing and millions of rescue-mission dollars spent, Democrats are on track to avoid lockouts in a number of key battleground House districts in California. "With the votes still being tallied early Wednesday, Democratic candidates were in second place" in three critical Southern California districts seen as key to winning back the House, Elena Schneider and James Arkin report this morning. Key state-by-state results: https://politi.co/2xIP0RW

Top takeaways from Super Tuesday: 1. Bruised feelings but no lockouts in California ... 2. Trump scores symbolic victory as Republican advances in Golden State gubernatorial race ... 3. California Lt. Gov. Gavin Newsom expected to cruise to governorship ... 4. New Jersey voters send Sen. Bob Menendez a message ... 5. Another good night for Democratic women ... 6. Bernie Sanders' sputtering revolution ... 7. Roby pays after Trump diss. **David Siders, Natasha Korecki, Carla Marinucci and Steven Shepard with much more:** https://politi.co/2Jf49jf

It's not over yet: Votes are still being counted - and current tallies are very close in a number of key House races in California. Track live election results here.

Other election coverage not to miss: Alabama GOP Rep. Martha Roby forced into runoff against former Democrat, via Elena and Daniel Strauss; Feinstein romps to victory in Senate primary, the AP reports; Montana state Auditor Matt Rosendale will face Democratic Sen. Jon Tester, via Scott Bland.

MANCHIN: MAYBE MAGA AIN'T SO BAD — Sen. Joe Manchin really likes President Donald Trump - so much so, the vulnerable West Virginia Democrat hasn't ruled out endorsing him in the 2020 election. Yes, really. More than any other Democrat in Congress, Manchin has positioned himself as a vocal ally of the president, Burgess reports from Ranson, W. Va. "I'm open to supporting the person who I think is best for my country and my state," Manchin told Burgess this week from the driver's seat of his Grand Cherokee. "If his policies are best, I'll be right there."

But Manchin, whose state Trump won by more than 40 points, is a top target for Republicans this fall. "If Joe Manchin says that he votes with the president 50-60 percent of the time? In my book that's a failure," said Manchin's opponent, state Attorney General Patrick Morrisey.

And what about all that hugging? "The president recently mocked Manchin in front of the Senate GOP caucus as trying to hug him all the time — only a slight exaggeration, by Manchin's

AMERICAN OVERSIGHT

telling. 'We just kind of do the man-bump type thing. That's it. And I think he's pulling me as much as I'm pulling him,' Manchin said in describing his physical embraces with the president." Much more from the Mountain State: https://politi.co/2JmexBu

GOP SCRAMBLES FOR DACA DEAL — Republican negotiators are scrambling to reach a DACA deal that would head off an immigration showdown on the House floor. With two Democratic holdouts relenting Tuesday, GOP moderates are now within three signatures of forcing a vote if they can't reach an agreement with Republican hardliners first. The outstanding issue is whether both sides can agree to some sort of legal status for Dreamers. "We want clear, concrete protections for Dreamers and a bridge into the legal immigration system. That's not negotiable," centrist Rep. Carlos Curbelo (R-Fla.) told Huddle while declining to say if he would accept a deal that didn't offer Dreamers a pathway to citizenship.

What's next: Negotiators for both sides will meet with Speaker Paul Ryan (R-Wis.) and other GOP leaders today to continue talks with a full Republican Conference meeting tomorrow. Bres and yours truly: https://politi.co/2M2a1tP

Related read: "I'm not writing one penny to any of them" until DACA is resolved, Florida GOP megadonor Mike Fernandez tells Natasha Korecki.

** **A message from the American Clinical Laboratory Association:** Millions of seniors who depend on lab tests to manage their health are facing reductions in access to Medicare lab testing because of HHS' flawed implementation of the Protecting Access to Medicare Act (PAMA). HHS is putting the nation's most vulnerable seniors at risk. It's time for Congress to act. Learn More. **

ALRIGHT WEDNESDAY, WE'RE DOING THIS. Welcome to June 6 and thanks for reading POLITICO's Huddle, the play-by-play guide to all things Capitol Hill. I'm Heather, your former Huddle host back on the mic for one day only as Nolan is enjoying a little vacay time. Since y'all haven't had me around in a while, here's a cute pic of my pup Biggie Smalls on vacation herself last week.

MINIBUS HITS A ROADBLOCK — House Democratic leaders are urging their members to vote against a normally noncontroversial spending package (known around here as a "minibus") slated for a vote later this week, Sarah Ferris reports. The Democratic plan "threatens to put a chokehold on the GOP's spending strategy this year," she writes. "They're attempting a redo of last year's spending strategy, which forced House GOP leaders into painful negotiations with their divided caucus to put up the 218 votes for spending bills themselves." More: https://politi.co/2JeSbGn

McCABE WANTS IMMUNITY FOR SENATE TESTIMONY — Former FBI Deputy Director Andrew McCabe says he will have "no choice" but to invoke the Fifth Amendment if he is forced to testify before the Senate Judiciary Committee next week about the FBI's 2016 probe into Hillary Clinton without "suitable legal protection," his lawyer said in a letter to the panel. Because McCabe is subject to a referral for criminal prosecution stemming from the inspector general's conclusion that he had lied to investigators, immunity would be required in order to

AMERICAN OVERSIGHT

secure his testimony, Elana reports. More: https://politi.co/2Jf94AJ

BYE-BYE RECESS — After weeks of speculation, Senate Majority Leader Mitch McConnell (R-Ky.) announced Tuesday he was canceling three weeks of the August break. McConnell blamed it on Democratic "obstruction" preventing the quick approval of Trump's judicial and executive branch nominees. But the cancellation has the added bonus of keeping several vulnerable Democratic senators in Washington instead of back home campaigning. "There are 10 Democrats up for reelection in states that Trump won, and just one Senate Republican, Dean Heller of Nevada, who is trying to get re-elected in a state won by Hillary Clinton," Burgess and Elana report.

You've got mail: Senate Minority Leader Chuck Schumer (D-N.Y.) will send McConnell a letter today requesting the Senate use its newfound work time in August to vote on Democratic-backed health care proposals, Elana reports.

Trump weighs in: "Mitch McConnell announced he will cancel the Senate's August Recess. Great, maybe the Democrats will finally get something done other than their acceptance of High Crime and High Taxes. We need Border Security!" the president tweeted at midnight.

The House is unlikely to follow suit, though, according to multiple sources. One key reason? Republican leaders in the House basically have the opposite problem: They have a number of vulnerable members who need to spend that month campaigning in their districts if the GOP wants to avoid a wipeout this fall.

SIGNED, SEALED, DELIVERED — Democratic Rep. Keith Ellison made it official Tuesday, jumping in the Minnesota attorney general's race on the last day candidates could file. Ellison isn't resigning from Congress but won't run for reelection. He also plans to remain deputy chairman of the DNC. Ellison first toyed with entering the race last year, Edward-Isaac Dovere reports, and enters a crowded primary field with high name recognition.

REVOLVING DOOR — Dan Holler, a prolific tweeter and founding staffer for Heritage's lobbying arm, is leaving the organization to join Sen. Marco Rubio's office as deputy chief of staff, Roll Call reports. "The new gig will reunite him with his recent Heritage Action boss Michael Needham, who left in April to become Rubio's chief of staff," writes Kate Ackley.

SADLER OUT AT WHITE HOUSE — Kelly Sadler is no longer at the White House as of Tuesday, nearly a month after the communications aide made a crass comment about Sen. John McCain's health. "The White House had been strategizing an exit for Sadler for the last two weeks, a senior administration official said," CNN's Noah Gray, Kevin Liptak and Pamela Brown reported . It's unclear if Sadler left the administration all together or was relocated somewhere else. Sadler, who came under fire for saying McCain's opposition to Trump's CIA nominee didn't matter because McCain was "dying anyway," never publicly apologized.

TODAY IN CONGRESS — The House meets at 10 a.m. with first votes around 1:30 p.m. and last votes (on amendments to a water resources bill) around 9:30 p.m. tonight. **The Senate** gavels in at 10 a.m. with a confirmation vote on judicial nominee Annemarie Carney Axon at 11 a.m.

AMERICAN OVERSIGHT

AROUND THE HILL — Reps. Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Ruben Gallego (D-Ariz.), Adriano Espaillat (D-N.Y.) and **Darren Soto (D-Fla.)** hold a press conference at 9:30 a.m. in the House triangle on hurricane recovery efforts in Puerto Rico and updated mortality numbers.

Speaker Paul Ryan (R-Wis.), House Majority Whip Steve Scalise (R-La.), GOP Conference Chair Cathy McMorris Rodgers (R-Wash.) and **Rep. Rob Woodall (R-Ga.)** take questions from reporters at 10 a.m. in HC-8.

House Democratic Caucus Chairman Joe Crowley (D-N.Y.) and **Rep. Joaquin Castro (D-Texas)** hold a press conference at 1 p.m. in HVC Studio A.

Rep. Carolyn Maloney (D-N.Y.) and actress **Alyssa Milano** will hold a press conference on the equal rights amendment at 1 p.m. in the House triangle. A forum on the amendment will follow at 3 p.m. in 2247 Rayburn.

TUESDAY'S TRIVIA WINNER — Arik Wolk was the first to guess that George H.W. Bush was first to visit six of the seven continents as president.

TODAY'S TRIVIA — Myles Ambrose with today's question: Twenty of the first 21 vice presidents have a bust in the gallery of the Senate chamber. Who is missing and why? The first person to correctly answer gets a shout out in tomorrow's Huddle. And don't forget, send suggestions for trivia questions my way: hcaygle@politico.com

GET HUDDLE emailed to your phone each morning.

** **A message from the American Clinical Laboratory Association:** Millions of seniors depend on lab tests to manage their health. Yet steep cuts by HHS to vital lab services put seniors on Medicare at great risk. By reducing access to vital lab tests for heart disease, diabetes, cancer, and many other conditions, other health care costs are sure to increase. Worst of all, these cuts will hit the most vulnerable seniors -- like those in nursing homes or in rural areas -- the hardest. HHS has deliberately ignored the law and Congressional intent, which will reduce access to lab testing for America's seniors. Congress must act now to restore the true intent of the Protecting Access to Medicare Act (PAMA) and protect seniors from HHS' penny-wise and pound-foolish approach. Learn More. **

To view online:
https://www.politico.com/newsletters/huddle/2018/06/06/manchin-embraces-maga-dems-dodge-lockout-in-california-gop-scrambles-for-daca-deal-minibus-hits-roadblock-in-house-278911

To change your alert settings, please go to https://secure.politico.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington,

AMERICAN OVERSIGHT

VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Huddle
Sent: Wed 6/6/2018 11:54:20 AM
Subject: POLITICO Huddle, presented by the American Clinical Laboratory Association: DEMS DODGE LOCKOUT IN CALIFORNIA — Manchin embraces MAGA — GOP SCRAMBLES FOR DACA DEAL — Minibus hits roadblock in the House

06/06/2018 07:52 AM EDT

By Heather Caygle (hcaygle@politico.com and @heatherscope)

DEMS DON'T WHIFF IN GOLDEN STATE — After weeks of hand wringing and millions of rescue-mission dollars spent, Democrats are on track to avoid lockouts in a number of key battleground House districts in California. "With the votes still being tallied early Wednesday, Democratic candidates were in second place" in three critical Southern California districts seen as key to winning back the House, Elena Schneider and James Arkin report this morning. Key state-by-state results: https://politi.co/2xIP0RW

Top takeaways from Super Tuesday: 1. Bruised feelings but no lockouts in California ... 2. Trump scores symbolic victory as Republican advances in Golden State gubernatorial race ... 3. California Lt. Gov. Gavin Newsom expected to cruise to governorship ... 4. New Jersey voters send Sen. Bob Menendez a message ... 5. Another good night for Democratic women ... 6. Bernie Sanders' sputtering revolution ... 7. Roby pays after Trump diss. **David Siders, Natasha Korecki, Carla Marinucci and Steven Shepard with much more:** https://politi.co/2Jf49jf

It's not over yet: Votes are still being counted - and current tallies are very close in a number of key House races in California. Track live election results here.

Other election coverage not to miss: Alabama GOP Rep. Martha Roby forced into runoff against former Democrat, via Elena and Daniel Strauss; Feinstein romps to victory in Senate primary, the AP reports; Montana state Auditor Matt Rosendale will face Democratic Sen. Jon Tester, via Scott Bland.

MANCHIN: MAYBE MAGA AIN'T SO BAD — Sen. Joe Manchin really likes President Donald Trump - so much so, the vulnerable West Virginia Democrat hasn't ruled out endorsing him in the 2020 election. Yes, really. More than any other Democrat in Congress, Manchin has positioned himself as a vocal ally of the president, Burgess reports from Ranson, W. Va. "I'm open to supporting the person who I think is best for my country and my state," Manchin told Burgess this week from the driver's seat of his Grand Cherokee. "If his policies are best, I'll be right there."

But Manchin, whose state Trump won by more than 40 points, is a top target for Republicans this fall. "If Joe Manchin says that he votes with the president 50-60 percent of the time? In my book that's a failure," said Manchin's opponent, state Attorney General Patrick Morrisey.

And what about all that hugging? "The president recently mocked Manchin in front of the Senate GOP caucus as trying to hug him all the time — only a slight exaggeration, by Manchin's

AMERICAN OVERSIGHT

telling. 'We just kind of do the man-bump type thing. That's it. And I think he's pulling me as much as I'm pulling him,' Manchin said in describing his physical embraces with the president." Much more from the Mountain State: https://politi.co/2JmexBu

GOP SCRAMBLES FOR DACA DEAL — Republican negotiators are scrambling to reach a DACA deal that would head off an immigration showdown on the House floor. With two Democratic holdouts relenting Tuesday, GOP moderates are now within three signatures of forcing a vote if they can't reach an agreement with Republican hardliners first. The outstanding issue is whether both sides can agree to some sort of legal status for Dreamers. "We want clear, concrete protections for Dreamers and a bridge into the legal immigration system. That's not negotiable," centrist Rep. Carlos Curbelo (R-Fla.) told Huddle while declining to say if he would accept a deal that didn't offer Dreamers a pathway to citizenship.

What's next: Negotiators for both sides will meet with Speaker Paul Ryan (R-Wis.) and other GOP leaders today to continue talks with a full Republican Conference meeting tomorrow. Bres and yours truly: https://politi.co/2M2a1tP

Related read: "I'm not writing one penny to any of them" until DACA is resolved, Florida GOP megadonor Mike Fernandez tells Natasha Korecki.

** **A message from the American Clinical Laboratory Association:** Millions of seniors who depend on lab tests to manage their health are facing reductions in access to Medicare lab testing because of HHS' flawed implementation of the Protecting Access to Medicare Act (PAMA). HHS is putting the nation's most vulnerable seniors at risk. It's time for Congress to act. Learn More. **

ALRIGHT WEDNESDAY, WE'RE DOING THIS. Welcome to June 6 and thanks for reading POLITICO's Huddle, the play-by-play guide to all things Capitol Hill. I'm Heather, your former Huddle host back on the mic for one day only as Nolan is enjoying a little vacay time. Since y'all haven't had me around in a while, here's a cute pic of my pup Biggie Smalls on vacation herself last week.

MINIBUS HITS A ROADBLOCK — House Democratic leaders are urging their members to vote against a normally noncontroversial spending package (known around here as a "minibus") slated for a vote later this week, Sarah Ferris reports. The Democratic plan "threatens to put a chokehold on the GOP's spending strategy this year," she writes. "They're attempting a redo of last year's spending strategy, which forced House GOP leaders into painful negotiations with their divided caucus to put up the 218 votes for spending bills themselves." More: https://politi.co/2JeSbGn

McCABE WANTS IMMUNITY FOR SENATE TESTIMONY — Former FBI Deputy Director Andrew McCabe says he will have "no choice" but to invoke the Fifth Amendment if he is forced to testify before the Senate Judiciary Committee next week about the FBI's 2016 probe into Hillary Clinton without "suitable legal protection," his lawyer said in a letter to the panel. Because McCabe is subject to a referral for criminal prosecution stemming from the inspector general's conclusion that he had lied to investigators, immunity would be required in order to

AMERICAN OVERSIGHT

secure his testimony, Elana reports. More: https://politi.co/2Jf94AJ

BYE-BYE RECESS — After weeks of speculation, Senate Majority Leader Mitch McConnell (R-Ky.) announced Tuesday he was canceling three weeks of the August break. McConnell blamed it on Democratic "obstruction" preventing the quick approval of Trump's judicial and executive branch nominees. But the cancellation has the added bonus of keeping several vulnerable Democratic senators in Washington instead of back home campaigning. "There are 10 Democrats up for reelection in states that Trump won, and just one Senate Republican, Dean Heller of Nevada, who is trying to get re-elected in a state won by Hillary Clinton," Burgess and Elana report.

You've got mail: Senate Minority Leader Chuck Schumer (D-N.Y.) will send McConnell a letter today requesting the Senate use its newfound work time in August to vote on Democratic-backed health care proposals, Elana reports.

Trump weighs in: "Mitch McConnell announced he will cancel the Senate's August Recess. Great, maybe the Democrats will finally get something done other than their acceptance of High Crime and High Taxes. We need Border Security!" the president tweeted at midnight.

The House is unlikely to follow suit, though, according to multiple sources. One key reason? Republican leaders in the House basically have the opposite problem: They have a number of vulnerable members who need to spend that month campaigning in their districts if the GOP wants to avoid a wipeout this fall.

SIGNED, SEALED, DELIVERED — Democratic Rep. Keith Ellison made it official Tuesday, jumping in the Minnesota attorney general's race on the last day candidates could file. Ellison isn't resigning from Congress but won't run for reelection. He also plans to remain deputy chairman of the DNC. Ellison first toyed with entering the race last year, Edward-Isaac Dovere reports, and enters a crowded primary field with high name recognition.

REVOLVING DOOR — Dan Holler, a prolific tweeter and founding staffer for Heritage's lobbying arm, is leaving the organization to join Sen. Marco Rubio's office as deputy chief of staff, Roll Call reports. "The new gig will reunite him with his recent Heritage Action boss Michael Needham, who left in April to become Rubio's chief of staff," writes Kate Ackley.

SADLER OUT AT WHITE HOUSE — Kelly Sadler is no longer at the White House as of Tuesday, nearly a month after the communications aide made a crass comment about Sen. John McCain's health. "The White House had been strategizing an exit for Sadler for the last two weeks, a senior administration official said," CNN's Noah Gray, Kevin Liptak and Pamela Brown reported . It's unclear if Sadler left the administration all together or was relocated somewhere else. Sadler, who came under fire for saying McCain's opposition to Trump's CIA nominee didn't matter because McCain was "dying anyway," never publicly apologized.

TODAY IN CONGRESS — The House meets at 10 a.m. with first votes around 1:30 p.m. and last votes (on amendments to a water resources bill) around 9:30 p.m. tonight. **The Senate** gavels in at 10 a.m. with a confirmation vote on judicial nominee Annemarie Carney Axon at 11 a.m.

AMERICAN OVERSIGHT

AROUND THE HILL — Reps. Nydia Velázquez (D-N.Y.), José Serrano (D-N.Y.), Ruben Gallego (D-Ariz.), Adriano Espaillat (D-N.Y.) and **Darren Soto (D-Fla.)** hold a press conference at 9:30 a.m. in the House triangle on hurricane recovery efforts in Puerto Rico and updated mortality numbers.

Speaker Paul Ryan (R-Wis.), House Majority Whip Steve Scalise (R-La.), GOP Conference Chair Cathy McMorris Rodgers (R-Wash.) and **Rep. Rob Woodall (R-Ga.)** take questions from reporters at 10 a.m. in HC-8.

House Democratic Caucus Chairman Joe Crowley (D-N.Y.) and **Rep. Joaquin Castro (D-Texas)** hold a press conference at 1 p.m. in HVC Studio A.

Rep. Carolyn Maloney (D-N.Y.) and actress **Alyssa Milano** will hold a press conference on the equal rights amendment at 1 p.m. in the House triangle. A forum on the amendment will follow at 3 p.m. in 2247 Rayburn.

TUESDAY'S TRIVIA WINNER — Arik Wolk was the first to guess that George H.W. Bush was first to visit six of the seven continents as president.

TODAY'S TRIVIA — Myles Ambrose with today's question: Twenty of the first 21 vice presidents have a bust in the gallery of the Senate chamber. Who is missing and why? The first person to correctly answer gets a shout out in tomorrow's Huddle. And don't forget, send suggestions for trivia questions my way: hcaygle@politico.com

GET HUDDLE emailed to your phone each morning.

** **A message from the American Clinical Laboratory Association:** Millions of seniors depend on lab tests to manage their health. Yet steep cuts by HHS to vital lab services put seniors on Medicare at great risk. By reducing access to vital lab tests for heart disease, diabetes, cancer, and many other conditions, other health care costs are sure to increase. Worst of all, these cuts will hit the most vulnerable seniors -- like those in nursing homes or in rural areas -- the hardest. HHS has deliberately ignored the law and Congressional intent, which will reduce access to lab testing for America's seniors. Congress must act now to restore the true intent of the Protecting Access to Medicare Act (PAMA) and protect seniors from HHS' penny-wise and pound-foolish approach. Learn More. **

To view online:
https://www.politico.com/newsletters/huddle/2018/06/06/manchin-embraces-maga-dems-dodge-lockout-in-california-gop-scrambles-for-daca-deal-minibus-hits-roadblock-in-house-278911

To change your alert settings, please go to https://secure.politico.com/settings

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd.

AMERICAN OVERSIGHT

Arlington, VA, 22209, USA

.

Please click here and follow the steps to unsubscribe.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro
Sent: Wed 6/6/2018 5:41:47 AM
Subject: POLITICO Pro Breaking News: Rosendale wins GOP nod to face Tester

State Auditor Matt Rosendale has won the Montana Republican Senate primary and will face Democratic Sen. Jon Tester in the general election.

Rosendale had 34 percent of the vote to former judge Russ Fagg's 29 percent when the Associated Press called the primary with 54 percent of precincts reporting. Veteran Troy Downing was in third place with 19 percent.

The closely watched Senate contest is one of five featuring a Democratic senator in a state President Donald Trump carried by double digits in 2016.

See live results here.

To change your alert settings, please go to https://subscriber.politicopro.com/settings

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/4/2018 2:05:49 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Montana marks first step in big Senate year for Club for Growth — Quarreling millionaires, crowded Democratic ballot in Orange County threaten key House district — Poll finds Democrats leading gener...

By Elena Schneider | 06/04/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

BIG SKY TEST — "Montana marks first step in big Senate year for Club for Growth," by Campaign Pro's James Arkin: "Club for Growth President David McIntosh thinks Republicans are being far too bearish in their predictions for the Senate this cycle, and he says it will be a complete failure of party leadership if they lose the upper chamber. McIntosh hopes his conservative organization can help sway critical races for its favored candidates, from hard-fought Republican primaries to campaigns against Democratic incumbents in deep-red states.

"The group's most notable investment so far has been in Tuesday's Montana Senate primary, where it has spent $1.7 million backing state Auditor Matt Rosendale, widely viewed as the Republican front-runner, and attacking his chief opponent, former Judge Russ Fagg. The Club started spending in early May, and those investments helped set the tone for the final weeks of the race to take on Democratic Sen. Jon Tester. Montana is just the earliest preview of the Club's spending plans for this cycle." **Full story.**

ON TUESDAY — "'This is the weirdest race in the country,'" by Campaign Pro's Elena Schneider in Fullerton, Calif.: "Gil Cisneros and Andy Thorburn, two millionaire Democratic candidates for a battleground House district in Southern California, had been attacking each other so ruthlessly that party leaders encouraged them to meet at an Italian restaurant in Los Angeles earlier this month to force a truce: Play nice, or risk forfeiting a top district to Republicans. The armistice, brokered by California Democratic Party Chairman Eric Bauman and the Democratic Congressional Campaign Committee, altered the course of one of the stranger primaries of 2018, replete with party meddling and nasty attacks but few policy differences. Looming above it all is the possibility that two Republicans would advance to the general election to replace Republican Rep. Ed Royce in a district Hillary Clinton carried in 2016." **Full story.**

ICYMI — "California Democrats agonize over House primaries," via Schneider. Full story.

— "Democrats Hope an Asian Influx Will Help Turn Orange County Blue," by The New York Times' Vivian Yee. Full story.

— In CA-48: Democrat Harley Rouda gave his campaign another $300,000, per a new FEC

AMERICAN OVERSIGHT

filing, and also took in several thousand dollars from five Democratic House members.

LAST WEEKEND — "GOP picks Denver Riggleman to replace Rep. Tom Garrett as nominee in Virginia's 5th District," by The Washington Post's Jenna Portnoy: "Republican activists chose Denver Riggleman at a meeting Saturday in central Virginia to replace Rep. Thomas Garrett (R) on the November ballot, following a frenzied five-day campaign. The craft distillery owner and former Air Force intelligence officer will face Democrat Leslie Cockburn, a journalist, author and first-time candidate trying to capitalize on opposition to President Trump in Charlottesville and other liberal enclaves in Virginia's 5th Congressional District." **Full story.**

FIRST IN SCORE — POLLING DATA — House Majority PAC poll finds Democrats leading generic ballot in WA-08: House Majority PAC confirmed to Campaign Pro that it conducted a poll in the open race, which found that Democrats lead the generic ballot, 48 percent to 42 percent. But Republican Dino Rossi, who is better known than the three Democratic candidates, leads the uninformed ballot with 41 percent, followed by Kim Schrier with 17 percent and Shannon Hader with 11 percent. But on the informed ballot, Democrat Jason Rittereiser is the only candidate who matches Rossi in a head-to-head matchup.

"The most important takeaway from this poll is that Dino Rossi can be beaten and, despite spending tens of millions of dollars losing three statewide elections, finds himself in an incredibly vulnerable position. The poll also shows that all of the leading Democrats are competitive with Rossi," HMP's spokesman Jeb Fain said in an emailed statement. **Check out the polling memo here.**

Days until the 2018 election: 155

Upcoming election dates — June 5: Alabama, California, Iowa, Mississippi, Montana, New Jersey, New Mexico and South Dakota primaries — **June 12:** Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Hawaii and Minnesota: June 5 **— Connecticut:** June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

AMERICAN OVERSIGHT

Join the Global Public Affairs Club, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

FIRST IN SCORE — ON THE AIRWAVES — Renacci pops new attack ad: Ohio Rep. Jim Renacci's Senate campaign is launching a new ad Monday hitting back against an attack ad from Democratic Sen. Sherrod Brown . "You're going to hear a lot from Sherrod 'Full-of-Bull' Brown because a lifelong politician who raises our taxes and broke his pledge on term limits will say anything to stay in Washington," Renacci says to the camera. "And Sherrod, next time you want to spread your bull around, look at the camera and do it yourself." Watch the ad here.

— Sisolak releases positive spot in Nevada governor's race: Democrat Steve Sisolak launched a positive TV ad on Monday, featuring Sisolak's daughters who say he taught them to "stand up to bullies ... like Trump." The ad will air on broadcast and cable stations in in Reno and Las Vegas. **Watch the ad here.**

— One Nation ad praises Hawley's Google investigation: "A new TV ad from One Nation, the nonprofit group allied with GOP Senate leadership, praises Missouri Attorney General Josh Hawley for his office's investigation into Google's privacy protections." **Full story.**

** **A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com **

FIRST IN SCORE — WEB WARS — The NRSC is launching a new digital ad in Tennessee today highlighting some of President Donald Trump's attacks against former Gov. Phil Bredesen during his rally in Nashville last week. "Bredesen donated a lot of money to the campaigns of Barack Obama and Hillary Clinton, Crooked HIllary," Trump says in the ad. **Watch the ad here.**

BAD HEADLINE — "Top Comstock Challenger Criticized for Fake Cops in Ad," by Roll Call's Griffin Connolly: "A new ad for Jennifer Wexton, a top Democratic challenger to Virginia GOP Rep. Barbara Comstock, briefly features three police officers signing a poster promising 'Change is Coming.' But none of them are actual law enforcement. In fact, one of them is Matt Leslie, Wexton's field director, who, according to his LinkedIn profile, has never been and is not currently police." **Full story.**

CLIP AND SAVE — POLITICO's handy state-by-state guide to primary and registration dates, complete with information on early voting and when polls close, is live. Bookmark it here.

TECH PROBLEMS — "Facebook Tried to Rein In Fake Ads. It Fell Short in a California

AMERICAN OVERSIGHT

Race," by The New York Times' Sheera Frenkel: "Ms. Bateson, a Democrat running for Congress in the California primary on Tuesday, quickly opened up the social network. There, she saw what appeared to be a news article that painted her as underhandedly trying to torpedo the campaign of a rival Democratic candidate. When Ms. Bateson clicked through the article, she was directed to a Facebook page run by Sierra Nevada Revolution, a local progressive group she had clashed with in the past. ... Ms. Bateson's experience underscores Facebook's difficulties as the Silicon Valley company aims to prevent manipulation of its ad system in elections, especially as the midterms loom this November." **Full story.**

SECRET MONEY — "Judge delays order forcing Greitens' political nonprofit to hand over records," by the Kansas City Star's Jason Hancock: "A Cole County judge on Friday delayed an order forcing Gov. Eric Greitens' dark-money nonprofit to turn over documents to the House committee that's been investigating the governor for three months. Circuit Judge Jon Beetem said that because of 'the extraordinary events of this week,' he was delaying the order until after a hearing sought by the nonprofit, A New Missouri Inc. That hearing could come as early as Monday. Beetem on Tuesday had ordered A New Missouri to abide by a subpoena issued by the Missouri House and turn over documents that lawmakers believe might demonstrate efforts to illegally circumvent the state's campaign disclosure laws." **Full story.**

— **American Action Network** on Friday filed a motion for a stay in the case *CREW v. AAN*, in which the Center for Responsibility and Ethics in Washington is suing to force AAN to register as a political committee and disclose its donors. Read the filing **here**. Read the complaint **here**.

GETTING THE NOD — End Citizens United endorsed 5 House candidates: End Citizens United announced that the group is backing five Democratic House candidates: Harley Rouda (CA-48), Amy McGrath (KY-06), Kara Eastman (NE-02), Scott Wallace (PA-01) and Susan Wild (PA-07).

CODA — QUOTE OF THE DAY: "I'm stronger for Tester, I think, than Trump." — A Montana voter told The New York Times.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for

AMERICAN OVERSIGHT

our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/04/montana-marks-first-step-in-big-senate-year-for-club-for-growth-240346

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

EXT-18-783-F-003964

ED_001863D_00001915-00005

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Morning Score
Sent: Mon 6/4/2018 2:05:47 PM
Subject: POLITICO's Morning Score, presented by MarketPredict: Montana marks first step in big Senate year for Club for Growth — Quarreling millionaires, crowded Democratic ballot in Orange County threaten key House district — Poll finds Democrats leading gener...

By Elena Schneider | 06/04/2018 10:00 AM EDT

The following newsletter is an abridged version of Campaign Pro's Morning Score. For an earlier morning read on exponentially more races — and for a more comprehensive aggregation of the day's most important campaign news — sign up for Campaign Pro today. (http://www.politicopro.com/proinfo)

BIG SKY TEST — "Montana marks first step in big Senate year for Club for Growth," by Campaign Pro's James Arkin: "Club for Growth President David McIntosh thinks Republicans are being far too bearish in their predictions for the Senate this cycle, and he says it will be a complete failure of party leadership if they lose the upper chamber. McIntosh hopes his conservative organization can help sway critical races for its favored candidates, from hard-fought Republican primaries to campaigns against Democratic incumbents in deep-red states.

"The group's most notable investment so far has been in Tuesday's Montana Senate primary, where it has spent $1.7 million backing state Auditor Matt Rosendale, widely viewed as the Republican front-runner, and attacking his chief opponent, former Judge Russ Fagg. The Club started spending in early May, and those investments helped set the tone for the final weeks of the race to take on Democratic Sen. Jon Tester. Montana is just the earliest preview of the Club's spending plans for this cycle." **Full story.**

ON TUESDAY — "'This is the weirdest race in the country,'" by Campaign Pro's Elena Schneider in Fullerton, Calif.: "Gil Cisneros and Andy Thorburn, two millionaire Democratic candidates for a battleground House district in Southern California, had been attacking each other so ruthlessly that party leaders encouraged them to meet at an Italian restaurant in Los Angeles earlier this month to force a truce: Play nice, or risk forfeiting a top district to Republicans. The armistice, brokered by California Democratic Party Chairman Eric Bauman and the Democratic Congressional Campaign Committee, altered the course of one of the stranger primaries of 2018, replete with party meddling and nasty attacks but few policy differences. Looming above it all is the possibility that two Republicans would advance to the general election to replace Republican Rep. Ed Royce in a district Hillary Clinton carried in 2016." **Full story.**

ICYMI — "California Democrats agonize over House primaries," via Schneider. Full story.

— "Democrats Hope an Asian Influx Will Help Turn Orange County Blue," by The New York Times' Vivian Yee. Full story.

— In CA-48: Democrat Harley Rouda gave his campaign another $300,000, per a new FEC

AMERICAN OVERSIGHT

filing, and also took in several thousand dollars from five Democratic House members.

LAST WEEKEND — "GOP picks Denver Riggleman to replace Rep. Tom Garrett as nominee in Virginia's 5th District," by The Washington Post's Jenna Portnoy: "Republican activists chose Denver Riggleman at a meeting Saturday in central Virginia to replace Rep. Thomas Garrett (R) on the November ballot, following a frenzied five-day campaign. The craft distillery owner and former Air Force intelligence officer will face Democrat Leslie Cockburn, a journalist, author and first-time candidate trying to capitalize on opposition to President Trump in Charlottesville and other liberal enclaves in Virginia's 5th Congressional District." **Full story.**

FIRST IN SCORE — POLLING DATA — House Majority PAC poll finds Democrats leading generic ballot in WA-08: House Majority PAC confirmed to Campaign Pro that it conducted a poll in the open race, which found that Democrats lead the generic ballot, 48 percent to 42 percent. But Republican Dino Rossi, who is better known than the three Democratic candidates, leads the uninformed ballot with 41 percent, followed by Kim Schrier with 17 percent and Shannon Hader with 11 percent. But on the informed ballot, Democrat Jason Rittereiser is the only candidate who matches Rossi in a head-to-head matchup.

"The most important takeaway from this poll is that Dino Rossi can be beaten and, despite spending tens of millions of dollars losing three statewide elections, finds himself in an incredibly vulnerable position. The poll also shows that all of the leading Democrats are competitive with Rossi," HMP's spokesman Jeb Fain said in an emailed statement. **Check out the polling memo here.**

Days until the 2018 election: 155

Upcoming election dates — June 5: Alabama, California, Iowa, Mississippi, Montana, New Jersey, New Mexico and South Dakota primaries — **June 12:** Maine, Nevada, North Dakota, South Carolina and Virginia primaries. **June 26:** Colorado, Maryland, New York (congressional), Oklahoma and Utah primaries and Mississippi and South Carolina primary runoffs.

Upcoming filing deadlines — Hawaii and Minnesota: June 5 **— Connecticut:** June 12.

Thanks for joining us! You can email tips to the Campaign Pro team at sbland@politico.com, eschneider@politico.com, dstrauss@politico.com, mseverns@politico.com and jarkin@politico.com.

You can also follow us on Twitter: @politicoscott, @ec_schneider, @danielstrauss4, @maggieseverns and @jamesarkin.

Join POLITICO Playbook Co-Authors Anna Palmer and Jake Sherman on Tuesday, June 12 at The D.C. Bar Headquarters, for a Playbook Interview featuring House Majority Whip Steve Scalise (R-La.). This conversation will provide intelligence and insight around Scalise's policy priorities and the Republican leadership agenda, along with politics and news of the day. Register today.

AMERICAN OVERSIGHT

Join the Global Public Affairs Club, a new global community dedicated to **C-level public affairs professionals** launched by POLITICO's sister company, DII. Members receive the **GPAC weekly newsletter**, including original reporting and analysis on **new transparency standards, recent lobbying regulation, risk management and industry best practices.** In addition, members have access to the **Global Public Affairs Forum on Sept. 28 in Paris.** For additional information on GPAC, email Chloé Mimault-Talagrand at cmimault@dii.eu.

FIRST IN SCORE — ON THE AIRWAVES — Renacci pops new attack ad: Ohio Rep. Jim Renacci's Senate campaign is launching a new ad Monday hitting back against an attack ad from Democratic Sen. Sherrod Brown . "You're going to hear a lot from Sherrod 'Full-of-Bull' Brown because a lifelong politician who raises our taxes and broke his pledge on term limits will say anything to stay in Washington," Renacci says to the camera. "And Sherrod, next time you want to spread your bull around, look at the camera and do it yourself." Watch the ad here.

— Sisolak releases positive spot in Nevada governor's race: Democrat Steve Sisolak launched a positive TV ad on Monday, featuring Sisolak's daughters who say he taught them to "stand up to bullies ... like Trump." The ad will air on broadcast and cable stations in in Reno and Las Vegas. **Watch the ad here.**

— One Nation ad praises Hawley's Google investigation: "A new TV ad from One Nation, the nonprofit group allied with GOP Senate leadership, praises Missouri Attorney General Josh Hawley for his office's investigation into Google's privacy protections." **Full story.**

**** A message from MarketPredict:** Need live political data that is easy to understand and implement to help you win? With the launch of MarketPredict's live predictive modeling, data will be delivered to you when you need it. Covering Gubernatorial, Senate or Ballot and staffed with political-data and media experts to support your campaigns. Just consider us your extended team! info@market-predict.com | 202-408-2713 | Market-Predict.com ******

FIRST IN SCORE — WEB WARS — The NRSC is launching a new digital ad in Tennessee today highlighting some of President Donald Trump's attacks against former Gov. Phil Bredesen during his rally in Nashville last week. "Bredesen donated a lot of money to the campaigns of Barack Obama and Hillary Clinton, Crooked HIllary," Trump says in the ad. **Watch the ad here.**

BAD HEADLINE — "Top Comstock Challenger Criticized for Fake Cops in Ad," by Roll Call's Griffin Connolly: "A new ad for Jennifer Wexton, a top Democratic challenger to Virginia GOP Rep. Barbara Comstock, briefly features three police officers signing a poster promising 'Change is Coming.' But none of them are actual law enforcement. In fact, one of them is Matt Leslie, Wexton's field director, who, according to his LinkedIn profile, has never been and is not currently police." **Full story.**

CLIP AND SAVE — POLITICO's handy state-by-state guide to primary and registration dates, complete with information on early voting and when polls close, is live. Bookmark it here.

TECH PROBLEMS — "Facebook Tried to Rein In Fake Ads. It Fell Short in a California

AMERICAN OVERSIGHT

Race," by The New York Times' Sheera Frenkel: "Ms. Bateson, a Democrat running for Congress in the California primary on Tuesday, quickly opened up the social network. There, she saw what appeared to be a news article that painted her as underhandedly trying to torpedo the campaign of a rival Democratic candidate. When Ms. Bateson clicked through the article, she was directed to a Facebook page run by Sierra Nevada Revolution, a local progressive group she had clashed with in the past. ... Ms. Bateson's experience underscores Facebook's difficulties as the Silicon Valley company aims to prevent manipulation of its ad system in elections, especially as the midterms loom this November." **Full story.**

SECRET MONEY — "Judge delays order forcing Greitens' political nonprofit to hand over records," by the Kansas City Star's Jason Hancock: "A Cole County judge on Friday delayed an order forcing Gov. Eric Greitens' dark-money nonprofit to turn over documents to the House committee that's been investigating the governor for three months. Circuit Judge Jon Beetem said that because of 'the extraordinary events of this week,' he was delaying the order until after a hearing sought by the nonprofit, A New Missouri Inc. That hearing could come as early as Monday. Beetem on Tuesday had ordered A New Missouri to abide by a subpoena issued by the Missouri House and turn over documents that lawmakers believe might demonstrate efforts to illegally circumvent the state's campaign disclosure laws." **Full story.**

— **American Action Network** on Friday filed a motion for a stay in the case *CREW v. AAN*, in which the Center for Responsibility and Ethics in Washington is suing to force AAN to register as a political committee and disclose its donors. Read the filing **here**. Read the complaint **here**.

GETTING THE NOD — End Citizens United endorsed 5 House candidates: End Citizens United announced that the group is backing five Democratic House candidates: Harley Rouda (CA-48), Amy McGrath (KY-06), Kara Eastman (NE-02), Scott Wallace (PA-01) and Susan Wild (PA-07).

CODA — QUOTE OF THE DAY: "I'm stronger for Tester, I think, than Trump." — A Montana voter told The New York Times.

** **A message from MarketPredict:** MarketPredict provides a state-of-the-art way to optimize your media strategy. So what will you get? Our dashboards are interactive where you can adjust the outputs as you need to see them. Need to target females? Or just a 50+ demo? No Problem! We have you covered. Your dashboard will be focused on the three areas listed below (click links to see example):

- Media Optimization Recommendations**:** MarketPredict will focus your marketing where it will have the most impact on convertible voters.
- Program Ranker**:** Which programs should you be targeting?
- Station Ranker**:** Which stations should you be targeting?

We can also do custom analyses upon request. Our most popular is what we're calling a 50+1 analysis, wherein we show how much money you need to raise to hit different levels of voter conversion using optimal media spends. We can also do crisis analysis where we show you the impact on vote share for major events like hurricanes or terrorist strikes. All this is value-add for

AMERICAN OVERSIGHT

our clients in Scripps markets! For those wanting a more robust approach covering all markets in a state, we offer competitive pricing and bulk purchase discounts! **

To view online:
https://www.politico.com/newsletters/morning-score/2018/06/04/montana-marks-first-step-in-big-senate-year-for-club-for-growth-240346

To change your alert settings, please go to https://secure.politico.com/settings

---

This email was sent to bowman.elizabeth@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

Please click here and follow the steps to unsubscribe.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: POLITICO Pro Energy
Sent: Wed 5/30/2018 9:43:12 AM
Subject: Morning Energy, presented by America's Pledge: Battle in the Bakken state? — Groups sue over EPA waiver exemptions — Deja vu on formaldehyde

By Kelsey Tamborrino | 05/30/2018 05:41 AM EDT

With help from Annie Snider and Ben Lefebvre

BATTLE IN THE BAKKEN STATE? As the election year kicks into high gear, President Donald Trump's friendly relationship with Democratic Sen. Heidi Heitkamp is worrying some within the Republican party, POLITICO's Alex Isenstadt and Burgess Everett report. Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator from the No. 2 oil-producing state, especially at a time when many in the GOP fear that the president's unpredictable style will undercut their midterm plans. Heitkamp, who is seeking reelection in a state where Trump won nearly two-thirds of the vote, has a friendly relationship with the president, even after Trump aggressively recruited Rep. Kevin Cramer — who advised his campaign on energy issues — to give up his House seat and enter that race, leaving some of Cramer's closest allies feeling snubbed.

In an interview, Cramer said there would soon be "clarity" on who Trump supports in the race. But the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator, Alex and Burgess report. Trump has asked Cramer if he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said. "Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

For her part, Heitkamp said she's proud of her ability to work with the president. "I have a friendly relationship, I have a very important working relationship," she said in an interview, "not just with him but other members of the administration." Read the story here.

WELCOME TO WEDNESDAY! I'm your host Kelsey Tamborrino, and Peter Robertson of the Pebble Partnership was the first to correctly identify California and Ohio as the two states that don't have an avenue named after them in D.C. Instead, there's a California Street and Ohio Drive. For today: Which president was the first to see a major league baseball game in his hometown, and which town was it? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

Register for the Pro Summit: Join Pro subscribers, expert reporters and key decision-makers from the executive branch, federal agencies and Congress for a full day of incisive policy conversations on July 17. Learn more.

GROUPS SUE ON WAIVER EXEMPTIONS: Ethanol and farm groups say they've filed a

AMERICAN OVERSIGHT

lawsuit against EPA over some of the waivers granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels, Pro's Eric Wolff reports. The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

Those waivers, which ethanol backers say violate the volume mandates under the RFS, are also the subject of some horse-trading in the discussions between EPA Administrator Scott Pruitt and USDA Secretary Sonny Perdue. The two are trying to put the final touches on a compromise deal over EPA's rules for biofuels. Read more.

CHEVRON SHAREHOLDERS VOTE: Shareholders at Chevron's annual meeting today will vote on a pair of climate change-related provisions. First up is a proposal that the oil giant report to investors how it will change its business model to account for any decreased demand for oil and gas resulting from greater development of renewable energy sources. Another proposal is that Chevron start providing reports on steps it is taking to minimize methane emissions from its fracking operations. Chevron's board of directors have advised against both proposals, saying the company is already making sufficient efforts on both matters.

Exxon, which also holds its annual meeting today, is getting a break this year from the sort of environmental proposals its shareholders considered in 2017.

** **A message from America's Pledge:** America's Pledge is flipping the script on climate action. One year after the federal government announced it would pull out of the Paris Agreement, 2,700+ U.S. cities, states, and businesses are saying, "We Are Still In." See how far we've come: https://politi.co/2koAHZb **

DEJA VU? Already under fire for their handling of a controversial assessment of nonstick chemicals in drinking water, a newly uncovered EPA email suggests that public relations strategy was also front-of-mind for EPA staffers as the agency contemplated reevaluating the risks of formaldehyde. Reuters reported last week that EPA delayed release of a new assessment of the chemical that is expected to for the first time link formaldehyde with leukemia after meeting with the American Chemistry Council in January.

"They reiterated the concern you have raised about information leaking before it's been vetted and asked that the Agency have appropriate communication materials ready to use if needed," Jennifer Orme-Zavaleta, who heads EPA's Office of Research and Development, wrote in a Jan. 24 email to EPA chief of staff Ryan Jackson and Richard Yamada, deputy assistant administrator for research and development. The email was released to the Union of Concerned Scientists under the Freedom of Information Act.

Yogin Kothari, a lobbyist of UCS, said the email "sounds eerily similar" to concerns that EPA and White House officials expressed about a HHS assessment of the chemicals PFOA and PFOS. "It's not surprising that the ACC is attempting to wield its influence over EPA when its former

AMERICAN OVERSIGHT

staff are basically running the place," Kothari said by email.

WE'RE CLOSED: The Environmental Council of the States' upcoming fall meeting will close to the public certain sessions attended by EPA officials, according to the group's draft agenda for the August meeting. The draft shows ECOS will hold closed sessions on several issues, including a state-EPA roundtable on "cooperative federalism" and joint PFAS activities. (h/t E&E News' Sean Reilly)

NAFTA TALKS STILL STALLED: Recent NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks told Pro's Sabrina Rodriguez. Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources said. "Conversations have stalled entirely." Read more.

WE'LL ALWAYS HAVE PARIS: This week marks the one-year anniversary of Trump's decision to pull the U.S. out of the Paris climate agreement. The United States still technically remains in the 2015 pact for the next two-and-a-half years, but the action to implement it is playing out in the rest of the world. To mark the occasion, the World Resources Institute will host a discussion today on whether other nations have moved on since Trump's decision to exit the agreement. Among those participating is Todd Stern, the former State Department special envoy for climate change who helped seal the deal. In the lead-up to the event, WRI's Eliza Northrop laid out the seven signs of progress since Trump's announcement here, including a timeline of events over the last year. If you go: The discussion kicks off at 2:30 p.m at 10 G Street NW. Watch the livestream here.

— **And the National League of Cities**, as well as mayors from across the country, will release today their latest "State of the Cities" report that will look into the trend of cities taking on clean energy goals, despite the federal government.

OFFSHORE DRILLER FINED $4M: Oil and gas company Energy Resource Technology was fined $4 million Tuesday by the U.S. Attorney's Office for the Eastern District of Louisiana for fabricating data about the readiness of a key piece equipment used to prevent oil spills, Interior said. The fine comes as a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result, Pro's Ben Lefebvre reports. Read more.

EPA, KILDEE SPAR OVER SUMMIT: EPA defended its move to only allow federal agency and state representatives on the second day of last week's summit on toxic chemicals in drinking water, dismissing Democratic Rep. Dan Kildee's complaint that members of his staff had been barred from attending as a mischaracterization. EPA Associate Administrator Troy Lyons wrote in a letter Tuesday to Kildee and obtained by POLITICO that the agency worked with Kildee's office ahead of time to allow a staffer to attend the first day of the summit.

"I trust you understand our disappointment when we discovered that no one from your office

AMERICAN OVERSIGHT

attended the summit on May 22, particularly in light of the subsequent events on May 23," Lyons wrote. In a statement, Mitchell Rivard, Kildee's chief of staff, said that "it is hard to mischaracterize the EPA's actions — it had been widely reported that the EPA blocked both journalists and a congressional office from the taxpayer-funded PFAS summit." Read the letter here.

MAIL CALL! 45Q AND YOU: Rep. Cramer shared a letter Tuesday from the Treasury Department in response to his request for direction on the expanded 45Q tax credit for capturing and storing carbon dioxide. In the letter, Assistant Secretary for Legislative Affairs Drew Maloney said Treasury is developing published guidance to provide clarity to taxpayers for the purpose of using the credit.

— **A coalition of 12 state and city attorneys general** and attorneys sent a letter to National Academy of Sciences President Marcia McNutt saying EPA's so-called secret science proposal to ban the use of studies that don't publicly disclose all data is "too vague and rushed to allow for meaningful public review." And they pressed for the group to weigh in, saying "the National Academy's input on this extremely consequential proposal." Read it here.

API WRITES TO TRUMP ON SECTION 232: The American Petroleum Institute sent a letter to Trump last week requesting that the list of countries currently exempt from Section 232 tariffs on steel and aluminum be expanded "without imposing alternative measures such as quotas," and that the president remove any associated import quotas that have already been imposed. In his letter, API President and CEO Jack Gerard writes that additional import restrictions "will have a negative effect on our industry just as we have achieved the highest level of domestic hydrocarbon (oil and natural gas and natural gas liquids, or NGLs) production since 1949," according to EIA.

TRUDEAU COMMENTS ON PIPELINE: Canadian Prime Minister Justin Trudeau defended the Canadian government's plan to buy and complete the expansion of Kinder Morgan's Trans Mountain pipeline. "The project became too risky for a commercial entity to go forward with it; that's what Kinder Morgan told us," Trudeau said during a Bloomberg Businessweek event. "We are going to ensure that it gets built so that we can get our resources to new markets." More here.

WHITE HOUSE TALKS PUERTO RICO: Aboard an Air Force One flight, press secretary Sarah Huckabee Sanders was asked whether the president — despite his previous comments — now thinks Puerto Rico constitutes a "real catastrophe" following the release of a Harvard University study that found at least 4,645 people died from the September 2017 storm rather than the 64 deaths federal authorities counted. The White House continues to be supportive of the governor of Puerto Rico, Sanders said according to pool reports, and of "transparency and accountability." The people of Puerto Rico "deserve nothing less than that, and were going to continue to be focused on helping in every way we can," she said. "FEMA has already done the largest response ever in history to any natural disaster. They're in Puerto Rico, and we're going to continue to give as much assistance as possible."

RBS COMMITS TO NEW ENERGY FINANCING: Ahead of its shareholder meeting today, the Royal Bank of Scotland announced Tuesday new energy financing policies to support a

AMERICAN OVERSIGHT

transition to low carbon. The bank said it would no longer provide "project-specific finance" to new coal-fired power plants, thermal coal mines or oil sands projects, among other projects. Additionally, RBS said it is tightening restrictions on general lending to mining and power companies generating more than 40 percent of their revenues from thermal coal and of electricity from coal, respectively. In response, Rainforest Action Network Executive Director Lindsey Allen said the announcement "comes as a result of groups like us pressuring banks to defund fossil fuels and deforestation," but said the "policy is only half a step forward because it leaves loopholes in place."

REPORT: COOK TAPPED FOR SUPERFUND JOB: EPA has named Steven Cook — a former senior counsel at chemical giant LyondellBasell — to the agency's Superfund Task Force in the position left vacant by Albert "Kell" Kelly, Bloomberg BNA reported. Cook has been serving as deputy assistant administrator for the agency's land and waste office, prior to his move to the Superfund spot.

ZINKE DEFENDS 'KONICHIWA' GREETING: In a wide-ranging radio interview with Breitbart Radio, Interior Secretary Ryan Zinke defended his use of the greeting "konichiwa" in response to a question from Rep. Colleen Hanabusa on preserving internment sites during a March Natural Resources hearing. "I grew up in a little logging, timber town, railroad town in Montana and a lot of my family lived through the years of the internment camps. I've long since had friends that were Japanese families that went through that," Zinke said, calling it an "appropriate salute." Listen to the full interview here.

AD WARS: Club for Growth Action said Tuesday that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana. Campaign Pro's James Arkin reports the new ad campaign attacks Fagg over his record during his two decades as a district judge, including the time he called a judge who "undercut" Trump's rollback of environmental rules a "thoughtful moderate." Watch the TV ad here.

MOVER, SHAKER: Stuart Siffring joined the Western Energy Alliance as a regulatory analyst, the trade group announced Tuesday. Siffring previously worked as a permit engineer at EPA and the Colorado Department of Public Health and Environment.

QUICK HITS

— EPA used disavowed research to justify putting dirtier trucks on the road, Los Angeles Times.

— Antarctica has enormous mountain ranges and valleys deep beneath its ice, The Washington Post.

— Former Perry adviser is FirstEnergy's secret weapon in U.S. bailout, Bloomberg.

— McConnell's plan for a packed summer Senate agenda, CQ Roll Call.

— Lowe's drops paint strippers blamed in dozens of deaths, The New York Times.

AMERICAN OVERSIGHT

— No offsets, no problem as Army Corps OKs wetland projects, E&E News.

HAPPENING TODAY

9:30 a.m. — The Woodrow Wilson Center's Environmental Change and Security Program discussion on "Sustainable Water, Resilient Communities: The Challenge of Erratic Water," 1300 Pennsylvania Ave NW

1:00 p.m. — The National Academy of Sciences' Government-University-Industry Research Roundtable webinar on "Connecting Research to Policy: The Broadband Research Initiative at Pew Charitable Trusts."

1:00 p.m. — The Center for Climate, Health, and the Global Environment at the Harvard T.H. Chan School of Public Health launches new center, Boston.

2:00 p.m. — The Woodrow Wilson Center discussion on "Where Does the Transatlantic Relationship Go from Here," 1300 Pennsylvania Avenue NW

2:30 p.m. — The World Resources Institute forum on "One Year Later: Has the World Moved On Since President Trump's Announcement on the Paris Agreement?" 10 G Street NE

4:00 p.m. — Atlantic Council's Cyber Statecraft Initiative and Global Energy Center discussion on "Supply Chain Vulnerabilities in the Software Era," 1030 15th Street Northwest

THAT'S ALL FOR ME!

** **A message from America's Pledge:** One year after President Trump announced plans to withdraw from the Paris Agreement, America's Pledge is showing the world that U.S. cities, states, and businesses can lead us towards our goals - with or without Washington. https://politi.co/2koAHZb **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/05/battle-in-the-bakken-state-236539

Stories from POLITICO Pro

The one Democrat Trump can't help but like Back

By Alex Isenstadt and Burgess Everett | 05/30/2018 05:08 AM EDT

When a small group of alarmed White House aides caught wind that Sen. Heidi Heitkamp — one of the most endangered Democrats up for reelection in 2018 — would be attending President Donald Trump's bill signing last week, they raced to stop it.

Word eventually reached Senate Majority Leader Mitch McConnell, who has made unseating

AMERICAN OVERSIGHT

Heitkamp a top priority. He opted not to intervene, and the invitation stood: As the president signed a banking deregulation bill into law before a national audience, Heitkamp was right next to him, the only Democrat in the room.

As the election year kicks into high gear, Republicans have grown increasingly frustrated with Trump's ongoing flirtation with the freshman senator. At a time when many in the GOP fear that the president's unpredictable style will undercut their best-laid midterm plans, the relationship has given Heitkamp — who is seeking reelection in a state where Trump won nearly two-thirds of the vote — fodder to portray herself as a presidential ally.

Her office keeps a running list of the dozen-plus meetings Heitkamp has had with Trump and his top advisers since the 2016 election. And the senator is fond of noting that she forged close ties with Trump's former top economist, Gary Cohn. The president met with Heitkamp in Trump Tower after the 2016 election to discuss a possible Cabinet position, asked her to join him on Air Force One, and invited her onstage to join him and her Republican opponent, Rep. Kevin Cramer, during an appearance in North Dakota.

"Everyone is saying, 'What's she doing up here?'" the president said at the September event to sell his tax reform plan, which Heitkamp eventually opposed. "But I'll tell you what. Good woman, and I think we'll have your support, I hope we'll have your support. And thank you very much, senator, thank you for coming up."

After last week's bill signing, Heitkamp's allies raced to capitalize. The North Dakota Democratic Party sent out a tweet with an image of Cramer looking on uncomfortably as the president stood next to Heitkamp.

"At a bill signing today, @HeidiHeitkamp got a shout out and all @kevincramer got was a photo op next to a chair," the state party boasted.

"We will see footage of this on every platform," said Doug Heye, a former top Republican National Committee official. "It's a huge gift for her campaign."

Trump aggressively recruited Cramer to give up his House seat to take on Heitkamp, and his actions since have left some of Cramer's closest allies feeling snubbed. They note that while Trump has savaged Democratic incumbents Joe Donnelly of Indiana and Jon Tester of Montana and visited a growing list of states to pump up Republican Senate hopefuls — most recently Tennessee, where he appeared Tuesday on behalf of Rep. Marsha Blackburn — he has yet to make a campaign appearance with Cramer. Nor has the attack dog-in-chief attacked Heitkamp.

After Cramer learned last year that Heitkamp would be accompanying the president on Air Force One to North Dakota, he complained bitterly to the White House, according to two people with direct knowledge of the discussions. Heitkamp, Cramer predicted at the time, would try to use it to her political advantage. (A Cramer adviser, Pat Finken, denied that the congressman had complained about the senator riding on Air Force One.)

The administration has taken steps to assure Cramer that he has the president's full support. The

AMERICAN OVERSIGHT

congressman has been regularly in touch with White House political director Bill Stepien, and the two met earlier this month. Trump has agreed to hold a rally for Cramer later this year.

In an interview, Cramer shrugged off Heitkamp's attendance at the bill signing and said there would soon be "clarity" on who Trump supports in the race.

Yet the congressman declined to predict whether the president would go after Heitkamp aggressively, as Trump has done with other Democratic incumbents. Cramer seemed aware of the warmth between the president and the senator. Trump has asked Cramer whether he likes Heitkamp, and when the congressman responds yes, the president seems to be "relieved," Cramer said.

"Politically, North Dakota's a pretty nice state. So I don't know that turning it on her is necessarily politically helpful to me," Cramer said. "They may just be concerned that she's a woman and maybe that has an impact. I just don't know."

Heitkamp said she's proud of her ability to work with the president.

"I have a friendly relationship. I have a very important working relationship," she said in an interview, "not just with him but other members of the administration."

Trump's reluctance to go after Heitkamp stems in part from the simple fact that he needs her vote. With Republicans clinging to a narrow Senate majority, the White House has pushed for her support on several contentious votes, including the recent confirmations of CIA Director Gina Haspel and Secretary of State Mike Pompeo. She also backed Trump's nominations of Supreme Court Justice Neil Gorsuch and Environmental Protection Agency Administrator Scott Pruitt.

Last week's signing ceremony was organized by White House Office of Legislative Affairs Director Marc Short. He said he extended an invitation to Heitkamp because she played a central role in passing the banking deregulation law.

"She was an original cosponsor of the bill," Short said. "But she's also someone who opposed tax relief, who opposed repeal of Obamacare, and someone who will always support Chuck Schumer. So you can be sure the president will be actively campaigning in North Dakota this cycle."

Cramer's February entry into the race followed an intense pursuit from Trump and top White House officials. After Cramer initially said in January that he wouldn't run for Senate, he received overtures from Trump, White House counselor Kellyanne Conway, and energy executive and Trump donor Harold Hamm within a three-day period. Trump also met with Cramer's wife, Kris.

Cramer said Trump told him at the time that he'll "be out there campaigning more than you are." Trump's entreaties, Republicans contend, helped to push Cramer into the contest. Cramer won his statewide, at-large House seat in 2012, the same year Heitkamp entered the Senate.

AMERICAN OVERSIGHT

"The president leaned on him very hard. The president wanted the best candidate, and everyone in the state thought Kevin was the best candidate to beat Heidi," said Gary Emineth, a former North Dakota GOP chairman who is close with the congressman. "You know how the president is. He just doesn't quit."

Heitkamp predicted that Trump would attack her eventually. While she has maintained a positive working relationship with the president, she said it pales in comparison to Cramer's staunch loyalty.

"I don't think anyone can match his Trump credentials," Heitkamp said. "He is somebody who will always do what the president asks him to do, regardless of whether it's good for North Dakota."

As of late, the senator has been airing commercials that highlight her balancing act. "When I agree with the president I vote with him — and that's over half my votes," she says in a spot that began airing this month. "And if his policies hurt North Dakota, he knows I'll speak up."

Cramer accused Heitkamp of acting like a "Republican wannabe" with her occasional support for key Trump nominees.

"Her trying to cozy up to Donald Trump has resulted in good votes," Cramer said. "But every time she tries to become more like me, it's more flattering to me than it is to her."

Democrats, however, couldn't be happier to portray Cramer as a jilted lover.

Last week, the North Dakota Democratic Party released a video featuring a montage of clips of the president praising Heitkamp and shaking her hand as Cramer looks on — set to the sad sounds of R.E.M.'s "Everybody Hurts."

To view online click here.

Back

Ethanol, farm groups sue EPA over exemptions Back

By Eric Wolff | 05/29/2018 07:13 PM EDT

A coalition of ethanol and farmers groups said they filed a lawsuit in federal court today against EPA seeking to overturn some of the waivers the agency has granted to small refineries allowing them to shed their Renewable Fuel Standard requirements on blending biofuels.

The Renewable Fuels Association, National Corn Growers Association, American Coalition for Ethanol and National Farmers Union are challenging the waivers granted to CVR Refining's Wynnewood, Okla., refinery and the HollyFrontier refineries at Cheyenne, Wyo. and Woods

AMERICAN OVERSIGHT

Cross, Utah. Those refineries have collectively saved $170 million in compliance costs, the coalition said.

The groups, along with their allies in Congress, have criticized EPA's frequent use of the waivers, which they say undermines the RFS mandates on the amount of biofuel that must be sold into the U.S. fuel market.

"EPA is trying to undermine the RFS program under the cover of night," RFA CEO Bob Dinneen said in a statement. "And there's a reason it has been done in secret — it's because EPA is acting in contravention of the statute and its own regulations, methodically destroying the demand for renewable fuels."

The Advanced Biofuels Association challenged the waivers May 1.

WHAT'S NEXT: The complaint will be heard in the U.S. Court of Appeals for the 10th Circuit.

To view online click here.

Back

Exxon shareholders win vote to build Paris climate pact into plans Back

By Ben Lefebvre | 05/31/2017 02:37 PM EDT

The Trump administration may be preparing to withdraw the U.S. from the Paris climate change accords, but shareholders at Exxon Mobil and at least one other U.S. oil company are demanding the companies incorporate the international deal in their business models.

Nearly two-thirds of Exxon's shareholders backed a proposal on Wednesday calling for the company to assess how climate change and global efforts to limit temperature increases will affect its business. The vote is non-binding, but the results show that the once-fringe idea of linking climate change to big oil's operations has gained momentum.

The vote at the Exxon annual shareholder meeting in Dallas came after investors in its smaller rival Occidental Petroleum earlier this month cast more than two-thirds of their votes for a measure calling for the company to assess how its business would be affected by the Paris climate change accord's target of holding global warming to 2-degrees. Company credit rating agency Moody's said last year it would start to use the Paris pledge to assess financial risk for corporations.

"Shareholders have spoken clearly on climate," said Danielle Fugere, president and chief counsel for As You Sow, a group that helps shareholders introduce environmental proposals. "If there's less demand for oil and the world is awash in oil, there's going to be more competition among these companies. Shareholders are trying to figure out who is the best bet."

AMERICAN OVERSIGHT

Not all of these climate-related investor proposals succeeded, however. Chevron shareholders Wednesday morning rejected a motion that the company issue a report on how limiting global temperature increase to 2 degrees Celsius (3.6 degrees Fahrenheit) would affect its business. Only 27 percent of voting shareholders approved the proposal, down from more than 40 percent who voted for a similar proposal last year.

Exxon, Chevron and other energy companies facing such proposals argue that they are already taking the Paris agreement seriously and incorporating it into their business plans. Exxon in particular pointed out that it was developing technology that would capture the carbon emitted at natural gas power plans and then either store it or use it to produce more electricity.

"We believe the goal of carbon policy is to reduce emissions at the lowest cost to society," Exxon Chief Executive Darren Woods said at the shareholder meeting. "These goals led us to support the Paris Agreement." Woods sent President Donald Trump a letter earlier this month urging the U.S. to stay in the Paris deal.

For Exxon, the votes also illustrate how entangled the company has become in New York state climate change politics. The climate change proposal shareholders approved was partly sponsored by the New York State Common Retirement Fund, which is run by the State's comptroller. Meanwhile, the company is embroiled in a lawsuit with the New York and Massachusetts attorneys general over whether it withheld its own research on climate change from shareholders.

"The burden is now on Exxon Mobil to respond swiftly and demonstrate that it takes shareholder concerns about climate risk seriously," New York State Comptroller Thomas P. DiNapoli said in a prepared statement after the vote.

To view online click here.

Back

NAFTA talks stall amid apparent refusal of U.S. to make concessions Back

By Sabrina Rodriguez | 05/29/2018 07:41 PM EDT

Recent high-level NAFTA talks between the U.S., Mexico and Canada have not resulted in progress on the thorniest issues because the U.S. remains unwilling to offer important concessions, two sources close to the talks said on Tuesday.

Negotiators from the Office of the U.S. Trade Representative continue to demand that "they want everything, and there's no possible way they'll get everything they want," one of the sources told POLITICO. "Conversations have stalled entirely."

As the U.S. and Canada resumed talks in Washington on Tuesday, the sources confirmed that Mexican Trade Undersecretary Juan Carlos Baker met with officials from USTR last week to

AMERICAN OVERSIGHT

present a counterproposal that would see Mexico make concessions on wages in the automotive sector in return for U.S. concessions on other flashpoint issues.

Under the offer, Mexico reportedly would accept language on automotive rules of origin that would require that 20 percent of cars produced within North America be made by workers earning at least $16 an hour.

In exchange, Mexico reportedly asked that the U.S. back off some of its thorniest proposals, like placing limits on government procurement as well as a so-called sunset clause, which would allow for the deal to be terminated if all three countries don't agree to renew it after five years. News of the counterproposal was first reported by Bloomberg.

Mexico's counterproposal was not well received by USTR, the sources said.

"USTR did not take a close look at their proposal before rejecting it," one of the sources said. "As soon as it included [the U.S.] giving in on something, it was a 'no' from USTR."

That leaves it up to U.S. Trade Representative Robert Lighthizer to decide if the U.S. will offer any concessions to Mexico and Canada, the sources added.

USTR did not immediately respond to a request for comment on Tuesday evening.

The latest deadlock comes as Mexico and Canada face a looming deadline in their effort to secure a permanent exemption from the U.S. steel and aluminum tariffs. Mexico and Canada were temporarily exempted from the duties, but to win a permanent reprieve each country must reach a separate agreement to satisfy U.S. national security concerns by June 1.

Mexican President Enrique Peña Nieto and Canadian Prime Minister Justin Trudeau have both emphasized in recent days that they will not be pressured into accepting a NAFTA deal that is bad for their respective countries.

"No NAFTA is better than a bad deal, and we've made that very clear to [President Donald Trump]," Trudeau said Tuesday in an interview with Bloomberg. "We are not going to move ahead just for the sake of moving ahead."

Trudeau discussed the NAFTA talks during a call with Vice President Mike Pence on Tuesday, the White House said in a readout that provided no details of the conversation.

Negotiators have made some gains, despite the continued difficulties over the hot-button topics. Canadian Foreign Minister Chrystia Freeland, Canada's top NAFTA official, said she had a "very substantive" conversation with her U.S. counterpart in Washington on Tuesday.

The NAFTA nations' top trade officials have been in consistent contact over the phone since they last met in Washington two weeks ago.

Lighthizer had acknowledged at that point that the three countries still faced "gaping

AMERICAN OVERSIGHT

differences" on a number of issues, such as market access for agricultural products and automotive rules of origin. "The NAFTA countries are nowhere near close to a deal," Lighthizer said then.

Talks have continued to move forward on the NAFTA modernization chapters, like e-commerce, "but as long as USTR keeps the thorny issues on the table, there won't be movement," one of the sources said.

Negotiators have so far closed nine chapters and six sectoral annexes, Mexico's chief negotiator, Kenneth Smith Ramos, said last week. Those chapters include: telecommunications, small- and medium-sized enterprises, competition, and technical barriers to trade.

To view online click here.

Back

Gulf of Mexico rig operator fined $4M after Interior Department investigation Back

By Ben Lefebvre | 05/29/2018 04:36 PM EDT

The U.S. Attorney's Office for the Eastern District of Louisiana fined offshore oil and gas company Energy Resource Technology $4 million for fabricating data about readiness of a key piece equipment used to prevent oil spills, the Interior Department said today.

The fine was a result of an investigation by Interior's Office of Inspector General that found that ERT management directed an employee on its rig in the Gulf of Mexico to create a fake blowout preventer pressure test chart to conceal a failed test result. The failure by a blowout preventer was one of the main causes of Deepwater Horizon rig accident that killed 11 people in 2010.

An ERT supervisor on the same rig had employees perform welding near an active well in violation of Interior safety regulations.

Interior had fined ERT $4 million in 2012 for earlier violations on its rigs, and an accident killed a contract worker on an ERT rig in February.

ERT is a subsidiary of Houston-based Talos Energy.

WHAT'S NEXT: In addition to the fine, ERT was sentenced to 36 months' probation and ordered to pay $200,000 in restitution.

To view online click here.

Back

AMERICAN OVERSIGHT

Study: 4,645 people died after Hurricane Maria, far more than official estimate Back

By Mel Leonor | 05/29/2018 11:40 AM EDT

At least 4,645 people died amid the devastation wrought by Hurricane Maria in Puerto Rico — more than 70 times the official government death toll of 64, according to a new study from Harvard University.

Locals, journalists and public health experts have for months questioned the government estimate of deaths from the storm, which caused more than $90 billion in damage.

President Donald Trump, however, said in October that Puerto Rico officials should be "very proud" of the low death toll.

The study, published Tuesday in the New England Journal of Medicine, is based on household surveys of more than 3,000 homes in the territory, where researchers found a boom in the mortality rate between late September and late December 2017.

The authors of the study, which was largely funded by the Harvard T.H. Chan School of Public Health, described the official death count as a "substantial underestimate" and called it evidence of the "inattention of the U.S. government to the frail infrastructure of Puerto Rico."

"The timely estimation of the death toll after a natural disaster is critical to defining the scale and severity of the crisis and to targeting interventions for recovery," they wrote.

Researchers found that "interruption of medical care was the primary cause" of the high mortality rate that came after the storm made landfall.

With the 2018 hurricane season in swing, the authors also urged chronically ill patients, communities and health care providers to develop contingency plans for future disasters.

Carlos R. Mercader, executive director of the Puerto Rico Federal Affairs Administration, said in a statement that officials would analyze the report, adding, "We have always expected the number to be higher than what was previously reported."

He said the Puerto Rico government has commissioned a report from George Washington University, which he said would be released "soon."

Trump said in October that the storm had been less devastating than Hurricane Katrina in 2005, but the new study indicates that may not be true. Hurricane Katrina resulted in the deaths of 1,833 people, according to FEMA.

"Every death is a horror," Trump said at the time, "but if you look at a real catastrophe like Katrina and you look at the tremendous — hundreds and hundreds of people that died — and you look at what happened here with, really, a storm that was just totally overpowering ... no one has ever seen anything like this."

AMERICAN OVERSIGHT

Rep. Nydia Velázquez (D-N.Y.) said after the report was released Tuesday that the apparent undercounting of deaths "concealed" the impact of Hurricane Maria on the territory.

"By obscuring this, many were left to believe the Trump Administration's mythology that Puerto Rico was not hit hard by Maria," Velázquez said in a statement. "We must get to the bottom of this discrepancy."

The White House did not respond to a request for comment.

Last year, Velázquez and Rep. Bennie Thompson (D-Miss.) asked a government watchdog to investigate how Puerto Rican officials "originally arrived at such a low number."

To view online click here.

Back

New Club for Growth ads attack Fagg in Montana Back

By James Arkin | 05/29/2018 03:48 PM EDT

Club for Growth Action, the super PAC arm of the Club for Growth, announced today that it would spend $250,000 on new ads attacking Russ Fagg, a former judge and Republican candidate for Senate in Montana.

The Club is backing state auditor Matt Rosendale in the race in the race to face Democratic Sen. Jon Tester, and its PACs have spent more than $1 million on ads backing Rosendale and attacking Fagg, one of his top challengers in the June 5 primary.

The new ad campaign attacks Fagg over his record during his two decades as a district judge. The TV ad makes three claims against Fagg: that he defended another judge who suggested a rape victim was to blame for her own attack; that he called a judge who "undercut" President Donald Trump's rollback of environmental rules a "thoughtful moderate"; and that he "praised a liberal federal judge who ruled against speeding up deportations."

"Russ Fagg's values are not Montana values," the narrator says.

The radio version of the ad features a woman and a man having a conversation about Fagg's record and pointing listeners to a website, factsformontana.com, funded by Club for Growth Action.

You can watch the TV ad here and listen to the radio ad here.

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to bowman.liz@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

.

.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Google Alerts
Sent: Mon 5/28/2018 1:07:24 PM
Subject: Google Alert - "scott pruitt"

"scott pruitt"

Daily update ☐ May 28, 2018

NEWS

Editorial: Terrible media relations dog Scott Pruitt

NonDoc

Be it the controversial Tar Creek audit that then-Attorney General **Scott Pruitt** fought to keep secret or his office's routine delays in responding to open ...

Poison in your drinking water? **Scott Pruitt** won't hear of it | Editorial - NJ.com

Full Coverage

Flag as irrelevant

Why Pruitt is hiding from the press

CNNMoney

EPA officials blocked some journalists from attending a recent speech by EPA chief **Scott Pruitt**. "I'm not gonna stand for it," says Kildee, a Democrat ...

Flag as irrelevant

EPA Rollbacks Threaten Air Quality in Our Region

KRWG

Commentary: **Scott Pruitt** has been in the news a lot recently. The EPA Administrator is now the subject of more than a dozen federal investigations, ...

Flag as irrelevant

Entitlement reform should start at the top

The Hutchinson News

For example, the controversies created by EPA Secretary **Scott Pruitt** have as much to do with his sense of entitlement as his policy decisions.

Flag as irrelevant

'Daring Democracy' says environmental degradation, racial tension, poverty are intertwined

Press Herald

Self-dealing is rampant in President Trump's cabinet, as demonstrated by Environmental Protection Agency administrator **Scott Pruitt**, the poster boy of ...

Flag as irrelevant

Don Walton: Legislative races may put filibuster rule in play

Lincoln Journal Star

A question for the elusive **Scott Pruitt**: As administrator of the Environmental Protection Agency, what have you done to protect the environment?

Flag as irrelevant

Cavazos letter: Republican Party

Idaho Statesman

They could call for the firing of **Scott Pruitt**. They could call out the president when he lies. For the sake of their constituents and our country, I call on ...

Flag as irrelevant

US grants to aid local projects go to two cities

Arkansas Online

AMERICAN OVERSIGHT

EPA Administrator **Scott Pruitt** said the efforts would "support local farmers, improve public health, protect the environment, and grow local economies.

Flag as irrelevant

Wastewater plants need EPA oversight, group argues
The Florida Times-Union
“We're asking [EPA Administrator] **Scott Pruitt** to put his money where his mouth is,” PEER Executive Director Jeff Ruch said about the letters, which ...

Flag as irrelevant

Critical of Gianforte
Montana Standard
Why doesn't he say anything about the wasteful spending by cabinet members like **Scott Pruitt**? Or spending millions on a military parade?

Flag as irrelevant

See more results | Edit this alert

You have received this email because you have subscribed to **Google Alerts**.
Unsubscribe | View all your alerts

Receive this alert as RSS feed
Send Feedback

AMERICAN OVERSIGHT

To: AO OPA OMR CLIPS[AO_OPA_OMR_CLIPS@epa.gov]
From: Hassell, Emily
Sent: Tue 4/17/2018 8:28:21 PM
Subject: News Clips - 17 April 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Superfund

NPR - EPA Takes Toxic Site Flooded By Harvey Off Special Cleanup List

BNA - Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

Administrator Pruitt Coverage

Washington Examiner - Scott Pruitt didn't sign off on those big EPA pay raises, inspector general finds

Politico - Homebuilders paid for Pruitt's Colorado hotel stay

Politico - Grassley: Pruitt is 'a loose cannon'

MSNBC - Why would an EPA chief need a car with 'Kevlar-like seat covers'?

AMERICAN OVERSIGHT

The Hill - EPA chief upgraded official car to one with bulletproof seat covers

Washington Post - Pruitt upgraded to a larger, customized SUV with bullet-resistant seat covers

Bloomberg - EPA Chief of Staff Approved Raises for Aides, Watchdog Finds

The Hill - Watchdog: Pruitt's chief of staff responsible for aides' controversial raises

CNN - EPA watchdog: Two Pruitt aides received earlier raises

Politico - Barrasso seeks information on Pruitt email accounts

AP - EPA chief has at least 4 government email accounts

The Hill - GOP chairman probes Pruitt's four email addresses

Washington Post - Head of Senate committee now seeks answers on Scott Pruitt's email practices at EPA

Washington Post - The latest Pruitt revelations are the swampiest. He should be long gone. (*Editorial)

Reuters - EPA must explain why Pruitt's $43,000 phone booth was legal: Republican senator

AMERICAN OVERSIGHT

Bloomberg - EPA's $43,000 Secure Phone Booth Came With Sound-Trapping Vents

NPR - Who's In Charge? Potential Leadership Shake-Ups Leave Agencies In Limbo

General

The Hill - Trump team continues to roll back the regulatory state (*Op-Ed)

E&E Climatewire - Talk of climate, controversies banned in Pruitt meeting

Reuters - Bipartisan senators' group demands EPA disclose small refinery hardship recipients

The Hill - Coast Guard bill would weaken water pollution rules, environmentalists say

BNA - Smaller Bites in EPA Air Chief's Second Pass at Permitting Update

Reuters - Air quality linked to cardiac 'events,' heart disease patients unaware

AP - Chicago, surfers criticize US Steel spills settlement

AMERICAN OVERSIGHT

+++

NPR

https://www.npr.org/sections/thetwo-way/2018/04/16/601867839/epa-takes-toxic-site-flooded-by-harvey-off-special-cleanup-list

EPA Takes Toxic Site Flooded By Harvey Off Special Cleanup List

By Rebecca Hersher, 4/16/18, 5:31 PM

The Environmental Protection Agency has removed a toxic waste site flooded by Hurricane Harvey from a special list of contaminated sites that require the personal attention of the agency's leader, because it says there's been significant progress on a cleanup plan.

The San Jacinto Waste Pits are a heavily contaminated area near Houston that is right next to homes and schools, and that has frightened residents for decades. Monday's decision to take it off the list, and to add other sites, underscores the delicate equilibrium between rigorously protecting public health and expediting the cleanup of toxic waste areas across the country. EPA Administrator Scott Pruitt calls this a priority for his agency.

Last year, Pruitt appointed a task force to recommend ways to speed up decisions about toxic waste sites. One of their recommendations was that Pruitt personally push for legally-binding cleanup plans at a handful of locations.

One of those sites was the San Jacinto Waste Pits. It's a pair of pits in the middle of the San Jacinto River that were used as a dumping area for toxic waste from a paper mill in the 1960s. The area full of chemicals called dioxins and furans, and the Texas Parks and Wildlife Department warns people should not eat fish and crabs from the area because the animals may be contaminated.

AMERICAN OVERSIGHT

It took decades for the site to get any federal attention.

In 2008, the EPA added the San Jacinto Waste Pits to the National Priorities List of Superfund sites, which is meant to funnel money and attention to toxic areas that are a threat to human health. The Superfund program has been plagued with budget shortfalls for years, and nationwide, many communities have complained that cleanup progress is slow, inadequate or both.

For years before Hurricane Harvey, progress on the pits was slow and the two companies responsible for the waste opposed any plan that required them to remove any contaminated rock and dirt.

"For folks who live near the site or see that site every single day, [remediation] can't happen fast enough," says Jacqueline Young of Texas Health and Environment Alliance, an advocacy group that leads the local effort to clean up the pits. But, she adds, "we need to take time to make sure that all the fine details can be worked out. At the end of the day, we have hundreds of thousands of cubic yards of contaminated material in a dynamic river, and that's not something that you can just go in and start digging."

In 2011, the EPA oversaw the installation of a temporary concrete cap meant to protect the river from contamination while the agency and the two companies came up with a more permanent cleanup plan. That still left the site vulnerable to rainstorms or hurricanes, since Houston lies along the flood-prone Gulf.

When Hurricane Harvey inundated the area last year, the normally-placid San Jacinto became a raging torrent of muddy water that ripped away chunks of the temporary caps. Inspectors found a plume of contamination both up and downstream from the pits.

When the water subsided, EPA administrator Scott Pruitt visited the site, and promised to expedite the clean up. Less than a month later, the EPA announced a $115 million plan to remove the contaminated material, and last week, a judge signed off on an agreement that requires the two companies responsible for the waste to develop specific cleanup plans for both

AMERICAN OVERSIGHT

pits.

Today's announcement that the waste pits no longer need Pruitt's personal attention cited "cleanup activities progress and completion of specific milestones and timelines." A former copper mine in Nevada was also removed, and three other areas in California, Delaware and Minnesota were added to the list.

For the San Jacinto Waste Pits, the two companies have 29-months to come up with a specific cleanup design. Rock Owens, an environmental lawyer with the office of the Harris County Attorney, notes this means at least two more hurricane seasons will pass before waste material is actually removed.

Both Owens and Young, of the Texas Health and Environment Alliance, credit the relatively fast pace of recent EPA decision-making in part to the Pruitt's personal attention. "Scott Pruitt has made it clear that Superfund sites are a high priority," says Owens.

Now that the EPA chief's attention is shifting to contaminated sites elsewhere in the country, Young says her group will be watching carefully to make sure companies don't fall behind schedule.

"Folks are not particularly excited about the 29-month estimate," says Young. She notes that even though many environmental advocates agree with the current pace of cleanup planning at the waste pits, people who live near the site are understandably concerned about the immediate risk of another flood.

"We will do everything we can to make sure the plan moves forward and doesn't take any longer than it needs to," she says.

AMERICAN OVERSIGHT

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183084&item=408&prod=deln&cat=A

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/17/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

AMERICAN OVERSIGHT

Cass Lake, Minn

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's “immediate, intense action” list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

AMERICAN OVERSIGHT

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Politico

AMERICAN OVERSIGHT

https://www.politicopro.com/agriculture/article/2018/04/homebuilders-paid-for-pruitt-hotel-stay-488318

Homebuilders paid for Pruitt's Colorado hotel stay

By Lorraine Woellert, 4/17/18, 1:12 PM

A group of Colorado homebuilders paid for a luxury hotel stay last fall for EPA chief Scott Pruitt, eight months after the Trump administration began work on a major priority for their industry by unwinding an Obama-era wetlands regulation.

During his visit to Colorado Springs, Pruitt gave a speech to the builders and invited them to EPA headquarters in Washington, where he later told his staff to regard them as the agency's "customers," the head of the group told POLITICO.

The $409.12 hotel stay may have met federal legal requirements if EPA's ethics officers had approved it ahead of time. But it's likely to add to the storm of ethics controversies surrounding Pruitt, who faces scrutiny from EPA's inspector general, the White House and members of Congress for his travel and security spending and a $50-a-night Capitol Hill rental he accepted from the wife of an energy lobbyist.

The $409 hotel room "might be the least of his problems, but it's emblematic of all his problems," said Virginia Canter, an ethics lawyer for Citizens for Responsibility and Ethics in Washington, a nonprofit watchdog group.

"It's one thing when a head of an agency or senior official is engaged in legitimate outreach," Canter added. "But to give a speech, accept a benefit of overnight lodging, then a few weeks later instruct your staff that these are your clients strikes me as inappropriate. At a minimum it raises an appearance issue."

Pruitt is known to actively seek speaking slots at events with key groups with a stake in the agency's actions. A former staffer, Kevin Chmielewski, has told lawmakers that Pruitt directed his staff to find places he could visit, congressional Democrats wrote in a letter last week. A former lobbyist also recalled Pruitt and his staff persistently asking for an invite to a

AMERICAN OVERSIGHT

conservative event that fundraisers frequently attend.

EPA spokesman Jahan Wilcox did not immediately respond to requests for comment about the travel arrangements.

Pruitt agreed to speak to the Housing and Building Association of Colorado Springs after it offered to cover his expenses, including his flights and $409.12 to put him up at The Broadmoor, a lakeside golf resort, on Oct. 4, according to the builder group's chief executive officer, Renee Zentz. The hotel advertises itself as "a legendary Forbes Five-Star and AAA Five-Diamond resort with impeccable service and distinctive amenities."

EPA never billed the trade group for his flights, Zentz said in an interview. And while Pruitt stayed at The Broadmoor as the group had agreed, his entourage spent the night at a different hotel, Zentz said.

"We didn't pay for his team but we paid for him. That was the agreement when we talked to him," Zentz said. "We just wanted to get him here, we were just so excited to have him."

The trip's headline event was a Pruitt speech to a lunch gathering of about 150 people on Oct. 5, Zentz said. In a stroke of good timing, board members from the National Association of Home Builders were meeting in nearby Santa Fe, N.M., and flew up for the event. NAHB President Jerry Howard hustled in from Washington to moderate Pruitt's remarks.

The group's invitation describes the event as "a rare opportunity to hear directly from the EPA administration" and "our chance to make sure the concerns of our industry are being listened to."

"It just was an awesome opportunity," Zentz said. "It was a pretty big feather in our cap locally."

Builders rank among Pruitt's biggest supporters, even amid his recent spate of negative headlines. They also have lauded the administration's efforts to roll back regulations on clean

AMERICAN OVERSIGHT

water and storm runoff, including a sweeping Obama-era EPA regulation called Waters of the United States that several industries have denounced as a multibillion-dollar drag on the economy. Granger MacDonald, then-chairman of the National Association of Home Builders in Washington, was at the White House in February 2017 when President Donald Trump signed an executive order that took the first step toward undoing that rule, one of his first acts in office.

Pruitt, who attended the signing ceremony, has since set about crafting a much more limited regulation to protect waterways and wetlands. Environmental groups have said the move could leave 60 percent of U.S. stream miles and 20 million acres of wetlands unprotected and vulnerable to development or pollution.

Before the October lunch in Colorado Springs, Pruitt sat down to an invitation-only coffee with about 20 business owners and builders, who complained about EPA's approach to stormwater controls and other regulations. At the end of that meeting, Pruitt instructed staff to arrange a meeting in Washington with industry representatives, Zentz said.

That meeting took place at EPA headquarters on Oct. 24, when Pruitt and his staff met with eight to 10 industry representatives, including a Colorado builder from Zentz's group.

Pruitt "wanted to hear from our districts. He called a representative from every single district," Zentz said. "He put his staff in the room and said, 'This is our customer, this is who we're going to listen to.'

"He told his staff, 'These are our customers,'" Zentz said. "He listened."

Federal law allows government officials to accept travel reimbursement, including hotel stays, with prior approval from agency officers. But even if the agency had approved the room, it was inappropriate, CREW's Canter said.

"It appears to be abuse of the travel approval," she said. "It's not intended to be used to provide luxury accommodations to the head of the agency so he can turn around two weeks later and say we give these guys favorable treatment."

AMERICAN OVERSIGHT

Politico

https://www.politicopro.com/agriculture/whiteboard/2018/04/grassley-pruitt-is-a-loose-cannon-1044358

Grassley: Pruitt is 'a loose cannon'

By Helena Bottemiller Evich, 4/17/18, 11:56 PM

Sen. Chuck Grassley today conveyed his continued frustration over the Trump administration's mixed messages on the Renewable Fuel Standard, telling reporters he sees EPA Administrator Scott Pruitt as "a loose cannon."

During his weekly call with reporters, the Iowa Republican lauded the news last week that the administration will green-light the year-round sale of E15, or gasoline blends containing 15 percent ethanol, but he criticized Pruitt as being out of step with President Donald Trump on the issue.

"I believe that Pruitt is a loose cannon, not carrying out the president's wishes," Grassley said.

Iowa's senior senator, one of the most vocal defenders of the RFS, has said previously that he's frustrated Pruitt has exempted more than twice as many small oil refiners as the Obama administration ever did, decreasing demand for ethanol.

"He gives with one hand and takes away with the other," he said of Pruitt during today's call.

AMERICAN OVERSIGHT

Grassley and a dozen fellow senators sent a letter last week to President Trump asking him to direct Pruitt to cease issuing RFS waivers until the agency can proceed in a more "transparent and impartial manner." They told Trump that EPA is using its authority to issue "hardship" waivers to small refiners "in an unprecedented manner to benefit some of the largest refiners in the nation," which, they said, undermines the White House's commitment to the RFS.

Agriculture Secretary Sonny Perdue told lawmakers last week that he agrees EPA is misusing the agency's authority to grant waivers to some refiners. Perdue said he has asked EPA for more information about the waivers it has granted, and Pruitt has promised to gather it as soon as possible.

MSNBC

http://www.msnbc.com/rachel-maddow-show/why-would-epa-chief-need-car-kevlar-seat-covers

Why would an EPA chief need a car with 'Kevlar-like seat covers'?

By Steve Benen, 4/17/18, 11:20 AM, UPDATED 12:02 PM

Yesterday was not a good day for embattled EPA Administrator Scott Pruitt. We've known for a while that the Oklahoma Republican spent tens of thousands of taxpayer dollars on a soundproof phone booth for reasons that have never made any sense, but we learned yesterday that as far as the Government Accountability Office is concerned, the purchase violated federal spending laws.

But that doesn't mean things can't get worse for the far-right EPA chief. Take this new Washington Post report, for example.

AMERICAN OVERSIGHT

Environmental Protection Agency Administrator Scott Pruitt upgraded his official car last year to a costlier, larger vehicle with bullet-resistant covers over bucket seats, according to federal records and interviews with current and former agency officials.

Recent EPA administrators have traveled in a Chevrolet Tahoe, and agency officials had arranged for Pruitt to use the same vehicle when he joined the administration in February. But he switched to a larger, newer and more high-end Chevy Suburban last June.

The article added that the head of Pruitt's security detail "subsequently approved the addition of Kevlar-like seat covers to the vehicle at a cost of hundreds of dollars."

That's the same security official, Pasquale "Nino" Perrotta, who's reportedly "clashed – at least once physically – with top E.P.A. officials who challenged Mr. Pruitt's spending, and has steered at least one E.P.A. security contract to a business associate."

This is what's become of the Environmental Protection Agency in the Donald Trump era.

For what it's worth, it would be easier to justify "bullet-resistant covers" for Scott Pruitt's seats if there were evidence of expansive security threats against the EPA chief, but there aren't. The latest documents from the agency show those security threats don't really exist. (The career EPA staffer who approved this evidence was removed from his post.)

And, of course, Pruitt's "Kevlar-like seat covers" are also emblematic of Pruitt's paranoia. As we discussed just yesterday, for example, the EPA chief also explored the possibility of getting a bullet-proof desk.

This fit into an amazing pattern. Pruitt, for example, has a massive, around-the-clock security detail. He's spent thousands of taxpayer dollars on a professional sweep of his office searching for possible surveillance devices. And thousand more on a sound-proof phone booth. And thousands more on first-class air travel, apparently afraid of the riff raff who fly coach.

AMERICAN OVERSIGHT

CNN reported that the EPA's custodial staff is not allowed to enter Pruitt's office on their own, and in the hallway around Pruitt's office, "security employees check government IDs against a list of employees who are approved for access."

And before you think Trump keeps this guy around because he's ruthlessly effective at gutting environmental safeguards, let's also not forget that reports on Pruitt's competence have been greatly exaggerated.

The Hill

http://thehill.com/policy/energy-environment/383517-epa-chief-upgraded-his-official-car-to-one-with-bullet-proof-seat

EPA chief upgraded official car to one with bulletproof seat covers

By Miranda Green, 4/17/18, 11:31 PM

Add bulletproof seat covers to the list of items Environmental Protection Agency (EPA) Administrator Scott Pruitt requested last year as additional security measures.

Pruitt upgraded his official car last June from the traditional Chevrolet Tahoe SUV to a higher-end Chevy Suburban with bullet-resistant covers over the car's bucket seats, The Washington Post reported Tuesday.

The new car was ordered last May and cost the government $10,200 for a one-year lease,

AMERICAN OVERSIGHT

according to federal spending records. Records show that EPA requested upgrades to the vehicle which included Wi-Fi, GPS navigation, second-row bucket seats and a leather interior. The upgrades were an additional $300 per month.

Pruitt wanted the larger car because it was similar to those used by other Cabinet officials, a former EPA official told the Post.

The official said that the bulletproof seats, made of the same kevlar used in bulletproof vests, was approved by the head of Pruitt's security detail, Pasquale "Nino" Perrotta. The covers cost hundreds of dollars, according to the source.

Federal records show that the government continued the lease on the 2014 Chevy Tahoe previously used by former EPA chief Gina McCarthy, but current and former staffers say the car has been sitting unused at EPA headquarters. The rental, renewed Feb. 2, 2017, cost more than $9,000.

Democratic lawmakers provided their own details on Pruitt's vehicle security requests in a letter they sent to President Trump last week, where they included notes taken with former EPA aide Kevin Chmielewski.

In those notes, they said that Chmielewski "provided several examples of wasteful security spending" which included, "the purchase of bulletproof vests and weapons, biometric locks, a security sweep of your office, [and] one or more new SUVs for your travel."

Pruitt has raised eyebrows in the past for novel security requests including the need for first-class travel and an around-the-clock security team.

EPA spokesman Jahan Wilcox said that EPA has "no bulletproof vehicles" nor did it ever seek "any contracts for bulletproof vehicles," but declined to comment on reports of the Suburban upgrade and use of bulletproof car seat covers.

AMERICAN OVERSIGHT

"Security decisions are made by EPA's Protective Service Detail and are similar to security protocol across the federal government," Wilcox said in a statement Tuesday.

Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/04/17/pruitt-upgraded-to-a-larger-customized-suv-with-bullet-resistant-seat-covers/?utm_term=.3654a31394ac

Pruitt upgraded to a larger, customized SUV with bullet-resistant seat covers

By Juliet Eilperin and Brady Dennis, 4/17/18, 10:00 AM

Environmental Protection Agency Administrator Scott Pruitt upgraded his official car last year to a costlier, larger vehicle with bullet-resistant covers over bucket seats, according to federal records and interviews with current and former agency officials.

Recent EPA administrators have traveled in a Chevrolet Tahoe, and agency officials had arranged for Pruitt to use the same vehicle when he joined the administration in February. But he switched to a larger, newer and more high-end Chevy Suburban last June.

One former EPA official, who spoke on the condition of anonymity out of fear of retaliation, said that Pruitt remarked that he wanted the larger car because it was similar to ones in which some other Cabinet officials rode. The first year's lease of the vehicle cost $10,200, according to federal contracting records.

The records show that the EPA administrator's office signed a lease in June on the Suburban, paying more than $300 extra per month for upgrades such as a leather interior, bucket seats in the second row and WiFi and GPS navigation. A representative at the Maryland-based company who provided the lease said the "LT" model that the EPA requested represents an upgrade from

AMERICAN OVERSIGHT

the “LS” model that is typical on government leases.

The monthly payment on the vehicle is $839, according to the contract.

The head of Pruitt’s security detail, Pasquale “Nino” Perrotta, subsequently approved the addition of Kevlar-like seat covers to the vehicle at a cost of hundreds of dollars, according to one official, on the grounds that it served as a security precaution. Two current EPA officials confirmed both the rental of the Suburban and the seat covers.

Separately, federal records also show that the EPA administrator’s office awarded another contract last month to a leasing company based in Connecticut for a 2018 Suburban with four-wheel-drive, extra captain’s chairs, a sunroof and GPS navigation. A representative at the company said it doesn’t appear that the agency has taken possession of that vehicle. The representative declined to disclose any additional details on the arrangement, citing government confidentiality agreements.

Meanwhile, the 2014 Chevy Tahoe with four-wheel-drive that was used by Gina McCarthy, Pruitt’s predecessor as EPA administrator, has largely sat idle at the EPA’s headquarters, according to several current and former staffers. The agency had its lease renewed on Feb. 2, 2017, at a cost of $9,180.

An EPA official on Monday said the agency was looking into the matter.

The decision to customize a larger SUV is the latest instance of Pruitt seeking more elaborate trappings than his predecessors. He currently faces a congressional probe into his repeated use of first-class travel as well as other matters, such as a security sweep of his office and the installation of biometric locks. On Monday, the Government Accountability Office concluded that the administrator had violated federal spending laws by installing a secure phone booth in his office that cost taxpayers roughly $43,000.

AMERICAN OVERSIGHT

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/epa-pay-raises-scott-pruitt-inspector-general

Scott Pruitt didn't sign off on those big EPA pay raises, inspector general finds

By John Siciliano, 4/16/18, 4:23 PM

Environmental Protection Agency chief of staff Ryan Jackson signed off on most of the high-profile pay raises that have landed EPA chief Scott Pruitt in hot water in recent weeks, the EPA inspector general said Monday.

Although Pruitt did authorize tens of thousands of dollars in pay raises for select employees, the biggest pay hikes came at the behest of Jackson, according to the inspector general.

The inspector general's preliminary report was sent to Pruitt as an update on its ongoing investigation into whether the EPA broke the law in giving a group of lobbyists and others jobs at the agency with huge pay raises in the last year.

The highest five-figure pay raises for two aides were authorized by Jackson. He had said last week that he authorized the pay raises, not Pruitt.

The pay raises are part of a growing list of concerns by lawmakers and others over Pruitt's running of the agency and whether the White House should force him to resign. The White House is reviewing Pruitt's actions as well.

In half of the six cases, Jackson had signed off on tens of thousands of dollars in raises using Pruitt's signature, the inspector general said. Two of the employees had increases of between 67 and 72 percent.

AMERICAN OVERSIGHT

"The authorizations for three of these original actions were personally signed by the administrator; the other three authorizations were signed by the chief of staff 'for Scott Pruitt,'" read the IG report. In many of the cases, Jackson had both requested and authorized the changes.

Most of Pruitt's pay raise approvals were for lesser amounts than Jackson's, but still large. Six months after joining the agency, Pruitt signed off on a title change for one employee with a 26.7 percent pay increase.

The inspector general report also noted that the EPA has not given the office any documentation indicating changes to the employees' pay raises. "The agency was unable to provide us with complete information or confirmation of any modifications," it stated.

Pruitt had said in an interview with Fox News that he had killed the massive pay raises for the two aides when he learned about them.

Both Democrats and Republicans are probing the pay raises as well as Pruitt's expensive travel and security expenses.

A separate watchdog report issued Monday by the Government Accountability Office showed Pruitt violated the law by building a $43,000 soundproof phone booth in his office.

The inspector general report released Monday is a preliminary showing of the facts, without any conclusions or recommendations made. The inspector general will continue its audit of EPA's hiring practices, it said.

AMERICAN OVERSIGHT

Bloomberg

https://www.bloomberg.com/news/articles/2018-04-16/epa-chief-of-staff-approved-raises-for-top-aides-report-finds

EPA Chief of Staff Approved Raises for Aides, Watchdog Finds

By Ari Natter and Jennifer A Dlouhy, 4/16/19, 9:00 AM, Updated 5:11 PM

EPA Administrator Scott Pruitt's chief of staff signed off on controversial raises for employees of as much as 72 percent, according to the agency's internal watchdog.

The Environmental Protection Agency's inspector general released documents Monday showing Chief of Staff Ryan Jackson authorized three of those salary increases using an obscure provision of the Safe Drinking Water Act.

That buttresses Jackson's assertion last week that he, not Pruitt, was responsible for the raises -- and that the EPA administrator had no knowledge of the amount of the increases nor the method by which they came about. In authorizing the raises, the EPA effectively overruled White House officials who had objected to at least two of the salary increases.

Pruitt said in a Fox News interview earlier this month that he didn't authorize two of the raises and didn't know who did. "It should not have been done," Pruitt said in the interview that aired April 4. "There will be some accountability."

The documents released Monday were included in a so-called "management alert" tied to the inspector general's ongoing probe of how the EPA has used its special hiring authority under the Safe Drinking Water Act to fill "administratively determined" positions.

Under that law, the EPA administrator has the authority to fill as many as 30 scientific, engineering, professional, legal or administrative positions without undergoing the customary civil service hiring process. The approach, which enables an EPA administrator to swiftly bring

AMERICAN OVERSIGHT

on staff, also has been used by Pruitt's predecessors.

The inspector general didn't make any judgment about the appropriateness of the actions or say whether Pruitt knew about the raises. The alert "does not present any conclusions or recommendations," Inspector General Arthur A. Elkins Jr. said in a memo on the ongoing audit.

EPA spokesman Jahan Wilcox said the agency welcomed the review and was cooperating with inquiries into its hiring practices.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison and career human resources officials," with an eye on avoiding disparities, Wilcox said in an emailed statement. "Salaries are based on work history, and, any increases are due to either new and additional responsibilities or promotions."

Completed personnel forms contained in the inspector general's alert show that Jackson signed off on the salary increases in two places: both under "action requested by Ryan T. Jackson, chief of staff" and under "action authorized by E. Scott Pruitt, administrator." In the second, authorization box, Jackson signed "Ryan Jackson for Scott Pruitt."

Pruitt did sign off on the initial decision to hire the three aides, according to included forms. The inspector general's alert does not name the staff members. Based on information contained in the forms cross-referenced with data in separate documents obtained by the Nick Surgey, co-director of the watchdog group Documented, they are believed to be Director of Scheduling and Advance Millan Hupp, Senior Counsel Sarah Greenwalt and Brittany Bolen, a deputy associate administrator for policy.

Hupp and Greenwalt both worked for Pruitt when he was Oklahoma's attorney general.

One of the employees secured two successive raises amounting to a 67.6 percent increase -- worth $66,244. A second aide ended up with $114,590, after two raises worth 72.3 percent overall. A third raise for one of the employees Pruitt personally hired was modest by comparison: a 1.6 percent increase that brought that person's salary to $151,700.

AMERICAN OVERSIGHT

The raises have now been reversed and future salary change requests will be submitted through the Office of Presidential Personnel for evaluation, Jackson said in a written statement last week.

Separately, the EPA defended its decision to install a soundproof privacy booth in Pruitt's office at a cost of $43,238, in a letter to the Government Accountability Office obtained by Bloomberg News.

The expenditure didn't run afoul of law requiring congressional notification for expenditures of more than $5,000 for improvements to an agency head's office because it was needed for official agency business, Kevin Minoli, the EPA's principal deputy general counsel, wrote in a March 23 letter to the GAO.

A former EPA employee told lawmakers Pruitt surpassed the $5,000 budget he was given to redecorate his office by purchasing an additional standing desk, paying to rent art from the Smithsonian Institution and framing an 8-by-10-foot American flag. Some security-related spending on Pruitt's office, including the installation of biometric locks, was considered outside the $5,000 limitation, according to emails released to the watchdog group American Oversight under an open records request.

The Hill

http://thehill.com/policy/energy-environment/383395-watchdog-pruitts-chief-of-staff-responsible-for-aides-controversial

Watchdog: Pruitt's chief of staff responsible for aides' controversial raises

By Timothy Cama, 4/16/18, 3:01 PM

AMERICAN OVERSIGHT

Environmental Protection Agency (EPA) Administrator Scott Pruitt's chief of staff was responsible for controversial raises given recently to three aides.

In a Monday report, the EPA's Office of Inspector General (OIG) concluded, based on documents provided to investigators by the agency, that Ryan Jackson signed off on the five-figure raises, but indicated that Pruitt authorized them.

The OIG's report doesn't identify the employees who got the raises. But based on the details in the report, two of them appear to be Pruitt's scheduling director Millan Hupp and senior counsel Sarah Greenwalt, and the EPA declined to identify the third one.

The Atlantic first reported on the Hupp and Greenwalt raises earlier this month.

Jackson increased the aides' pay using a special authority the EPA has under the Safe Drinking Water Act, after the White House rejected the EPA's request to make the raises through the normal procedure for political appointees.

EPA spokesman Jahan Wilcox said the raises followed standard agency procedures.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials," he said in a Monday statement.

"Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions. Salary determinations are made to avoid disparities among positions of equivalent or similar responsibilities, to the extent possible."

The OIG report corroborates Jackson's assertion last week that he was solely responsible for them. But Pruitt had told Fox News the week prior that he knew nothing about the raises, despite Jackson adding "for Scott Pruitt" after his signature on the forms, copies of which the OIG

AMERICAN OVERSIGHT

attached to its report.

Pruitt said he reversed the raises for Hupp and Greenwalt after the uproar over them, but the OIG did not have the information to confirm that.

The raises were one of a series of scandals involving Pruitt that emerged in recent weeks, along with his apartment rental from a lobbyist for $50 per night he spent there and lavish spending on security and other costs.

Kevin Chmielewski, formerly Pruitt's deputy chief of staff for operations, told congressional investigators last week that although Jackson signed off on the raises, Pruitt knew about the entire process.

In fact, the documents reviewed by the OIG show that Jackson signed "Ryan Jackson for Scott Pruitt" in one of the placed authorizing the raises.

House Oversight and Government Reform Committee Chairman Trey Gowdy (R-S.C.) last week asked Pruitt to make Jackson, Hupp and Greenwalt available for transcribed interviews as part of a wide-ranging investigation he is conducting into numerous Pruitt scandals.

Monday's OIG report was a brief "management alert." The watchdog is also working on a wider audit of the EPA's use of the Safe Drinking Water Act for personnel hiring.

The law lets the agency hire up to 30 people at a time without regard to rules for civil service employees or political appointees — including the need to get White House approval for raises. Congress passed the legal provision to enable the EPA to better attract scientists and experts, but it did not put those restrictions on the agency.

The EPA has used the law to hire people in policy, public relations, scientific and other roles across the agency.

AMERICAN OVERSIGHT

CNN

https://www.cnn.com/2018/04/16/politics/epa-pruitt-pay-raises/index.html

EPA watchdog: Two Pruitt aides received earlier raises

By Gregory Wallace, 4/16/18, 5:29 PM

Washington (CNN) -- The two aides to Environmental Protection Agency Administrator Scott Pruitt who received substantial raises also each received an earlier pay increase, according to an agency inspector general report released Monday.

The aides are not identified by name in the report, but multiple details, including salary information, correspond with an account first reported by The Atlantic. A former deputy chief of staff to Pruitt later briefed congressional investigators about the raises.

The documents show the two aides' raises were signed off by Pruitt's chief of staff, Ryan Jackson, who in some instances signed his name "Ryan Jackson for Scott Pruitt" on Pruitt's stationary.

Whether the raises were granted with or without Pruitt's knowledge has emerged as a key question, both because of the size of the raises and the White House's previous decision to turn down pay bumps for the aides. One of the two aides wrote in an email to human resources that her raise was approved by the administrator.

Pruitt insisted in a recent interview that he did not know the raises were being granted.

AMERICAN OVERSIGHT

"I did not," Pruitt told Fox News earlier this month. "We are in the process of finding out how it took place and correcting that," he said, adding he was unaware who signed off on the raises.

One of the aides, identified by The Atlantic as EPA attorney Sarah Greenwalt, was initially hired with a salary of nearly $98,000. After her second raise, Greenwalt was earning slightly more than $164,000.

The other aide, scheduler Millan Hupp, was hired with a $66,500 salary. Following a promotion and her previously reported raise, Hupp's salary reached $114,600.

EPA spokesman Jahan Wilcox said the agency cooperated with the ongoing inspector general probe.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials," Wilcox said. "Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions."

The inspector general's office has been looking into certain EPA hiring practices since January. Monday's report is an interim report while the inspector general continues to probe the matter.

The report also documents several other instances where EPA employees received raises. In one instance, the raise was personally approved by Pruitt. The inspector general did not conclude any wrongdoing based on Pruitt's signature, but noted that it indicates "direct involvement by the Administrator" in a pay raise.

AMERICAN OVERSIGHT

Politico

https://www.politicopro.com/energy/whiteboard/2018/04/barrasso-seeks-information-on-pruitt-email-accounts-1038726

Barrasso seeks information on Pruitt email accounts

By Anthony Adragna, 4/17/18, 6:37 PM

Senate Environment and Public Works Chairman John Barrasso (R-Wyo.) is wading into oversight of embattled EPA Administrator Scott Pruitt, raising questions about his use of multiple official email accounts.

In a letter sent Friday, Barrasso asked Pruitt to identify all official accounts he uses and to confirm that all are searched in response to public records requests.

Barrasso's letter comes after two Democratic EPW senators — Tom Carper (D-Del.) and Jeff Merkley (D-Ore.) — revealed Pruitt had four accounts in a letter last week.

In response to Barrasso's letter, an agency spokesman said today: "We will respond to Chairman Barrasso through the proper channels."

The agency said in response to the initial Democratic letter that it searches all of Pruitt's accounts in response to FOIA requests.

Spokesman Jahan Wilcox said the agency "maintains three email accounts which are attributed to Administrator Pruitt: two are used by staff for calendaring and public correspondence; the third is used by the Administrator. A fourth email account was created for use by the Administrator but was superseded and never used beyond three test emails."

AMERICAN OVERSIGHT

AP

https://apnews.com/9ea39bf7dd8346cdba4734c3a542c9be/EPA-chief-has-at-least-4-government-email-accounts

EPA chief has at least 4 government email accounts

By Michael Biesecker, 4/17/18

WASHINGTON (AP) — The Republican chairman of a Senate committee is pressing Environmental Protection Agency Administrator Scott Pruitt to explain his use of multiple government email addresses.

Senate Environment and Public Works Chairman John Barrasso asked Pruitt to disclose all his email addresses and affirm that all were being searched in response to Freedom of Information Act requests.

EPA spokesman Jahan Wilcox said Tuesday that EPA maintains two email addresses for Pruitt used by his staff for public correspondence and keeping his calendar. A third is used by Pruitt himself. A fourth account was also created for Pruitt, but Wilcox said it had never been used.

Wilcox said all are searched in response to records inquiries.

Barrasso's letter followed one sent last week by Democrats asking EPA's inspector general to review the issue.

AMERICAN OVERSIGHT

The Hill

http://thehill.com/policy/energy-environment/383425-gop-chairman-probes-pruitts-use-of-four-email-addresses

GOP chairman probes Pruitt's four email addresses

By Timothy Cama, 4/16/18, 5:34 PM

The Environmental Protection Agency's (EPA) top GOP Senate overseer is looking into the agency's use of four different email addresses for Administrator Scott Pruitt.

In a letter sent Friday and obtained by The Hill, Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) asked Pruitt whether the agency has ensured that federal records requests involving him are searching all of his addresses.

"Can you confirm that the EPA does in fact search all your official email accounts when responding to [Freedom of Information Act] requests?" Barrasso asked Pruitt in the letter. He also asked the EPA head to provide a list of all of the email accounts that Pruitt uses.

Two Democratic senators revealed last week that the EPA has four addresses for Pruitt. The Washington Post reported that the addresses are pruitt.scott@epa.gov, esp7@epa.gov, adm14pruitt@epa.gov and sooners7@epa.gov.

The EPA said at the time that two of them are used by staff for scheduling and correspondence, one is used by Pruitt himself and one hasn't been used except for three test emails.

Agency heads frequently have email accounts that aren't revealed to the public, in addition to standard accounts to which anyone could send messages.

AMERICAN OVERSIGHT

An EPA spokesman said the agency “will respond to Chairman Barrasso through the proper channels.”

Barrasso was a leading voice in criticizing then-EPA head Lisa Jackson in 2013, when the agency admitted that she had an email account under the alias “Richard Windsor” that she used extensively for official business.

He and other Republicans accused Jackson of trying to hide her emails from Freedom of Information Act (FOIA) requests, while the EPA at the time said the Richard Windsor account was fully incorporated into FOIA searches.

Barrasso specifically asked Pruitt about the issue during his confirmation hearing in January 2017.

"If confirmed, will you refrain from taking any such action that makes it difficult or impossible for the public to access your official written communications under the Freedom of Information Act," Barrasso asked.

"Yes," he responded.

EPA officials have said Pruitt’s alternative accounts are included in FOIA searches as well, although Barrasso nonetheless asked Pruitt to confirm that in writing.

Sens. Jeff Merkley (D-Ore.) and Tom Carper (D-Del.) are also probing Pruitt’s email accounts. In the letter revealing the additional accounts, they asked the EPA’s Office of Inspector General to launch an investigation.

AMERICAN OVERSIGHT

Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/04/17/head-of-senate-committee-now-seeks-answers-on-scott-pruitts-email-practices-at-epa/?utm_term=.db0534e296fa

Head of Senate committee now seeks answers on Scott Pruitt's email practices at EPA

By Juliet Eilperin, 4/17/18, 8:10 AM

Senate Environment and Public Works Committee Chairman John Barrasso (R-Wyo.) is now scrutinizing whether Environmental Protection Agency chief Scott Pruitt is fully complying with public records requests, given the fact that he has multiple government email addresses.

The Washington Post reported Thursday that Pruitt has four different addresses, three of which do not follow EPA's conventional format. Agency lawyers have raised concerns that not all of them are being searched during Freedom of Information Act requests. Democratic Sens. Jeff Merkley (Ore.) and Thomas R. Carper (Del.) have demanded Pruitt provide greater disclosure on the matter. On Friday, Barrasso joined that call.

Until this week, Barrasso has refrained from criticizing any of Pruitt's actions while in office, instead praising his deregulatory agenda. On Monday, however, Barrasso raised concern about the Government Accountability Office's report that EPA had violated federal spending laws by failing to notify Congress before installing a private phone booth in Pruiit's office last year at a cost of $43,000.

"During your confirmation hearing, I specifically asked you to 'refrain from taking any action — that makes it difficult or impossible for the public to access your official written communications under the Freedom of Information Act,'" Barrasso wrote Pruitt. "You agreed to my request."

AMERICAN OVERSIGHT

"Can you affirm that the EPA does in fact search all your official email accounts when responding to FOIA requests?" Barrasso added.

EPA spokesman Jahan Wilcox said in a statement that Pruitt uses three email accounts, while a fourth one created for him was only tested a few times before becoming inactive.

"When EPA receives a FOIA request concerning the Administrator's emails, all accounts associated are searched before we respond to that request," said the EPA's acting chief information officer, Steve Fine, in a statement.

But Ken Cook, president of the advocacy organization Environmental Working Group, said Pruitt needs to be more transparent about his operations.

"Between his four email accounts and his $43,000 private phone booth, Pruitt is taking all the appropriate steps to keep lawmakers, journalists and the prying eyes of taxpayers from learning what he's been up to since becoming the head of EPA," Cook said in a statement.

Washington Post

https://www.washingtonpost.com/opinions/the-latest-pruitt-revelations-are-the-swampiest-he-should-be-long-gone/2018/04/16/0f0d1aae-41b3-11e8-ad8f-27a8c409298b_story.html?utm_term=.49a65105de64

The latest Pruitt revelations are the swampiest. He should be long gone. (*Editorial)

By The Editorial Board, 4/16/18, 7:42 PM

ON MONDAY, two independent watchdogs released reports detailing abuse and, in one case,

AMERICAN OVERSIGHT

violation of the law at Scott Pruitt's Environmental Protection Agency in pursuit of perks for the administrator and his staff. President Trump should have fired Mr. Pruitt a long time ago. The latest reports underscore the swampy behavior Mr. Trump appears willing to tolerate and excuse.

The Government Accountability Office found that the EPA broke the law when it installed a $43,000-plus privacy booth in Mr. Pruitt's office, vastly exceeding the $5,000 cap Congress imposed on buying furniture or making improvements to the private offices of federal agency heads. The EPA should have informed Congress it wanted to spend tens of thousands of dollars on an unnecessary security upgrade. By failing to do so and spending the money anyway, it violated two federal laws, the GAO concluded.

The EPA says Mr. Pruitt required access to a secure telephone line in an appropriate setting. But there already were two secure facilities at the EPA available for just such a purpose. Moreover, as the New York Times reported this month, members of Mr. Pruitt's staff argued that the administrator needed only a $10,000 upgrade to obtain the privacy he desired, one of many objections they raised to the administrator's lavish spending. The Times found that these staffers were punished, and $43,000 was spent on "a special chamber with sound-dampening privacy products and ceiling baffles that would prevent anyone from intercepting voice or data transmissions."

Also on Monday, the EPA's inspector general revealed an interim report on large raises Mr. Pruitt's aides received. The inspector general released employment forms that appear to show that Mr. Pruitt's chief of staff signed off on two controversial salary hikes that went to favored staffers whom the administrator had brought with him from Oklahoma. Though names were redacted, the salary figures — about 70 percent increases in both cases — correspond to raises that staffers Sarah Greenwalt and Millan Hupp were reported to have obtained even after the White House denied a request to boost their salaries. The EPA twisted an obscure provision in the Safe Drinking Water Act that allows for hiring flexibility at the agency to jam through the raises.

Mr. Pruitt insisted he did not know about the raises or about the way his staffers bypassed White House objections. But his chief of staff appears to have signed the forms "for Scott Pruitt," suggesting that he was acting with explicit or implicit permission. Certainly, Mr. Pruitt bears responsibility for the actions of his chief of staff, who is still working at the EPA.

As the picture of arrogance and mismanagement at the EPA gets more detailed, it becomes ever

AMERICAN OVERSIGHT

more astonishing that an administrator so clearly unfit for service continues to lead a crucial federal agency.

Reuters

https://www.reuters.com/article/us-usa-epa-pruitt-senate/epa-must-explain-why-pruitts-43000-phone-booth-was-legal-republican-senator-idUSKBN1HN2K1

EPA must explain why Pruitt's $43,000 phone booth was legal: Republican senator

4/16/18, 1:56 PM

WASHINGTON (Reuters) - The head of the Senate environment committee said on Monday the Environmental Protection Agency must give a full public accounting of its approval of $43,000 for a private soundproof phone booth for agency chief Scott Pruitt.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars," Senator John Barrasso, a Republican, said in a statement. "EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law."

The EPA violated the law when it approved the phone booth last year for Pruitt's office, the Government Accountability Office, a congressional watchdog, said earlier on Monday.

AMERICAN OVERSIGHT

Bloomberg

https://www.bloomberg.com/news/articles/2018-04-17/epa-s-43-000-secure-phone-booth-came-with-sound-trapping-vents

EPA's $43,000 Secure Phone Booth Came With Sound-Trapping Vents

By Ari Natter and Jennifer A Dlouhy, 4/17/18, 4:00 AM

Compared to other pricey office accoutrements, this one is spartan.

Environmental Protection Agency Administrator Scott Pruitt's ultra-secure phone booth spans four feet across and four feet deep and was installed in a storage closet off his office. But it has the latest in acoustical accents, including a ventilation system designed to keep conversations from being overheard and "noise-lock" panels on the walls and ceiling.

It spared Pruitt from having to run downstairs to use a secure phone line elsewhere in the building -- but has drawn a storm of criticism.

"I don't see a reason for it," said John O'Grady, president of a branch of the American Federation of Government Employees that represents thousands of EPA employees. "For crying out loud, the guy is the EPA administrator -- not the CIA or the FBI."

The installation cost more than $43,000, including having workers level the concrete floor so they could insert the pre-fabricated steel box. The Government Accountability Office -- the watchdog of federal spending -- says the expenditure violated laws on congressional notification and appropriations.

The GAO conclusion, contained in a report commissioned by Democratic lawmakers and released Monday, is one of a number of controversies surrounding Pruitt's short tenure at the helm of the agency. He's also being investigated for his use of first-class travel, renting a condo from a lobbyist and steering raises worth tens of thousands of dollars to aides over White House objections.

AMERICAN OVERSIGHT

"An illegal privacy booth to conduct secret discussions with his polluter friends does nothing to help our health or environment," said Senator Tom Udall of New Mexico, one of several Democratic lawmakers who asked for the audit. "The list of ways he has abused his office just keeps getting longer."

The EPA argued that the unit was necessary and didn't violate the law. Pruitt needed the booth "to facilitate agency business, without concern that classified, deliberative, privileged, or sensitive information might inadvertently be disclosed to those who are not intended to receive such information," the agency said last month in a response to questions from the GAO.

The GAO said it didn't draw any conclusions about the necessity of the project, only that it fell outside spending rules because appropriations committees were not notified and the EPA spent money for the booth "in a manner specifically prohibited by law."

'Nice One'

Wyoming Senator John Barrasso, the Republican chairman of the Senate Environment and Public Works Committee, has demanded a "full public accounting" of the booth.

"It sounds like a nice one," said Jaye Andone, president and chief executive officer of SCIF Global Technologies, Inc, a Florida-based manufacturer of soundproof rooms, known as Sensitive Compartmented Information Facilities.

The equipment is typically much larger and used by the Department of Defense and other agencies that need to discuss classified information. But the company has seen a rise in requests from corporate chief executives and other commercial users, Andone said in a phone interview.

The specifications for government secure rooms are laid out in a directive from the central intelligence director, including requirements to reinforce walls with steel plates and make sure doors, windows and vents are shielded by sound-masking devices.

AMERICAN OVERSIGHT

Those technical requirements make them some of the most expensive real estate in Washington. The Congressional Research Service said in a 2008 report that building one in an existing facility can cost $200 to $500 per square foot.

Similar rooms are located inside the White House, in the Pentagon and the Capitol complex. The Energy Department, which oversees production of the nation's nuclear arsenal, also has one.

The EPA's offices in Washington already had one in the basement, said Liz Purchia, who served as an acting associate administrator in the agency during the Obama administration. She said she didn't see the need for a second one.

"Previous administrators used it without problems for years," Purchia said. "It needs to be questioned as to why he needed one in his office. If he's worried about people overhearing what he has to say, he could try whispering. That doesn't cost $43,000."

NPR

https://www.npr.org/2018/04/17/601994402/whos-in-charge-potential-leadership-shake-ups-leave-agencies-in-limbo

Who's In Charge? Potential Leadership Shake-Ups Leave Agencies In Limbo

By Ayesha Rascoe, 4/17/18, 5:00 AM

The hits keep coming for EPA chief Scott Pruitt, with a new report from a government watchdog agency concluding that the Environmental Protection Agency broke the law when it spent more than $43,000 to build a soundproof privacy booth in Pruitt's office.

AMERICAN OVERSIGHT

The Government Accountability Office found that the EPA spent the money without providing advance notice to Congress, as required by law.

The news is the latest negative headline for Pruitt, who has managed to hang on to his spot in the Trump administration, despite reports that some White House officials have pressed for him to be fired.

Whether Pruitt stays or goes, though, the doubt surrounding his future could have an impact on the work carried out by the agency he oversees.

Prolonged controversy and turmoil at the top of an agency can be a distraction for civil servants and political appointees who may worry that policies and procedures implemented now may be quickly swept away if new leadership is installed.

"Unfortunately these sorts of rumors are often self-fulfilling as people begin questioning the authority of those who have important jobs to do," said Paul Winfree, a former deputy assistant for domestic policy at the Trump White House. Winfree is now at conservative think tank the Heritage Foundation.

EPA is the latest agency to deal with questions about how long its chief official will remain in the Trump administration.

The Trump administration has experienced a record amount of turnover in the past 14 months, but often there has been a gap between when reports of scandal or bad blood with the White House arise and when officials actually leave.

The State Department and Department of Veterans Affairs both went through similar periods when it was unclear whether their leaders at the time — then-Secretary of State Rex Tillerson and then-VA Secretary David Shulkin — would be able to weather a barrage of bad press and calls for their removal. Both men were eventually pushed out.

AMERICAN OVERSIGHT

Allowing agency heads to remain in employment purgatory is often not helpful for federal employees looking for a sense of stability or clear direction from the White House.

"Having Scott Pruitt under this huge cloud ... has really put much of EPA in limbo because people just aren't sure where to go," said Erik Olson, director of the Natural Resources Defense Council's health program.

The NRDC has been a big critic of Pruitt's deregulatory push and has called for his ouster, but Olson said there is trepidation about who will succeed Pruitt.

Pruitt's troubles go back to at least August when the EPA's inspector general office said it was investigating some of his travel back to his home state of Oklahoma. Since that time the alleged scandals have piled up, with reports about expensive chartered flights, pay raises doled out to aides without White House consent and a questionable stay at an apartment owned by the wife of an energy lobbyist.

The uncertainty about Pruitt may be a "temporary distraction," but it will likely not ultimately stop the administration's policies from going forward, said Jeff Holmstead, who served as an assistant administrator at EPA under President George W. Bush.

"All of the policy development and regulatory reforms are being carried out by folks who really share (Pruitt's) vision," said Holmstead, now an attorney for Bracewell law firm.

Pruitt has denied any wrongdoing.

In response to the GAO report on the privacy booth, EPA argued that it was not necessary to consult with Congress about the expenditure. The agency said in a letter to GAO that the booth was necessary to conduct official business and was not simply a redecorating project.

AMERICAN OVERSIGHT

Asked for comment on how the agency has been affected by Pruitt's tenuous status, EPA said Pruitt "is focused on advancing President Trump's agenda of regulatory certainty and environmental stewardship."

The White House did not respond to a request for comment.

State Department woes

Former Secretary of State Tillerson endured months of speculation about his future as secretary before he was let go in March. For months during his rocky tenure, it seemed like Tillerson and Trump were not on the same page, with Trump publicly contradicting Tillerson's policy positions on North Korea.

The relationship between the president and Tillerson hit an especially low point in October, when Tillerson held a press conference about reports that he had called Trump a "moron," a charge Tillerson did not directly deny.

The confusion about whether Trump still had confidence in Tillerson undoubtedly affected State Department staff, who had to contend with Tillerson's ambitious cost-cutting initiative, which now may not be carried out, said Heather Conley, of the Center for Strategic and International Studies.

"You may not know who you're reporting to in a few days," said Conley, who was a deputy assistant secretary at State during the George W. Bush administration. "So, it just builds in distraction, and uncertainty and rumor mongering that just doesn't help people get their work done."

Veterans Affairs: Who's in charge?

AMERICAN OVERSIGHT

Former VA Secretary Shulkin started out fairly popular with Trump, who pledged during his campaign to turn around the troubled agency that provides services for more than 9 million veterans.

But the relationship between Shulkin and the White House soured after the release of an inspector general's report in February that accused Shulkin of inappropriately spending taxpayer funds during a trip to Europe and improperly accepting tickets to Wimbledon.

After the report was released, White House officials sent mixed signals for more than a month about the president's support for Shulkin. Two days before Shulkin was fired, White House spokesman Hogan Gidley told Fox News that Trump still had confidence in Shulkin.

While Shulkin was facing scrutiny, there were questions about who was actually representing views of the administration for veterans.

"When that happens nothing gets done," said John Hoellwarth, a spokesman for AMVETS. "And veterans in particular can't wait around for things to just work themselves out like that, every day they're depending with their lives on a properly functioning VA."

The Hill

http://thehill.com/opinion/white-house/383337-trump-team-continues-to-roll-back-the-regulatory-state

Trump team continues to roll back the regulatory state (*Op-Ed)

By Ken Blackwell, 4/16/18, 1:30 PM

AMERICAN OVERSIGHT

In President Donald Trump's war on burdensome, unnecessary government regulations, two members of his team stand out: Scott Pruitt, administrator of the Environmental Protection Agency (EPA), and Mick Mulvaney, the acting director of the Consumer Financial Protection Bureau (CFPB).

In his role at the EPA, Pruitt is working to balance protecting the environment with fostering job growth and economic recovery.

Pruitt is guiding the agency back to its proper role of safeguarding human health and the environment while also working to implement Trump's agenda on job growth — and he's doing so by cutting onerous regulations.

The New York Times reported last year that in Pruitt's first four months as EPA administrator, he cut, delayed or blocked over 30 environmental regulations, which the paper called "a regulatory rollback larger in scope than any other over so short a time in the agency's 47-year history."

Pruitt recently proposed changing an Obama-era regulation on the disposal of coal ash — a toxic byproduct of burning coal — to give states flexibility in to determining the best way to dispose of the material. The EPA said the proposal could save electric utilities up to $100 million a year in compliance costs.

In the process, Pruitt is reining in a rogue government agency that has operated well beyond its legal authority for years. He recently moved to end an EPA practice dubbed "sue and settle" in which special interest groups would sue the EPA to issue regulations in line with their agendas, and the EPA would settle in acquiescence, effectively allowing the agency to issue regulations outside the scope of their authority.

"The days of regulation through litigation are over," Pruitt explained in an October statement. "We will no longer go behind closed doors and use consent decrees and settlement agreements to resolve lawsuits filed against the Agency by special interest groups where doing so would circumvent the regulatory process set forth by Congress.

AMERICAN OVERSIGHT

"Additionally, gone are the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which we swiftly settle," Pruitt stated.

There is an adage that it is better to be hated than ignored. Nowhere does that ring truer in Washington, D.C. than at the Consumer Financial Protection Bureau (CFPB).

Since taking the reins of the CFPB in November, Mulvaney has done what any good steward of taxpayer dollars would do — bring accountability and structure back to a once lawless and business-punishing agency.

Not only has Mulvaney declined asking for one penny in operating funds for the bureau for the second quarter of this year, but last week, he asked Congress to rein in the CFPB's limitless power and authority saying, "The Bureau is far too powerful, and with precious little oversight of its activities."

Despite these reforms, Sen. Elizabeth Warren (D-Mass.) has led the chorus of attacks on Mulvaney, accusing him of trying to dismantle her politically-motivated brainchild.

Ironically, what makes Warren's attacks on Mulvaney all the more rich is that she has all but confirmed to the American people that she and her Democratic colleagues are not interested in accountability and reform. After all, Warren created the CFPB not to protect consumers, but to wield political power.

For proof of that, one needs to look no further than the actions of former CFPB Director Richard Cordray, who used the bureau as a political action committee to reward liberal interest groups and political friends ahead of his run for governor of my home state of Ohio under the guise of "consumer protection."

As George Washington University adjunct professor Jeff Joseph pointed out earlier this year,

AMERICAN OVERSIGHT

Cordray's CFPB "picked winners and losers through a bevy of financial regulations, benefitting certain industries at the expense of others.

"Since its inception, the CFPB has issued well over $5 billion in penalties, punishing a wide variety of companies in the name of 'consumer protection,'" Joseph said.

In response to a recent opinion piece by Sen. Warren, in which she issued her latest salvo on Mulvaney's leadership, Mulvaney issued the perfect response:

"If Sen. Warren is unsatisfied with my responses to her frequent inquiries, I would remind her that she is the one who conceived of the bureau to be '[f]ree of legislative micromanaging' and who recently reiterated that 'the whole idea' of the Bureau was to 'insulate it from political influence to the extent possible.'"

As President Trump continues his all-out war on the regulatory state, he certainly has picked the right soldiers in Mick Mulvaney and Scott Pruitt to continue draining the proverbial regulatory swamp.

Ken Blackwell, a former domestic policy advisor to the Trump Transition team, is a former Ohio State treasurer, Ohio secretary of State and Mayor of Cincinnati.

E&E Climatewire

https://www.eenews.net/climatewire/stories/1060079249/search?keyword=EPA

Talk of climate, controversies banned in Pruitt meeting

By Niina Heikkinen, 4/17/18

AMERICAN OVERSIGHT

EPA Administrator Scott Pruitt hosted a group of religious leaders in his office last week.

There were conditions: There would be no talk about climate change or Pruitt's recent bad press.

On Friday afternoon, Pruitt and several EPA staffers met with nine faith leaders from different religious backgrounds at EPA headquarters to talk about environmental justice issues, according to one attendee.

"We were not allowed to talk about climate; it was not part of it. It was apparently a condition of the meeting," said the Rev. Mitchell Hescox, president and CEO of the Evangelical Environmental Network. "It was a cordial meeting, but I was a little disheartened that he didn't want to talk about climate."

Participants were also warned not to talk about the torrent of negative media coverage Pruitt has received in recent weeks regarding the administrator's spending while in office. He has faced an onslaught of criticism about his housing, travel and security detail in Washington, D.C.

The Franciscan Action Network organized the 45-minute meeting in Pruitt's office, which was supposed to be an off-the-record, private discussion. Hescox said he was surprised to see a photographer at the meeting and was "disconcerted" when the administrator tweeted photos of it later that day. The tweet was later deleted at FAN's request, according to Hescox.

EPA staff relayed the restrictions on the discussion to the Franciscans, Hescox said, but he couldn't say whether they originated from Pruitt or the staff.

An EPA spokesperson confirmed that Pruitt had met with "environmentally focused interfaith leaders" to talk about the agency's mission.

AMERICAN OVERSIGHT

"While it is our common practice to post photos from the Administrator's meetings for public awareness, there was a miscommunication regarding post-meeting media plans and we took down the post, at the request of the group," the spokesperson said in an email.

During the meeting, Pruitt spoke in detail about two of his favored issues, safe drinking water and Superfund site cleanup. Only four of the attendees, including Hescox, had time to make their requests to the administrator. One person asked for a faith-based office in EPA, another spoke about water issues in New York, and Hescox focused on the impact of toxic chemicals on developing fetuses.

Pruitt avoided any mention of the recent ethics controversies and let participants know he had just come from having a Big Mac at the White House, Hescox said.

"We did have a good meeting talking about the things he wanted to talk about. [But] it was hard to have an in-depth discussion on [the] realities of what is happening in the world," he said.

Hescox said that he found out about the terms of the discussion just a half-hour beforehand and would not have participated if he had had more advance notice.

Hescox has been sharply critical of Pruitt since his nomination. The meeting was the first time they met face to face. In an op-ed in The Christian Post published April 6, Hescox said Pruitt's deregulatory actions betrayed anti-abortion values.

"President Trump's Administration, especially the head of the Environmental Protection Agency (EPA), Scott Pruitt, have done little to defend the forgotten, especially our unborn and newly born children. While claiming to be pro-life, they have done little to fulfill EPA's mission, 'To protect human health and the environment,'" Hescox wrote. "Instead they have pandered to industry lobbyists, proposed bailouts to the dying fossil fuel industry and 'lived high on the hog' instead of defending the lives and health of our children."

Hescox said Pruitt did seem to recognize his name when they were introduced but did not take

AMERICAN OVERSIGHT

the opportunity to respond to his criticisms.

"He kind of had the eyebrow raised up," he said.

Hescox kept his remarks to Pruitt last week focused on environmental risks to fetal life.

He requested that the administrator name fetuses as an "at-risk group" under the Toxic Substances Control Act. Both Republicans and Democrats in Congress have rejected Hescox's past efforts to add protection under the law for fetal life, calling it a "poison pill."

Republicans have feared that it would require more research from the oil and gas industry, and Democrats have shied away from appearing to be "pro-life," Hescox said.

"[Pruitt] said he would consider it," Hescox added.

Although he didn't talk about climate change at the meeting, Hescox did make sure Pruitt had some reading on the subject. He left the EPA boss a copy of his book, "Caring for Creation: The Evangelical's Guide to Climate Change and a Healthy Environment."

Reuters

https://www.reuters.com/article/us-usa-biofuels-trump/bipartisan-senators-group-demands-epa-disclose-small-refinery-hardship-recipients-idUSKBN1HO27S

Bipartisan senators' group demands EPA disclose small refinery hardship recipients

AMERICAN OVERSIGHT

4/17/18, 10:46 AM

NEW YORK (Reuters) - A bipartisan group of 13 U.S. senators told the U.S. Environmental Protection Agency on Tuesday to disclose the names of companies who received a hardship exemption from the nation's biofuel laws since 2016.

The calls for more transparency come amid increasing scrutiny of the EPA's expansion of the small refinery hardship exemption in recent months, including granting and considering waivers from the world's largest oil companies.

The senators made the request in a letter delivered on Tuesday, according to a joint statement.

The Hill

http://thehill.com/policy/energy-environment/383495-senates-coast-guard-bill-would-weaken-water-pollution-rules-greens

Coast Guard bill would weaken water pollution rules, environmentalists say

By Timothy Cama, 4/17/18, 9:55 AM

The Senate could vote on a Coast Guard bill in the coming days that environmentalists and Democratic attorneys general say would weaken water pollution standards.

Senate Majority Leader Mitch McConnell (R-Ky.) filed cloture on a bill to reauthorize Coast Guard programs late Monday and Sen. John Thune (R-S.D.), chairman of the Commerce, Science and Transportation Committee, said the upper chamber will "hopefully" vote on it this week.

AMERICAN OVERSIGHT

The bill includes a version of the Vessel Incidental Discharge Act (VIDA), which would exempt ships' ballast water from Clean Water Act oversight under the Environmental Protection Agency (EPA) and stop most states' attempts to regulate the ballast water.

Ships usually take in water at ports to help balance and provide stability on their journeys. Operators then discharge the water at other ports, potentially bringing invasive species or pollutants from the previous port.

Ballast water has been blamed for some of the worst invasive species cases, like zebra mussels in the Great Lakes and various algae species.

Environmentalists say removing the EPA's authority — and leaving the regulation of ballast water solely to the Coast Guard — would remove important water protections.

"VIDA moves us away from the responsible management of ballast water discharges by completely removing Clean Water Act authority over ship ballast water discharges," a coalition of green groups, including the Natural Resources Defense Council and American Rivers, wrote to senators last week.

"Under VIDA, the Clean Water Act would cease to apply to all ship incidental discharges — including ballast water, nutrient-laden greywater, and chemicals — from commercial vessels," they wrote.

Democratic state attorneys general also object to the bill because it would block states, in most cases, from regulating ballast water themselves.

"This legislation seeks to preempt traditional state authority to take the actions necessary for protecting state water resources, while doing away with existing federal laws that safeguard our nation's waters against harmful pollutant discharges from vessels," 10 state attorneys general,

AMERICAN OVERSIGHT

led by New York's Eric Schneiderman (D), wrote to senators last year.

But the shipping industry has long argued that the EPA and states are not the right bodies to regulate ballast and that the Coast Guard, as the main authority overseeing waterways in ports, is better equipped.

A coalition of maritime industry and labor groups told senators last year that a previous version of the bill "will establish nationally uniform and environmentally sound standards for ballast water and other vessel discharges."

They complained that an "overlapping patchwork of federal and state regulations makes compliance complicated, confusing and costly for vessel owners and mariners."

The bill's sponsors are Thune, Sen. Marco Rubio (R-Fla.) and Sen. Bill Nelson (D-Fla.).

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183082&item=408&prod=deln&cat=A

Smaller Bites in EPA Air Chief's Second Pass at Permitting Update

By Jennifer Lu, 4/17/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

AMERICAN OVERSIGHT

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

AMERICAN OVERSIGHT

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in *Perez v. Mortgage Bankers Association* have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

AMERICAN OVERSIGHT

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This

AMERICAN OVERSIGHT

definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in *New York v. EPA* in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

AMERICAN OVERSIGHT

https://www.reuters.com/article/us-health-airquality/air-quality-linked-to-cardiac-events-heart-disease-patients-unaware-idUSKBN1HO2NE

Air quality linked to cardiac 'events,' heart disease patients unaware

By Carolyn Crist, 4/17/18, 1:03 PM

Poor air quality with high levels of tiny pollution particles known as PM 2.5 are tied to a spike in emergency department visits for heart- and lung-related illnesses and stroke, a California study suggests, but a nationwide U.S. survey finds that few heart patients are aware of air quality risks.

Based on analysis of areas affected by the intense 2015 California wildfire season, researchers found that within a day of residents being exposed to dense smoke, emergency room visits for heart attacks and other cardiac events and symptoms rose by 15 percent overall, and 42 percent among people over age 65.

Stroke and other cerebrovascular emergencies rose 17 percent overall, and 22 percent for older adults, the study team reports in the Journal of the American Heart Association.

“Unlike places that have chronic exposure to poor air quality where we can educate people about the health risks, wildfires happen at unexpected times,” said senior study author Ana Rappold of the U.S. Environmental Protection Agency’s National Health and Environmental Effects Research Lab in Durham, North Carolina.

“Wildfires have become a leading cause of short-term exposure to polluted air,” she said in a telephone interview. “It’s important to talk to people about how exposure to wildfire can impact their health.”

Large-scale wildfires are projected to increase through the end of the century in many areas, particularly in California, Rappold and her colleagues note in their report. Wildfire smoke contains several pollutants, including carbon monoxide, nitrogen dioxide and ash particles that have been associated with lung and heart problems.

AMERICAN OVERSIGHT

It also contains tiny particles, smaller than 2.5 micrometers, that are produced by burning, such as in wildfires, indoor cooking fires and motor vehicle exhaust.

These particles are small enough to enter the bloodstream from the lungs and are linked to inflammation, heart rhythm disturbances and clotting issues, the authors write.

Rappold and colleagues analyzed emergency room visits between May 1 and September 30, 2015 in eight northern and central California basins where fires covered more than 800,000 acres of land.

Based on data from the National Oceanic and Atmospheric Administration, the research team followed smoke plumes and particulate matter concentrations as they moved across the state. They also looked at emergency room data for diagnoses such as heart attack, angina, cardiac dysrhythmia, pulmonary embolism, stroke, asthma, COPD and pneumonia.

The researchers found 361,000 cardiovascular, 15,500 cerebrovascular and 230,000 respiratory diagnoses. Emergency room visits for heart issues were associated with wildfire smoke density for all adults and were more pronounced for those over age 65. Brain and lung issues were also more severe among older adults, especially on medium- and dense-smoke days.

“We have an aging population in this country with increasing obesity, diabetes and associated heart and lung diseases, and we have an increasing number of acres that burn every year,” said one of the study’s coauthors, Dr. Wayne Cascio, who directs the EPA National Health and Environmental Effects Research Lab.

“We also have an increasing number of people encroaching on acres that have a high likelihood of burning,” Cascio said in a telephone interview. “That’s the perfect storm of increasing the number of people who are at risk for wildfire exposure.”

In future studies, the EPA team plans to look at how long wildfire smoke and particulate matter lingers in the air and causes health problems, as well as how these air pollution exposures affect

AMERICAN OVERSIGHT

healthcare expenses through programs such as Medicare.

They've also launched Smoke Sense (bit.ly/2gFdHTV), a mobile app that encourages people to submit information about wildfire exposures and their health and productivity.

“I tell my patients that if they have heart or lung disease, they need to be mindful about poor air quality and smoke from wildfires,” Cascio said. “Avoid them to the extent that you can and look at EPA resources or others to plan what else you should do.”

In a separate study by a team at the Centers for Disease Control and Prevention in Atlanta, researchers found that people with lung disease are more likely than those with heart diseases to be aware of the risks they face during poor air quality alerts.

The research team analyzed surveys of more than 12,000 U.S. adults between 2014 and 2016. About half of participants were aware of air quality alerts, 27 percent said they avoided busy roads to reduce their exposure and 3 percent said they had talked with a health professional about ways to avoid exposure to air pollution. Compared to the other survey participants, awareness of air quality alerts was 11 percent more common among people with asthma and avoidance of busy roads was 13 percent more common. People with asthma were also five times more likely to have spoken with a doctor about avoiding pollution exposure.

“Targeted public health messages about air quality might raise awareness about alerts and motivate changes in behavior among those at risk during periods of unhealthy air quality,” said lead study author Maria Mirabelli of the CDC’s Asthma and Community Health Branch.

“Be aware of air quality alerts and discuss with a health professional the strategies to reduce air pollution exposure,” Mirabelli advised in an email. “Avoid busy roads to reduce exposure when walking, biking or exercising outdoors.”

AMERICAN OVERSIGHT

AP

https://apnews.com/26de799f0bbb4d98ab9ee7d7766c7edd/Chicago,-surfers-criticize-US-Steel-spills-settlement

Chicago, surfers criticize US Steel spills settlement

4/17/18

PORTAGE, Ind. (AP) — Chicago and some Great Lakes surfers say a federal settlement inadequately punishes U.S. Steel for chemical spills into Lake Michigan.

The University of Chicago discovered last year that the steelmaker's Midwest Plant has violated chromium limits at least four times since 2013.

The proposed deal calls for U.S. Steel to pay nearly $900,000, test for hexavalent chromium daily at the plant, create a preventative maintenance program and upgrade pollution monitoring.

The Chicago Law Department and the nonprofit Surfrider Foundation said in a letter to the Environmental Protection Agency Monday that they'll oppose the deal in federal court if changes aren't made.

The groups want environmental improvement projects for communities near the Portage plant, an independent study of potential long-term damage and an automated early warning system to detect future spills.

AMERICAN OVERSIGHT

To: AO OPA Individual News Clips[AO_OPA_Ind_News_Clips@epa.gov]
From: Hassell, Emily
Sent: Tue 4/17/2018 3:03:45 PM
Subject: BNA: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites, 4/17/18

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=132183084&item=408&prod=deln&cat=A

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/17/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe

AMERICAN OVERSIGHT

attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

AMERICAN OVERSIGHT

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

AMERICAN OVERSIGHT

To: Bowman, Liz[Bowman.Liz@epa.gov]; Beach, Christopher[beach.christopher@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Konkus, John[konkus.john@epa.gov]; Daniell, Kelsi[daniell.kelsi@epa.gov]
From: Block, Molly
Sent: Tue 4/17/2018 2:00:17 PM
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

In addition to the clips? The second and third story below are about the superfund list we released yesterday.

From: Bowman, Liz
Sent: Tuesday, April 17, 2018 9:59 AM
To: Block, Molly <block.molly@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: FOR APPROVAL: EPA News Highlights 4.17.18

Thanks – did we have anything on the Superfund sites?

From: Block, Molly
Sent: Tuesday, April 17, 2018 8:43 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beach, Christopher <beach.christopher@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: FOR APPROVAL: EPA News Highlights 4.17.18

EPA News Highlights 4.17.18

Cincinnati Enquirer: EPA Head Scott Pruitt in Cincinnati

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday. He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's

AMERICAN OVERSIGHT

Cincinnati Office of Research and Development near the University of Cincinnati. "This is a model for cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Bloomberg Environment: Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress. The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Las Vegas Review Journal: Nevada's Anaconda Mine Removed from EPA Superfund List

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday. Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine. The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion. "We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement. Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

Bloomberg Environment: Smaller Bites in EPA Air Chief's Second Pass at Permitting Updated

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities. "This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance." Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

National News Highlights 4.17.18

AMERICAN OVERSIGHT

Reuters: Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list. Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Washington Free Beacon: Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan. Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

Politico: Comey on Trump Calling for Him to Be Jailed: 'This Is Not Ok'

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law. The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

TRUMP TWEETS

Cincinnati Enquirer

https://www.cincinnati.com/story/news/2018/04/16/epa-head-scott-pruitt-cincinnati/521380002/

EPA Head Scott Pruitt in Cincinnati

By Carrie Blackmore Smith, 4/16/18

AMERICAN OVERSIGHT

U.S. Environmental Protection Agency Administrator Scott Pruitt visited Cincinnati Monday.

He spent part of his day Monday, according to a tweet, with Greater Cincinnati Water Works officials and workers regarding the replacement of lead pipes. He also visited the federal EPA's Cincinnati Office of Research and Development near the University of Cincinnati.

"This is a model cities across the country should look at in order to invest in the future of our children," Pruitt tweeted.

Cincinnati, like many older cities, constructed its system with lead pipes at the start of the last century.

Water Works has made it a priority to replace all lead pipes with copper in order to reduce exposure to lead in drinking water. Lead can cause all sorts of health problems, including developmental delays, high blood pressure and heart disease.

“We appreciated the visit today from Administrator Pruitt. The visit gave us a chance to explain our enhanced lead program that includes education, outreach and removal of lead service lines," said water works Director Cathy Bailey. "Our program wasn’t mandated by regulations, but implemented because it is the right thing to do for our community, and we believe it can serve as a model across the country."

New research found a correlation between lead and cardiovascular disease, too. It affects children at a higher rate than adults because their brains are still developing.

The response in Twitter was fierce, with some playing off his use of #gettheleadout.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/pruitt-seeks-quicker-superfund-cleanups-at-three-targeted-sites-1

Pruitt Seeks Quicker Superfund Cleanups at Three Targeted Sites

By Sylvia Carignan and Stephen Joyce, 4/16/18

EPA Administrator Scott Pruitt put the spotlight on three more Superfund sites to accelerate cleanup efforts after the agency targeted those sites for a lack of progress.

AMERICAN OVERSIGHT

The Environmental Protection Agency named the sites in California, Delaware, and Minnesota April 16 after the agency's regional staff said they needed a push from the administrator, Albert "Kell" Kelly, Pruitt's senior adviser on Superfund issues, told Bloomberg Environment.

Kelly expects that push to come in the form of an expedited cleanup plan decision or quicker negotiations for each of the sites.

Pruitt also removed two sites from the list of those needing immediate action.

The sites EPA added to the list are Delaware Sand and Gravel Landfill in New Castle, Del., Casmalia Resources in Casmalia, Calif., and St. Regis Paper Co. in Cass Lake, Minn.

Kelly said hard and fast criteria aren't necessarily used when adding sites to the administrator's list.

"The criteria has some subjectivity to it, because it has to be sites [where] regions believe attention from the administrator will help them get to whatever milestone," Kelly said.

Cass Lake, Minn.

Pruitt aims to finalize a residential soil cleanup plan for the St. Regis Paper Co. site.

Remediating the Minnesota site "has been a very long and difficult process," Sara Peterson, a lawyer representing Cass Lake, Minn., the city where the property is located, told Bloomberg Environment.

The site contains soils and groundwater possibly contaminated by dioxins, pentachlorophenol, and polycyclic aromatic hydrocarbons, according to an EPA fact sheet on the site.

From the 1950s to the 1980s, Champion Paper Co.—a predecessor company to the site's current owner, Memphis, Tenn.-based International Paper Co.—manufactured treated wood for railroad ties and telephone poles.

Thomas Ryan, a spokesperson for International Paper, told Bloomberg Environment the company is working with the EPA and other parties at the Superfund site.

The city is anxious for the site's environmental cleanup to be completed, Peterson said.

"They need the jobs that would come with the redevelopment of this site, and they've got some potential opportunities out there. But having a Superfund site there at this point makes it awfully hard to market the site," she said.

A March 2016 EPA-proposed plan recommended removing contaminated soil from affected residential areas and replacing it with clean soil, managing removed soil on site, disposing of a small amount of heavily contaminated soil at an off-site facility, and monitoring soil stored on site.

AMERICAN OVERSIGHT

Casmalia, Calif.

The Casmalia Resources site in California was a commercial hazardous waste treatment, storage, and disposal facility spanning more than 250 acres.

The EPA finalized a $590,722 settlement in November with 57 of the companies that contributed waste to the landfill. Those companies include Nestle, Leidos Inc., Hubbell Inc., and Hearst Corp.

None of those companies responded to Bloomberg Environment's emails or calls about the site's addition to Pruitt's list.

In addition, companies and government agencies involved with the Delaware site did not respond to Bloomberg Environment's requests for comment.

Setting Deadlines

The EPA also provided updates April 16 about each of the other sites on Pruitt's "immediate, intense action" list.

At the Mohawk Tannery site in Nashua, N.H., the agency wants to propose a cleanup plan this summer. The EPA is negotiating an agreement with a prospective purchaser who would redevelop the site.

For two New Jersey sites, American Cyanamid Inc. in Bound Brook and Berry's Creek in Wood Ridge borough, the agency wants to propose cleanup plans by the end of this spring.

The agency also wants to propose a cleanup plan for the Superfund site in East Chicago, Ind. his summer. The EPA is working on cleaning up lead-contaminated soil at parts of the site.

Delisted Sites

Pruitt already has made major cleanup decisions at the two sites removed from the list, the Anaconda Copper Mine in Yerington, Nev., and San Jacinto River Waste Pits outside Houston.

The EPA agreed in February to allow Nevada to oversee the cleanup of the Anaconda site, owned by Atlantic Richfield Co., after the state sought to assume control and work with private parties for a quicker resolution.

The former mine site had been under consideration to be added to the EPA National Priorities List so it could qualify for long-term cleanup and federal funding. The state last year asked the agency to defer the mine listing except for areas on tribal lands.

The San Jacinto River Waste Pits site contains paper mill waste material, including highly toxic dioxins, generated in the bleaching of wood pulp to make paper, the EPA said.

AMERICAN OVERSIGHT

Pruitt announced a $115 million plan in October for the pits that entails excavating more than 212,000 cubic yards of contaminated waste.

Superfund sites are the most contaminated in the country, and include the Gowanus Canal in New York, Portland Harbor in Oregon, and Tar Creek in Oklahoma. Properties with EPA's Superfund designation are eligible to receive federal funds for cleanup, though the agency aims to compel companies responsible for the sites to pay the cleanup bills.

Las Vegas Review Journal

https://www.reviewjournal.com/news/politics-and-government/nevada/nevadas-anaconda-mine-removed-from-epa-superfund-list/

Nevada's Anaconda Mine Removed From EPA Superfund List

By Gary martin, 4/16/18

An agreement reached between Nevada and the Environmental Protection Agency has kept the Anaconda Copper Mine off a Superfund list, with cleanup now being directed by the state and funded by a private company, officials said Monday.

Nevada Gov. Brian Sandoval and EPA Administrator Scott Pruitt signed a National Priorities List Deferral Agreement on Feb. 5 that puts the state in control of expedited cleanup and preparation for reuse of the property.

"Since Governor Sandoval took office and before, the state has worked to develop a long-term plan to clean up the site with a secure source of funding," said Mary-Sarah Kinner, the governor's spokeswoman.

Pruitt released a list of potential Superfund sites Monday that no longer includes the Nevada mine.

The list also excludes the San Jacinto River Waste Pits in Texas. Three sites in California, Delaware and Minnesota were targeted by the EPA for immediate and intense cleanup efforts and put on a list for Superfund inclusion.

"We are making tremendous progress expediting sites through the entire Superfund remediation process," Pruitt said in a statement.

Pruitt said the updated list "reflects our commitment to addressing Superfund sites as quickly and safely as possible."

AMERICAN OVERSIGHT

The EPA administrator visited the Nevada and Texas sites as part of his effort to make timely decisions for cleanup of the sites and ensure protection of health and the environment for the surrounding communities.

During the Obama administration, the EPA proposed adding the Anaconda Copper Mine, which opened in 1918, to the Superfund National Priorities List to make it eligible for federal remedial funds.

Last year Atlantic Richfield Co. approached Nevada and proposed to fund implementation of a sitewide remedy for the mine. The company bought the mine in 1978.

Sandoval asked EPA in July to defer placing the copper mine on the Superfund list. Sandoval, the Nevada Division of Environmental Protection, Native American tribes and other stakeholders worked with the EPA to keep the site off the national priorities list.

Pruitt granted the request after the EPA determined cleanup efforts meet federal requirements.

In February, Sandoval called the signing of the agreement with the EPA a "landmark day." He said the state and Atlantic Richfield would work in partnership on the remaining cleanup, which is expected to take another decade.

The Trump administration has proposed cutting spending at the EPA, and funds for the Superfund program.

With cleanup under administration by the state, and Atlantic Richfield pledging to fund the process, state officials see the decision on a deferred listing as a move to secure funding for cleanup of leaching fields at the old mine where chemicals were used to strip copper from rock.

As a result of this public-private partnership, there was no need for the EPA administrator's office to continue tracking the mine site, Kinner said. The site will remain proposed for the national priority list until cleanup is completed under Nevada Division of Environmental Protection oversight.

Cleanup actions under the Superfund program have historically been slow, expensive and process-laden, according to the state agency.

The mine is located in Lyon County near the town of Yerington.

Bloomberg Environment

https://news.bloombergenvironment.com/environment-and-energy/smaller-bites-in-epa-air-chiefs-second-pass-at-permitting-update

AMERICAN OVERSIGHT

Smaller Bites in EPA Air Chiefs Second Pass at Permitting Update

By Jennifer Lu, 4/16/18

William Wehrum has unfinished business with the EPA's air pollution permitting program for factories and power plants that want to expand or make major upgrades to their facilities.

In his first stint at the Environmental Protection Agency in an acting capacity, Wehrum tried to address industry criticism over the permitting program, known as new source review, with sweeping rulemaking bundles.

His efforts were either dropped after the George W. Bush administration withdrew his nomination to head the Office of Air and Radiation in 2007, blocked by the courts, or undone by the incoming Obama administration.

"This time around," Wehrum told Bloomberg Environment in an exclusive April 13 interview, "it's important to strike a better balance."

Already, the EPA has issued two industry-coveted tweaks to the permitting program through guidance documents.

The new source review program requires factories and power plants to install costly new air pollution controls when they expand or make modifications that increase their emissions.

Industries have long complained that securing compliance with the permitting program is tedious, time consuming, and confusing. Updating how the EPA administers the program through guidance documents is one way to quickly address those concerns.

"There are a lot of current issues within [new source review] that we can provide clear guidance through guidance," Wehrum said. "Our strategy is to tell people sooner rather than later how we think the program should be implemented."

Did You Get the Memo?

The focus on bite-sized updates to EPA programs comes after Wehrum watched a series of ambitious regulations he helped craft—from toxic air pollution rules from the power industry to attempts to set up an emissions trading program for power plants—get overturned by judges during his last go-round at the agency between 2005-2007.

Back then, Wehrum didn't have the option to quickly update policy through guidance. Only since a 2014 U.S. Supreme Court decision in Perez v. Mortgage Bankers Association have federal agencies like the EPA been allowed to issue guidance such as policy memos without having to go through a lengthy public comment process.

AMERICAN OVERSIGHT

"We have an interest in trying to do some things quickly, and especially in case-specific circumstances where clarity is lacking," Wehrum said.

However, policy made through guidance memos can be just as easily undone by a new administration, John Walke of the Natural Resources Defense Council, who previously served in the EPA General Counsel's Office, told Bloomberg Environment.

Environmental groups like Walke's and some states have already sued the EPA over one of its guidance documents, which eased toxic pollution emissions standards for industry.

"Industry relies upon Bill Wehrum's guidance at its peril," Walke said.

Everything Old is New Source Review Again

But updating the permitting program has long been an industry priority. It was repeatedly spotlighted by businesses when the EPA put out a call for regulations that should be revised or eliminated.

After past regulatory efforts to make it industry-friendly fizzled, the fastest way to address business concerns is through guidance, Richard Alonso, environmental attorney at Sidley Austin LLP's Washington, D.C., office, told Bloomberg Environment.

Already, the EPA has issued two memos on two new source review changes. A December memo told agency staff not to "second-guess" how facilities calculate emissions changes.

That was followed by a March memo on project emissions accounting, also known as project netting, which tells facilities how to calculate whether emissions from their proposed new construction projects would increase pollution. Under the new guidance, facilities can include emissions decreases from their projects to the overall calculations to avoid triggering new source review.

The memo drew inspiration from a 2006 rule changing three aspects of emissions counting under new source review, which lost traction after Wehrum left the agency.

"Finalizing this [2006] rulemaking would help to remove a substantial burden to energy and manufacturing projects," Louis Renjel, vice president of federal government affairs and strategic policy at Duke Energy, wrote in response to an EPA call for suggestions on reducing regulatory burdens.

The American Chemistry Council also asked the EPA to revisit the reforms proposed during the Bush-era EPA, whether through guidance, regulation, or legislation.

The EPA this summer aims to address project aggregation, another piece of new source review reform from Wehrum's 2006 rulemaking bundle.

It would define how emissions from separate modifications that take place around the same time

AMERICAN OVERSIGHT

should be counted, according to a presentation Anna Marie Wood, director of the EPA's Air Quality Policy Division, gave at a state air regulators conference April 5.

More Guidance Coming

Three more guidance memos are slated to be issued this spring, according to Wood's presentation.

One would redefine what counts as "ambient air," or the air the general public breathes. This definition is important to new source review because facilities must show that their post-construction emissions won't worsen air quality according to the national standards, Lynn Hutchinson, the EPA new source review project lead in 2002, told Bloomberg Environment.

Another guidance document in the works would change the pollutant modeling used to decide whether emissions would damage air quality. The White House completed its review of the memo April 12.

A third spring guidance document would allow the EPA to revive an attempt to expand the kinds of routine maintenance and repairs excluded from new source review. That 2003 rule was vacated by the U.S. Court of Appeals for the District of Columbia Circuit in New York v. EPA in 2006, which said industries could not write off physical changes that cost below a certain amount as routine maintenance.

"You already have a court on record saying those particular reforms are not allowed, so those might be a heavier lift without notice and comment rulemaking," Alonso said.

When asked how he will ensure that his current batch of reforms stick beyond the current administration, Wehrum said, "a piece of it is making change that will last, but the bigger piece of it, for me, again, is just from a public policy standpoint."

"If people can't look at our rules and know what they need to do to comply, then we've got a problem," he said.

Reuters

https://www.reuters.com/article/us-usa-trump-russia-cohen/foxs-hannity-revealed-as-mystery-client-of-trumps-personal-lawyer-idUSKBN1HN12G

Fox's Hannity Revealed as Mystery Client of Trump's Personal Lawyer

By Brendan Pierson, Karen Freifeld, Jonathan Stempel, 4/16/18

AMERICAN OVERSIGHT

U.S. President Donald Trump's personal lawyer was forced on Monday to reveal in a New York federal court that Fox News personality Sean Hannity, one of Trump's most ardent defenders, was also on his client list.

Michael Cohen, Trump's fiercely loyal and pugnacious lawyer, disclosed Hannity's name through one of his own lawyers at the order of the judge. Stormy Daniels, an adult-film actress who says she had a sexual encounter with Trump, watched from the public gallery.

Daniels, in a separate civil case, is fighting a 2016 non-disclosure agreement arranged by Cohen in which she got $130,000 to stop her from discussing her claim she had sex with Trump a decade earlier, something Trump has denied.

Hannity, 56, said on Monday that he had never paid for Cohen's services or been represented by him, but had sought confidential legal advice from him. The conservative host often uses his weeknight broadcast on Fox News to defend the president against what he sees as biased attacks by the media. Sometimes Trump praises Hannity in return.

Cohen was in court to ask the judge to limit the ability of federal prosecutors to review documents seized from his offices and home last week as part of a criminal investigation, which stems in part from a probe into possible collusion between Trump's presidential campaign and Russia. (Full Story)

The Russia investigation has frustrated the White House as it has spread to enfold some of Trump's closest confidantes.

Judge Kimba Wood spent more than 2-1/2 hours listening to arguments by Cohen's lawyers, prosecutors from the U.S. attorney's office in Manhattan and a lawyer representing Trump in the hearing. She is expected to rule later.

She ordered prosecutors to give Cohen's lawyers a copy of the seized materials before the next hearing.

The unexpected naming of Hannity made him the latest prominent media personality to be drawn into the investigation's cast of unlikely supporting characters.

Daniels, whose real name is Stephanie Clifford, was another. As she arrived at the courthouse dressed in a lavender suit, photographers knocked over barricades as they scrambled to get pictures.

Daniels sat with her lawyer, Michael Avenatti, who told reporters they were there to help ensure protection for the integrity of the seized documents, some of which they believe pertain to the Daniels agreement.

Cohen, dressed in a dark suit, at times looked tense, folding and clasping his hands in front of him.

AMERICAN OVERSIGHT

GASPS AND LAUGHTER

Cohen has argued that some of the documents and data seized from him under a warrant are protected by attorney-client privilege or otherwise unconnected to the investigation. But Judge Wood said she would still need the names of those other clients, and rejected his efforts to mask the identity of Hannity, a client Cohen had said wanted to avoid publicity.

"I understand if he doesn't want his name out there, but that's not enough under the law," Wood said, before ordering the name disclosed.

Stephen Ryan, a lawyer for Cohen, drew gasps and laughter from the public gallery when he named Hannity as the client.

After his identity was revealed, Hannity said on his syndicated radio show, and again later on his Fox News program, that he had "occasional, brief discussions" with Cohen in which he sought out Cohen's "input and perspective."

Hannity said he assumed those discussions were covered by attorney-client privilege, and insisted that none involved any matter between himself and a third party. He also said his talks with Cohen "almost exclusively focused on real estate."'

Legal advice can be considered privileged even if given by a lawyer for free.

Hannity, the top-rated personality on the most watched U.S. cable news network, told his viewers on April 9 that the raid on Cohen was part an effort by federal investigators to wrongly impeach the president. He never mentioned his association with Cohen during that broadcast.

On Monday's show, Hannity expressed amusement at the firestorm of media coverage unleashed by the disclosure that he and Trump shared a legal adviser in Cohen, playing a 45-second, rapid-fire montage of various TV commentators and anchors uttering his name on the air throughout the day.

Cohen has asked the court to give his own lawyers the first look at the seized materials so they can identify documents that are protected by attorney-client privilege. (Full Story)

Failing that, they want the court to appoint an independent official known as a special master, a role typically filled by a lawyer, to go through the records and decide what prosecutors can see.

But prosecutors want the documents to be reviewed for attorney-client privilege by a "taint team" of lawyers within their own office, who would be walled off from the main prosecution team.

"I have faith in the Southern District U.S. Attorney's Office that their integrity is unimpeachable," making a taint team "a viable option," Judge Wood said.

But she also said that to help ensure fairness and the perception of fairness, "a special master

AMERICAN OVERSIGHT

might have some role here."

After the hearing, Cohen left without comment.

Daniels, in contrast, stepped up to the bank of microphones set up on the sidewalk, telling reporters that Cohen had thought he was above the law.

"My attorney and I are committed that everyone finds out the truth and the facts of what happened, and I will not rest until that happens," she said.

Washington Free Beacon

http://freebeacon.com/national-security/ex-cia-chief-says-obama-rejected-cyber-action-russia-election-meddling/

Ex-CIA Chief Says Obama Rejected Cyber Action Against Russia for Election Meddling

By Bill Gertz, 4/17/18

Despite an unprecedented Russian intelligence operation to influence the 2016 presidential election, former President Barack Obama rejected a plan to conduct retaliatory cyber action against Moscow during the campaign, according to former CIA Director John Brennan.

Brennan disclosed Saturday that Obama opposed a plan to carry out "a cyber event" against the Russians because the former president feared the action would lead to more aggressive interference by Moscow.

"There was consideration about rattling their cages with some type of cyber event," Brennan said during remarks to a journalism conference at the University of California Berkeley.

But based on Obama's fears, the planned cyber action was shelved in favor issuing vague warnings to Russian officials. Brennan did not elaborate on the cyber retaliation plan.

"President Obama was the ultimate decision-maker on that," Brennan said of the lack of response.

The former CIA director defended the Obama administration's handling of what is widely viewed as a significant counterintelligence failure during the presidential election.

After the election, Obama ordered the expulsion of 35 Russian intelligence officers.

Both the FBI and CIA are charged with the conducting counterintelligence–detecting and

AMERICAN OVERSIGHT

thwarting hostile intelligence operations. Both agencies failed to halt the Russians in 2016 either in the United States or abroad.

U.S. officials have said the targeting of U.S. and foreign elections by Russia is continuing.

President Trump in February criticized his predecessor in a Tweet for failing to act. "Why didn't Obama do something about the meddling? Why aren't Dem crimes under investigation? Ask Jeff Sessions!" he tweeted.

The disclosure that Obama scrapped a cyber plan to retaliate against Moscow for election interference comes as a former senior counterintelligence official, Michelle Van Cleave, revealed in congressional testimony last week that the Obama administration weakened American counterintelligence programs by downgrading a top counterspy office.

Brennan said he had "great confidence" the Russian influence operation was authorized and directed by Russian President Vladimir Putin, a former KGB intelligence officer. The Russian intelligence services also "know what the mission is, know what their capabilities are, and will apply them to issues that are of interest to Russian national security," he said.

Brennan called the meddling "unprecedented in terms of its scope and intensity, and made full use of the digital domain."

The first indications of Russian interference were spotted in late 2015 and early 2016 and the operation was mentioned in press reports in the spring of 2016. By the summer of 2016 the operations were confirmed, he said.

Obama also made clear to the CIA that he did not want the agency doing anything "in reality or in perception" that would have advanced the Russian disinformation and propaganda campaign, Brennan said.

"We were really trying to strike the right balance between doing everything we could to prevent and thwart as well as to uncover and understand what the Russians were doing without doing anything that would almost advance their interests in trying to disrupt our election," he said.

Obama also was afraid any U.S. action against the Russians might be perceived as an outgoing Democratic president working to influence the election outcome.

"So if we did more things and stood at the hilltops and cried out, 'the Russians, the Russians are trying to help Trump get elected,' and if President Obama who is the titular head of the Democratic Party were to do that, I think that there would have been a lot of people would believe, I think with some justification, that the President of the United States was trying to influence the outcome of a presidential election," Brennan said.

Brennan also said the Obama administration opposed aggressive action because of the president's belief that any effort to punish the Russian might produce stepped up activities.

AMERICAN OVERSIGHT

Russian hackers had been detected navigating inside state election voter registration roll computers and other election-related networks.

"They had things that they could have done that they didn't do," Brennan said of the Russians.

Intelligence agencies concluded in a report issued in early 2017 that Russian civilian and military intelligence agencies conducted an aggressive operation to sow social discord during the 2016 election by opposing Hillary Clinton while seeking to boost Donald Trump's campaign.

The Russian operation included the use of advertising on social media platforms like Facebook, and cyber attacks involving the cyber theft of emails and postings online using covert internet personas.

In February, 13 Russians were indicted by Special Counsel Robert Mueller for running a St. Petersburg, Russia-based internet troll farm that carried out influence operations during the elections.

So far, no action has been taken against the Russian hackers engaged in email thefts.

Kenneth deGraffenreid, former deputy national counterintelligence executive, said Obama's inaction was a major counterintelligence failure.

"If Brennan's claims are true, the Obama administration's inaction in the face of this Russian cyber aggression represents a serious counterintelligence failure that has had terrible consequences," deGraffenreid said.

"Good counterintelligence requires an active element beyond collecting and analyzing the secret information that has been uncovered–namely countering this serious foreign intelligence threat in an effective way. The U.S. has the sophisticated tools to do this."

"There simply is no excuse for not doing so," he added. "Our national security depends on American leaders taking the action required."

Despite signs the operation had been underway since 2015, Brennan said he was the first U.S. official to protest the matter during an Aug. 4, 2016, telephone to Alexander Bortnikov, head of Russia's FSB security service.

"I told him rather directly that if the Russians were to go down this road, they would pay a significant price," Brennan said. "I told him that all Americans would be outraged by a Russian effort to try and interfere in our election."

A month later at the G-20 summit in China, Obama confronted Putin about the election interference, according to Brennan.

Weeks later, Director of National Intelligence James Clapper and Homeland Security Secretary Jeh Johnson issued an official statement accusing the Russian government of interfering with the

AMERICAN OVERSIGHT

election campaign.

Brennan said he believes the softline Obama policy dissuaded Moscow from intensifying the campaign and that he had no regrets.

Additionally, the former CIA chief said he has spoken to Obama who he asserted is "very comfortable with what we did and didn't do."

"I would argue that I think by pushing them back a bit and confronting them with it, both privately as well as publicly, I think we did dissuade them from even going further," he said.

Brennan also said the CIA was told by Obama not to take any action on the Russian intelligence operation over concerns any action would appear the administration was trying to support the Democratic candidate, Hillary Clinton.

Since leaving office, Brennan has been a Trump critic, taking to Twitter to call the president a "charlatan," "demagogue," and "snake oil salesman."

Brennan said that criticism has cost him financially as "a number of opportunities were rescinded."

Russian cyber intelligence operations are sophisticated and difficult to track, he said.

"And so I fully anticipate that the Russians and others are going to take advantages that are there," Brennan said. "They are going to try to hide their footprints better. They're going to try to prevent the U.S. from understanding what may be happening there. But let's not make a mistake, that environment is ripe for mal actors and they are going to continue to cause us problems."

On the controversial dossier produced by former British intelligence officer Christopher Steele, Brennan said the dossier may have been part of a Russian cover operation.

"Well certainly it could be," he said. "I don't know the provenance of the information. As I said I've seen the dossier. It is done by a former accomplished member of the British intelligence service, MI-6. It is sourced to unnamed sources and subsources that alleged these types of activities. So I don't know whether the information in it–some, all or none–is valid or not."

Brennan said he does not believe Steele was manipulated by the Russians for intelligence purposes.

"I do not believe he is acting on behalf of them," he said. "Might he have been unwittingly used? Maybe. So I don't know."

The Steele dossier was funded by the Democratic National Committee and the Clinton campaign through the research group Fusion GPS.

The Washington Free Beacon hired Fusion GPS to conduct research on Republican candidates

AMERICAN OVERSIGHT

but had no role in the dossier.

On his political views, Brennan said he is not a member of any political party and described himself as "an avowed nonpartisan."

In 2016, Brennan disclosed that in 1976 he voted for the Moscow-backed Communist Party USA candidate for president, Gus Hall, during the height of the Cold War.

Politico

https://www.politico.com/story/2018/04/17/james-comey-trump-jailing-527942

Comey on Trump Calling for Him to Be Jailed: 'This Is Not OK'

By Louis Nelson, 4/17/18

Former FBI Director James Comey denounced Donald Trump's presidency as a threat to bedrock American values, warning that the president's calls for Comey to be jailed could erode the rule of law.

The former FBI director, whom Trump fired last spring, has been a frequent target of Trump's criticism, especially in recent days amid the start of a publicity tour for Comey's book, which was released Tuesday. Comey has been deeply critical of the president, characterizing him as morally unfit to occupy his office, while Trump has labeled the former FBI director as a liar and leaker, suggesting he be sent to jail.

"President Trump, I don't follow him on Twitter but I get to see his tweets tweeted, I don't know how many, but some tweets this past couple of days that I should be in jail. The president of the United States just said that a private citizen should be jailed. And I think the reaction of most of us was, 'meh, that's another one of those things.' This is not normal. This is not OK," Comey told NPR in an interview broadcast Tuesday morning. "The reason I'm talking in terms of morality is, those are the things that matter most to this country. And there's a great danger we'll be numbed into forgetting that, and then only a fool would be consoled by some policy victory."

While Comey's criticism of the president, both in interviews and in his book, has been withering, so too has the White House's response. Trump administration officials have painted Comey as a disgruntled ex-employee looking to settle scores and an admitted leaker whose Congressional testimony had to be corrected almost immediately. Trump's press secretary Sarah Huckabee Sanders said last week that "one of the president's greatest achievements will go down as firing director James Comey" and Trump himself wrote on Twitter over the weekend that Comey "will go down as the WORST FBI Director in history, by far!"

AMERICAN OVERSIGHT

“This is not some tin pot dictatorship where the leader of the country gets to say ‘the people I don't like go to jail.’ Our Lady Justice wears a blindfold. And the reason all those statues all over the country have a blindfold is, that's the way it has to be,” Comey told NPR. “Lady Justice can't be peeking under the blindfold to see if Donald Trump wants her to convict so-and-so and not convict so-and-so. If we lose that, we've lost the rule of law, and so there's great danger in the president of the United States saying ‘you should be in jail.’”

Asked about the potential that he might one day run for office, Comey was emphatic that he had no such plans. Instead, he said he plans to teach at the university level and give speeches on ethics and leadership.

"Never. I will never run for office. Not even a close call,” he said. “I'm going to teach about leadership and ethics, and so I'm going to be a professor, which is exciting, and speak about leadership… I'm going to use my book in the class and I'm going to buy it for the students, because I'm not going to be one of those professors.”

TRUMP TWEETS

AMERICAN OVERSIGHT

Donald J. Trump @realDonaldTrump · 5m

So many people are seeing the benefits of the Tax Cut Bill. Everyone is talking, really nice to see!

1.1K 968 4.3K

Donald J. Trump @realDonaldTrump · 5m

Looks like Jerry Brown and California are not looking for safety and security along their very porous Border. He cannot come to terms for the National Guard to patrol and protect the Border. The high crime rate will only get higher. Much wanted Wall in San Diego already started!

597 1.0K 3.8K

Donald J. Trump @realDonaldTrump · 5m

I am in Florida and looking forward to my meeting with Prime Minister Abe of Japan. Working on Trade and Military Security.

498 959 3.8K

Donald J. Trump @realDonaldTrump · 5m

Employment is up, Taxes are DOWN. Enjoy!

625 1.2K 4.6K

AMERICAN OVERSIGHT

To: joseph.brazauskas@mail.house.gov[joseph.brazauskas@mail.house.gov]; josh.learn@spglobal.com[josh.learn@spglobal.com]; josh.voorhees@slate.com[josh.voorhees@slate.com]; jstanko@hunton.com[jstanko@hunton.com]; juliet.eilperin@washpost.com[juliet.eilperin@washpost.com]; jyskamp@fairshake-els.org[jyskamp@fairshake-els.org]; kcook@pirg.org[kcook@pirg.org]; kja@m-j.com[kja@m-j.com]; kristina.baum@mail.house.gov[kristina.baum@mail.house.gov]; lisa.jaeger@bracewell.com[lisa.jaeger@bracewell.com]; littlefield.amy@rewire.news[littlefield.amy@rewire.news]; luanne.vanwerven@leg.wa.gov[luanne.vanwerven@leg.wa.gov]; mark.marin@mail.house.gov[mark.marin@mail.house.gov]; mebell@cei.org[mebell@cei.org]; Miller, David[Miller.DavidJ@epa.gov]; molly.fromme@mail.house.gov[molly.fromme@mail.house.gov]; Ex. 6 - Personal Privacy
Ex. 6 - Personal Privacy
nick@prwatch.org[nick@prwatch.org]; Press[Press@epa.gov]; Renaud Coulomb[renaud.coulomb@unimelb.edu.au]; researchinfo@dnc.org[researchinfo@dnc.org]; richard.yamada@mail.house.gov[richard.yamada@mail.house.gov]; rleber@motherjones.com[rleber@motherjones.com]; scarignan@bna.com[scarignan@bna.com]; Schnare, David[schnare.david@epa.gov]; Schneider, Bernard A.[Schneider.Bernard@epa.gov]; scott.ferguson@mail.house.gov[scott.ferguson@mail.house.gov]; scott.pruitt@me.com[scott.pruitt@me.com]; scott.pruitt@oag.ok.gov[scott.pruitt@oag.ok.gov]; scott.segal@bracewell.com[scott.segal@bracewell.com]; staffrsvp[staffrsvp@epa.gov]; tagorman@mindspring.com[tagorman@mindspring.com]; tim.donaghy@greenpeace.org[tim.donaghy@greenpeace.org]; tromm@politico.com[tromm@politico.com]; tstecker@bna.com[tstecker@bna.com]; vincent.buys@leg.wa.gov[vincent.buys@leg.wa.gov]; Ex. 6 - Personal Privacy
acohen@bioinvasions.com[acohen@bioinvasions.com]; **Ex. 6 - Administrator**
From: jennifer.ruiz95@aol.com
Sent: Wed 3/14/2018 10:17:25 PM
Subject: PROJECT

Would you be interested in a business project? Kindly contact my office for details if interested ONLY
Jennifer Ruiz

AMERICAN OVERSIGHT

To: terri.watkins@oag.ok.gov[terri.watkins@oag.ok.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Daniell, Kelsi
Sent: Wed 5/16/2018 8:35:27 PM
Subject: Quote from AG

Terri -

Hope you're well. Tomorrow, Administrator Pruitt will sign the Risk Management Program (RMP) Reconsideration proposed rule to rescind or modify certain provisions of the RMP Amendments rule published in January 2017 applicable to facilities that use regulated toxic and flammable hazardous substances. **We'd love to get a quote from your boss for our press release**.

Our previous release on RMP and some background of tomorrow's announcement:
https://www.epa.gov/newsreleases/epa-administrator-seeks-additional-time-review-rmp-rule

- Reduce unnecessary regulations and regulatory costs: the proposed rule is deregulatory, and would result in total annual cost savings (averted costs) of approximately $88 million a year.
- It's imperative that EPA work closely and complementary with OSHA in preventing chemical accidents; this rule seeks to re-establish that complementary relationship between EPA and OSHA on accident prevention program requirements.
- There was a trend of fewer significant accidents involving chemicals and this rule will continue to maintain that trend.
- The rule also addresses many concerns expressed by state, local, and tribal entities involved in emergency response and emergency planning that would be impacted by the 2017 RMP Modernization Rule which placed burdensome requirements on largely volunteer local emergency planning committees and local first responders.

I'd like to get a quote by **11:00am EST** tomorrow if possible. Let me know if you have any questions.

Thanks,

Kelsi

AMERICAN OVERSIGHT

Kelsi Daniell

Press Secretary

Administrator Scott Pruitt

202-564-2413

daniell.kelsi@epa.gov

AMERICAN OVERSIGHT

To: merrill.williamson@oag.ok.gov[merrill.williamson@oag.ok.gov]
From: Ferguson, Lincoln
Sent: Wed 3/14/2018 4:13:00 PM
Subject: AG Hunter

Good afternoon Merrill -

Hope you are doing well! I wanted to reach out to sere if AG Hunter has any availability tomorrow morning to grab coffee or even breakfast with Scott. I know he'd love the opportunity to catch up.

I called AG Hunter yesterday, but wanted to loop you in. Scott's morning is fairly flexible - free before 8:15 and then available from 9:30-11:30. Let me know if any of these times work.

Thanks again,
Lincoln

Lincoln Ferguson
Senior Advisor to the Administrator
(202) 309-6537

AMERICAN OVERSIGHT

To: Hale, Michelle[hale.michelle@epa.gov]
From: Stephany Lively
Sent: Thur 8/3/2017 2:27:41 PM
Subject: Hello!

Ex. 6 - Personal Privacy

Let me know when you're back in OK! We'll have to have lunch!!!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

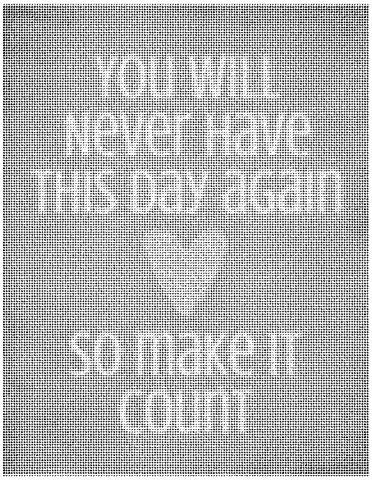
313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

To: Hale, Michelle[hale.michelle@epa.gov]
From: Stephany Lively
Sent: Wed 7/5/2017 3:09:56 PM
Subject: Update

Ex. 6 - Personal Privacy



Have a fabulous day!!

Respectfully,

Stephany Lively

AMERICAN OVERSIGHT

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

To: Stephany Lively[stephany.lively@oag.ok.gov]
From: Hale, Michelle
Sent: Fri 8/4/2017 3:06:31 AM
Subject: Re: Hello!

Thank you- and can't wait!

Sent from my iPhone

On Aug 3, 2017, at 10:28 AM, Stephany Lively <stephany.lively@oag.ok.gov> wrote:

<image001.png>

Let me know when you're back in OK! We'll have to have lunch!!!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

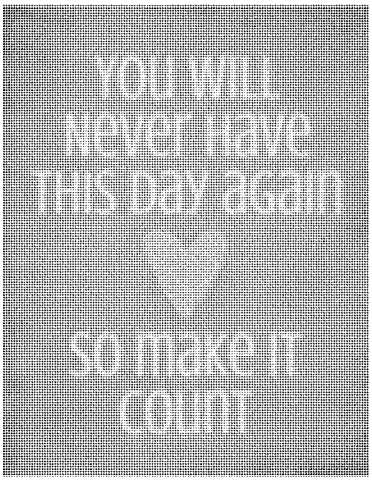
AMERICAN OVERSIGHT

To: Stephany Lively[stephany.lively@oag.ok.gov]
From: Hale, Michelle
Sent: Wed 7/5/2017 3:20:24 PM
Subject: RE: Update

Thank you, friend.

From: Stephany Lively [mailto:stephany.lively@oag.ok.gov]
Sent: Wednesday, July 5, 2017 11:10 AM
To: Hale, Michelle <hale.michelle@epa.gov>
Subject: Update

Ex. 6 - Personal Privacy



AMERICAN OVERSIGHT

Have a fabulous day!!

Respectfully,

Stephany Lively

Executive Assistant

Oklahoma Office of the Attorney General

313 NE 21st Street, Oklahoma City, OK 73105

Tel: (405)522-4391 Fax: (405)522-0669

AMERICAN OVERSIGHT

To: Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]
Cc: Bennett, Tate[Bennett.Tate@epa.gov]
From: Hanson, Andrew
Sent: Tue 7/11/2017 7:35:52 PM
Subject: FW: Multi-state comment letter on definition of "waters of the United States"
Comments of West Virginia, Wisconsin, and 18 other States on definition of 'waters of the United States' (M0207545xCECC6)-c1.PDF
WOTUSFedCommentsByState.docx

Hey –

I know you have these, but wanted you to have them at your fingertips for SP's meeting with the AGs.

Also, though included in the attached overview, the Govs include:

AL – Bill Walker

AZ – Doug Ducey

AR – Asa Hutchinson

HI – David Ige

ID – Butch Otter

IA – Kim Reynolds

KS – Sam Brownback

ME – Paul LePage

MS – Phil Bryant

MO – Eric Greitens

NE – Pete Ricketts

NV – Brian Sandoval

AMERICAN OVERSIGHT

NH – Chris Sununu

ND – Doug Burgum

SC – Henry McMaster

WY – Matt Mead **One for WY, one for NGA

NGA – Brown (CA), Mead (WY)

WGA – Bullock (MT), Daugaard (SD)

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Richardson, RobinH[Richardson.RobinH@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]
From: Bowles, Jack
Sent: Mon 7/10/2017 6:56:39 PM
Subject: Fwd: Responses needed: Letters to State Attorney Generals (#6391)
17-000-6391.pdf
ATT00001.htm

Tate,

Latest on the letter you asked about.

Best,
Jack

Sent from my iPhone

Begin forwarded message:

From: "Kime, Robin" <Kime.Robin@epa.gov>
To: "Bowles, Jack" <Bowles.Jack@epa.gov>
Subject: FW: Responses needed: Letters to State Attorney Generals (#6391)

Hi

I hope you are well. Below is the latest draft response. Samantha is planning individualized responses so at the moment, this is with her.

From: Kime, Robin
Sent: Monday, July 10, 2017 1:51 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Responses needed: Letters to State Attorney Generals (#6391)

Attached is the incoming letter and below is a revised draft response, though each of the 19 responses needs your personal touch.

AMERICAN OVERSIGHT

Dear Attorney General Paxton:

On behalf of Administrator Pruitt, thank you for your letter regarding delegation of authority under the Clean Air Act and Clean Water Act, and the primary regulatory role that states and local governments have in implementing these important statutes. We agree that the federal government must respect the clear terms of cooperative federal state enactments. In addition, federal agencies such as EPA must not stray outside the boundaries of statutory authority.

As part of our implementation of Executive Order 13777, on April 11, 2017, the EPA established a Regulatory Reform Task Force and launched a robust request for public feedback on its evaluation of existing regulations. EPA program offices held 11 public meetings to receive input that could inform the regulatory review. More than 200,000 stakeholders were independently invited to participate, and nearly half a million comments were received in the public comment docket. This enthusiastic response from homeowners, small businesses, small governments, and other regulated entities, has provided a springboard for identifying unnecessary and overly burdensome regulations. Similarly, responses from our state partners provided important perspectives about the need for EPA to assume a more collaborative approach to our work, as directed by federal environmental statutes. The thoughts in your letter are consistent with those perspectives, and we will be taking them account as we move forward with improvements to the environmental regulatory process. As Administrator Pruitt has said, “The days of coercive federalism are over.”

Thank you again for your letter and partnership in the work of the EPA. We greatly appreciate your leadership in the State of Texas and look forward to joining together to make the federal government work better for the American people. If you have further questions, please contact me or your staff may contact Christina Moody in the EPA’s Office of Congressional and Intergovernmental Relations at moody.christina@epa.gov or (202) 564-9903.

Sincerely,

Samantha Dravis

AMERICAN OVERSIGHT

Senior Counsel and Associate Administrator

AMERICAN OVERSIGHT

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 7, 2017

Hon. Scott Pruitt, Administrator
U.S. Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington D.C. 20460

Re: Request to reexamine delegation of certain environmental regulation authority to the States in accordance with the express terms of the Clean Air and Water Acts; from State of Texas, from State of Alabama, from State of Arizona, from State of Arkansas, from State of Georgia, from State of Indiana, from State of Kansas, from State of Kentucky, from State of Louisiana, from State of Mississippi, from State of Missouri, from State of Montana, from State of Nebraska, from State of Nevada, from State of North Dakota, from State of Oklahoma, from State of South Carolina, from State of West Virginia, from State of Wyoming

Dear Administrator Pruitt:

We write to call your attention to the fact that the extensive regulation from the Environmental Protection Agency during the last decade is directly at odds with the express terms and structure of the Clean Air Act and Clean Water Act. We ask that as you assess the performance of your Agency, you do so with a keen eye toward compliance with these governing laws and not repugnance to them.

These federal laws acknowledge basic truths: that the primary regulators of the environment are the States and local governments. The Clean Air Act wastes no time making this point. The very first section states that "air pollution prevention . . . and air pollution control at its source is the primary responsibility of States and local governments." 42 U.S.C. § 7401(a)(3). The Clean Air Act then establishes a preferred method for the federal government to assist States and local governments: "to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs." *Id.* § 7401(b)(3). The Act's terms such as "encourage," "assist," and "promote" envision a collaborative arrangement.[1] As one court summarized,

[1] The Clean Water Act is based on a collaborative framework that is substantially similar to the cooperative arrangement underlying the Clear Air Act. *See, e.g.*, 33 U.S.C. § 1251(b) (providing that the policy of the Clear Water Act is to preserve the "primary responsibilities of States to prevent, reduce, and eliminate" water pollution).

AMERICAN OVERSIGHT
EXT-18-783-F-004088
ED_001863D_00000142-00001

"[t]he great flexibility accorded the states under the Clean Air Act is ... illustrated by the sharply contrasting, narrow role to be played by EPA." *Fla. Power & Light Co. v. Costle*, 650 F.2d 579, 587 (5th Cir. 1981).

The methods we have seen from the Agency as of late, however, are in direct conflict with the cooperative arrangement the Act establishes. The Agency has replaced "encourage" and "promote" with "command" and "commandeer." Take one recent example. Texas formulated a state implementation plan for Regional Haze. That plan imposed reasonable regulations on such things as power generators in the State to ensure air quality was sufficiently high to allow good visibility. The Agency rejected the State's plan, imposed a federal plan costing $2 billion without achieving any visibility changes, and tried to insulate itself by requiring Texas to challenge the rejection of its plan in the D.C. Circuit.

Unsurprisingly, the Fifth Circuit rejected the Agency's attempt to transfer venue and stayed the federal plan.[2] At that point, the Agency had the opportunity to return to using its authority under the Act—rather than acting on its own. Instead, the Agency imposed a renewed regional haze rule almost as bad as the first.[3] These actions show that the Agency ignored the efforts of the State, perhaps blinded by the belief that good results can only result from top down management by the federal government. Or worse, the prior Administration's agenda and policy goals drove the Agency's decision rather than the requirements of the statute.

The federal government must respect the clear terms of cooperative federal-state enactments. For example, federal agencies may not add conditions on the receipt of federal funds unless the terms are clearly stated in the controlling statute. *Arlington Cent. Sch. Dist. Bd. of Educ. v. Murphy*, 548 U.S. 291, 296 (2006). And federal agencies may not stray outside the boundaries of their statutory authority by relying on policy documents and other non-statutory materials. *See, e.g., Luminant Generation Co., LLC v. EPA*, 675 F.3d 917, 931 (5th Cir. 2012).

Similarly, the federal government may interpose itself between a State and its municipal subdivisions only if Congress provides a clear directive to do so. *Tennessee v. FEC*, 832 F.3d 597, 610 (6th Cir. 2016). From our perspective, the recent overreach by the Agency amounts to a striking departure from the Clean Air and Clean Water Acts. Respectfully, we ask that you consider the steps that the Agency may take to restore the principles of cooperative federalism embodied in these important statutes.

Sincerely yours,

---

[2] *Texas v. United States Envtl. Prot. Agency*, 829 F.3d 405 (5th Cir. 2016).

[3] 82 Fed. Reg. 3,078 (Jan. 10, 2017)

AMERICAN OVERSIGHT

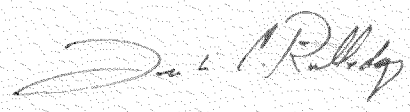
EXT-18-783-F-004089

ED_001863D_00000142-00002

Ken Paxton
Attorney General of Texas

Stephen T. Marshall
Attorney General of Alabama

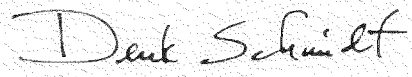
Mark Brnovich
Attorney General of Arizona



Leslie Rutledge
Attorney General of Arkansas

Christopher Carr
Attorney General of Georgia

Curtis T. Hill, Jr.
Attorney General of Indiana



Derek S. Schmidt
Attorney General of Kansas

Matt Bevin
Governor of Kentucky

Jeff Landry
Attorney General of Louisiana

Phil Bryant
Governor of Mississippi

John Hawley
Attorney General of Missouri

Tim Fox
Attorney General of Montana

Douglas Peterson
Attorney General of Nebraska

Adam Paul Laxalt
Attorney General of Nevada

AMERICAN OVERSIGHT

EXT-18-783-F-004090

ED_001863D_00000142-00003

Wayne Stenehjem
Attorney General of North Dakota

Mike Hunter
Attorney General of Oklahoma

Alan Wilson
Attorney General of South Carolina

Patrick Morrisey
Attorney General of West Virginia

Peter Michael
Attorney General of Wyoming

cc: Hon. Jeff Sessions, United States Attorney General

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

KEN PAXTON
ATTORNEY GENERAL OF TEXAS

Post Office Box 12548
Austin, Texas 78711-2548

Return Services Requested

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR PRIVATE USE

neopost
03/07/2017
US POSTAGE $000.46

FIRST-CLASS MAIL
ZIP 78701
041L12200030

MAR 14 2017

FCF2027230

Hon. Scott Pruitt, Administrator
U.S. Environmental Protection Agency
Office of the Administrator, 1101A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

EXT-18-783-F-004092

ED_001863D_00000142-00005

To: Bennett, Tate[Bennett.Tate@epa.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Kundinger, Kelly[kundinger.kelly@epa.gov]; Skylar McElhaney[Skylar.McElhaney@deq.ok.gov]
From: Fenton Rood
Sent: Fri 6/22/2018 3:22:02 PM
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Brown, Byron[brown.byron@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]
From: Jackson, Ryan
Sent: Wed 11/29/2017 7:55:31 PM
Subject: FW: AGs Letter
Sign On Ltr to EPA re no action recommendation_11 29 2017.pdf

From: Nolan, Rich [mailto:RNolan@nma.org]
Sent: Wednesday, November 29, 2017 2:52 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: AGs Letter

AGs letter

AMERICAN OVERSIGHT

November 29, 2017

SENT VIA FEDEX (OVERNIGHT)

The Honorable Scott Pruitt, Administrator
United States Environmental Protection Agency
1747 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006

Dear Administrator Pruitt:

As the chief legal officers of our respective states, we write today to urge the United States Environmental Protection Agency ("EPA") to publish a "no action" decision on the proposed rule entitled "Financial Responsibility Requirements Under CERCLA 108(b) for Classes of Facilities in the Hardrock Mining Industry," 82 Fed. Reg. § 3388 (Jan. 11, 2017)by the upcoming December 1, 2017 court ordered deadline. In short, the proposed rule amounts to unlawful executive overreach and is precisely the sort of unnecessary, duplicative , and punitive regulation that President Trump has committed to curtailing.

For many of the undersigned states, the mining sector is a key employer and revenue generator. However, all of the undersigned states care about federalism, the rule of law, and unnecessary economic burdens. According to EPA's own Regulatory Impact Analysis, this regulation, if adopted, would impose an estimated $7.1 billion in new financial obligations for affected facilities without creating any new or significant environmental protections. *See* 82 Fed. Reg. at 3392. Further, EPA's own figures suggest that facilities would incur annual costs of $171 million. *See* 82 Fed. Reg. at 3393. Numerous stakeholders have warned that such excessive cost burdens will serve to discourage domestic mineral production and industry investment. As a result, indirectly increasing the United States's reliance on metals and minerals from foreign countries and negatively impacting the local economies of our states, which depend on high-paying mining industry jobs and tax revenue that the sector garners.

Additionally, the process by which the regulation was proposed was fundamentally flawed a nd is yet another disturbing example of EPA's failure to engage in required consultation with states at the rule development phase, a scenario with which we have, unfortunately, become all too accustomed over the past eight years. There is overwhelming ev idence in the adminis trative record that the regulation is unnecessary, duplicative, and potentially impermissibly preempts state regulatory programs, including state mine bonding programs, which already effectively protect against the environmental risks underlying the § 108(b) proposal. Stakeholders ranging from state governors to mining companies to land management

AMERICAN OVERSIGHT

agencies emphasized that the EPA failed to adequately account for existing state and federal programs that have financial assurance components designed to ensure an operator's ability to cover the costs associated with releases or threatened releases of hazardous substances from their facilities at all phases of mining, including reclamation, closure, and post-closure.

The D.C. Circuit was clear in its consent decree that although final action on the financial assurance regulations must be taken by December 1, 2017, EPA may decide, based on the input of stakeholders during the comment period, not to issue a rule at all. *In re Idaho Conservation League*, 811 F.3d 502, 514 (D.C. Cir. 2016) ("[T]he proposed joint order 'does not require EPA to promulgate a new, stricter rule.' At most, it 'merely requires that EPA conduct a rulemaking and then decide whether to promulgate a new rule — the content of which is not in any way dictated by the [proposed order on consent] . . . .'" (alteration in original) (emphasis omitted) (citation omitted)). Based on the foregoing and in the face of overwhelming evidence that the mining industry does not warrant a CERCLA § 108(b) program, we reiterate our request that EPA publish a notice of final action withdrawing the proposed rule.

Sincerely,

Steve Marshall
Attorney General of Alabama

Cynthia H. Coffman
Attorney General of Colorado

Mark Brnovich
Attorney General of Arizona

Pam Bondi
Attorney General of Florida

Leslie Rutledge
Attorney General of Arkansas

Jeffrey M. Landry
Attorney General of Louisiana

AMERICAN OVERSIGHT

Timothy C. Fox
Attorney General of Montana

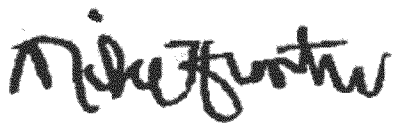
Marty J. Jackley
Attorney General of South Dakota

Adam Paul Laxalt
Attorney General of Nevada

W. Kenneth Paxton, Jr.
Attorney General of Texas

R. Michael DeWine
Attorney General of Ohio

Sean D. Reyes
Attorney General of Utah



Mike Hunter
Attorney General of Oklahoma

Patrick J. Morrisey
Attorney General of West Virginia

Alan M. Wilson
Attorney General of South Carolina

Brad D. Schimel
Attorney General of Wisconsin

AMERICAN OVERSIGHT

Peter K. Michael
Attorney General of Wyoming

Cc via US MAIL:

The Honorable Mick Mulvaney, Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Ms. Neomi Rao, Administrator
Office of Information and Regulatory Affairs
C/o: Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

AMERICAN OVERSIGHT

From: Burton, Tamika
Sent: Fri 6/29/2018 8:44:45 PM
Subject: Weekly report 6.29.2018
6.29.2018.pdf
Weekly Report 6.29.2018.docx

Good Afternoon,

Please find the Weekly Report for the week ending 6.29.2018.

Have a great weekend!

Tamika Burton

Staff Assistant to the Deputy Administrator

Immediate Office of the Administrator

MC 1104A Room 3412 WJC North

(202) 564-4771 (d)

Ex. 6 - Personal Privacy

burton.tamika@epa.gov

AMERICAN OVERSIGHT

Region 1

Hot Topics

EPA Concludes the First Historic Community Gathering on PFAS

Region 1 and OA hosted the first PFAS Community Engagement session in Exeter, NH on June 25 and 26. The two-day event drew more than 250 participants. The first evening included presentations from six different community groups impacted by PFAS and nearly 50 people offered oral testimony. The second day included a moderated panel with representation from the six new England state environmental agency and NYDEC. Overall, the two-day community engagement event encouraged community members to voice concerns and feedback. The Summit will be incredibly valuable to the development of EPA's PFAS management plan and understanding of PFAS chemicals in New England. The event drew extensive national and regional press coverage.

Local Job Training Opportunities at the New Bedford, MA Harbor Cleanup Site

On June 21, a public meeting was held at Fairhaven Town Hall to discuss the progress made at the New Bedford Harbor cleanup over the past 6 months. Public response was positive. In addition, the Region is responding to community requests by working with the US Army Corps of Engineers and the contracting community at the site to see if it will be possible to provide a Superfund Job Training Initiative (SuperJTI) job training institute at the site in approximately 3 months. OLEM personnel indicated that the training can be brought to the Site if the contractors can demonstrate the need for a minimum of 8 trainees. We are also working with the City of New Bedford Department of Public Infrastructure to see if they can utilize trainees to help meet the 8 trainee minimum.

Lessons Learned During RCRA FIRST Training

On June 21, Maine Department of Environmental Protection (MEDEP) hosted a RCRA FIRST training provided by EPA for MEDEP and regulated facility representatives. The RCRA Facilities Investigation Remedy Selection Track (FIRST) Toolbox for Corrective Action distills practical lessons learned and experiences contributed by federal, state, and regulated community representatives involved with investigation and remedy selection. This toolbox is the result of two Kaizen events.

Advances in Clean Air Act Compliance as Vermont Fire Academy Trains Local Partners

On June 22, Region 1 sponsored an ammonia refrigeration training at the Vermont Fire Academy in Pittsford, VT. Attendees included industry representatives as well as state and local partners. The training provided important information on industry standards, regulatory requirements, safe ammonia refrigeration practices, and information concerning EPA's recent efforts to improve Clean Air Act compliance in this sector.

Upcoming Major Decisions and Events

Enforcement Team Meets with State Leadership

On July 9, RA Dunn and the Region 1 enforcement leadership team will meet with the Massachusetts Department of Environmental Protection enforcement leadership team to share enforcement priorities, discuss shared compliance assurance activities, communication protocols, and opportunities for EPA support and assistance. Earlier this week similar meetings occurred with the Maine Department of Environmental Protection and the New Hampshire Department of Environmental Services in Augusta, ME and Concord, NH, respectively.

AMERICAN OVERSIGHT

Region 2

Hot Issues:

Chemours, Deepwater, NJ: Region 2 continues to coordinate with NJDEP to explore Gen-X contamination at the Chemours site in Deepwater, NJ. On 6/21 Chemours provided EPA sampling results for nearby monitoring and private wells, and the Pennsville public water supply. In three residential private wells, GenX was detected prior to existing point-of-entry-treatment 11, 13 and 14 ppt. Sampling after the GAC systems were non-detect (with a reported detection limit of 10 ppt). Six of eight monitoring wells showed GenX (the highest reported value was 280 ppt). Samples at the Pennsville public water supply system (PWS) were non-detect; Chemours is awaiting agreement from the Penns Grove PWS for access to sample. Chemours has collected additional process-related samples and will provide a full report next week. Region 2 and NJ DEP are formulating next steps and will provide an update to Headquarters shortly.

Incorporating Green Infrastructure into PR Building Code: Region 2 is engaging with the PR Planning Board and Construction Permits office to incorporate green infrastructure requirements into the PR stormwater construction regulations and the PR building code. This innovative effort will provide multiple environmental benefits for future growth and development in PR.

Operation of USVI Wastewater Treatment Plants: On 6/25, the USVI federal district court directed VIWMA to engage in mediation with their contract operator, Veolia, to address non-payment for operation of the St. Thomas and St. Croix sewage treatment plants. The contractor Veolia was poised to walk off the job as a result of nonpayment of $5.6 million in contractual payments from the Authority. Region 2 has developed an alternate management strategy, should mediation fail, to ensure that the plants continue to operate.

PR Aqueduct and Sewer Authority - Extension of Forbearance Agreement: Region 2 continues to coordinate with Headquarters to seek structured repayment of the sum of roughly $17 million in SRF loans from PRASA. Within the next week OMB and Treasury representatives associated with the Recovery Senior Federal Leadership Group (RSFLG), will be joining the effort to seek reimbursement from PRASA on behalf of EPA and other affected federal agencies.

PJP Landfill Superfund Site Excellence in Site Reuse Award Announcement: At a 6/28 press event in Jersey City, NJ, RA Pete Lopez announced that the PJP site is the recipient of this national award. The site highlights job creation and community recreation efforts which have resulted in employment of more 1200 people, and a payroll of nearly $51 million annually as well the establishment of recreation trails opening up access to the Hackensack riverfront.

American Cyanamid SF Site (Bridgewater, NJ): Region 2 is receiving comments on the recently published proposed cleanup plan for the final Operable Unit at this site. Significant commentary was provided by NJ Sierra Club Chapter's comments congratulating EPA on the plan. The ROD for this cleanup will be signed by the Administrator (project cost exceeds $50m).

Upcoming:

Columbia Smelting/Red Hook Ball Field SF Site (Brooklyn, NY): EPA with be joining The City of New York at a public meeting concerning this lead contamination site on July 11th. NYC will report it is significantly accelerating the cleanup.

Wolff-Alport/Gowanus SF Sites (Brooklyn/Queens, NY): In collaboration with Rep. Velasquez, EPA is coordinating an Open House for businesses that will be dislocated due to the remediation of this site. Reason 2 is taking a proactive lead to provide comprehensive support to impacted business and is bringing federal, state and city

AMERICAN OVERSIGHT

agencies, and NGOs such as the Chamber of Commerce, to provide a full spectrum of financial and technical assistance and guidance.

AMERICAN OVERSIGHT

EXT-18-783-F-004103

ED_001863D_00000159-00003

Region 3

Hot Topics

EPA and the Pennsylvania Department of Transportation have Agreed to Settle a Multi-Site Construction-Related Stormwater Case

EPA and the Pennsylvania Department of Transportation (PennDOT) have agreed to settle a multi-site construction-related stormwater case. The parties are resolving 191 violations for failure to perform self-inspections at construction sites and at least 18 violations for failure to implement best management practices. The settlement, encompassed in a Consent Agreement and Final Order as well as an Administrative Order on Consent, require PennDOT to pay a penalty of $100,000, implement a Compliance Management Program and implement an environmentally beneficial program in the Codorus Creek Watershed.

Civil Rights Complaint Filed Against Virginia Department of Environmental Quality

By letter dated June 18, 2018, the Blue Ridge Environmental Defense League filed a complaint against the Virginia Department of Environmental Quality (VADEQ). This administrative complaint, which was filed with EPA's External Civil Rights Compliance Office (ECRCO) in the Office of General Counsel, alleges that VADEQ violated Title VI of the Civil Rights Act of 1964 through its permitting actions associated with the Atlantic Coast Pipeline (ACP). The ACP is a proposed 600-mile underground natural gas pipeline which will originate in West Virginia, travel through Virginia and end in North Carolina. The ACP project includes three proposed compressor stations—one at the beginning of the pipeline in West Virginia (Lewis County), one in central Virginia (Buckingham County) and one near the Virginia-North Carolina state line (Northampton County, NC). ECRCO has already acknowledged receipt of the complaint and now must decide whether to accept or reject the complaint for investigation. A similar Title VI complaint has been filed by an environmental group against the North Carolina Department of Environmental Quality (NCDEQ) regarding the ACP. As with the VADEQ complaint, ECRCO is deciding whether to accept or reject the NCDEQ complaint for investigation. Region III has spoken about this matter with ECRCO and will continue coordinating with it throughout the Title VI process.

Funding Approved for Time-Critical Removal Action at the Quad Avenue Chemical and Bio Fuels Site in Baltimore, Maryland

On June 22, 2018, an Action Memo was signed approving funds to mitigate the threats at an abandoned industrial facility in Baltimore where several businesses produced various epoxy and bio fuels products. Based on initial observations, more than one thousand containers of unknown contents are located onsite, which require response actions to secure, stabilize, characterize and segregate for off-site disposal the hazardous substances, pollutants or contaminants therein. Region 3 is now attempting to secure access to the premises in order to conduct the response actions.

First MDE/DoD Partnership Meeting in Four Years

On June 20, 2018, approximately 40 MDE and DoD representatives met at the EPA Environmental Science Center for the first MDE/DoD partnership meeting since 2014. EPA representatives, Kate McManus (WPD), Samantha Beers (OECEJ), Justin Young (OECEJ), Dan Isales (ORC) and José Jiménez (OECEJ) participated at the meeting. Secretary, Ben Crumbles offered the welcome remarks. Some of

AMERICAN OVERSIGHT

EXT-18-783-F-004104

ED_001863D_00000159-00004

the topics discussed were MCLs for PFOA and PFOS, MDE will continue to track greenhouse gases to achieve their 2050 target of 80 percent reduction, and Chesapeake Bay related topics like Watershed Implementation Plan (WIP) and BMPs. The meeting also included breakout sessions, to discuss important issues at specific DoD facilities, which included the Fort Detrick water release incident.

AMERICAN OVERSIGHT

EXT-18-783-F-004105

ED_001863D_00000159-00005

Region 4

Hot Issues

Draft Environmental Impact Statement (DEIS) for South Florida Water Management District (SFWMD) Section 203 Everglades Agricultural Area Southern Reservoir and Stormwater Treatment Area
Key Message: Region 4 is in the process of finalizing the DEIS letter to the Jacksonville District of the Army Corps of Engineers (Corps) regarding the SFWMD's tentatively selected plan for modifications to the previously Congressionally-authorized Central Everglades Planning Project (CEPP). The proposed project's goal is to improve the quantity, quality, timing and distribution of water flows to the Northern Estuaries, Water Conservation Area 3, Everglades National Park, and Florida Bay while increasing water supply for municipal, industrial and agricultural users to a greater extent than would be accomplished in the authorized Central Everglades Planning Project. Region 4 will likely send a letter supporting the project and concur with the Corps.

Mississippi Phosphates Corporation (Pascagoula, MS)
Key Message: Region 4 is in the process of finalizing the contracting options for the Mississippi Phosphates Corporation remedy using the artificial turf cover on the gypsum stack. Depending on the outcome of the Request for Proposals, the Region will likely decide between using one of the region's existing Emergency and Rapid Response Services contractors or the company providing the artificial turf.

North Carolina Radon Grant
Key Message: The North Carolina Department of Health is in violation of an EPA State Indoor Radon Grant (SIRG) due to the improper listing of a company on their website that has not received a passing rate under EPA's radon proficiency program. EPA is considering several options to deal with this including, (1) withholding SIRG funding; (2) deferring action until the state lawsuit is resolved; (3) continuing SIRG funding but requiring NCDOH to have a disclaimer on the website; (4) removing the terms & condition language from the NCDOH SIRG; or (5) evaluating Inspector nation to determine if it qualifies as a certified radon service provider. Anticipated briefing for AA Bill Wehrum scheduled for July 3rd.

North Carolina PFAS Meeting
Key Message: Region 4 is coordinating closely with HQ (OPA and OW) and the state of North Carolina on the upcoming PFAS engagement meeting, tentatively planned for the week of August 13th.

Upcoming Major Decisions and Events
Decisions
Grenada – The Region's position based on the information and proposed remedy submitted by the PRP.

AMERICAN OVERSIGHT

Region 5

HOT ISSUES:

EPA and Illinois EPA Act on Elevated Levels of ethylene oxide in Willowbrook, Illinois
Key message: After identifying ethylene oxide (EtO) emissions from the Sterigenics facility, EPA and Illinois EPA, in partnership with the company, have taken actions to reduce emissions.

On June 26, Illinois EPA issued a construction permit, allowing Sterigenics to route previously uncontrolled EtO emissions to an existing scrubber. On June 27, EPA and Illinois EPA met with Sterigenics to discuss this project. Sterigenics expects to complete construction in 4-6 weeks and have committed to work cooperatively and share information about their reduced EtO emissions after the construction is completed.

Office of Inspector General Flint Report Expected to be Released Week of June 25
Key Message: The Region and HQ are coordinating on developing a desk statement in preparation for the release.

The agency has concurred with OIG's recommendations and provided a response on May 30, 2018. The Office of Water, the Office of Enforcement and Compliance and Region 5 have already taken steps to implement several of those recommendations and will continue to expeditiously adopt the rest.

Franklin, Indiana Residents Attribute Childhood Cancer Cases to Chemical Exposure
Key Message: EPA has been requested by a citizens group to investigate contamination in Johnson County, including the former Amphenol site, and will coordinate with Indiana Department of Environmental Management and Department of Defense.

EPA will evaluate old and new data at the former Amphenol site, a federal lead RCRA Corrective Action site, in order to determine whether additional remedial work is needed to protect the community from volatile organic compound exposure. EPA will address issues found at the Amphenol site to assure public health is protected from undue risk.

General Iron Emission Testing Results Received June 27
Key Message: Results show that the facility in one of Chicago's rapidly developing neighborhoods emits volatile organic compounds, particulate matter, chlorofluorocarbons, and detectable levels of metals, including zinc, mercury, and lead.

General Iron conducted the sampling as required by a Clean Air Act information request issued by EPA in November 2017. EPA is analyzing the results to assess accuracy and to determine whether General Iron is complying all applicable Clean Air Act and health standards.

UPCOMING EVENTS/MAJOR DECISIONS:

NONE

AMERICAN OVERSIGHT
EXT-18-783-F-004107
ED_001863D_00000159-00007

Region 6

Hot Topics

HP Cylinders Emergency Response, Baytown, Texas
Cylinder removal began work inside the fenced cylinder storage area to address 1500 abandoned and deteriorating cylinders of dangerous compressed. A total of 109 cylinders were inventoried and staged.

Lake Texoma Emergency Response, Bryan County, Oklahoma
The truck and trailer were recovered and secured on June 26, 2018 and discharged oil from the truck was removed for disposal. CERCLA response will involve the underwater recovery and removal of solvent based paints and muriatic acid. The Potential Responsible Party plans to conduct the recovery, removal and disposal of remaining hazmat.

Bird Creek, Osage County, Oklahoma
Technical discussion with the Respondents continue to progress. Region 6 has proposed three technical options to the respondents to address elevated saline conditions in Bird Creek and resolve EPA's administrative orders. The DOJ, EPA and three Respondents will hold the next settlement meeting the week of July 9.

Grants Mining District, New Mexico
Region 6 conducted confirmation sampling of a Section 25 residence site located in the Grants Mining District. Seven-day radon canisters were placed inside the residence and results are anticipated in two to three days. If results are greater than the acceptable standard of 4 pCi/l, EPA will proceed with a Removal Action with completion prior to July 1, 2018.

Illinois River Watershed, Arkansas and Oklahoma
Region 6 continues to conduct weekly calls with ADEQ Director Keogh and OK Secretary Teague to advance improvements to water quality in the watershed. The states have drafted an agreement to identify measures to meet the 0.37 mg/l phosphorus standard and a timeframe for completion. The agreement should be finalized and made public in July. Both states continue to engage stakeholders defining implementation measures including Cherokee Nation. EPA has scheduled modeling scenario training from July 9-11 in West Siloam Springs, OK.

Texas Regional Haze
EPA is subject to a Consent Decree (CD) to complete action on a plan to address best available retrofit technology (BART) for Texas regional haze and interstate visibility transport. There is a dispute between the parties whether EPA has performed the necessary action to lead to termination of the CD. In an earlier status report, EPA informed the court that it will publish a notice of proposed rulemaking (NPRM) in the Federal Register. On June 25, 2018, the court instructed EPA to inform the court by July 2 why it has not yet issued the NPRM and when it intends to do so. The region is drafting a declaration in response to this order which will explain the work conducted to date and a timeline for the NPRM.

Tar Creek Superfund Site, Ottawa County, Oklahoma
Region 6 plans to begin providing bottled drinking water to the property owners of an abandoned smelter site

AMERICAN OVERSIGHT

located within the site. The Ottawa County Health Department reported that child who frequently visits the property has elevated concentrations of blood lead. Subsequent investigations by the Oklahoma Department of Environmental Quality (ODEQ) indicated elevated concentrations of lead in the soil. EPA and the ODEQ are meeting with the child's family this week to determine a course of action.

Louisiana Offshore Oil Port (LOOP), Louisiana

On June 28 Region 6 held technical discussions to better understand the operations of LOOP (Louisiana Offshore Oil Port) in the Gulf of Mexico, located approximately 18 miles off the coast of Louisiana. These discussions are critical to completing the NEPA compliance document to support the issuance of a new CWA permit (jointly by EPA Region 6 and LDEQ) as well understanding the operations at the Marine Terminal under the Deepwater Port Act to determine applicability of the CAA for the terminal.

EPA and New Mexico Produced Water Memorandum of Understanding

The terms and principles of a MOU for produced water have been agreed to by the State of New Mexico and EPA, and the document is being routed for signature. The immediate action under the MOU is for the parties to create a working group, create a white paper on produced water specially for NM and look at produced water management approaches including re-use, recycling, and renewable water.

Wilcox Oil Company Superfund Site, Bristow, Oklahoma

On July 10, 2018, Region 6 and the Oklahoma Department of Environmental Quality will host a public meeting to discuss the Source Control Proposed Plan for the Wilcox Oil Company site. This cleanup proposal will address tank waste and lead additive area sources, and provides for the cleanup of nine source areas, and implements a Superfund Taskforce recommendation. The public comment period starts June 28, 2018, and ends on July 31, 2018. Region 6 intends to issue a press release.

MacMillan Superfund Site, Norphlet, Arkansas

Region 6 intends to initiate a time-critical emergency response action to remove asbestos from the MacMillian Superfund Site which is currently on the National Priorities List. EPA conducted a site walk-through to observe site conditions at a former refinery site located adjacent to a middle school and a city park that contains asbestos contaminated areas. EPA is proposing the removal of the asbestos-impacted areas before school starts on August 15, 2018.

ExxonMobil Mont Belvieu Plant, Baytown, Texas

Region 6 and TCEQ continue to discuss technical concerns regarding the draft permit for ExxonMobil Chemical Company's Mont Belvieu Plastic plant. The draft permit includes a request for a temporary variance from the water quality-based whole effluent toxicity (WET) standards, and thus removal of the current WET limits for sublethal effects that became effective June 2016. The extended deadline for permit review is August 22, 2018.

City of Albuquerque, New Mexico

On June 25, the city of Albuquerque rejected the informal agreement offered by the EPA External Civil Rights Compliance Office as it was not responsive to the Title VI Complaint and "is not a fair resolution." Further, the city believes the information provided rebuts the allegations and the complaint should be dismissed.

AMERICAN OVERSIGHT

Upcoming Major Decisions and Events

Donna Reservoir and Canal System Superfund Site, Donna, Texas
The Draft Record of Decision (ROD) for the Dona Canal Superfund site has been routed for review and comment by EPA Headquarters and Texas Commission on Environmental. The Draft ROD describes the EPA's Selected Remedy, and includes a "Responsiveness Summary" which responds to over 90 public comments received during the Proposed Plan public comment period. EPA is requesting that comments on the Draft ROD be provided within 30 days.

OK 2012 PM2.5 Transport SIP
Region 6 proposed final approval of Oklahoma 2012 PM2.5 Transport SIP submittal.

Oklahoma 2016 Air Permit Program Related Annual SIP Update
Region 6 proposed approval of selected revisions to the Oklahoma SIP submitted in their 2016 Annual SIP Update to revise incorporation by reference dates and emission inventory reporting requirements to be consistent with federal requirements.

July 7	Energy efficiency Summit with Congressman Burgess, Denton, Texas
July 10	Meeting with Richard Moore, NEJAC Co-Chair, Albuquerque, New Mexico
July 11	Regional Tribal Operations Committee Meeting, Albuquerque, New Mexico

AMERICAN OVERSIGHT

EXT-18-783-F-004110

ED_001863D_00000159-00010

Region 7

Hot Issues

Public Meeting at PCE Southeast Contamination Site (York, NE)
Key Message: Public meeting held on June 25 on the Proposed Plan for the PCE Southeast Contamination Superfund Site.

- A public meeting on the PCE Southeast Superfund Site Proposed Plan was conducted on June 25, 2018. Representatives from the EPA, the Agency for Toxic Substances and Disease Registry, the Nebraska Department of Environmental Quality, and county health departments were present. There were two attendees from the public.
- The Proposed Plan issued by EPA proposes thermal remediation of the source materials to remove the contamination and prevent a continued release to groundwater. The state concurs with the proposed remedy and there were no dissenting comments during the meeting. The public comment period runs from June 13 to July 13.

Train Derailment and Oil Spill in Doon, IA
Key Message: EPA is continuing to coordinate with BNSF, local and state entities on cleanup operations in response to an oil spill in Iowa.

- On June 22, a BNSF unit train hauling Heavy Crude Oil/Diluent Mix from Alberta, Canada derailed just south of Doon, Iowa. According to estimates, 230,000 gallons of crude was released into adjacent flood waters which travelled into the Rock River and downstream.
- EPA Region 7 deployed two On-Scene Coordinators and two START contractors to assess and oversee clean-up operations being conducted by BNSF. EPA is in Unified Command with Iowa Department of Natural Resources, Local Response entities, and BNSF and clean-up operations are ongoing.

AMERICAN OVERSIGHT

Region 8

Hot Issues -

Libby Asbestos Superfund Site – Dissatisfied Property Owner Due to concerns with the presence of vermiculate in garden soil, a property owner requested further investigation by EPA. The property had been investigated in 2002 and 2015 and no response actions were warranted. The landowner was convinced that the presence of any vermiculite automatically meant that it presented a potential long-term health threat to anyone digging/tilling in the garden. EPAs Remedial Project Manager and Toxicologist explained during phone calls and on-site visits that risk to human health was determined by the presence of Libby Amphibole fibers and the post construction sampling confirmed non-detect for Libby Asbestos Amphibole. Ultimately, EPA offered to excavate 4 to 6 inches of soil in the garden area to remove any significant quantities of vermiculite in an attempt to satisfy the owner and assure site protectiveness. The landowner still thinks the excavation should go to 18 inch depths and was going to contact US Senator Tester about this issue. The Libby Team continues to work with the landowner on this issue.

Safe Drinking Water Act Emergency Administrative Order issued City of Casper, WY On June 26, 2018, the EPA issued a 1431 Order in response to a potential imminent and substantial endangerment at the City of Casper public water system (serving 56,343 residents) located in Wyoming. The City notified EPA on June 25, 2018, that the system found dead mice in a 10 million gallon finished water storage tank during an inspection of the tank. The tank was isolated from the system for the inspection, and will remain isolated until the tank is drained, disinfected and repaired, and the system is notified by EPA that the tank can be returned to service. The State of Wyoming does not have primacy for the drinking water program.

Upcoming Decisions/Events – None

AMERICAN OVERSIGHT

Region 9

HOT TOPICS

1. **CAA Attainment Designation**: the acting Regional Administrator signed a Federal Register notice approving redesignation of the Chico (CA) 24-hour PM2.5 nonattainment area to attainment, based on clean air data from 2014 to 2016. Our close collaboration with the State and local air district enabled us to both propose and finalize this request within six months. This accomplishment contributes to the Agency Priority Goal of reducing the number of nonattainment areas.
2. **RCRA Settlement**: in a joint inspection and enforcement effort with the State of California, Region 9 finalized an administrative settlement with Rho-Chem for its Inglewood facility. The order includes payment of a $120K civil penalty and completion of a $352K SEP, in which emergency response air-sampling equipment will be furnished to the Los Angeles County Fire Dept. We will host a public event to focus on this SEP later next month.

UPCOMING DECISIONS AND EXTERNAL ENGAGEMENT

1. **Navajo Nation**: we will issue a final decision letter regarding the Navajo Nation's request for $596K in Gold King Mine reimbursement, per an existing cooperative agreement. We will approve $253K in eligible costs, and disapprove $343K in unallowable costs. We will reach out to President Begay's office in advance of mailing our decision, and proceed to issue the $253K reimbursement.
2. **Superfund:** Administrator Pruitt and Regional Administrator Stoker hosted the Casmalia (CA) Superfund ROD signing event June 28, followed by a meeting with Central Coast agricultural leaders from Ventura, Santa Barbara and San Luis Obispo Counties.
3. **Ports of Los Angeles/Long Beach**: RA Stoker will tour the Customs and Border Protection warehouse where EPA inspectors focus on FIFRA (legal pesticide imports) and CAA mobile sources (legal engine imports), followed by a tour of the Ports of Los Angeles and Long Beach infrastructure, with a focus on low-emission goods movement.

AMERICAN OVERSIGHT

EXT-18-783-F-004113

ED_001863D_00000159-00013

Region 10

Hot Issues

Detroit Lake HABs Recreational Advisory Lifted: Recent cyanotoxin concentrations have been low enough for consecutive days to lift the *recreational* advisory for Detroit Lake, a popular waterbody and drinking water source in Oregon. Likewise, the most recent drinking water finished water samples (since 6/7) have showed cyanotoxin concentrations below the advisory values; however, there are still detections of cyanotoxins at the intake to the plant, and the *drinking water advisory remains in place* while the City is working on adding new treatment. Oregon Health Authority is putting a temporary drinking water rule in place (expected by 7/1). The rule will require biweekly cyanotoxin sampling in surface water for the approximately 85 surface water Public Works Systems identified as potentially vulnerable. One question is the extent of the role "top-spill" at Detroit Dam in exporting cyanobacteria and/or toxins downstream to the intake. When the advisory began, the Army Corps of Engineers (Detroit Lake dam operator) further delayed NMFS-mandated (for Salmon protection)top-spill until 6/21.

Hanford Site, Richland, WA: In January, EPA and the Washington State Department of Ecology sent a joint letter to the Department of Energy invoking the "Creation of Danger" clause of the Tri-Party Agreement and required DOE to stop work on the demolition of the Plutonium Finishing Plant (PFP). We took this action due to multiple occasions of contamination spread (plutonium and americium) while tearing down PFP. Since that time, DOE's contractor has prepared a revised plan on how to complete the work safely, and DOE had an expert panel review the proposal. EPA and Ecology sent a letter to DOE on June 25, 2018 conditionally lifting the stop work order for the remaining lower-risk activities. That work is not expected to restart until late July.

Upcoming Major Decisions and Events

UIC Class II Well Transfer from Idaho to EPA: The Administrator's Office is anticipated to sign-off on the UIC Class II well transfer package within the next several days. Region 10 Public Affairs is assisting the program in developing a basic communications plan, focused on communicating with key Idaho agencies on the decision. On August 25, 2017, Idaho Department of Water Resources DWR requested that EPA transfer primacy of the Class II program from the state to direct implementation of the program by EPA. In the following months, EPA notified the public of the transfer and started a rule revision process to update Title 40, Part 147 Subpart N of the CFR to codify the change in primacy.

Idaho Suction Dredge NPDES General Permit Coverage: EPA issued permit coverage for 15 suction dredgers after the USFWS completed Endangered Species Act consultations with the USFS on Moose, Orogrande, French and Lolo creeks in Idaho. These Biological Evaluations from the consultation now extend through 2022, but limit the number of dredgers allowed on each waterbody. These creeks were initially closed under the EPA issued general permit, but with the consolidated efforts of the USFS, USFWS, NMFS and EPA, permit coverage is now able to be granted on these waters.

Washington Tribes Accept Offer of Free Testing for PFAS: The Washington Department of Health (WADOH) offered free testing for Per- and polyfluoroalkyl substances (PFAS) to Tribes in the State of Washington meeting

AMERICAN OVERSIGHT

their established criteria. A number of the Region 10 Tribes have accepted the offer. Data received from this project will help WADOH to understand and make informed decisions about PFAS for their rulemaking. Participating water systems will be responsible for conducting the sampling. All testing costs with be covered by the WADOH. The lab will send the Tribes a PFAS sampling brochure and sampling kit. The brochure gives step-by-step instructions, including illustrations, for taking a proper sample.

AMERICAN OVERSIGHT

EXT-18-783-F-004115

ED_001863D_00000159-00015

Office of Administration and Resources Management

Hot Issues

OARM Terminates the Suspension of Panoche Water District

On June 22, 2018, based upon a request by the Panoche Water District (PWD), the unique circumstances of the case, and PWD's ongoing effort to demonstrate its present responsibility, the Acting EPA Suspension and Debarment Official (SDO) terminated the suspension of PWD and issued a notice to show cause as to why a suspension is not necessary to protect the Government. The Show Cause Notice (SCN) was issued to address responsibility concerns raised by a State of California Felony Complaint in which PWD's former employees were charged with various offenses related to misuse of government funds for private purposes (Embezzlement and Misappropriation of Public Funds, and Conspiracy to Misappropriate Public Funds) and the unlawful transportation and disposal of hazardous waste. PWD previously received a $5.6 million loan from the California Water State Revolving Fund, funded primarily by EPA grants, and has pending awards by DOI's Bureau of Reclamation. The termination of the suspension and issuance of the SCN restores PWD's eligibility to receive federal contracts and covered transactions pending resolution of these concerns by PWD.

FAIR Act Inventory

On June 27, 2018, OARM submitted to the Office of Management and Budget EPA's annual FAIR Act Inventory as prescribed by the Federal Activities Inventory Reform Act of 1998 under Public Law 105-270. The act provides a process for identifying the functions performed by federal government employees that are inherently governmental functions, and for other functions, i.e., commercial in nature. In September 2011, OMB released Policy Letter 11-01 Performance of Inherently Governmental and Critical Functions which defined inherently governmental work and clarified how to make the determination.

The recent assessment indicates that 35.6% of the agency's positions were coded as inherently governmental; 43.4% as critical; 12.7% as closely associated with inherently governmental, and 7.4% as other. The data is transmitted to OMB through the Max portal.

Upcoming Major Decisions & Events

None

AMERICAN OVERSIGHT

Office of Air and Radiation

Hot Topics

- Tracking SIP Actions:
  - Total Number of SIPs submitted to Regions in FY 2018: 219
  - Total Number of SIP Submittals with Final Action taken by the Regions in FY 2018: 194
  - Total Number of Pending SIPs: 750

- Packages that will move soon to Signature:
  - Determination Regarding Good Neighbor Obligations for the 2008 NAAQS (Proposed Rule) – On track for signature today
  - National Emission Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards: Petroleum Refinery Sector Amendments
  - NESHAP: Portland Cement Manufacturing Industry Residual Risk and Technology Review (Final Rule): Consent Decree Deadline for Signature by July 15th
  - Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (Withdrawal of Proposed Rule) – Note OAR is updating the package and will be submitting a new version to the 3rd floor soon.

- Packages at OMB for Review:
  - Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration (Proposed Rule)
  - NESHAP: Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture RTR (Proposed Rule)
  - Protection of Stratospheric Ozone: Revisions to the Refrigerant Management Program's Extension to Substitutes (Proposed Rule)
  - Rulemaking to Establish Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy (Proposed Rule)
  - Light - Duty Vehicle GHG Program Tech Amendments (Proposed Rule)
  - Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements (submitted to OMB but not yet showing up on reginfo.gov)

- Packages that will move soon to OMB for Review:
  - Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits (Final Rule)
  - Standards of Performances for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced Air Furnaces (Proposed Rule)
  - Standards of Performances for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced Air Furnaces (ANPRM)
  - Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Project Aggregation Reconsideration (Final Rule)

AMERICAN OVERSIGHT

Upcoming Major Decisions and Events

- **Montreal Protocol**: On July 11th – July 14th, OAR Staff will serve on the U.S. Delegation for the Montreal Protocol's Open-Ended Working Group Meeting (OEWG) in Vienna, Austria for preliminary discussions ahead of the Meeting of the Parties (MOP) this fall. In addition to EPA staff, the U.S. Delegation will also include staff from State Department, the White House, and USDA.

- **SO2 NAAQS Public Hearing**: On July 10th, EPA will hold a public hearing here in Washington, DC on the recent proposal to retain the existing primary National Ambient Air Quality Standard for Sulfur Oxides.

- **RFS Public Hearing**: On July 18th, EPA will hold a public hearing in Michigan on the recently proposed volume requirements under the Renewable Fuel Standard program.

AMERICAN OVERSIGHT

Office of Chemical Safety and Pollution Prevention

IMPORTANT DEADLINES

Row	Determination Type	Pending on 6/26/2018	Determinations Completed[1] as 6/26/2018	Determinations Posted on the Website as of 6/26/2018[6]
1	# of "not likely" determinations	1	124[4]	124[4]
2	# of §5(e) Orders signed by both EPA and the submitter	-	411	405
3	# of §5(e) Orders signed by EPA and awaiting submitter signature	40	-	-
4	# of non-Order SNURs/"not likely" determinations	0	0	0
5	# of cases in post-FOCUS final determination development[5]	322[3, 5]	-	-
6	# of cases flagged for in-depth review	40	-	-
7	# of PMNs, SNUNs and MCANs awaiting FOCUS (within 90-day review)	34	-	-
8	# of LVE/LOREX exemption grants	-	618	610
9	# of LVE/LOREX exemption denials	-	121	121
10	Total number of cases	437	1274	-
11	Normal active workload for the New Chemicals Program	300	-	-
12	Number of cases undergoing testing or data development by submitter	72[3]	-	-
13	Backlog[2]	65	-	-

"Determinations Completed" means that EPA has completed its reviews on these cases and that final determinations have been made by EPA under TSCA section 5(a)(3).

[2] (Total number of cases) – (Normal active workload for the New Chemicals Program) - (Number of cases undergoing testing or data development) = Backlog

[3] Of these cases, approximately 58 are "active" lung toxicity cases that are suspended while submitters either conduct or are deciding whether to conduct testing to develop data on pchem properties, exposures and toxicity.

[4] "Not Likely" determinations are not posted until the final signed determination document is prepared and has been shared with submitter.

[5] These cases are those for which Post-FOCUS work is underway to develop: not likely determinations; non-Order SNURS coupled with not likely determinations; or section 5(e) or 5(f) Orders. When the OPPT Office Director decides which of these regulatory paths to follow, the case is moved to: Row 3 when the section 5(e) or 5(f) Order is sent to the submitter for signature; Row 4 when the SNUR is published and the not likely determination document is signed; and Row 1 when the determination document is sent to the OPPT OD for signature.

[6] These are all only final determinations posted on the web: grants and denials.

AMERICAN OVERSIGHT

EXT-18-783-F-004119

ED_001863D_00000159-00019

Office of the Chief Financial Officer

Hot Topics

- OCFO continues to work with the agency to review the Senate Appropriations Committee budget hearing transcript and develop responses to the SAC QFRs. Dates have not been set yet for House or Senate floor action on EPA's appropriations bill.

Upcoming Major Decisions and Events

- OCFO continues to work with OCIR and OITA to support the July 18 Senior Leadership Council Engagement Meeting with states, tribes, local and other leaders and the July 19 Budget and Planning Meeting. These meetings will help identify opportunities to advance cooperative federalism and shared governance, and gather input from senior leaders on aligning resources to advance the Strategic Plan in the FY 2020 OMB Submission and in upcoming fiscal years.

Other

- June 26-27th, two dozen information technology/management leaders from EPA, states and tribes met at Massachusetts's Department of Environmental Protection in Boston to develop an environmental information technology roadmap for the future. Collectively, EPA, states and tribes spend tens of millions of dollars on IT investments annually. A technical roadmap will help ensure E-Enterprise partners optimize future technology investments, and acknowledging rapidly changing technology opportunities and challenges. This roadmap builds upon and helps direct the ongoing work of the Exchange Network that provides the technical infrastructure for sharing environmental data between EPA and all fifty states, territories, and many tribes. This topic will hold a prominent position on the agenda for the E-Enterprise Leadership Council face-to-face meeting planned for September in Washington DC.

AMERICAN OVERSIGHT

Office of Congressional and Intergovernmental Relations

Upcoming Hot Issues and Important Deadlines

- July 10 - EPA has a public hearing on the Proposal to Retain the Existing Primary, or Health - Based, National Ambient Air Quality Standard for Sulfur Dioxide
  (Will be held at EPA HQ- East Bldg.- Rm. 1117)

Upcoming Events

- July 25 – PFAS community engagement meeting in southeastern PA w/ OW, R3
- TBD – Sen. Tester (MT) staff briefing on Elk River Watershed w/OW, R8
- TBD – Approps staff briefing on PRIA fees w/OCSPP, OCFO
- TBD - SEPW/HEC staff briefing on TSCA first 10 chemical problem formulations w/ OSCPP
- TBD- Cong. Joyce (OH) request to brief Mentor, OH officials on GLRI (incl. potential funding)

AMERICAN OVERSIGHT

EXT-18-783-F-004121

ED_001863D_00000159-00021

Office of Enforcement and Compliance Assurance

Hot Topics:

Florida Developer Sentenced in Asbestos Case; Will Pay for Medical Monitoring of Exposed Workers
On June 22, 2018, Philip Farley was sentenced in the Middle District of Florida to 90 days of home confinement, an $8,000 criminal fine, four years of probation, and 300 hours of community service. Farley will also pay $250,000 in restitution to the University of Florida College of Public Health for an asbestos exposure surveillance fund for workers who were exposed during the renovation of the Urban Style Flats apartment complex. Farley was the developer of a 480-unit apartment complex in St. Petersburg, Florida. The purchase agreement for the apartment complex alerted Farley to the presence of asbestos in the building. Farley directed unprotected and untrained workers to renovate the buildings by dry-scraping textured ceiling material and breaking up floor tiles containing asbestos, which were then disposed of in a general waste dumpster and taken to the county incinerator. Farley pleaded guilty to negligently causing the release of asbestos.

Oil and Gas New Owner Audit Program Stakeholder Meetings
On June 28, 2018, OECA hosted a stakeholder meeting to help inform ongoing efforts to develop a New Owner Clean Air Act Audit Program tailored for the upstream oil and natural gas exploration and production sector. Participants include industry, environmental, state and tribal stakeholders. The stakeholder meetings are an opportunity for EPA to hear comment and discussion from stakeholders as the Agency continues to consider options for this program.

OECA and Georgia's Department of Agriculture Co-Host National Enforcement Pesticide Inspector Regulatory Training
OECA's Office of Compliance and Georgia's Department of Agriculture hosted over 45 state, tribal, and EPA pesticide inspectors from around the country in Savannah, Georgia to share best practices and to learn new skills. Classroom training sessions focused on inspections pertaining to the herbicide dicamba, inspector interviewing, report writing skills, communication, and enforcement. A field trip component also included a federal pesticide laboratory tour and a trip to a local nursery to perform a mock Worker Protection Standard inspection.

ECHO Updates Improve Features and Usability
OECA has improved the frequency for addressing user feedback and Agency Priorities in the Enforcement and Compliance History Online (ECHO) website. Some recent improvements include different ways to refine facility searches and customize search results, the ability to search for public drinking water systems that have had sanitary surveys, the option to search for facilities located in Census block groups within an 80th or higher national percentile of one or more of the primary environmental justice indexes of EJSCREEN, and the ability to review Clean Water Act Multi-Sector General Permit annual report data.

Upcoming Major Decisions and Events:

On July 11, 2018, the Acting Director of OECA's Federal Facilities Enforcement Office and other EPA leaders will attend the DOD/EPA semiannual meeting in Crystal City, Virginia. This engagement meeting was developed as part of Superfund Task Force Recommendation #41.

AMERICAN OVERSIGHT

Office of Environmental Information

Hot Topics

Environmental Information Technology Roadmap for the future

- Brief description: This week, under the guidance of the E-Enterprise (EE) Initiative, two dozen Information technology/management leaders from EPA, States and Tribes are meeting at Massachusetts's Department of Environmental Protection (MassDEP) in Boston to develop an environmental information technology roadmap for the future. For nearly two decades, EPA has worked jointly with its coregulators to successfully implement and operate an "Exchange Network (EN)" that is providing the technical infrastructure for sharing environmental data among EPA and all fifty States, territories, and many tribes. A technical roadmap is needed to ensure EPA and its partners optimize future investments in future "EN" functions to address the rapidly changing technology that present both new opportunities and challenges. In preparation for the meeting, the group researched technology trends and conducted interviews of the commissioners, tribal leaders and EPA senior executive members of the EE Leadership Council to identify key business concerns/opportunities over the next ten years. The group will use this information to guide discussions that will include identifying:
    - New collaborative opportunities for sharing applications, services and data across EE partners as we move toward cloud platforms.
    - Enhanced service to industry and the public as EE partners leverage machine learning and other forms of artificial intelligence to address routine business tasks.
    - Advances in analytics and sensor technologies that can greatly enhance EPA and EE partner efforts to predict and address environmental problems (e.g., algal blooms) before they happen.
- Who benefits or cares: Information technology/information, leaders, managers and staff across EPA, state and tribal agencies, and ultimately EPA, our coregulators, industry and the public.
- Why this is important: EPA, states, and tribes collectively spend hundreds of millions of dollars on IT investments each year. By working collaboratively to develop a joint technical roadmap, we can more efficiently and effectively coordinate investments that avoid duplication and optimize their business value.
- Additional information:
    - Please visit: https://www.epa.gov/e-enterprise
    - Contact: Andrew Battin, Director, Office of E-Enterprise, OCFO, (202) 566-2140; Matthew Leopard, Director, Office of Information Management, OEI, (202) 566-1698

AMERICAN OVERSIGHT

EXT-18-783-F-004123

ED_001863D_00000159-00023

Office of General Counsel

Hot Topics

- *Northwest Envt'l Advocates v. EPA*, No. 2:17-cv-01664-RSL (W.D. Wash.). New development: On June 25, the court granted plaintiff's motion for summary judgment and ordered EPA, by June 29, 2018, to "complete its action" pursuant to CWA 303(d) on 73 total maximum daily loads ("TMDLs") that the State of Washington submitted for approval/disapproval in December 2015. The court's order was expected, as EPA had conceded that it did not act on the TMDL submissions within the statutory 30-day time period. Consistent with its representations to the court, EPA Region 10 intends to complete its action on the submitted TMDLs (a combination of approvals, disapprovals, and "no action" for 10 no-longer-impaired waters) by the June 29 deadline.

- *Food & Water Watch v. EPA*, No. 1:18cv1497 (D.D.C.). New development: On June 25, Food & Water Watch filed a suit alleging that EPA did not respond within the statutory time period to a FOIA request seeking records concerning the Definers Public Affairs consulting company contract and communications with Definers and Allen Blutstein.

- *Honeywell International Inc., et al., v. Mexichem Fluor, Inc. et al.*, (Sup. Ct.). New development: On June 26, petitioners filed a petition for certiorari requesting that the Supreme Court review the D.C. Circuit's decision in *Mexichem Fluor, Inc. v. EPA*. In *Mexichem*, two companies that market HFCs challenged an EPA rule that changed the Significant New Alternatives Program (SNAP) listings under CAA Title VI of certain HFCs from acceptable for use in specific uses (e.g., refrigeration and foam blowing) to unacceptable for such use. The court granted the petition for review in part and vacated the rule "to the extent that it requires manufacturers to replace HFCs with a substitute substance." Honeywell and Chemours, two companies that market competing products, were intervenors on behalf of EPA in the *Mexichem* case. NRDC also intervened on behalf of EPA in the underlying case.

Upcoming Major Decisions and Events

7/12 Hearing in *Sierra Club v. Pruitt*, motion to enforce judgment requiring EPA to complete pulp mill Risk and Technology Review.

AMERICAN OVERSIGHT

Office of International and Tribal Affairs

Hot Issues:

CEC Council Session - The Administrator opened the CEC Council Session in Oklahoma City and hosted U.S., Canadian, and Mexican delegations at the National Weather Center and Tom Love Innovation Hub at the University of Oklahoma. The Administrator announced three new trilateral initiatives: 1) Extreme Events Mapping Initiative for North America; 2) Extreme Events Advisory Group for North America; and 3) Innovation Hub Network with universities in U.S., Canada and Mexico. In addition, the CEC announced the launch of the North American Traditional Ecological Knowledge Atlas.

Annual SelectUSA Investment Summit -
EPA (OITA) staffed SelectUSA's Annual Investment Summit, organized by the International Trade Administration within Department of Commerce. The purpose of event was to promote foreign direct investment in the U.S and the event was attended by state economic development agencies and potential foreign investors. EPA answered questions about the mission of the Agency, and informed participants of various programs designed to assist them in complying with U.S. environmental regulations.

Upcoming Major Events/Decisions

Australian Cooperation - The Administrator will meet with Australian Minister of Environment and Energy on July 12 and sign a Memorandum of Understanding of bilateral cooperation.

AMERICAN OVERSIGHT

Office of Land and Emergency Management

Hot Topics

1. Coal Combustion Residuals (CCR). (see below)

2. Clean Air Act 112(r) Risk Management Program (RMP) Reconsideration NPRM. The public comment period ends July 30, 2018.

3. Ongoing major Superfund NPL sites (including Colorado Smelter, East Chicago, West Lake, Bonita Peak, Hudson River, Portland Harbor, Mississippi Phosphates, Oak Ridge, Edwards AFB, Berry's Creek, American Cyanamid).
    a. We are working with Region 10 to prepare for a briefing with the Deputy Administrator on July 3 regarding the Hanford 100 D/H Area ROD; the Administrator's briefing has been scheduled for July 16.

4. CERCLA 108(b) Financial Assurance – Next Three Sectors. We are working with OGC, OP, and the AO to plan our approach to the next three sectors.

5. PFAS.
    a. We are working with ORD and OW to develop groundwater cleanup recommendations for PFOA and PFOS.
    b. OLEM is working with the AO, OGC, OECA and other AAships to look at available statutory mechanisms for PFOA and PFOS to be "hazardous substances" under CERCLA.

Upcoming Major Decisions and Events

1. BUILD Act. A notice to solicit comment on aspects of the BUILD Act was published this week in the FR. Comments are due by July 10, 2018.

2. Coal Combustion Residuals.
    a. The proposed rule is with OMB and we anticipate signature soon.
    b. Approval of Oklahoma's CCR permit program was published in the FR today.
    c. Georgia submitted its CCR permit program application to EPA.

3. E-Manifest Launch. We plan to issue a press release on June 29, for the launch on June 30. We are evaluating an OIG management alert.

4. Hazardous Waste Pharmaceuticals Final Rule. This rule package is with OMB for review.

5. Hazardous Substances Spill Prevention Proposed Rule. This rule package was published in the FR on June 25 and comments are due by August 24, 2018.

AMERICAN OVERSIGHT

Office of Policy

Upcoming Major Decisions or Events

Cost & Benefit Comment Extension: This week, the Federal Register will publish a 30-day extension to the comment period for the advanced notice of proposed rulemaking entitled "Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process."

OP

Number of Actions to OFR this Year:

- Signed by Regions:
  - Notices: 47
  - Proposed Rules: 154
  - Direct Final Rules: 10
  - Withdrawal of Proposed Rule: 1
  - Withdrawal of Direct Final: 4
  - Final Rules: 124
- Signed by HQ:
  - Notices: 248
  - Proposed Rules: 40
  - NPRM Extension: 1
  - Direct Final Rules: 1
  - Withdrawal of Direct Final: 1
  - Interim Final: 2
  - Final Rules: 75
  - Corrections: 1

Number of Actions to OFR this Week (June 22 – June 28):

- Signed by Regions:
  - Notices: 1
  - Proposed Rules: 9
  - Direct Final Rules: 0
  - Withdrawal of Proposed Rule: 0
  - Withdrawal of Direct Final: 0
  - Final Rules: 7
- Signed by HQ:
  - Notices: 17
  - Proposed Rules: 2
  - NPRM Extension: 0
  - Direct Final Rules: 0
  - Withdrawal of Direct Final: 0
  - Interim Final: 0
  - Final Rules: 2
  - Corrections: 0

AMERICAN OVERSIGHT

Active Interagency Reviews from OMB	
Title	OMB Due Date
DOI/FWS & DOC/NOAA/NMFS NPRM (Call w/ OMB and Services): "Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation	06/29/2018
DOI/BLM FRM: "Waste Prevention, Production Subject to Royalties, and Resource Conservation; Rescission or Revision of Certain Requirements"	07/03/2018
DOD/USACE Draft Regulatory Guidance Letter (RGL): "Determination of Compensatory Mitigation Credits for the Removal of Obsolete Dams and Other Structures from Rivers and Streams"	07/13/2018
DOT/PHMSA FRM: "Pipeline Safety: Plastic Pipe Rule"	07/18/2018

Documents Submitted to OFR from June 21 - 26, 2018		
FRL	Title	Date Submitted to OFR
9980-19-Region 10	Air Plan Approval; ID, Incorporations by Reference Updates and Rule Revisions	6/26/2018
9980-18-Region 4	Air Plan Approval; Tennessee; Attainment Plan for Sullivan County Sulfur Dioxide (SO2) Nonattainment Area	6/26/2018
9979-82-Region 1	Air Plan Approval; Vermont; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS	6/26/2018
9979-25-Region 6	Approval and Promulgation of Implementation Plans; Arkansas; Interstate Transport Requirements for the 2012 PM2.5 NAAQS and Definition Update	6/26/2018
9979-15-Region 6	Approval and Promulgation of Implementation Plans; Arkansas; Revisions to Minor New Source Review Program	6/26/2018
9976-04-OCSPP	Review of the Dust-Lead Hazard Standards and the Definition of Lead-Based Paint	6/26/2018
9980-08-Region 5	Air Plan Approval; Michigan; Revisions to Volatile Organic Compound Rules	6/25/2018

AMERICAN OVERSIGHT
EXT-18-783-F-004128
ED_001863D_00000159-00028

9979-46-OCSPP	Lambda-Cyhalothrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment	6/25/2018
9979-45-OCSPP	Access to Confidential Business Information by [Industrial Economics Incorporated]	6/25/2018
9979-14-OCSPP	Certain New Chemical Substances; Receipt and Status Information for March 2018	6/25/2018
9978-35-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	6/25/2018
9979-58-OEI	NESHAP for Area Sources: Electric Arc Furnace Steelmaking Facilities (Renewal)/ICR No.2277.05	6/25/2018
9979-95-OEI	Contractor Conflicts of Interest (Renewal)/ICR 1550.11	6/25/2018
9980-06-OEI	Application for Reimbursement to Local Governments for Emergency Response to Hazardous Substance Releases under CERCLA Section 123 (Renewal)/ICR 1425.11	6/25/2018
9979-77-OEI	NESHAP for Primary Aluminum Reduction Plants (Renewal)/ICR No.1767.07	6/25/2018
9980-09-Region 5	Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Regional Haze Progress Report	6/22/2018
9979-99-Region 10	Air Plan Approval; Washington; Interstate Transport Requirements for the 2012 PM2.5 NAAQS	6/22/2018
9979-97-Region 7	Air Plan Approval; Iowa; Amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa	6/22/2018
9979-75-OCSPP	Guidance on Expanded Access to TSCA Confidential Business Information; Notice of Availability	6/22/2018
9979-74-OCSPP	Mercury; Reporting Requirements for the TSCA Mercury Inventory	6/22/2018
9979-59-OCSPP	TSCA Chemical Substances; Unique Identifier Assignment and Application Policy; Notice of Availability	6/22/2018
9979-02-OCSPP	Guidance for Creating Generic Names for Confidential Chemical Substance Identity Reporting under TSCA; Notice of Availability	6/22/2018
9978-62-OCSPP	TSCA Alternative Testing Methods Final Strategic Plan; Notice of Availability	6/22/2018
9980-00-Region 10	Air Plan Approval; Alaska; Interstate Transport Requirements for the 2012 PM2.5 NAAQS	6/21/2018
9979-91-Region 2	Approval of Air Quality Implementation Plans; New York; Subpart 225-1, Fuel Composition and Use - Sulfur Limitations	6/21/2018
9979-90-OW	Previously-incurred Costs in the Water Infrastructure Finance and Innovation Act (WIFIA)	6/21/2018
9979-86-Region 7	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Omaha	6/21/2018

AMERICAN OVERSIGHT

	Lead Superfund site	
9979-85-Region 7	Approval of Nebraska Air Quality Implementation Plans; Adoption of a New Chapter under the Nebraska Administrative Code	6/21/2018
9979-57-Region 6	Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology in the Houston-Galveston-Brazoria Ozone Nonattainment Area	6/21/2018
9979-05-OAR	Call for Information on Adverse Effects of Strategies for Attainment and Maintenance of National Ambient Air Quality Standards	6/21/2018
9978-70-OCSPP	Fluroxypyr; Pesticide Tolerances	6/21/2018
9979-38-OLEM	Brownfields Utilization, Investment and Local Development (BUILD) Act	6/21/2018
9979-31-Region 10	Ocean Dumping; Withdrawal of Designated Disposal Site; Grays Harbor, Washington	6/21/2018
9979-52-ORD	Second External Review Draft Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter – Ecological Criteria	6/21/2018
9979-56-ORD	Review of the National Ambient Air Quality Standards for Ozone - Call for Scientific and Policy-Relevant Information	6/21/2018
9979-09-Region 6	Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permit for South Louisiana Methanol L.P., St. James Methanol Plant in St. James Parish, Louisiana	6/21/2018

AMERICAN OVERSIGHT

Office of Research and Development

We had positive engagements this week with state and local health officials during the annual meetings of the National Environmental Health Association and the State Environmental Health Directors of the Association of State and Territorial Health Officials. NEHA featured A Conversation with EPA's Public Health Leaders. We also participated in the 2018 Tribal Environmental Health Summit with tribal communities and other federal agencies.

We wish all a safe and restful Independence Day.

Hot issues

EPA Helps Germany Respond to Ricin Contamination Incident

Scientists from ORD's National Homeland Security Research Center and Office of Emergency Management's Consequence Assessment Division, provided technical support to Germany's Federal Information Centre for Biological Threats and Special Pathogens (IBBS) within the Robert Koch Institute. This public health institute is supporting the response to a ricin incident in Cologne, Germany, where authorities foiled a man's plan to build a biological weapon out of ricin. The attempted production of this weapon contaminated an apartment and the subsequent response resulted in contamination of law enforcement's specialized equipment (e.g., electronic headsets). EPA provided technical expertise related to cleanup including the latest research studies to support the remediation of the apartment and decontamination of the specialized equipment.

Second Draft Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter

On June 26th, the federal register notice announcing availability of the Second Draft Integrated Science Assessment for Oxides of Nitrogen, Oxides of Sulfur, and Particulate Matter – Ecological Criteria (NOxSOxPM-Eco) was posted. The draft report and updated websites are available for public access (https://cfpub.epa.gov/ncea/isa/recordisplay.cfm?deid=340671). The deadline for comments is September 4th, 2018.

Follow-up on Technical Support for Toxic Algal Bloom Event in Salem, Oregon

ORD is providing continued technical support to Region 10, the State of Oregon, and the City of Salem for a toxic algal bloom event that occurred in Detroit Lake, a reservoir that is a drinking water source for the city. ORD staff are travelling to Portland this week to help the Oregon Department of Environmental Quality set-up EPA Method 546 (Determination of Total Microcystins and Nodularins in Drinking Water and Ambient Water by Enzyme-Linked Immunosorbent Assay) on a Cyanotoxin Automated Assay System.

AMERICAN OVERSIGHT

Office of Water

Hot Issues

WOTUS: Today, OW anticipates moving forward for Administrator signature the Step 1 supplemental notice of proposed rulemaking to repeal the 2015 Rule and recodify the prior regulations. In the supplemental notice, the EPA and the Army seek to build off the July 27, 2017 notice of proposed rulemaking by providing a more in-depth discussion of the reasons why the agencies are proposing to repeal the 2015 Rule and recodify the pre-2015 regulations. The public comment period will be 30 days.

Memorandum of Understanding Between the State of New Mexico and the EPA Addressing Produced Water: Next week, OW and Region 6 anticipate finalizing for signature a *Memorandum of Understanding (MOU) Between the State of New Mexico and the U.S. Environmental Protection Agency* to facilitate greater collaboration to address the re-use, recycling, and beneficial use of waters originating from oil and natural gas activities (produced water). Region 6 and the Office of Water have been working with the state leadership in New Mexico's Energy, Minerals, and Natural Resources Department to develop the MOU which outlines the establishment of a working group and development of a white paper identifying produced water opportunities under state and federal law in New Mexico.

Puerto Rico SRF: This week, the EPA reached agreement to extend the forbearance with the Puerto Rico Aqueduct and Sewer Authority (PRASA) for a period of three months. During this period, PRASA will make payments of $833,000 per month. This agreement allows the parties time to develop a long-term solution for restructuring PRASA's debt.

Per- and poly-fluoralkyl (PFAS) Community Engagement: This week, the EPA held the first of the PFAS community engagement events in Exeter, NH. Over 200 participants from states, federal partners, nonprofit organizations, and the general public attended. Following the National PFAS Leadership Summit, this event allowed EPA to hear directly from New England communities and other participants on how to best help states and communities facing this issue. The next engagement is scheduled in Pennsylvania at the end of July. Other meetings in Colorado and North Carolina are being coordinated for later in the summer.

Clean Water Act (CWA) 404(c) Revisions Rule: This week, the Administrator signed a memorandum outlining changes the EPA will propose to update the implementing regulations for section 404(c) of the Clean Water Act.

AMERICAN OVERSIGHT

EXT-18-783-F-004132

ED_001863D_00000159-00032

From: Burton, Tamika
Sent: Fri 7/28/2017 5:48:05 PM
Subject: Updated: Agency Weekly Report 07282017
Weekly report 07282017.docx

Hello,

If you are having difficulty viewing the file, please see attached.

Best Regards,

Tamika Burton

Staff Assistant

Office of the Deputy Administrator

MC 1104A Room 3412 WJC North

(202) 564-4771 (d)

Ex. 6 - Personal Privacy

burton.tamika@epa.gov

From: Burton, Tamika
Sent: Friday, July 28, 2017 1:42 PM
Subject: Agency Weekly Report 07282017

Good Afternoon,

Please see the attached weekly report.

Best regards,

AMERICAN OVERSIGHT

Tamika Burton

Staff Assistant

Office of the Deputy Administrator

MC 1104A Room 3412 WJC North

(202) 564-4771 (d)

Ex. 6 - Personal Privacy

burton.tamika@epa.gov

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 1

Hot Issues

New Bedford

The City of New Bedford has agreed to pay EPA $1.6 million as reimbursement for costs EPA incurred for its cleanup of the Parker Street Waste Site.

- In 2012, EPA sampled 88 parcels and cleaned up 44 residential homes at the Parker Street Site. EPA incurred a total of $18 million in Site response costs.
- EPA alleged that the City has liability for the cleanup costs because the City originally owned and operated the Parker dump, which accepted coal ash and hazardous substances from local industries.
- Based upon its poor financial condition and documented inability-to-pay, the City has agreed to pay EPA $1.6 million upon the effective date of the Agreement, which is subject to a thirty-day public comment period ending on August 21, 2017.
- The Massachusetts Department of Environmental Protection supported EPA in its cleanup action but was not involved in this settlement.

Issuance of Sunapee, NH NPDES permit

Next week, Region 1 plans to issue a final NPDES permit for the discharge of treated domestic wastewater from the publicly owned treatment works in Sunapee, NH to the Sugar River.

- The permittee did not submit comments on the draft permit and has expressed interest in receiving the final permit to facilitate planning for long overdue treatment plant upgrades.
- Comments were received from outside parties regarding EPA's authority to set an effluent flow limit, which has been set at the facility design flow. The flow limit does not create any financial burden for the permittee, as their effluent flows are currently well below the limit.
- Although the permittee has not expressed concerns and did not comment on the draft permit (which makes them ineligible to appeal the final permit), it is conceivable that outside parties might appeal.

Upcoming Public Events

None previously unreported

Upcoming Major Decisions

None previously unreported

Highlights from Last Week

Several tours have recently been conducted for various groups of Upward Bound students.

- Staff conducted a tour on marsh regulation, protection and restoration at Belle Island Marsh in East Boston. Students also heard from the Massachusetts Department of Conservation and Recreation Marsh Manager.

AMERICAN OVERSIGHT

- Staff led a tour for Lowell, Massachusetts students, including Upward Bound high school students, of the Deer Island Treatment Plant. The Massachusetts Office of Technical Assistance also participated.
- Staff led a field trip for Upward Bound students on Cape Cod about nitrogen pollution. The students traced groundwater and nitrogen through a watershed and learned about efforts to control nutrient pollution on Cape Cod.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 2

Upcoming Hot Issues and Important Deadlines

- Wolff-Alport Superfund Site proposed cleanup plan published on July 27. This is a site in Queens County, New York City. The site has radiological contamination from Wolff-Alport Chemical Company's operations from 1920-1954. The company is defunct. The site is now commercial, with 5 operating businesses; the surrounding area is largely residential. EPA performed an emergency removal action starting in 2012 to address immediate threats to worker and residents. The proposed cleanup plan will address long-term risks. The plan includes permanent relocation of the 5 businesses; demolition of the contaminated buildings; cleaning/replacing contaminated sewers; and excavation and off-site disposal of an estimated 24,300 cubic yards of contaminated soil, sediment and debris. The estimated cost of the remedy is $39.4 million, in addition to $3.5 million already spent on the removal action and investigation. Considerable press interest is expected. A public meeting is scheduled for August 16.
- US Avenue Burn Superfund Site proposed cleanup plan published on July 27. This is a site in Gibbsboro, NJ, one of three sites associated with past disposal activities of the Sherwin Williams paint company. Under the proposal, about 60,000 cubic yards of soil contaminated with lead and arsenic will be removed and disposed of off-site. Over 800 additional cubic yards of contaminated sediment will be removed from two streams. After excavation, the areas will be restored with appropriate vegetation. A public meeting on the plan will be held August 10. Local press interest is expected.

Upcoming Public Events

- Hudson River Five Year Review Public Meeting: The third and final public meeting will be on 8/9 in New York City. This meeting was added to the schedule at the request of stakeholders and Senators Schumer and Gillibrand. An announcement of this meeting will be issued on July 27.

Past Week Accomplishments

- Region 2 conducted an Active Shooter drill on 7/27. The drill took place in our New York City office; a similar drill was carried out at our Edison, NJ facility in November, 2016. Nearly 300 employees participated in the drill. This very valuable drill was supported by EPA's Security Management Division, and law enforcement officers from EPA's Criminal Investigations Division, the Office of Inspector General, and the Federal Protective Service.
- Action on NJ and NY CWA §303(d) Lists. On 7/21 Region 2 sent a letter to NJ providing full approval of its 2014 list of impaired waters. The same day Region 2 sent a letter to NY providing partial approval and partial disapproval of its 2016 list. The notice providing a 30-day comment period regarding EPA's proposed decision to add 71 waterbody/pollutant combinations to NY's list has been sent to HQ.
- Proposed NYC Filtration Avoidance Determination issued by NY for public comment. On 7/21 the NYS Dep't. of Health, in consultation with EPA Region 2, released the draft 2017

AMERICAN OVERSIGHT

FAD for public comment (previously reported). The FAD would be applicable for a 10-year period; it imposes a variety of watershed and water quality protection obligations on NY City in order to allow the City's Catskill/Delaware water supplies to remain unfiltered. The FAD is the result of a highly innovative collaboration among federal, state and local governments.

- Agreement with Montgomery County, NY regarding the Beechnut Nutrition Corp. Superfund Site. On 7/21 Region 2 entered into a Memorandum of Agreement (MOA) with Montgomery County related to this site in Canajoharie, NY. The MOA releases and waives EPA's CERCLA §§107(l) and 107(r) liens in return for a 50% share of proceeds from any future sale of the Site property. The MOA enables the County to foreclose on the Site property for unpaid property taxes and take title. This, in turn, will allow the County to obtain grant monies to clean up asbestos contamination at, and redevelop, the Site. We anticipate the County will perform removal activities under an agreement with EPA and pursuant to EPA oversight. EPA became involved at the Site following a request by the State of New York to address the hazardous conditions posed by asbestos there.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 3

Hot Issues

ALJ Issues Order Granting in Part EPA's Motion for Partial Accelerated Decision as to Liability against FMC Corporation. [Docket No. FIFRA-03-2015-0248] On July 17, 2017, Administrative Law Judge Christine D. Coughlin issued an Order granting, in part, EPA's Motion for Partial Accelerated Decision as to Liability in the administrative matter filed in 2015 alleging unlawful acts of FIFRA by FMC Corporation of Philadelphia, PA. The ALJ found that FMC was liable for unlawful acts under FIFRA, arising from FMC's advertisements about Stallion Insecticide, FMC's registered pesticide classified for restricted use. The ALJ determined that FMC's direct mail, periodical and website materials were "advertisements" within the meaning of FIFRA based on the common meanings of the terms "advertise" and "advertisement."

The ALJ deferred EPA's request to rule on the number of advertising violations (which EPA alleges is 12,273) until after the hearing to be held in Philadelphia. The remainder of EPA's allegations – that FMC sold or distributed the unapproved, misbranded pesticide Stallion Insecticide on 106 occasions in violation of Section 12(a)(1)(E) of FIFRA – will be tried at the hearing along with penalty. The Judge also denied FMC's request for oral argument on EPA's motion.

These violations pose potential harm to human health and the environment. The Agency's classification of Stallion Insecticide as a restricted use pesticide means that the Agency deemed Stallion too risky to be used by anyone other than a certified applicator, or someone supervised by such applicator. Any advertisements that omit the required restricted use statement could result in purchase and illegal use by unqualified consumers, posing harm to them and to the environment. Selling or distributing a misbranded pesticide product represents potential harm to the environment, especially where, as here, the pesticide name implies that it can be used on horses rather than the intended target crops (e.g., alfalfa). Although this case was referred to Region III by EPA HQ and did not arise from a state inspection, several state lead agencies have provided support to Region III's enforcement efforts in this matter.

Department of Justice Moved to Dismiss the Complaint Filed by Environmental Groups Challenging EPA's Denial of Petition to Exercise EPA's Residual Designation Authority for the Back River in Maryland

The Department of Justice has filed a motion to dismiss the complaint filed in federal district court by the Natural Resources Defense Council, American Rivers and Blue Water Baltimore challenging EPA's denial of their petition to exercise EPA's residual designation authority for the Back River in Maryland. In their complaint, Plaintiffs allege that (1) EPA violated a CWA nondiscretionary duty by failing to determine whether commercial, industrial, and institutional discharges in the Back River watershed contribute to violations of water quality standards; and

AMERICAN OVERSIGHT

(2) EPA's denial of the RDA Petition was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law under the Administrative Procedure Act (APA). In its motion, the government argues that the court lacks jurisdiction over these claims because Plaintiffs have not alleged a mandatory duty enforceable under the CWA citizen suit provision and also because the CWA provides review in circuit court and not in the district court.

Illinois State Court Enters Order Resolving Multi-Regional EPA CERCLA Claims in Centaur Receivership Action and Approves Settlement Agreement for Past and Future Response Costs for the Hanlin-Allied-Olin Superfund Site

On July 12, 2017, the Illinois Circuit Court of Cook County, entered an order allowing EPA's $8,750,000 LCP Chemicals claim in the Centaur Insurance Company (Centaur) Receivership Action. The Order also authorized the distribution of Centaur estate assets for the payment of the EPA claim, as set forth in the settlement agreement between the United States and Centaur.

This Order resolves Region 3's insurance claim for past and future response costs at the Hanlin-Allied-Olin Superfund Site (Site) in Moundsville, West Virginia. The claim was asserted in the national receivership action and arose out of an Excess Umbrella Policy issued by Centaur to LCP Chemicals & Plastics, Inc., under which LCP Chemicals-West Virginia, Inc., a former owner and operator of the Site, was a named insured. This Order finalizes a multi-Regional settlement agreement with Centaur, wherein Region 3 will receive $2,916,667 out of the total allowed amount of $8.75 million for LCP's liability at the Hanlin-Allied-Olin Site, to be deposited in a special account for the Site.

This agreement will fund Superfund cleanup actions at the Site for soil and groundwater contamination consisting of mercury and other hazardous substances. The State of West Virginia is actively involved in the cleanup and is aware of this settlement. This is a direct implementation claim for the federal government which arises under the state receivership statute and the Federal Priorities Act.

Environmental Groups File Mandatory Duty Suit Against EPA

On October 15, 2016, the Environmental Integrity Project and Sierra Club ("Petitioners") jointly filed a petition to object to a Title V permit issued by Pennsylvania Department of Environmental Protection (PADEP) to the Wheelabrator facility in Frackville, PA. EPA has a statutory duty to respond to such petitions within 60 days of receipt. These responses are not delegated to the Regions and must be signed by the Administrator, and EPA has not yet responded to the Petition. However, Region III's office of Permitting and State Programs ("OPSP") has been working with PADEP to address the concerns raised in the Petition, as well as issues raised by EPA during our routine review of the proposed permit. The issues largely pertain to the adequacy of the permit's monitoring requirements as they pertain to particulate matter. On December 22, 2016, the Petitioners provided EPA with Notice of Intent to sue for

AMERICAN OVERSIGHT

failure to respond to the Petition. On July 20, 2017, Petitioners formally filed suit against EPA. OPSP is continuing to work with PADEP to fix the issues in the permit and hopefully resolve the Petition and the litigation.

Maryland Issues Notice of Intent to Sue EPA for Failing to Act

In a July 20, 2017 letter, Maryland Department of the Environment Secretary Grumbles gave Administrator Pruitt notice that the State of Maryland intends to sue EPA for missing the July 15, 2017 deadline for acting on Maryland's 126 petition. On November 16, 2016, the State of Maryland petitioned EPA under Section 126 of the Clean Air Act (CAA), alleging that 36 power plants located in Indiana, Kentucky, Ohio, Pennsylvania, and West Virginia significantly contribute to Maryland's nonattainment of the 2008 and 2015 ozone national ambient air quality standards (NAAQS) or interfere with its maintenance of those standards. EPA has 60 days to respond to such petitions. However, EPA extended that deadline, as allowed under the CAA if EPA determines that the extension is necessary to adequately address the petition, including the requirement for public notice and comment. On January 3, 2017, EPA extended the deadline to respond to Maryland's 126 petition to July 15, 2017 (82 FR 22).

From Brownfield Site to Girls' Group Home in Wayne County, West Virginia

On July 25, 2017, Wayne County, West Virginia celebrated the ribbon cutting of the new Golden Heart Apartments in Kenova, West Virginia, which lies on an EPA-funded brownfields site. The 11-unit complex was built for the Golden Girl Group Home, an organization that helps girls between the age of 12 and 18 who have been neglected, abused or abandoned. Wayne County used EPA's Brownfield assessment funds to aide in the redevelopment of this wonderful home. In addition to EPA's funds, Cabell Huntington Hospital and Toyota helped fund the building project, which includes a resource center, and several one and two-bedroom units. EPA's logo was displayed on the ceremonial banners.

Residential Sampling at Dimock, Pennsylvania

The Region was informed that ATSDR is performing sampling in Dimock, PA. Approximately 20 household wells are scheduled to be sampled starting July 30th. This is a follow up on the sampling efforts that were completed back in 2012. ATSDR is focusing on drinking water and radon indoor air. They will not be sampling groundwater or surface water, unless these are sources of a person's drinking water/bulk water. A factsheet was developed and shared with residents that describes the sampling effort.

AMERICAN OVERSIGHT

Upcoming Public Events

On August 4, 2017, Acting RA Rodrigues will be awarding the North Side Industrial Development Company an additional $600,000 in brownfields funding to continue their work at the property of a former steel fabrication shop. They received a Community Wide Assessment Grant from EPA in 2011 for $83,174 to assist with the environmental assessment needed at the site. This year's funding will be directed towards the construction of 150 housing units with a publicly accessible courtyard. Pittsburgh Mayor Peduto will be in attendance. Congressman Mike Doyle, Senator Wayne Fontana, and Secretary McDonnell of PADEP have been invited, but have not confirmed to date.

Acting RA Rodrigues has been informed that Governor Hogan will be inviting the RA and others to attend a meeting on August 8, 2017 to discuss proposed next steps associated with the sediment concerns at Conowingo Dam.

Past Events

On July 21, 2017, Acting RA Rodrigues signed the Final Rule approving the incorporation of the progress report and adequacy determination on the reasonable progress goals established for regional haze into the District of Columbia's state implementation plan. No comments were received during the public comment period.

On July 24, Acting RA Rodrigues signed the Direct Final Rule which approves the updated portion of the Pennsylvania SIP that includes regulations on open burning. The revisions clarify and codify exiting policies in order to address emissions from open burning. We do not anticipate any public comments to this rule.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 4

Hot Issues

Chemical Release to Cape Fear River (Chemours Facility) – ENFORCEMENT CONFIDENTIAL

Key Message: Chemours (formerly DuPont) manufactures the chemical GenX, a processing aid that enables the production of high-performance fluoropolymers without the use of perfluorooctanoic acid (PFOA). The free acid GenX precursor chemical has been found in the Wilmington, NC, drinking water system.

- (Update) Region 4 staff are preparing controlled responses for signature by the Region 4 acting Regional Administrator in response to correspondence from several citizens in the Cape Fear River area about GenX.

- (Update) NC DEQ plans a press release regarding the Round 4 sampling event this week. The Governor requested daily weekday sampling at the Chemours outfall. EPA's Office of Research and Development is assisting with analysis.

- (Update) Region 4 NPDES staff and NC DEQ staff will participate in a site visit of the Chemours Fayetteville, NC, facility on July 27, 2017.

Kentucky Petition on Reformulated Gasoline (RFG) Requirements

Key Message: On April 18, 2017, the Commonwealth of Kentucky petitioned the Administrator to allow the Northern Kentucky area comprised of Boone, Campbell, and Kenton Counties to opt out of the RFG program, effective July 1, 2017. The Commonwealth contends that because continued improvements in ozone concentrations, ozone attainment in this area is no longer dependent on the RFG program. On June 23, 2017, Kentucky provided a predraft submission of the noninterference demonstration to support their petition.

- (Update) The week of July 17, 2017, R4 staff and KYDEP discussed comments on the predraft submission. Kentucky addressed all but one critical comment and put their submission out to public review on July 21, 2017. Region 4 received the prehearing package from Kentucky on July 25, 2017, with a request for comment no later than August 21, 2017.

Kentucky Federal Implementation Plan (FIP) for 2008 Ozone Standard "Good Neighbor Provision" Requirements

Key Message: The statutory deadline for EPA to promulgate the Kentucky FIP to address Kentucky's obligations under the "Good Neighbor Provision" in 42 U.S.C. § 7410(a)(2)(D)(i)(I) for ozone emissions originating in Kentucky that might be transported to New York and other

AMERICAN OVERSIGHT

downwind states was June 2, 2016. EPA missed the deadline; the Sierra Club filed suit and the State of New York intervened.

- On May 23, 2017, the U.S. District Court for the Northern District of California issued summary judgment for plaintiffs and ordered the EPA to promulgate the Kentucky FIP by June 30, 2018. The Court will retain jurisdiction over the case until then.
- (Update) Kentucky sent follow up questions which are currently under review by Region 4 and the Office of Air Quality Planning and Standards (OAQPS). OAQPS is working on suggested dates for a follow up call with Kentucky on their questions.

Ensystex, II Imports Matter – ENFORCEMENT CONFIDENTIAL
Key Message: Region 4 is recommending a Stop Sale, Use or Removal Order (SSURO) to allow Ensystex, II to relabel a Federal Insecticide, Fungicide, and Rodenticide Act noncompliant imports shipment and achieve compliance. On July 19, 2017, Region 4 submitted a request to the Office of Enforcement and Compliance Assurance (OECA) to expedite a decision to proceed with the issuance of the SSURO.

- Region 4 received OECA's approval on July 20, 2017, and the Office of Pesticide Programs' approval on July 25, 2017.
- Region 4 will issue the SSURO by July 28, 2017.

Kentucky Acute Selenium Water Quality Standard Approval
Key Message: On July 24, 2017, Region 4 signed a letter approving the Commonwealth of Kentucky's removal of their acute aquatic life criterion for selenium.

Oak Ridge Reservation, Oak Ridge, TN
Key Message: A Senior Executive Committee is scheduled for July 27, 2017, in Nashville, Tennessee with EPA, DOE, and TDEC.

- The meeting will focus on addressing concerns related to:
  - The Department of Energy (DOE) Oak Ridge Reservation's (ORR) elevation to formal dispute regarding its position that (1) the Remedial Investigation/Feasibility Study (RI/FS-D5) should be finalized as is and (2) the draft Proposed Plan (PP) for the Environmental Management Disposal Facility (EMDF) based on that RI/FS should be reviewed.
  - A formal dispute regarding the waste disposal landfill EMDF, which was elevated to the ORR Senior Executive Committee on June 30th. The Regional office has coordinated with EPA Headquarters' offices (FFRRO, FFEO, OSRTI and OGC) regarding siting and protectiveness concerns of the proposed landfill. A Joint Position of the EPA and TDEC Division Director will be provided.
- The SEC dispute resolution period ends on July 31, 2017.

AMERICAN OVERSIGHT

Mississippi Phosphates Corporation Site, Pascagoula, MS
Key Message: Due to heavy rainfall events, a 72-hour emergency bypass was implemented on July 25, 2017, to maintain necessary freeboard.

- Emergency bypass is the release of partially treated wastewater associated with the Site. Partially treated means that the Site wastewater is pH adjusted to between six (6) and nine (9) standard units using 50% sodium hydroxide.
- Bypass was coordinated with all federal/state/local partners involved with the response action. Moderate media interest with the bypass effort is being managed through Public Affairs.
- Prior to bypass, background samples were taken in Bayou Casotte. Upon initiation of bypass and throughout the duration of the bypass, samples will be taken at the high and low daily tides. The pH remains between 6 and 9 following treatment for pH.

Milan Army Ammunition Plant, Milan, TN
Key Message: On July 25, 2017, the Preliminary Closeout Report (PCOR) for the Milan Army Ammunition Plant was signed by the Region 4 Superfund Program, documenting achievement of the important Construction Completion milestone for this federal facility site.

- The PCOR highlights the completed construction activities: the construction of 55 caps, excavation of approximately 17,400 tons of explosive-contaminated soil, and construction of three Groundwater Treatment Plants.
- Remaining activities at Milan include the re-use of production lines, leasing igloo storage areas to outside vendors, and selling parcels of uncontaminated land.
- The next target, Partial De-listing of the Southern Portion of the Site, is anticipated for December 2018.

Upcoming Public Events

August 8, 2017 - Public meeting in Clover, SC, to provide an update on the status of the non-time critical removal action wellhead treatment systems, groundwater monitoring program, continued measures to address re-vegetative storm water controls, dam rehabilitation, and the site's selection for the Regional Site Reuse Award

August 10, 2017 - Public meeting in Ashe County, NC to address community questions regarding the waterline extension project.

Upcoming Major Decisions

Terry Creek Dredge Spoil Areas/Hercules Outfall, Brunswick, GA

Key Message: Pre-Referral Notice (PRN) to DOJ for implementation of the Terry Creek OU1 ROD ($4.5 M), anticipated by end of July 2017.

- The Interim ROD for OU1 was signed on June 19, 2017. EPA is currently preparing a PRN package for DOJ, and should be ready to send to DOJ by the end of July 2017.

AMERICAN OVERSIGHT

- Following the PRN, EPA plans to issue Special Notice letters to Hercules to initiate RD/RA CD negotiations.

Last Week Highlights

None this week.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 5

HOT ISSUES:

EPA Sued Over Approval of Ohio's Impaired Waters List

Key Message: The July 18, 2017 complaint claims that EPA's decision to approve Ohio's Impaired Waters List was arbitrary, capricious, and not in accordance with the CWA.

On May 19, 2017, EPA approved Ohio's list after extensive coordination with the state and HQ. The approval letter noted that Ohio would "continue to evaluate options for developing objective criteria for use in making decisions regarding the Western Basin for the 2018 list." Press coverage can be viewed here.

The plaintiffs allege that EPA's approval of Ohio's list was arbitrary and capricious because EPA failed to assess the open waters of Lake Erie for impairment due to harmful algal blooms (HABs) as required by Section 303(d) of the CWA. The filing also sites EPA's approval of Michigan's impaired waters list, which includes the open waters of Lake Erie as impaired. The suit requests that EPA partially disapprove Ohio's impaired waters list and add the open waters of Lake Erie to the list.

UPCOMING EVENTS:

Bringing 'Cooperative Federalism 2.0' to Life in Region 5
Key Message: Region 5 and its State Directors are kicking off a strategy to improve our process for collectively working together.

During the week of July 31, Acting RA Robert Kaplan and MPCA Commissioner John Stine will share a proposed approach with other Region 5 State Environmental Agency Directors for bringing "Cooperative Federalism 2.0" to life in Region 5. The plan is to start with some collective brainstorming on the ECOS' Cooperative Federalism 2.0 paper and follow that with a series of virtual meetings. In order to aid the formulation process, Region 5 has developed a template that includes feedback questions to help individuals focus and share their ideas.

This effort is a follow-up to the Region 5 EPA-State Directors meeting in June 2017.

Region 5 to Hold July 31 Open House for Jacobsville Superfund Site in Evansville, Indiana

Key Message: The open house will serve as an opportunity for residents to learn about the lead-contaminated soil cleanup.

Region 5 officials will provide information to residents and answer questions about lead soil

AMERICAN OVERSIGHT

sampling, results and public health concerns.

EPA continues to remove contaminated soil at residential properties and recreational areas located at the Jacobsville site. So far, 2000 properties have been cleaned and 300 properties are targeted for clean up this summer and fall, leaving an additional 2000 properties to complete. In 2004, EPA added the site to the National Priorities List, a list of the worst contaminated sites in the country. EPA is planning additional work for 2017 through at least 2020.

Governor Holcomb to Host Secretary Ben Carson at August 7 Public Meeting in East Chicago, Indiana

Key Message: The topic of the meeting will be the now vacant public housing in Zone 1. EPA's only role is assisting with air monitoring during the proposed demolition.

UPCOMING MAJOR DECISIONS:

NONE

PAST WEEK ACCOMPLISHMENTS:

Lead Levels in Flint are at Seven Parts Per Billion, Below the Federal Action Level

Key Message: At a press conference on July 26, MDEQ, in coordination with Region 5, released the results from the most recent six-month monitoring period and also announced the closure of some water distribution sites.

This is the second consecutive six-month monitoring period during which Flint tested below the federal action level of 15 ppb. The results continue to show a significant improvement of Flint's water quality. EPA is encouraged by the improvement in Flint's water quality and will continue to use its Administrative Order to ensure safe drinking water for Flint residents.

In addition to the lead level announcement, the city also announced that they would begin closing five of the nine points of distribution for bottled water and filters (PODs) next month. The remaining four PODs will remain open "indefinitely." There has been significant press coverage, some of which can be found here and here.

Region 5 Hosted a Public Meeting to Discuss the Kalamazoo River Superfund Site Cleanup

Key Message: The July 25 public meeting attracted a significant number of attendees and was overwhelmingly positive. There has been positive press coverage of the event, some of which can be found here.

Region 5 personnel discussed the proposed plan to clean up PCBs and other contaminants in the

AMERICAN OVERSIGHT

Kalamazoo River between the Otsego City Dam and the former Plainwell Dam, known as Area 2 of the Allied Paper/Portage Creek/Kalamazoo River Superfund site. EPA's proposal includes capping, bank excavation, floodplain soil excavation, Gun River excavation, and river channel realignment.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 6

UPCOMING HOT ISSUES AND IMPORTANT DEADLINES

Bird Creek, Pawhuska, Oklahoma

Sampling of all surface water bodies was completed by July 1st. Samples were sent by chain of custody to the Houston Laboratory for analysis. Data was also downloaded from the 18 surface water monitors, which were put in place to detect any changes in total dissolved solids during the time injection wells were shut-in. Most analytical results from the Houston Lab have been have been provided to the regional UIC and enforcement programs for review. EPA is working on a communications strategy to notify impacted parties of the monitoring results and next steps. A second round of data from the 18 surface water monitors is being collected this week. EPA contacted the operators of 7 wells within 1 mile of the seeps in Bird Creek to ask them to voluntarily shut in their injection wells. We found that the Mississippi chat formation was highly pressurized and likely in communication with the surface due to injection. Further review is underway to determine if the shut in area needs to be expanded.

Tar Creek, Picher, Oklahoma

EPA intends to continue field sampling to fill data gaps related to characterization of and potential risk related to sediment and surface water within the Tristate Watershed investigation area. The sampling is being accomplished through joint coordination and cooperation with Region 7; the states of Oklahoma, Missouri and Kansas; the Quapaw, Peoria, Ottawa, Miami, Eastern Shawnee, Wyandotte, Seneca-Cayuga, and Cherokee tribes; and other federal and state agencies (U.S. Fish and Wildlife, U.S. Geological Survey, Oklahoma Department of Wildlife). The Quapaw Tribe Environmental Office will continue source material excavation at Distal 10 and hauling to the central repository. Site preparation (i.e., grubbing, haul roads) will continue at Distal 12. The Quapaw Tribe Environmental Office will continue confirmation sampling at Distal 10, under cooperative agreements with the EPA. The Oklahoma Department of Environmental Quality will continue the remedial action work at Beaver Creek under a cooperative agreement with the EPA. The ODEQ will also continue the preparation of the Operable Unit (OU) 2 (Residential) Commerce remedial action work plan and cost estimate, and continue planning for the public meeting currently scheduled for August 15, 2017.

Hope Iron and Metal, Hope, Arkansas

EPA intends to continue on-site removal activities at the Hope Iron and Metal Superfund Site. All grids with soil contamination on-site are currently excavated. Removal activities for contaminated soil began on two residential properties adjacent to the site. Restoration activities

AMERICAN OVERSIGHT

on-site are 90 percent complete. Completion is expected in early August.

Ruiz Foods Facility, Denison, Texas

EPA intends to conduct a Clean Air Act Risk Management Program inspection of the Ruiz Foods facility in Denison, TX. The regulated facility is classified as a *High Risk facility* and is also part of the National Enforcement Initiative for ammonia.

Rowlett Creek Regional Waste Water Treatment Plant Facility, Denison, Texas

EPA intends to conduct a Clean Air Act Risk Management Program inspection of the Rowlett Creek Regional Waste Water Treatment Plant facility in Denison, TX. The regulated facility is classified as a *High Risk facility* for chlorine.

Fort Hood Army Base, Killeen, Texas

EPA intends to conduct a RCRA Compliance Evaluation Inspection at Fort Hood Army Base. The purpose of the inspection is to determine whether Fort Hood is compliant with RCRA regulations, and confirm the hazardous waste operating status of the facility. Under the Federal Facility Compliance Act of 1992, EPA or its representatives are required to inspect every Federal Facility that treats, stores or disposes of hazardous waste. Fort Hood was identified as a facility that should be inspected, based on Region 6 data mining evaluation, a technique on which the States have been trained. The Texas Commission on Environmental Quality (TCEQ) was invited to participate in this inspection, but advised Region 6 that we should proceed without them.

Vallourec Star, LP, Houston, Texas

EPA intends to conduct a Compliance Evaluation Inspection at the Vallourec Star tubular goods Facility in Houston, Texas. The facility's wastewater operations will be evaluated in accordance with the CWA for capacity, management, operations, and maintenance in order to protect public health and the environment. Compliance with permit conditions, the accuracy of information submitted, and the adequacy of sampling and monitoring conducted will also be evaluated. The investigation is part of the EPA's National Industrial Wastewater Initiative (NEI). TCEQ inspectors were notified of the inspection and invited to participate.

Odfjell Terminals, Seabrook, TX

EPA intends to send an *information request letter* to Odfjell Terminals in Seabrook, TX to evaluate remedies for potential noncompliance concerning the facilities' flare operations.

AMERICAN OVERSIGHT

Emissions from improperly operated flares are a large source of air toxics and pose a risk to public health. The facility has a history of noncompliance related to flaring. Region 6 plans to issue the information request letter on August 7, 2017. The Region will notify TCEQ before issuing the letter.

Chevron Phillips Chemical, Pasadena, TX

EPA intends to send an *information request letter* to Chevron Phillips Chemical facility in Pasadena, TX to evaluate remedies for potential noncompliance concerning the facilities' flare operations. Emissions from improperly operated flares are a large source of air toxics and pose a risk to public health. The facility has a history of noncompliance related to flaring. TCEQ will be notified before issuing the letter.

Shell Offshore, Inc., New Orleans, LA

EPA intends to send an *information request letter* to Shell Offshore, Inc., New Orleans, LA, to evaluate RCRA compliance of Shell Offshore's offshore facilities in the Gulf of Mexico. The letters will be issued in the next two weeks.

Xutapa Properties LLC, Pawhuska, Oklahoma

EPA intends to issue a p*ublic notice* for a Consent Agreement and Final Order (CAFO) to Xutapa Properties, LLC (Respondent). The US EPA Administrative Complaint alleged that inspection observations show the Respondent maintained seven injection wells located in the Landon Field of the Osage Mineral Reserve in Osage County, Oklahoma, in a manner that may allow movement of fluids into underground sources of drinking water. The CAFO requires Respondent to pay an administrative penalty of $42,500.00 for violations of Section 1423 of the Safe Drinking Water Act, 42 U.S.C. 300h-2(e) and failure to comply with an EPA Administrative Compliance Order. Comments will be solicited for 30 days.

Falcon Refinery Superfund Site, Port Aransas, Texas

EPA intends to issue a *public notice* for the proposed plan for Operable Unit O1 (Site Wide Groundwater) for the Falcon Refinery site. EPA is taking public comments on its preferred remedial approach of no action for the shallow groundwater at the site. The comment period should be completed on August 30, 2017.

AMERICAN OVERSIGHT

Jones Road Groundwater Plume Superfund Site, Houston, Texas

EPA intends to issue *public notice* for the proposed plan to select a remedy for two soil zones which are continuing sources of contaminants to groundwater at the Jones Road site, Harris County, Texas. The public comment period will be completed on September 5, 2017.

Fruit Avenue Plume Superfund Site, Albuquerque, New Mexico

EPA intends to issue a *public notice* for the Proposed Plan for a Record of Decision for the Fruit Avenue Plume Superfund Site. EPA is taking public comments to expand the use of Monitored Natural Attenuation as the site-wide remedy for the ground water plume. This alternative will allow for the decommissioning of the existing pump and treat facilities, and return the property to the city. The alternative also facilitates the reuse of the property and promote further redevelopment in the area. The comment period is scheduled to run through August 28, 2017.

RKR Feeders, LLC., Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

RFL Clayton, Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

Clayton Cattle Feeders, Clayton, New Mexico

EPA intends to issue a *public notice* for the proposed permit seeking renewal of coverage under the New Mexico CAFO General Permit. The comment period is scheduled for 30 days.

Jackpile-Paguate Uranium Mine Site, Laguna Pueblo, NM - Site Visit & Scoping Meeting

On August 2–3, 2017, EPA plans to meet with Atlantic Richfield and the Pueblo of Laguna to discuss scoping document deliverables and planning activities associated with the Remedial Investigation/Feasibility Study (RI/FS) for the site. Members intend to participate in a pre-site tour discussion and a site visit of the former mine. Activities will close with a wrap-up discussion. EPA intends to gain a better understanding of the strategies Atlantic Richfield will use while conducting the RI/FS after collaboration on proposed approaches for expediting and maximizing resources. Discussion will also include the Pueblo community outreach needs, working with the technical team and scheduling a potential community Open House in September 2017.

AMERICAN OVERSIGHT

Final Approval for April 2017 Updates to the State of Texas Water Quality Management Plan (WQMP). The week of July 24-28, 2017, the Water Division plans to approve updates to the Texas Water Quality Management Plan (TX WQMP) submitted by TCEQ. The WQMP update was developed by TCEQ staff pursuant to Section 26.036 and26.037 of the Texas Water Code and satisfies federal Water quality management planning regulations and grant requirements under Sections of the Clean Water Act. The WQMP update has been reviewed by local planning agencies, appropriate state agencies, and TCEQ staff. The TCEQ held a public comment period as required by Section 26.037 of the Texas Water Code and federal regulations.

UPCOMING PUBLIC EVENTS

August 3 – Texas Environmental Law Superconference, Austin, Texas. Acting RA will keynote.

August 8 – State Environmental Directors' Meeting, Dallas, Texas (Tentative)

September 11–13 – National Air Quality Conference, Austin, Texas.Attendees will learn the latest information on air quality forecasting and mapping.

September 12-14 – US Mexico Border National Coordinator Meeting, Mexico City, Mexico

September 17-21 - 19th Annual Stormwater Conference in San Antonio, TX. The Conference will inform and educate professionals on controls that can address water pollution

October 27 – Arkansas Environment Federation 50th Annual Convention, Hot Springs, AR. Acting RA will keynote.

UPCOMING DECISIONS

Arkansas Regional Haze

Arkansas proposed its SIP addressing a portion of the Regional Haze requirements on July 12, 2017, and submitted to EPA for parallel processing. EPA will act expeditiously to propose the SIP. On July 13, 2017, EPA's Narrow FIP revision was published in the Federal Register to extend the NOx compliance dates by 21 months to January 27, 2020. The extension was requested by industry to provide them certainty that they have time to work with EPA and the State on a Regional Haze SIP without the compliance clock running down. EPA also continues to track the national CSAPR remand action as the Arkansas Regional Haze SIP depends on the NOx CSAPR for BART.

AMERICAN OVERSIGHT

Texas Regional Haze

Region 6 is preparing documents for the Administrator on a Texas Regional Haze Intrastate Trading Program BART SIP. EPA is using all available resources to develop the Federal Action by September 9. EPA has a September 9 CD deadline that requires EPA to finalize a plan.

PAST WEEK ACCOMPLISHMENTS

Public Water System Supervision Program Revision for the State of Louisiana

EPA intends to approve the State of Louisiana revisions to its approved Public Water System (PWSS) program for the Revised total Coliform Rule and the Groundwater Rule. EPA has determined that the RTCR and GWR primacy applications submitted are no less stringent than the corresponding federal regulations and therefore an approval is warranted.

Proposed Rule and Direct Final Rule for the Arkansas Hazardous Waste Program

EPA approved a direct final rule that proposes to authorize the State of Arkansas for State-initiated changes to their hazardous waste program and codifying the State's base hazardous waste program revisions. EPA is publishing this rule without prior proposal because the actions are not controversial and no opposition is expected.

PENDING ACTIONS (Pending Federal Register Publication)

Arkansas Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program (EPA-R06-0680)

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 7

Hot Issues

St. Louis, MO Asbestos Response

Key Message: Superfund Continues to Support City of St. Louis

- EPA is continuing to assist the City of St. Louis with response to asbestos released from a July 12th fire. The Agency is continuing to conduct air monitoring at 9 stations in and around the affected area (including residential areas) and is following up with residents who have contacted the St. Louis City Health Department reporting fire debris on their property.
- To date, no asbestos fibers have been detected in any of the 9 monitoring stations. The PRP contractors are conducting cleanup operations and air sampling where cleanup operations are occurring, and have begun an initial aerial assessment of rooftops in the affected area.
- EPA representatives will attend a meeting hosted by the Mayor's office on Friday July 28, and will report out on progress achieved to date.

Last Week's Highlights

Doe Run Project Meeting

Key Message: Discussion on Actions at Lead Contaminated Sites

- On July 20, EPA Superfund, RCRA, and Counsel staff attended a meeting with Doe Run Counsel and project staff to discuss a variety of Superfund sites including Herculaneum Slag Storage, Big River Residential and Mine Waste, Tri-State, Indian Creek, and City of Viburnum.
- During the meeting, attendees discussed the status of release of financial assurance account funds for actions completed at the Oronogo-Duenweg site, closeout of several administrative orders for work at the Big River site, potential for combining work at the Viburnum sites under the time-critical removal action, status of EPA's review of the Herculaneum slag storage area water management plan, and renewal of the Viburnum Remedial Action Plan.

Withdrawal of TMDL for West Fork of Black River (Doe Run)

Key Message: EPA Coordinated with MDNR on Withdrawal of TMDL

- The Region completed its withdrawal of the West Fork of the Black River TMDL on July 21st. The TMDL targeted nutrient pollution, stemming from a citizen complaint about algae growth in a downstream swimming hole. Doe Run holds a NPDES permit for discharge into the River. The MDNR is intending to issue the Company's renewed permit in late July or early August.

AMERICAN OVERSIGHT

- The new permit will no longer have to "consider" the nutrient TMDL. The TMDL is no longer necessary because over 1200' of the River's course was altered during a subsidence event at a Doe Run Mine. The MDNR concurrently acted to withdraw the TMDL; the EPA also took action on the TMDL established by the EPA in late 2010 as a "backstop" to the state's response to a TMDL-related Consent Decree from the late 1990s.

11th Annual Public Health and Safety Fair

Key Message: Region 7 Staff Educate Kansas City Families on Healthy Homes

- On Saturday, July 22, Region 7 Indoor air, lead, and environmental justice staff participated in the 11th Annual Public Health and Safety fair sponsored by State Rep. Shalon Curls held at Arrow Head Stadium.
- Information was shared with the public regarding protecting families from lead, reducing asthma triggers, and reducing household hazardous waste in the home. The event was attended by several hundred Kansas City area families, many who live in pre-1978 housing, or who have family members that suffer from allergies or asthma.

This Week's Highlights

Five Year Review for Red Oak Landfill Superfund Site

Key Message: Human Health and the Environment Protected at Red Oak Landfill Superfund Site

- The Red Oak Landfill Superfund Site in Iowa was placed on the NPL in 1986 and was contaminated with hazardous substances of various metals and chlorinated solvents including polycyclic aromatic hydrocarbons.
- The remedial action was performed in 1997 which consisted of an engineered low-permeability cap and institutional controls and the site was delisted from the NPL in 2005. The Agency has conducted 4 Five-Year-Reviews (FYR) at the site with the most recent signed by R7 on 7/26/17.
- This latest FYR found the remedial actions implemented at the site remain protective of human health and the environment.

Childhood Blood Lead Testing in Iola, KS

Key Message: EPA and ATSDR are Promoting Voluntary Childhood Blood Lead Testing

- EPA is participating in an ATSDR sponsored event to promote blood lead testing of children from July 27 through August 6 in Iola, KS. ATSDR will have an information booth at the Allen County Fair from July 27 to July 29. EPA will also have a booth to provide information about the soil testing and cleanup activities currently underway in Iola.
- Following the Fair, EPA personnel will accompany ATSDR as they go door-to-door asking parents for permission to test their children who are under 84 months of age.

AMERICAN OVERSIGHT

- Actual blood testing will be performed at Iola High School August 3-6.

Region 7 Hosts 4 State Superfund Program Director Meeting

Key Message: EPA and State Representatives Attend the Semi-Annual Program Meeting

- On July 25-26, EPA Region 7 hosted a 4-State Superfund/Brownfields Program Director meeting at the Regional Office attended by R7, IDNR, KDHE, MDNR, and NDEQ as well as representatives from OSRTI, OEM, FFRRO, and OBLR.
- The first day focused on regional and state updates, brownfields topics, and presentations on Region 7 field support capabilities, land revitalization, state program dashboards, and state LEAN implementation. The second day focused on Superfund emergency response, removal, and remediation and included programmatic updates from EPA HQ, and information sharing discussions on a variety of remedial and removal topics of interest to the states.
- The next 4-State Superfund/Brownfields Program Director meeting is scheduled for January 2018.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 8

Hot Issues

Update on PFC Contamination in Security, Widefield, and Fountain, Colorado.
Key Message: Region 8 staff attended three meetings on July 25, where the Air Force presented the findings of its site inspection report on PFC contamination of groundwater and soil on the Peterson Air Force Base. Colorado Department of Public Health and Environment (CDPHE), El Paso County Public Health, Security Water and Sanitation District, Fountain Water District, state and local elected officals, and Congressional staff were also present at the meetings.

- Approximately 150-200 people attended the open house meeting where the public could ask questions of individual agencies. EPA answered questions about the health advisories for PFOS and PFOA, whether EPA will regulate these chemicals in drinking water, and EPA's role.
- Some members of the public voiced concerns that the EPA wasn't doing more to help remediate contamination or pay for water treatment. Several others thanked the EPA for being engaged and the work we have done to date.
- The Air Force site inspection report confirms that the Air Force is one possible source of PFC contamination in the Widefield Aquifer. The Air Force plans to conduct a phase 2 site investigation starting this fall, and begin remedial work in 2019.
- Region 8 and OLEM have discussed concerns that the Air Force is not proceeding as quickly here as it is at other PFC sites across the country and that the Air Force is only partially reimbursing water systems and households for water treatment costs.
- We are exploring options including engagement between EPA and Air Force senior leadership regarding making the Peterson AFB PFC issues a higher priority due to the large population affected by this site and the high degree of public interest.

Upcoming Public Events

None.

Upcoming Major Decisions

Addressing Air Quality Issues on Uintah and Ouray Reservation

Key Message: (Decision needed from AO) Region 8 is ready to begin working on an Advanced Notice of Proposed Rulemaking for a proposed FIP for the U&O Reservation to address concerns raised by several industry representative and the Ute Tribe.

- Based on preliminary data the Uintah basin would be designated nonattainment in October 2018.
- Industry representatives and the Ute Indian Tribe have emphasized the need for EPA to develop a mechanism to allow EPA to continue to issue minor source permits after nonattainment designation.

AMERICAN OVERSIGHT

- On June 1-2, 2017, EPA R8 met with several industry representatives and the Ute Indian Tribe to discuss options to allow energy production to continue post-nonattainment designation, while also ensuring that new/modified sources do not cause or contribute to ozone exceedances.
- Industry representatives suggested the Advanced Notice of Proposed Rulemaking approach to allow specific comments from stakeholders and to give EPA an opportunity to make revisions prior to formal proposal. The Tribe is supportive of the approach.
- On July 12, 2017, Sarah Dunham and Mandy Gunasekara were briefed on options for moving forward including the Advanced Notice of Proposed Rulemaking.
- This is time sensitive given the time it will take for the ANPR, proposed FIP and final action.

Wyoming Revised Water Quality Standards for Recreation Use
Key Message: (Decision needed from AO) Region 8 is preparing to take action on Wyoming's revised water quality standards in August.

- R8 is finalizing an action letter and decision rationale documents to approve most of Wyoming's proposed waterbody reclassifications from primary to secondary contact recreation (>99% of proposed waterbody reclassifications) with disapproval of 10 waterbody reclassifications (<1%).
- R8, OST, ORC, OGC concur on proposed actions.
- A briefing was provided to OW senior leadership (including Sarah Greenwalt) on July 13, and we are awaiting a decision.

Last Week Highlights

CERCLA Enforcement Team Draws on Letter of Credit for Work Takeover at the Richardson Flat Tailings Site in Park City, Utah.

Key Message: On July 26, 2017, the EPA drew on a $300,000 letter of credit from potentially responsible party United Park City Mines (UPCM) to complete an engineering evaluation/cost analysis (EE/CA) at the Richardson Flat Tailings Site.

- In 2014, EPA and the Natural Resource Trustees entered an Administrative Order on Consent (AOC) for EE/CA and removal action at the Richardson Flat Site.
- Thereafter, UPCM failed to meet key deadlines contained in the AOC, and submitted deficient deliverables.
- In May 2017, EPA issued notice of work takeover, and plans to move forward with completing the EE/CA at the Site.
- UPCM has not invoked dispute resolution with respect to EPA's notice of work takeover.
- Local elected officials have expressed concerns over UPCM's lack of progress and have encouraged EPA to use its CERCLA authorities to expedite this cleanup.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 9

HOT ISSUES

Mexican Border infrastructure: following heavy rains, a sewage pipeline which runs from Mexico northward into the US-side International Treatment Plant in Nogales, Arizona has ruptured. Sewage is spilling into Nogales Wash and the Santa Cruz River near Rio Rico, and delivering a high load of wastewater, grit and sand to the plant. We've conferred with the IBWC, Santa Cruz and Pima Counties, the City of Nogales, Arizona DEQ, the Arizona Emergency Management office, concerned citizens, and Congressional staff. Another storm is expected this weekend; high water levels will continue to make assessment and repair impossible, compounded by water releases from an upstream dam in Mexico. ADEQ and IBWC are taking samples daily. The City and County are requesting emergency funding from the state. Options to repair the problem when waters recede are being considered.

CA Air Monitoring: Gov. Brown this week signed a new law requiring the Air Resources Board to select locations in some of the state's poorest and most polluted neighborhoods to deploy advanced air quality monitoring sensors, then select locations for community emissions reductions programs, which local air districts would be tasked with carrying out. Maximum penalties for air pollution violations are increased. The law also sets a 2023 deadline for upgrading pollution control equipment at refineries and other large facilities. While welcomed by some community leaders, local air districts will need funding for implementation.

New Source Review: no later than Monday of next week, I'll sign a Federal Register notice conditionally approving the Imperial County (CA) New Source Review rule. In so doing, we'll meet the July 31, 2017 consent decree requirement for final action.

EXTERNAL ENGAGEMENT

PSD permit workshop: next Saturday, we'll hold an informational meeting in Palmdale, CA to discuss our proposed approval of the PSD permit for the Palmdale Energy Center, a 645-megawatt natural gas-fired power plant which allows for fast response to varied electrical demand, resulting from changes in available renewable energy.

AMERICAN OVERSIGHT

PAST WEEK HIGHLIGHTS

Regional Haze (NV): I signed the Federal Register notice approving the Nevada Regional Haze Progress Report.

Anaconda Copper Mine (NV): we signed the Record of Decision for this NPL-proposed site, selecting a remedy to close the heap leach pads abandoned by the former owner in 2001. This is but one operable unit at this vast site. The ROD has also been signed by the State of Nevada and BLM. Productive discussions and exchanges of written comments continue with NV DEP and partners regarding draft agreements to defer final NPL listing.

Greener Clean-ups: we provided training for the Los Angeles Dept. of Water and Power on greener cleanups and our Best Management Practices checklist. LADWP is intent on incorporating this into their SOPs, and applying it to current PCB and RCRA remediation. Our ongoing work with NV DEP in using these BMPs has resulted in a well-documented 14% reduction in greenhouse gas emissions from 2012 to 2016.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

REGION 10

Hot Issues

Bristol Bay/Pebble Mine FOIAs (AK): On July 17th, Trustees for Alaska submitted a FOIA to EPA requesting all documents regarding wetlands functional assessments for the proposed Pebble Mine. In addition to this most recent FOIA request, Region 10 is managing four other Bristol Bay/Pebble Mine-related FOIAs: two from the Natural Resource Development Council, one from E&E News and one from the Center for Biological Diversity.

County Commissioners Write to EPA Administrator re: Kalispel Tribe Clean Air Act Redesignation (WA): On July 20th, the commissioners of five north Idaho counties jointly submitted a letter to the EPA Administrator about the Kalispel Tribe's (north of Spokane, Washington) proposal to redesignate its reservation under the Clean Air Act to Class 1 status (the highest level of air quality protection). The letter relayed the commissioners' concerns and requested that EPA stop the process. The Tribe's redesignation proposal reflects their concerns about the air quality impacts of a proposed nearby silicon smelter. A Class I designation may result in the state of Washington developing more stringent CAA permit requirements. The Tribe submitted its proposal to Region 10 in May 2017 has nearly completed of all required elements under the CAA. The next step would be for the Regional Administrator to review the proposal and approve or disapprove within 90 days as required under the CAA.

Upcoming Public Events

Region 10 Dive Team Supports Washington Water Quality Monitoring: On August 1st and 2nd, t he Region 10 Dive Team will provide critical support to the Washington Department of Ecology in decommissioning water quality monitoring instruments in Willapa Bay in southwest Washington. The state has used these instruments to monitor water quality in this productive estuary for more than six years which has assisted them in meeting Clean Water Act requirements and provided valuable information about the role estuaries play in the overall ocean ecosystem.

Tribal Consultation on Salish Sea Statement of Cooperation Action Plan (WA): On August 2nd, EPA Region 10, in coordination with Environment and Climate Change Canada, is hosting a tribal consultation webinar with tribes and first nations on the draft updated Salish Sea Action Plan before the plan is finalized later this summer. The Puget Sound basin is the southern portion of a larger "Salish Sea" basin that extends well into British Columbia. To foster ongoing cross-border communication, EPA and ECCC established the Statement of Cooperation for the Salish Sea in 2000. Every two to three years EPA and ECC update the SOC Action Plan. The updated

AMERICAN OVERSIGHT

plan includes actions for supporting information exchange and strengthening coordination – examples include co-planning the bi-annual Salish Sea Ecosystem Conference and improved information sharing.

Upcoming Major Decisions

Public Notice for Draft NPDES Permit for Liberty Oil and Gas Development Project (AK): On August 4th, Region 10 will issue public notice for a draft Clean Water Act NPDES permit for Hilcorp's Liberty off-shore oil and gas development project concurrent with the release of the Draft EIS. The Bureau of Ocean Energy Management, the lead agency for the EIS, has set a 90-day comment period for the DEIS and scheduled several public meetings and hearings during which Region 10 will also accept comments on the draft NPDES permit. EPA staff also continue to assist BOEM with the joint development of the Biological Assessment to support Endangered Species Act consultation for both the draft EIS and the NPDES permit action. We plan to send the BA to the NOAA Fisheries and the U.S. Fish and Wildlife Service on August 15. Liberty is a major offshore oil and gas development project that includes construction of a manmade gravel island in the Beaufort Sea as the base for drilling.

Alaska Stand Alone Pipeline – CWA Section 404 public notice and supplemental draft EIS: August 14th is the deadline for Region 10 to provide comments on the CWA section 404 public notice and the NEPA supplemental draft EIS for the Alaska Stand Alone Pipeline (ASAP) project. The Alaska District Corps of Engineers is the lead federal agency for developing the SEIS. The ASAP project is proposed to provide natural gas for in-state use and is comprised of a 36-inch pipeline stretching approximately 733 miles from the North Slope to existing pipeline infrastructure in Southcentral Alaska; a 12-inch 30-mile-long lateral supply line to Fairbanks; and a gas conditioning facility (GCF) near Prudhoe Bay. The applicant, the Alaska Gasline Development Corp, has estimated the wetland impacts to be approximately 9,000 acres. Region 10 staff are reviewing these two documents to evaluate whether the applicant's proposal complies with the CWA § 404(b)(1) Guidelines. Preliminary review concerns include identification of the Least Environmentally Damaging Practical Alternative (LEDPA), classification of temporary and indirect impacts in permafrost areas, and most significantly the applicant's proposed mitigation. Previous draft applications had referenced a need for, and intention to use, nearly 23,000 mitigation credits to compensate for the impacts. The applicant currently proposes to compensate for the impacts with 80.78 credits, representing approximately 1% of the proposed impacts. A previous DEIS for this project anticipated compensatory mitigation for all of the impacts, and was rated EO-2 by Region 10 in 2012. Region 10 will coordinate closely with the Office of Water and the Office of Federal Activities on our comment letters.

AMERICAN OVERSIGHT

Last Week Highlights

Northridge Estates Superfund Site Public Results in Local Hiring and Purchasing (OR): Last week Region 10 hosted a community meeting, information session and VIP tour at the Northridge Estates Superfund Site – a major asbestos cleanup in a residential development in southern Oregon. The site has also become a major success story for the Superfund Job Training Initiative program, job creation and local purchasing by cleanup contractors. Currently the site contractor and its primary sub-contractor have 54 employees working at the site with 46 hired locally. Of those local hires, 12 graduated from the JTI and are now performing tasks such as grade engineering, off-road driving, truck driving, flagging, labor and crew leads. In addition, local subcontracts at the site over the past two field seasons represent approximately 78 percent of the total subcontracted expenditures, and 80 percent of all purchases by the contractors (hospitality, materials, etc.) remained in the local community.

Collaborative Inspection Planning with Oregon Department of Environmental Quality: Last week Region 10 staff met with with Oregon Department of Environmental Quality staff to jointly plan industrial stormwater compliance inspections for the remainder of 2017 and into 2018. EPA and ODEQ have been collaborating on inspection coverage for two years due to resource limitations at ODEQ. Based on ODEQ input, EPA inspections will continue to focus on specific geographic areas of concern and facilities that had not been inspected in the last five years.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF WATER

Hot Issues

Waters of the U.S.: The Federal Register published the WOTUS Step 1 proposal on Thursday, July 27, with a thirty-day comment period that ends on Saturday, August 26. We should anticipate requests that we accept comments submitted on Monday, August 28th. EPA and Army staff are working jointly to develop a briefing package for the Administrator that provides potential policy options for the Step 2 proposal in the context of input from federalism consultation and other considerations. A briefing request has been submitted.

Bristol Bay: OW and Region 10 conducted the first two Bristol Bay/Pebble tribal consultation webinars on 7/26 (one for tribes and one for ANCSA corporations). In the tribal webinar, we had fourteen participants representing eight tribal councils/associations and six representatives spoke. None of the speakers expressed support for withdrawing the PD. Most expressed support for EPA's past work in the watershed and emphasized how important the region's fish and water resources are to Alaska Natives. In the ANCSA webinar, representatives from three corporations participated and representatives from two of the corporations spoke. One of the representatives expressed support for providing Pebble additional time to submit a permit application to the Army Corps and specifically expressed support for withdrawing the PD. Representatives for the second corporation expressed support for Pebble submitting a permit application and noted that it continues to work with/for Pebble.

FDF variance request for Duke Energy Edwardsport: In April 2016 Duke Energy submitted an FDF variance request seeking relief from certain limitations included in the 2015 Steam Electric ELG for the Edwardsport IGCC Station facility. EPA Region 5 intends to propose to grant a variance establishing alternative effluent limitations for 2 of the 4 pollutants regulated by the Steam Electric ELG (mercury and TDS) by July 31.

Idaho NPDES Authorization: The Acting Deputy Regional Administrator for Region 10 signed a Federal Register notice on July 17, 2017 indicating that Idaho has submitted an application to administer the NPDES program. This notice will serve as notice of the initiation of the public comment period and notice of public hearings, which will be held at 5 locations in the State during the week of September 11, 2017. It is anticipated that the notice will be published by August 11th, 2017, which would then initiate the comment period on the submission. Idaho is currently one of only four states that are not authorized to administer the NPDES program, the others being New Mexico, Massachusetts, and New Hampshire.

Funding Awarded to the National Rural Water Association for Small Public Water System Technical Assistance: This week EPA is issuing a $4M grant to NRWA to provide training and technical assistance for small public water systems across the country to ensure safe drinking water and address the public health priorities of the Safe Drinking Water Act. EPA's Fiscal Year 2016 appropriation directs the Agency to competitively award $12.688 million to non-profit

AMERICAN OVERSIGHT

organizations to provide training and technical assistance to small public water systems, small wastewater systems and private well owners, located in urban and rural communities throughout the U.S. and its territories. The funding will help provide water and wastewater system staff and private well owners with training and tools to enhance system capacity, and support EPA's continuing efforts to protect public health and promote sustainability in small communities.

AIS denial waiver for the City of Oregon, Ohio: On July 26 EPA denied the State of Ohio's request for a timing availability waiver of the American Iron and Steel requirement for stainless steel grooved couplings for the City of Oregon's Water Treatment Plant Harmful Algal Bloom (HAB) Infrastructure Improvements Project. However, some of the non-domestic couplings were installed prior to the EPA receiving the waiver request; therefore, the EPA did not approve this waiver request.

Strategic Plan for Targeted Outreach to Populations Affected by Lead: As required by the Water Infrastructure Improvements for the Nation (WIIN) Act of 2016, on July 27 EPA released the *Strategic Plan for Targeted Outreach to Populations Affected by Lead* which describes how EPA must contact state and public water systems when EPA receives data that shows elevated lead levels from entities other than states or public water systems. Specifically, EPA must contact the state and public water system when EPA receives non-water system or state derived drinking water data from a household where the results are above 0.015 mg/L. EPA must also work with a state's governor to develop a plan to disseminate the information if the public water system fails to do so. The Strategic Plan also includes additional resources to better support the notification process, including templates for data submission and notices to affected households. To develop the plan, EPA worked collaboratively with stakeholders, including states and owners/operators of public water systems. For more information, visit https://www.epa.gov/dwreginfo/strategic-plan-targeted-outreach-populations-affected-lead.

Last Week Highlights

Kansas Water Main Break and Incident Command System Training: At approximately 4 a.m. Thursday, July 20, 2017 a 20-inch water main break in Emporia, Kansas left 25,000 people without water in the midst of an intense heat wave that saw temperatures soar to 107 F degree. In response to the main break, the Kansas Department of Health and Environment (KDHE) issued a boil water advisory for the public water supply of the City of Emporia; the advisory was lifted this past Sunday morning, July 23. A week prior to the main break, EPA's Water Security Division supported a 4-day Incident Command System (ICS) training for 20 KDHE staff. This EPA-sponsored training was specifically designed to enable more effective response to water-related incidents, and proved both timely and highly beneficial for KDHE staff during the response. Commenting on the training, Cathy Tucker-Vogel, Section Chief of the KDHE Public Water Supply Section said: *"The EPA-sponsored ICS training was invaluable for our recent response to the Emporia water main break. During the activation of the KDHE departmental operations center, our staff trained in ICS were much better prepared to coordinate emergency response operations, including the monitoring of repairs and flushing and disinfection actions. The ICS training was some of the best training that my staff have taken and proved its worth during this event."* WSD also conducted an email push on July 21, 2017, to utilities in 10 Midwestern states, including Kansas, with an EPA Incident Action Checklist

AMERICAN OVERSIGHT

covering actions to respond to and recover from extreme heat impacts.

Clean Water Indian Set Aside Program Tribal Consultation: Last week OW held two formal tribal consultations with about 15 participants on each call to discuss a new authority under EPA's Clean Water Indian Set Aside Program to allocate up to $2 million for training, technical assistance and education for the operation and maintenance of tribal wastewater infrastructure. While there has been such a system for tribal drinking water systems, this is the first time there is a dedicated funding stream for tribal wastewater systems.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF GENERAL COUNSEL

New Judicial Decisions

- On July 24, 2017, the U.S. District Court for the District of Minnesota granted a Motion To Dismiss the Plaintiffs' Amended Complaint without prejudice in *Wilke V. CTW Acquisition*. The court dismissed the RCRA count finding that the Plaintiffs failed to provide the Administrator with pre-suit notice as required by RCRA § 7002(b)(2)(A) and dismissed the state law claim against EPA because Congress has not waived sovereign immunity. The court also dismissed the FTCA claim because the claims cannot be brought against a federal agency such as EPA, but must be brought against the United States.

- EPA successfully defended against the bid protest of SCST Engineering (SCST) before the Government Accountability Office (GAO). SCST alleged that EPA improperly evaluated and then removed SCST from the competition for an approximately $330 million Superfund design and engineering services contract, part of the Agency's new Remedial Action Framework suite of three new Superfund clean-up contracts (worth approximately $3.6 billion in total). GAO denied the protest finding that SCST's arguments lacked merit.

New Complaints Filed

- A petition for review was filed challenging the EPA rule (June 2017) that delays the effective date of the January 2017 Risk Management Program regulations. This petition was filed by 11 state Attorney Generals.

- The Sierra Club and the Environmental Integrity Project filed a Clean Air Act lawsuit asserting that the EPA Administrator has failed to satisfy his obligation to grant or deny a petition to object to a proposed title V operating permit for the Wheelabrator Frackville Energy, Inc., power generating facility. This facility is a coal-fired power plant in Schuykill County, Pennsylvania. The petition underlying this complaint was filed with EPA in October, 2016.

- Ergon-West Virginia, Inc., filed a petition for review of the following EPA final action: Denial of Request for Extension of Small Refinery Temporary Exemption Under the Renewable Fuel Standards Program for Ergon-West Virgian, Inc.'s Newell, WV Refinery.

New Petitions

- Petition to reconsider EPA's decision to grant a waiver of federal preemption for California's diesel nonroad fleet standards, "California State Nonroad Engine Pollution Control Standards; Off-Road Compression Ignition Engines – In-Use Fleets; Notice of Decision," which is currently being challenged in the U.S. Court of Appeals for the Ninth

AMERICAN OVERSIGHT

Circuit, *Dalton Trucking, Inc. v. EPA*, (9th Cir., No. 13-7401).

Upcoming Public Events & Important Meetings in the Next Two Weeks

- Acting General Counsel, Kevin Minoli, is out of the office from July 24 through August 1.

Upcoming Major Deadlines in the Next Two Weeks

07/28 Motion to Govern Further Proceedings is due in *Biogenic CO2 Coalition v. EPA*, a challenge to endangerment finding for GHG from aircraft.

07/28 EPA's Reply Brief is due in *EIP, et al. v. EPA*, a mandatory duty suit regarding the "Morgantown-NRG" Title V petition.

07/28 EPA's Opposition to Plaintiffs' Motion for Summary Judgment and Cross-Motion for Summary Judgment is due in *Clean Water Action, et al. v. EPA*, a challenge to EPA's postponement of certain compliance deadlines in steam electric rule pursuant to APA section 705.

07/28 Brief of the United States is due in response to challenges of the Sixth Circuit's decision that it has exclusive jurisdiction over the Clean Water Rule litigation under Section 509 of the CWA in *National Association of Manufacturers v. Department of Defense et al.*

07/28 EPA's Reply in support of renewed motion for summary judgment is due in *Pulliam v. EPA*, a FOIA case concerning an OIG failure to respond to a request seeking documents related to a possible investigation of Christine Todd Whitman.

07/31 EPA's Response is due in *Center for Biological Diversity, et al. v. EPA*, a case concerning EPA's alleged failure to grant or deny a petition requesting that EPA object to an Authority to Construct/Certificate of Conformity proposed by the San Joaquin Valley Air Pollution Control District for the Alon USA - Bakersfield, California Refinery Crude Oil Flexibility Project, Facility.

07/31 EPA's Notice of final rulemaking to take action on an outstanding SIP submittal for Imperial County, CA for NNSR – Moderate is due in *Center for Biological Diversity, et al. v. EPA*.

07/31 EPA's Answer is due in *Judicial Watch Inc. v. EPA*, a FOIA case related to EPA's alleged failure to respond to a request seeking documents related to the Thunderclap social media platform.

07/31 EPA's Answer or Motion to Dismiss is due in *Confederated Tribes and Bands of the Yakama v. Air Liquide America Corp., et al.*, a CERCLA 107(a) cost recovery action against defendants, including the United States (U.S. Corps of Engineers and U.S. Coast Guard) at the Portland Harbor Superfund Site. NOTE that EPA is not a party; EPA is monitoring closely and working with DOJ because this is a high profile site and EPA may have to file a compulsory counterclaim in the future.

AMERICAN OVERSIGHT

07/31 EPA's Answer due in *Shenandoah Riverkeeper, et al. v. Pruitt, et al.*, an APA challenge to EPA's approval of Virginia's 2014 CWA 303(d) list.

07/31 EPA's Response brief due in *City of Taunton, Mass. v. EPA*, an appeal of nitrogen limits in NPDES permit issued by Region 1.

08/01 EPA's merits brief is due in *State of Utah, et al v. EPA*, a challenge to partial disapproval of Utah's regional haze SIP and promulgation of FIP.

08/02 EPA has a court-ordered telephone mediation in *National Family Farm Coalition, et al., v. EPA,* a case related to EPA's Order granting registration under FIFRA section 3 of Dow AgroScience's "Enlist Duo" herbicide, containing the active ingredients 2,4-D and glyphosate, for use on genetically engineered (GE) corn, cotton and soybean in 34 states.

08/02 Summary judgment brief is due in *U.S. v. Lipar*, *a* challenge to Corps CWA Section 404 enforcement action; EPA is not a party.

08/03 EPA's Reply in Support of Cross-Motion for Summary Judgment is due in *Community In-Power and Development Association, et al v. EPA*, a case alleging that EPA failed to issue standards or final residual risk determinations for various major sources of hazardous air pollutants categories, and to review and revise as necessary emission standards promulgated every 8 years.

08/03 Response to Motion for Summary Vacatur or Stay is due in *American Lung Association v. EPA*, a petition for review of EPA's final action extending the deadline for promulgating initial area designations for the 2015 ozone national ambient air quality standards.

08/03 Reply in support of EPA's Motion to Stay Issuance of the Mandate is due in *Waterkeeper Alliance v. EPA*, a case where the D.C. Circuit vacated the "CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms" rule.

08/03 Reply brief is due in *NRDC, et al. v. Pruitt*, a mandatory duty lawsuit alleging that California water rights permit decisions are new and revised CWA WQS.

08/07 EPA's Response is due in *City of Highland Park v. EPA, et al.*, where plaintiff alleges the EPA failed to fulfill mandatory duty by limiting water rates charged to plaintiff.

08/07 EPA's Response Brief is due in *Marquette Cty. Rd. Comm'n v. EPA, et al.*, a challenge to EPA's objection under CWA Section 404 to a proposed dredge and fill permit in Michigan.

08/09 Oral Argument is scheduled in *Californians for Renewable Energy (CARE), et al. v. Pruitt*, an Administrative Procedures Act ("APA") lawsuit alleges unreasonable delay in

AMERICAN OVERSIGHT

enforcing Title VI of the Civil Rights Act of 1964 and EPA's implementing regulations. The lawsuit includes five unreasonable delay claims based on administrative complaints filed with EPA and one claim alleging a pattern and practice of unreasonable delay.

08/10 EPA's Brief is due in *Montana Environmental Information Center v. EPA*, a petition for review of EPA's final rule: Promulgation of State Implementation Plan Revisions, Infrastructure Requirements for the 2008 Lead, 2008 Ozone, 2010 NO2, 2010 SO2, and 2012 PM2.5 National Ambient Air Quality Standards, Montana.

08/10 Oral Argument is scheduled in *Public Citizen v. Trump, et al.*, a case against multiple federal defendants claiming that EO 13771 violates: (i) separation of powers, (ii) the "take care" clause, and (iii) existing statutory directives by requiring ultra vires considerations in rulemakings, as well as an allegation that the OMB guidance is arbitrary and capricious.

08/10 Status report on whether EPA intends to reconsider its 2015 decision on Maine WQS related to tribal; sustenance fishing in *Maine v. EPA*.

08/11 Answer is due in *Center for Biological Diversity v. EPA*, a FOIA litigation concerning a FOIA request which sought records related to the "revised water quality criteria for cadmium."

08/11 Motion to dismiss a district court lawsuit on jurisdictional grounds is due in *LA Waterkeeper, et al. v. Pruitt*, a challenge to EPA's denial of petition asking EPA to exercise residual designation authority to require NPDES permits for commercial, industrial, and institutional stormwater discharges within two LA-area watersheds.

08/11 EPA's reply to petitioners' motion to show cause as to why the petition for review should not be dismissed is due in *LA Waterkeeper, et al. v. Pruitt, et al.*, a challenge of EPA's denial of its petition asking EPA to exercise its residual designation authority to designate certain commercial, industrial, and institutional sources in two LA watersheds as requiring NPDES permits.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS

- ***Upcoming Hot Issues and Important Deadlines***
  - July 31 – Notification to AG committee staff of Dicamba compliance advisory
  - July 31 – TENATIVE- National Priorities List (NPL) Rollout
  - TBD - Senate Environment and Public Works Committee Hearing on the President's FY 2018 Budget – Agency witness: Administrator Pruitt

- ***Upcoming Events***
  - August 1 - Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Senate Committee on Environment and Public Works will hold a hearing on "Oversight of the U.S. Environmental Protection Agency's Superfund Program."
  - August 2 - Len Ashack, Director of the Wastewater Department, and Dale Orem, Vice President, Sanitary Sewer Board, Jeffersonville, Indiana, will meet with DAA Bennett, Advisor Bangerter, and OGC, OW, OECA, and DOJ, Region V staff to discuss the city's concerns about water infrastructure challenges, including the community's ability to finance Long Term Control Plan (LTCP) and Consent Decree requirements.
  - TBD - CERCLA and EPCRA briefing for staff of Senator John Cornyn

- ***Past week accomplishments***
  - July 24- July 27 Mayor Aquanetta Warren and her team was in Washington, DC. OIR is working with Mayor Warren's staff to arrange a time, determine topics for discussion, and confirm EPA staff participation.
  - Week of July 24- OIR met with Commissioner Nick Fish, Bureau of Environmental Services to discuss the Portland Harbor, Portland, Oregon Superfund Clean-up. Staff from OLEM and Region X and Albert Kelly, Senior Advisor to the Administrator for Superfund joined OIR for the meeting. Jason Minor, Governor Kate Brown's Natural Resources Manager; Kristen Leonard, Port of Oregon's Chief Public Affairs Officer; and, Annie Von Burg, City of Portland, accompanied Commissioner Fish
  - July 27: EPA approved a NOx emissions modification for VW 2L Gen 1 diesel vehicles, which encompass Model Years 2009-2014. For more information please click here: https://www.epa.gov/vw/epa-and-california-air-resources-board-approve-remedy-reduce-excess-nox-emissions-generation-1-20
  - July 27 – Notification on final WIIN lead notification strategic Plan
  - July 27 - Full Committee Markup: H.R. 3387, the Drinking Water System Improvement Act (as well as other non-EPA-relevant bills)
  - July 27 - Ken Wagner, Senior Advisor to the EPA Administrator on State and Regional Affairs spoke at the Western Association of State Departments of Agriculture for their annual meeting in Sun Valley, ID. Topics of interest include WOTUS, pesticide use on cannabis, methyl bromide contamination on Idaho

AMERICAN OVERSIGHT

potato fields, delegation of the NDPES program to Idaho, Yakima Valley nitrate contamination, and other issues identified by R10.
    - July 26 - Briefed House Energy & Commerce and House Transportation & Infrastructure Committee staff on the Superfund program and Task Force.
    - July 21 - The Office of Congressional and Intergovernmental Relations announced a solicitation seeking nominations to fill 10-15 vacancies on the Local Government Advisory Committee (LGAC) and the Small Community Advisory Subcommittee (SCAS). The solicitation for nominations was published in the Federal Register.
    - July 19 - The proposed RFS Proposed Volume Standards for 2018 and the Biomass-Based Diesel Volume for 2019 expected to be published in the Federal Register on July 21 with comments due by August 31.
    - July 19 - Subcommittee on Water Resources and Environment of the House Transportation & Infrastructure Committee held a hearing on "Building a 21st Century Infrastructure for America: Implementation of the Water Resources Reform and Development Act of 2014 and the Water Resources Development Act of 2016."
    - July 21 – Call with SEPW minority staff on Pesticide General Permit

- ***Ongoing activities***
    - Continue to coordinate responses to multiple oversight letters, congressional and gubernatorial correspondence, and FOIA requests. We closed out 22 letters during the previous two weeks. We closed out 5 FOIA's this week.
    - The OIR team is finalizing the PPG Capacity Analysis project outline and will begin a preliminary analysis to identify PPG baseline metrics to determine each state and regions' capacity. The team plans to establish these metrics by late July.
    - OMB asked for comment on S.1460 the *Energy and Natural Resources Act of 2017*. The bill is the successor to Sen. Murkowski and Sen. Cantwell's legislation from the previous Congress. This bill was placed directly on the Senate Calendar for expedited floor consideration. It has 11 titles ranging from energy efficiency to conservation to infrastructure to Native American energy.
    - We are working on a request from CBO about questions on HR3053 Nuclear Waste Policy Amendments Act of 2017

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF INTERNATIONAL AND TRIBAL AFFAIRS

Hot Issues:
None

Upcoming Engagements:
July 31 – Meeting with Japanese Diet and Ministry of Environment to discuss the U.S. position on Paris and environmental policies.

August 14-17 – Tribal Lands and Environment Forum (TLEF) in Tulsa to discuss tribal environmental programs. Representatives from ECOS will participate in a panel session with OITA to discuss EPA and state work with tribes.

Past Week Highlights:
Mexico Meeting
EPA (OAR/OITA) met with Mexico's Deputy Secretary of Planning and Environmental Policy to discuss vehicle emissions standards/regulations. Mexico is currently negotiating with their automobile industry and wants to harmonize their vehicle emissions regulations with the U.S.

- OAR explained that EPA has made a regulatory commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025 and that as a part of this process, EPA is examining a wide range of factors and collecting data from key stakeholders.
- Mexico has adopted new lower sulfur fuel standards that will affect 40% of its diesel production and Pemex will have until 2018 to comply.
- Mexico is also expected to enact heavy duty vehicle standards next month and is pursuing new certification procedures in light of the VW scandal.

Mercury Conference
EPA (OITA) participated in Mercury 2017, a bi-annual conference that brings together scientists and policy makers from around the world to address mercury pollution issues. This year's conference discussed how scientists and policymakers can work together on the implementation of the Minamata Convention on Mercury.

- EPA did a presentation on mercury emissions capture for gold processing shops, which is part of EPA's work to help countries address mercury use in artisanal and small-scale gold mining. The presentation was well attended and led to a request from UN Environment for a display of EPA's mercury capture system at the upcoming Minamata Convention meeting.
- EPA also engaged in panel discussions related to monitoring and effectiveness evaluation, mercury control in China and other key countries, and implementation of the Asia Pacific Mercury Monitoring Network.
- EPA also participated in a side meeting of the Global Mercury Partnership, which includes Japan, to discuss many of the partnership work areas.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

IMPORTANT DEADLINES

TSCA New Chemicals Determinations

Determination Type	Pending on 7/18/2017	Pending on 7/25/2017	Determinations Completed* as of 7/18/2017	Determinations Completed* as of 7/25/2017	Determinations Posted on the Website as of 7/25/17
# of "not likely" determinations	2	1	90	92	90
# of §5(e) Orders signed by both EPA and the submitter	-	-	222	225	219
# of §5(e) Orders signed by EPA and awaiting submitter signature	78	77	-	-	-
# of cases in Order development process	231	231	-	-	-
# of cases flagged for in-depth review	72	71	-	-	-
# of PMNs, SNUNs and MCANs awaiting FOCUS (within 90-day review)	23	21	-	-	-
# of LVE/LOREX exemption grants	-	-	414	414	411
# of LVE/LOREX exemption denials	-	-	99	99	88
Total number of cases	406	401	825	830	-
Backlog	106	101	-	-	-

AMERICAN OVERSIGHT

The total number of 401 cases in process includes 74 cases in which submitters are developing information or conducting testing, and have suspended the review period to allow EPA to re-evaluate the chemical when they provide the data. These cases are in the submitters' courts rather than EPA's. If these cases are subtracted from the 401 total, the number of new chemicals cases under review by EPA is now 327. Including this fact, the real backlog has been reduced to 27 and will be close to zero by the time of the rollout on August 7th.

HOT ISSUES

Reports of Crop Damage from Use of the Pesticide Dicamba

EPA issued a compliance advisory on dicamba in response to recent complaints about crop damage in states like Arkansas, Missouri and Tennessee. As the advisory states, the application of a registered dicamba product during either the cotton or soybean crop growing season is unlawful under FIFRA except when using one of the conditionally registered dicamba products in accordance with their labels. EPA encourages individuals to report suspected crop damage caused by the off-target movement of dicamba to their state's department of agriculture or pesticide regulatory agency.

On July 28, OPP is having a teleconference with Extension Service experts and State Lead Agency representatives to learn more about the observed crop damage to non-target crops from use of dicamba. In late 2016, EPA registered dicamba for use on dicamba-tolerant cotton and soybeans. Monsanto, BASF, and DuPont have dicamba products. Since June 2017, EPA has been receiving reports of a high number of crop damage incidents involving dicamba. The number of complaints is especially high in Arkansas, Missouri, Mississippi and Tennessee. Incidents have also recently been reported in several other states, including those in the north. OPP has met with Monsanto and BASF, and separately met with several state agriculture experts to discuss the reported damage. OPP is working with OECA as the investigation of these reports continues

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF THE CHIEF FINANCIAL OFFICER

Hot Issues

- N/A

Upcoming Public Events

- E-Enterprise roundtable discussion planned for August 17 at the Tribal Lands Environment Forum in Tulsa, OK.

Upcoming Major Decisions

- As a follow-up to the Senior Leadership discussion at the Budget and Planning meeting, OCFO has developed a recommended approach and funding options for Chief of Staff and Acting Deputy Administrator approval. The goal is to obtain decisions before the end of July which supports issuing guidance to the agency and allowing adequate time to prepare the proposed FY 2019 budget due to OMB on September 11.
- Anticipate OCFO will receive draft narratives and strategic measures for development of draft *FY 2018-2022 EPA Strategic Plan* from all programs today. OCFO also expects to receive all initial draft FY 2018-2019 Agency Priority Goal statements/key actions by Monday (7/31). These also will support the FY 2019 budget proposal to OMB.
- OCFO is working with the appropriate NPMs, OGC, OCIR and the Policy Team to review responses to the Senate Appropriations Committee Questions for the Record (QFRs). When ready, OCFO will submit responses to OMB for approval prior to transmittal to the Hill. These responses will be inserted into the Senate hearing record and available to the public.
- In response to a Senate Appropriations Committee request, OCFO will issue a data call soon asking for policy and funding impact statements of the House Appropriations Full Committee proposed FY 2018 bill on EPA's programs. On July 18, the House Appropriations Full Committee proposed funding for EPA within the FY 2018 Interior, Environment and Related Agencies bill at approximately $7.52 billion, $534 million less than the FY 2017 Enacted Budget and $1.869 billion more than the FY 2018 President's Budget. The Senate Appropriations Committee has not scheduled its mark-up and the deadline for the impact statements has not been set. At this time, House Floor Action is still unscheduled.

Last Week Highlights

- Last Thursday (7/20), OCFO sent all responses to House Appropriations Committee Questions for the Record to the Hill. Responses will be inserted into the House hearing record and available to the public.
- OCFO launched the E-Enterprise Regional Coordinator (EERC) network, comprised of representatives from all 10 EPA regional offices. The kick-off provided the opportunity for EERCs to share their E-Enterprise and/or State-related program experience and focused on the flexibility/trade-offs and opportunities available to advance shared (federal/state/tribal)

AMERICAN OVERSIGHT

priorities and E-Enterprise activities and projects.

Other

- OCFO has developed an initial draft FY 2017 Quarter 3 Measures Report, which focuses on displaying results that will help the Administrator and other policy officials quickly assess issues and make adjustments to current strategies, as needed. The draft report will be sent by OCFO to the programs and lead regions for QA/QC review next week. A final Q3 report for the Administrator is expected on August 15.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF LAND AND EMERGENCY MANAGEMENT

Hot Issues

1. National Priorities List (NPL), package of proposed sites and final sites.

2. CCR State Permit Program Guidance.

3. CERCLA 108(b) Financial Assurance for Hard Rock Mining and Mineral Processing.

4. Clean Air Act 112(r) Risk Management Program Rule.

5. Hanford Record of Decision (ROD).

6. Other ongoing major Superfund sites (for example, East Chicago, West Lake, Gold King mine/Bonita Peak, Hudson River, Portland Harbor).

7. CERCLA-EPCRA AFO-CAFO Rule.

8. Definition of Solid Waste (DSW). We are working with OGC to follow up on the DC Circuit's decision. On August 3, we will meet with OMB.

Upcoming Public Events

1. National Priorities List package of proposed and final sites. The proposed and final rules to update the National Priorities List are targeted for public announcement next week.

2. Region 8 Site Visits. Site visits are OLEM senior management will participate in site visits in Colorado next week, including the Gold King Mine.

3. Tribal Lands and Environment Forum (week of Aug 14th, in Tulsa, OK).

Upcoming Major Decisions

1. Hanford ROD. We are working with Region 10 and the AO in preparation to brief the Administrator, targeted for in mid-September.

2. CERCLA-EPCRA AFO-CAFO Rule.

3. CERCLA 108(b) Financial Assurance Rulemaking (Dec. 1 judicial deadline).

4. E-Manifest User Fee Final Rule. We plan to submit the rule package to OMB by August 2.

AMERICAN OVERSIGHT

5. RMP Modernization Rule Reconsideration. OLEM, OGC, and the AO are conferring on next steps and schedule.

Last Week Highlights

1. Superfund Task Force Report. This report was released this week. Implementation is underway.

2. Meeting with Orange County, California. On July 26, OLEM joined the AO in meeting with representatives from the Orange County Water District regarding inclusion of the North Orange County Groundwater Basin (North Basin).

3. General Electric Financial Assurance template. We are conferring with the AO regarding this technical assistance requested by state staff.

4. PHILIS unit. The Portable High Throughput Integrated Laboratory Identification System (PHILIS) mobile lab stationed in Edison, New Jersey, was involved in an accident on July 26. We are assessing the damage and its impact on readiness, and evaluating whether sufficient equipment is available that can be loaded onto another vehicle for positioning in Edison. In the meantime, the PHILIS unit stationed in Castle Rock, Colorado, remains available to respond.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF RESEARCH AND DEVELOPMENT

Today I attended the biannual National Toxicology Program (NTP) Executive Committee meeting and presented a high-level overview of EPA's PFAS activities. ORD's Lynn Flowers discussed ongoing efforts of the Cross-EPA PFAS Human Health Toxicity Workgroup. NTP provided an overview of their PFAS research, and other federal agencies also discussed their PFAS activities.

Hot Issues

Cape Fear PFAS sampling status meeting
On July 26th, ORD hosted a conference call meeting of staff and management involved in the collection of water samples from the Cape Fear River Basin in North Carolina and their analyses for the PFAS, GenX. The meeting brought together project participants from ORD, Region 4, North Carolina Department of Environmental Quality, and North Carolina Department of Health and Human Services. Participants discussed the status of and future plans for the project.

Provisional patent for lead exposure device
ORD has received a provisional patent for a lead exposure assessment device. This new device is very promising for measuring average lead concentrations at a drinking water tap in the home and reducing exposure to lead, a critical concern to the Agency and to water utilities and consumers across the country.

Economic Tradeoffs of Pasture Rotation for Vermont Dairy Farmers
A new project recently launched by Region 1, OW and ORD is assessing the tradeoffs and profitability for a system of pasture rotations for dairy cow grazing in Vermont. The Lake Champlain Dairy Farm Community Sustainability Project is a collaboration to reduce excess phosphorous loading to the Lake Champlain watershed and to comply with Total Maximum Daily Loads. The project will forecast short- and long-term social and economic tradeoffs to small dairy farms in the Lake Champlain watershed undergoing transition to pasture-based operation. Rotational grazing, which can reduce nutrient loading, is an alternative method available for some dairy farm operations. The project includes collaborators from the State of Vermont, the University of Vermont and the Lake Champlain Basin Program.

Upcoming public events

Specialized Training for Office of Pesticide Programs on Thyroid Toxicology
On July 31, ORD scientists will conduct a training session on 'Thyroid Toxicology' for OPP. Thyroid hormones are essential modulators of a wide variety of vertebrate physiological processes. Deficiencies in thyroid hormones, including chemical-induced deficiencies, are known to cause adverse effects in both the developing and adult organism. The lecture topics are tailored to improve the ability of EPA Program Office staff to evaluate data submissions.

Assisting Rural Communities in Puerto Rico with Small Drinking Water Systems
July 31-August 4, ORD, EPA Region 2 and the Inter-American University of Puerto Rico (IAUPR), will evaluate drinking water treatment and monitoring technologies in small

AMERICAN OVERSIGHT

communities near Patillas, PR, for compliance with the Safe Drinking Water Act and contributions to improving public health. The collaborators will train community volunteers to be citizen scientists by demonstrating how to download monitoring results and analyze bacteria samples. The project team will also evaluate two different configurations of biological sand filters for waterborne pathogen removal. This work is being conducted under a MOU between EPA and IAUPR and is associated with a Region 2 RARE Project.

National Water Experts to Share Insights at the Water Security Test Bed
On August 3, ORD is hosting a group of national water system experts to provide independent viewpoints on the concept, approach, implementation and sustainability of the Water Security Test Bed (WSTB). The WSTB, constructed at DOE's Idaho National Laboratory, is a full-scale facility that replicates a typical municipal drinking water piping system. The expert group includes Alan Roberson, Director at the Association of State Drinking Water Administrators, Lisa McFadden, Sr. Program Manager at the Water Environment Federation, Rob Renner, CEO of the Water Research Foundation, and others. The experts' insights will help plan the future use and capabilities of the WSTB including how best to expand its use as a national capability to support the nation's water sector.

Last week Highlights

Region 3 SBIR Workshop
On July 27 EPA Region 3 hosted an SBIR workshop at Villanova University for area small businesses to learn about opportunities to obtain funding to develop and commercialize their technologies. Companies heard from several panels including 1) Federal SBIR agencies on their funding opportunities (EPA, U.S. Department of Energy and U.S. Department of Agriculture), 2) state organizations that support small businesses, and 3) local small businesses that have received SBIR awards. Attendees were able to meet one on one with agencies to pitch their ideas. Acting Regional Administrator Cecil Rodrigues and ORD's Acting Associate Assistant Administrator Mary Ellen Radzikowski provided opening remarks, and April Richards, Program Manager for ORD's SBIR Program, spoke about the program.

Engaging Stakeholders on Innovative Cleanup Technologies
On July 27, the Region 8 Science and Technology Liaison met with the Silverton Planning Commission and other stakeholders to discuss innovative technologies that ORD is evaluating for use at the Bonita Peak Mining District (BPMD) Superfund Site in San Juan County, CO. The site includes the Gold King Mine that spilled wastewater into local waterways in 2015. The meeting is part of a stakeholder-requested series of discussions that will inform the community about work being done in the BPMD.

Community-Focused Exposure and Risk Screening Tool (C-FERST) Training for States
ORD held a C-FERST "train-the-trainer" webinar on July 26 for state environmental and public health staff, part of ORD's partnership with the Environmental Council of States (ECOS) and its research arm, the Environmental Research Institute of the States (ERIS). The webinar is intended to help new users gain a better understanding of the tool and begin to train others to use it. As targeted users of C-FERST, state environmental and public health agency staff are critical for providing user feedback on the tool so that it realizes its full value in helping states and local communities lower public health risks. ECOS/ERIS will be developing case studies with states

AMERICAN OVERSIGHT

that are using the tool. C-FERST is an online information access and mapping tool that offers a suite of resources, including structured community guides, local maps and reports, fact sheets, and links to other public health tools. It provides an easily-accessible resource for public health and environmental protection professionals to explore local-scale sources of exposure and associated risk reduction options.

Mine Tailings: Superfund
On July 20, the Region 7 Superfund and Technology Liaison participated in a meeting with ORD's Engineering Technical Support Center to assist with planning a disposal area for soil containing residual mined metals, known as mine tailings, for the Madison County Mines Superfund Site in Fredericktown, MO. Mine tailings from the site are impacting a nearby lake that serves as a public water supply. ORD's assistance will help Region 7 and local officials identify a disposal location.

New Modeling Tool Makes Significant Advances in Ability to Identify Specific Drinking Water Disinfection Byproducts of Concern
Research has evaluated associations between exposure to chemically treated drinking water, which generally contain numerous disinfection byproducts (DBPs), and reproductive and developmental effects such as still birth, low birth weight, and pregnancy loss. Toxicologists have studied associations between some individual DBPs and these effects, but there are few studies of complex DBP mixtures. This is an area of significant interest to the Office of Water and drinking water providers across the states. A new regression-based modeling tool helps determine which individual chemicals and mixture sub-sets drive adverse health effects, by allowing understanding of their contributions to the toxicity of a complex mixture. This is a critical accomplishment for mixtures toxicology and risk assessment, adding an important tool to the cumulative risk toolbox. Results of this collaborative effort appear in a special issue of the Journal of Environmental Science devoted to DBPs.

Recognition of EPA's Contribution to Million Hearts
ORD received a letter and certificate recognizing our contribution to the Million Hearts initiative from 2012-2016. Our collaboration with HHS CDC/CMS over the last few years has been substantial and ultimately resulted in CDC/CMS adopting a goal of increasing the awareness of the health effects of ambient air particle pollution among health care professionals and their at-risk patients into the new *Million Hearts 2022* program. Including new *Million Hearts* goals to reduce exposure to PM rests largely on ORD science or the science of its STAR grantees and will have a measurable benefit to public health and the wellbeing of Americans

EPA's Report on the Environment
Three new updates to the online Report on the Environment (ROE) were recently released. The latest changes include: 1) three updated video guides to help navigate the website, 2) new drinking water "Featured Indicator" on the home page, and 3) updated data for 31 indicators. EPA's ROE — released in 2015 — is an interactive resource that shows how the conditions of the environment and human health in the United States are changing over time. Over 80 indicators, detailing the status or trend of various aspects of the nation's environment or human health, are organized into five themes—Air, Water, Land, Human Exposure and Health, and Ecological Condition. http://www.epa.gov/roe.

AMERICAN OVERSIGHT

Collaborative EPA/NOAA/USGS/NASA publication on identifying CyanoHABs in inland waterbodies using satellite remote sensing

The recent publication in *Harmful Algae*, A method for examining temporal changes in cyanobacterial harmful algal bloom spatial extent using satellite remote sensing, focuses on quantifying spatial extent of cyanoHABs in US lakes. This is the companion Ecological Indicators manuscript on the frequency reporting method for drinking and recreational waters.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF ENVIRONMENTAL INFORMATION

Hot Issues

NA

Upcoming Public Events

NA

Upcoming Major Decisions

NA

Last Week's Highlights

e-Manifest TechStat review with OMB

- Brief description: On Monday, July 24, OEI held a TechStat review on the e-Manifest system with OMB and OLEM. Other offices in attendance included OARM and OCFO. The purpose of the meeting was to ensure the successful launch of the e-Manifest system in June 2018. The primary points of discussion centered around the roll-out strategy, governance, functionality, and helpdesk support. OEI is coordinating agreement on follow-up items with OMB. These follow-up items will be incorporated into ongoing project operations and oversight.
- Who benefits or cares: Hazardous waste generations, transporters, and Treatment, Storage, Disposal facilities along with States and EPA will be key beneficiaries of the e-Manifest system.
- Why this is important: This TechStat review was mandated by OMB to highlight/resolve key issues that could potentially interfere with a successful 2018 launch.
- Additional information: Key contact for OEI on the TechStat is Elena Larsen. Key contact for OLEM on the overall project is Stephen Donnelly.

Customer Satisfaction Survey Confirms TRI-MEweb 2.0 a Success

- Brief description: OEI recently completed a customer satisfaction survey to weigh the impact of recent improvements to TRI-MEweb, the system used by facilities to prepare and submit Toxics Release Inventory (TRI) reporting forms.
    - 82% of respondents thought TRI-MEweb 2.0 was easier to use than the legacy version.
    - 66% preferred it to the legacy version.
- Who benefits or cares: TRI-regulated facilities; the EPA's TRI Program; states, tribes, territories and local communities and governments; and the general public
- Why this is important: The improvements make the TRI reporting process easier for industry while improving data quality and increasing the speed of TRI reporting for

AMERICAN OVERSIGHT

public release.

- Additional information:
    - The redesigned TRI-MEweb 2.0 platform included additional Central Data Exchange (CDX) services—text message identity verification, obtaining access key directly from TRI-MEweb, enabling dual role certification, enhanced error checking protocols and TRIFID synchronization web services.

Cross-Media Electronic Reporting Rule (CROMERR) Program Streamlining Efforts Pay Off with New Record

- Brief description: Last week, the results of the CROMERR Program's years of process improvement and streamlining efforts helped the program shatter all recent records: the Virgin Islands Department of Planning & Natural Resources' (VI DPNR) National Pollutant Discharge Elimination System (NPDES) e-Reporting Tool (NeT) application achieved CROMERR approval in just 12 days. It typically takes between 4-6 weeks to gain approve.
- Who benefits or cares: The EPA's state, tribe and local government partners authorized to administer EPA programs; regulated entities that report to and submit documents to the EPA
- Why this is important: CROMERR allows state, tribal and local governments to submit a single, consolidated application for multiple authorized programs while ensuring the electronic submittal has the same level of legal dependability as the corresponding paper submittals.
- Additional information:
    - CROMERR provides the legal framework for electronic reporting under the EPA's regulatory programs.
    - The applicant took advantage of every opportunity in CROMERR's streamlined approval process by opting to use the Attorney General Certification on file at the EPA and relying on the Central Data Exchange (CDX) Shared CROMERR Services (SCS). The applicant was only required to submit a one-page cover sheet application also.

Meeting with Director of Nebraska Department of Environmental Quality on Laws and Regulations Services (LRS)

- Brief description: On July 18, OEI met with the Director of the Nebraska Department of Environmental Quality to discuss the EPA's LRS and how it might be used by Nebraska and other states and tribes to improve regulatory management and compliance.
- Who benefits or cares: Region 7 employees and managers; states, tribes and other regulatory agencies; and the general public
- Why this is important: Using LRS may help improve regulatory management and compliance while reducing burden on the regulated community.
- Additional information:
    - Nebraska is interested in integrating the LRS web service into various applications it uses around permitting, compliance and information management.

AMERICAN OVERSIGHT

They may also map their state laws and regulations to the federal laws and regulations, which have the potential to reduce burden on reporters in their state.

EJSCREEN Receives Special Achievement in Geographic Information Systems (GIS) Award

- Brief description: The EPA's EJSCREEN received a Special Achievement in GIS award at the 2017 Esri User Conference.
- Who benefits or cares: The general public, GIS users and Esri Conference attendees
- Why this is important: This award is given to user sites around the world to recognize outstanding work with GIS technology. The EPA stood out from more than 100,000 others.
- Additional information:
    - EJSCREEN is an environmental justice mapping and screening tool that provides the EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators.
    - EJSCREEN was developed in collaboration between the Office of Environmental Information (OEI) and the Office of Enforcement and Compliance Assurance's (OECA) Office of Environmental Justice (OEJ)
    - Esri is an industry leader in blending mapping and analytics to create and supply GIS software, web GIS and geodatabase management applications.

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF AIR AND RADIATION

Upcoming Hot Issues and Important Deadlines

- Proposed Rules under review at OMB:
  - Municipal Solid Waste (MSW) Landfills New Source Performance Standards (NSPS) and Emission Guidelines (EG)
  - Review of the Clean Power Plan
- Sulfur Dioxide (SO2) Designations: Per a court order, we have a December 31, 2017, deadline to promulgate final SO2 area designations for Round 3 (which includes modeled areas and areas without monitors). To meet this deadline, the Regional Administrators will need to send 120-day letters to the States in early August in which we will notify the States of any intended modifications to their attainment/nonattainment recommendations

Upcoming Meetings, Public Events, or Other Public Releases

- Renewable Fuel Standard (RFS) public hearing: We will be holding a public hearing next Tuesday, August 1, for the proposed 2018 RFS standards. The hearing will be here in D.C.
- 2017 Center for Automotive Research (CAR) Management Briefing Seminars: Next Monday and Tuesday, CAR will host management briefing seminars in Traverse City, Michigan for executive management from automakers and suppliers, academia, labor, government and trade press. On Tuesday, the Director of the Office of Transportation and Air Quality, Chris Grundler, will participate in a moderated discussion.
- Air Quality Trends through 2016: Next week we plan to post on-line an update to the trends report to reflect air quality monitoring data through 2016

Upcoming Decisions

- For Administrator's Signature – Title V Petition Response for Alon: We have a July 31st deadline for signature on a response to a request that EPA object to a title V operating permit issued to the Alon USA-Bakersfield Refinery (located in California). The package is in the Administrator's office for review.
- For Administrator's Signature - Phosphoric Acid Manufacturing and Phosphate Fertilizer Production Risk and Technology Review (RTR): This final rule responds to two petitions for reconsideration filed by industry stakeholders on the RTR. The package is with OP for review.
- For Administrator's Signature – Procedure 6 Technical Amendments: This final rule makes technical amendments to Procedure 6 to resolve some minor inconsistencies between the initial proposal and final publication. (Procedure 6 specifies the minimum requirements necessary for control and assessment of the quality of continuous emission monitoring systems data submitted to EPA and used for hydrogen chloride emissions compliance determination at stationary sources). The package is with OP for review.
- For Administrator's Signature – Refrigerant Management Regulations for Small Cans of Motor Vehicle Refrigerant: This direct final rule and parallel proposal corrects a potential conflict in a November 2016 final rule that updated EPA's refrigerant management regulations. The package is with OP for review.

AMERICAN OVERSIGHT

- For Administrator's Signature – Revisions to Procedure 2 – Quality Assurance Requirements for Particulate Matter (PM) Continuous Emission Monitoring Systems (CEMS) at Stationary Sources: This rule finalizes the changes to Procedure 2 - related to PM CEMs - that were proposed on November 21, 2016, and responds to the adverse comment received in response to the proposal and direct final rule. Industry has asked for the revisions to this rule. The package is with OP for review.
- For Administrator's Signature – Proposed Rule to Approve Request from Louisiana to Relax the Summer Gasoline Volatility Standards for Certain Areas in the State: This proposal, when finalized, will approve the State of Louisiana's request to relax the Federal Reid Vapor Pressure (RVP) gasoline standard from 7.8 pounds per square inch (psi) to 9.0 psi for 11 Louisiana parishes that currently meet the ozone National Ambient Air Quality Standards (NAAQS). The package is with OP for review.
- For Administrator's Signature – Proposed Amendments to the Amino/Phenolic Resins Risk National Emission Standards for Hazardous Air Pollutants (NESHAP): This proposal is in response to petitions for reconsideration and would seek public comment on proposed amendments to the emissions standards for continuous process vents at existing facilities; proposed provisions for storage tanks; and whether it is necessary to extend the current compliance deadline of October 9, 2017 for facilities to comply with the proposed revised standards. The package is with OP for review.

Recap of the Past Week

- Actions signed or expected to be signed this week:
    - Off-Site Waste and Recovery Operations (OSWRO) proposed amendments.
    - Technical Correction to Revisions to Test Methods, Performance Specifications, and Testing Regulations for Air Emission Sources

AMERICAN OVERSIGHT

WEEKLY REPORT – 07/28/2017

OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT

Hot Issues

VERA/VSIP
The application deadline expired at 11:59pm EST on Wednesday, July 26, 2017 for eligible employees to submit a VERA/VSIP application. There were 483 applications received with the following breakdown:

Program	Total	Region	Total
AO	14	Region 1	27
OAR	4	Region 10	7
OARM	31	Region 2	9
OCFO	17	Region 3	59
OCSPP	15	Region 4	28
OECA	48	Region 5	32
OEI	17	Region 6	39
OGC	2	Region 7	33
OITA	3	Region 8	4
OLEM	20	Region 9	16
ORD	33		
OW	25		Total: 483

Next Steps: These employees will receive letters informing them of their eligibility by August 9. Employees must separate from the EPA by September 2.

Upcoming Public Events

None

Upcoming Major Decisions

National Honor Awards
Acting Assistant Administrator Donna Vizian and the Office of Human Resources staff met with Chief of Staff Ryan Jackson on Thursday, July 13, 2017, to brief him on the 2016 national honor awards recommendations, the separately paneled awards, and appeals for reconsideration. The 2016 national honor awards are pending approval of the Administrator.

AMERICAN OVERSIGHT

Last Week's Highlights

Debarment & Pending Litigation
Technical Testing International (TTI) is a laboratory services company located in Arlington, Texas that has received contracts to provide laboratory data to entities that are recipients of EPA grants. The EPA debarred TTI and its owners, Meera Pabley and Hardeep Pabley from participating in federal procurement and non-procurement programs for a period of one year. The debarments stemmed from the lab's use of improper laboratory procedures (e.g., falsifying laboratory test results and failing to properly train laboratory employees).

TTI, Meera Pabley, and Hardeep Pabley (Plaintiffs) challenged their debarments in U.S. District Court in the Northern District of Texas. The Plaintiffs requested that the Court preliminarily enjoin the enforcement of their debarments. The Plaintiffs challenged their one year debarments under the Administrative Procedures Act (APA) and have also alleged that they were denied due process of law in the EPA debarment proceedings. On July 21, 2017, a Magistrate Judge recommended to the Court that Plaintiffs' motion for preliminary injunction should be denied because they failed to meet their burden to show a likelihood of success on the merits of their APA claim and the due process claim. The litigation is ongoing. The EPA Suspension and Debarment Program will continue to coordinate with the EPA Office of General Counsel and the U.S. Attorney's Office for the Northern District of Texas to defend the EPA actions.

AMERICAN OVERSIGHT

WEEKLY REPORT – 7/28/2017

OFFICE OF POLICY

Documents Sent to the Office of the Federal Register July 21 – July 27, 2017

FRL	Title	Date Submitted to OFR
9964-99-Region 2	Proposed CERCLA Cost Recovery Settlement for the Computer Circuits Superfund Site, Hauppauge, Suffolk County, New York	7/26/2017
9965-45-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Maryland; Regional Haze Best Available Retrofit Technology Measure for Verso Luke Paper Mill	7/25/2017
9965-46-Region 3	Approval of California Air Plan Revisions, Antelope Valley Air Quality Management District	7/25/2017
9965-47-Region 2	Approval and Promulgation of Implementation Plans; New York; Regional Haze Five-Year Progress Report State Implementation Plan	7/25/2017
9965-48-Region 2	Approval and Promulgation of Implementation Plans; New Jersey; Regional Haze Five-Year Progress Report State Implementation Plan	7/25/2017
9965-37-Region 8	Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Revisions to Air Pollution Control Rules	7/25/2017
9965-39-OW	Request for Scientific Views: Draft Updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater	7/25/2017
9965-40-OA	Notification of a Public Teleconference of the Chartered Clean Air Scientific Advisory Committee (CASAC) and the CASAC Secondary National Ambient Air Quality Standards Review Panel for Oxides of Nitrogen and Sulfur	7/25/2017
9965-31-OLEM	National Priorities List	7/21/2017
9965-36-OLEM	National Priorities List	7/21/2017
9965-49-Region 4	Coronet Industries Settlement	7/21/2017
9965-29-Region 4	Air Plan Approval; Kentucky; Revisions to Louisville; Definitions	7/21/2017

AMERICAN OVERSIGHT

9965-30-Region 4	Air Plan Approval; Kentucky; Revisions to Louisville; Definitions	7/21/2017
9964-22-OCSPP	TSCA Inventory Notification (Active-Inactive) Requirements	7/21/2017
9958-88-OAR	Notice of Opportunity to Comment on an Analysis of the Greenhouse Gas Emissions Attributable to Production and Transport of Beta vulgaris ssp. vulgaris (Sugar Beets) for Use in Biofuel Production	7/21/2017
9963-89-Region 1	Air Plan Approval; CT; Reasonably Available Control Technology for the 2008 Ozone Standard	7/21/2017
9965-23-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Maryland; Requirements for Continuous Emission Monitoring	7/21/2017
9963-04-OCSPP	Ametoctradin; Pesticide Tolerance	7/21/2017
9963-22-OCSPP	Fenpyroximate; Pesticide Tolerances	7/21/2017
9963-30-OCSPP	Certain New Chemicals or Significant New Uses; Statements of Findings for April 2017	7/21/2017
9963-50-OCSPP	Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities	7/21/2017
9963-51-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	7/21/2017
9963-52-OCSPP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients	7/21/2017
9963-92-OCSPP	Certain New Chemicals or Significant New Uses; Statements of Findings for May 2017	7/21/2017
9965-32-Region 9	Sycamore Removal Site, Hollywood, CA; Notice of Proposed Settlement Agreement and Order on Consent	7/21/2017
9965-33-Region 9	525 South Flower Street, Burbank, California; Notice of Proposed CERCLA Administrative Settlement Agreement	7/21/2017
9965-17-OA	Notification of a Public Meeting of the Chartered Science Advisory Board	7/21/2017
9965-22-OW	Notice of Open Meeting of the Environmental Financial Advisory Board (EFAB)	7/21/2017
9965-24-Region 4	Air Plan Approval; Georgia; Miscellaneous Revisions	7/21/2017

AMERICAN OVERSIGHT

9965-25-Region 4	Air Plan Approval; Georgia; Miscellaneous Revisions	7/21/2017
9964-15-OCSPP	Tolpyralate; Pesticide Tolerances	7/21/2017
9960-37-OCSPP	Topramezone; Pesticide Tolerances	7/21/2017
9961-77-OCSPP	Pseudomonas Chlororaphis Strain AFS009; Exemption from the Requirement of a Tolerance	7/21/2017
9962-96-OCSPP	Fenamidone; Pesticide Tolerances	7/21/2017
9965-28-OAR	Review of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen	7/20/2017
9931-91-OEI	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Wisconsin	7/20/2017

WEEKLY REPORT – 7/28/2017

OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

Hot Issues

Volkswagen Civil Litigation: EPA and the California Air Resources Board (CARB) have completed their testing and technical review of Volkswagen's proposed emissions modification for the Generation 1, 2.0 Liter Subject Vehicles. This is the largest group of the 2.0 liter vehicles included in the 2.0 Liter Partial Consent Decree entered on October 25th, 2016. EPA and CARB issued a joint approval of the emissions modification on July 27th. Now, Volkswagen will provide consumer notices and proceed with the claims process laid out in the Consent Decree and related consumer settlements. The owners of these vehicles may choose to have Volkswagen either buy back their vehicle or apply the now-approved emissions modification.

Upcoming Public Events

Meeting with the Department of Energy, States, and ECOS: On August 10th, representatives from EPA (OECA, OLEM, Regions 4, 6 and 10), the Department of Energy (DOE), states, and the Environmental Council of the States (ECOS) will attend a Dialogue Meeting in Los Alamos, New Mexico. The purpose of the meeting is to improve relationships among the parties to ensure that complex DOE cleanups are progressing as quickly and efficiently as possible. The August meeting is a follow-up discussion to an Oak Ridge, TN Dialogue Meeting held in February 2017, where the group discussed partnering among DOE, EPA and the states; key performance measures; and DOE's budget planning process. Agenda topics for the August meeting include: EPA's 30-Day Superfund Task Force, DOE's 45-Day Review, Partnering, DOE's Budget Process, and Regulatory Agreements.

OECA DAA to Speak at 29th Annual Texas Environmental Superconference: On August 4th, Patrick Traylor, OECA's Deputy Assistant Administrator, will speak on a panel at the Texas

AMERICAN OVERSIGHT

Environmental Superconference in Austin, Texas, hosted by the State Bar of Texas, Environment & Natural Resources Law Section. Patrick will speak about a range of environmental enforcement issues, along with Avi Garbow, former EPA General Counsel, John Cruden, former Assistant Attorney General for the Department of Justice Environment and Natural Resources Division, and a member of the leadership team at the Texas Commission on Environmental Quality.

Upcoming Major Decisions

None.

Last Week's Highlights

Federal Mining Dialogue Enforcement Coordination Group Meeting: On July 26th, the Federal Mining Dialogue Enforcement Coordination Group, consisting of representatives from EPA, the Department of Interior, and the USDA's Forest Service, held its quarterly meeting. At the meeting, EPA provided a summary of the Agency's Superfund Task Force Recommendations Report, and identified specific recommendations that may be conducive to collaboration among federal agencies. These will be discussed in more detail at the next quarterly meeting in October 2017.

The mission of the Enforcement Coordination Group is to work collaboratively to coordinate the use of enforcement tools to maximize the efficiency and effectiveness of cleanups and enforcement at mining sites that are on private and federal lands (i.e., "mixed ownership" mining sites). The member agencies/departments have committed to sharing information on potentially responsible parties and coordinating enforcement efforts, where possible, at these mixed ownership mining sites. In addition, the members have agreed to explore legal mechanisms such as Memoranda of Understanding, Interagency Agreements, and instruments for re-delegation of CERCLA authorities, to optimize efficiencies.

Centaur Insurance Receivership Settlement: On July 12th, the Circuit Court of Cook County, Illinois approved a settlement agreement between the United States and the Centaur Insurance Company to resolve EPA's CERCLA claims against Centaur (the insurance provider to LCP Chemicals, Inc.). An insurance receivership is a state-controlled process whereby an insurance receiver supervises the distribution of insurance proceeds of an undercapitalized carrier pursuant to the insurance code of the particular state jurisdiction. Centaur originally entered into receivership proceedings in 1987 in the State of Illinois. EPA's claims were based on LCP's CERCLA liability at three Superfund sites: the LCP Chemicals Site in Brunswick, Georgia; the Hanlin-Allied-Olin Superfund Site in Moundsville, West Virginia; and the LCP Chemicals, Inc. Superfund Site in Linden, New Jersey. Under the settlement, Centaur will pay EPA $8,750,000, to be allocated to the three sites evenly. For two of the sites, the funds are critical to complete cleanup; at the third site the funds will be used in conjunction with other private party cleanup efforts.

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Hanson, Andrew
Sent: Fri 7/7/2017 1:30:39 PM
Subject: Use/forward this one
WOTUSFedCommentsByState.docx

From: Bennett, Tate
Sent: Friday, July 07, 2017 9:03 AM
To: Hanson, Andrew <Hanson.Andrew@epa.gov>
Subject: Re: WOTUS letter from Cmsr Pigott (IN)

I know! Sarah pinged me asking for our numbers bc we (you) did a better job aggregating.

On Jul 7, 2017, at 8:50 AM, Hanson, Andrew <Hanson.Andrew@epa.gov> wrote:

> Hey –
>
> The attached is current….most of what is trickling in at this point has already been received/logged by the portal/docket. OWOW is currently developing its substantive review/overview.

> **From:** Bennett, Tate
> **Sent:** Thursday, July 06, 2017 8:59 PM
> **To:** Hanson, Andrew <Hanson.Andrew@epa.gov>
> **Subject:** Fwd: WOTUS letter from Cmsr Pigott (IN)
>
> Need to catch up with you on these! Sorry I missed you today! :(
>
> Begin forwarded message:
>
> **From:** "Barbery, Andrea" <Barbery.Andrea@epa.gov>
> **To:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Cc:** "Bowles, Jack" <Bowles.Jack@epa.gov>, "Osinski, Michael" <Osinski.Michael@epa.gov>, "Borum, Denis" <Borum.Denis@epa.gov>, "Hanson, Andrew" <Hanson.Andrew@epa.gov>, "Beckmann, Ronna Erin" <beckmann.ronna@epa.gov>, "Fortin, Denise" <Fortin.Denise@epa.gov>, "Deamer, Eileen" <deamer.eileen@epa.gov>

AMERICAN OVERSIGHT

Subject: WOTUS letter from Cmsr Pigott (IN)

Hi Tate,

Attached and in your inbox is a June 19, 2017 letter from Indiana DEM Commissioner Pigott on WOTUS (AX-17-001-0549).

Thanks,
Andrea
202-564-1397

-----Original Message-----
From: cmsadmin@epa.gov [mailto:cmsadmin@epa.gov]
Sent: Tuesday, June 27, 2017 4:33 PM
To: Eades, Cassaundra <Eades.Cassaundra@epa.gov>; Scott, Sonya <scott.sonya@epa.gov>; Labbe, Ken <Labbe.Ken@epa.gov>; Bowles, Jack <Bowles.Jack@epa.gov>; Wilkes, Quianna <Wilkes.Quianna@epa.gov>; Mims, Kathy <Mims.Kathy@epa.gov>; Scales, Wuanisha <Scales.Wuanisha@epa.gov>; Tillery, Loreto <Tillery.Loreto@epa.gov>; Banks, Portia <Banks.Portia@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Hannon, Arnita <Hannon.Arnita@epa.gov>; Barbery, Andrea <Barbery.Andrea@epa.gov>; Cook-Shyovitz, Becky <Cook-Shyovitz.Becky@epa.gov>; Cheatham-Strickland, Latonia <Cheatham-Strickland.Latonia@epa.gov>; Nitsch, Chad <Nitsch.Chad@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kuhn, Kevin <Kuhn.Kevin@epa.gov>
Subject: CMS New Assignment - Jacqueline Leavy - AX-17-001-0549

Control AX-17-001-0549 has been assigned to your office on 6/27/17 4:33 PM by Jacqueline Leavy. Please go to the CMS webpage to view the details of the control.

Summary Information -
Control Number: AX-17-001-0549
Control Subject: Waters of the United States
From: Pigott, Bruno L.

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at https://cms.epa.gov/cms. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.

<WOTUSFedCommentsByState.docx>

AMERICAN OVERSIGHT

WOTUS Commenters as of C.O.B. July 6, 2017

At a glance: **19 Governors**
2 Lieutenant Governors
20 Attorneys General (all signed one letter)
18 Intergovernmental Associations
60 cabinet-level state agencies

ALABAMA

Attorney General Steve Marshall
Alabama Department of Agriculture

ALASKA

Governor Bill Walker
Attorney General Jahna Lindemuth

ARIZONA

Governor Doug Ducey
Apache County, District 3
Eastern Arizona Counties Organization
Gila County Board of Supervisors (Cline)
Gila County Board of Supervisors (Humphrey)
Gila County Board of Supervisors (Martin)
**Gila County Board of Supervisors letter with 3 signatures
Graham County Board of Supervisors
Greenlee County Board of Supervisors
Navajo County Board of Supervisors (Thompson
Navajo County Board of Supervisors (Whiting)
Pima County

ARKANSAS

Governor Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Department of Agriculture
Benton County (judge)
Boone County (judge)
Carroll County (judge)

AMERICAN OVERSIGHT

Craighead County (judge)
Faulkner County (justice of the peace)
Greene County (judge)
Hot Spring County (Dist 10 justice)
Logan County, (Dist 2 & 3 justice)
Logan County (Dist 5 justice)
Marion County (judge)
Mississippi County (judge)
Newton County (judge)
Poinsett County (judge)
Polk County (judge)
Pope County (Dist 6 & 9 justice)
Pulaski County (justice)
Saline County (judge)
Searcy County (clerk)
Sebastian County (judge)
Sebastian County (Dist 10 justice)
Stone County (Clerk)

CALIFORNIA

Association of California Water Agencies
California Association of Sanitation Agencies
California Department of Transportation
California Storm Water Quality Association
City of Azusa (city mgr)
City of Corona (city mgr)
City of Lake Forest (env. mgr)
City of Manteca (mayor)
City of San Juan Capistrano (city mgr)
City of Santa Ana (engineer)
Del Norte County Board of Supervisors
Elsinore Valley Municipal Water District
La Mesa (Helix) Water District
Los Angeles County Department of Public Works
Orange County Public Works
Riverside County Flood Control District
Rural County Representatives of California
San Diego County Water Authority
San Diego County Planning and Development Services
San Gabriel Valley Council of Governments
Sanitation Districts of Los Angeles County
Santa Fe Irrigation District
Santa Margarita Water District
Tuolumne County Board of Supervisors
Western Municipal Water District

AMERICAN OVERSIGHT

COLORADO

**Joint letter: Colorado Department of Agriculture
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
City of Aurora Water Administration
Huerfano County Water Conservation District
Northwest Colorado Council of Governments
Pitkin County (attorney)

CONNECTICUT

Connecticut Department of Energy and Environmental Protection

FLORIDA

Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection
Charlotte County Board of Commissioners

GEORGIA

Attorney General Christopher Carr
Georgia Department of Natural Resources

HAWAII

Governor David Ige

IDAHO

Governor Butch Otter **joint letter with
Idaho Department of Agriculture
Idaho Department of Water Resources
Idaho Association of Counties

ILLINOIS
Illinois Environmental Protection Agency

AMERICAN OVERSIGHT

INDIANA

Attorney General Curtis Hill, Jr.
Indiana Department of Environmental Management
Association of Indiana Counties
County Supervisors Association of Indiana
Blackford County Surveyors
Hamilton County Surveyors
Hancock County Surveyors

IOWA

Governor Kim Reynolds **joint letter with Lt. Governor Adam Gregg
Buchanan County

KANSAS

Governor Sam Brownback
Attorney General Derek Schmidt

KENTUCKY

Attorney General Andy Beshear
Energy and Environment Cabinet (Secretary)

LOUISIANA

Attorney General Jeff Landry
Louisiana Department of Environmental Quality (Secretary)
Jefferson Parish Department of Environmental Affairs

MAINE

Governor Paul LePage

MASSACHUSETTS

Massachusetts Department of Environmental Protection

AMERICAN OVERSIGHT

MICHIGAN

Attorney General Bill Schuette
**Joint letter: Michigan Department of Agriculture and Rural Development and
Michigan Department of Environmental Quality

MINNESOTA

**Joint letter: Minnesota Department of Natural Resources
Minnesota Pollution Control Agency

MISSISSIPPI

Governor Phil Bryant
Forrest County (supervisor)

MISSOURI

Governor Eric Greitens **joint letter with
Missouri Department of Natural Resources
Attorney General Josh Hawley

MONTANA

Montana Department of Environmental Quality, Department of Natural Resources and Conservation

NEBRASKA

Governor Pete Ricketts **joint letter with
Nebraska Department of Agriculture
Nebraska Department of Environmental Quality
Nebraska Department of Natural Resources

NEVADA

Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Nevada Division of Environmental Protection
Nevada Association of Counties
Clark County Regional Flood Control District

AMERICAN OVERSIGHT

Humboldt River Basin Authority

NEW HAMPSHIRE

Governor Chris Sununu

NEW MEXICO

New Mexico Department of Agriculture

NEW YORK

New York State Department of Environmental Conservation

NORTH CAROLINA

Lieutenant Governor Dan Forest
North Carolina Department of Environmental Quality (Secretary)

NORTH DAKOTA

Governor Doug Burgum
Attorney General Wayne Stenehjem

OHIO

Attorney General Mike DeWine
Ohio Environmental Protection Agency
Ohio Department of Transportation
Ohio Department of Agriculture
Ohio Department of Natural Resources, Division of Mineral Resources
Ohio Department of Natural Resources, Division of Oil and Gas Resources Management

OKLAHOMA

Attorney General Mike Hunter
**Joint letter: Commissioner of Agriculture
Secretary of Energy and Environment
Secretary of Transportation

AMERICAN OVERSIGHT

OREGON

**Joint letter Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Forestry
Oregon Department of State Lands
Jackson County Road Department
Yamhill County Commission

PENNSYLVANIA

**Joint letter: Pennsylvania Department of Agriculture
Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Department of Environmental Protection
Pennsylvania Fish and Boat Commission
Pennsylvania Department of Transportation (nat res. staff)

SOUTH CAROLINA

Governor Henry McMaster
Attorney General Alan Wilson
Dorchester County Administrator

SOUTH DAKOTA

Attorney General Marty Jackley
South Dakota Department of Environment and Natural Resources
Pennington County Board of Commissioners

TENNESSEE

**Joint letter: Tennessee Department of Agriculture and
Tennessee Department of Environment and Conservation

TEXAS

Attorney General Ken Paxton
Railroad Commission of Texas (All three commissioners)
Texas Commission on Environmental Quality
Texas Department of Agriculture
Texas Department of Transportation
Texas General Land Office

AMERICAN OVERSIGHT

UTAH

Attorney General Sean Reyes
Public Lands Policy Coordination Office (director)
Duchesne County Commission

VIRGINIA

Commonwealth of Virginia Department of Agriculture and Consumer Services
Spotsylvania County (engineer)

WASHINGTON

Washington Department of Ecology

WEST VIRGINIA

Attorney General Patrick Morrisey
West Virginia Department of Environmental Protection

WISCONSIN

Attorney General Brad Schimel
Wisconsin Department of Natural Resources

WYOMING

Governor Matt Mead
Wyoming Association of Conservation Districts
Wyoming County Commissioners Association
Wyoming Department of Environmental Quality
Wyoming Coalition of Local Governments

INTERGOVERNMENTAL ASSOCIATIONS

***Joint Letter from the National Association of Counties, National League of Cities, U.S. Conference of Mayors**
Association of Clean Water Administrators
Association of State Floodplain Managers

AMERICAN OVERSIGHT

Association of State Wetland Managers
Environmental Council of the States
National Association of Conservation Districts
National Association of Clean Water Agencies
National Association of State Departments of Agriculture
National Association of Flood and Stormwater Management Agencies
National Conference of State Legislatures
National Governors' Association – Gov. Edmund Brown (CA) and Gov. Matt Mead (WY)
National Municipal Storm Water Alliance
National Water Resources Association
New England Interstate Water Pollution Control Commission
Western Governors' Association – Gov. Steve Bullock (MT) and Gov. Dennis Daugaard (SD)
Western States Water Council

****Joint Letter signed by Attorneys General from 20 states**

AMERICAN OVERSIGHT

To: Woolford, James[Woolford.James@epa.gov]; Breen, Barry[Breen.Barry@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]
Cc: Fonseca, Silvina[Fonseca.Silvina@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Falvo, Nicholas
Sent: Wed 1/24/2018 2:15:46 PM
Subject: Background on sites for Lois Gibbs meeting
image2018-01-24-064141.pdf

see attached

Minden, WV
Hoosick Falls, NY
CTS of Asheville, NC
Newsom Brothers/Old Reichhold Chemicals, Columbia, MS
Tar Creek, OK
West Lake Landfill, MO
San Jacinto River Waste Pits, TX

AMERICAN OVERSIGHT

To: Bennett, Tate[Bennett.Tate@epa.gov]
From: Teller, Paul S. EOP/WHO
Sent: Fri 4/27/2018 5:27:02 PM
Subject: Fwd: [EXTERNAL] Pruitt White House Petition from CFACT
Pruitt White House petition letter.pdf
ATT00001.htm
CFACT Keep Pruitt Petition.xls
ATT00002.htm

FYI

Paul Teller
Special Assistant to the President
Office of Legislative Affairs
The White House
Paul.S.Teller@who.eop.gov

Sent from my iPhone

Begin forwarded message:

From: "Adam Houser" <ahouser@cfactcampus.org>
To: "Teller, Paul S. EOP/WHO" <Paul.S.Teller@who.eop.gov>
Cc: "Craig Rucker" <crucker@cfact.org>
Subject: [EXTERNAL] Pruitt White House Petition from CFACT

Dear Mr. Teller,

Attached please find a letter from CFACT President Craig Rucker and a petition recommending that President Trump retain Scott Pruitt as EPA Administrator and continue his program of reform.

Please feel free to contact Craig if you have any questions.

Very Truly Yours,
Adam Houser

Adam Houser
National Field Director
CFACT
U.S. Mobile: Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

April 27, 2018

Paul S. Teller
Special Assistant to the President
for Legislative Affairs
The White House
Washington, D.C.

Dear Mr. Teller:

Today we are filing with the White House a petition signed by 4,676 people asking President Trump to retain Scott Pruitt as Administrator of EPA. For years EPA has been the poster child for Washington bureaucratic overreach. Administrator Pruitt is doing a splendid job advancing the President's goal of reforming EPA and the rest of our federal bureaucracy.

Administrator Pruitt has been the subject of shrill criticism over minor issues designed to thwart his efforts at reform. The President should stand behind loyal public servants like Scott Pruitt or suffer a chilling effect on his Administration's ability to recruit and retain talented Americans with the courage to make positive change.

Very Truly Yours,

Craig Rucker
President
540-955-2481
Crucker@CFACT.org

AMERICAN OVERSIGHT

WOTUS Commenters as of C.O.B. July 3, 2017

At a glance: **19 Governors**
2 Lieutenant Governors
20 Attorneys General (all signed one letter)
18 Intergovernmental Associations
59 cabinet-level state agencies

ALABAMA

Attorney General Steve Marshall
Alabama Department of Agriculture

ALASKA

Governor Bill Walker
Attorney General Jahna Lindemuth

ARIZONA

Governor Doug Ducey
Apache County, District 3
Eastern Arizona Counties Organization
Gila County Board of Supervisors (Cline)
Gila County Board of Supervisors (Humphrey)
Gila County Board of Supervisors (Martin)
**Gila County Board of Supervisors letter with 3 signatures
Graham County Board of Supervisors
Greenlee County Board of Supervisors
Navajo County Board of Supervisors (Thompson
Navajo County Board of Supervisors (Whiting)
Pima County

ARKANSAS

Governor Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Department of Agriculture
Benton County (judge)
Boone County (judge)
Carroll County (judge)

AMERICAN OVERSIGHT

Craighead County (judge)
Faulkner County (justice of the peace)
Greene County (judge)
Hot Spring County (Dist 10 justice)
Logan County, (Dist 2 & 3 justice)
Logan County (Dist 5 justice)
Marion County (judge)
Mississippi County (judge)
Newton County (judge)
Poinsett County (judge)
Polk County (judge)
Pope County (Dist 6 & 9 justice)
Pulaski County (justice)
Saline County (judge)
Searcy County (clerk)
Sebastian County (judge)
Sebastian County (Dist 10 justice)
Stone County (Clerk)

CALIFORNIA

Association of California Water Agencies
California Association of Sanitation Agencies
California Department of Transportation
California Storm Water Quality Association
City of Azusa (city mgr)
City of Corona (city mgr)
City of Lake Forest (env. mgr)
City of Manteca (mayor)
City of San Juan Capistrano (city mgr)
City of Santa Ana (engineer)
Del Norte County Board of Supervisors
Elsinore Valley Municipal Water District
La Mesa (Helix) Water District
Los Angeles County Department of Public Works
Orange County Public Works
Riverside County Flood Control District
Rural County Representatives of California
San Diego County Water Authority
San Diego County Planning and Development Services
San Gabriel Valley Council of Governments
Sanitation Districts of Los Angeles County
Santa Fe Irrigation District
Santa Margarita Water District
Tuolumne County Board of Supervisors
Western Municipal Water District

AMERICAN OVERSIGHT

COLORADO

**Joint letter: Colorado Department of Agriculture
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
City of Aurora Water Administration
Huerfano County Water Conservation District
Northwest Colorado Council of Governments
Pitkin County (attorney)

CONNECTICUT

Connecticut Department of Energy and Environmental Protection

FLORIDA

Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection
Charlotte County Board of Commissioners

GEORGIA

Attorney General Christopher Carr
Georgia Department of Natural Resources

HAWAII

Governor David Ige

IDAHO

Governor Butch Otter **joint letter with
Idaho Department of Agriculture
Idaho Department of Water Resources
Idaho Association of Counties

ILLINOIS
Illinois Environmental Protection Agency

AMERICAN OVERSIGHT

INDIANA

Attorney General Curtis Hill, Jr.
Indiana Department of Environmental Management
Association of Indiana Counties
County Supervisors Association of Indiana
Blackford County Surveyors
Hamilton County Surveyors
Hancock County Surveyors

IOWA

Governor Kim Reynolds **joint letter with Lt. Governor Adam Gregg
Buchanan County

KANSAS

Governor Sam Brownback
Attorney General Derek Schmidt

KENTUCKY

Attorney General Andy Beshear
Energy and Environment Cabinet (Secretary)

LOUISIANA

Attorney General Jeff Landry
Louisiana Department of Environmental Quality (Secretary)
Jefferson Parish Department of Environmental Affairs

MAINE

Governor Paul LePage

MASSACHUSETTS

Massachusetts Department of Environmental Protection

AMERICAN OVERSIGHT

MICHIGAN

Attorney General Bill Schuette
**Joint letter: Michigan Department of Agriculture and Rural Development and
Michigan Department of Environmental Quality

MINNESOTA

**Joint letter: Minnesota Department of Natural Resources
Minnesota Pollution Control Agency

MISSISSIPPI

Governor Phil Bryant
Forrest County (supervisor)

MISSOURI

Governor Eric Greitens **joint letter with
Missouri Department of Natural Resources
Attorney General Josh Hawley

MONTANA

Montana Department of Environmental Quality, Department of Natural Resources and Conservation

NEBRASKA

Governor Pete Ricketts **joint letter with
Nebraska Department of Agriculture
Nebraska Department of Environmental Quality
Nebraska Department of Natural Resources

NEVADA

Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Nevada Division of Environmental Protection
Nevada Association of Counties
Clark County Regional Flood Control District

AMERICAN OVERSIGHT

Humboldt River Basin Authority

NEW HAMPSHIRE

Governor Chris Sununu

NEW MEXICO

New Mexico Department of Agriculture

NEW YORK

New York State Department of Environmental Conservation

NORTH CAROLINA

Lieutenant Governor Dan Forest
North Carolina Department of Environmental Quality (Secretary)

NORTH DAKOTA

Governor Doug Burgum
Attorney General Wayne Stenehjem

OHIO

Attorney General Mike DeWine
Ohio Environmental Protection Agency
Ohio Department of Transportation
Ohio Department of Agriculture
Ohio Department of Natural Resources

OKLAHOMA

Attorney General Mike Hunter
**Joint letter: Commissioner of Agriculture
Secretary of Energy and Environment
Secretary of Transportation

OREGON

AMERICAN OVERSIGHT

**Joint letter Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Forestry
Oregon Department of State Lands
Jackson County Road Department
Yamhill County Commission

PENNSYLVANIA

**Joint letter: Pennsylvania Department of Agriculture
Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Department of Environmental Protection
Pennsylvania Fish and Boat Commission
Pennsylvania Department of Transportation (nat res. staff)

SOUTH CAROLINA

Governor Henry McMaster
Attorney General Alan Wilson
Dorchester County Administrator

SOUTH DAKOTA

Attorney General Marty Jackley
South Dakota Department of Environment and Natural Resources
Pennington County Board of Commissioners

TENNESSEE

**Joint letter: Tennessee Department of Agriculture and
Tennessee Department of Environment and Conservation

TEXAS

Attorney General Ken Paxton
Railroad Commission of Texas (All three commissioners)
Texas Commission on Environmental Quality
Texas Department of Agriculture
Texas Department of Transportation
Texas General Land Office

AMERICAN OVERSIGHT

UTAH

Attorney General Sean Reyes
Public Lands Policy Coordination Office (director)
Duchesne County Commission

VIRGINIA

Commonwealth of Virginia Department of Agriculture and Consumer Services
Spotsylvania County (engineer)

WASHINGTON

Washington Department of Ecology

WEST VIRGINIA

Attorney General Patrick Morrisey
West Virginia Department of Environmental Protection

WISCONSIN

Attorney General Brad Schimel
Wisconsin Department of Natural Resources

WYOMING

Governor Matt Mead
Wyoming Association of Conservation Districts
Wyoming County Commissioners Association
Wyoming Department of Environmental Quality
Wyoming Coalition of Local Governments

INTERGOVERNMENTAL ASSOCIATIONS

***Joint Letter from the National Association of Counties, National League of Cities, U.S. Conference of Mayors**
Association of Clean Water Administrators
Association of State Floodplain Managers
Association of State Wetland Managers

AMERICAN OVERSIGHT

Environmental Council of the States
National Association of Conservation Districts
National Association of Clean Water Agencies
National Association of State Departments of Agriculture
National Association of Flood and Stormwater Management Agencies
National Conference of State Legislatures
National Governors' Association – Gov. Edmund Brown (CA) and Gov. Matt Mead (WY)
National Municipal Storm Water Alliance
National Water Resources Association
New England Interstate Water Pollution Control Commission
Western Governors' Association – Gov. Steve Bullock (MT) and Gov. Dennis Daugaard (SD)
Western States Water Council

****Joint Letter signed by Attorneys General from 20 states**

AMERICAN OVERSIGHT

To: Chancellor, Erin[chancellor.erin@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 3:23:48 PM
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

AMERICAN OVERSIGHT

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

AMERICAN OVERSIGHT

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Nolan, Rich[RNolan@nma.org]
From: Bennett, Tate
Sent: Thur 12/7/2017 12:43:18 PM
Subject: Re: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today

Usual suspects

On Dec 7, 2017, at 7:40 AM, Nolan, Rich <RNolan@nma.org> wrote:

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: December 7, 2017 at 5:45:03 AM EST
To: <rnolan@nma.org>
Subject: Morning Energy: Pruitt heads to House grilling today — Major flop in Alaska lease sale bodes ill for ANWR estimates — McIntyre gets sworn in at FERC today
Reply-To: "POLITICO subscriptions" <reply-fe871372766d01787c-630326_HTML-637936621-1376319-0@politicoemail.com>

By Anthony Adragna | 12/07/2017 05:43 AM EDT

With help from Emily Holden, Eric Wolff and Alex Guillén

WELCOME TO CONGRESS, MR. PRUITT: EPA Administrator Scott Pruitt makes his long-awaited first appearance before a House Energy and Commerce subpanel this morning where he's expected to get grilled on a host of issues. The session will be broken into two segments — 10-11 a.m. and then 2 p.m. onwards — to allow Pruitt to attend a White House meeting on biofuels (more on that below). Look for E&C Environment Chairman John Shimkus to recognize the arrangement is "not ideal, but gives members maximum ability to personally question the administrator about the agency's mission" during his opening remarks.

What Republicans will say: Expect Chairman Greg Walden to press Pruitt on budget transparency and his plans to address staffing issues: "I expect that 'Back to Basics' is not an abdication of environmental protection, but rather a rededication to mastering the most fundamental aspects of EPA's mission," he'll say, according to prepared remarks glimpsed by ME. Shimkus said his questions could touch on a range of topics, including TSCA, brownfields, safe drinking water and the agency's staffing.

And Democrats? "We're all noticing the orientation toward the environment is completely different with respect to budgeting, with respect to climate change,

AMERICAN OVERSIGHT

potentially with respect to methane, particulates," Rep. Scott Peters, a subcommittee member, told ME. "So, I just think we want to get a sense of where he's going and how he'll measure success." The committee's top Democrat, Frank Pallone, wouldn't reveal what he intends to grill Pruitt about when ME caught up to him in the hall.

Pro's Alex Guillén's expectations for Pruitt's first Capitol Hill appearance in six months: "Lawmakers have probably built up some serious questions in that time, so we could see questioning on practically any issue before EPA: the Clean Power Plan repeal effort; the Waters of the U.S. rewrite; Superfund work; proposed budget cuts; Pruitt's decision earlier this year not to ban chlorpyrifos; and his increased security and travel. Pruitt's prepared testimony offers a standard overview of his EPA philosophy."

Rally time: Environmental and public health advocates, including the Union of Concerned Scientists, Sierra Club, Business Forward and the Alliance of Nurses for Healthy Environments, will rally outside Rayburn at 9:20 a.m. to draw attention to Pruitt's lagging enforcement efforts, spending habits and overhauls of science advisory panels. Ahead of the session, the Environmental Defense Fund updated their "Pruitt Playbook" and the Union of Concerned Scientists offers some suggested questions to ask.

If you go: The hearing kicks off at 10 a.m. in Rayburn 2123.

WHY PRUITT'S LEAVING: Sen. Ted Cruz has secured a meeting today at 11:30 a.m. with President Donald Trump and several Cabinet members, including Pruitt, for what he told ME is likely to be a "free-ranging discussion" about biofuels and the recent fights over the Renewable Fuel Standard. His message? "We need to find a solution that is a win-win. That is a win for corn farmers across the Midwest but at the same time is a win for blue-collar union members who work in refineries and right now are being bankrupted by a regulatory system that isn't working," the Texas Republican said. Other Senate Republicans are expected to attend as well (perhaps the ones who signed this letter). Remember Cruz still has a hold on Bill Northey's USDA's farm and conservation mission nomination, so watch to see if that's lifted as the most immediate outcome of the session.

Oilies only: Sen. Chuck Grassley wasn't invited to the meeting, his spokesman said, but not to worry: Grassley has said that a White House RFS meeting would be "a waste of time." And if there's one thing energy world knows now, it's that if you don't have Gang Grain, you got nothing.

WELCOME TO THURSDAY! I'm your host Anthony Adragna, and no one was able to name the Father Millet Cross national monument (which has since been transferred by Congress to a state park) as our nation's smallest at just 0.0074 acres when designated. For today: Which state currently has the most national monuments at 18? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

AMERICAN OVERSIGHT

ARCTIC LEASE SALE FLOP: Despite touting the "largest ever" lease sale in the National Petroleum Reserve-Alaska, BLM received just bids on seven of the 900 tracts offered, Pro's Ben Lefebvre reports . Those bids, generating just $1.2 million in high bids, came jointly by ConocoPhillips and Anadarko for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue. Leasing of state land did quite a bit better, according to the Anchorage Daily News.

For perspective: At the price of $14.99/acre, "leasing the entirety of the Arctic Refuge Coastal Plain's 1.5 million acres would raise slightly more than $11 million in revenue for the federal government, a far cry from the billion dollar lie that Trump and Republicans are feeding the American public," the Alaska Wilderness League's Kristen Miller said in a statement. Remember the Republican budget calls for Senate ENR to kick in $1 billion in revenue (which CBO said would come through ANWR drilling), though the lease results seem to bolster skepticism from environmental advocates and Democrats about those estimates.

Situational awareness: Energy Chairman Lisa Murkowski was named a tax conferee late Wednesday, along with Sens. Orrin Hatch, Mike Enzi, John Cornyn, John Thune, Rob Portman, Tim Scott and Pat Toomey . "With Congressman [Don Young] representing the House of Representatives on our energy provisions, Alaskans will have a very strong voice at the table to ensure this bill crosses the finish line," she said in a statement.

No (strategic petroleum) reservations: Count Shimkus, a tax conferee, among the backers of the Senate's approach of selling off 7 million barrels from the Strategic Petroleum Reserve as part of the final tax package H.R. 1 (115). "There was a reason to have the SPR," he told ME. "There is a credible reason to debate whether, for now and in the immediate future, there is a need." He also said he's a "big ANWR supporter" and that he doesn't see the Arctic drilling provision getting pulled from the final version.

INHOFE, PRUITT'S TOXIC LEGACY: POLITICO Magazine's Malcolm Burnley takes a deep dive into the contaminated Oklahoma region of Tar Creek, an area so poisonous that only 10 holdouts live there, and he finds a buyout program for residents that left Sen. Jim Inhofe awash in scandal and litigation. Then-Attorney General Scott Pruitt ultimately concluded an audit into possible criminal wrongdoing didn't warrant charges and he shielded his review from public release, only to have some in the state believe his efforts were designed to spare Inhofe embarrassment. Many residents in the polluted zone of Tar Creek continue to express shock that no one was prosecuted over what happened in their federal buyout program

Pruitt and Inhofe flatly denied there was any political motivation in shielding the audit. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said in an interview. "You would think that this wouldn't be a

AMERICAN OVERSIGHT

political issue, that people wouldn't put on the red and blue jerseys." One interesting fact though: Ryan Jackson, now Pruitt's chief of staff, was once Inhofe's point person on the Tar Creek issue. Photo gallery here.

Pruitt's new gig: Trump named the EPA administrator to chair the Gulf Coast Ecosystem Restoration Council, a group formed after the Deepwater Horizon oil spill restore the ecosystems and economies of the Gulf Coast, your ME host reports. Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council.

MAY FERC NOW BE WHOLE: New FERC Chairman Kevin McIntyre will be sworn in today, bringing the five-member agency to full power, Pro's Eric Wolff reports. His swearing-in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes

MORE HEARINGS COMING ON CLEAN POWER PLAN: EPA announced Wednesday it would hold additional public hearings on its plan to repeal the Clean Power Plan in San Francisco; Gillette, Wyo.; and Kansas City, Mo., Pro's Emily Holden reports. Pruitt said the change was "due to the overwhelming response" and the agency will announce the dates and locations of the meetings in the coming weeks.

SPLIT OVER EXTENDERS? Ways and Means Chairman Kevin Brady told reporters Wednesday he doesn't like the idea of moving a package of extenders this year but hasn't made a final decision yet, Pro Tax's Brian Faler reports . "It's horrible policy and process," he said. But those comments come as Thune, the Senate's number three Republican, said lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs." Doing an extenders package as the chambers work to iron out differences between their broader tax bills is likely to test tax writers' bandwidth.

Shutdown watch: Congressional leaders head to the White House for a meeting with Trump on government funding today, but GOP lawmakers expect to pass a two-week spending package despite internal division within their party, POLITICO's Rachael Bade and Sarah Ferris report. House Freedom Caucus leaders have been asking for a commitment GOP leadership does not believe it can give them: a promise to "hold the line" and refuse Senate Democrats' demands for increased spending on non-defense programs.

House Democrats, including Minority Whip Steny Hoyer, hold a press conference at 10 a.m. in Cannon 234 to call on Republicans to take up additional federal assistance for Puerto Rico and the U.S. Virgin Islands. Watch here.

ICYMI: Both sides framed their arguments at a hearing of the U.S. Trade Representative over whether to impose tariffs on solar equipment imports in language aimed at swaying Trump, Pro's Eric Wolff reports.

AMERICAN OVERSIGHT

PATAGONIA SUES OVER BEARS EARS: A coalition of groups, including Patagonia, became the latest to file a lawsuit challenging the Trump administration's downsizing of Bears Ears National Monument on Monday. Link to the lawsuit filed in Washington federal court here.

ENDANGERMENT FINDING PUSHBACK STALLS: Conservative state lawmakers and businesses that are members of the American Legislative Exchange Council on Wednesday shot down an effort to urge Pruitt to challenge a science-based endangerment finding that requires EPA action on greenhouse gas emissions. "In subcommittee, a substantive conversation occurred where arguments were made for and against the draft model policy," said Bill Meierling, executive vice president of external relations for the group. "After debate, it was clear that neither the public nor the private sector supported the draft as written."

Meierling added that "ALEC members prefer to advance policy only after a consensus opinion has been reached." Reports suggested later the resolution had been pulled in the aftermath of strong opposition, including from Exxon Mobil. Pruitt was expected to speak at the ALEC meeting on Friday but canceled due to a "scheduling conflict," Meierling said.

NO COMMENT: Murkowski forcefully urged Sen. Al Franken to step down amid sexual harassment allegations on Wednesday, but a spokeswoman declined to state whether Roy Moore would be welcome on her committee if he wins the Alabama special election next week. "We aren't commenting until after the special election and decisions about committee seats are made by conference," she said. Outgoing Alabama Sen. Luther Strange currently has a slot on the energy panel.

THERE'S ALWAYS A TIE: Congressional Democrats said Tuesday they have evidence then-national security adviser Michael Flynn sent assurances to former business partners that a U.S.-Russia energy partnership in the Middle East, which reportedly would have included more than two dozen nuclear plants in the region, was "good to go," POLITICO's Kyle Cheney reports. The revelations from a whistleblower came in a letter released Tuesday.

MAIL CALL! LET'S BOOST EFFICIENCY CAPS! A collection of energy efficiency organizations, led by the Alliance to Save Energy, sent a letter to congressional appropriators on Wednesday urging them to boost "budget cap allocations for federal energy efficiency programs." Failure to do so could result in steep cuts to EPA and DOE programs across the board, the groups warn. Link here.

TAKE A GLANCE! LESSONS FROM THE RFS: The American Enterprise Institute is out with a report looking at policymaking lessons from the RFS. It argues the biofuels mandate would be better as a rate standard than a volume standard, EPA should issue multiyear rather than annual rules and that uncertainty should be explicitly incorporated into future rulemakings, among other things.

AMERICAN OVERSIGHT

BAD SOLAR ACTORS: Campaign for Accountability released the results of a years-long investigation concluding two companies — Vivint and SolarCity — received more complaints about their sales tactics than others in the solar industry. "Unfortunately, the deceptive sales tactics of solar companies, like Vivint and SolarCity, are making rooftop solar a risky bet," Daniel Stevens, the group's executive director, said in a statement. Read it here.

DREAMS TURNED REALITY? The Center for Western Priorities is out with a report finding the Trump administration has already granted 13 of the energy industry's 24 top priorities. Read it here.

SUGGESTIONS GIVEN: American Council for Capital Formation released a paper this morning with ten ideas for improving the regulatory process. It's the product of a November 2016 roundtable with Sens. Mike Rounds, Angus King, James Lankford and others. Link here.

MOVER, SHAKER: Michael Boucher has joined Crowell & Moring LLP environment and natural resources practice as a partner in Washington. He joins from Dentons US LLP, where he led that firm's chemical, pesticide, and consumer product regulation team.

QUICK HITS

— California AG on Trump EPA: 'It's almost as if they believe they're above the law'. The Hill.

— Wall Street's Fracking Frenzy Runs Dry as Profits Fail to Materialize. Wall Street Journal.

— The IHS Markit electric resiliency study - much less than meets the eye. Utility Dive.

— Patagonia sues over Trump's monuments order. AP.

— Volkswagen Official Gets 7-Year Term in Diesel-Emissions Cheating. New York Times.

— Pipeline explodes in southeastern New Mexico oil patch. AP.

— Christie backs nuclear subsidies but won't sign 'wish list' bill from environmental groups. POLITICO New Jersey.

HAPPENING TODAY

9:00 a.m. — The Washington International Trade Association holds an event as part of its NAFTA series: "Energy and the NAFTA," Ronald Reagan Building and

AMERICAN OVERSIGHT

International Trade Center, 1300 Pennsylvania Ave. NW

10:00 a.m. — EPA Administrator Scott Pruitt appears before the House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. — "Transforming the Department of the Interior for the 21st Century," House Natural Resources Oversight and Investigations Subcommittee, Longworth 1324

11:00 a.m. — The World Bank conference call briefing on the One Planet Summit, RSVP: himtiaz@worldbankgroup.org

12:00 p.m. — "The Business Case for Tax Incentives Promoting Energy Efficiency," Alliance to Save Energy, Rayburn 2203

2:00 p.m. — The House Natural Resources Federal Lands Subcommittee holds a hearing on various bills, Longworth 1324

2:00 p.m. — "OPEC's World Oil Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

THAT'S ALL FOR ME!

To view online:
https://www.politicopro.com/newsletters/morning-energy/2017/12/pruitt-heads-to-house-grilling-today-043377

Stories from POLITICO Pro

Biofuel backers claim victory in EPA battle Back

By Eric Wolff | 10/20/2017 05:37 PM EDT

Biofuels backers were breathing a sigh of relief on Friday after EPA Administrator Scott Pruitt backed away from changes to the Renewable Fuels Standard, a reversal that left oil refiners frustrated.

Pruitt acceded to demands from Sen. Joni Ernst that he publicly promise not to pursue plans to change the biofuel program rules — changes that had been sought by oil refiners who have long complained about the costs of implementing the program that many see as a giveaway to the corn states.

Pruitt's letter to Ernst, Sen. Chuck Grassley and five other Midwestern Republican senators delivered what they'd asked for: A promise not to expand the group of companies required to comply with the program, to keep the biodiesel volume requirements at levels proposed in July, to not alter the policy that strips RFS credits

AMERICAN OVERSIGHT

from exported ethanol, and to explore allowing year-round sale of gasoline with 15 percent ethanol nationwide.

The quick reversal by Pruitt — at the direction of President Donald Trump — showed the influence of the biofuel lobby, corn growers and farm-state lawmakers to scuttle changes in the decade-old policy sought by the energy industry.

"This was a basket of bad ideas for biofuels," said Brooke Coleman, head of the industry lobby group Advanced Biofuels Business Council. "And there's no way that we could have any other response than to take this approach. [Pruitt] didn't kick tires on changing the RFS, he tried to take a baseball bat to the program, and the response was matching and in response to, from a magnitude perspective, to the initial foul."

The push by the senators, as well as Midwestern governors, "made a huge difference in this matter," said Michael McAdams, head of the Advanced Biofuels Association. "In addition, the collective unity of the entire biofuels industry, including those who distribute and market these fuels, made a significant impression on the importance and support for the RFS program."

But oil refiners who have said the high cost of biofuel credits, called Renewable Identification Numbers, was costing them hundreds of millions of dollars, lamented the power of the biofuels lobby and the corn-belt lawmakers.

"The [Pruitt] letter is a result of political pressure applied by Midwestern politicians," said one refining source. "Some Midwesterners cannot accept any premise that the RFS could be improved. As a result, their overreaction included everything from holds on confirmations to even more personal threats launched at the White House and EPA."

The unified and vociferous campaign by the biofuels industry in attacking the proposal that would have lowered biodiesel volume mandates surprised some in the refining industry, as well as the political staff in the EPA, sources tell POLITICO.

The Trump administration's embrace of the oil industry had raised refiners' hopes that it could have the best opportunity in years for significant RFS changes, and refining giant Valero Energy, along with a group of Pennsylvania companies, believed they would get relief from what they considered an onerous program.

But Grassley took to the Senate floor to blast Pruitt's biofuel plans as a "betrayal" of Trump's promises to protect ethanol, and he arranged a call with Trump and Pruitt that led to the meeting in his office with Pruitt and Ernst as well as Deb Fischer (Neb.), John Thune (S.D.), Ben Sasse (Neb.), Pat Roberts (Kan.) and Mike Rounds (S.D.). Following that meeting, Ernst demanded the public statement from Pruitt, and said she would withhold her support for Bill Wehrum, who was nominated to run the agency's air office, forcing a delay in the Environment and Public Works Committee's vote until next week.

AMERICAN OVERSIGHT

Ernst spokeswoman Brook Hougeson told POLITICO, "Now that Sen. Ernst has received the assurances that the EPA will support the spirit and the letter of the RFS, she will support Mr. Wehrum."

Valero was disappointed its efforts to change the program had been shot down by the fierce political opposition.

"These senators have intervened in a regulatory process, and the proposals and concepts in the letter address RFS implementation problems to which these senators have offered no constructive solutions," Valero said in a statement. "The only unifying principle of their bullying opposition seems to be a desire to maintain the status quo at all costs and to protect windfall profits associated with unregulated trading of renewable identification numbers, or RINs. Their position advances neither the goals nor the efficient implementation of the RFS, and places U.S. manufacturing jobs at risk."

But in a statement, the White House made clear that Trump remained fully behind the biofuels program.

"President Donald J. Trump promised rural America that he would protect the Renewable Fuel Standard, and has never wavered from that promise," spokeswoman Kelly Love said in a statement. "The president has had constructive conversations with several key officials about the RFS over the past week, and he understands their concerns. The Trump administration will protect the RFS and ensure that our Nation's hardworking farmers continue to fuel America."

One energy executive said the biofuel backers were victorious because they were unified in their support for the RFS, while Republicans, the oil industry, and even the refiners were not on the same page.

"The ethanol boys won this round, no doubt, but at a pretty high cost," said Stephen Brown, vice president for federal government affairs for Andeavor. "The refining industry is anything but united on the RFS beyond a sunset as individual companies have each made investments and honed mitigation strategies to comply with the statute. As those investment decisions become increasingly operationally embedded, the industry will continue to splinter on the suite of RFS issues."

But some producers are still wary of Pruitt's pledge in his Thursday letter, and they note that he promised to release a final rule in which none of the mandatory volumes will be less than he proposed in July. For some producers, those volumes were already too low.

"There's some work to do here," Coleman said. "We won't know until the rule is done. And we recognize it's an ongoing rulemaking, it's not like they're going or republish the rule, they've said what they can say. The final rule really matters."

AMERICAN OVERSIGHT

To view online click here.

Back

'Largest ever' Interior Alaska oil lease sale draws little interest Back

By Ben Lefebvre | 12/06/2017 08:26 PM EDT

The Interior Department received only seven bids from two companies today in what it had billed as the "largest ever" oil and gas lease sale in the National Petroleum Reserve in Alaska.

The bids on the 10.3 million unleased acres in the NPR-A generated just $1.2 million in high bids, according to a Bureau of Land Management summary. The relatively low amount could undercut GOP arguments that opening up the nearby Arctic National Wildlife Refuge would generate $1 billion in revenue.

A BLM Alaska lease sale last year generated $18 million for 1.4 million acres offered.

Subsidiaries of ConocoPhillips and Anadarko were the only two companies that participated in the lease sale. The companies only bid for 80,000 acres, or less than 1 percent of the acreage offered. The highest bid amount was $14.99 per acre.

Low oil prices and the relatively cheap and plentiful land available for hydraulic fracturing in the lower 48 has hurt oil company interest in the out-of-the-way fields of Alaska and the Gulf of Mexico. Interior Secretary Ryan Zinke and Sen. Lisa Murkowski (R-Alaska) have pushed to open more public land to drilling, however, saying that doing so is important to increase domestic energy production.

Zinke had previously said that today's "large and unprecedented sale in Alaska will help achieve our goal of American Energy Dominance."

An Interior spokesperson did not immediately respond to questions.

WHAT'S NEXT: Republicans hope to keep ANWR drilling provisions in their budget proposal.

To view online click here.

Back

Democrats worry Arctic National Wildlife Refuge being lost amid tax debate Back

AMERICAN OVERSIGHT

By Ben Lefebvre | 11/29/2017 05:17 AM EDT

Democrats' fight to keep oil and gas rigs out of the Arctic National Wildlife Refuge is losing ground as the Republican tax plan advances — and it's almost as if no one has noticed.

The prospect of drilling in the untouched Alaskan tundra is as close to reality as it's been in more than a decade, with none of the political drama that in past decades turned the refuge's fate into a top-tier rallying cry for liberals. Legislation to allow drilling in ANWR is quietly hitching a ride on the tax code overhaul that Senate Republicans hope to complete by the end of the week, overshadowed by larger debates on whether the bill is a giveaway to rich people and corporations at the expense of the poor and working class.

"It's really not gotten the attention that it should," Sen. Tammy Duckworth (D-Ill.), a member of the Energy and Natural Resources Committee, told POLITICO about the ANWR provision. "It's not just the budget discussion. It's about everything else that's going on, the flurry of all sorts of other news."

Angus King (I-Maine) said Republicans were trying to shield ANWR from opposition by adding it to the larger bill rather than bringing it to the floor separately under rules, which would require it to win support from 60 senators to overcome a filibuster.

"Well, clearly the strategy is to try to get it through as part of this tax reform effort and thereby avoid a direct up-or-down vote," King said in an interview earlier this month.

The nonstop news cycle and preponderance of other concerns with the tax bill are making it difficult to focus on an issue that normally fires up Democratic voters.

"I do think that putting ANWR in the budget reconciliation package hasn't drawn as much extremist opposition because it is completely overshadowed by tax reform, which is the center of the package," said Chris Guith, senior vice president of the U.S. Chamber of Commerce's Global Energy Institute. "But there are some who aren't exactly supportive of tax reform that support ANWR, and it's possible to see ANWR bring a vote or two to help pass tax reform."

Senate Energy Chair Lisa Murkowski (R-Alaska) easily advanced legislation through her committee directing the Interior Department to hold two lease sales for drilling in ANWR over the next decade. It would raise $1 billion over that period, according to the Congressional Budget Office, making it eligible for inclusion in a budget reconciliation package that Democrats cannot filibuster.

The reconciliation package also will include Republicans' tax plan and a repeal of the Obamacare individual mandate. While Murkowski helped scuttle the Obamacare repeal push earlier this year, she says she supports ending the mandate. Murkowski's office did not respond to a request for comment.

AMERICAN OVERSIGHT

ANWR, a swath of tundra on the northern Alaska coast, is home to polar bears, porcupine caribou and a landscape that hasn't been touched in thousands of years. Congress designated the 19 million-acre area a wildlife refuge in 1980, but it set aside a 1.5-million-acre parcel known as "10-02" for possible drilling if future lawmakers approved such a plan. The U.S. Geological Survey estimated in 1998 that part of ANWR could hold up to 12 billion barrels of oil, and President Donald Trump and Alaska Republicans have called it essential for their plans for American "energy dominance."

Sen. Susan Collins (R-Maine), who is undecided on the tax bill for a several reasons, said she will support an amendment on the Senate floor to eliminate the ANWR language, but she said success there is not a prerequisite for her to vote for the underlying bill. "No it is not, but I would certainly try to get it out of the package," Collins told reporters Tuesday. Collins was the only Republican to cross the aisle on an unsuccessful amendment to keep pro-drilling language out of the underlying budget resolution, meaning it is unlikely that she would be able to strip the ANWR provision from a reconciliation bill.

But Democrats say that passing a deficit-increasing tax bill in order to open ANWR would actually harm energy-producing states. That's because the $1.5 trillion shortfall from the GOP tax cuts would trigger required "pay-as-you-go" cuts to mandatory spending programs, according to a CBO analysis sent to House Minority Whip Steny Hoyer (D-Md.).

One of the programs on the pay-go chopping block would be the energy royalty revenue sharing program carried out through the Mineral Leasing Act. Cutting those payments would lose Alaska an estimated $15 million in energy royalty payments next year alone, an amount important to a state already facing budget shortfalls.

"Communities throughout the West would be impacted by the loss of revenue, which is used to support a variety of needs including infrastructure, school funding, conservation, and recreation," Hoyer said in a statement to POLITICO. "This is yet another example of the consequences associated with forcing through legislation to add $1.5 trillion to the deficit in order to give tax cuts to the wealthy."

Pay-go cuts also would hit popular programs like Medicare and student loans, but Congress can waive the law with 60 votes in the Senate. Democrats are not yet on board with that approach.

The current push to open ANWR, coming amid a swarm of competing headlines and buried in larger legislation, has come nearer to succeeding than the GOP's two previous attempts. President Bill Clinton vetoed a budget package in 1995 that included language opening ANWR, while a Democratic filibuster thwarted a second attempt in 2005.

AMERICAN OVERSIGHT

Environmental groups have targeted public engagement at only a handful of congressional districts. The League of Conservation Voters spent $550,000 on television ads in three Republican congressional districts. The LCV also paid for a bipartisan polling firm to probe public opinion on opening ANWR, but even that focused only on registered voters in eight congressional districts.

"The reason they're trying to sneak it into the tax package is they know they don't have the votes otherwise," said Tiernan Sittenfeld, the league's senior vice president of government affairs. "They know they can't pass it under regular order, that's why they're doing a sneak attack."

Even ANWR supporters are staying out of the spotlight.

"I haven't seen any full-out, front-page ads, nothing like that," Alaska Oil and Gas Association President Kara Moriarty said. "We're a little battle-weary, to be honest. Alaskans support opening up ANWR. There's been a few statements reiterating that."

Nick Juliano contributed to this report.

To view online click here.

Back

The Environmental Scandal in Scott Pruitt's Backyard Back

By Malcolm Burnley | 12/06/2017 05:57 PM EDT

PICHER, Okla. — Tar Creek, Oklahoma, is breathtaking in a terrible way: At one time the world's deepest source of lead and zinc, the three-town region is now a cratered landscape so poisonous that no one, aside from 10 holdouts, can live there. Mountains of ashlike "chat," a toxic residue from lead-zinc milling, rise majestically among the remains of homes torn from their foundations. Abandoned pets forage around the ruins. A child's teddy bear lies sprawled in a ghostly living room. A gorilla statue fronts an empty high school, atop a sign proclaiming "1A Football State Champs, 1984."

Tar Creek is also part of the environmental legacy of one of the state's—and nation's—leading politicians, Senator Jim Inhofe, and his longtime ally, Scott Pruitt, the former Oklahoma attorney general who is now head of President Donald Trump's Environmental Protection Agency. After the EPA struggled to clean up the area, in 2006, Inhofe endorsed a plan in which a trust overseen by local citizens would use federal dollars to purchase homes and businesses in the toxic region so residents could move elsewhere. Then, when the plan proved so problematic that it spawned more than a half-dozen civil lawsuits and an audit into possible criminal wrongdoing, Pruitt, as the state's attorney general, invoked an exception to state freedom-of-information laws to keep the audit from being an open public record.

AMERICAN OVERSIGHT

Now, that decision is coming into new light as many Oklahomans clamor for the audit to be released, suggesting that its revelations will prove embarrassing to Inhofe, who played a key role in designing the buyout plan, and cast doubt on Pruitt's decision not to move forward with charges. Last week, a Washington, D.C., nonprofit called the Campaign for Accountability raised the stakes even further, filing suit in Oklahoma courts to force the release of the audit.

"If you take a look at Scott Pruitt's record, you see a general disregard for transparency," said Daniel Stevens, the group's executive director. "I don't think it's outside our bounds to say that Pruitt is trying to hide evidence of criminal wrongdoing."

Pruitt, in an interview, dismissed the idea that he was covering anything up, saying his former office's grand jury unit reviewed the audit and determined that no charges were warranted. He said he declined to make it public because he didn't want innocent people to be besmirched, even though the auditor rejected that reasoning and maintained it should be a public document. "It was important to protect the individuals' reputation that were in that investigation," Pruitt said.

Nonetheless, the mess at Tar Creek continues to follow Pruitt in other ways. As EPA administrator, he has assumed full responsibility for the still-faltering cleanup. And eyebrows were raised in Oklahoma this past January when, as Pruitt was awaiting confirmation for his EPA post, a White House spokesperson told Bloomberg News that the handling of Tar Creek was emblematic of Pruitt's philosophy: "national standards, neighborhood solutions."

Pruitt, in an interview, said he knew nothing about the Bloomberg article, saying only that he endorses the EPA's current work at Tar Creek and the principle of combining federal resources and state and local leadership, rather than the buyout that occurred before his time as EPA administrator, while he was Oklahoma's attorney general.

"I think as far as a model going forward outside of the buyout, what we're trying to do is have a renewed focus on what I think are some of the most beneficial things we can do for citizens across the country, and that's to address some of these legacy sites that have substantial environmental challenges that allow them to once again enjoy the communities in their backyard," he said.

But many residents of the Tar Creek area, who gave up their homes in a buyout they considered both coercive and corrupt, continue to blame Pruitt for the fact that no one was prosecuted. They described a program so rife with good-old-boy corruption that certain individuals received outsize payoffs while some homeowners got so little they couldn't relocate anywhere nearby; meanwhile, they said, the people hired to demolish the homes received inflated contracts through a flawed process.

"We were lied to and deceived from Day One," said Gloria Workman, who said her

AMERICAN OVERSIGHT

son has learning disabilities from growing up in the polluted zone of Tar Creek, which had lead-poisoning levels in children that were three times higher than those registered in Flint, Michigan, during the peak of its recent water crisis. "Not only were we losing our homes, we were raped in the process."

"It was a nightmare," said Mary Thompson, who was still awaiting a resolution from the trust when an EF4 tornado ripped through Tar Creek in 2008, throwing bodies and trailers through the sky, killing six people and destroying more than 100 homes. Without homes, many people took lower-than-expected buyout offers—however insufficient they were perceived to be—because they had nothing left, she said.

"They preyed on us after the tornado," said Thompson, whose home was leveled.

Nonetheless, Inhofe, in a 2015 news release touting the completion of the buyout, cast it as a success because it did not lead to an expanded federal role.

"This is an example of a government program created for a specific purpose and then dissolves after the job is completed," Inhofe proclaimed.

Now, he continues to defend it but sounds less celebratory. "The first thing to know about the Superfund site at Tar Creek is that it's what's called a 'mega-site' and that it is an exceptional circumstance in every way. You can't compare it to any other Superfund site in the country," Inhofe said in a statement to POLITICO. "The voluntary relocation assistance to get people out of harm's way was right for the situation at Tar Creek, but may not be for every other Superfund—that is why state and local partnership is critical."

To many former residents, who still want the investigative report by the state auditor to see the light of day, even these modest and conditional endorsements feel like slaps in the face.

"People hate the government out here, and it's because of things like this," said Aletha Redden, a lifelong resident of the area who has a Donald Trump bumper sticker on her pickup truck. "I want Scott Pruitt to know: This is not the model."

***

A flat expanse of dusty roads and scrubby vegetation situated in the heart of Tornado Alley, the Tar Creek area was once the mainstay of the Quapaw Tribe, which was forcibly relocated there by the U.S. government in 1834. At the time, the territory had little economic value, but a half-century later, prospectors discovered enormously rich ore. By the turn of the 20th century, companies broke ground with drill rigs on Quapaw land.

Many of those firms made fortunes, luring white settlers into an uneasy state of coexistence with the Quapaw. Tar Creek proved to be the deepest reservoir of lead-

AMERICAN OVERSIGHT

zinc ore in the world, producing a whopping $1 billion in minerals between 1908 and 1950, according to the Oklahoma Historical Society. Picher, the largest of the mining towns, swelled to a population of 14,000.

Almost every aspect of life in Tar Creek traced back to the mines. The high school took on the mascot of a gorilla, a reference to workers in the mines who broke up boulders with hammers. Children played in sandboxes filled with chat, the chalky mining debris. Teenagers earned the nickname "chat rats" for climbing up the pillowy piles of toxic rubble throughout town and rolling tires down their slopes.

By the end of World War II, however, the boom was over. Most of the mining companies decamped for richer pastures. For the families left behind—including that of Yankees slugger Mickey Mantle, who grew up in the Tar Creek area in the 1940s—it was a slowly unfolding disaster. The extent of Tar Creek's collapse was reflected in the words of John F. Kennedy, who barnstormed into Joplin, Missouri—25 miles away from Tar Creek—in the closing days of the 1960 presidential campaign.

"My own judgment is I know no tougher occupation in the world that [sic] to be a miner, lead, zinc, coal. I am always glad to meet them because I think they live with peril," Kennedy declared. "They have as tough a life as there is. Every other one whose hand you shake has a finger off, a foot crushed, the chances of in 20 years their having a bad accident are more than any of the rest of us. And yet in this community and in West Virginia and Idaho and in other sections of the United States, there has been no group that has been harder hit, no group that has been more forgotten."

Indeed, after the last prospector looking for ore packed up and left in the mid-1970s, people looked to casinos and farming to make a living. But the residue from decades of mining was poisoning them. In 1979, acid mine water leached into the ground, threatening the area's aquifers, killing fish and turning creeks a rusty orange color. When the federal Superfund program—designed to clean up the nation's most polluted and contaminated land—kicked off in the early 1980s, Tar Creek was named to the inaugural National Priorities List. It's still on the list.

The EPA has spent more than $176 million over the past 25 years on cleanup work inside the 42-square-mile-area, on projects from plugging mine shafts to removing contaminated surface soil in people's yards. Though the amount of money sounds large, it hasn't been nearly enough to remove the toxic dangers, and many residents insist the cleanup was mishandled from the get-go. In some cases, the removal of soil resulted in sloping yards, which, during bouts of rain, caused flooding and mold inside houses. In 2000, the FBI raided the offices of the EPA's prime contractor at Tar Creek, Morrison-Knudsen. The company later settled a lawsuit brought by the federal government alleging false representation of billing and progress reports for a sum of $1 million. In the settlement, the company made no admission of wrongdoing.

Meanwhile, the environmental hazards began to multiply: Shortly after the start of that Superfund spending spree, in 1993, researchers at the University of Oklahoma found

AMERICAN OVERSIGHT

that 34 percent of Quapaw children were living with lead concentrations above the federal limit. Further studies found alarming rates of lead and arsenic in both the tribal and non-tribal populations. In 1997, a university-lead study estimated that 21 percent of children near Tar Creek had elevated blood-lead levels (defined as 10 micrograms per liter at the time), which is three times higher than the highest measurements found in Flint, Michigan, in 2015. The learning disabilities and memory loss that had plagued the schools and curtailed lifespans for decades suddenly had a culprit.

As the dangers became ever-more visible and the cleanup lagged, residents rallied around the idea that the government should quickly buy them out of their homes, rather than wait for the hazardous materials to be removed. They thought they might have an ally in the state's senior senator, Inhofe, a Republican who was chair of the Senate Environment and Public Works Committee. But Inhofe, who has a skepticism about environmental science that exceeds that of any of his colleagues, refused to consider the idea. "There will never be a buyout. I promise you that," Inhofe told the *Tulsa World* in late 2003.

Inhofe's refusal to take action of any sort was often criticized in local press, due in part to the relentless attacks of a young Democratic congressman named Brad Carson. "If you'd asked people in Oklahoma politics at the time, they'd say we were mortal enemies," said Carson, referring to himself and Inhofe. "I was elected [to Congress] in 2000, and my goal was to untie the Gordian knot. The area is desperately poor. If it was in suburban Tulsa or Oklahoma City, there would've been outrage."

In 2004, Governor Brad Henry signed a bill authorizing the use of state dollars for the relocation of roughly 100 families with children under the age of 6. Under pressure to take further action, the senior senator began to come around. At first, he secured $2 million in federal funding to pay for a study that discovered that 286 homes within Tar Creek were at risk of being swallowed up from cave-ins of underground mine shafts. This provided an opportunity for Inhofe to reverse himself on the buyout, supporting it on the grounds of protecting residents from cave-ins.

"The stability with the underground mine workings was worse than anyone had previously been thought," recalls Ed Keheley, a retired nuclear engineer and native of Picher who co-authored the study's final report. In the spring of 2006, Inhofe announced a joint federal and state buyout program that would begin with $20 million in funding, with the express purpose of relocating any and all people who'd voluntarily leave Tar Creek.

Having once opposed the buyout to his political detriment, Inhofe now used his clout to keep on funding it, but with the idea that decision-making would be concentrated among local leaders, not the federal government. With Inhofe's support, the Oklahoma legislature created a nine-member panel called the Lead Impacted Communities Relocation Assistance Trust to assume control over the project. The members were all volunteers, helping their community, but some had a vested interest in the buyout: They included, for example, a local banker whose institution would later give loans to

AMERICAN OVERSIGHT

people to help them relocate; local property owners whose own homes—and those of relatives—would be subject to the buyout; town officials; and a leader of the Quapaw Tribe.

Inhofe cast himself in the role of the community's protector, putting out a 2008 campaign ad that declared: "Tar Creek: poisoned earth, the threat of schools and churches sinking into abandoned mines. Everyone thought it would be too much to tackle, except for one stubborn man named Inhofe."

But over a five-year period, the buyout would become the subject of a host of civil lawsuits and the subject of a state investigation.

***

The local members of the trust—few, if any, of them schooled in environmental management—had two major tasks: figuring out how much each property owner should be paid for their home or business, and then choosing a company to demolish the properties. Both tasks would become the subject of complaints about cronyism, with residents saying the trust members rewarded their friends and politically connected individuals.

It didn't help that the trust often met behind closed doors, and that the vice chairman of the trust resigned within a year. The trust's sole employee, operations manager Sonya Harris, also quit, declaring in her resignation letter that she could no longer continue "with a clear conscience without recommending a change; I will not place myself in a position to be perceived as approving of the operations to this point."

The first case to raise eyebrows involved the mayor of Picher, Ernest "Sam" Freeman. In 2005, when the buyout was first being discussed as a probability, he acquired three large parcels of former mining land covered with chat from the Picher Development Authority, which he chaired. Freeman bought them at 3 cents per square foot, for a total price of $2,088.50, according to the findings of a state audit at the time. It was, the audit declared, a violation of state laws forbidding members of public boards from entering into contracts with those boards. Ottawa County District Attorney Eddie Wyant called on Freeman to return the properties to the development authority in lieu of charges.

"If Sam wanted to buy that land, he needed to get off the board and purchase it legally," Wyant told a local newspaper at the time. "I am not one to put anyone in jail over this, but he needs to clear it up." Wyant, when reached by phone, declined to comment further.

Freeman returned the land, but, in a move that enraged some neighbors, profited off it anyway. The trust had decided that, because so much former mining land had been taken over by state authorities and tribal members, those who owned mobile homes or other shelters on land they didn't own would be eligible for buyouts. Freeman made a

AMERICAN OVERSIGHT

claim based on the fact that he had been maintaining and renting out homes on the chat-infested property for years before he tried to buy it.

Trust documents show that Freeman received at least $274,000 from the buyout, more than half of which came from the same lots he had been ordered to return by law enforcement. (Freeman told POLITICO a payout of more than a quarter-million sounded accurate enough, though he declined to provide an exact figure.) Neighbors suspected cronyism. Freeman, who is no longer mayor, denied receiving any preferential treatment. "These people thought I bought the lots to make a killing in the buyout," he said. "I don't think I got more than anyone else would have."

The size of the mayor's profit diminished public confidence in the trust, just as it was engaged in the most delicate part of its task, figuring out how much to pay each individual property owner. Property owners were supposed to receive fair market prices as if pollution hadn't existed in Tar Creek, based on the sales of similar properties elsewhere in northeast Oklahoma. But those calculations appeared to lack uniformity.

The average payout for the 695 properties involved in the buyout was just over $65,000, but the disparity in prices between two properties could be dramatic. Residents complained about lowball offers on some decent properties and overly high payouts for others that were rundown or minuscule in size.

"I got $3,000 for my gun shop. It took me $16,000 to build it," said former Tar Creek resident John Frazier.

Wally Long said he and his wife got $35,000 for their Dairy Queen, while another Dairy Queen right up the road got substantially more.

"We were told [by the trust] that's all the money there is," Long said. "It bothered my wife a lot. She put 23 years of her life into this business."

Meanwhile, a trust member named Janell Trimble got $185,000 for her house, and her brother collected $115,000 for his fiberboard house.

"I may be a member of the [relocation trust's committee], but I honor my duties and I recuse myself when family members are involved," Trimble told the *Tulsa World* in 2008. "[B]ut as a buyout participant I also expect to be treated just like the next person."

Nonetheless, both Trimble and her brother received more than 35 percent above the average price per square foot. On the other end of the spectrum, an elderly woman named Betty Betts received an offer of $12,000 for her home; when she protested, the appraised value was raised to $20,000. Many people got so little for their homes that they had to turn around and take out loans in order to resettle elsewhere in Oklahoma. In the end, the trust finished up with millions in unspent funds.

AMERICAN OVERSIGHT

Residents concentrated their anger on the company that the trust hired to conduct the appraisals, Cinnabar, which had previously made headlines for its management of a noise-insulation program at the Tulsa Airport, which involved multiple lawsuits . In response, the trust engaged an "appraisal reviewer" to go back over Cinnabar's work. But the reviewer, a company named Van Tuyl Associates, quickly came under criticism as well. "They [often] didn't get out of their car. They never entered these homes," said Keheley, who was a member of the trust at the time. (Van Tuyl Associates is now defunct; its former president could not be reached for comment.)

When the unrest over the buyout made the local newspapers, the trust's leadership pointed to a 95 percent acceptance rate for buyout offers. But some residents accused trustees of pressuring them with "take it or leave it" offers, according to a class-action lawsuit brought against the trustees, Cinnabar and Van Tuyl by more than 250 residents affected by the buyout. Plaintiffs also complained that they were denied the right to view the appraisal paperwork. There was even a fake camera—and posters notifying residents they were being videotaped—in the room where buyout offers were made, an apparent attempt to compel residents to take the offers, according to documents in the suit.

The suit, filed in Oklahoma district court, accused the defendants of cheating average property owners and rewarding friends and associates of the trustees. Depositions revealed an explanation for some of the inconsistencies in appraisals: For certain properties, Cinnabar expanded the boundaries of where it could find "comparables"—properties in adjacent counties whose sale prices were used to calculate the appraisals—with the approval of a state employee named J.D. Strong, who, according to the lawsuit, played a significant role in overseeing the trust.

One of the properties appraised in this fashion was that of Trimble, whose $185,000 payout, according to appraisal documents, had infuriated other residents.

When, in 2008, residents outlined their frustrations in a scathing six-page letter to Inhofe, Henry and other elected officials, Strong dictated the governor's reply, which was co-signed by Inhofe, lawyers for the plaintiffs asserted in his deposition. "I may have drafted this," Strong responded, when presented with a copy of the letter saved on Strong's computer.

In an interview, Strong defended the trust and its system of appraisals: "We knew going in that we weren't going to be the most popular. We went in with the idea that we were going to be fair. I can honestly say that, looking back, we were fair and unbiased and frugal."

During the six years the lawsuit was making its way through the state court system, both Cinnabar and Van Tuyl Associates declared bankruptcy. Eventually, the plaintiffs and the trust settled the case in 2015 for $1.3 million, which, after deducting attorney fees, meant that each resident ended up receiving an additional $2,600.

AMERICAN OVERSIGHT

But that didn't satisfy many property owners.

"The people of Tar Creek were treated like second-class citizens, based on where they were born and lived," concluded Wally Kennedy, a columnist at the *Joplin Globe* who reported on northeast Oklahoma, including Tar Creek, for more than 30 years. "For someone to portray the buyout of the people of Tar Creek as a successful program is lying through their teeth."

***

Once the trust obtained the properties on the toxic land, the next problem was how to destroy the empty structures that were on them.

Inhofe made sure there was enough money for the job. Even as he joined fellow Republicans in condemning President Barack Obama's 2009 stimulus bill as an unwarranted giveaway, the senior senator helped secure an additional $15.7 million in the bill to help the trust finish its work.

The trust hired a local businessman named Jack Dalrymple to oversee bids for the demolition contract. He was best known for organizing an annual deer hunt for paralyzed veterans, an endeavor that earned him a lifetime achievement award from a local Chamber of Commerce. His payment was to be 10 percent of the value of the winning bid. He formulated a scoring system to evaluate bids and, in March 2010, the trust awarded the contract to Stone's Backhoe, the most expensive of all four bids. At $2.1 million, it was nearly four times the cost of the lowest bidder.

Just 14 days after Stone's was declared the winner, it asked that the contract be reassigned to two subcontractors, CWF Enterprises, a carpet-cleaning business, and Vision Construction and Management. Former residents contend that there were longstanding ties between Dalrymple and the subcontractors. Whether or not they were friends before, they soon became hunting buddies. In October 2012, local coverage of Dalrymple's annual event for paralyzed veterans pictured the heads of the two firms setting up the flag for the hunt.

One of the losing contractors filed suit against the trust and individual trustees in Oklahoma district court, accusing them of violating the state's open-meeting act and competitive bidding act. The district county judge sided with the plaintiff, reopening the bidding process.

But rather than blame Dalrymple, the trust gave him a new contract. It included a flat rate for his services, $305,472—about $100,000 more than he would have received had the contract remained with Stone's.

In January 2011, a $1.7 million demolition contract was awarded to none other than CWF Enterprises, the carpet-cleaning business, which was also the least expensive of

AMERICAN OVERSIGHT

the three bids received. A month later, however, the estimated cost of the contract ballooned to $3,050,786—almost exactly 10 times what Dalrymple received in his new contract.

While many residents cried foul, Andy Lester, the trust's attorney, attributed the increase to the fact that the EPA-controlled repository for dumping debris had just closed down. Trekking the remains of the houses and businesses to a dumping ground further away caused the massive change order, and a near doubling of the contract.

Lester also defends the choice of Dalrymple to handle the bids, contending that he was an engineer with some prior experience with public contracts and that the trust members couldn't handle the process on their own.

"It is important to remember that the trust board consisted of nine members—including, for example, a physician, a school teacher, and a mushroom farmer. They were volunteers, not professionals at this kind of work," Lester said. "Jack Dalrymple is a professional engineer with significant experience. And candidly, there are very few professional engineers in northeast Oklahoma."

Nonetheless, lawyers out of the Tulsa region filed a lawsuit in 2012 under the False Claims Act that accused the trust members, Dalrymple and the heads of the companies hired to do demolition work of being part of a "good old boy network" and defrauding federal taxpayers.

Attorneys for the plaintiffs, Zach and Brad Barron, say the lawsuit fizzled when the Department of Justice took the stance that "the government didn't sustain damages" from the charges laid out in the complaint. In a false claims lawsuit, where the plaintiffs are effectively trying to recoup money that's owed to the government, a lack of willingness from the government is effectively a death knell, the Barrons said. The lawsuit was eventually dismissed.

In an interview, Dalrymple insisted the allegations of cronyism were entirely unfounded.

"There were a lot of emotions and feelings during that period," he said. "When you ask someone to leave their home, it's a tough thing. But ... there was nothing there."

***

Still, the drumbeat of complaints continued, eventually reaching the ear of Jerry Morris, the state director for Oklahoma's then-junior senator, Republican Tom Coburn.

It was no secret that Coburn, a physician who cast himself as a political outsider, didn't look upon Inhofe with any sort of fond feelings of mentorship.

"I think they were often seen as having very different approaches to politics," said

AMERICAN OVERSIGHT

David Blatt of the Oklahoma Policy Institute. "Inhofe is seen as a classic, pork-barrel politician who'd bring federal dollars to Oklahoma, the more the merrier." Whereas Coburn, Blatt says, "hated that kind of politics and did as little of it as he possibly could. In fact, he spoke disdainfully and caustically about it the whole time he was in the Senate."

Coburn was not shy about stepping on his fellow Republican's toes. Morris forwarded a memo with a lengthy list of allegations related to the awarding of contracts in the Tar Creek buyout, especially regarding the demolition work, to then-Attorney General Pruitt. In April 2011, Pruitt asked the state auditor and inspector, Gary Jones, to look into the memoranda sent from Coburn's office.

"I have determined that these concerns are serious in nature such that an investigation of the matter is warranted," Pruitt wrote to Jones. A 17-point list of allegations for Jones to investigate followed, including whether there was collusion between Dalrymple and the contractors hired to do the demolition work.

After spending almost two years on the investigation, Jones turned over the results of the audit to the attorney general's office in January 2014, apparently believing it had uncovered important information.

For a year and a half, the attorney general sat on the findings. Then, in May 2015, Pruitt announced that he wouldn't press charges. In addition, he vowed to keep the audit secret by refusing to release it.

Jones fired back at the attorney general's office days later, penning a letter to Pruitt that described his rationale for withholding the audit as "baffling."

"To our knowledge, the individuals named in the report are members of a public trust or contractor whose services were retained as part of this substantive project," Jones wrote. Further, he contended, "our office has received no inquiries from you or your staff regarding the content of the audit report."

Pruitt justified the secrecy by comparing the investigation results to the findings of a grand jury. "Specifically, our office is concerned about publication of unsubstantiated criminal allegations against private citizens," Pruitt wrote in a 2015 statement.

In an interview with POLITICO, Pruitt appeared to go one step further, suggesting the audit had in fact been vetted by a grand jury.

"You're addressing issues that it's been some months since I've looked into," Pruitt said. "I know the decision I made at that time was based upon the investigative audit. The investigative audit didn't yield anything to the grand jury, and, as such, it was important to protect the individuals' reputation that were in that investigation."

But when asked to clarify, a Pruitt staff member indicated that he was using the term

AMERICAN OVERSIGHT

"grand jury" as shorthand for the Multi-County Grand Jury Unit, a division of the AG's office, headed at the time by a Pruitt appointee, which decides whether to take cases to a grand jury for indictment.

It's not the same as a grand jury finding. Nonetheless, the attorney general's office, now overseen by Mike Hunter, Pruitt's former top deputy, has denied all open records requests for the audit, declaring it to be "under the supervision of the Multi-County Grand Jury Unit." A spokeswoman for the Oklahoma attorney general's office said that if there was in fact a grand jury, the office couldn't confirm or deny that.

These rationales befuddle open records experts.

"I don't think there's anything in the law that would prohibit it [the investigation] from being released," said Joey Senat of Oklahoma State University, the president of FOIA Oklahoma. "The law doesn't require that the audit be kept secret. What would its release be harming? They've closed the investigation and decided not to prosecute."

Jones, who is now running for governor, reiterated his call for the attorney general's office to release the audit, saying in a statement that "regarding any investigation of this kind, we always err on the side of transparency and the people of Oklahoma have a right to know."

Concluded Senat: "When you have the state auditor [Gary Jones] saying these are not unsubstantiated claims and this is a serious problem, good government would call for letting the public know what happened and showing the public the audit. Transparency helps alleviate a lot of concerns about favoritism, corruption, and incompetency—if those are indeed unfounded."

***

Tar Creek today looks like an abandoned landfill. Illegal dumping has added a fresh layer of grime to the already ruined patch of earth. Giant craters from collapsed mine shafts, some as large as 200 feet in diameter, are filled with Bud Light cans, shotgun shells and the tangled remains of kids' playground equipment. "We call this urban renewal, Picher style," quipped former resident Gloria Workman.

Abandoned houses that were not part of the buyout are now coated with graffiti. The charred remains of the former mining museum in Picher, which burned down at the hands of arsonists, stands as a teetering monument to Tar Creek's former way of life. And the sense of danger and destruction extends beyond the former buyout area: On rainy days, local fields used for football practice bleed a toxic shade of orange.

The EPA is continuing its now 33-year-old cleanup effort, and it's thrust the Quapaws back into stewardship of the land. Although the tribe leased away or sold off significant chunks of Tar Creek to mining companies throughout the 20th century, the Quapaws have at least temporarily regained control of all of it. Since 2012, the

AMERICAN OVERSIGHT

tribe—a sovereign nation with roughly 5,500 members—has been the primary EPA contractor for environmental remediation at Tar Creek. It's the first time any tribe has been a prime contractor on a Superfund site, assigning all the contracts and overseeing all the work.

"It's a great story," said Craig Kreman, assistant environmental director of the Quapaw tribe. "We're employing tribal members a lot of the time and members of the community. So that income [from the EPA contract] stays here in this community and is being spent in this community. We're not hiring a contractor out of Georgia."

Every day, a steady stream of trucks haul away more than 2,000 tons of soil saturated with cadmium, lead and other metals at the site. Each patch of earth requires years of passive soil treatments before it tests clean enough to plant row crops like winter wheat. Half-acre by half-acre, the hope is that Tar Creek can be put into productive agricultural use decades from now.

In August, after touring the abandoned area and surrounding towns, Pruitt's senior adviser Albert "Kell" Kelly, praised the EPA's efforts surrounding Tar Creek in sweeping terms: "People from all across the country count on the Superfund program to address pollution and revitalize their communities. Tar Creek cleanup is an excellent example of how the program should work. State and local partners, tribal partners, and EPA—all working together year after year to address historical pollution at this mega-site. It's cooperative federalism working at its best."

But many local observers, including Ed Keheley, aren't nearly as positive.

"Usually, the EPA comes in, they do their dirty work, sprinkle some wheat seed, take a picture to show Congress, and next year it looks like this," he said, pointing to a barren pasture. "Clearly, the EPA hasn't had the best interests of the people at heart. So I get personally offended when people like Scott Pruitt suggest otherwise."

For his part, Pruitt announced a fresh grant of $5 million to the Quapaw-led project last May, and he is quick to distance this experiment in local control from the one that preceded it.

"We [the EPA] can't impact the buyout. We didn't authorize the buyout. I didn't manage the buyout and its unique situation," Pruitt said. "I think what's most tangible is what we can do together with the tribe to advance and continue remediation."

When asked to respond to the undying complaints of residents in rural Ottawa County, where Tar Creek is located—a county in which Trump received 71 percent of the vote in November 2016—Pruitt changed the subject. "I had no experience with Tar Creek, to be honest with you," he said.

That's true, except it was his office's decision, when he was attorney general, not to prosecute the people accused of mishandling the trust money, Keheley and other local

AMERICAN OVERSIGHT

residents point out.

But what galls them more than the failure to prosecute is the failure to release the results of a government investigation—an audit that they believe will raise questions about Pruitt's unwillingness to press charges and cast a negative light on a project near and dear to Inhofe's heart.

Pruitt's connections to Inhofe are extensive. One of Pruitt's first hires as EPA chief was Ryan Jackson, a longtime Inhofe staffer and the senator's point person on Tar Creek, who is now Pruitt's chief of staff. He also brought on four other former aides to Inhofe, the Senate's leading proponent of the idea that man-made pollution contributing to climate change is a conspiracy and a hoax. Three of them are Pruitt's senior advisers on air, climate and legal issues.

"It gives me a level of comfort to know that we have a bureaucracy that's actually going to be serving instead of ruling," Inhofe told the *Washington Post*, applauding Pruitt for hiring his staff.

Numerous veteran Oklahoma political watchers, some of whom spoke to POLITICO on condition of anonymity, suggest that there may be an ulterior motive in Pruitt's embrace of Inhofe: It's widely believed that Pruitt, who is 49, wants to run for Inhofe's seat when the senator retires. Many observers think Inhofe is unlikely to seek reelection in 2020, when he'll be 85. And some have noted that Pruitt's decision not to advance the case against the buyout trust spared Inhofe the embarrassment of seeing the program he personally tailored and promoted go down in scandal.

"Pruitt is a rising Republican political star previously in Oklahoma and now nationally," said one journalist who closely follows the Oklahoma political scene. "There have been rumblings that Pruitt might have his eye on higher office. ... Pruitt would do everything to keep Inhofe close, assuming he wants to run for that seat."

Wally Kennedy, the *Joplin Globe* columnist who has covered the Tar Creek trust more closely than any other journalist, said, "My sense of the way that unfolded was that Pruitt decided he was not going to do any kind of prosecution, and then Inhofe writes a letter saying what an outstanding job the trust did. My reaction was 'Huh?'"

"The fact that the audit was not publicly disclosed tells me that somebody is hiding something," he added. "This is Oklahoma taxpayers' money being committed to ratting out what appears to be some apparent corruption. But everybody looks the other way. That's why I'm talking to you. Because if you can shed a light on this, maybe somebody will say 'We need to take a second look at this.'"

Pruitt, however, insists his decisions were strictly based on the law, and an Inhofe staffer flatly dismissed the possibility of Inhofe influencing Pruitt's decision.

"Senator Inhofe would have had no involvement in the case or in any of then-Attorney

AMERICAN OVERSIGHT

General Pruitt's decisions," the staffer said.

Pruitt was similarly bemused by the idea that there would have been any sort of political calculation behind his decision to shield the audit. The only politics in this case, he suggested, was on the part of those who want to embarrass him and Inhofe.

"You would think that this wouldn't be a political issue, that people wouldn't put on the red and blue jerseys," Pruitt said in frustration.

Others argue that transparency in this case is not a political issue as much as a legal right.

"The open records act seems pretty clear this audit should be released," said Stevens, executive director of Campaign for Accountability. "You have to ask why he's not releasing it? Pruitt should have to be held accountable for this."

To view online click here.

Back

Pruitt named chair of Gulf Coast Ecosystem Restoration Council Back

By Anthony Adragna | 12/06/2017 07:28 PM EDT

President Donald Trump announced today that EPA Administrator Scott Pruitt would chair the Gulf Coast Ecosystem Restoration Council.

The group, formed in 2012 after the Deepwater Horizon oil spill, helps restore the ecosystems and economies of the Gulf Coast. Pruitt was unanimously selected by Alabama, Florida, Louisiana, Mississippi and Texas, the five states on the council.

"I am honored to be selected by the states and look forward to working with the governors to continue the excellent work of this Council to further the critical mission of restoring the Gulf of Mexico ecosystem," he said in a statement.

Pruitt named Kenneth Wagner, a senior adviser, to be his designee on the council. He takes over the chairmanship from the Secretary of Agriculture.

WHAT'S NEXT: Pruitt begins his chairmanship of the group.

To view online click here.

Back

AMERICAN OVERSIGHT

Powelson says McIntyre to be sworn in Thursday Back

By Eric Wolff | 12/06/2017 03:33 PM EDT

New FERC Chairman Kevin McIntyre will be sworn in on Thursday, FERC Commissioner Rob Powelson told an audience of electric power officials in Philadelphia today.

"At a general session this afternoon in Philadelphia, one of the key speakers was FERC Commissioner Rob Powelson, and during his speech this afternoon he confirmed that Kevin McIntyre will be sworn in tomorrow," PJM Interconnection spokeswoman Susan Buehler said.

President Donald Trump nominated McIntyre, a partner at the law firm of Jones Day, to be commissioner and designated him to be chair months ago. The Senate confirmed him in early November, and he received his signed commission just before Thanksgiving.

His swearing in will put to rest rumors that either the Trump administration or McIntyre himself were delaying his start date to give current Chairman Neil Chatterjee enough service time to make staffing changes. Chatterjee will miss that deadline by a day.

It also puts McIntyre in charge of the process initiated by Energy Secretary Rick Perry that is aimed at supporting coal-fired and nuclear power plants in an effort to protect the power grid's resilience. Action on that proposal is expected by Monday.

To view online click here.

Back

EPA to hold more hearings on Clean Power Plan withdrawal Back

By Emily Holden | 12/06/2017 03:28 PM EDT

EPA will hold three additional public hearings on a proposal to withdraw the Clean Power Plan, in San Francisco; Gillette, Wyo.; and Kansas City, Mo., the agency announced today.

EPA Administrator Scott Pruitt in a press release said the change was "due to the overwhelming response" to two days of hearings in West Virginia last week. Many environmental advocates criticized EPA for initially scheduling hearings only in coal country.

The agency will announce the dates and locations of the meetings in the coming

AMERICAN OVERSIGHT

weeks, and speakers must register.

The Obama administration, by comparison, held public hearings on the proposed climate standards in 2015 in Pittsburgh, Denver, Atlanta and Washington, D.C.

WHAT'S NEXT: Comments on the draft withdrawal are due Jan. 16.

To view online click here.

Back

Republicans divided over taking up tax extenders this year Back

By Brian Faler | 12/06/2017 05:40 PM EDT

Republican leaders are divided over whether to take up a second tax-cut bill this year.

Senate Republicans want to move legislation reviving a rump group of tax "extenders," separate from their more sweeping plan to rewrite the code.

But the House's top tax writer isn't so sure.

"I don't like the extenders," said House Ways and Means Chairman Kevin Brady (R-Texas). "It's horrible policy and process."

"No decision yet," he added, saying lawmakers need to talk it over.

His comments came after Sen. John Thune, the chamber's No. 3 Republican, said today lawmakers will revive biodiesel, geothermal and other energy-related breaks along with other "cats and dogs," including a tax credit to maintain short-line railroads.

Thirty-four temporary tax provisions expired at the end of last year, including 16 energy ones, and lawmakers are now facing demands to revive them. Some want to attach the provisions to funding legislation needed to keep the government open H.J. Res. 123 (115).

Many Republicans had sworn off the "extender" ritual after a 2015 tax agreement made many of the breaks permanent while giving others what lawmakers said was one final extension — which, for some, ended last year.

Putting together an extender bill, even as lawmakers negotiate a final compromise on their tax-overhaul plans, is likely to test tax writers' bandwidth.

To view online click here.

AMERICAN OVERSIGHT

Back

Solar pitches target Trump at USTR hearing Back

By Eric Wolff | 12/06/2017 03:46 PM EDT

Supporters of tough trade tariffs on solar energy equipment and their opponents squared off again at a hearing of the U.S. Trade Representative today. with both sides coloring their arguments in language aimed at swaying the White House.

The two companies seeking tariffs on foreign shipments of solar panels and cells, Suniva and SolarWorld Americas, pressed the case that barriers were vital for protecting U.S. manufacturing of the clean energy technology because of its importance for national security — issues at the heart of President Donald Trump's "America First" agenda.

"A strong remedy is required to persevere the U.S. industry, provide breathing space for this American-invented manufacturing technology," said Matt Card, vice president of operations for bankrupt Suniva. "Anything less would ... result in the loss of this industry. That would have a dramatic negative impact on national security."

Witnesses at the hearing opposed to instituting tariffs raised the same issues, but contended that trade barriers would threaten other businesses, and that the benefits of tariffs would help only a narrow segment of the solar industry.

"Factories in South Carolina and across the nation would suffer from solar tariffs," South Carolina Gov. Henry McMaster told the panel. "While there is only one operating factory in the U.S. petitioning for these tariffs, there are over 50 American-owned factories employing thousands of people that would be the ones harmed, including a steel mill in South Carolina that provides American-made steel for many of the U.S. factories that produce metal equipment for the utility scale solar farms."

The panel, which included representatives from the departments of Energy, Treasury, State, Labor and Commerce, and from the Council of Economic Advisers, appeared unmoved by the national security arguments, and instead peppered parties with detailed questions about the potential tariffs' impacts on U.S. solar power demand. Panel members also questioned whether a few years of trade protections would be enough time for Suniva and SolarWorld to hike their production enough to catch up to overseas competition.

They pressed witnesses from both side on how tariffs would effect the domestic solar market, whether a modest tariff would be effective, and their opinions on the recommendations the U.S. International Trade Commission sent the White House last month. ITC members recommended a range of options, from sliding scale of tariffs to a cap on total shipments.

AMERICAN OVERSIGHT

The Trade Representative will send the White House a recommendation, and Trump has until Jan. 26 to make a decision.

To view online click here.

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://www.politicopro.com/settings

This email was sent to rnolan@nma.org by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

EXT-18-783-F-004253

ED_001863D_00000298-00031

To: Sarah Greenwalt (greenwalt.sarah@epa.gov)[greenwalt.sarah@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]
From: Bennett, Tate
Sent: Wed 7/5/2017 6:51:30 PM
Subject: Overview of intergovernmental respondents on WOTUS
WOTUSFedCommentsByState.docx

AMERICAN OVERSIGHT

WOTUS Commenters as of C.O.B. June 20, 2017

At a glance: **19 Governors**
20 Attorneys General
18 Intergovernmental Associations
49 cabinet-level state agencies

ALABAMA

Attorney General Steve Marshall
Alabama Department of Agriculture

ALASKA

Governor Bill Walker
Attorney General Jahna Lindemuth

ARIZONA

Governor Doug Ducey
Eastern Arizona Counties Organization
Gila County Board of Supervisors (Humphrey)
Gila County Board of Supervisors (Martin)

ARKANSAS

Governor Asa Hutchinson
Attorney General Leslie Rutledge
Arkansas Department of Agriculture
Craighead County (judge)
Marion County (judge)
Polk County (judge)
Saline County (judge)

CALIFORNIA

Association of California Water Agencies
California Association of Sanitation Agencies
California Department of Transportation
California Storm Water Quality Association
City of Azusa (city mgr)
City of Corona (city mgr)
City of Lake Forest (env. Mgr)
City of San Juan Capistrano (city mgr)

AMERICAN OVERSIGHT

City of Santa Ana (engineer)
Del Norte County Board of Supervisors
Elsinore Valley Municipal Water District
La Mesa (Helix) Water District
Los Angeles County Department of Public Works
Orange County Public Works
Riverside County Flood Control District
Rural County Representatives of California
San Diego County Water Authority
San Gabriel Valley Council of Governments
Sanitation Districts of Los Angeles County
Santa Fe Irrigation District
Santa Margarita Water District
Tuolumne County Board of Supervisors

COLORADO

Colorado Department of Agriculture
Colorado Department of Natural Resources
Colorado Department of Public Health and Environment
City of Aurora Water Administration
Huerfano County Water Conservation District
Northwest Colorado Council of Governments

CONNECTICUT

Connecticut Department of Energy and Environmental Protection

FLORIDA

Charlotte County Board of Commissioners
Florida Department of Agriculture and Consumer Services
Florida Department of Environmental Protection

GEORGIA

Attorney General Christopher Carr
Georgia Department of Natural Resources

HAWAII

Governor David Ige

IDAHO

Governor Butch Otter
Idaho Department of Agriculture
Idaho Department of Water Resources

AMERICAN OVERSIGHT

INDIANA

Attorney General Curtis Hill, Jr.
Association of Indiana Counties
County Supervisors Association of Indiana
Blackford County Surveyors
Hamilton County Surveyors
Hancock County Surveyors

IOWA

Governor Kim Reynolds
Lt. Governor Adam Gregg
Buchanan County

KANSAS

Governor Sam Brownback
Attorney General Derek Schmidt

KENTUCKY

Attorney General Andy Beshear

LOUISIANA

Attorney General Jeff Landry

MAINE

Governor Paul LePage

MASSACHUSETTS

Massachusetts Department of Environmental Protection

MICHIGAN

Attorney General Bill Schuette
Michigan Department of Agriculture and Rural Development, jointly with
Michigan Department of Environmental Quality

MINNESOTA

Minnesota Department of Natural Resources

AMERICAN OVERSIGHT

Minnesota Pollution Control Agency

MISSISSIPPI

Governor Phil Bryant
Forrest County (supervisor)

MISSOURI

Governor Eric Greitens
Attorney General Josh Hawley
Missouri Department of Natural Resources

NEBRASKA

Governor Pete Ricketts
Nebraska Department of Agriculture
Nebraska Department of Environmental Quality
Nebraska Department of Natural Resources

NEVADA

Governor Brian Sandoval
Attorney General Adam Paul Laxalt
Nevada Division of Environmental Protection
Clark County Regional Flood Control District
Humboldt River Basin Authority

NEW HAMPSHIRE

Governor Chris Sununu

NEW MEXICO

New Mexico Department of Agriculture

NEW YORK

New York State Department of Environmental Conservation

NORTH DAKOTA

Governor Doug Burgum
Attorney General Wayne Stenehjem

OHIO

AMERICAN OVERSIGHT

Attorney General Mike DeWine
Ohio Environmental Protection Agency
Ohio Department of Natural Resources, Oil and Gas Resources Mgt

OKLAHOMA

Attorney General Mike Hunter

OREGON

Oregon Department of Environmental Quality
Oregon Department of Fish and Wildlife
Oregon Department of Forestry
Oregon Department of State Lands
Jackson County Road Department
Yamhill County Commission

PENNSYLVANIA

Pennsylvania Department of Agriculture
Pennsylvania Department of Conservation and Natural Resources
Pennsylvania Department of Environmental Protection
Pennsylvania Department of Transportation (nat res. staff)

SOUTH CAROLINA

Governor Henry McMaster
Attorney General Alan Wilson
Dorchester County Administrator

SOUTH DAKOTA

Attorney General Marty Jackley
South Dakota Department of Environment and Natural Resources
Pennington County Board of Commissioners

TENNESSEE

Tennessee Department of Agriculture
Tennessee Department of Environment and Conservation

TEXAS

Attorney General Ken Paxton
Railroad Commission of Texas (three commissioners)
Texas Commission on Environmental Quality
Texas Department of Agriculture

AMERICAN OVERSIGHT

Texas Department of Transportation
Texas General Land Office

UTAH

Attorney General Sean Reyes
Duchesne County Commission

VIRGINIA

Commonwealth of Virginia Department of Agriculture and Consumer Services
Spotsylvania County (engineer)

WASHINGTON

Washington Department of Ecology

WEST VIRGINIA

Attorney General Patrick Morrisey
West Virginia Department of Environmental Protection

WISCONSIN

Attorney General Brad Schimel
Wisconsin Department of Natural Resources

WYOMING

Wyoming Association of Conservation Districts
Wyoming County Commissioners Association
Wyoming Department of Environmental Quality

INTERGOVERNMENTAL ASSOCIATIONS

***Joint Letter from the National Association of Counties, National League of Cities, U.S. Conference of Mayors**
Association of Clean Water Administrators
Association of State Floodplain Managers
Association of State Wetland Managers
Environmental Council of the States
National Association of Conservation Districts
National Association of Clean Water Agencies
National Association of State Departments of Agriculture
National Association of Flood and Stormwater Management Agencies

AMERICAN OVERSIGHT

National Conference of State Legislatures
National Governors' Association – Gov. Edmund Brown (CA) and Gov. Matt Mead (WY)
National Municipal Storm Water Alliance
National Water Resources Association
New England Interstate Water Pollution Control Commission
Western Governors' Association – Gov. Steve Bullock (MT) and Gov. Dennis Daugaard (SD)
Western States Water Council

**Joint Letter signed by Attorneys General from 20 states

AMERICAN OVERSIGHT

To: Daniell, Kelsi[daniell.kelsi@epa.gov]
Cc: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bennett, Tate
Sent: Fri 6/29/2018 1:07:23 PM
Subject: Re: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars

Nice!

On Jun 29, 2018, at 8:47 AM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

Got Kelsey to include our meeting!

Sent from my iPhone

Begin forwarded message:

From: "POLITICO Pro Energy" <politicoemail@politicopro.com>
Date: June 29, 2018 at 2:44:20 AM PDT
To: <daniell.kelsi@epa.gov>
Subject: Morning Energy, presented by ExxonMobil: What comes next for FERC? — Perry's New York state of mind — Pruitt meets California official on cars
Reply-To: "POLITICO subscriptions" <reply-fe9013757364017d7d-630326_HTML-848943095-1376319-0@politicoemail.com>

By Kelsey Tamborrino | 06/29/2018 05:41 AM EDT

With help from Anthony Adragna

PLOT TWIST: FERC Commissioner Rob Powelson shocked the energy world Thursday night when he announced he will leave the agency to lead a trade association for water utilities. Powelson, a Republican appointed by President Donald Trump, was one of the agency's fiercest critics of the administration's efforts to bail out struggling coal and nuclear power plants, but he told Pro's Darius Dixon that policy disagreements had nothing to do with his decision. He said he simply couldn't pass up the once-in-a-lifetime opportunity to take a great job as CEO of the National Association of Water Companies that would allow him to nix the commute to Washington from his home near Philadelphia.

There is no "subplot to this," Powelson said, adding it was a decision he made with his family. "I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever.

AMERICAN OVERSIGHT

And as a Philly boy, I will let it fly," he said. "No one came at me and said, 'You need to move on. You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

His departure will leave FERC deadlocked, and likely unable to approve new interstate natural gas pipelines over Democratic objections related to issues like climate change. Powelson was a critic against the administration's coal and nuclear bailout pitch, telling a Senate committee earlier this month that a bailout "goes against everything we talk about in terms of supply-and-demand side economics."

Now Trump has a chance to nominate a new commissioner who is friendlier to his pro-coal policies. Still, that person will require Senate confirmation with a tough calendar ahead. Keep in mind, the Senate is racing toward midterm elections, August recess and now a new Supreme Court confirmation — making a speedy confirmation for a FERC nominee all the more unlikely. Read more.

NEW YORK STATE OF MIND: Energy Secretary Rick Perry offered some harsh words Thursday for the state of New York energy, suggesting the federal government should consider preventing the state from blocking new natural gas pipelines. "I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" Perry said, referring to the administration's central national security argument behind efforts to bail out economically struggling coal and nuclear power plants.

Perry has criticized New York Gov. Andrew Cuomo for years, but didn't mention him by name in his remarks at the World Gas Conference. Perry said political opposition to new gas infrastructure had left the state vulnerable, including to major winter storms and cyberattacks. "And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said. Read more from Pro's Matt Daily.

FINALLY FRIDAY! I'm your host, Kelsey Tamborrino. PECO's Tom Bonner correctly identified the three current governors born in Pennsylvania: John Kasich, John Hickenlooper and Tom Wolf. A geography question to close out the week: What state has a triple divide that allows water to flow to the Pacific Ocean, Atlantic Ocean or the Hudson Bay? Send your tips, energy gossip and comments to ktamborrino@politico.com, or follow us on Twitter @kelseytam, @Morning_Energy and @POLITICOPro.

PRUITT MEETS CALIFORNIA OFFICIAL ON CARS: EPA Administrator Scott Pruitt will meet with California's top air regulator this morning in San Francisco, the agency said. Pruitt and Mary Nichols, the head of the California Air Resources Board, will discuss various issues including "cooperative federalism, car and truck greenhouse gas standards, and NAAQS," according to EPA. The Trump administration is weighing action on car emissions standards that could spark a court showdown with California,

AMERICAN OVERSIGHT

as it currently has authority to set its own greenhouse gas limits on tailpipe emissions. The last time EPA met with CARB officials, the agency called it a "productive" meeting, although Nichols took to Twitter shortly after to dispute that characterization.

** **Presented by ExxonMobil:** Natural gas has become more important than ever. That's because it's fueling an American manufacturing revival and creating jobs while lowering emissions. And ExxonMobil is one of the world's largest providers. EnergyFactor.com **

ZINKE TAKES HIS TURN: Kicking off the final day of the weeklong World Gas Conference, Interior Secretary Ryan Zinke will deliver opening remarks at a panel on innovation in the energy industry that's set to answer questions like, "How can innovative technologies, business models and operating practices shape the future of the global natural gas industry?"

Later in the day, EPA's air chief, Bill Wehrum, will join a workshop on the "role of voluntary action in methane management" — an interesting discussion as greens have pointed fingers at the agency after a report released last week found oil and gas methane emissions are greater than previously thought. Former Energy Secretary Ernest Moniz will close out the conference with remarks about "energy systems of the future."

FOR YOUR RADAR: Zinke met with a "good mix" of electricity, oil and gas leaders Thursday afternoon for a roundtable discussion, an industry source who attended the meeting told ME. About 40 or more people attended the meeting with Zinke, the source added, which ranged from discussions on streamlining the permitting process to federal lands. The meeting follows a similar one in May between Zinke and several conservation groups.

INTERESTING TEAM: Reps. Kyrsten Sinema, a Democrat running for Senate in Arizona, and Steve Stivers, the chairman of the National Republican Congressional Committee, released legislation Thursday that would require political appointees to personally pay back any illegal expenditures of public funds. No one is singled out, but Pruitt's $43,000 privacy booth would certainly fit the bill. To qualify for repayment under the bill, the spending must be found illegal through a joint determination from an inspector general and the Government Accountability Office. Reps. Brian Fitzpatrick, Josh Gottheimer, Carlos Curbelo and David Young co-sponsored the legislation.

TIMING UPDATE: A House Oversight Committee aide tells ME that staff expect to speak with Kevin Chmielewski, the former Trump EPA political staffer-turned-whistleblower, "within the next couple of weeks." They'll interview current chief of staff Ryan Jackson today, according to the aide. Pro's Anthony Adragna reported committee staff also interviewed policy adviser Samantha Dravis on Thursday.

INDIAN AFFAIRS NOM CONFIRMED: The Senate confirmed Tara Sweeney to be assistant secretary for Indian Affairs at Interior on Thursday by a voice vote.

AMERICAN OVERSIGHT

Sweeney, who previously served as executive vice president of external affairs for Arctic Slope Regional Corporation, was nominated back in October, and was advocated for by Senate Energy Chairman Lisa Murkowski. Sweeney was welcomed in a tweet by Zinke , who said he was "excited" for her arrival. "She is the first Alaska Native woman to hold the position," he tweeted. "A historic day for Alaska and America!"

IG RELEASES SUMMARY ON NPS ALLEGATION: Interior's inspector general released a brief summary of its investigation into allegations made against National Park Service Deputy Director P. Daniel Smith. An anonymous employee earlier this year said Smith made an obscene gesture and used vulgar language while standing in the hallway of the agency's headquarters, which prompted OIG to launch an investigation in May. The summary stopped short of condemning Smith, and cites a retelling by Smith and another NPS employee, who denied that Smith touched himself obscenely or used any vulgar language. The OIG said it could not find anyone else who witnessed the incident.

Smith, however, "acknowledged he gestured with his hands to simulate urinating while telling a story and stated that in hindsight, the story and the gesture were not appropriate for work," according to the summary. "The other employee said he was not offended by the story or the gesture but also acknowledged that they were inappropriate for the workplace."

THIS LAND IS OUR LAND: Montana Sen. Jon Tester is out with a new statewide ad promoting his stance on public lands, Campaign Pro's Zach Montellaro reports. The ad features a video of Tester speaking about his roots. "My family has made a living off the land in Montana for over 100 years," Tester says, adding, "As long as I'm in the U.S. Senate, Montana is not for sale." Watch the ad.

GAO: DOE SHOULD IMPROVE SPR OVERSIGHT: The Government Accountability Office released a report Thursday that offers several ways for DOE to modernize the Strategic Petroleum Reserve. The report found DOE had not identified the optimal size of the reserve, and said the last review conducted by the department "was limited in several ways." GAO made several recommendations, including a suggestion that Congress "may wish to consider setting a long-range target for the size and configuration of the SPR," taking into account issues like future oil production projections and U.S. International Energy Agency obligations.

"By not examining a full range of options, DOE risks missing beneficial ways to modernize the SPR while saving taxpayer resources," according to the GAO report, which was requested by the House Energy and Commerce Committee. "We will give GAO's recommendations careful consideration as the committee considers legislative options to address the concerns raised by this report," a joint statement from the E&C energy subcommittee's leadership said.

REPORT: MORE CAN BE DONE TO FIGHT BLACK LUNG: Although cases of

AMERICAN OVERSIGHT

black lung disease has declined in miners in most areas, excluding Appalachia, a new report from the National Academies of Sciences, Engineering, and Medicine says a "fundamental shift" is required in the way operators approach exposure control in order to eliminate the disease. The report found operators are complying with regulatory requirements, but the basis of such requirements could improve by recommending improvements to current monitoring technologies, as well as building out the research currently being done, among other guidance. Read the report.

AGs JOIN EPA SCIENCE PANEL SUIT: Attorneys general from nine states filed an amicus brief this week in support of the plaintiffs suing over EPA's policy barring scientists who receive agency grants from serving on its scientific advisory committees. "The advisory committee Directive has already caused dozens of uniquely qualified scientists to be removed from their posts on EPA advisory boards and committees, while leaving in place (and even increasing) persons affiliated with regulated industries," the brief states. AGs from Washington, California, Illinois, Iowa, Maryland, Massachusetts, New Jersey, New York and Oregon, and the Pennsylvania Department of Environmental Protection joined the filing.

MAIL CALL! RECONSIDER THIS: A bipartisan and bicameral group of lawmakers is calling on Perry to reconsider DOE's move to have power marketing administrations report directly to the assistant secretary for electricity instead of the deputy secretary, as has been tradition. "We are concerned that these changes could lead to decisions that are not in the best interest of Pacific Northwest ratepayers," they write.

A TIMELINE EMERGES: The White House is hoping to select a Supreme Court nominee before Trump leaves for his European trip on July 10, POLITICO's Nancy Cook reports. Whomever Trump nominates will likely get a confirmation vote after Labor Day, Senate Majority Whip John Cornyn said Thursday, telling POLITICO's Elana Schor he'd be "shocked" if the vote occurred before then. Cornyn, however, added he is "not opposed" to moving more quickly but said the process to confirm a nominee (i.e., background checks) would take quite a bit of time.

SENATE PASSES FARM BILL: The Senate Thursday passed a farm bill, H.R. 2 (115), which includes a provision reauthorizing the National Flood Insurance Program. But with the NFIP expiring on July 31, senators are looking at other vehicles to attach a short-term extension, Pro's Zachary Warmbrodt reports.

MINN. PUC APPROVES LINE 3: The Minnesota Public Utilities Commission approved Enbridge's proposed Line 3 tar sands pipeline on Thursday in a unanimous 5-0 vote, MPR News reports. The decision came with several conditions, the website writes, "including a decommissioning trust fund to ensure the new pipeline will be retired responsibly decades from now." Green groups have urged the PUC to reject the pipeline, especially following a 2010 Enbridge pipeline spill in Kalamazoo, Mich. Read more.

AMERICAN OVERSIGHT

VISUALIZE IT: JUST Capital, a nonprofit business tracking group, will release today its new "Environmental Explorer" interactive tool, which allows users to explore companies based on their environmental impact, including recycling, waste management and electricity use. See it here.

QUICK HITS

— Sources: India preparing for cut in oil imports from Iran, Reuters.

— "Pope to huddle with environmental leaders, activists," Axios.

— "Gas Natural Fenosa becomes Naturgy," LNG World News.

— "One casualty of Trump's tough Iran stance? U.S. pump prices," Bloomberg.

— "U.S. sues Mount Vernon, alleging Clean Water Act violations," Associated Press.

HAPPENING TODAY

10 a.m. — Wilson Center forum on "National Guard Interests in the Arctic: Arctic and Extreme Cold Weather Capability," 1300 Pennsylvania Ave NW.

10 a.m. — The National Academy of Sciences meeting of the Committee on Offshore Science and Assessment, 2101 Constitution Avenue NW.

12 p.m. — The Federalist Society teleforum on "EPA's CAFE: What's on the Menu for Fuel Economy and Greenhouse Gas Standards?"

THAT'S ALL FOR ME!

** **Presented by ExxonMobil:** Energy is fundamental to modern life and drives economic prosperity - in small communities across America and around the world. We need a range of solutions to meet growing energy demand while reducing emissions to address the risk of climate change. Visit the Energy Factor to learn more about some of the bold ideas and next-generation technologies we're working on to meet this challenge: EnergyFactor.com **

To view online:
https://subscriber.politicopro.com/newsletters/morning-energy/2018/06/what-comes-next-for-ferc-267420

Stories from POLITICO Pro

GOP FERC commissioner slams latest bailout pitch Back

By Darius Dixon | 06/12/2018 03:17 PM EDT

AMERICAN OVERSIGHT

Republican Commissioner Rob Powelson positioned himself Tuesday as FERC's leading critic of the Trump administration's call to rescue financially struggling coal and nuclear plants, panning the latest approach floated by the White House.

Letting the Energy Department prop up money-losing power plants in the name of national security is not necessary to maintain a resilient electric grid, Powelson said at a Senate Energy and Natural Resources Committee hearing with all five FERC commissioners. A former chairman of the Pennsylvania Public Utility Commission, Powelson said electric service was not disrupted by power company bankruptcies during his time as a state regulator.

"These markets are operating hyper-efficiently," he said. "Now, we're seeing the best of all worlds: New resources, cleaner resources, more efficient resources coming in the marketplace. The markets are creating orderly entry and exit, and to put someone's risk capital at play I have grave concerns about that."

The idea of a government bailout "goes against everything we talk about in terms of supply-and-demand side economics," Powelson added.

DOE is pondering the use of the Federal Power Act and the Defense Production Act to force coal and nuclear power plants to keep operating in the face overwhelming competition from cheap natural gas and growing renewable power that has pushed big power units into retirement. A memo that circulated at the National Security Council earlier this month cited possible attacks on natural gas pipelines among the justifications for DOE's latest national security approach.

Speaking to reporters after the hearing, Powelson acknowledged that national security "should be part of the conversation," but he seemed skeptical of the administration's shifting justifications for a bailout.

"All of a sudden we have a national conversation that went from potential reliability issues, now to national security issues," he said, referring to DOE's ill-fated effort last year to push for payments to power plants with 90 days of fuel on-site, an earlier tactic aimed at supporting coal and nuclear power. "I struggle with the original posture of saying the FERC's not doing enough. I categorically disagree."

Chairman Kevin McIntyre acknowledged that Energy Secretary Rick Perry has the authority to declare a grid emergency that could require retiring power plants to keep operating, but he did not offer any opinion on the merits of such an approach.

Democratic FERC Commissioner Richard Glick, who once worked for former Energy Secretary Bill Richardson, said the agency has not built up a solid record for declaring a national emergency.

At the end of the Clinton administration, the Western energy crisis was still unfolding

AMERICAN OVERSIGHT

and Richardson invoked the emergency powers in the Federal Power Act and made use of the Defense Production Act to force the sale of natural gas supplies into the region because a defense facility was impacted, he said.

"We created a record. We have a record that it truly was an emergency," Glick said. "In this case, I think what we're trying to get a solution before we actually build a record suggesting that there's actually an emergency."

FERC Commissioner Neil Chatterjee, a former aide to Senate Majority Leader Mitch McConnell, tried not to dismiss DOE's proposal out of hand.

"It's a leaked memo. We don't know what the administration intends to do with it. But I think people are also too quickly dismissing it," Chatterjee said. "I've read the memo. There are a number of points in the memo that are thoroughly well-cited and researched and I think we can disagree what the remedy might be but I think they raise a real issue."

On Monday, Chatterjee and Glick penned an editorial that called for setting up a regiment of mandatory standards for natural gas pipeline, the infrastructure that DOE argues poses a risk to national security.

Senate Energy and Natural Resources Chairwoman Lisa Murkowski told regulators that she's been frustrated with FERC's pace of addressing market concerns and argued that that may have egged DOE on to jump into the power markets.

"I have my concerns with the steps that the Department of Energy is reported to be considering. But I also recognize that they're trying to fill a perceived vacuum," the Alaska Republican said at Tuesday's hearing.

"In my view, FERC should be pointing the way on policy improvement that address grid vulnerabilities while reaffirming our commitment to competition in wholesale power markets," she said. "And frankly, as one who has been concerned about this issue for years now, I find it unfortunate that prior commissions did not lead more effectively."

To view online click here.

Back

Powelson: No 'subplot' to surprise FERC exit Back

By Darius Dixon | 06/28/2018 08:20 PM EDT

FERC Commissioner Rob Powelson says his surprise decision to resign after just one year at the commission had nothing to do with his frequent objections to one of the

AMERICAN OVERSIGHT

Trump administration's main energy policy goals.

The Republican former state regulator has been one of the most vocal critics of the Energy Department's efforts to rescue economically struggling coal and nuclear power plants, but he said that position was not a factor in his decision to leave the commission. In mid-August, Powelson will take over as CEO of the National Association of Water Companies. He simply jumped at a once-in-a-lifetime opportunity to take a great job that would allow him to avoid commuting to Washington from his home near Philadelphia.

There is no "subplot to this," he told POLITICO on Thursday, saying it was a decision he made with his family.

"I'm at peace. I know people want to be like, 'Argh, he got forced out! He pissed off the president or Rick Perry.' I'm free to speak my mind now more than ever. And as a Philly boy, I will let it fly," he said in a phone interview after announcing his plan to resign.

"No one came at me and said, 'You need to move on,'" he added. "You know if that would ever happen, I would never do it anyway. ... If I was done wrong, I'd tell you about it. But life is better than I deserve it to be."

Powelson's departure could also leave FERC's four remaining commissioners unable to approve new interstate natural gas pipelines over Democratic objections related to climate change or the agency's overall process for assessing the need for those projects. A former chairman of the Pennsylvania Public Utility Commission, Powelson also was one of the strongest advocates for state regulators, especially in PJM — the regional grid that would be most affected by the Trump administration's coal-boosting efforts.

Leaving in August means that Powelson will have served on the commission for just one year of a term that was scheduled to run through mid-2020, making his the shortest tenure in agency history since the 1960s, when FERC was still the Federal Power Commission. It also gives President Donald Trump an opportunity to replace Powelson with a regulator who is friendlier to his pro-coal policies.

Powelson said he didn't expect to be at FERC for such a short time, but felt he couldn't pass up the job offer, especially after the National Association of Water Companies told him it was planning to move its headquarters from Washington to Philadelphia. He has two sons, a rising seventh-grader and a rising 10th-grader, and said that his job change was in part a decision between career moves and an opportunity to be closer to family.

"I had every intention to stay longer. But honestly, I served eight and a half years on the Pennsylvania commission. I love this place. The people are great [at FERC]," he said. "But for me to say no — that opportunity is not coming around again, and I knew that. There was just too much alignment for me not to take it."

AMERICAN OVERSIGHT

The outgoing commissioner also said that he didn't pine for the FERC chairmanship, noting that few people run a state commission as well as FERC like Texas' Pat Wood did.

"I looked at Chairman [Kevin] McIntyre's desk the other day and I don't miss the piles of paper on my desk. I'm perfectly at peace. I was honored to be a commissioner. It's a stressful job to be a chairman and you're running the agency," he said.

"I've done the chairmanship duty [in Pennsylvania] and I'm perfectly at peace with that," he said. With emphasis and a chuckle, Powelson added: "Perfectly at peace, trust me."

He said he told all the commission leadership colleagues about his plans face to face, and sent an all-hands email to FERC staff Thursday.

Powelson warned that he's excited to talk about "water resiliency" and the "water grid" in a post-Flint, Mich., world that is also looking at the energy-water nexus. The association represents water and wastewater utilities such as American Water and Aqua America, among other companies.

"Now I get to be a pain in the ass on water policy," he said.

To view online click here.

Back

Rick Perry takes aim at New York Back

By James Hohmann | 06/19/2013 05:01 AM EDT

Rick Perry stars in an ad out Wednesday that coincides with his swing across the Northeast to lure jobs to Texas.

The one-minute, campaign-style video — shared first with POLITICO — attacks New York, where the governor is spending the day, as a high-tax, high-regulation state. (Watch the ad.)

New York Mayor Michael Bloomberg's ban on large sodas is referenced, and New York Gov. Andrew Cuomo is mentioned by name in the first 30 seconds, which plays out like an attack ad.

The second half turns triumphal, with feel-good music and B-roll of Texas skylines.

"Why have more jobs and businesses moved to Texas than any other state? Our state is

AMERICAN OVERSIGHT

No. 1 for business because we have no state income tax," Perry says, "and [Texas] has added more jobs than any state in the nation over the last five years."

The Republican governor, who many believe could run for president again in 2016, notes that Texas was just ranked No. 1 as a place to do business for the ninth straight year by Chief Executive Magazine.

"If you're tired of the same old recipe — of over-taxation, over-regulation and frivolous litigation — get out before you go broke," Perry says, with the state capitol in Austin as a backdrop. "Texas is calling. Your opportunity awaits."

As Perry speaks, messages on screen declare: "Bigger opportunities. Bigger Dreams. A Bigger Future. Go Big With Texas."

Perry is in Connecticut and New York for five days. He has courted, among others, gun manufacturers facing stricter laws in the wake of the Newtown shootings.

This is the latest salvo in an aggressive campaign to attract businesses and raise the state's profile that has already sent Perry to Illinois and California.

The video appears on the Web site of "Texas Wide Open for Business," which is part of the Economic Development Division within the governor's office.

TexasOne, a privately funded entity, launched a $1 million radio and TV campaign in Connecticut and New York last week. They are also paying for the governor's trip.

To view online click here.

Back

Perry warns of looming New York energy 'reckoning' Back

By Matt Daily | 06/28/2018 04:57 PM EDT

Energy Secretary Rick Perry today suggested that the federal government should consider preventing New York state from blocking new natural gas pipelines, echoing the national security argument he has put behind his efforts to bail out struggling coal and nuclear power plants.

Perry, who has criticized New York Gov. Andrew Cuomo for years, didn't mention the Democratic governor by name, but said political opposition to new gas infrastructure had left the state vulnerable to potential devastating power outages.

"I think we need to have a conversation as a country, is that a national security issue that outweighs political concerns in Albany, New York?" he said.

AMERICAN OVERSIGHT

New York has blocked the expansion of the Constitution Pipeline by denying the project the water permits it needs to extend the pipeline that would carry gas from Pennsylvania.

Perry laid out a scenario to an audience at the World Gas Conference where a major winter storm and cyberattack on the power grid hit the state at the same time.

"And people literally have to start making the decision about 'Do I keep my family warm? Do I keep the lights on?' Does the financial center of New York go dark? Do the hospitals shut down?" he said.

"At that particular point in time, the political leadership of that state that is keeping pipelines from being built — for strictly political purposes — are going to have real reckoning. I wouldn't want to be the governor of that state faced with that situation," he said.

To view online click here.

Back

Watchdog reports provide new ammo for Pruitt's critics Back

By Alex Guillén and Anthony Adragna | 04/16/2018 12:28 PM EDT

Critics of Scott Pruitt got fresh ammunition against the embattled EPA administrator on Monday, with two federal reports revealing that EPA had broken the law in building him a secure phone booth and that the agency had granted previously undisclosed pay raises of more than 20 percent to his political appointees.

EPA failed to notify lawmakers that it spent more than $43,000 to build a secure phone booth for Pruitt's office, according to a report from the Government Accountability Office on Monday morning. A few hours later, EPA's inspector general detailed the steep pay hikes — but did offer some support for Pruitt's claim that he had been unaware of controversial raises at the agency, though the internal watchdog stressed its investigation is ongoing.

Pruitt has drawn criticism that he has spent excessively on heightened security since he joined the agency last year. While Monday's GAO report focuses on the phone booth, Pruitt has also expanded his security staff to provide round-the-clock protection and spent heavily on first-class travel for himself and his security personnel to limit his exposure to potential threats from fellow passengers. He also faces questions over his use of special hiring authority to hire former lobbyists and political allies, but the IG's initial findings do not include evidence that he personally circumvented the White House in order to boost their pay, despite earlier reports.

AMERICAN OVERSIGHT

Construction of the phone booth violated the Financial Services and General Government Appropriations Act since it cost well above the $5,000 limit that requires the agency to notify Congress, according to the GAO.

"We conclude that EPA violated section 710 when it obligated $43,238.68 for the installation of a soundproof privacy booth without providing advance notice to the Committees on Appropriations of the House of Representatives and the Senate," the GAO report said.

EPA defended the booth as necessary to Pruitt's work, arguing that it was similar to a computer or other equipment he uses. But GAO said the booth is clearly a "furnishment" under the law and thus should have been reported to Congress in advance. EPA did not say whether the phone booth had been certified as a Sensitive Compartmented Information Facility, or SCIF.

"This is just one more example of how Scott Pruitt is blatantly breaking laws and ethics rules that protect taxpayers from government waste, fraud and abuse in order to help himself to perks and special favors — and taking deliberate steps to hide everything from Congress and taxpayers," Sen. Tom Udall (D-N.M.) said in a statement to POLITICO.

Critics wondered why Pruitt needed a place to make secure phone calls in his office since the agency already had two SCIFs in its headquarters. Those SCIFs are located outside of Pruitt's secure suite of offices, however.

The GAO report specifically steered clear of judging whether installing the booth was the best or only way to provide Pruitt with a secure phone line.

An EPA spokeswoman defended Pruitt's need for the booth but acknowledged that Congress had not been informed ahead of time.

"EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," spokeswoman Liz Bowman said in a statement.

Sen. John Barrasso (R-Wyo.), who chairs the Environment and Public Works Committee, said he wants to hear more from EPA about why it did not properly inform Congress.

"It is critical that EPA and all federal agencies comply with notification requirements to Congress before spending tax payer dollars. EPA must give a full public accounting of this expenditure and explain why the agency thinks it was complying with the law," he said.

GAO is also reviewing Pruitt's appearance in a cattle industry video that asked for

AMERICAN OVERSIGHT

public comments on Pruitt's plan to repeal the Waters of the U.S. rule. Democrats similarly alleged his actions violated the Antideficiency Act.

Separately, EPA's inspector general released a preliminary report on its investigation into several political appointees who were hired or promoted under special authority given to Pruitt through the Safe Drinking Water Act.

The report shows a handful of political appointees at EPA saw their salaries boosted by 20 percent or more in their first year at the agency — in some cases over objections from the White House. But Pruitt did not personally sign off on the most controversial raises, leaving open the question of how involved he was in the decision. The IG said the interim report was meant to "provide certain factual information" and "does not present any conclusions or recommendations."

None of the EPA staffers were named in the report, but the salary and other information provided aligns with names included in previously released employment documents reviewed by POLITICO.

The IG's report shows Sarah Greenwalt, senior counsel to Pruitt, received a $56,765 raise on April 1, while Millan Hupp, director of scheduling and advance, received a $28,130 raise the same day. Those figures are in line with The Atlantic's report that EPA circumvented the White House to boost their pay.

Chief of staff Ryan Jackson signed forms authorizing both of those pay increases, each time writing "Ryan Jackson for Scott Pruitt," according to documents included with the IG report. Jackson had said last week that he approved the raises.

EPA said those raises have been reversed, but the IG was unable to back up that claim. "We requested from the agency any documentation indicating modifications to the salary of any of the employees subsequent to the personnel actions noted above. As of report issuance, the agency was unable to provide us with complete information or confirmation of any modifications," according to the report.

The IG's office also uncovered several previously unreported raises, some of which were granted using the drinking water authority and others achieved by changing the employees' job classifications.

In mid-February, Forrest McMurray, an advance staffer from Oklahoma and, like Hupp, a relatively recent college graduate, saw his salary increase 25 percent through the same SDWA process that was later applied to Greenwalt and Hupp. (Bloomberg News had initially reported on Monday that the third raise granted via that process was to Samantha Dravis, the association administrator running the Office of Policy. But the third salary increase corresponds with McMurray's employment information, and Bloomberg removed Dravis' name from an updated version of its article.)

A fourth aide, speechwriter Lincoln Ferguson, received 25 percent pay increase last

AMERICAN OVERSIGHT

September after receiving a renewed position with the SDWA authority. Ferguson worked for Pruitt when he was Oklahoma attorney general.

Pruitt signed off on the raise for Ferguson, but not McMurray, according to the IG report.

Two other political appointees — Liz Bowman, the associate administrator for the Office of Public Affairs, and Kevin Chmielewski, the advance staffer who last week made allegations about mismanagement and wrongdoing at EPA to both Democrats and Republicans — appear to have received raises of more than 20 percent last summer when their employment classification was increased. Chmielewski departed the agency in mid-February.

Brittany Bolen, the senior deputy associate administrator in the Office of Policy, had received a 1.6 percent raise last summer when she underwent the same increase in classification.

The IG report was part of a larger investigation into EPA's use of a special hiring authority under the SDWA, which allows Pruitt to hire up to 30 staffers without having to go through normal hiring procedures or subjecting the staffers to the Trump administration's ethics pledge.

The SDWA authority was intended to allow EPA to bring on board engineers or scientists with subject matter expertise. Democratic critics alleged that Pruitt used it to get key political appointees in place quickly or to bypass ethics issues, and asked for the IG to review the matter. But EPA has dismissed those criticisms.

"Salary determinations for appointees are made by EPA's chief of staff, White House liaison, and career human resources officials. Salaries are based on work history; and, any increases are due to either new and additional responsibilities or promotions," EPA spokesman Jahan Wilcox said.

Records released last summer by EPA show that a dozen EPA political staffers were working in "administratively determined" positions as of mid-July 2017, while another 22 had been converted to permanent political appointees or left the agency.

Among those still working under the special hiring authority at that time were Nancy Beck, the deputy for EPA's chemicals office; Byron Brown, Pruitt's deputy chief of staff; air adviser Mandy Gunasekara; and a number of public affairs officials, including Michael Abboud, James Hewitt, Ferguson and Wilcox. Their status may have changed since.

The IG's audit of EPA's use of the hiring authority will continue, with a final report expected at a later date.

Emily Holden contributed to this report.

AMERICAN OVERSIGHT

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Oversight will interview two more Pruitt aides this week Back

By Anthony Adragna | 06/28/2018 02:47 PM EDT

House Oversight Committee staff are interviewing former EPA policy adviser Samantha Dravis today as they continue their probe into allegations of lavish spending and unethical behavior by Administrator Scott Pruitt, a committee aide confirmed.

In addition, staff plan to interview Pruitt's chief of staff Ryan Jackson on Friday, the aide said.

Dravis and Jackson's interviews come after the committee already spoke with multiple other members of Pruitt's inner circle: former security chief Pasquale "Nino" Perrotta, scheduler Millan Hupp and senior EPA counsel Sarah Greenwalt.

AMERICAN OVERSIGHT

Chairman Trey Gowdy (R-S.C.) had also requested an interview with former deputy chief of staff turned whistleblower Kevin Chmielewski by June 22, but it's not immediately clear when that interview will occur.

The latest interviews were first reported by E&E News.

To view online click here.

Back

Tester launches new TV ad on public lands Back

By Zach Montellaro | 06/28/2018 02:43 PM EDT

Sen. Jon Tester (D-Mont.) launched a new statewide ad called "Not for Sale," touting his stance on public lands and featuring video of Tester speaking with hunters and fishermen.

The positive ad opens with the senator talking about his family's roots in the state — "My family has made a living off the land in Montana for over 100 years," Tester says — and features a Montanan praising him, saying "he understands the importance of public lands to Montanans and his values are our values."

"As long as I'm in the U.S. Senate, Montana is not for sale," Tester says at the end of the ad.

Tester is facing Republican state Auditor Matt Rosendale in November.

To view online click here.

Back

White House wants Trump to nominate a justice before Putin trip Back

By Nancy Cook | 06/28/2018 05:07 PM EDT

The White House hopes to have a Supreme Court nominee chosen by the time President Donald Trump leaves for his European trip on July 10, according to one Republican close to the White House and one person involved with the judicial selection process.

The White House is expected to start interviewing candidates early next week, with the White House's top attorney, Don McGahn, leading that process. The goal is to hold

AMERICAN OVERSIGHT

confirmation hearings in August or September, so that any confirmed justice can join the court in early October, before the next term.

Top contenders include Raymond Kethledge, Thomas Hardiman, Amy Coney Barrett, Brett Kavanaugh, and Amul Thapar — though the person involved with the process stressed that other potential nominees from Trump's list of judges could also get a "hard look."

Trump and a cadre of yet-to-be-determined senior administration officials are expected to interview a handful of finalists, similar to how the White House handled the selection of Trump's first Supreme Court pick, Neil Gorsuch.

"The administration has already been through this once, so that really helps a lot. There is already a system in place," said the person involved with the process.

Several outside groups including the Koch-backed Americans for Prosperity and Judicial Crisis Network are expected to help to push the Republican nomination, especially once Trump announces his nominee.

The Judicial Crisis Network spent more than $10 million to support the Gorsuch confirmation, and JCN chief counsel Carrie Severino predicted the group's spending would exceed that figure this time around. With Democrats aiming to persuade moderate Republicans to block a nominee, she added, "this nomination will be more contentious."

But after months of the president dividing his party over thorny issues like immigration and trade, the Kennedy retirement offers a unique opportunity to motivate Trump's base and, potentially, to mobilize voters frustrated with Trump to turn out the GOP in the midterm elections anyway.

"Republicans have been looking for an issue to ensure their base turns out in November, and I think we've found it with the Supreme Court pick," said Andy Surabian, a Republican strategist and former special assistant to the president and White House deputy strategist in the Trump administration. "I know the pick will happen before the elections, but messaging-wise, I don't think you can have a better one than: 'Do you want the party of Maxine Waters deciding the fate of the Supreme Court?'"

The president seemed ecstatic about the open seat during a Wednesday evening rally in North Dakota. There, he pledged to select a judge who could serve for 40 to 45 years before doing his best to give supporters a sense of urgency about the need for continued Republican control Congress.

"Justice Kennedy's retirement makes the issue of Senate control the vital issue of our time," Trump said. "It's one of most important things we can do.

AMERICAN OVERSIGHT

This opening gives the White House a chance to energize its base for an election many had expected to favor the Democrats. And it calms some tension inside the administration about what messages Republicans should emphasize in the midterms — the tax bill, economy, work on opioid addiction and drug prices, or hard-line immigration policies.

"It's the policy issue of Supreme Court nominations, not tax cuts, that truly unites the Republican Party, as evident by President Trump's debate answer on this topic that fueled his home-stretch spring in 2016," said Jason Miller, a former top aide to Trump during the campaign and transition.

In recent weeks, Republicans have been split apart by the questions of potential tariffs or hard-line immigration moves. While tariffs and a border wall fire up Trump's base of white, working-class voters, those issues have not resonated as well within the business, donor, or establishment Republican community.

Republican leadership on the Hill had hoped that in 2018 Trump's midterm message would focus primarily on the healthy state of the economy and the Republican tax bill of 2017, yet the president himself has had trouble sticking to that message at several recent rallies.

Yet a Supreme Court nomination — which ultimately could affect health care, abortion rights, affirmative action, freedom of religion and speech, guns rights, and corporate regulations - brings together the disparate coalitions of the Republican Party.

Already the anti-abortion group, SBA List, has volunteers on the ground in Ohio, Florida and Indiana going door-to-door to try to woo female voters, Hispanics, and Democrats to support anti-abortion legislation. They just hired field staff to allow them to expand the operation into North Dakota and West Virginia, home states of two vulnerable Senate Democrats, Heidi Heitkamp and Joe Manchin, respectively.

"The Senate is where Supreme Court picks are confirmed. That is one of our driving reasons for engaging at this level," said Mallory Quigley, a spokesperson for SBA List.

On Thursday night, Trump met with a group of bipartisan senators, including Democrats Heitkamp, Manchin and Joe Donnelly and moderate Republicans Susan Collins and Lisa Murkowski, to discuss the Supreme Court vacancy.

Just as they hope to unite conservatives, Republicans are hoping the issue divides Democrats. Already the White House is eyeing the 10 Democratic senators up for reelection this fall in states that Trump overwhelmingly won in 2016 — and hoping to pressure them into supporting the nominee.

The greatest hope of Trump advisers is that a Supreme Court pick will dominate the news so much that it will not allow Democrats to talk about their vision for health care or the economy or taxes — or to present any positive, forward-looking message.

AMERICAN OVERSIGHT

"There will be no Democratic messaging on jobs, the economy or health care that cuts through, as many will be focused on hypothetical culture wars that make suburban swing voters uneasy," Miller said.

Eliana Johnson contributed to this report.

To view online click here.

Back

Cornyn: Supreme Court confirmation vote likely after Labor Day Back

By Elana Schor | 06/28/2018 12:51 PM EDT

The second-ranked Senate GOP leader on Thursday suggested the Supreme Court confirmation vote to replace Anthony Kennedy would take place sometime in September, saying he "would be shocked" if the vote happened before Labor Day.

Majority Whip John Cornyn (R-Texas) added that he is "not opposed" to moving President Donald Trump's nominee more quickly, but he noted that background checks on Trump's still-unnamed pick are likely to take time.

Republicans have already made clear that they don't plan to heed Democratic calls for a delay in the Supreme Court confirmation until after November's election to give midterm voters a chance to weigh in.

Supreme Court nominees since the Ford administration spent an average of 67 days between their nomination and final confirmation, according to a 2015 report from the Congressional Research Service — a window that Cornyn told reporters he "would endorse" as a goal. Of course, that figure doesn't include President Barack Obama's Supreme Court nominee, Merrick Garland, whom Republicans blocked and denied a confirmation hearing in 2016.

Republican senators anticipate dedicating much of August to passing appropriations bills, meaning that a final Supreme Court vote would wait until September. The high court's next term is set to begin on the first Monday of October.

Senate Judiciary Chairman Chuck Grassley (R-Iowa), however, declined to commit to any timetable.

"Everything is going to be judged by when the president makes an appointment and what [Majority Leader Mitch] McConnell wants to schedule," Grassley said. At this point, it's all speculation. And there's no point in speculating."

AMERICAN OVERSIGHT

Cornyn also cautioned Trump against selecting any nominee with a publicly stated position on overturning court precedents such as Roe v. Wade.

"I think that would be a terrible mistake, for the president to nominate somebody who had that sort of agenda," Cornyn told reporters, adding that "we don't need judges who have either personal or political or ideological agendas, in my view. And I think that ought to comfort all of us."

It's common for presidents of both parties to avoid picking a nominee with a lengthy paper trail for opponents to seize on, though Trump has previously said he would want to appoint anti-abortion judges to the high court.

One member of Trump's Supreme Court shortlist, Sen. Mike Lee (R-Utah), has championed anti-abortion legislation, although he suggested Thursday that Roe might be safer after Kennedy's retirement than some on the left have argued.

Burgess Everett contributed to this report.

To view online click here.

Back

Senate passes farm bill with flood insurance extension Back

By Zachary Warmbrodt | 06/28/2018 06:09 PM EDT

The Senate today passed a farm bill, H.R. 2 (115), that includes a provision reauthorizing the National Flood Insurance Program before it expires in the middle of hurricane season — a victory for coastal lawmakers.

But with time running out before the program's July 31 expiration date, and the enactment of the farm bill not a sure bet by then, senators are already looking at other vehicles to attach a short-term extension.

John Kennedy (R-La.) said he's looking at an upcoming FAA bill. Kennedy and Bill Cassidy (R-La.) pushed for the six-month reauthorization in the farm bill this week, and they've also introduced the extension as stand-alone legislation.

"We're not going to let this program expire," Kennedy said. "If lightning strikes and we get a [long-term] reform bill by the 31st, that would be great. But it's not likely to happen."

To view online click here.

AMERICAN OVERSIGHT

Back

Was this Pro content helpful? Tell us what you think in one click.				
Yes, very	Somewhat	Neutral	Not really	Not at all

You received this POLITICO Pro content because your customized settings include: Morning Energy. To change your alert settings, please go to https://subscriber.politicopro.com/settings

---

This email was sent to daniell.kelsi@epa.gov by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

AMERICAN OVERSIGHT

To: Chancellor, Erin[chancellor.erin@epa.gov]
Cc: Kundinger, Kelly[kundinger.kelly@epa.gov]
From: Bennett, Tate
Sent: Mon 6/25/2018 4:43:37 PM
Subject: Re: John Meyer

Please call. I'm just now realizing it's important to have either him there in person or Erin potentially dial in. In person is best. Sorry for the fire drill.

On Jun 25, 2018, at 11:34 AM, Chancellor, Erin <chancellor.erin@epa.gov> wrote:

> If y'all need anything, holler!
>
> Erin E. Chancellor
>
> On Jun 25, 2018, at 12:25 PM, Kundinger, Kelly <kundinger.kelly@epa.gov> wrote:
>
> > He is getting into town early to run through the route. He said he can be there at 2:30, therefore, I assume he can come 30 minutes sooner if we ask.
> > Please let me know if you'd like me to give him a call.
> >
> > Sent from my iPhone
> >
> > On Jun 25, 2018, at 11:24 AM, Bennett, Tate <Bennett.Tate@epa.gov> wrote:
> >
> > > Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?
> > >
> > > Sent from my iPad

AMERICAN OVERSIGHT

Cc: Chancellor, Erin[chancellor.erin@epa.gov]
To: Kundinger, Kelly[kundinger.kelly@epa.gov]
From: Bennett, Tate
Sent: Mon 6/25/2018 4:24:12 PM
Subject: John Meyer

Do you know when he get's into town? He might need to come to the DEQ meeting to discuss tar creek at 2 PM...if he can make it. Thoughts?

Sent from my iPad

AMERICAN OVERSIGHT

To: Beach, Christopher[beach.christopher@epa.gov]
From: Bennett, Tate
Sent: Sun 6/24/2018 2:54:54 PM
Subject: Re: Touching base regarding Monday

It's the same thing

On Jun 24, 2018, at 9:06 AM, Beach, Christopher <beach.christopher@epa.gov> wrote:

So are there two events – one CCR and then this one?

From: Bennett, Tate
Sent: Friday, June 22, 2018 6:17 PM
To: Beach, Christopher <beach.christopher@epa.gov>
Subject: Fwd: Touching base regarding Monday

2 pm on Monday!

Begin forwarded message:

From: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Date: June 22, 2018 at 5:44:09 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

AMERICAN OVERSIGHT

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy mobile phone

AMERICAN OVERSIGHT

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

> Tate -
>
> Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.
>
> The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.
>
> Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.
>
> Michelle Wynn
>
> DEQ - Legislative Liaison
>
> 405-702-7163 Office

AMERICAN OVERSIGHT

Ex. 6 - Personal Privacy Mobile

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

Ex. 6 - Personal Privacy Cell

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

AMERICAN OVERSIGHT

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

AMERICAN OVERSIGHT

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

AMERICAN OVERSIGHT

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Samuel DeMarco III[sdemarco3@icloud.com]
From: Bennett, Tate
Sent: Wed 11/1/2017 9:03:00 PM
Subject: RE: PG Reader: Mismanagement, conflicted leadership blamed for governance problems at PWSA

Thank you!

-----Original Message-----
From: Samuel DeMarco III [mailto:sdemarco3@icloud.com]
Sent: Wednesday, November 1, 2017 3:16 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: PG Reader: Mismanagement, conflicted leadership blamed for governance problems at PWSA

FYI - Today's paper

Mismanagement, conflicted leadership blamed for governance problems at PWSA

By: By Adam Smeltz / Pittsburgh Post-Gazette

Description: Problems — ranging from lead contamination to inaccurate bills — prompted state Auditor General Eugene DePasquale to investigate.

(Sent from PG Reader)

Link to this article:
http://www.post-gazette.com/local/city/2017/11/01/PWSA-audit-mismanagement-conflicted-leadership-DePasquale/stories/201711010131

Sent from my iPad

AMERICAN OVERSIGHT

To: Beach, Christopher[beach.christopher@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 10:16:52 PM
Subject: Fwd: Touching base regarding Monday

2 pm on Monday!

Begin forwarded message:

From: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Date: June 22, 2018 at 5:44:09 PM EDT
To: "Bennett, Tate" <Bennett.Tate@epa.gov>
Cc: "Kundinger, Kelly" <kundinger.kelly@epa.gov>
Subject: RE: Touching base regarding Monday

Thank you again for allowing us to host the Administrator and your team. Please let me know if you have any questions. -MW

2 pm meeting attendees –

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division Director

Lloyd Kirk, External Affairs Division Director

Shellie Chard, Water Quality Division Director

Chris Armstrong, State Environmental Laboratory Division Director

Rob Singletary, General Counsel

Michelle Wynn, Legislative Liaison

*Tentative; Erin Hatfield, Director of Communications

Proposed Topics:

- PFOS/PFOA

AMERICAN OVERSIGHT

- Superfund (in general, plus Eagle Industries, Tar Creek, Wilcox sites)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

Michelle Wynn

Legislative Liaison

Oklahoma Department of Environmental Quality

707 N Robinson, PO Box 1677

Oklahoma City, OK 73101

405.702.7163 office phone

Ex. 6 - Personal Privacy mobile phone

michelle.wynn@deq.ok.gov

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Friday, June 22, 2018 1:21 PM
To: Michelle Wynn
Cc: Kundinger, Kelly
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

AMERICAN OVERSIGHT

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

Tate -

Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn

DEQ - Legislative Liaison

405-702-7163 Office

Ex. 6 - Personal Privacy Mobile

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney

Department of Environmental Quality

(405) 702-7167 Office

AMERICAN OVERSIGHT

Ex. 6 - Personal Privacy Cell

Begin forwarded message:

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

AMERICAN OVERSIGHT

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

AMERICAN OVERSIGHT

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Chancellor, Erin[chancellor.erin@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 8:05:03 PM
Subject: RE: Touching base regarding Monday

Thank you! Sending to Lincoln

From: Chancellor, Erin
Sent: Friday, June 22, 2018 4:04 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: RE: Touching base regarding Monday

Tar Creek talkers attached. I know it's 2 pages BUT the first section (highlights) is the main part for him. John Meyers know all about the site, too. If you need anything else, please let me know.

Thanks,

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

Ex. 6 - Personal Privacy

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

AMERICAN OVERSIGHT

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

AMERICAN OVERSIGHT

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

AMERICAN OVERSIGHT

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Michelle Wynn[Michelle.Wynn@deq.ok.gov]
Cc: Kundinger, Kelly[kundinger.kelly@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 6:21:22 PM
Subject: Re: Touching base regarding Monday

Copying Kelly who will have those answers but perhaps Scott can ride in the Admin's car?

On Jun 22, 2018, at 12:39 PM, Michelle Wynn <Michelle.Wynn@deq.ok.gov> wrote:

Tate -
Sorry to change direction on you, but I will be doing the coordination on our end now. Fenton was involved when we were going to tour the alternative site, so now it's just going thru extra steps. This way you and I can have direct contact and go from there.

The meeting at our office for 2 PM is all locked in. As for the windshield tour, are you all arranging that part? I know, our director, Scott Thompson would like to join you on that part if possible. We can do the rest according to availability of room, we can also provide vehicles as needed.

Looking forward to having administrative Pruitt visit with us here in Oklahoma. Please let me know what else I can do to be of help.

Michelle Wynn
DEQ - Legislative Liaison
405-702-7163 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

From: Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Date: June 22, 2018 at 11:33:17 AM CDT
To: Michelle Wynn <Michelle.Wynn@deq.ok.gov>
Subject: Fwd: Touching base regarding Monday

Skylar McElhaney
Department of Environmental Quality
(405) 702-7167 Office
Ex. 6 - Personal Privacy

Begin forwarded message:

AMERICAN OVERSIGHT

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: June 22, 2018 at 11:32:12 AM CDT
To: Fenton Rood <Fenton.Rood@deq.ok.gov>
Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Kundinger, Kelly" <kundinger.kelly@epa.gov>, Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

AMERICAN OVERSIGHT

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

AMERICAN OVERSIGHT

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Fenton Rood[Fenton.Rood@deq.ok.gov]
Cc: Jackson, Ryan[jackson.ryan@epa.gov]; Kundinger, Kelly[kundinger.kelly@epa.gov]; Skylar McElhaney[Skylar.McElhaney@deq.ok.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 4:32:13 PM
Subject: RE: Touching base regarding Monday

This agenda is great. Let's lock it in for 2 PM. Also, I wanted to let you know the Admin will be doing a quick tour of Eagle Industries as well as a windshield tour of the following after our meeting. Let me know if you have any interest in participating in this part as well. No pressure either way.

Oklahoma City

- Eagle Industries – Just east of Oklahoma City
- Fourth Street Abandoned Refinery – east/central Oklahoma City
- Mosley Road Sanitary Landfill – NE Oklahoma City
- Tinker Air Force Base – SE Oklahoma City

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

AMERICAN OVERSIGHT

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

AMERICAN OVERSIGHT

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Chancellor, Erin[chancellor.erin@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]
Cc: Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 4:26:28 PM
Subject: RE: Touching base regarding Monday

Thank you kindly.

From: Chancellor, Erin
Sent: Friday, June 22, 2018 12:13 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: Touching base regarding Monday

If needed, here are the points from senior staff merged with the key messaging for the community engagement events.

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

Ex. 6 - Personal Privacy

chancellor.erin@epa.gov

From: Beck, Nancy
Sent: Friday, June 22, 2018 11:58 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: Touching base regarding Monday

There are general PFOS talkers somewhere, OW had the lead.

AMERICAN OVERSIGHT

Looping in Lincoln who should have them.

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

P: 202-564-1273

Ex. 6 - Personal Privacy

beck.nancy@epa.gov

From: Chancellor, Erin
Sent: Friday, June 22, 2018 11:29 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE: Touching base regarding Monday

Will do on Tar Creek!

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

Ex. 6 - Personal Privacy

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM

AMERICAN OVERSIGHT

To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

AMERICAN OVERSIGHT

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

AMERICAN OVERSIGHT

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

Bennett.Tate@epa.gov

AMERICAN OVERSIGHT

To: Chancellor, Erin[chancellor.erin@epa.gov]
Cc: Beck, Nancy[Beck.Nancy@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Bennett, Tate
Sent: Fri 6/22/2018 4:17:36 PM
Subject: Re: Touching base regarding Monday

Thank you!

On Jun 22, 2018, at 12:13 PM, Chancellor, Erin <chancellor.erin@epa.gov> wrote:

If needed, here are the points from senior staff merged with the key messaging for the community engagement events.

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

Ex. 6 - Personal Privacy

chancellor.erin@epa.gov

From: Beck, Nancy
Sent: Friday, June 22, 2018 11:58 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: Touching base regarding Monday

There are general PFOS talkers somewhere, OW had the lead.

Looping in Lincoln who should have them.

AMERICAN OVERSIGHT

Nancy B. Beck, Ph.D., DABT

Deputy Assistant Administrator, OCSPP

P: 202-564-1273

Ex. 6 - Personal Privacy

beck.nancy@epa.gov

From: Chancellor, Erin
Sent: Friday, June 22, 2018 11:29 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: RE: Touching base regarding Monday

Will do on Tar Creek!

Erin E. Chancellor

Counsel to the Administrator

U.S. Environmental Protection Agency

(202) 566-1757 (office)

Ex. 6 - Personal Privacy

chancellor.erin@epa.gov

From: Bennett, Tate
Sent: Friday, June 22, 2018 11:24 AM
To: Chancellor, Erin <chancellor.erin@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: Touching base regarding Monday

Don't kill me! Do you have any talkers on tar creek? Nancy, do you have anything on PFOS in general? This is for Monday. Last min trip!

AMERICAN OVERSIGHT

From: Fenton Rood [mailto:Fenton.Rood@deq.ok.gov]
Sent: Friday, June 22, 2018 11:22 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Kundinger, Kelly <kundinger.kelly@epa.gov>; Skylar McElhaney <Skylar.McElhaney@deq.ok.gov>
Subject: RE: Touching base regarding Monday

Proposed attendees:

Scott Thompson, Executive Director

Kelly Dixon, Land Protection Division

Lloyd Kirk, External Affairs

Shellie Chard, Water Quality

Michelle Wynn, Legislative Liaison

Erin Hatfield, Public Information Officer

Chris Armstrong, State Environmental Laboratory

Proposed Topics:

- PFOS/PFOA

- Superfund (in general and Eagle Industries, Tar Creek, Wilcox)

- RCRA (Macy's SEP was a positive)

- Water loss audits (our program that helps water systems save water and money)

- FACT team, including tribes, USDA, DWSRF and state funding projects

AMERICAN OVERSIGHT

- Importance of building drought resiliency into drinking water systems in response to drought, shifting population, expanding water demanding industries

From: Bennett, Tate [mailto:Bennett.Tate@epa.gov]
Sent: Thursday, June 21, 2018 4:13 PM
To: Fenton Rood
Cc: Jackson, Ryan; Kundinger, Kelly
Subject: Touching base regarding Monday

Fenton-

This is to confirm Pruitt's meeting with the director and division directors at 2 PM next Monday. Thanks again for your help. My cell is Ex. 6 - Personal Privacy if you need anything. I have also copied Kelly Kundinger with our advance team who will reach out about a security walk through in advance. Also, do you mind sending me an attendee list when you have one?

OK DEQ

707 North Robinson

OKC 73101

Elizabeth Tate Bennett

Associate Administrator for Public Engagement & Environmental Education

Office of the Administrator

U.S. Environmental Protection Agency

(202) 564-1460

AMERICAN OVERSIGHT

Bennett.Tate@epa.gov

<PFAS Update.docx>

AMERICAN OVERSIGHT

To: Morris, Madeline[morris.madeline@epa.gov]; Baptist, Erik[baptist.erik@epa.gov]; Beck, Nancy[Beck.Nancy@epa.gov]; Bennett, Tate[Bennett.Tate@epa.gov]; Boats, Brian[boats.brian@epa.gov]; Bolen, Brittany[bolen.brittany@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Caldwell, James[Caldwell.James@epa.gov]; Chmielewski, Kevin[chmielewski.kevin@epa.gov]; Cory, Preston (Katherine)[Cory.Preston@epa.gov]; Davis, Patrick[davis.patrick@epa.gov]; Dickerson, Aaron[dickerson.aaron@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Falvo, Nicholas[falvo.nicholas@epa.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Ford, Hayley[ford.hayley@epa.gov]; Forsgren, Lee[Forsgren.Lee@epa.gov]; Fotouhi, David[fotouhi.david@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Greaves, Holly[greaves.holly@epa.gov]; Greenwalt, Sarah[greenwalt.sarah@epa.gov]; Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Hale, Michelle[hale.michelle@epa.gov]; Hewitt, James[hewitt.james@epa.gov]; Hupp, Millan[hupp.millan@epa.gov]; Hupp, Sydney[hupp.sydney@epa.gov]; Jackson, Jennifer L.[Jackson.Jennifer@epa.gov]; Kelly, Albert[kelly.albert@epa.gov]; Konkus, John[konkus.john@epa.gov]; Letendre, Daisy[letendre.daisy@epa.gov]; Lyons, Troy[lyons.troy@epa.gov]; McMurray, Forrest[mcmurray.forrest@epa.gov]; Mickle, John[Mickle.John@epa.gov]; Munoz, Charles[munoz.charles@epa.gov]; Palich, Christian[palich.christian@epa.gov]; Perrotta, Pasquale[Perrotta.Pasquale@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Rodrick, Christian[rodrick.christian@epa.gov]; Schwab, Justin[schwab.justin@epa.gov]; Smith, Chris-L[Smith.Chris-L@epa.gov]; Su, Wendy[su.wendy@epa.gov]; Traylor, Patrick[traylor.patrick@epa.gov]; Wagner, Kenneth[wagner.kenneth@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Willis, Sharnett[Willis.Sharnett@epa.gov]; Woodward, Cheryl[Woodward.Cheryl@epa.gov]; Yamada, Richard (Yujiro)[yamada.richard@epa.gov]
From: Jackson, Ryan
Sent: Mon 7/10/2017 11:50:50 AM
Subject: RE:
image2017-07-09-200530.pdf

I also wanted to ensure the weeklies prepared by each of the program offices and regions are being circulated on Fridays.

From: Morris, Madeline
Sent: Friday, July 7, 2017 5:28 PM
To: Baptist, Erik <baptist.erik@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Boats, Brian <boats.brian@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Caldwell, James <Caldwell.James@epa.gov>; Chmielewski, Kevin <chmielewski.kevin@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Davis, Patrick <davis.patrick@epa.gov>; Dickerson, Aaron <dickerson.aaron@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Fotouhi, David <fotouhi.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Greaves, Holly <greaves.holly@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Hale, Michelle <hale.michelle@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Hupp, Sydney <hupp.sydney@epa.gov>; Jackson, Jennifer L. <Jackson.Jennifer@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert

AMERICAN OVERSIGHT

<kelly.albert@epa.gov>; Konkus, John <konkus.john@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; McMurray, Forrest <mcmurray.forrest@epa.gov>; Mickle, John <Mickle.John@epa.gov>; Morris, Madeline <morris.madeline@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Perrotta, Pasquale <Perrotta.Pasquale@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Rodrick, Christian <rodrick.christian@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Smith, Chris-L <Smith.Chris-L@epa.gov>; Su, Wendy <su.wendy@epa.gov>; Traylor, Patrick <traylor.patrick@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Willis, Sharnett <Willis.Sharnett@epa.gov>; Woodward, Cheryl <Woodward.Cheryl@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>
Subject:

Hope everyone has a good weekend.

See you bright and early on Monday Morning for the CoS Meeting

Madeline Morris Executive Scheduler | Office of the Administrator | direct: 202-564-0844 | Ex. 6 - Personal Privacy

AMERICAN OVERSIGHT

Region 1 Weekly Report
July 7, 2017

Hot Issues

Region 1/RI DEM leadership meeting

- The leadership teams from Region 1 and RI DEM will meet in Rhode Island on July 11 to continue our coordination on major issues affecting the state.

Penobscot Indian Nation consultation re: Maine water quality standards

- The Penobscot Indian Nation has requested a consultation meeting with the acting RA and DRA regarding the status of EPA's federally promulgated WQS for waters in Indian lands in Maine. The meeting will take place on July 12, and other Maine tribes will be invited to participate by phone.
- The Tribe has requested a later consultation meeting with EPA Headquarters.
- The WQS at issue are currently in effect. However, EPA has received two petitions (from the Governor of Maine and a coalition of industrial dischargers) to reconsider and withdraw the standards.
- In the litigation brought by Maine regarding EPA's disapproval of Maine's WQS, the court granted EPA's request for a 90 day stay in order to review the petitions and consider whether to reconsider the federal standards. By August 10th, EPA must indicate to the court its intentions on how to proceed with the litigation in light of the petitions. OGC, OW, and Region 1 have been discussing options.

Upcoming Public Events

EPA celebrates construction completion at Industri-Plex Superfund site with a ribbon cutting of the Aberjona Nature Trail

- On July 13th, EPA will participate in a ribbon cutting ceremony for the Aberjona Nature Trail, marking the completion of all construction at the Industri-Plex Superfund Site.
- The site, located in Woburn, MA is 12 miles north of Boston and has a 100-year industrial history including the manufacture of glues and gelatins from animal hides.
- Cleanup has been ongoing since 1993 and included construction of over 100 acres of specially designed caps/cover systems to facilitate redevelopment over highly contaminated soils and sediments, as well as the construction of an impermeable cap with a gas collection and treatment system over five acres of animal hide piles.
- Most recently, the final construction phase consisted of an innovative passive groundwater collection and treatment system, a floodplain enhancement project and conversion into the Aberjona Nature Trail, reconstruction of 2.4 acres of wetlands, and the installation of a fish ladder at Center Falls Dam.
- While overseeing the cleanup at this site, EPA also facilitated significant redevelopment including:
    - The Anderson Regional Transportation Center, servicing an average of over 1,200 Boston-bound commuter train riders daily and almost 20,000 Amtrak riders annually.
    - Raytheon Headquarters, Woburn's largest employer, employing about 1,100 people at its 438,000-square-foot facility on site, contributing $174 million in annual employment income to the community.
    - Forty-five other new businesses (including Target, Bob's Furniture Store, Petco, Chipotle Restaurant, and Red Roof Inn), supporting more than 820 jobs and contributing more than $36 million in annual employment income and more than $120 million in annual sales.

AMERICAN OVERSIGHT

- Currently, EPA is also working with developers for the reuse of three additional properties involving two residential/mixed use projects and one new commercial project.

Region 1 to host webinar for Massachusetts companies on business disaster preparation

- This July 18 webinar, held in coordination with the MA Office of Technical Assistance, is aimed at businesses using hazardous chemicals in flood-prone areas. An earlier webinar on this topic, held last month, drew over 60 participants, including municipal, state, and federal entities as well as businesses, consultants, and nonprofits.

Upcoming Major Decisions

None this week.

Last Week Highlights

None this week.

AMERICAN OVERSIGHT

Region 2 Weekly Report
July 7, 2017

Upcoming Hot Issues and Important Deadlines

- **Clean Water Act Section 303(d) "Impaired Waters" List for State of New Jersey:** Region 2 proposes fully approving the New Jersey Section 303(d) list, as submitted. New Jersey removed a total of 126 waterbody/pollutant combinations based on standards attainment, total maximum daily load development or errors in the original listing and added 311 new waterbody/pollutant combinations to the 2014 303(d) list. New Jersey does not object to our listing action and we are not aware of any stakeholder/affected party potential backlash.
- **Coalition of Environmental Organizations File Complaint Against EPA re: New York Water Quality Criteria :** On June 29, 2017, a coalition of environmental organizations filed a complaint in the U.S. District Court for the Southern District of New York alleging that EPA failed to carry out certain non-discretionary duties under the Clean Water Act (CWA) with respect to revised water quality standards (WQS) that the New York State Department of Environmental Conservation (NYSDEC) submitted to EPA for review. On May 9, 2016, EPA approved NYSDEC's revised designated use (primary contact recreation) for "Class I" and "Class SD" waters. EPA did not "take action" on NYSDEC's revised Water Quality Criteria (WQC) to support this use change for two reasons: (i) NYSDEC's revisions were to total and fecal coliform, which EPA considers to be outdated (pre-1986) fecal indicator bacteria and not scientifically defensible, and (ii) NYSDEC had committed to adopt EPA's 2012 recommended WQC for all primary contact recreation waters state-wide (including Class I and Class SD waters) in its upcoming triennial review. The plaintiffs allege that EPA failed to carry out its non-discretionary duty to propose and promulgate WQC for Class I and SD waters in New York. The plaintiffs seek, among other things, an injunction requiring the Agency to promulgate WQC for these waters within a reasonable time, and/or an injunction requiring the Agency to notify the state that the revised WQC are not consistent with the CWA and to specify the necessary changes.
- **Puerto Rico State Revolving Fund (SRF) Debt Restructuring:** On June 30th, the PR Aqueduct and Sewer Authority (PRASA), PR Environmental Quality Board and PR Department of Health signed a new forbearance agreement extending to December 31, 2017 for repayment of PRASA's outstanding debt to the PR Clean Water and Drinking Water State Revolving Funds (SRFs). This will allow additional time to reach an agreement on long-term restructuring of PRASA's debt to the SRFs. The Office of Water and Region 2 support this extension and are continuing to work with all three agencies towards agreement on long-term SRF debt restructuring.
- **Puerto Rico Electric Power Authority (PREPA) Files Petition under Title III of PROMESA:** On July 2, 2017, the PREPA filed a petition under Title III of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA). Title III of PROMESA contains provisions that are similar to Chapters 9 and 11 of the U.S. Bankruptcy Code, including a provision for a plan of adjustment to be proposed by the debtor, voted on by the creditors, and confirmed by the court. The petition was filed after the Financial Oversight and Management Board for Puerto Rico disapproved a debt restructuring agreement that had been reached between PREPA and its major creditors. PREPA's involvement in the Title III proceeding will add a complication to EPA and DOJ's negotiations with PREPA of a settlement to resolve its noncompliance with the Clean Air Act Mercury and Air Toxics Standards.
- **Puerto Rico Enacts Law on Disposal and Storage of Coal Ash.** On July 4, 2017, the Governor of Puerto Rico signed into law Senate Bill 81, which prohibits the deposit and disposal of coal ash or coal combustion residuals (CCRs) on all roads, lands, including landfills, and water bodies within the territory of the Government of Puerto Rico. The law also prohibits the storage of CCRs

AMERICAN OVERSIGHT

for a period greater than 180 days from the date of its generation, except that this limitation will not apply to: (1) the controlled storage of CCRs in tanks and silos for the manufacture of cement and concrete, and (2) any other beneficial commercial use as established by the relevant Commonwealth and federal regulatory agencies. In such cases, the storage period shall not exceed one year. The law requires the Puerto Rico Environmental Quality Board (EQB) to issue regulations within 90 days that establish the particular circumstances and conditions applicable to CCR storage and waivers and any other requirements. If EQB does not issue the regulations by that date, then the prohibition on disposal shall take effect on October 2, 2017. AES Puerto Rico, L.P. operates a coal-fired power plant on the island, which generates thousands of tons of CCRs each month.

Past Week Accomplishments

- **Agreement Reached to Resolve Stormwater Runoff Violations in Puerto Rico:** On Monday, July 3, Region 2 issued a news release announcing an agreement with Marina Puerto Del Rey (Marina PDR) Operations, LLC, resolving violations related to its discharges of stormwater runoff from the Marina PDR into the Caribbean Sea. The company has come into compliance, and has agreed to pay a civil penalty of $77,500.

AMERICAN OVERSIGHT

Region 3 Weekly Report
July 7, 2017

Hot Issues

Update on Holistic Approach to State and Federal Concerns re: Pittsburgh Drinking Water

Acting RA Rodrigues held a call with PADEP Secretary McDonnell on Wednesday, June 26, 2017 regarding the Agency's concerns involving Pittsburgh's drinking water and wastewater problems. The Pittsburgh Water and Sewer Authority (PWSA) has been in the news the past six months as water lines continue to break, a portion of their treatment system remains shut-down, the replacement of lead lines is problematic, and continued concerns associated with both combined and sanitary sewer overflows. Acting RA Rodrigues suggested both agencies meet at a higher level to determine how each agency can provide financial or technical assistance to the city in a more holistic fashion that would be more efficient and economically feasible than the approach currently being taken by the city due to lack of funding and resources. A kick-off conference call is scheduled for Monday, July 17, 2017 to lay out this collaborative approach on PWSA. PADEP requested support from EPA Region 3 and Office of Ground Water and Drinking Water to conduct a comprehensive performance evaluation (CPE) of PWSA's main filtration plant. A CPE assesses both the technical and managerial performance of a public water system. PADEP believes that the CPE will provide them with additional assessment capabilities above and beyond the tools and expertise at their disposal. PADEP would take the lead (with EPA collaboration) on follow-up with PWSA to ensure it addresses deficiencies. OGWDW expressed their desire to support conducing a CPE.

City of Philadelphia Requests Meeting with Region 3 Regarding Environmental Risk Associated with Lead Exposure

Acting RA Rodrigues received a letter of invitation from Mr. Thomas Farley, the Philadelphia Health Commissioner, on July 5, 2017, inviting both EPA and PADEP to join Mayor Kenney and other Commissioners of Philadelphia to discuss the risk of lead exposure and provide a path forward on preventing and responding to environmental risks. The Region is happy to sit down with the Mayor and PADEP to discuss next steps.

Upcoming Public Events

None to report this upcoming week.

Past Events

Region 3 Attends the Philadelphia Mayor's Healthy Rental Housing Roundtable

On June 29, 2017, regional staff attended the Philadelphia Mayor's Office of Community Empowerment and Opportunity's June 2017 Roundtable: Healthy Rental Housing: Current Risks and Opportunities for New Partnerships. The Roundtable discussion brought together city and private health officials, federal representatives, and numerous stakeholders from the housing sector and various organizations representing at-risk Philadelphia populations. The Roundtable discussion addressed the health and societal impacts caused by poor housing quality, such as: instability, insecurity and unaffordability. A primary focus of the discussion was centered around the growing issue of lead poisoning and asthma and how to address these issues.

U.S. Poultry & Egg Association Educational Video Created with Region 3

The U.S. Poultry and Egg Association requested Region III's collaboration on a video, building off of their successful environmental management video series for their poultry growers. The video provides more detailed insight to poultry growers on wise environmental management to prevent water quality issues and federal/state financial and technical assistance available to address any water quality

AMERICAN OVERSIGHT

issues. The all-day filming on a turkey farm on June 27, 2017, in the Shenandoah Valley, Pennsylvania. It went smoothly and the video is expected to be finalized this fall. Region III and OECA collaborated with USP&E on the script.

AMERICAN OVERSIGHT

Region 4 Weekly Report
July 7, 2017

Hot Issues

Chemical Release to Cape Fear River (Chemours Facility) – ENFORCEMENT CONFIDENTIAL
Key Message: Chemours (formerly DuPont) uses GenX technology, including a newer processing aid, that enables the production of high-performance fluoropolymers without the use of perfluorooctanoic acid (PFOA). GenX-associated chemicals have been found in the Cape Fear River, the source for the Wilmington, NC, drinking water system.

(Update):

- An on-site inspection at the Chemours Fayetteville, NC, facility was conducted June 28 and 29, 2017, to determine compliance with TSCA; Region 4 staff were accompanied and supported by OECA's contractor, ERG for the onsite inspection. EPA is communicating with the State as the investigation progresses.
- Region 4 has been working with the Office of Research and Development in Research Triangle Park (RTP), North Carolina Department of Environmental Quality (NCDEQ), and State Health Department to conduct surface water and drinking water sampling and analysis. NC requested that Chemours provide a letter to EPA to allow us to share CBI data.
- On June 29, 2017, NC Department of Health and Human Services (NC DHHS) released a summary of selected cancer rates for four counties (Bladen, Brunswick, New Hanover, and Pender) in the Cape Fear Region. The DHHS Deputy Secretary for Health Services explained that the results do not point to any consistent trends in counties that get their water from the lower Cape Fear.
- NC DHHS is expected to provide a revised health statement for the public within the next 2 weeks. NC DHHS expects to share their current risk assessment work and request feedback from EPA this week.

Kentucky Federal Implementation Plan (FIP) for 2008 Ozone Standard "Good Neighbor Provision" Requirements
Key Message: The statutory deadline for EPA to promulgate the Kentucky FIP to address Kentucky's obligations under the "Good Neighbor Provision" in 42 U.S.C. § 7410(a)(2)(D)(i)(I) for ozone emissions originating in Kentucky that might be transported to New York and other downwind states was June 2, 2016. EPA missed the deadline; the Sierra Club filed suit and the State of New York intervened.

- On May 23, 2017, the U.S. District Court for the Northern District of California issued summary judgment for plaintiffs and ordered the EPA to promulgate the Kentucky FIP by June 30, 2018. The Court will retain jurisdiction over the case until then.
- **(Update)** On July 5, 2017, Region 4 staff had a call with the Office of General Counsel, the Office of Air Quality Planning and Standards, the Senior Advisor for Air and Radiation, and the Acting Assistant Administrator for OAR to discuss potential next steps to respond to the court order.

AMERICAN OVERSIGHT

Florida Water Quality Standards Triennial Review

Key Message: Region 4 is ready to sign the decision document for the Florida water quality standards triennial review.

- EPA is approving several revisions including certain revisions to the Identification of Impaired Surface Waters and Permits regulations.
- Region 4 will not take action in two areas: 1) the saltwater nonylphenol criteria which is still under Endangered Species Act (ESA) consultation and 2) two delisting provisions which may not be revisions to water quality standards.
- Region 4 will act on these two areas when the ESA consultation is completed for the saltwater nonylphenol criteria and after Florida clarifies the intent and application of the delisting provisions in its next triennial review.

Upcoming Public Events

July 6, 2017 – Kerr-Mcgee Chemical Corp Superfund Site Tour in Jacksonville, FL and community and stakeholder meetings.

July 11, 2017 – Final public meeting led by the Army for the RCRA 7003 unilateral administrative order in Forest Park, GA for the Fort Gillem site.

August 22 – 24, 2017 – EPA staff will travel to Chile as a part of EPA's international assistance program and related to the agreement under the Central America Free Trade Agreement (CAFTA) to provide training on the management of hazardous wastes and technical investigations of chemical and hydrocarbon contamination. The trip will be funded through OITA's interagency agreement with the U.S. State Department.

Upcoming Major Decisions

None

Last Week Highlights

Northern Kentucky Redesignation – 2008 8-hr Ozone Standard

Key Message: EPA is working with the Commonwealth of Kentucky to redesignate to attainment the Northern Kentucky Area (Boone, Kenton, and Campbell Counties) for the 2008 8-h Ozone (O3) National Ambient Air Quality Standards (NAAQS).

- **(Update)** The final rule approving the redesignation was published on July 5, 2017.

AMERICAN OVERSIGHT

Region 5 Weekly Report
July 7, 2017

HOT ISSUES:

Region 5 Responded to Canadian National Train Derailment in Plainfield, Illinois, on June 30, 2017

Key Message: The region worked closely with Canadian National (CN), Plainfield Fire Protection District, Plainfield Police, and Will County Emergency Management Agency to secure and mitigate any releases of oil to navigable waters of the U.S.

On the evening of June 30, 2017 a train carrying 115 cars, 113 of Alberta sands crude oil and 2 buffer cars, derailed causing 21 tanker cars, each carrying approximately 28,500 gallons, to come off the tracks. One of the cars lost its entire load and another lost about half the load before personnel were able to plug it. The oil released into an excavation ditch that contained the oil. The ditch was not connected to navigable waters of the U.S. and had been installed temporarily to accommodate the installation of a new natural gas pipeline. The fire department blanketed the leaking cars and spilled oil with high expansion firefighting foam to mitigate the threat of fire and to assist in containing any harmful gasses emanating from the oil. As CN began moving the cars to stage them for offloading, two additional cars began leaking. One car released its entire load; however, a vacuum truck was stationed at the leak and recovered the oil immediately. No residential evacuations were made, but nearby businesses were evacuated.

EPA monitored impacts to navigable waters of the U.S. throughout the entire event. The closest waterway identified was the DuPage River approximately one-quarter mile from the derailment and no impacts to the water were identified. Once the spilled oil was recovered and the cars were staged for offloading, EPA began transitioning oversight to Illinois EPA. It is estimated that approximately 10,000 gallons of oil remain in the soils near the release site, but do not pose an imminent or substantial threat to waters of the U.S. EPA provided a site tour to Will County Department of Health to show the locations where oil may be remaining and explained the outstanding concerns. More information can be found at EPA's website at http://response.epa.gov/CNDerailment.

UPCOMING EVENTS:

NONE

UPCOMING MAJOR DECISIONS

NONE

PAST WEEK ACCOMPLISHMENTS:

Indiana Department of Environmental Management and Region 5 Sign Performance Partnership Agreement

Key Message: Indiana and Region 5 enter into 11th Performance Partnership Agreement (PPA), utilizing improved coordination process.

On June 30, 2017, the Indiana Department of Environmental Management (IDEM) and Region 5 entered into their 11th PPA. The PPA identifies individual agency priorities and joint priorities; outlines key strategies for each priority and goal; and contains the workplan for achieving these goals over the next two years. The term of the PPA is from July 1, 2017 through June 30, 2019 and covers the Air 105, Water 106, as well as the RCRA and TSCA PCB grant programs.

Building on a successful Wisconsin PPA Lean effort, Region 5 has been working to fully employ the many efficiencies that Sharepoint has to offer. With IDEM's input, Region 5 developed a Sharepoint

AMERICAN OVERSIGHT

site that would allow managers from both agencies access to upload, edit and comment on the draft agreements prior to final signature. The process also included an elevation protocol that provided IDEM and Region 5 managers a way to quickly elevate a stalled issue to senior management.

The use of Sharepoint for the development of this PPA allowed for greater coordination and interaction between state and federal managers than had occurred with previous PPA development. It also provided a fast and efficient method for IDEM and Region 5 managers to submit comments and negotiate issues. This, in turn, led to a faster review and approval process while ensuring that the PPA addressed both agencies' priorities and objectives.

Region 5 Investigated Potential Drinking Water Contamination at the Detroit Metropolitan Airport in Romulus, Michigan

Key Message: On June 29, 2017, the region initiated a response to an allegation of contamination in the drinking water system at the Detroit Metropolitan Airport.

The region immediately notified Michigan Department of Environmental Quality (MDEQ) of the report and attempted to obtain access to investigate and collect water samples at the airport but was unable to secure access from the Wayne County Airport Authority (WCAA). WCAA informed MDEQ that approximately one week earlier there had been an incident and that they had immediately collected water samples from the hot and cold water systems of the building. Elevated copper was detected in the hot water system, but copper concentrations were below the EPA Maximum Contaminant Levels (MCLs) in the drinking water system. The hot water system was shutdown pending an investigation.

On June 30, EPA received voluntary access from WCAA to collect water samples. Data was received and reviewed by ATSDR and shared with WCAA. All parameters were below limits and other measured parameters were not unexpected. Preliminary review indicates that WCAA's results, collected on June 20, are below EPA MCLs for copper but approximately 10-times the concentrations detected in EPA's results from June 30. Moving forward, Region 5 will continue to coordinate and share available information with MDEQ.

AMERICAN OVERSIGHT

Region 6 Weekly Report
July 7, 2017

UPCOMING HOT ISSUES AND IMPORTANT DEADLINES

Stoller USA, Houston, Texas
Region 6 is concluding internal coordination and plans to initiate a Stop Sale, Use, or Removal Order (SSURO) against Stoller USA, LLC (Stoller) for 16 products, based on referrals from the Missouri Department of Agriculture, Iowa Department of Agriculture, and a follow-up inspection conducted on June 22, 2016, at its Houston, Texas, operations. It has been determined that Stoller's products should be registered as plant regulators. Region 6 also plans to move forward with an administrative penalty case.

XTO Air Permit, Rio Arriba Co., New Mexico
EPA Region 6 will issue a final synthetic minor permit to XTO Energy for an existing operation on the Jicarilla Apache tribal land located in the Rio Arriba county of New Mexico. The facility had applied for a synthetic minor permit for its operation of 3 gas wells and a compressor station. Region 6 proposed a draft permit and received no comments during the public notice period.

Final PCB Authorization for Eagle, Westlake, Louisiana
Region 6 will issue final authorization for Eagle to dispose of onsite process waste generated PCB containing liquids in its Incinerator 1 &2 and its No. 3 Halogen Acid Furnace. A Public Notice was published in the Lake Charles American Press which opened a 45-day comment period during which requests could be made for a public hearing.

Tar Creek Superfund Site, Ottowa County, Oklahoma
Region 6 will conduct sampling for lead at the Tar Creek Superfund site, Operable Unit 5 in Ottowa County, OK. Data will fill data gaps related to characterization of and potential risk related to sediment and surface water within the Tristate Watershed; an area of 7 watersheds that covers approximately 437 square miles and 119 river miles. On July 13, the Oklahoma Department of Environmental Quality will sponsor a "Media Day" at the Tar Creek Site.

Bird Creek, Pawhuska, Oklahoma
Sampling of all surface water bodies was completed and samples were sent by chain of custody to EPA's Houston Laboratory for analysis. Data has been downloaded from the 18 surface water monitors, which were put in place to detect any changes in total dissolved solids during the time injection wells were shut-in. These instream monitors will continue to collect data to assist in the ongoing investigation of the elevated levels of Total Dissolved Solids.

Parker Solvents, Little Rock, Arkansas
At the request of ADEQ, Region 6 will conduct groundwater sampling at the Parker Solvents facility, to help with the final site-wide RCRA cleanup remedy. Parker Solvents Co., is a solvent blending, temporary bulk storage, sales, and distribution facility in Little Rock, Arkansas.

Lea and West Second Street Superfund Site, Roswell, New Mexico
Region 6 will conduct additional passive soil gas sampling at residential and commercial locations at the Lea and West Second Street Superfund site, Roswell, New Mexico, to assist in defining the source area for volatile organic contamination and for definition of the groundwater plume migration. This work is required to define the horizontal and vertical extent of contamination which is required for completion of a feasibility study.

AMERICAN OVERSIGHT

Texas Vermiculite Superfund Removal Site, Burnet, TX
Region 6 will mobilize to the Texas Vermiculite Superfund Removal site in Burnet, Texas, to begin collecting soil and air samples for asbestos analysis. The assessment is planned to be completed by July 14.

Citizen Potawatomi Nation of Oklahoma
Region 6 Tribal Operations Committee will meet on **July 12** in Albuquerque, NM and TAS application status will be discussed with Tribal leaders. The internal EPA review by Headquarters' Office of Water, General Counsel and Tribal Affairs on the draft approval of the treatment as a state authority (TAS) for Citizen Potawatomi to administer water quality standards and certification program under the federal Clean Water Act is on-going. The CPN TAS application is of high interest to the Tribes.

Reef/Rockwater Services, Snyder, Texas & Hobbs, New Mexico
After close coordination with the states, Region 6 will issue a RCRA §3007 Information Request to Reef/Rockwater Services regarding their operations in Snyder, Texas, and Hobbs, New Mexico. Reef/Rockwater provides oil and gas field services in Texas and New Mexico. Data reviewed from a treatment storage and disposal facility in Texas indicates that each of the facilities, while theoretically conditionally exempt small quantity generators, are actually large quantity generators and subject to hazardous waste generator requirements.

January Environmental Services, Oklahoma City, Oklahoma
In response to a referral by Oklahoma Department of Environmental Quality, Region 6 will issue a RCRA §3007 Information Request to January Environmental Services (JES) regarding their operation in Oklahoma City, Oklahoma. JES offers a variety of services including used oil recycling, parts washing, tank cleaning, and hazardous waste transportation.

Georgia Pacific Plant, Crossett, Louisiana
EPA, ADEQ and Georgia-Pacific representatives are scheduled to meet on **July 14** in Little Rock, Arkansas to discuss path forward in resolving issues, including a Title VI Civil Rights complaint.

Denka, LaPlace, Louisiana
According to news reports, 13 St. John the Baptist Parish residents have filed a lawsuit against the facility's current and previous owners in an effort to reduce or stop production of what the Environmental Protection Agency considers a "likely carcinogen." The suit, filed in 40th Judicial District Court against Denka Performance Elastomer and E.I. du Pont de Nemours and Co., seeks class-action status. The suit, assigned to Judge J. Sterling Snowdy, asks that the class include anyone who has lived, worked or attended school within a defined boundary surrounding the facility from 2011 to the present. The judge will determine if the petition meets the criteria to become a class action.

EPA (Region 6, ORD and OAQPS) will join LDEQ and Saint John the Baptist Parish President to brief local elected officials on **July 13** regarding chloroprene concentrations and Denka's progress in reducing emissions in LaPlace, Louisiana.

Region 6 Federal Facility Symposium, Dallas, Texas
Region 6 will host the annual training symposium on **July 12-13**. This year's Symposium agenda focuses on compliance assistance with compliance related presentations and regulatory updates. The afternoon of the second day includes state and federal facility led discussions. The symposium

AMERICAN OVERSIGHT

provides a forum for representatives of different federal facilities to interact with State and EPA regulators to share information about environmental programs and common issues.

FOIA

- EPA-R6-2017-007065, Oklahoma Energy Today, Copies of investigations into Plains All American Pipeline Company
- EPA-R6-2016-010733, FOX 23, Copies of investigations related to Wilcox and/or Lorraine Superfund Site in Bristow, Oklahoma

UPCOMING PUBLIC EVENTS

- July 10 – North Wastewater Treatment Plant Groundbreaking Ceremony, Sunland Park, New Mexico
- July 12 – EPA Regional Tribal Operation Committee meeting, Albuquerque, New Mexico
- July 27-28 – Children's Health Symposium at University of Texas at El Paso, Texas. EPA is sponsoring the event.
- August 3 – Texas Environmental Law Superconference, Austin, Texas. Acting RA will keynote.
- August 8 – State Environmental Directors' Meeting, Dallas, Texas (Tentative)
- September 11–13 – National Air Quality Conference, Austin, Texas. Attendees will learn the latest information on air quality forecasting and mapping.
- September 12-14 – US Mexico Border National Coordinator Meeting, Mexico City, Mexico
- September 17-21 - 19th Annual Stormwater Conference in San Antonio, TX. The Conference will inform and educate professionals on controls that can address water pollution
- October 27 – Arkansas Environment Federation 50th Annual Convention, Hot Springs, AR. Acting RA will keynote.

UPCOMING DECISIONS

Texas State Implementation Plan - Reasonably Available Control Technology (RACT) for the 2008 8-Hour Ozone National Ambient Air Quality Standard

Region 6 will propose the conditional approval of revisions to the Texas SIP addressing NOx RACT for the Martin Marietta cement manufacturing plant in Ellis County; fully approve revisions to the Texas SIP addressing NOx RACT for all other affected sources in the ten county DFW 2008 8-Hour ozone nonattainment area; and approve a finding that there are no emission sources in certain categories for the DFW 2008 8-Hour ozone nonattainment area.

Texas Regional Haze

EPA (Region 6, OAR, OGC) and TCEQ continue to develop an approach to address Texas Regional Haze and Texas has provided a proposal and subsequent clarification that describes a proposed "Intrastate Trading Program" that would be a part of a FIP that would ultimately be implemented by the State. EPA has a September 9 CD deadline that requires EPA to finalize a plan.

PAST WEEK ACCOMPLISHMENTS

Arkansas Regional Haze

Region 6 transmitted for the Administrator's consideration a proposed revision of the Arkansas Regional Haze Federal Implementation Plan (FIP) that was published in the Federal Register on September 27, 2016. EPA is proposing to extend compliance deadlines by 21 months to January 27,

AMERICAN OVERSIGHT

2020, as a result of our reconsideration process and our 90 day stay of the effectiveness of the compliance dates.

Arkansas Hazardous Waste Program
Region 6 proposed a direct final rule to authorize the State of Arkansas for State-initiated changes to their hazardous waste program and codifying the State's base hazardous waste program revisions.

PENDING ACTIONS (Pending Federal Register Publication)

- Final Authorization of Louisiana Waste Management Program Revisions; Proposed Rule and Direct Final Rule (9962-36-Region6; 9962-37-Region6)
- Final Authorization of Oklahoma Hazardous Waste Management Program Revisions; Proposed Rule and Direct Final Rule (9962-38-Region6; 9962-39-Region6)
- Approval of BART for Entergy Nelson for Louisiana Regional Haze (9964-20-Region6)
- Clean Air Act Operating Permit; Petition for Objection to State Operating Permit for Bunge North America, Inc. Destrehan Grain Elevator (9963-99-Region6)
- Hazardous Waste Management System; Identification and Listing of Hazardous Waste (9964-71-Region6)
- Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport FIP Revision (9964-52-Region6)

AMERICAN OVERSIGHT

Region 7 Weekly Report
July 7, 2017

Hot Issues

Approval of Iowa Water Quality Standard

Key Message: On June 30, 2017, R7approved the Iowa water quality standard for copper which is based upon the most current science.

- The state is adopting two "performance-based" approaches using the Water Effects Ratio (WER) and the Copper Biotic Ligand Model to calculate site-specific criteria for copper.
- The WER accounts for differences between the toxicity of copper in laboratory dilution water and copper's toxicity in the water at the site, taking into account additional factors affecting the bioavailability of copper to aquatic life.
- The Copper BLM is the "state of the science" for development of copper criteria; the model uses multiple parameters to consider how bioavailability affects the toxicity of copper.
- These rules elevate the level of science in Iowa's ongoing efforts to develop protective copper criteria in its waters, and will ensure that dischargers' effluent limits are established at levels that are protective of the state's designated uses.

Last Week's Highlights

4-State Operator Certification and Capacity Development Meeting

Key Message: On June 27 and 28, 2017, R7 held a 4-state Operator Certification and Capacity Development meeting to allow the state programs to exchange their successes and challenges.

- Nebraska shared success examples of board and council training which resulted in improved operations.
- Missouri shared a success example: the number of systems operated by one operator created a malpractice and negligence situation that impacted 32 public water systems. Through Missouri's actions to revoke the operator's license, it resulted in water systems having operators with a more balanced workload for greater assurance of drinking water meeting health based standards; water systems receiving better oversight; and the communities receiving the work for which they are paying.

EPA Contract Solicitation for Cleburn Street Well Site

Key Message: On June 30, 2017, R7 opened a contract solicitation opportunity for in-situ thermal remediation of soil contamination at the Cleburn Street Well Superfund Site in east-central Nebraska.

- This contract opportunity closes on August 4, 2017, and has been issued as a small business set-aside competition.
- Potential prime contractors and subcontractors have been encouraged to attend a pre-proposal contract solicitation presentation and conference on July 11, 2017, in Grand Island, Nebraska.
- R7 is seeking a contractor to design, install, construct, operate, control and monitor an in-situ thermal remediation (ISTR) system to address soil contamination detected at and below the water table across a thermal treatment zone of approximately 12,700 square feet.
- The contractor will also be responsible for preparing the site for system installation, identifying existing PVC wells or piping affected by the ISTR system, installing groundwater monitoring wells, and performing site restoration activities associated with the ISTR.
- The total estimated dollar value range for this one-year firm fixed contract is $3-6m.

AMERICAN OVERSIGHT

EPA Contract Solicitation for Madison County Site

Key Message: On June 30, EPA opened a contract solicitation opportunity for remediation of lead contaminated soils within the Madison County Superfund Site.

- This contract opportunity closes on July 31, 2017, and has been issued as a small business set-aside competition.
- Potential prime contractors and subcontractors have been encouraged to attend a pre-proposal contract solicitation presentation and conference on July 12, 2017, in Fredericktown, Missouri.
- R7 is seeking a contractor to provide Remedial Action services for residential properties impacted by the transport of mine waste from 2 1/2 centuries of mining in the Old Lead Belt area located in southeast Missouri.
- The work to be performed under this contract consists of excavation, consolidation, disposal, and re-vegetation of mining wastes and contaminated soils at portions of the Site.
- The total estimated dollar value range for this fixed unit price contract is $10-20m.

AMERICAN OVERSIGHT

Region 8 Weekly Report
July 7, 2017

Hot Issues

EPA denies UIC Class V Permit Application for Winona Inn Limited Partnership D/B/A The Lodge at Mount Rushmore

Key Message: On July 3, 2017, Region 8 issued a final decision denying a Class V permit for the Lodge at Mount Rushmore (the Lodge) in Keystone, South Dakota owned by the Winona Inn Limited Partnership.

- EPA contacted Mr. Arend, the owner and operator of the Lodge, by email and phone on July 3, 2017 regarding our decision. Mr. Arend stated that he clearly understood the reason for the EPA's permit denial.
- EPA coordinated with Pennington County Water Protection and with South Dakota Department of Environment and Natural Resources throughout the application process and contacted the County and State upon issuing our final decision.
- EPA also contacted Kwinn Neff of Senator Rounds' office regarding our decision to deny the permit application.

Upcoming Public Events

Air Force Site Investigation and Upcoming Public Meeting on Perfluorocarbon (PFCs) in Security/Widefield Area

Key Message: Representatives from the Air Force Civil Engineering Center (AFCEC) and Peterson Air Force Base (PAFB) plan to publicly release the Air Force site investigation report regarding PFCs in the Security/Widefield area in late July, and are working with the Colorado Department of Public Health and Environment and local governments to plan an open house-style public meeting on July 25 to discuss the report.

- Last week, AFCEC shared that the site investigation report confirms that PFCs were released on PAFB, and that more sampling is needed to understand the movement of PFCs off the installation. This additional sampling will be done later this year.
- AFCEC will begin remedial work likely starting around December 2018.
- Air Force, State, and local groups requested that EPA Region 8 participate in the upcoming public meeting to answer questions about drinking water health advisories and EPA's role.
- Region 8 is coordinating with EPA HQ regarding possible participation in this meeting.
- All larger water systems and most small water systems continue to meet the health advisories for Perfluorooctane Sulfonate (PFOS) and Perfluorooctane Acid (PFOA), with the exception of Security Mobile Home Park, a church, and a shopping center. Individual homes with private wells that are above the health advisory have had in-home treatment installed.

Upcoming Major Decisions – None.
Last Week Highlights – None.

AMERICAN OVERSIGHT

Region 9 Weekly Report
July 7, 2017

HOT ISSUES

1. **NAVY/SUPERFUND**: next week, we'll issue a notice of violation to the Navy for failing to operate and maintain groundwater controls at the Moffett Field NPL site, as required by the Federal Facility Agreement for this San Francisco Bay area site. The lack of a viable pump-and-treat system may have spread contaminated groundwater, and affected vapor intrusion through structures. Last year, the Navy transferred its O&M responsibilities to NASA, which then discovered the problem and invested $500K to make the system operational. Our notice will invite the Navy to confer. We are presently reviewing our draft notice with OLEM.

PUBLIC ENGAGEMENT/PUBLIC MEETINGS

1. **ENVIRONMENTAL JUSTICE**: OP/OEJ's Charles Lee will speak at a So. California symposium hosted by the CA Dept. of Toxic Substances Control on July 27. He will also meet in San Francisco with Region 9 communities-focused and EJ staff.
2. **BROWNFIELDS**: we'll meeting with AZ Sen. McCain's Phoenix-based staff to discuss and tour Brownfields properties near the Salt River, and have invited the City of Phoenix and AZ Dept. of Environmental Quality.
3. **GREENING AMERICA'S COMMUNITIES**: we'll participate in a local Honolulu workshop and two public events (July 12 – 14) in which public input is sought re options for greening streets, infrastructure and buildings in two neighborhoods (Iwilei and Kapalama).

HIGHLIGHTS OF THE PAST WEEK

1. **TSCA COMPLIANCE**: we resolved a TSCA lead-paint case with the largest bathroom remodeling franchise in the nation, Rebath/5-day Kitchens/Kittle LLC, arising from Arizona-based residential violations of the Renovation, Repair and Painting rule. Kittle, a major subcontractor for Home Depot, will pay $19,810 penalty.
2. **NPL LISTING**: on behalf of CA Gov. Brown, we received CalEPA's concurrence on EPA's proposal to listing the Orange County North Basin site (in So. California) . We've received support from CA Sen. Feinstein, and opposition from the Orange County Business Council. Meanwhile, field investigations proceed at the direction of the Orange County Water District.
3. **TRIBAL AUTHORIZATION**: we forwarded to OW two packages for "treatment in a manner similar to a state" (aka TAS) for the Rincon Band and Yurok Tribe, per CWA Sections 303 and 401. We plan to confer formal TAS approval at our annual October tribal conference in So. California.

AMERICAN OVERSIGHT

Region 10 Weekly Report
July 7, 2017

Hot Issues

Proposal to Withdraw Proposed Determination For the Bristol Bay Watershed (AK): On July 11th EPA will propose to withdraw the 2014 Clean Water Act Section 404 (c) Proposed Determination to restrict the use of certain waters in the Bristol Bay watershed as disposal sites for dredged or fill material associated with mining the Pebble deposit. EPA agreed to initiate this proposed withdrawal process as part of the May 2017 settlement agreement with the Pebble Limited Partnership. EPA will take public comments for 90 days following the publication of the Federal Register Notice and will initiate a concurrent tribal consultation period. Senator Lisa Murkowski has expressed interest in ensuring that affected tribes and the fishing community have sufficient time and opportunity to participate given that the comment period begins during peak fishing season.

Meetings with State and Local Officials in Fairbanks re: PM2.5 Non-attainment (AK): Last week Region 10 staff and management met with the Fairbanks Northstar Borough Mayor and Alaska Department of Environmental Conservation Air Director about the process and timing for submitting a State Implementation Plan to address the serious non-attainment designation for the area, the state's request to split the non-attainment area into two, as well as questions regarding which data will be considered as regulatory. We believe we have alignment with the Borough and the State on these three issues raised by ADEC Commissioner Hartig with the Administrator's staff. We are now working to develop the products that would allow us to move forward on all three issues.

Upcoming Public Events

North Ridge Estates Superfund Site VIP Tour and Community Update (OR): On July 18th and 19th, Region 10 staff will host a community information session and VIP tour in Klamath Falls, Oregon for community members to learn about asbestos cleanup work taking place at the North Ridge Estates Superfund site. Representatives from Oregon DEQ and the site cleanup contractors will participate as will local elected officials and congressional staff.

Region 10 Meeting With Students From Japan: In response to a request from Japan's Ministry of the Environment, on July 19th, Region 10 will host three students from Japan, an official from the ministry, and others for a meeting on environmental education. The ministry indicates that this meeting fits into a mutual interest in collaboration on environmental education by EPA and Japan's Ministry of the Environment.

Upcoming Major Decisions

Conditional Approval of Idaho's Attainment Plan for Cache Valley PM2.5: In mid-July Region 10 plans to route for concurrence a Federal Register Notice for final approval of Idaho's attainment demonstration, and conditional approval of other components of the attainment plan for the Idaho portion of the Logan Utah-Idaho fine particulate matter nonattainment area. On April 25th, Idaho submitted a letter to EPA committing to implementing a number of key elements of their plan within one year of the effective date of our final action, which allows the EPA to conditionally approve these elements. The proposal to approve was published in the Federal Register on June 1 and the comment period ended on July 3. We received no comments and plan to finalize this action as proposed.

Last Week Highlights

EPA Seeks Input from Idaho Dairymen and Cattlemen on Making Permit Reporting Easier: On July 6th, representatives from the Idaho Dairymen and Cattlemen Associations met with Region 10's

AMERICAN OVERSIGHT

Agriculture Advisor and staff from headquarters' Rural Branch to get feedback directly from producers on new software and applications EPA is developing which are aimed at making the recording keeping requirements of the NPDES CAFO general permit easier.

Tribal Government Consultation to the Idaho NPDES Program Application Process: Last week Region 10 sent letters to all tribal governments in Idaho providing an update on EPA's review of the Idaho NPDES program application, submitted to EPA in 2016. The letters notified the tribes of the state's and EPA's public review process including public meetings and hearings being scheduled for late summer/fall throughout the State of Idaho. The letters also invited the tribal governments to initiate tribal consultation on EPA's review and approval action on the application. Region 10 staff will also host a webinar for interested tribal staff on July 14.

Fort Wainwright Stakeholders Meeting (AK): Last week Region 10 staff and management participated in a meeting at Fort Wainwright to address on-going RCRA permit issues. The meeting was successful as the parties reached a formal agreement on an improved path forward which spells out how the facility will notify Region 10 of new waste sites and appropriate response actions.

AMERICAN OVERSIGHT

Office of Administration and Resources Management Weekly Report
July 7, 2017

Hot Issues

VERA/VSIP Update

OARM is working with the U.S. Office of Personnel Management to address their questions related to our VERA/VSIP proposal. OARM anticipates the approval is imminent.

Next Steps: OARM has prepared communication/outreach materials that program and regional offices will use once approval is received. OARM continues to provide webinars on VERA/VSIP and retirement counseling to interested employees. If approval is received within the next few days, the VERA/VSIP application period will open on July 12, 2017 and close on July 26, 2017. Those who choose to submit an application and accept the offering must leave the agency by September 2, 2017.

Space Consolidation (DC Metro)

The Office of the Chief Financial Officer asked OARM to explore opportunities to further reduce our space footprint in the DC metro area in an effort to achieve some rent savings in FY2018. OARM has identified some options that could result in the release of two floors at our Potomac Yard facility and save us approximately $2.6 million annually.

Next Steps: OARM will be meeting with the affected program offices (OARM/OLEM/OCSPP/ORD) next week to discuss an approach forward and address any management concerns.

Upcoming Public Events

None

Upcoming Major Decisions

None

Last Week's Highlights

None

AMERICAN OVERSIGHT

Office of Air and Radiation Weekly Report
July 7, 2017

Upcoming Hot Issues and Important Deadlines

- **Proposed Rules under review at OMB:**
  - Municipal Solid Waste (MSW) Landfills New Source Performance Standards (NSPS) and Emission Guidelines (EG)
  - Review of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (deadline for signature is July 14, 2017)
  - Review of the Clean Power Plan
- **Declaration in a Fine Particulate Matter (PM2.5) State Implementation Plan (SIP) Deadline Case:** By next Friday I will be signing a declaration to the court related to $PM_{2.5}$ SIPs. (Background: EPA has an on-going case alleging EPA's failure to meet various deadlines to act on $PM_{2.5}$ SIPs).

Upcoming Meetings, Public Events, or Other Public Releases

- **Montreal Protocol Meetings:** OAR staff will participate as members of the US delegation, led by the Department of State, in meetings of the Montreal Protocol in Bangkok, Thailand. EPA staff will serve as technical experts on a variety of topics. On July 10, staff will participate in a one-day workshop on international safety standards. On July 11-14, staff will participate in the Open-ended Working Group (OEWG) meeting to consider a variety of topics including the safe use of alternative refrigerants, the next steps in the phaseout of ozone-depleting HCFCs, the next replenishment, and approval of technologies for the destruction of substances controlled by the Montreal Protocol.
- **Oil and Gas Public Hearing:** On July 10, 2017, OAR will hold a public hearing on the Agency's proposed 3-month and 2-year stays for the Oil and Gas New Source Performance Standards. The hearing will be held from 9:00 am – 5:00 pm in the EPA East Building. Currently there are 151 speakers registered to speak.
- **Air Quality Design Values through 2016:** Together with our partners at the state and local level, EPA has completed the annual collection, quality assurance, and certification of air quality monitoring data and updated design values through 2016. As early as the week of July 17, we plan to post our annual update of design values in tabular form and through an interactive map (https://www.epa.gov/air-trends). (Background: A design value is a statistic that describes the air quality status of a given location relative to the level of the National Ambient Air Quality Standards (NAAQS). Design values are typically used to designate and classify nonattainment areas, as well as to assess progress towards meeting the NAAQS).

Upcoming Decisions

- **For Administrator's Signature - Phosphoric Acid Manufacturing and Phosphate Fertilizer Production Risk and Technology Review (RTR):** This final rule responds to two petitions for reconsideration filed by industry stakeholders on the RTR. The package is with OP for review.
- **For Administrator's Signature – Procedure 6 Technical Amendments:** This final rule makes technical amendments to Procedure 6 to resolve some minor inconsistencies between the initial proposal and final publication. (Procedure 6 specifies the minimum requirements necessary for control and assessment of the quality of continuous emission monitoring systems data submitted to EPA and used for hydrogen chloride emissions compliance determination at stationary sources). The package is with OP for review.

AMERICAN OVERSIGHT

- **For Administrator's Signature – Refrigerant Management Regulations for Small Cans of Motor Vehicle Refrigerant:** This direct final rule and parallel proposal corrects a potential conflict in a November 2016 final rule that updated EPA's refrigerant management regulations. The package is with OP for review.
- **Delegated to Assistant Administrator's Signature - Waste Isolation Pilot Plan (WIPP) Recertification:** OAR is preparing a Federal Register (FR) notice announcing it is recertifying that the WIPP continues to comply with the Agency's radioactive waste disposal regulations. Once signed, the FR notice will be sent to OP. Statutory deadline for completing this action is July 13, 2017. (Background: As mandated by Congress in the WIPP Land Withdrawal Act, DOE is required to submit a recertification application to EPA every five years following the initial receipt of waste at the WIPP until the end of its operational activities. This will be the third WIPP recertification by EPA).
- **For Administrator's Signature – Revisions to Procedure 2 – Quality Assurance Requirements for Particulate Matter (PM) Continuous Emission Monitoring Systems (CEMS) at Stationary Sources:** This rule finalizes the changes to Procedure 2 - related to PM CEMs - that were proposed on November 21, 2016, and responds to the adverse comment received in response to the proposal and direct final rule. Industry has asked for the revisions to this rule. We anticipate the package will move to OP next week.

Recap of the Past Week

- **Actions recently signed:**
  - Renewable Fuel Standard (RFS) 2018 Volumes (proposed rule)
  - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines direct final rule and parallel proposal
  - Los Alamos National Laboratory (LANL) Baseline Inspection Federal Register notice
  - Significant New Alternatives Policy (SNAP) Notice 33 Federal Register notice
  - Notice of Intent to Establish Voluntary Criteria for Radon Credentialing Organizations

AMERICAN OVERSIGHT

Office of Chemical Safety & Pollution Prevention Weekly Report
July 7, 2017

Important Deadlines

Due to the short holiday week, we do not have statistics to report on reduction of the new chemical backlog. Reporting will resume in next week's report.

Hot Issues

Formaldehyde Labeling Direct Final Rule

OCSPP plans to soon issue a direct final rule to amend the formaldehyde rule to allow early labeling of compliant composite wood products. This will reduce the unnecessary burden for panel producers, fabricators, distributors and retailers who want to roll out compliant inventory prior to the rule's compliance date. Another direct final rule will update several voluntary consensus standards referenced in the final rule.

Final Decision for Registration of a New Pesticide Active Ingredient – Cyclaniliprole

Within the next few weeks, the Pesticides Program anticipates publishing a final decision for the new pesticide, cyclaniliprole. This insecticide, developed by ISK Biosciences, controls several pests in a variety of fruits and vegetables. It's a potential replacement for organophosphates, carbamates, neonicotinoids, and pyrethroids. The only significant risks of concern are to honeybees and native bees, which will be mitigated as part of the registration decision by requiring certain restrictions (e.g., limiting to pre- and post-bloom applications). Risks will also be mitigated through the development of state managed pollinator protection plans, which is an approach supported by USDA and the state departments of agriculture. Stakeholder groups such as the American Honey Producers Association, American Beekeeping Federation, the Pollinator Stewardship Council, Center for Biodiversity, and Earth Justice may have concerns about this action.

Upcoming Meetings

Dicamba Spray Drift Meetings

During the week of July 10th, the Pesticides Program plans to hold a meeting with state departments of agriculture to discuss reported, wide-spread crop damage as a result of dicamba spray drift to unintended crops. Arkansas, Tennessee, Missouri and Mississippi have reported damaged crops. Also, on Thursday, July 6, OPP is meeting with dicamba registrants to discuss the spray drift issue.

Last Week Highlights

Cannabis Special Local Needs Pesticide Registration

On June 30 and July 3, the Washington State Department of Agriculture; Vermont Agency of Agriculture, Food & Markets; and the California Department of Pesticide Regulation withdrew their special local needs (SLN) registrations for use of a number of pesticide products on cannabis. The Nevada Department of Agriculture did not withdraw its SLNs and on July 3, EPA disapproved Nevada's SLNs for use on cannabis. EPA finds it reasonable to disapprove the state registrations because the pesticide use would be for the purpose of growing a crop that is generally illegal under federal law. EPA consulted with DOJ in making this determination. EPA has not identified any significant risks to human health or the environment associated with the SLN registrations.

AMERICAN OVERSIGHT

Formaldehyde Compliance Date Rules

Due to adverse comments received on its May 2017 direct final rule extending compliance dates, in a July 6, 2017 Federal Register Notice, OCSPP withdrew that rule. OCSPP is proceeding to finalize the companion proposed rule to amend the compliance dates, taking into consideration comments received. The original compliance dates published in the December 12, 2016 final rule will remain in effect until another final agency action is taken.

AMERICAN OVERSIGHT

Office of the Chief Financial Officer Weekly Report
July 7, 2017

Hot Issues
- N/A

Upcoming Public Events
- House Appropriations Subcommittee on Interior, Environment and Related Agencies FY 2018 markup will occur on July 12.
-

Upcoming Major Decisions
- The Acting CFO will sign the transmittal letter to submit the Animas River Spill (Gold King Mine) report to Congress outlining state, local and tribal reimbursement requests and their status. OLEM prepared the report and it has been approved by OMB. Congress requested this report in the FY 2017 Omnibus Appropriation Act.

Last Week Highlights
- N/A

Other
- OCFO continues to work with the Policy Team, OGC, OCIR, and OMB to review and clear responses to over 250 Questions for the Record from the June 15 House Appropriations Committee hearing.
- OCFO is finalizing the agenda for the FY 2019 planning and budget meeting on July 19. Materials are scheduled to be provided to participants one week before the meeting.
- Draft FY 2018-2019 NPM Guidances are posted on EPA's NPM Guidance website for the duration of the public comment period (June 28-July 28). NPMs' conference calls with states and tribes are scheduled for the following dates:
    - OAR July 11
    - Tribes July 11
    - OLEM July 13
    - OECA July 13
    - OW July 20

AMERICAN OVERSIGHT

Office of Congressional and Intergovernmental Relations Weekly Report
July 7, 2017

Upcoming Hot Issues and Important Deadlines

- **July 12** - SEPW Business Meeting: Markup of S. 822-The Brownfields Utilization, Investment and Local Development Act of 2017;
- **July 12** - the Senate Environment and Public Works Committee will hold a vote on the nomination of Susan Parker Bodine to become assistant EPA administrator of the Office of Enforcement and Compliance Assurance
- **July 12** - 2017 Federal Green Challenge Awards
- **TBD** - Senate Environment and Public Works Committee Hearing on the President's FY 2018 Budget – Agency witness: Administrator Pruitt

Upcoming Events

- **July 10- July 12** – Ken Wagner, Senior Advisor to the Administrator for Regional and State Affairs will visit Florida DEQ, Region 7 All State meeting and attend EPA-ERIS Board Meeting on July 12th
- **July 12**- The Senate Environment and Public Works Committee (SEPW) will hold a markup on the Diesel Emissions Reduction Act (DERA) Reauthorization from
- **July 12** - EPA will meet with Mayor Jim Gray and other local officials from Lexington, Kentucky. The topics of discussion at this meeting will included WIFIA, Clean Water SRF, and Brownfields.
- **Week of July 10**- We continue to work to schedule a call with Sen. Blunt's staff and a Missouri business interested in Energy Star programs relevant to small diameter high velocity (heating, ventilation and air conditioning) HVACs
- **Week of July 24**- Commissioner Nick Fish, Bureau of Environmental Services, has requested to meet with Administrator Pruitt during the week of July 24th to discuss the Portland Harbor Superfund Clean-up. If the Administrator is not available, staff from OLEM, and Region X will join OIR for the meeting. Jason Minor, Governor Kate Brown's Natural Resources Manager; Kristen Leonard, Port of Oregon's Chief Public Affairs Officer; and, Annie Von Burg, City of Portland, will accompany Commissioner Fish

Past Week Accomplishments

- **July 3** - Transmittal of QFRs from May 19 House Energy & Commerce drinking water hearing
- **July 3** - Transmittal of QFRs from May 11 Senate Ag PRIA hearing
- **July 5** - Notification on Mt. Rushmore Hotel UIC Class V permit denial w/R8
- **July 6** - Technical Assistance call with Senate Environment and Public Works Committee majority staff on S. 203 "Recognizing the Protection of Motorsports Act of 2017

Ongoing Activities

- Working with ECOS on planning the upcoming ECOS Leadership meeting scheduled for July 18th.
- Continue to coordinate responses to multiple oversight letters, congressional and gubernatorial correspondence, and FOIA requests. We closed out 22 letters during the previous two weeks
- Working on Reviewing Several QFR's including from House Appropriations Interior Subcommittee June 15th ; Senate Environment Public Workings Hearing March 29th ;
- OMB asked for comment on S.1460 the *Energy and Natural Resources Act of 2017*. The bill is the successor to Sen. Murkowski and Sen. Cantwell's legislation from the previous Congress. This bill was placed directly on the Senate Calendar for expedited floor consideration. It has 11 titles ranging from energy efficiency to conservation to infrastructure to Native American energy.

AMERICAN OVERSIGHT

Office of Enforcement and Compliance Assurance Weekly Report
July 7, 2017

Hot Issues
OECA Meeting with Acting Regional Administrators: On July 20th, OECA Senior Leadership will host a video conference with the Acting Regional Administrators to discuss the expanded use of compliance assurance tools, ways to strengthen joint planning with the States on compliance and enforcement matters, and other issues covered at the recent Senior Enforcement Managers Meeting.

Upcoming Public Events
OECA DAA to Meet with American Chemistry Council: On July 19th, OECA's Deputy Assistant Administrator, Patrick Traylor, will be the guest speaker at the American Chemistry Council's Enforcement Group meeting. Patrick has been asked to talk about OECA's priorities and approach to enforcement under the current Administration. The meeting will be closed to the press.

OECA to Participate in Environmental Press Event in El Salvador: Next week, OECA will be represented at a press event in El Salvador co-hosted by the U.S. Embassy, US AID, and the Salvadorian Ministry of Environment and Natural Resources (MARN). The purpose is to activate an on-line system for environmental assessments, permit applications and approvals, demonstrating the long-term environmental cooperation between the two countries. High-level officials from both countries plan to attend the event.

Call with States on NPM Guidance: On July 13th, OECA's senior managers will participate in a call with the states to discuss the enforcement and compliance components of OECA's draft FY 2018-2019 National Program Managers guidance.

Upcoming Major Decisions
*Case-specific deadlines are noted in our Daily Enforcement Report to Ryan Jackson.

Last Week's Highlights
OECA Summer 2017 Clinical Legal Education Honors Program Hosts 65 Students: Close to 1500 student applications were received from 35 Law schools and 10 undergraduate colleges across the country, for the summer 2017 OECA Intern program. Sixty-five applicants were selected to work under the supervision of a practicing attorney or technical professional, performing a wide variety of legal or technical research, policy analysis or writing assignments in each OECA office. The National Enforcement Training Institute offers weekly seminars on a variety of enforcement topics. These are also broadcast as webinars to regional interns as well as state, local and tribal enforcement personnel.

Peabody Energy Corporation Bankruptcy Settlement: On July 6th, OECA's Acting AA signed the Peabody Energy Corporation bankruptcy settlement. The Department of Justice will now submit the signed settlement to the U.S. Bankruptcy Court for the Eastern District of Missouri for its final approval. Under the agreement, EPA will receive a total of $35.6 million in payments to help address urgent ongoing cleanup needs at ten Superfund sites, including the Tar Creek site in Oklahoma (where lead and zinc mining created significant surface and groundwater contamination); the Taylor Springs site in Illinois (where arsenic, cadmium, chromium, lead, and zinc were found in the soil, surface water, and groundwater); and the Caney Residential Yards site in Kansas (where smelter waste, debris, and lead contaminated soils are located in and around at least 81 residences, day care centers and schools).

AMERICAN OVERSIGHT

Office of Environmental Information Weekly Report
July 7, 2017

Hot Issues
N/A

Upcoming Public Events
July 19: Smart City Air Challenge Webinar

- **Brief Description:** The Office of Environmental Information (OEI) will host the *U.S. Environmental Protection Agency (EPA) Smart City Air Challenge: The Winners* webinar on July 18, 2017. The webinar will include a discussion with the winners about their efforts to deploy air quality sensors in their communities, including progress, challenges, community engagement, data management and next steps.
- **Who benefits or cares:** EPA Region 3 and Region 6 leadership and employees, winning communities, citizen scientists and the general public.
- **Why this is important:** The Smart City Air Challenge awardees are demonstrating how to collect and manage data from air sensors at a local level.
- **Additional Information:**
    - The Smart City Air Challenge was designed to inspire communities to discover new approaches to manage data for air topics they care about, then develop solutions and share them with the public. EPA expects to learn how communities handle data from many sensors.
    - Local governments partnered with sensor manufacturers, data management companies and others to create strategies for collecting and using the data.
    - The EPA awarded $40,000 each to Baltimore, Maryland, and Lafayette, Louisiana. The awards were based on their strategies, including their plans to share their data management methods so others can benefit.

Upcoming Major Decisions
NA

Last Week's Highlights
New EPA High Performance Computing (HPC) System Goes into Production

- **Brief description:** The agency's new HPC system, Atmos, went into production on July 1, 2017.
- **Who benefits or cares:** EPA researchers, regulators, and scientists
- **Why this is important:** The HPC system is used to support a wide variety of computational studies, including modeling and simulation (e.g., atmospheric, emissions, toxicology, water quality), computational chemistry and computational fluid dynamics. The new system is 2.3 times more powerful than the old system, improving the speed with which the EPA can conduct simulations.
- **Additional information:** N/A

AMERICAN OVERSIGHT

Office of General Counsel Weekly Report
July 7, 2017

Hot Issues

- The Administrator signed letters to approximately 77 claimants whose tort claims related to the Gold King Mine release were previously denied. The letters announced the Administrator's reconsideration of the previously denied claims.
- Plaintiffs agreed to file a stipulation of voluntary dismissal of their case with prejudice in *NRDC v. EPA*, a case concerning EPA's Clean Water Act pretreatment standards for dental amalgam. EPA's actions resolved the case and case is shown as closed in court's docket.
- In light of the adverse decision issued by the D.C. Circuit on July 3, 2017, OGC is reviewing all pending litigation challenging administrative action to stay or defer agency rules to identify any potential implications and lessons learned. Based on that evaluation, OGC will work with DOJ to identify any actions the agency may want to take to reduce the risk of a second adverse decision in this area.
- OGC has been working closely with Region 10 and OW to, consistent with our commitment in the recent settlement agreement, initiate a proceeding to propose to withdraw the Proposed Determination to exercise our authority under Section 404(c) of the CWA in the Bristol Bay Watershed.
- I (Kevin) will be out of the office on leave beginning at the end of the day on Friday July 21, 2017, and return to the office on Wednesday August 2, 2017. While reachable through the OGC Front Office and by phone, I will not personally be checking emails on those days as I enjoy some time away with my partner before he begins a 15-month deployment overseas as part of his service in the Army Reserves.

New Judicial Decisions

- The court issued a decision on Plaintiff's Motion to Amend Complaint and Defendant's Motion to Dismiss in *Friends of Animals v. Pruitt*. Plaintiffs sued for unreasonable delay in responding to their petition to conduct a Special Review of the horse contraceptive ZonaStat-H. After the complaint was filed, EPA responded to the petition and filed a motion to dismiss the case as moot. Plaintiffs moved for leave to file an amended complaint to challenge the response, but did not include as part of their motion a copy of the amended complaint as is required by the local rules. The Court denied Plaintiff's motion for failure to attach the amended complaint and granted EPA's motion to dismiss based on lack of subject matter jurisdiction.
- A divided panel of the D.C. Circuit vacated the agency's 90-day stay of portions of the 2016 oil and gas NSPS on the basis that such stay exceeded the authority provided to the agency under section 307(d)(7)(B) of the Clean Air Act (CAA). While the Court agreed that EPA's decision to grant reconsideration was not judicially reviewable, the Court held that EPA's decision to impose the stay in light of that grant of reconsideration was judicially reviewable. [The dissenting judge disagreed and would have held that the decision to issue the stay was also not judicially reviewable as it is not the end of the agency's reconsideration process.] The court then held that the authority granted to EPA to issue a stay under CAA Section 307 was more limited than the agency's interpretation of the position, and concluded the action did not meet that more limited scenario. We are working actively with DOJ to evaluate a number of possible next steps for this case.
- The D.C. Circuit issued a decision on consolidated cases (*CBD, et al. v. EPA*) involving the registration of new active ingredient cyantraniliprole (CTP) and EPA's failure to consult under the Endangered Species Act. The D.C. Circuit upheld the lower court's decision that an ESA-

AMERICAN OVERSIGHT

based challenge to a registration granted after public comment is properly brought in the Court of Appeals. Turning to the petition to review the registration, the Court held the plaintiffs had standing to challenge (though dissenting Judge Randolph would have held otherwise). The Court held that EPA was in violation of the ESA for not having made an effects determination and remanded the decision back to EPA to conduct an effects determination. Based on EPA's finding that CTP is less toxic to many taxa compared to its alternatives, the Court chose not to vacate the registration or mandate a schedule for making the determination.

- The D.C. Circuit denied a petition for rehearing filed in *Waterkeeper Alliance v. EPA*. Petitioner National Pork Producer's Council had sought rehearing of the D.C. Circuit's April 11, 2017, decision vacating the "CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances from Animal Waste at Farms" rule. The court's denial of the petition for rehearing triggered a 14-day deadline for EPA to file a motion to stay issuance of the mandate.
- A split panel of the First Circuit Court of Appeals issued a decision in *Penobscot Nation v. Mills* affirming in part and vacating in part a district court ruling addressing the boundary of the Penobscot Indian Nation's Reservation as well as the scope of the Tribe's sustenance fishing right. The Tribe had sued in federal district court seeking to resolve ongoing disputes with the State of Maine over the Main Stem of the Penobscot River. Specifically, the Tribe sought a declaration that in addition to certain islands located in the Main Stem, its Reservation also included the River itself, bank-to-bank. The United States intervened in the case in support of the Tribe. The district court found that under the definition of the Reservation contained in State law and ratified by Congress, the Reservation consisted only of the islands, and not the waters or bed, of the Main Stem. The court also found, however, that the same statutory scheme preserved the Tribe's right to sustenance fish in the entire Main Stem.

New Complaints Filed
None to report

Other Highlights from Last Week
None to report

Upcoming Public Events & Important Meetings in the Next Two Weeks

- OGC's senior leadership team is looking forward to joining our colleagues from across the agency at the upcoming senior leadership meeting.
- The Department of Justice has invited representatives from EPA, DOI, and the Army Corps of Engineers to a meeting the week of July 17th to discuss a draft motion prepared by the South Florida Water Management District to vacate the 1992 Everglades consent decree. Historically, the agency has been an active participant in this litigation, but has not been the lead federal agency.

Upcoming Major Deadlines in the Next Two Weeks

07/07 Agency's response to GAO's request for additional information in the bid protest of SCST Engineering, a protest where SCST alleges that the Agency improperly evaluated and then removed SCST from the competition for a Superfund design and engineering services contract

07/10 EPA's Response to Motion to Stay due in *Air Alliance Houston, et al. v. EPA*, a petition for review of EPA's final action titled "Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; Further Delay of Effective Date"

07/10 EPA's Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion is due in *Nucor Steel-Arkansas, et al. v. EPA*, Failure to grant or deny Nucor petition for objection to

AMERICAN OVERSIGHT

Title V Operating Permit issued to Big River Steel by Arkansas DEQ for a steel manufacturing facility in Osceola, Arkansas

07/10 The U.S.'s brief is due in *Sunnyside Gold Corp. v. EPA*, a challenge to EPA's listing of the Bonita Peak Mining District near Silverton, Colorado to the NPL, is due

07/11 The CERCLA 108(b) rulemaking comment period closes

07/11 EPA must initiate the process to withdraw a Proposed Determination under CWA 404(c) in relation to *Pebble Limited Partnership v. EPA*

07/11 EPA's response to ASW's response is due in *ASW Associates, Inc. v. EPA*, a case brought by a former remediation contractor

07/12 Pursuant to the MOU in *OVEC v. Pruitt*, WVDEP and EPA must sign an addendum to MOA that identifies TMDL development schedule with date-specific deadlines for WVDEP submittal of TMDLs to EPA for 467 biologically-impaired waters

07/13 EPA's Opposition to Summary Judgment/Cross-Motion for Summary Judgment is due in *CBD v. EPA*, a deadline suit brought by environmental group to address state implementation of multiple fine particulate matter (PM2.5) national ambient air quality standards

07/13 EPA's Dispositive Motion is due in *Cause of Action v. EPA*, a lawsuit concerning EPA's alleged failure to respond to a FOIA request regarding employees' use of an encrypted messaging application, called "Signal," to communicate about agency business, as well as EPA efforts to retrieve, recover, or retain records created or received by EPA employees on Signal, from January 20, 2017 to the present

07/13 Reply brief is due in *Southern California Alliance of POTWs v. EPA*, a challenge by POTW groups to use in NPDES permitting of statistical approach known as the Test of Significant Toxicity (TST) for assessing whole effluent toxicity (WET)

07/13 Opposition to NRDC's summary judgement motion is due in a mandatory duty lawsuit alleging that California water rights permit decisions are new and revised CWA WQS

07/14 EPA's Answer in *CBD v. Pruitt*, a deadline suit brought by environmental group to make determinations of attainment by the attainment deadline for the Philadelphia and Washington DC 2008 ozone NAAQS nonattainment areas, is due

07/14 In *EIP, et al. v. Pruitt*, a CAA Title V deadline suit alleging failure to respond to petition to object to Title V Petition, the EPA must file its Response to Motion for Summary Judgement

07/14 EPA must sign a notice of proposed rulemaking in review of primary NOx NAAQS in *Center for Biological Diversity et al. v. EPA*, a deadline suit for failure to timely review; revise and promulgate the Air Quality Criteria for Sulfur Oxides and the NAAQS for Sulfur Dioxide and Nitrogen Oxides as may be appropriate

07/14 EPA's Answer to the Complaint is due in *Pesticide Action Network of North America v. EPA*, a FOIA litigation arising from two FOIA requests from Pesticide Action Network of North America (PANNA) related to the chemical chlorpyrifos

07/14 EPA to file motion to dismiss A district court lawsuit on jurisdictional grounds in LA *Waterkeeper, et al. v. Pruitt*, a challenge to EPA's denial of petition asking EPA to exercise residual designation authority to require NPDES permits for commercial, industrial, and institutional stormwater discharges within two LA-area watersheds

07/15 Response brief is due in *U.S. Steel Corp. v. EPA*, a petition for review challenging the revised taconite FIP

07/15 EPA's Answer to the Complaint is due in *Board of Commissioners of Clermont County, Ohio v. EPA*, a FOIA litigation concerning the CECOS hazardous waste site in Clermont County, Ohio

07/17 Opposition to the State of Arizona's Petition for Certiorari in *Bahr, et al. v. EPA*

07/17 EPA must file a motion to stay the issuance of a mandate in *Waterkeeper Alliance v. EPA*

AMERICAN OVERSIGHT

07/17 EPA's appellate brief is due appealing a district court order that EPA had mandatory duty to act on constructive submission of no WV TMDLs for biologically-impaired streams in *OVEC v. Pruitt*

07/17 EPA to file motion to dismiss district court lawsuit on jurisdictional grounds in *Blue Water Baltimore, et al. v Pruitt*

07/19 EPA's Answer is due in *Sierra Club v. EPA*, a case alleging that the Agency failed to grant or deny a petition seeking an objection by EPA to the Title V Operating Permit renewal for the Tennessee Valley Authority's Gallatin Fossil Plant

07/19 Parties to file briefs addressing the effect of EPA approval or disapproval of Montana's 2017 revised variance on pending case in *Upper Missouri Waterkeeper v. EPA*

07/20 Motions to govern further proceedings is due in *Truck Trailer Manufacturers Ass'n v. EPA*, a petition for review of EPA's final rule "Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2"

07/20 Reply brief is due in *Southern California Alliance of POTWs v. EPA*, a challenge by POTW groups to use in NPDES permitting of statistical approach known as the Test of Significant Toxicity (TST) for assessing whole effluent toxicity (WET)

07/21 Answer is due in *State of Connecticut v. EPA*, where EPA allegedly failed to grant or deny a section 126 petition filed by Connecticut regarding Brunner Island Steam Electric Station in York County, Pennsylvania

07/21 EPA's response brief is due in Environmental Integrity Project v. EPA, a case where the State of North Dakota appealed the district court's decision to deny the State's intervention request and challenge to consent decree entered in December 2016

AMERICAN OVERSIGHT

Office of International and Tribal Affairs Weekly Report
July 7, 2017

Hot Issues
None

Upcoming Engagements
- Meeting with Chairman of Kootenai Tribe of Idaho on July 12
- Interagency meeting on Columbia River Treaty negotiations on July 13

Past Week's Highlights

Japan Bilateral Cooperation
OITA participated in a meeting with the Ministry of Environment to follow up on the recent G7 Ministerial bilateral meeting between the U.S. and Japan. Three areas of bilateral cooperation were discussed - regional air quality, mercury pollution, and environmental education. Japan expressed interest in a Ministerial Joint Statement of Cooperation which would highlight these areas of cooperation. In addition, we discussed Japan's advanced coal technology and other clean energy innovations.

Public-Private Dialogue on Lead Paint
OITA participated in a meeting with UN Environment to help plan a high level dialogue between government ministers and paint industry leaders at the upcoming UN General Assembly meeting in New York City in September. The meeting will focus on how industry and governments can work together to eliminate lead paint through promoting a harmonized approach to lead paint limits, which would help create a level playing field for industry. In the coming weeks, EPA will meet with U.S. industry representatives to obtain their views on specific goals and outcomes for this meeting and then will work with UN Environment to finalize a proposal for the high level dialogue on lead paint.

AMERICAN OVERSIGHT

Office of Land and Emergency Management Weekly Report
July 7, 2017

Hot Issues

1. National Priorities List (NPL), package of proposed sites and final sites.
2. CCR State Permit Program Guidance.
3. Clean Air Act 112(r) Risk Management Program Rule.
4. CERCLA 108(b) Financial Assurance Rulemaking.
5. Hanford Record of Decision (ROD).
6. Other ongoing major Superfund sites (for example, East Chicago, West Lake, Gold King mine / Bonita Peak, Hudson River).
7. CERCLA-EPCRA AFO-CAFO Rule.

Upcoming Public Events

1. **2017 Brownfields Conference.** (December 5, 2017, in Pittsburgh). Following up on oral discussions, a request is pending for the Administrator to provide the keynote address.
2. **Federal Green Challenge.** We are working with OPA to announce the Federal Green Challenge award winners and their achievements from FY2016.

Upcoming Major Decisions

1. **National Priorities List package of proposed and final sites.**
2. **Hanford ROD.** We are working with Region 10 and the AO in preparation for the briefing with the Administrator.
3. **CERCLA 108(b) Financial Assurance Rulemaking**. The comment period ends on July 11, 2017. Pursuant to a judicial order on consent, a notice of EPA's final action will be signed by December 1, 2017.
4. **CERCLA-EPCRA AFO-CAFO Rule.** In light of the DC Circuit's actions, we are conferring with OGC on next steps.

Last Week Highlights

1. **Mississippi Phosphate site**. We worked closely with Region 4 as it assessed and stabilized the site.
2. **General Electric Financial Assurance template**. We are conferring with the AO regarding this technical assistance requested by state staff.

AMERICAN OVERSIGHT

Office of Policy Weekly Report
July 7, 2017

Documents Sent to the Office of Federal Register – Week of June 26

9962-00-OCSPP	CACI/Emergent and ARCTIC SLOPE MISSION SERVICES, LLC; Transfer of Data	6/30/2017
9964-49-Region 5	Air Plan Approval; Wisconsin; Site-Specific Sulfur Dioxide Requirements for USG Interiors, LLC	6/30/2017
9964-50-Region 5	Air Plan Approval; Wisconsin; Site-Specific Sulfur Dioxide Requirements for USG Interiors, LLC	6/30/2017
9962-53-Region 9	Approval of California Air Plan Revisions, Antelope Valley Air Quality Management District	6/30/2017
9964-47-OEI	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of North Carolina	6/30/2017
9964-51-OEI	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Georgia	6/30/2017
9961-59-OEI	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of West Virginia	6/30/2017
9964-56-Region 4	Air Plan Approval; TN: Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement in Shelby County	6/30/2017
9964-57-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Volatile Organic Compound Reasonably Available Control Technology for 1997 Ozone Standard	6/30/2017
9964-58-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Volatile Organic Compound Reasonably Available Control Technology for 1997 Ozone Standard	6/30/2017
9963-74-OCSPP	Compliance Date Extension; Formaldehyde Emission Standards for Composite Wood Products	6/29/2017

AMERICAN OVERSIGHT

9961-05-OCSPP	Registration Review Proposed Interim Decisions for Aliphatic Esters, Mepiquat Chloride and Mepiquat Pentaborate, Propylene Glycol and Dipropylene Glycol, Triethylene Glycol, Bromuconazole, and case closures for ADAO, DMHMP, and Nuosept 145; Notice of Availability	6/29/2017
9962-06-OCSPP	Buprofezin; Pesticide Tolerance	6/29/2017
9962-13-OCSPP	Flubendiamide; Pesticide Tolerances	6/29/2017
9962-19-OCSPP	Oxirane, 2-methyl, Polymer with Oxirane, Hydrogen Sulfate, Ammonium Salt and Potassium Salt; Tolerance Exemption	6/29/2017
9962-59-OCSPP	Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations	6/29/2017
9962-60-OCSPP	Pyroxsulam; Pesticide Tolerances	6/29/2017
9962-66-OCSPP	Certain New Chemicals or Significant New Uses; Statements of Findings for March 2017	6/29/2017
9962-87-OCSPP	Product Cancellation Order for Certain Pesticide Registrations	6/29/2017
9962-88-OCSPP	Product Cancellation Order for Certain Pesticide Registration	6/29/2017
9961-82-OCSPP	Final Rule - Titanium Dioxide; Exemption from the Requirement of a Tolerance	6/29/2017
9962-05-OCSPP	Final Rule - Difenoconazole; Pesticide Tolerances	6/29/2017
9962-61-OCSPP	Final Rule - Indaziflam; Pesticide Tolerances	6/29/2017
9964-01-Region 1	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Shpack Landfill Superfund Site	6/28/2017
9964-03-Region 1	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Shpack Landfill Superfund Site	6/28/2017
9964-41-Region 4	Air Plan Approval and Designation of Areas; KY; Redesignation of the Kentucky Portion of the Cincinnati-Hamilton 2008 8-Hour Ozone Nonattainment Area to Attainment	6/28/2017

AMERICAN OVERSIGHT

9962-34-OW	Definition of "Waters of the United States"; Recodification of Preexisting Rules	6/28/2017
9959-80-OAR	Proposed Information Collection Request; Comment Request; Information Collection Activities Associated with the SmartWay Transport Partnership	6/27/2017
9964-23-Region 1	Air Plan Approval; Rhode Island; Reasonably Available Control Technology for US Watercraft, LLC	6/27/2017
9964-26-Region 1	Air Plan Approval; Rhode Island; Reasonably Available Control Technology for US Watercraft, LLC	6/27/2017
9964-39-Region 4	Air Plan Approval; FL: Hillsborough and Nassau Areas; SO2 Attainment Demonstration	6/27/2017
9964-44-Region 9	Approval and Promulgation of Air Quality State Implementation Plans; California; Ambient Ozone Monitoring Requirements	6/27/2017
9964-33-Region 4	Kentucky; Removal of Stage II Gasoline Vapor Recovery Program	6/27/2017
9964-34-Region 4	Air Plan Approval; FL: Revisions to New Source Review, Definitions and Small Business Assistance Programs	6/27/2017
9964-35-Region 4	Air Plan Approval; FL: Revisions to New Source Review, Definitions and Small Business Assistance Programs	6/27/2017
9964-43-OAR	Proposed Information Collection Request; Comment Request; Engine Emission Defect Information Reports and Voluntary Emission Recall Reports	6/26/2017
9964-02-Region 9	Adequacy Status of Motor Vehicle Emission Budgets in Submitted Ozone Attainment Plan for San Joaquin Valley, California	6/26/2017
9964-30-Region 8	Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2010 SO2 and 2012 PM2.5 National Ambient Air Quality Standards; North Dakota	6/26/2017

AMERICAN OVERSIGHT

9964-31-Region 4	Approval of Section 112(l) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emission Standards for Hazardous Air Pollutants; Plating and Polishing Operations	6/26/2017
9964-32-Region 4	Approval of Section 112(l) Authority for Hazardous Air Pollutants; Equivalency by Permit Provisions; National Emission Standards for Hazardous Air Pollutants; Plating and Polishing Operations	6/26/2017
9963-96-Region 5	Notification of a Public Teleconference of the Great Lakes Advisory Board	6/26/2017
9963-94-Region 8	National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List: Partial Deletion of the Mystery Bridge Road /U.S. Highway 20 Superfund Site	6/26/2017
9963-95-Region 8	National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List: Partial Deletion of the Mystery Bridge Road /U.S. Highway 20 Superfund Site	6/26/2017
9963-90-OEI	Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Idaho	6/26/2017
9963-49-OAR	Proposed Information Collection Request; Comment Request; Information Collection Request Renewal for the Nox Budget Trading Program to Reduce the Regional Transport of Ozone	6/26/2017
9963-77-OARM	Good Neighbor Environmental Board	6/26/2017
9963-76-Region 5	Air Plan Approval; Illinois; Revised Format for Materials Incorporated by Reference	6/26/2017
9962-16-OECA	Proposed Information Collection Request; Comment Request; See Item Specific ICR Titles Provided in the Text	6/26/2017
9962-43-OAR	Proposed Information Collection Request; Comment Request; Alternative Affirmative Defense Requirements for Ultra-low Sulfur Diesel	6/26/2017

AMERICAN OVERSIGHT

9962-35-OW	Proposed Information Collection Request; Comment Request; Modification of Secondary Treatment Requirements for Discharges into Marine Waters (Renewal)	6/26/2017
9962-14-OAR	Proposed Information Collection Request; Comment Request; Regulation of Fuels and Fuel Additives: Gasoline Volatility	6/26/2017
9962-12-OW	Proposed Information Collection Request; Comment Request; ICR Supporting Statement Information Collection Request for National Pollutant Discharge Elimination System (NPDES) Program (Renewal)	6/26/2017
9961-97-OW	Proposed Information Collection Request; Comment Request; Clean Water Act Section 404 State-Assumed Programs; EPA ICR No. 0220.13, OMB Control No. xxxx-xxxx	6/26/2017
9959-95-OA	Notice of Meetings	6/26/2017
9955-06-Region 2	Approval and Promulgation of Implementation Plans; New Jersey; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference	6/26/2017
9964-10-Region 4	Air Plan Approval; Alabama: Infrastructure Requirements for the 2012 PM2.5 National Ambient Air Quality Standard	6/26/2017
9964-07-Region 4	Air Plan Approval; Kentucky; Revisions to Jefferson County Emissions Monitoring and Reporting	6/26/2017
9964-17-OEI	NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units (Renewal); ICR 2384.04	6/26/2017

AMERICAN OVERSIGHT

Office of Research and Development
July 7, 2017

Hot Issues

Chlorprene in LaPlace, LA

ORD is supporting Region 6 on Chloroprene. High air concentrations of chloroprene have been measured at schools near a facility emitting chloroprene in LaPlace, LA. In evaluating potential near-term risk reduction measures, a question was posed as to whether an activated carbon system might be placed in schools or homes (perhaps as part of the air conditioning systems) to remove chloroprene from the indoor environment. ORD scientists are helping to address some of the community's questions and concerns.

Technical Support to Osage County, OK

Region 6 contacted ORD for groundwater expertise and technical support with ongoing issues of high salinity in Bird Creek. In October 2016, a rancher reported oil sheen, elevated temperatures, and suds in the creek. Two injection wells located approximately half a mile from the impacted area were found to have mechanical integrity issues. Region 6 conducted an initial geophysical assessment using OhmMapper (a resistivity meter that measures the electrical properties of rock and soil) to locate any conductive features that may be related to a potential brine release. However, the Region's survey results were inconclusive. ORD's assessment will include additional work with OhmMapper, followed by focused electrical resistivity imaging surveys at selected sites if warranted by the results. The affected area is located on Tribal land, Osage Nation.

ORD assists North Carolina DEQ in Cape Fear PFAS study

At the request of the N.C. Department of Environmental Quality (NCDEQ) and EPA Region 4, ORD is continuing to conduct an independent laboratory analysis of water samples being collected by NCDEQ at 13 locations in the Cape Fear River watershed over the next three weeks. The watershed is a source of drinking water for millions of North Carolina residents. ORD scientists are analyzing wastewater, surface water, ground water, and treated drinking water samples to determine the presence and concentration of the chemical "Gen X" in the samples. Gen X is a replacement chemical for perfluorooctanoic acid (PFOA), which has an EPA-established health advisory level of 70 parts per trillion. The scientists are also analyzing the samples to determine the presence of perfluoro-2-methoxyacetic acid and perfluoro-3,5-dioxahexanoic acid, which are related perfluoroalkyl substances (PFAS). The analysis is expected to be completed by the end of July. The lab method being used in this analyses was developed by ORD scientists and has been used in EPA research and in supporting other analysis efforts requested by states. The finding of GenX in finished drinking water was first reported in a 2016 journal article authored by ORD scientists titled "Legacy and Emerging Perfluoroalkyl Substances Are Important Drinking Water Contaminants in the Cape Fear River Watershed of North Carolina" published in *Environmental Science & Technology Letters*.

Upcoming Public Events

ERIS Board in Oklahoma

I and several senior ORD staff are looking forward to meeting with the ERIS Board in Oklahoma on Tuesday and Wednesday and sharing information about our research portfolio, including special topics such as PFAS, which emerged as one of the high priority research areas in the 2016 ECOS research needs survey. We expect to have a robust dialogue with the board on how we can continue to improve our working relationship.

AMERICAN OVERSIGHT

NEHA Annual Education Conference
ORD scientists will be attending the National Environmental Health (NEHA) Annual Education Conference in Grand Rapids, Michigan next week. NEHA represents more than 5000 environmental health professionals working at the local or state level. They will be presenting a session on a proposed portfolio approach to risk assessment, with the discussion to be focused on what the needs are for public health practitioners who rely on risk assessment information to make public health decisions in their state or locality. Several other ORD scientists will participate in a "Tools of the Trade" session at the conference.

Environmental Research Institute of the States (ERIS) Board-EPA Joint Meeting
ORD will host a joint meeting with the ERIS Board in Oklahoma, July 11-12. ORD has developed a critical partnership with ERIS, the research arm of the Environmental Council of the States, to ensure that our research is useful and practical for states to help address on the ground problems. Oklahoma DEQ Executive Director Scott Thompson, Ken Wagner (OA), Jeaneanne Gettle (Region 4) and James McDonald (Region 6) will also participate. Agenda topics include follow-up on the ERIS survey on state research needs, pilot projects with the Environmental Council of States and the Association of State and Territorial Health Officials on public and environmental health, a tour of ORD's Groundwater, Watershed and Ecosystem Restoration Division in Ada facility and research vignettes, Oklahoma DEQ overview and discussion of environmental issues facing the state, as well as perfluorinated chemicals and regional perspectives.

Tert-butanol (TBA) and Ethyl Tertiary Butyl Ether (ETBE) External Review Draft IRIS Assessments
On July 11th, ORD scientists will present an overview on the external peer review draft assessments for tert-butanol (TBA) and ethyl tertiary butyl ether (ETBE) to the SAB-CAAC committee formed to jointly review the TBA and ETBE IRIS assessments. The presentation will be part of a public teleconference focused on discussion of the charge questions associated with those external peer review drafts. This public teleconference precedes the face-to-face SAB peer review meeting, scheduled for 15-17 Aug, 2017.

Last Week Highlights
Million Hearts Web Page Now Includes EPA and ORD Air Pollution Info
Links to EPA's Air Quality Index and ORD's air pollution and health information and tools were recently made available on the Centers for Disease Control and Prevention and Centers for Medicare & Medicaid Services-led Million Hearts 2022's Particle Pollution and Heart Disease page. The Web site is a source of information to educate health care professionals and the public about the health effects of air pollutants and actions they can take to protect themselves. Increasing environmental health literacy among physicians and advanced healthcare professionals will help identify those at highest risk, save lives, decrease morbidity, and lower healthcare costs.

State Support: Field studies to Support Cleanup at Fort Devens Superfund Site,
Last week ORD was conducting field research to provide performance verification for groundwater remediation and facilitate evaluation of new monitoring tools. ORD is providing technical assistance to Region 1 and the Massachusetts Department of Environmental Protection to investigate the impact of recently implemented remedial measures on groundwater flow and contaminant transport. Fort Devens is a former military training base with petroleum, arsenic, iron, and magnesium contamination in the groundwater, soil, and sediment.

AMERICAN OVERSIGHT

Peer Review Meeting for EPA's Draft Report, "Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water"

ORD scientists presented ORD's integrated SHEDS-IEUBK (probabilistic exposure- dose) model and results at the Peer Review Meeting for EPA's Draft Report, "Proposed Modeling Approaches for a Health-Based Benchmark for Lead in Drinking Water" on June 27 - 28, 2017. This peer review will provide input to Office of Water for choosing modeling approaches to use in updating the Lead and Copper Rule with a Household Action Level. Closing comments by the peer review panel were very positive.

Satellite imagery helps alert Utah DEQ to Cyanobateria Bloom

Through the Cyanobacteria Assessment Network (CyAN), EPA Region 8 requested support for the State of Utah for early access to satellite imagery based on the severity of cyanobacteria blooms from the previous year. Utah Department of Environmental Quality (DEQ) conducted its routine monthly sampling on June 12, 2017. Satellite imagery the following week indicated a bloom was developing in Lake Utah's Provo Bay, so Utah Department of Water Quality (DWQ) scientists returned to the area on June 22, 2017 for follow-up sampling. On June 29th, DEQ issued a news release (*Algal Bloom Detected in Provo Bay: Public Warned To Avoid Area*) warning the public and pets to stay out of the lake's Provo Bay. Local news articles related to the Utah DEQ press release acknowledge the bloom was first detected via satellite imagery (e.g., *See* Warnings posted for visitors due to algal bloom in Provo Bay, Public warned to avoid Provo Bay in Utah Lake due to algal bloom, Toxic algae's return to Utah Lake could force it to close for holiday weekend, Algal bloom returns to Utah Lake in Provo area).

AMERICAN OVERSIGHT

Office of Water Weekly Report
July 7, 2017

Hot Issues
Bristol Bay: This week, OW anticipates sending forward for your signature, the final tribal consultation letters, initiating a 90-day tribal consultation period on EPA's proposal to withdraw the Bristol Bay/Pebble 404(c) Proposed Determination. Per the May 11, 2017 Settlement Agreement, EPA must initiate a process to propose to withdraw the July 2014 Bristol Bay/Pebble 404(c) Proposed Determination by July 11, 2017. Next week, EPA R10 will sign and post on EPA's website an FRN announcing a 90-day public comment period on the proposal to withdraw. Concurrently with the public comment period, EPA will initiate tribal consultation on the proposal. The signature package to you will include separate letters to both federally-recognized tribal governments and ANCSA Corporations in the Bristol Bay region.

WIFIA: The week of July 17, we anticipate publicly announcing the selection of prospective borrowers for this new federal loan and guarantee program that aims to accelerate investment in our nation's water by providing long-term, low-cost supplemental credit assistance for regionally and nationally significant projects. We look forward to briefing you on this important milestone on Monday.

Puerto Rico SRF: On Friday, June 30, 2017, the current PRASA debt forbearance was extended for another six months. The forbearance extension requires PRASA to pay the SRFs $250,000 in July, August and September and $500,000 in months October, November and December. We are also analyzing PRASA's debt restructuring proposal and hope to have a counterproposal in the next few weeks.

Perchlorate: Next week, we will conduct a follow-up meeting with OMB and other Federal agencies on the perchlorate peer review process. EPA is must complete peer review of two perchlorate health effects analyses to support rulemaking required by the Safe Drinking Water Act and a consent decree. EPA completed expert peer review in January 2017 of the first analysis, the Biologically Based Dose Response (BBDR) model. The BBDR model predicts thyroid hormone changes that occur as a result of perchlorate exposure. Last week, we briefed OMB on the second analysis that we need to have peer reviewed. This second analysis links the change in thyroid hormone levels predicted by the BBDR model to neurodevelopmental effects in children. OMB staff had some questions about the second analysis but were more focused on learning how EPA had revised the first analysis (the BBDR model) as a result of the peer review comments. Next week we will meet to describe the first peer review comments, the revisions made by EPA to address those comments and to obtain input on the draft charge questions for the second peer review process.

Waters of the U.S. – Today, we received comments back from the OFR on the proposed step 1 rule submitted for publication last week. We are addressing those comments to move the rule forward to publication. No publication date has been set yet. Next week, we anticipate initiating discussion on a variety of key decision points on the step 2 rule including options direction, small entity engagement, ESA, and economics.

Upcoming Public Events
None

AMERICAN OVERSIGHT

Last Week Highlights

Materials for Cyanobacterial Bloom Management in Recreational Waters: This week, OW released a suite of materials states and communities can use to protect public health during harmful algal bloom (HAB) outbreaks caused by cyanobacteria. Some blooms are capable of producing toxins, called cyanotoxins, which can harm humans and animals, affect drinking water sources and impact local economies. Public health officials and outdoor water recreational managers can use EPA's online resources to develop a cyanotoxin monitoring program, communicate potential health risks to the public, and address HAB outbreaks. OW worked collaboratively with states to develop the materials and expect a positive reaction from, states, local governments, and the public. View the materials at: https://epa.gov/nutrient-policy-data/monitoring-and-responding-cyanobacteria-and-cyanotoxins-recreational-waters

Campus RainWorks Challenge: This week, we released the rules for the sixth annual Campus RainWorks Challenge, a green infrastructure design competition created to engage college and university students in reinventing our water infrastructure to address stormwater pollution. Registration for the competition will open in September and design submissions will be due in December. EPA administers the Campus RainWorks Challenge with support from the Water Environment Federation, American Society of Civil Engineers and American Society of Landscape Architects.

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT